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30 August 2023

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Dear Andrew,

## **ALAND LEPPINGTON-RESIDENTIAL CORE FORMERLY SITE B, 156 & 166 RICKARD ROAD, LEPPINGTON - ABORIGINAL CULTURAL HERITAGE ASSESSMENT – COVER LETTER**

Urbis has been engaged by Aland ('the Proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) of a collection of four properties located within the proposed Leppington Town Centre Planned Precinct, Leppington, NSW. The four properties are located at 156, 166, 173 and 183 Rickard Road, Leppington, NSW, legally described as Lot 37 and 38A in Deposited Plan (DP) 8979 (Site B) and Lot 1 and 2 in DP 812366 (Site A) ('the subject area').

The purpose of this cover letter is to clearly outline the conclusions and recommendation of the ACHA process undertaken to date for ALand Leppington-Residential Core (Formerly Site B), 156 and 166 Rickard Road legally described as Lot 37 and 38A in DP 8979.

The ACHA has been prepared to inform a Planning Proposal for the rezoning and future development of the subject area as part of the proposed Leppington Town Centre Planned Precinct. The subject area is proposed to be redeveloped for commercial and retail purposes.

The ACHA has been prepared 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), 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 Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013* (Burra Charter).

The ACHA includes conclusions and recommendations for the entire subject area and consequently this letter must be considered in context of those conclusions and recommendations.

The ACHA concluded in relation to Site B that:

- No previously identified Aboriginal objects have been identified within the curtilage of the subject area.
- One previously unidentified Aboriginal object, a silcrete core (now registered as AHIMS # 45-5-5672 Rickard Road Isolated Find), was identified during the archaeological survey of the subject area undertaken as part of the present assessment.
- The environmental context of the subject area suggests past Aboriginal land use is likely, being located on a ridgeline and having portions that are within 200 m of a waterway.
- A previous archaeological assessment (AMBS 2012) identified portions of the present subject as having moderate or high archaeological sensitivity based on their proximity to a known waterway or location on a ridgeline, but that assessment did not consider the negative impact of ground disturbance on the retention of archaeological remains.
- Historical activities, including clearance of vegetation, agriculture, construction and demolition of buildings, installation of services and occupation of the properties, is determined to have caused moderate to high levels of disturbance to the relatively shallow soils of the subject area, negatively impacting the integrity and intactness of any archaeological remains.
- The portions of the subject area that have been subjected to moderate ground disturbance are assessed as having moderate potential to retain as yet unidentified artefacts associated with past Aboriginal utilisation of the subject area.
- The subject area is assessed as having low Aboriginal heritage significance for its social and cultural value to the Aboriginal community as part of the broader cultural landscape and scientific (archaeological) value as a common example of a stone artefact-bearing site within the Cumberland plain.
- While no physical works are presently proposed, any ground disturbing works within the subject area are likely to cause direct harm to either the newly identified Aboriginal object (AHIMS ID 45-5-5672) and/or as yet unidentified Aboriginal objects.

Based on the above conclusions, Urbis recommends the following in relation to Site B:

**Recommendation 1 – Submission of Report**

- A copy of this report should be submitted with the Planning Proposal for the rezoning and future development of the subject area as part of the proposed Leppington Town Centre Planned Precinct.

**Recommendation 2 – Re-zoning**

- The identified or potential Aboriginal cultural heritage should not present a barrier to re-zoning of the subject area.

**Recommendation 3 – Update ACHA**

- In the event that any specific physical works are proposed for the subject area, the ACHA should be updated to consider the impacts of those works and to propose appropriate harm avoidance and minimisation measures.

#### **Recommendation 4 – Further Archaeological Investigation**

- Prior to the commencement of any physical works within the subject area, an archaeological test excavation should be undertaken to investigate whether any subsurface Aboriginal archaeological remains exist. The subsurface archaeological investigation program should be undertaken by appropriately qualified archaeologists with the participation of nominated RAPs.

Prior to an archaeological test excavation, the following will be necessary:

- A Sampling Strategy, Archaeological Research Design (ARD) and Excavation Methodology (EM) should be developed to inform the archaeological test excavation program. As part of the ARD and EM, specific questions should be developed in relation to any Aboriginal archaeological resource that might be encountered and how Aboriginal people might have used the subject area in the past.
- The above will be outlined in a letter notifying of intention to undertake a test excavation to be provided to Heritage NSW under Requirement 15c of the Code of Practice. This will be provided a minimum of 2 weeks prior to the excavation taking place.

#### **Recommendation 5 - Archaeological Technical Report (ATR)**

- An Archaeological Technical Report (ATR) should be prepared following completion of the archaeological test excavation program in compliance with Requirement 11 the Code of Practice, with further recommendations based on the findings of the investigation.

#### **Recommendation 6 – Update ACHA Following Completion of Test Excavation**

- The ACHA will be updated following the test excavation with further management recommendations, a refined impact assessment and mitigation measures in relation to any identified Aboriginal archaeological resources.

#### **Recommendation 7 – Additional Stage 4 Consultation Period**

- Following the updating of the ACHAR and ATR the reports will need to be issued to the RAPs for an additional 28-day consultation period in compliance with *4.4 Stage 4 – Review of draft cultural heritage assessment report of the Aboriginal cultural heritage consultation requirements for proponents 2010*

The above recommendations are consistent with previous management recommendations for the Austral and Leppington North Precincts (AMBS 2012), encompassing the present subject area, which require an impact assessment and test excavation to be undertaken prior to any specific proposed works.

It was also agreed in discussion with the RAPs in attendance during the archaeological survey that an archaeological test excavation would be appropriate prior to physical works being undertaken.

Support for the conclusions and recommendations of the ACHA was provided by seven of the RAPs: Corroboree Aboriginal Corporation, Didge Ngunawal Clan, Dharug Ngurra Aboriginal Corporation, Guntawang Aboriginal Resources Incorporated, Koori Digs Services, Murra Bidgee Mullangari Aboriginal Corporation and Woka Aboriginal Corporation.

If you have any questions, please do not hesitate to contact the undersigned.



Kind regards,

A handwritten signature in black ink, appearing to read "Balazs Hansel". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

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The logo for URBIS, featuring the word "URBIS" in a bold, white, sans-serif font. The text is positioned to the left of a white square frame that is partially open on the right side. A white vertical line extends from the top of the frame, and a white horizontal line extends from the right side of the frame, creating a crosshair effect.

**URBIS**

# **ABORIGINAL CULTURAL HERITAGE ASSESSMENT**

156, 166, 173 & 183 Rickard Road,  
Leppington, NSW

Prepared for  
**ALAND**  
28 April 2023

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Project Code	P0040698
Report Number	Draft issued 14 March 2023 Final issued 28 April 2023

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

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# GLOSSARY

Term	Definition
Aboriginal ceremony and dreaming site	Aboriginal site feature recordable on AHIMS. Previously referred to as mythological sites these are spiritual/story places where no physical evidence of previous use of the place may occur, e.g. natural unmodified landscape features, ceremonial or spiritual areas, men's/women's sites, dreaming (creation) tracks, marriage places etc. This is not an 'Aboriginal object' under the NPW Act.
Aboriginal cultural heritage	The tangible (objects) and intangible (dreaming stories, legends and places) cultural practices and traditions associated with past and present-day Aboriginal communities.
Aboriginal object	As defined in the NPW Act, any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises NSW, 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	As defined in the NPW Act, any place declared to be an Aboriginal place (under s.84 of the NPW Act) by the Minister administering the NPW Act, by order published in the NSW Government Gazette, because the Minister is of the opinion that the place is or was of special significance with respect to Aboriginal culture. It may or may not contain Aboriginal objects.
Aboriginal resource and gathering sites	Aboriginal site feature recordable on AHIMS. Related to everyday activities such as food gathering, hunting, or collection and manufacture of materials and goods for use or trade. This is not an 'Aboriginal object' under the NPW Act.
AHIMS	Aboriginal Heritage Information Management System: a register of previously reported Aboriginal objects and places managed by the DPC
AHIP	Aboriginal Heritage Impact Permit. A permit issued under Section 90, Division 2 of Part 6 of the <i>NPW Act</i> .
Archaeology	The scientific study of human history, particularly the relics and cultural remains of the distant past.
Art	Aboriginal site feature recordable on AHIMS. Art is found in shelters, overhangs and across rock formations. Techniques include painting, drawing, scratching, carving engraving, pitting, conjoining, abrading and the use of a range of binding agents and the use of natural pigments obtained from clays, charcoal and plants.
Artefact	Aboriginal site feature recordable on AHIMS. Objects such as stone tools, and associated flaked material, spears, manuports, grindstones, discarded stone flakes, modified glass or shell demonstrating evidence of use of the area by Aboriginal people.
Burial	Aboriginal site feature recordable on AHIMS. A traditional or contemporary (post-contact) burial of an Aboriginal person, which may occur outside

	designated cemeteries and may not be marked, e.g. in caves, marked by stone cairns, in sand areas, along creek banks etc.
Ceremonial Ring	Aboriginal site feature recordable on AHIMS. A Raised earth ring associated with ceremony
Code of Practice	<i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i> (DECCW, 2010).
Conflict Site	Aboriginal site feature recordable on AHIMS. Previously referred to as massacre sites where confrontations occurred between Aboriginal and non-Aboriginal people, or between different Aboriginal groups. This is not an 'Aboriginal object' under the NPW Act.
DCP	Development Control Plan
DECCW	Department of Environment, Climate Change and Water NSW.
DPC	Department of Premier and Cabinet
Earth mound	Aboriginal site feature recordable on AHIMS. A mounded deposit of round to oval shape containing baked clay lumps, ash, charcoal and, usually, black or dark grey sediment. The deposit may be compacted or loose and ashy. Mounds may contain various economic remains such as mussel shell and bone as well as stone artefacts. Occasionally they contain burials.
EP&A Act	<i>NSW Environmental Planning and Assessment Act 1979.</i>
Fish trap	Aboriginal site feature recordable on AHIMS. A modified area on watercourses where fish were trapped for short-term storage and gathering
Grinding grooves	Aboriginal site feature recordable on AHIMS. A groove in a rock surface resulting from manufacture of stone tools such as ground edge hatchets and spears, or rounded depressions resulting from grinding of seeds and grains.
Harm	As defined in the NPW Act, to destroy, deface, damage or move an Aboriginal object or destroy, deface or damage a declared Aboriginal place. Harm may be direct or indirect (e.g. through increased visitation or erosion). Harm does not include something that is trivial or negligible.
Habitation structure	Aboriginal site feature recordable on AHIMS. Structures constructed by Aboriginal people for short- or long-term shelter. Temporary structures are commonly preserved away from the coastline and may include historic camps of contemporary significance. Smaller structures may make use of natural materials such as branches, logs and bark sheets or manufactured materials such as corrugated iron to form shelters. Archaeological remains of a former structure such as chimney/fireplace, raised earth building platform, excavated pits, rubble mounds etc.
Hearth	Aboriginal site feature recordable on AHIMS. Cultural deposit sometimes marked by hearth stones, usually also contains charcoal and may also contain heat treated stone fragments.
Isolated find	A single artefact found in an isolated context.

LALC	Local Aboriginal Land Council: corporate body constituted under the <i>Aboriginal Land Rights Act 1983</i> , having a defined boundary within which it operates.
LEP	Local Environment Plan.
Modified Trees	Aboriginal site feature recordable on AHIMS. Trees which show the marks of modification as a result of cutting of bark from the trunk for use in the production of shields, canoes, boomerangs, burials shrouds, for medicinal purposes, foot holds etc, or alternately intentional carving of the heartwood of the tree to form a permanent marker to indicate ceremonial use/significance of a nearby area, again these carvings may also act as territorial or burial markers.
Non-human bone and organic material	Aboriginal site feature recordable on AHIMS. Objects which can be found within cultural deposits as components of an Aboriginal site such as fish or mammal bones, ochres, cached objects which may otherwise have broken down such as resin, twine, dilly bags, nets etc.
NPW Act	<i>National Parks and Wildlife Act 1974</i>
NPW Regulation	<i>National Parks and Wildlife Regulation 2019</i>
Ochre quarry	Aboriginal site feature recordable on AHIMS. A source of ochre used for ceremonial occasions, burials, trade and artwork.
PAD	Aboriginal site feature recordable on AHIMS. A 'potential archaeological deposit'. An area where Aboriginal objects may occur below the ground surface. This is not an 'Aboriginal object' under the NPW Act.
Shell	Aboriginal site feature recordable on AHIMS. An accumulation or deposit of shellfish from beach, estuarine, lacustrine or riverine species resulting from Aboriginal gathering and consumption. Usually found in deposits previously referred to as 'shell middens'.
Stone arrangement	Aboriginal site feature recordable on AHIMS. Human produced arrangements of stone usually associated with ceremonial activities, or used as markers for territorial limits or to mark/protect burials
Stone quarry	Aboriginal site feature recordable on AHIMS. A source of stone which was quarried and used for the production of stone tools by Aboriginal people.
Waterhole	Aboriginal site feature recordable on AHIMS. A source of fresh water for Aboriginal groups which may have traditional ceremonial or dreaming significance and/or may also be used to the present day as a rich resource gathering area (e.g. waterbirds, eels, clays, reeds etc). This is not an 'Aboriginal object' under the NPW Act.



# EXECUTIVE SUMMARY

Urbis has been engaged by Aland ('the Proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) of a collection of four properties located within the proposed Leppington Town Centre Planned Precinct, Leppington, NSW. The four properties are located at 156, 166, 173 and 183 Rickard Road, Leppington, NSW, legally described as Lot 37 and 38A in Deposited Plan (DP) 8979 and Lot 1 and 2 in DP 812366 ('the subject area').

This ACHA has been prepared to inform a Planning Proposal for the rezoning and future development of the subject area as part of the proposed Leppington Town Centre Planned Precinct. The subject area is proposed to be redeveloped for commercial and retail purposes.

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), 2010) (the Consultation Guidelines)
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- *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)

The ACHA concluded that:

- No previously identified Aboriginal objects have been identified within the curtilage of the subject area.
- One previously unidentified Aboriginal object, a silcrete core (now registered as AHIMS # 45-5-5672 Rickard Road Isolated Find), was identified during the archaeological survey of the subject area undertaken as part of the present assessment.
- The environmental context of the subject area suggests past Aboriginal land use is likely, being located on a ridgeline and having portions that are within 200 m of a waterway.
- A previous archaeological assessment (AMBS 2012) identified portions of the present subject as having moderate or high archaeological sensitivity based on their proximity to a known waterway or location on a ridgeline, but that assessment did not consider the negative impact of ground disturbance on the retention of archaeological remains.
- Historical activities, including clearance of vegetation, agriculture, construction and demolition of buildings, installation of services and occupation of the properties, is determined to have caused moderate to high levels of disturbance to the relatively shallow soils of the subject area, negatively impacting the integrity and intactness of any archaeological remains.
- The portions of the subject area that have been subjected to moderate ground disturbance are assessed as having moderate potential to retain as yet unidentified artefacts associated with past Aboriginal utilisation of the subject area.
- The subject area is assessed as having low Aboriginal heritage significance for its social and cultural value to the Aboriginal community as part of the broader cultural landscape and scientific (archaeological) value as a common example of a stone artefact-bearing site within the Cumberland plain.
- While no physical works are presently proposed, any ground disturbing works within the subject area are likely to cause direct harm to either the newly identified Aboriginal object (AHIMS ID 45-5-5672) and/or as yet unidentified Aboriginal objects.

Based on the above conclusions, Urbis recommends the following:

▪ **Recommendation 1 – Submission of Report**

A copy of this report should be submitted with the Planning Proposal for the rezoning and future development of the subject area as part of the proposed Leppington Town Centre Planned Precinct.

▪ **Recommendation 2 – Re-zoning**

The identified or potential Aboriginal cultural heritage should not present a barrier to re-zoning of the subject area.

▪ **Recommendation 3 – Update ACHA**

In the event that any specific physical works are proposed for the subject area, the ACHA should be updated to consider the impacts of those works and to propose appropriate harm avoidance and minimisation measures.

▪ **Recommendation 4 – Further Archaeological Investigation**

Prior to the commencement of any physical works within the subject area, an archaeological test excavation should be undertaken to investigate whether any subsurface Aboriginal archaeological remains exist. The subsurface archaeological investigation program should be undertaken by appropriately qualified archaeologists with the participation of nominated RAPs.

Prior to an archaeological test excavation, the following will be necessary:

- A Sampling Strategy, Archaeological Research Design (ARD) and Excavation Methodology (EM) should be developed to inform the archaeological test excavation program. As part of the ARD and EM, specific questions should be developed in relation to any Aboriginal archaeological resource that might be encountered and how Aboriginal people might have used the subject area in the past.
- The above will be outlined in a letter notifying of intention to undertake a test excavation to be provided to Heritage NSW under Requirement 15c of the Code of Practice. This will be provided a minimum of 2 weeks prior to the excavation taking place.

▪ **Recommendation 5 - Archaeological Technical Report (ATR)**

An Archaeological Technical Report (ATR) should be prepared following completion of the archaeological test excavation program in compliance with Requirement 11 the Code of Practice, with further recommendations based on the findings of the investigation.

▪ **Recommendation 6 – Update ACHA Following Completion of Test Excavation**

The ACHA will be updated following the test excavation with further management recommendations, a refined impact assessment and mitigation measures in relation to any identified Aboriginal archaeological resources.

▪ **Recommendation 7 – Additional Stage 4 Consultation Period**

Following the updating of the ACHAR and ATR the reports will need to be issued to the RAPs for an additional 28-day consultation period in compliance with *4.4 Stage 4 – Review of draft cultural heritage assessment report of the Aboriginal cultural heritage consultation requirements for proponents 2010*

The above recommendations are consistent with previous management recommendations for the Austral and Leppington North Precincts (AMBS 2012), encompassing the present subject area, which require an impact assessment and test excavation to be undertaken prior to any specific proposed works.

It was also agreed in discussion with the RAPs in attendance during the archaeological survey that an archaeological test excavation would be appropriate prior to physical works being undertaken.

Support for the conclusions and recommendations of the ACHA was provided by seven of the RAPs:

[REDACTED]

# 1. INTRODUCTION

Urbis has been engaged by Aland ('the Proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) of a collection of four properties located within the proposed Leppington Town Centre Planned Precinct, Leppington, NSW. The four properties are located at 156, 166, 173 and 183 Rickard Road, Leppington, NSW, legally described as Lot 37 and 38A in Deposited Plan (DP) 8979 and Lot 1 and 2 in DP 812366 ('the subject area') (Figure 1 and Figure 2).

This ACHA has been prepared to inform a Planning Proposal for the rezoning and future development of the subject area as part of the proposed Leppington Town Centre Planned Precinct. The subject area is proposed to be redeveloped for commercial and retail purposes.

The ACHA has been undertaken to investigate whether future development of the subject area is likely to harm any Aboriginal objects or Aboriginal places that may exist within the subject area and to determine whether the subject area presents any Aboriginal archaeological and heritage constraints.

## 1.1. SUBJECT AREA

The subject area consists of two separate parcels of land (Site A and Site B), each comprising two contiguous properties as follows (Figure 1 and Figure 2):

- **Site A:** 173 and 183 Rickard Road, Leppington (Lots 2 and 1 in DP 812366, respectively), encompassing approximately 3.23 ha and having a frontage on Rickard Road to the east.
- **Site B:** 156 and 166 Rickard Road, Leppington (Lots 38A and 37 in DP 8979, respectively), encompassing approximately 4.29 ha and having a frontage on Rickard Road to the west.

The subject area is located immediately south of Leppington Train Station, approximately 11 km south-west of Liverpool CBD and approximately 38 km south-west of the Sydney CBD. It is within the City of Camden Local Government Area ('Camden LGA') and within the boundaries of the Tharawal Local Aboriginal Land Council. The subject area is currently zoned B3 – Commercial Core, SP2 – Infrastructure and B7 – Business Park.

Current improvements within the subject area include a number of residential buildings and associated services and infrastructure.

## 1.2. PROPOSED WORKS

No physical works are proposed for the subject area. This ACHA will be used to accompany a Planning Proposal for the future subdivision and development of the subject area as part of the proposed Leppington Town Centre Planned Precinct.

## 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 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 reg. 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 and 6
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 7
How the requirements for consultation with Aboriginal people have been met (as specified in clause 80C of the NPW Regulation)	Section 3
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, 7 & Appendix C
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 8
Any practical measures that may be taken to protect and conserve those Aboriginal objects or declared Aboriginal places	Section 8
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 8

## **1.4. AUTHORSHIP**

The present report has been prepared by Wade Goldwyer (Urbis Consultant Archaeologist), Owen Barrett (Urbis Consultant Archaeologist) and Aaron Olsen (Urbis Senior Archaeologist), with review and quality control by Balazs Hansel (Urbis Director, Archaeologist).

Wade Goldwyer holds a Bachelor of Arts (Honours - Archaeology) from the University of Western Australia. Owen Barrett holds a Bachelor of Arts (Archaeology and Paleoanthropology) from the University of New England. Aaron Olsen holds a Diploma of Arts (Archaeology) from the University of Sydney, a Bachelor of Science (Honours - First Class in Chemistry) and PhD (Chemistry) from the University of Newcastle and a Masters (Industrial Property) from the University of Technology Sydney. Balazs Hansel holds a Masters (History) and Masters (Archaeology and Museum Studies) from the University of Szeged (Hungary).

## **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.



Figure 1 – Location of subject area





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250 M

Project No: P0040609

Project Manager: Sam Richards

Site A Site B Contours Hydrology Ephemeral

**SUBJECT AREA**  
Rickard Road, Leppington  
Aland

Figure 2 – Subject area boundaries



## 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 (Cth)

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 2.2.2 below.

#### 2.1.2. The National Parks and Wildlife Act 1974 (NSW)

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. Western Sydney Parklands State Environmental Planning Policy 2021**

The subject area is subject to Appendix 5 – Camden Growth Centres Precinct Plan of the *Western Sydney Parklands State Environmental Planning Policy 2021* (WSP SEPP). Under Clause 5.10 of Appendix 5 of the WSP SEPP, 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.*

Any 'heritage items' subject to the above controls are listed in Schedule 5 of Appendix 5 of the WSP SEPP. Heritage items listed in Schedule 5 of Appendix 5 of the WSP SEPP are briefly considered in Section 2.2.1 below.

The present ACHA was undertaken, in part, to determine whether or not any 'Aboriginal objects' subject to the controls of Appendix 5 of the WSP SEPP are present within the subject area.

## **2.1.4. Camden Growth Centre Precincts Development Control Plan**

The subject area is subject to the *Camden Growth Centre Precincts Development Control Plan* (CGCP DCP), which provides additional objectives, controls and guidance to applicants proposing to undertake development in areas of Camden LGA subject to the WSP SEPP.

Clause 2.3.4 of the CGCP DCP outlines the following controls in relation to Aboriginal heritage:

- 1. Development applications must identify any areas of Aboriginal heritage value that are within or adjoining the area of the proposed development, including any areas within the development site that are to be retained and protected (and identify the management protocols for these).*
- 2. Developments or other activities that will impact on Aboriginal heritage may require consent from the Office of Environment and Heritage (OEH) under the National Parks and Wildlife Act 1974 and consultation with the relevant Aboriginal communities.*
- 3. Any development application that is within or adjacent to land that contains a known Aboriginal cultural heritage site, as indicated on the Aboriginal cultural heritage sites figure, in the relevant Precinct Schedule, must consider and comply with the requirements of the National Parks and Wildlife Act, 1974.*
- 4. Where the necessary consents under the National Parks and Wildlife Act, 1974 have been obtained, the development application must demonstrate that the development will be undertaken in accordance with any requirements of that consent.*

Schedule 1 of the CGCP DCP identifies areas of archaeological sensitivity for Aboriginal cultural heritage. Such areas are considered to be 'areas of Aboriginal heritage value' for the purpose of Control 1 of Clause 2.3.4 of the CGCP DCP. This mapping is based on both registered AHIMS sites and the outcomes of an Aboriginal Heritage Assessment that was prepared for the Austral and Leppington North Precincts (AMBS 2012). The Aboriginal Heritage Assessment publication and its implications for the subject area are discussed further in Section 4.3.1.1 below. The mapping in Schedule 1 of the CGCP DCP identifies portions of the subject area as having moderate or high archaeological sensitivity (Figure 3). However, it does not identify any known Aboriginal cultural heritage sites within the subject area.

The present ACHA was undertaken, in part, to determine whether or not any 'areas of Aboriginal heritage value' or 'Aboriginal cultural heritage sites' subject to the controls of Clause 2.3.4 of the CGCP DCP are present within or adjoining the subject area.

## **2.2. 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 4 below.

### **2.2.1. 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 in LEPs and SEPPs.

A search of the SHI was undertaken on 8 September 2022. The search did not identify any heritage items within the curtilage of the subject area (Figure 4).

### **2.2.2. Australian Heritage Database**

The Australian Heritage Database (AHD) 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 AHD was undertaken on 8 September 2022. The search did not identify any heritage items within the curtilage of the subject area.

## **2.3. 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.
- 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, Clause 5.10 of Appendix 5 of the WSP SEPP and Clause 2.3.4 of the CGCP DCP.

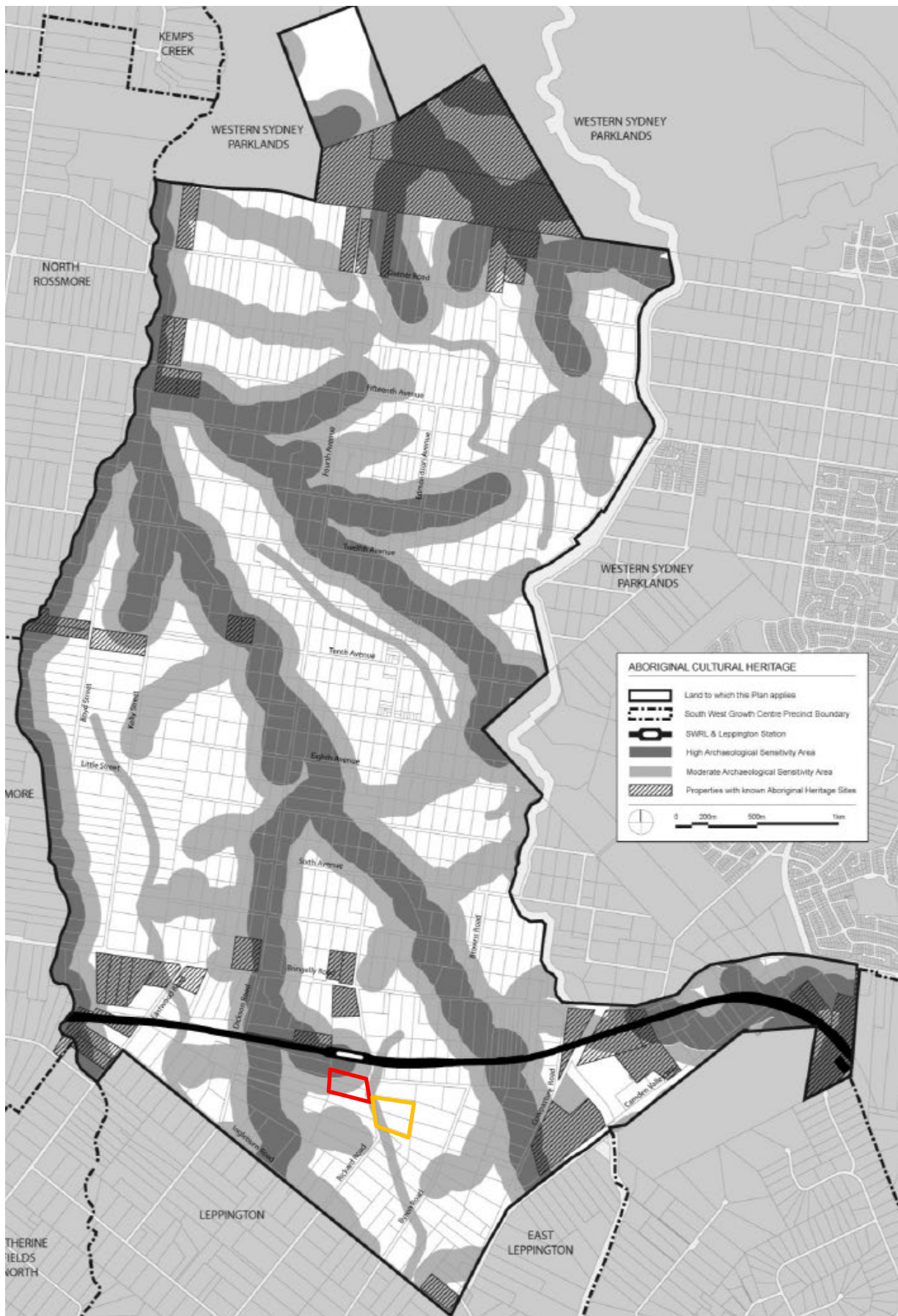


Figure 3 – Aboriginal cultural heritage map from Camden Growth Centre Precincts DCP, Austral & Leppington North Precincts, showing Site A (red outline) and Site B (orange outline)

Source: Camden City Council Growth Centre Precincts DCP, Schedule 1, p.9





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Project No: P0040609

Project Manager: Sam Richards

Site A Site B Hydrology Item - General

Contours

**HERITAGE ITEMS**  
Rickard Road, Leppington  
Aland

Figure 4 – Heritage items in proximity to the 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 Premier and Cabinet (DPC) 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 DPC 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 DPC.

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 DPC 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 DPC, 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 DPC 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. Native Title

A search of the National Native Title Tribunal (NNTT) registers and databases was undertaken on 29 August 2022. The search identified no Native Title claims or registrations for the subject area. The NNTT was also contacted by email on 29 August 2022 to request a formal search of the NNTT Register. A reply was received on the same day indicating that there are no Native Title matters overlapping with the subject area.

### 3.1.2. 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 29 August 2022 (Table 2). The template for the emails sent to the above-mentioned organisations is included in Appendix C. A total of 73 Aboriginal parties with a potential interest in the subject area were identified during this stage.

Table 2 – Contacted organisations

Organisation	Date Notification Sent	Date Response Received
Office of the Registrar, Aboriginal Land Rights Act 1983	29 August 2022	2 September 2022
Heritage NSW, Department of Premier and Cabinet	29 August 2022	5 September 2022
NTS Corp	29 August 2022	n/a
Greater Sydney Local Land Services	29 August 2022	2 June 2022
Tharawal Local Aboriginal Land Council	29 August 2022	n/a
City of Camden Council	29 August 2022	1 September 2022

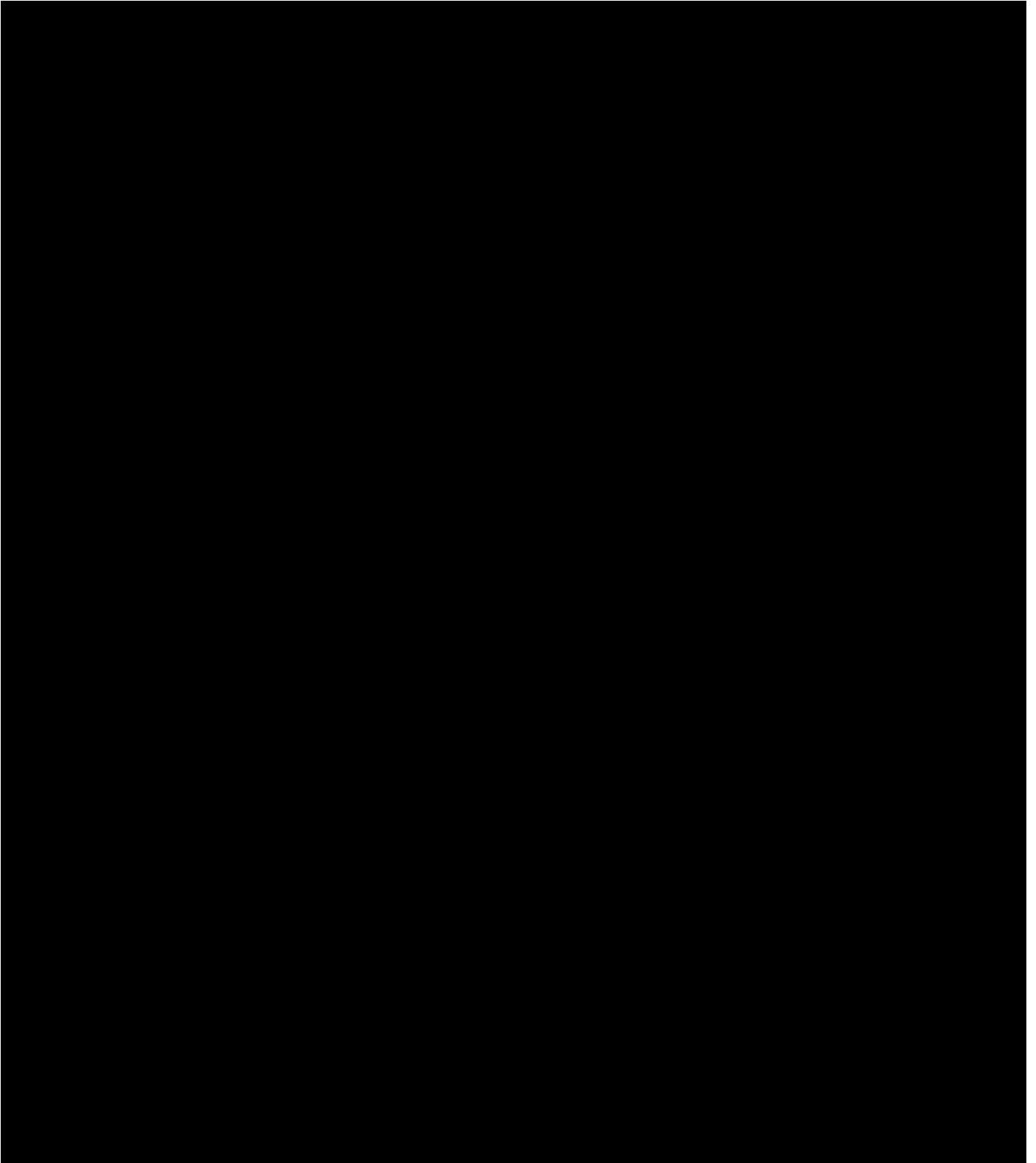
In accordance with reg. 60(2)(b) of the NPW Reg and Section 4.1.3 of the Consultation Guidelines, letters were sent to the 75 identified Aboriginal parties by either email or mail on 9 September 2022, to notify them of the proposed project. The letters included a brief introduction to the project and the project location and set a deadline for response of 26 September 2022, providing the 14 days to register an interest required by reg. 60(4)(e) of the NPW Reg and Section 4.1.4 of the Consultation Requirements. A copy of the letter template is included in Appendix C.

Further in accordance with reg. 60(2)(c) of the NPW Reg and Section 4.1.3 of the Consultation Guidelines, an advertisement was placed in a local newspaper, The Koori Mail. The advertisement was published in the 7 September 2022 edition, and registration was open until 21 September 2022, providing the 14 days to register an interest required by reg. 60(4)(e) of the NPW Reg and Section 4.1.4 of the Consultation Requirements. A copy of the advertisement is included in Appendix C.

### 3.1.3. Registration of Interest

A total of 25 Aboriginal parties registered interest in the project as a result of this phase (Table 3). Four of the Aboriginal parties registered after the deadline but were included in the consultation regardless. Acknowledgement emails were made by Urbis to all respondents to confirm registration had been received.

Table 3 – Registered Aboriginal Parties



In accordance with regs. 60(5)(a) and (b) and Section 4.1.6 of the Consultation Guidelines, a list of the Registered Aboriginal Parties (RAPs) was provided to Heritage NSW and Tharawal Local Aboriginal Land Council on 19 October 2022 (see Appendix C). The details of one of the RAPs were withheld at their request.



## 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 5 October 2022. 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

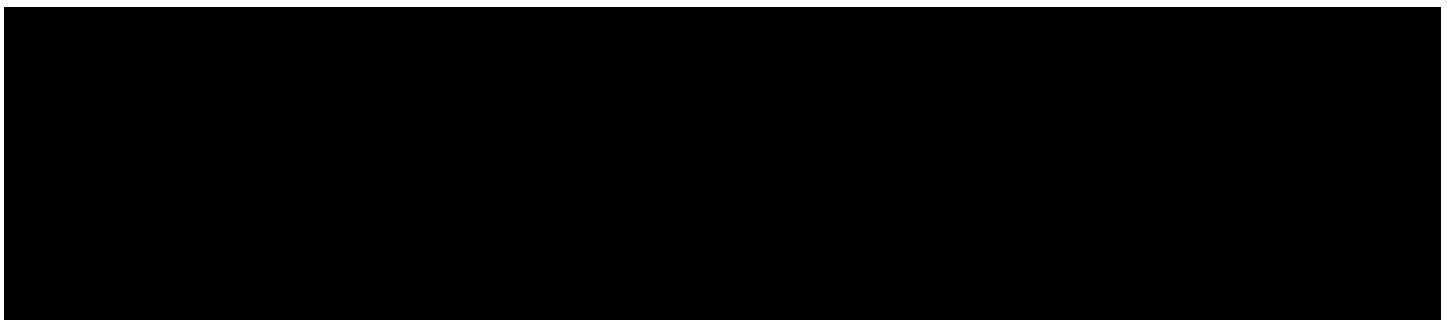
A response to the Stage 2/3 information pack was requested by 2 November 2022, providing the 28 days to respond required by reg. 60(6)(b) of the NPW Reg and Section 4.3.2 of the Consultation Requirements. A copy of the Stage 2/3 information pack is included in Appendix C of this report.

### 3.2.2. Archaeological Survey and Meeting

A separate communication was sent on 7 December 2022 to four RAPs who responded to the Stage 2/3 information pack, including provision of a schedule of rates and copies of insurances, by the deadline. The communication invited the RAPs to register for an archaeological survey and meeting to be held on 13 December 2022 as part of Stage 2/3 of the consultation process. Each of the four RAPs accepted the invitation to the survey and meeting. The site officers of each of the RAPs who participated in the survey are included in Table 5 below.

The purpose of the meeting was to conduct a thorough briefing with the RAPs about the proposed Planning Proposal and to discuss the information provided in the Stage 2/3 document provided. The purpose, methodology and findings of the archaeological survey are discussed in Section 6 below.

Table 4 – RAP attendees at survey and meeting

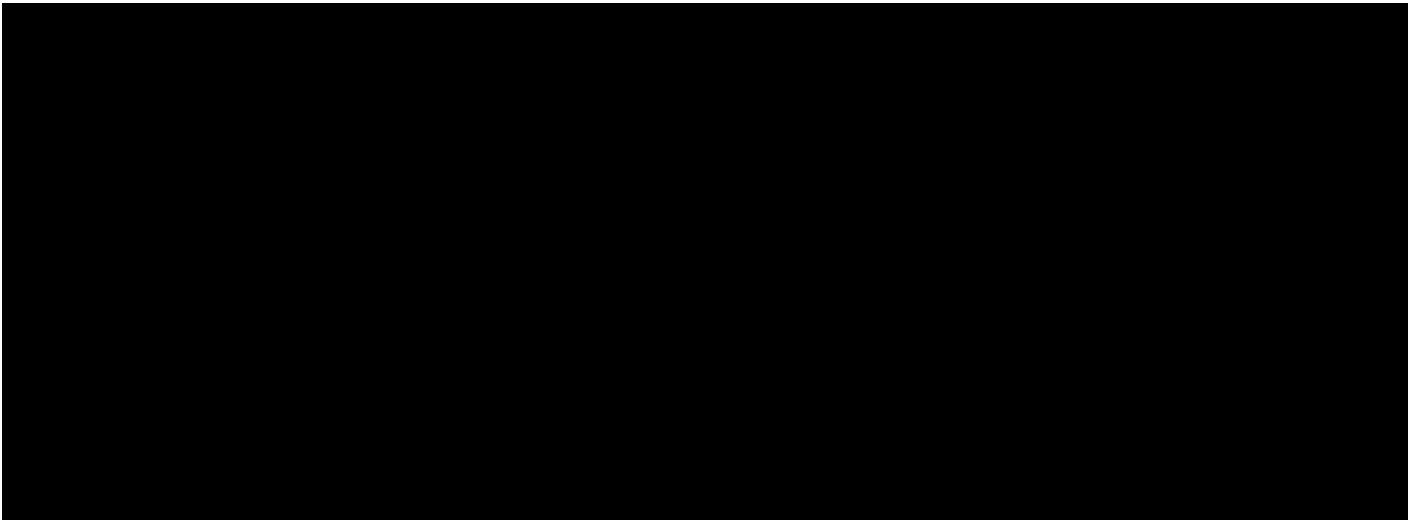


## 3.3. STAGE 3: GATHERING CULTURAL INFORMATION

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.

Eleven responses were received in relation to the Stage 2/3 information pack, each of which is included in Appendix C. No information in relation to the Aboriginal cultural heritage of the subject area was provided during this stage. Specific comments in relation to the proposed ACHA methodology of the subject area are addressed in Table 5 below.





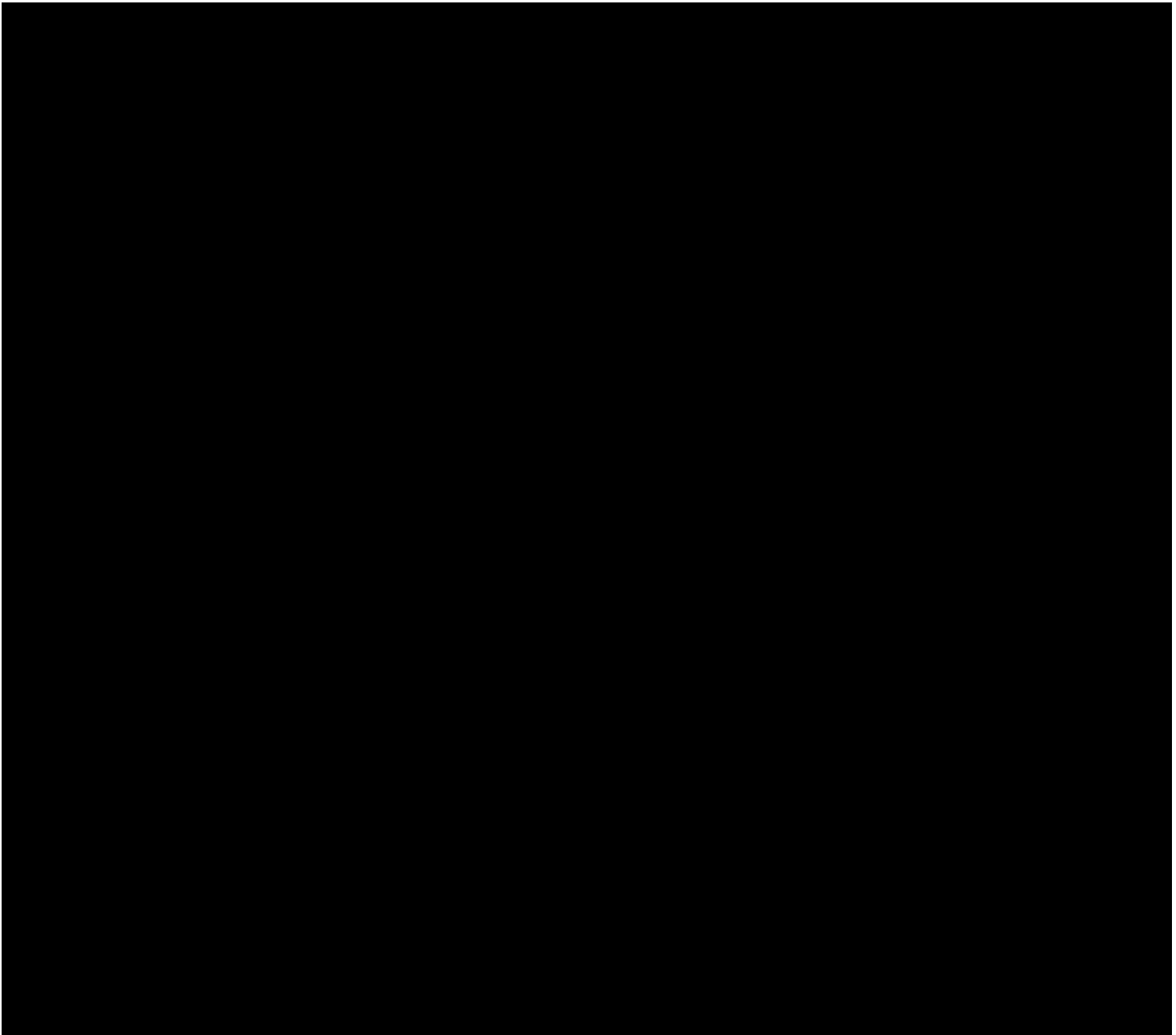
**3.4. STAGE 4: REVIEW OF DRAFT ACHAR**

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 14 March 2023 with comment on the draft ACHAR requested by 11 April 2023, providing the 28 days to respond required by regulation reg. 60(8)(b) of the NPW Reg and Section 4.4.3 of the Consultation Requirements. It is noted that the time allowed for comment should reflect the size and complexity of the project.

A total of seven (7) responses were received in relation to the Stage 4 draft ACHAR. The responses are included in Appendix C and addressed in Table 6 below.

Table 6 – RAP responses to the Stage 4 Draft ACHAR



## 4. ABORIGINAL CULTURAL HERITAGE

An assessment of Aboriginal cultural heritage within a particular subject area requires an understanding of the archaeological and environmental contexts in which the area is situated. The following is a review and analysis of those contexts for the present subject area.

### 4.1. ETHNOGRAPHIC CONTEXT

The ethnographic context within which an area is situated is relevant to determining the nature of Aboriginal land use, the archaeological material that land use may have produced and whether any intangible cultural associations exist. While ethnographic observations of Aboriginal life post-European contact are relatively common, an absence of written records prior to contact means that ethnographic information about Aboriginal life at that time must be inferred from early European observations. Such inference is inherently biased by the cultural norms of the observer and behavioural modifications in response to the awareness of being observed (the so-called 'Hawthorne Effect'). Nevertheless, by comparing and contrasting these observations with archaeological evidence, it is possible to establish a general understanding of the lives of Aboriginal people.

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 44 km north of the present subject area, which is dated to around 36,000 BP (Williams et al. 2014). Older occupation sites along the now submerged coastline would have been flooded around 10,000 years BP, with subsequent occupation concentrating along the current coastlines and rivers (Attenbrow 2010). The archaeological record indicates that Aboriginal people were occupying the region around the subject area well before the arrival of the First Fleet in 1788.

Given the early contact with Aboriginal people in the Sydney region, more is known about these groups than those that inhabited regional areas. The Aboriginal population in the greater Sydney region is estimated to have been between around 4000 and 8000 people at the time of European contact (Attenbrow 2010). It is believed that the Dharawal people (also spelt 'Tharawal') inhabited areas stretching from Botany Bay in the north to the Shoalhaven River in the south and to Camden in the west (Tindale 1974), which includes the present subject area. However, due to the fluid nature or absence of firm boundaries between different cultural groups, the present subject area may have also been inhabited at times by the neighbouring Dharug (also spelt 'Darug') people.

Archaeological evidence of the lives of Aboriginal people is limited to materials and objects that were able to withstand degradation and decay. As a result, the most common type of Aboriginal objects remaining in the archaeological record are stone artefacts. Flaked artefacts are typically the most common type of stone artefact encountered, in part due to their long and ubiquitous use, but also due to their high discard rate and the large amount of waste produced during manufacture. However, ground edged tools are also known to have been utilised by Aboriginal people in the Sydney region, including the Cumberland Plain (e.g. AHIMS ID# 45-5-5186).

Stone technology and raw material utilisation changed over time. Until about 8,500 BP, stone tool technology remained fairly static with unifacial flaking being dominant and a preference for silicified tuff, quartz and some unheated silcrete evident. After about 4,000 BP, bipolar flaking and backed artefacts appear more frequently and ground stone axes are first observed (Attenbrow 2010:102). From about 1,500 BP, there is evidence of a decline in stone tool manufacture, possibly due to an increase in the use of organic materials, changes in the way tools were made or changes in tool preferences (Attenbrow 2010). After European contact, Aboriginal people of the Cumberland Plain continued to manufacture tools, sometimes with new materials such as bottle glass or ceramics. There are several sites in Western Sydney where flaked glass has been recorded (e.g. Ngara Consulting 2003).

Based on the above background, it is possible that similar evidence of Aboriginal occupation will also be present within original and/or intact topsoils within the present subject area.

## 4.2. 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 (e.g. rivers and rock shelters) that played a part in the everyday lives and traditional cultural activities of Aboriginal people. Conversely, disturbance to the landscape after Aboriginal use may reduce the likelihood of Aboriginal objects being retained. An analysis of the landscape within and near to the subject area is provided below.

### 4.2.1. Topography

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

The subject area is located on a north-west aligned ridge line (Figure 5). Site A spans the mid-slope to ridge top of the western flank of the ridge line, whereas Site B spans the upper slope to ridge top of the eastern flank of the ridge. As the subject area is located on a ridge line the topography of the subject area is considered to be archaeologically sensitive.

### 4.2.2. Soil Landscape and Geology

Certain soil landscapes and geological features are associated with a greater likelihood of past Aboriginal land use. 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 subject area is identified by the SALIS as being located entirely within the Blacktown soil landscape (Figure 6).

The Blacktown soil landscape is described as residing upon gently undulating rises on Wianamatta Group shales. On ridges, such that on which the present subject area is situated, typical soil depths range from less than 100 cm on ridge tops to less than 200 cm on upper slopes and mid-slopes. The soil A-horizon, within which Aboriginal archaeological material is typically found, typically comprises up to 30 cm of friable brownish black loam, which overlies hard-setting brown clay loam.

The shallow loamy topsoil of the Blacktown soil landscape area is generally not associated with Aboriginal burials. The shallowness of the topsoil within the subject area also suggests a high degree of susceptibility to removal and disturbance during phases of historical land use.

### 4.2.3. Vegetation

The presence of certain types of vegetation within an area may be relevant to determining sensitivity for certain site types, such as modified trees, or more generally of the habitability of an area for Aboriginal people.

The vegetation associated with the Blacktown Soil Landscape would have originally comprised tall open-forest (wet sclerophyll forest) and open-woodland (dry sclerophyll forest). Wet sclerophyll forest would have included Sydney blue gum *Eucalyptus saligna* and blackbutt *E. pilularis*, while open-forest in drier areas would have been dominated by forest red gum *E. tereticornis*, narrow-leaved ironbark *E. crebra* and grey box *E. moluccana*.

The variety of floral species in the subject area could have been utilised by Aboriginal people for medicinal, ceremonial, subsistence purposes. The larger tree species would have been suitable as a source of bark or for climbing, so may have been subject to cultural modification.

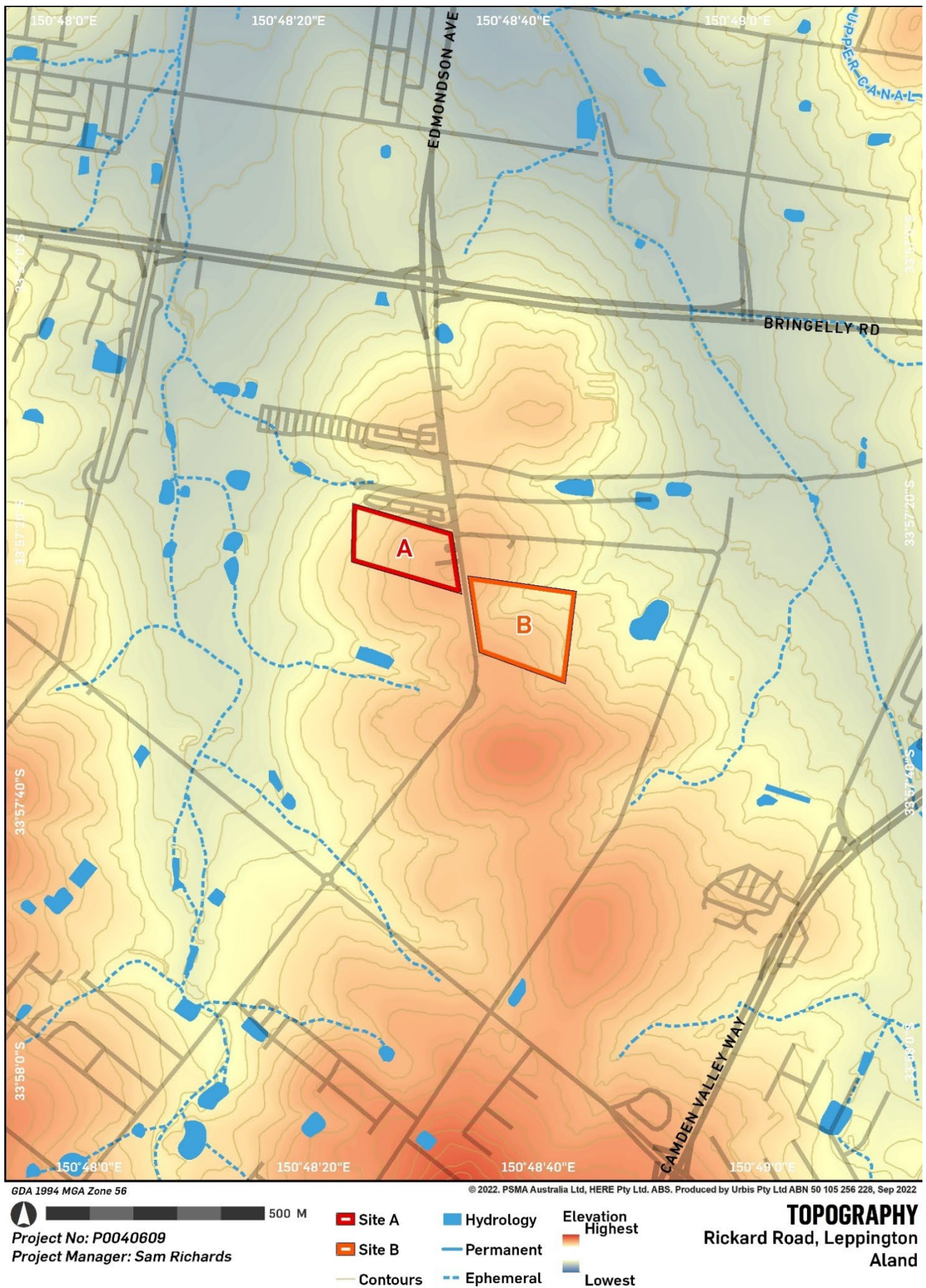
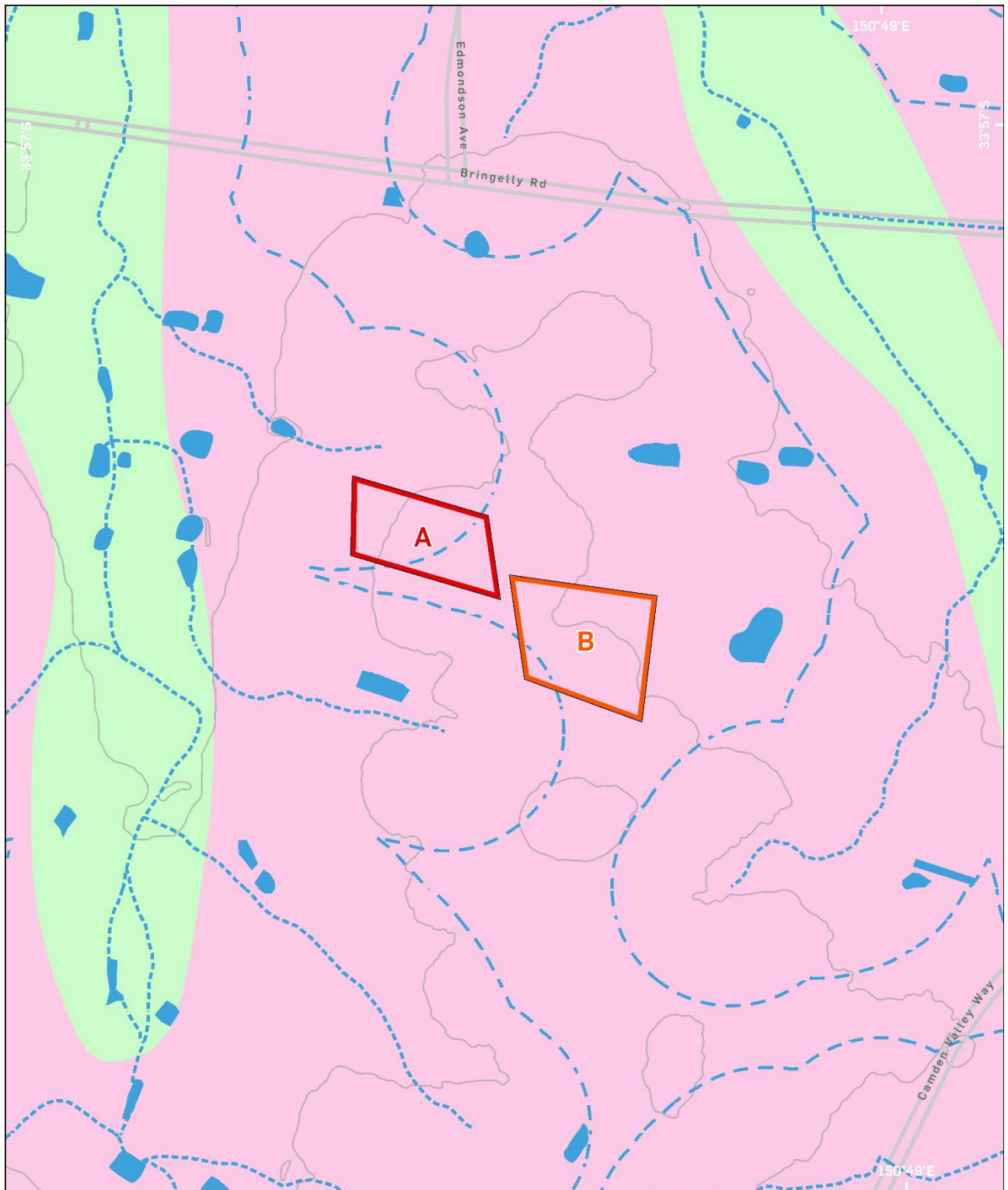


Figure 5 – Topography





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Project No: P0040609  
Project Manager: Sam Richards

## SOIL LANDSCAPES AND HYDROLOGY

Rickard Road, Leppington Aland

- |                                                                                                 |                                                                                                         |                                                              |                                                                                                 |
|-------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <span style="border: 2px solid red; padding: 2px;"> </span> Site A                              | <span style="border: 2px solid orange; padding: 2px;"> </span> Site B                                   | <span style="color: blue;">---</span> Ephem                  | <span style="background-color: pink; border: 1px solid black; padding: 2px;"> </span> Blacktown |
| <span style="background-color: blue; border: 1px solid black; padding: 2px;"> </span> Hydrology | <span style="background-color: lightgreen; border: 1px solid black; padding: 2px;"> </span> South Creek | <span style="color: blue;">---</span> hydroline_merge_buffer |                                                                                                 |
| <span style="color: grey;">---</span> Contours                                                  |                                                                                                         |                                                              |                                                                                                 |

Figure 6 – Soil landscapes and hydrology



## 4.2.4. Hydrology

Proximity to a body of water is associated with a greater likelihood of past Aboriginal land use. Areas within 200 m 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 north-western portion of Site A and the south-western corner of Site B are located within 200 m of extant first order waterways (Figure 6). Both waterways ultimately drain into Kemps Creek to the north of the subject area. The location of parts of the subject within proximity to waterways is indicative of past Aboriginal land use within those areas.

## 4.2.5. 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.

Development of the Leppington area began in the early 19<sup>th</sup> century, when a number of land grants were made to early European settlers. The present subject area is located within the northern portion of a 3000-acre grant made to Alexander Riley in 1816 (Figure 7). Riley named his grant 'Raby', which was his mother's maiden name. Riley's grant subsumed three earlier grants to David Bevan (1810), Samuel Foster (1809) and John Pye (1810), which were surrendered and cancelled. Riley was a pastoralist who grazed merino sheep on the Raby Estate (The Sydney Gazette and New South Wales Advertiser 1830), although it is uncertain whether the present subject area was grazed. The Raby Estate remained with the Riley family until ca. 1866 (The Sydney Morning Herald 1866), at which time it was sold William Moore (Empire 1871). Moore continued to use Raby for grazing sheep (Empire 1871).



Figure 7 – Detail of map of Cook Parish, ca. 1834, showing approximate location of Site A (red outline) and Site B (orange outline) within the 'Raby Estate'

Source: State Library of NSW, Call No. M2 811.1133/1834/1

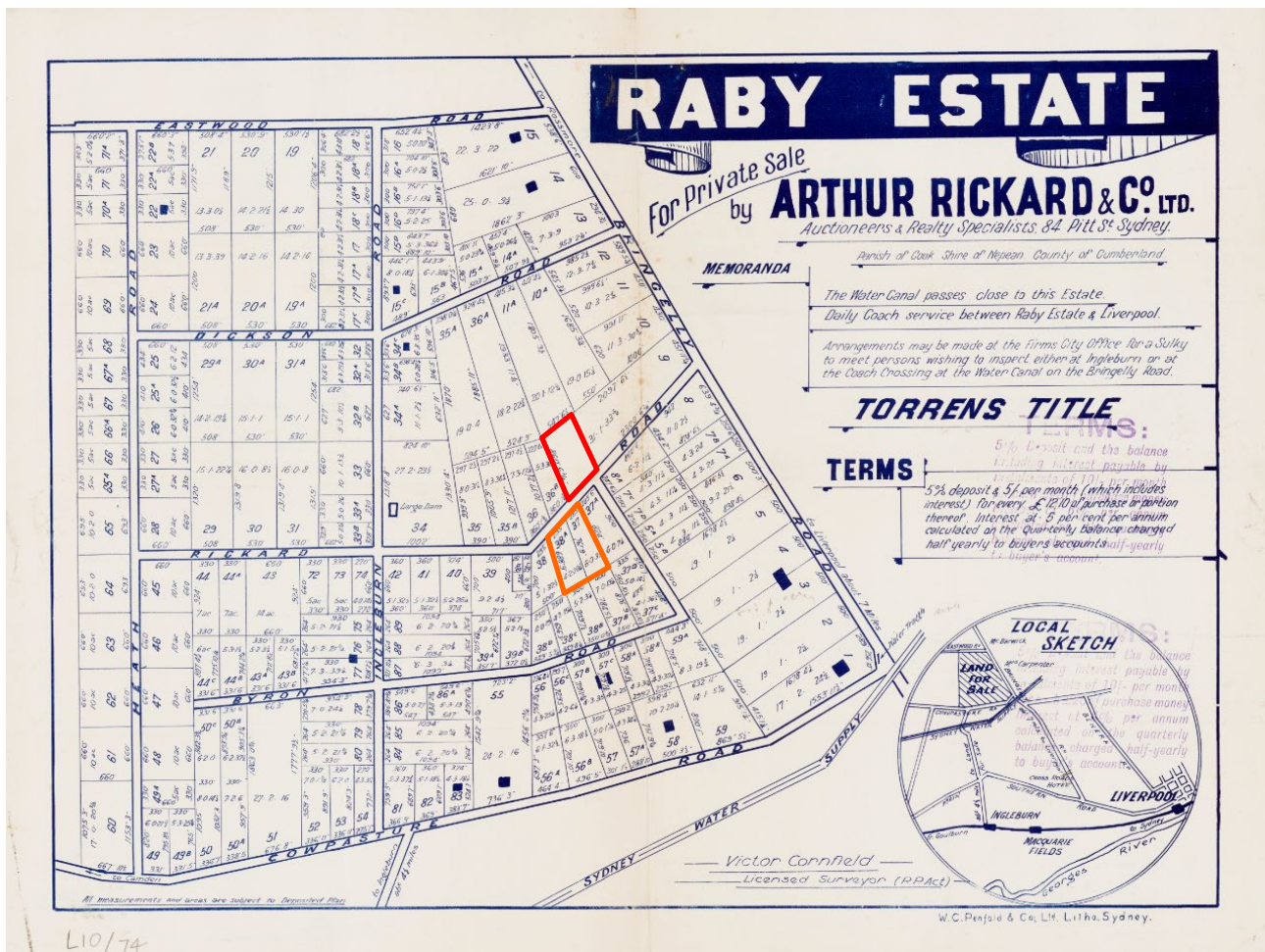


Figure 8 – Raby Estate subdivision plan, ca. 1914, showing location of Site A (red outline) and Site B (orange outline)  
Source: State Library of NSW, Call No. SP/L10, Z/SP/L10

The Raby Estate was subdivided and offered for sale in ca. 1914 (Figure 8). Site B was sold as two separate lots, although Site A formed part of a single larger lot. Rickard Road separating Site A and B was formed at this time.

An aerial photograph of the subject area from 1954 shows that it has been partially cleared of vegetation (Figure 9). A cluster of buildings is evident in the south-eastern corner of Site A and a single building is present in the north-western corner of Site B. It is apparent that at least part of the subject area is being used for agricultural purposes at this time, with ploughed fields being visible in the southern portion of Site B.

By 1997 almost all remnant vegetation had been cleared from the subject area (Figure 10). The subject area was still being used for agriculture throughout this period, as evidenced by ploughed areas in the western portion of Site A. Further residential and agricultural buildings had been constructed in the north-eastern corner of Site A and south-western corner of Site B. Several of the earlier buildings in both Site A and Site B also appear to have been replaced.

It is evident that the subject area has been subject to ground disturbing activities since at least the mid-20<sup>th</sup> century and possibly as since the early 19<sup>th</sup> century. As noted in [Section] above, the shallow soils of the present subject area are highly susceptible to disturbance by ground impacting activities. Ploughing of the soil, construction of buildings and installation of services and other infrastructure within parts of the subject are likely to have caused a high degree of ground disturbance. The remainder of the subject area is likely to have been subjected to a moderate degree of ground disturbance due to clearance of vegetation, grazing and utilisation of vehicles.

The assessed historical ground disturbance for the present subject area is mapped in Figure 11 below.





Figure 9 – Aerial photograph of the subject area from 1954, showing Site A (red outline) and Site B (orange outline)  
 Source: *NSW Government Spatial Services, Historical Imagery Viewer*

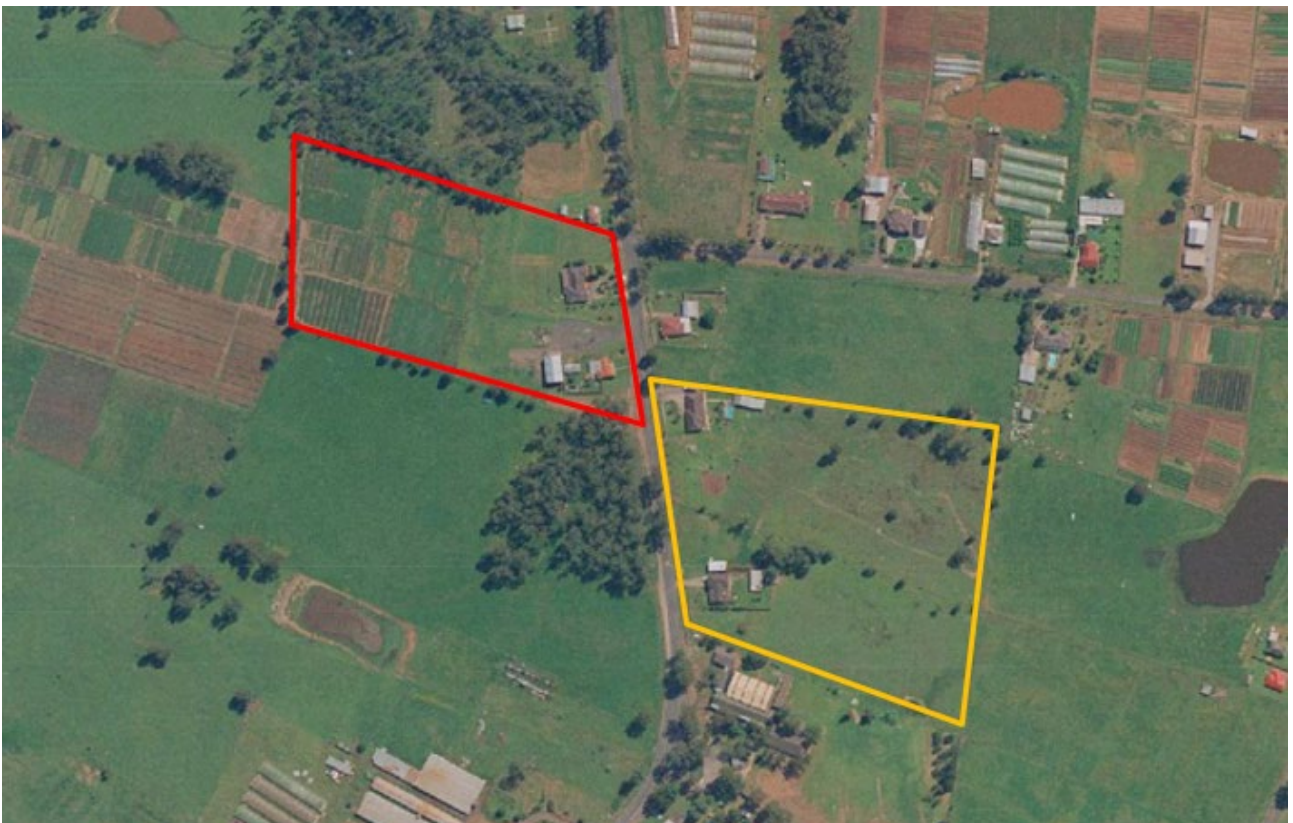


Figure 10 – Aerial photograph of the subject area from 1997, showing Site A (red outline) and Site B (orange outline)  
 Source: *NSW Government Spatial Services, Historical Imagery Viewer*





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250 M

Project No: P0040609b

Project Manager: Sam Richards

■ Site A 
 ■ Site B 
 ■ High Disturbance 
 ■ Moderate Disturbance

**GROUND DISTURBANCE**  
Rickard Road, Leppington  
Aland

Figure 11 – Historical ground disturbance



## 4.3. 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.

### 4.3.1. 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.

#### 4.3.1.1. Archaeological Investigation within the Subject area

One previous archaeological report relating directly to the present subject area has been identified. That report is summarised below.

##### ***AMBS 2012, Indigenous Heritage Assessment Project: Austral & Leppington North Precincts, South West Growth Centres, Volume 1***

In 2012, Australian Museum Business Services (AMBS) undertook an Aboriginal heritage assessment for the Austral and Leppington North Precincts of the South West Growth Centres (SWGCG) on behalf of the NSW Department of Planning and Infrastructure (DP&I). The study, which informed the Aboriginal heritage mapping for Camden City Council Growth Centre Precincts DCP (see Section 2.1.4 above), encompassed the entirety of the present subject area (Figure 3).

Portions of the present subject area were identified as having moderate or high archaeological sensitivity on the basis that they are located in close proximity to a known waterway or on a ridgeline (Figure 3).

The following management recommendations were made for areas of moderate archaeological sensitivity, including the present subject area:

- *Areas of moderate and high archaeological sensitivity should be incorporated into conservation zones where possible... Where this is not possible, detailed Aboriginal heritage impact assessment of specific proposed development should be undertaken, and archaeological test excavations under the Code of Practice may be required, to determine the artefactual assemblages that are present and the nature of Aboriginal activities in these areas.*
- *Areas for conservation of Aboriginal cultural heritage must be considered as part of the future development of the Precinct. Conservation areas should be within areas of high and moderate sensitivity, preferably within the less disturbed parts of these areas. Impacts to these conservation areas (e.g. drainage infrastructure, sporting fields, footpaths and other facilities/landscaping) should be avoided.*

It is clear from Figure 3 that areas designated moderate or high sensitivity account for approximately 40% of the entire Austral and Leppington North Precincts. It is therefore not feasible to incorporate all of these areas into conservation zones. Conservation zones should be limited to 'less disturbed parts' of the areas of moderate to high sensitivity, as noted in the second management recommendation above.

An overlay of Figure 3 with the ground disturbance assessment for the present subject area is shown in Figure 12. As noted in Section 4.2.5, all areas of the present subject area have been subjected to either moderate or high ground disturbance, owing to the relative impact of historical activities on the relatively shallow soil A-horizon. The area designated high sensitivity in the north-west corner of Site A has been subjected to a high degree of disturbance due its use as a market garden. The areas of moderate sensitivity in Site A and Site B have been subjected to either a moderate or high degree of disturbance.

In view of the moderate to high ground disturbance to which the present subject area has been subjected, the management recommendations of outlined in AMBS 2012 do not require incorporation of any part of the subject area into a conservation zone. Instead, an Aboriginal heritage impact assessment should be undertaken for any specific proposed development, including an archaeological test excavation under the Code of Practice where required.

The management recommendations made in AMBS 2012 are consistent with rezoning of the present subject area, provided an impact assessment, including a test excavation where required, is undertaken prior to any specific proposed works.

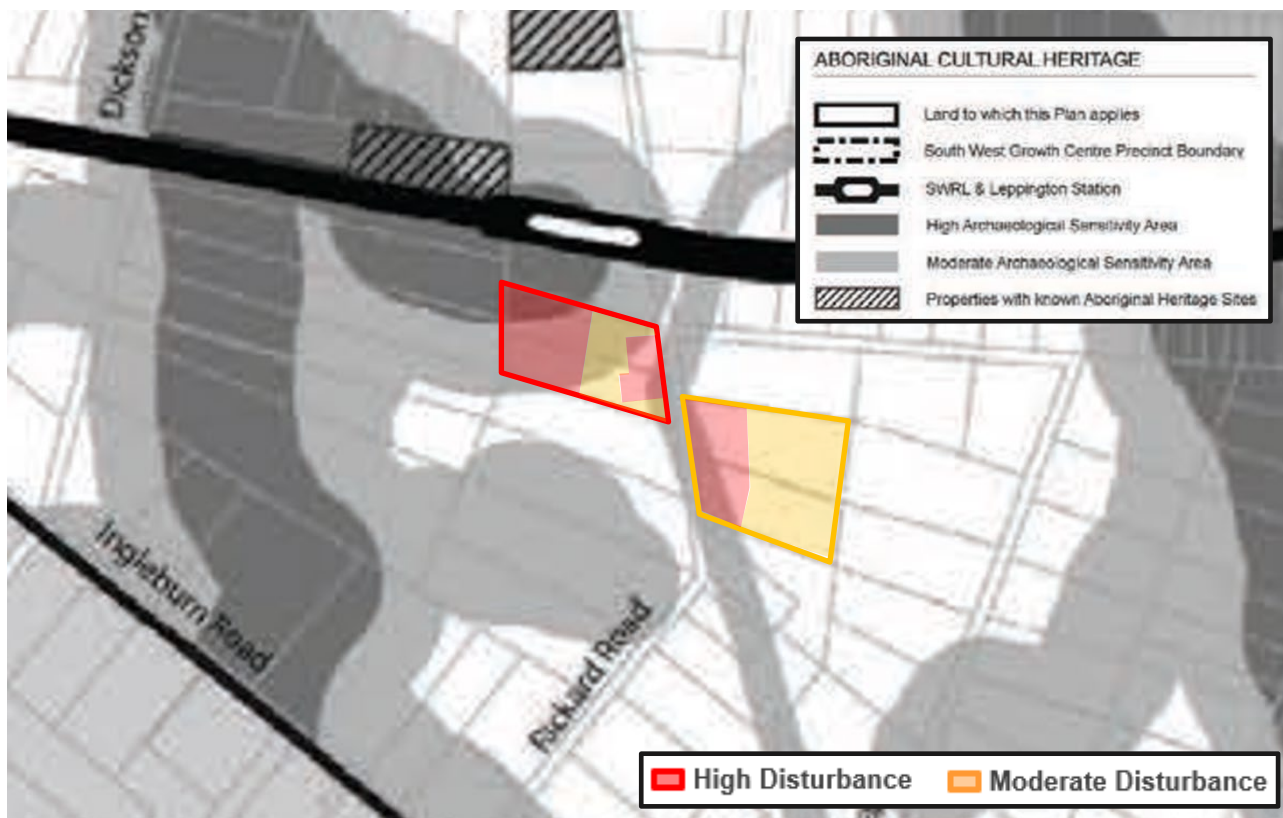


Figure 12 – Ground disturbance within areas of Site A (red outline) and Site B (orange outline) previously identified as having archaeological sensitivity

Source: Camden City Council Growth Centre Precincts DCP, Schedule 1, p.9

#### 4.3.1.2. Archaeological Investigation of the Local area

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

##### ***Urbis 2022, Aboriginal Cultural Heritage Assessment, 14 Eastwood Road, Leppington***

In 2022, Urbis undertook an Aboriginal Cultural Heritage Assessment of 14 Eastwood Road Leppington, approximately 1.5 km north-west of the present subject area.

Like the present subject area, the study area is located on a north-south aligned ridge and historical ground disturbance was assessed as moderate across the entire subject area. Based on a desktop assessment, the archaeological potential of the subject area was initially assessed as moderate for artefacts.

The assessment included an archaeological survey and test excavation, the findings of which were presented in an annexed Archaeological Technical Report (Urbis 2022b). No Aboriginal artefacts were identified during either the archaeological survey or the test excavation. In view of the findings of the archaeological survey and test excavation, the archaeological potential of the study area was reassessed as nil to low.

The assessment undertaken by Urbis demonstrates that the archaeologically sensitive landform features do not *necessarily* translate to actual Aboriginal objects being found during subsequent investigation, even in areas of moderate disturbance.

##### ***Biosis 2017a, 55 Byron Road, Leppington, Aboriginal Cultural Heritage Assessment Report***

In 2017, Biosis undertook an Aboriginal Cultural Heritage Assessment of a proposed subdivision at 55 Byron Road, Leppington, approximately 1.2 km south of the present subject area. The study area is located on the same ridgeline as the present subject area and also within 200 m of a first order waterway. The assessment included an archaeological survey and test excavation of the study area.

No unrecorded Aboriginal sites were identified during the survey. However, the effectiveness of the survey was identified as low due to vegetation cover, limited visibility and extensive disturbance. The desktop assessment and survey identified one area of moderate archaeological potential associated with a low ridge

top with an outlook. Test excavations identified a single Aboriginal site: an Isolated Find consisting of one silcrete artefact. This Isolated Find has since been registered as AHIMS ID# 45-4-1123. The assessment concluded that the subject area had low scientific significance on the basis that it contained a limited range of cultural materials which were commonly found in the region.

The assessment demonstrates that subsurface deposits of archaeological material may exist despite a lack of visible surface expression, particularly where archaeological sensitive landforms (e.g. a ridgeline and waterway) are present. However, the significance of such deposits may be low, even in areas of moderate to high archaeological potential, if the archaeological resources are low density and common to the region.

#### ***Biosis 2017b, 230-260 Fifth Avenue, Austral: Aboriginal Cultural Heritage Assessment and Archaeological Report***

In 2017, Biosis undertook an Aboriginal Cultural Heritage Assessment of a proposed subdivision at 230-260 Fifth Avenue, Austral, approximately 1.1 km north-west of the present subject area. The assessment included an archaeological survey and test excavation.

The desktop assessment identified one area of moderate archaeological potential located on a low rise adjacent to a dam. No previously unrecorded Aboriginal sites were identified during the archaeological survey. However, the effectiveness of the survey was identified as low due to both low ground surface visibility, predominantly due to vegetation cover (pasture grasses), and few ground surface exposures. Test excavation identified a single Aboriginal site: an isolated find consisting of one mudstone flake, which was subsequently registered as AHIMS ID# 45-5-4912. The assessment concluded that the subject area had low scientific significance on the basis that it contained a limited range of cultural materials which were commonly found in the region.

The assessment demonstrates that subsurface deposits of archaeological material may exist despite a lack of visible surface expression. However, the significance of such deposits may be low, even in areas of moderate to high archaeological potential, if the archaeological resources are low density and common to the region.

### **4.3.2. Registered Aboriginal Sites**

#### **4.3.2.1. The AHIMS Database**

The Aboriginal Heritage Information Management System (AHIMS) is a database 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.

#### **4.3.2.2. AHIMS Search**

A search of the Aboriginal Heritage Information Management System (AHIMS) was carried out on 13 October 2022 (AHIMS Client Service ID: 721863) for an area of approximately 3 km x 3 km. A summary of all previously registered Aboriginal sites within the extensive search area is provided in Table 7 and their spatial distribution is shown in Figure 13. The Basic and Extensive AHIMS search results are included in Appendix A. The results of the search are discussed below.

The AHIMS search identified no Aboriginal objects and no Aboriginal places within the curtilage of the subject area.

In the broader search area, a total of 52 Aboriginal objects and no Aboriginal places are registered. A summary of all registered Aboriginal sites within the extensive search area is provided in Table 7. The spatial distribution of all previously registered Aboriginal sites within the extensive search area is shown in Figure 13. The Basic and Extensive AHIMS search results are included in Appendix A. The results of the search are discussed below.

As a registered Aboriginal site may comprise multiple site *features*, the total number of registered features in the present case exceeds the number of recorded Aboriginal sites. Among the 52 identified Aboriginal sites, a total of 56 site features were identified of 4 different types: artefact, modified trees, potential archaeological deposits (PADs) and stone arrangements. The number and types of sites features are presented in Table 7.

Table 7 – Summary of extensive AHIMS search

Site Feature	Number	% of Registered Site Features	% of Registered Sites
Artefact	48	86%	92%
PAD	6	11%	12%
Modified Tree	1	2%	2%
Stone Arrangement	1	2%	2%

All registered Aboriginal sites in the search area are in an open context (i.e. there are no sites associated with rock shelters, rock overhangs or caves). This is consistent with the geology of the area, in which there is an absence of sandstone outcrops that could form overhangs through erosion.

The majority of Aboriginal site features in the local area are artefacts (n = 48). Artefacts represent 86% of registered site features within the search area are present at 92% of registered Aboriginal sites. The second most common site feature are Potential Archaeological Deposits (PADs) (n = 6). These are not confirmed Aboriginal objects and merely indicate the possibility of subsurface Aboriginal objects. Excluding these unconfirmed sites from the analysis, artefacts represent 96% of all confirmed site features among the registered Aboriginal sites within the search area. The only other site features identified in the search are one modified tree and one stone arrangement. It is clear from the search results that artefacts are the dominant Aboriginal archaeological resource in the vicinity of the subject area.

The distribution of sites in a landscape may be representative of the interaction between Aboriginal people and their environment. It can be seen from Figure 13 that registered Aboriginal objects within the search area tend to be concentrated along higher order waterways. This is consistent with the predictive model outlined in the Due Diligence Code, which states that Aboriginal objects are frequently found within 200 m of water. The Due Diligence Code also states that Aboriginal objects are frequently found in association with ridgelines, which is not reflected in the site distribution shown in Figure 13. It is possible that this is due to the greater impact of historical activities in shallower soils associated with ridgelines. Alternatively, it may reflect a greater focus of archaeological investigations on waterways compared with ridgelines.

The archaeological context suggests artefacts are the most likely Aboriginal object to be encountered within the present subject, particularly in proximity to water.



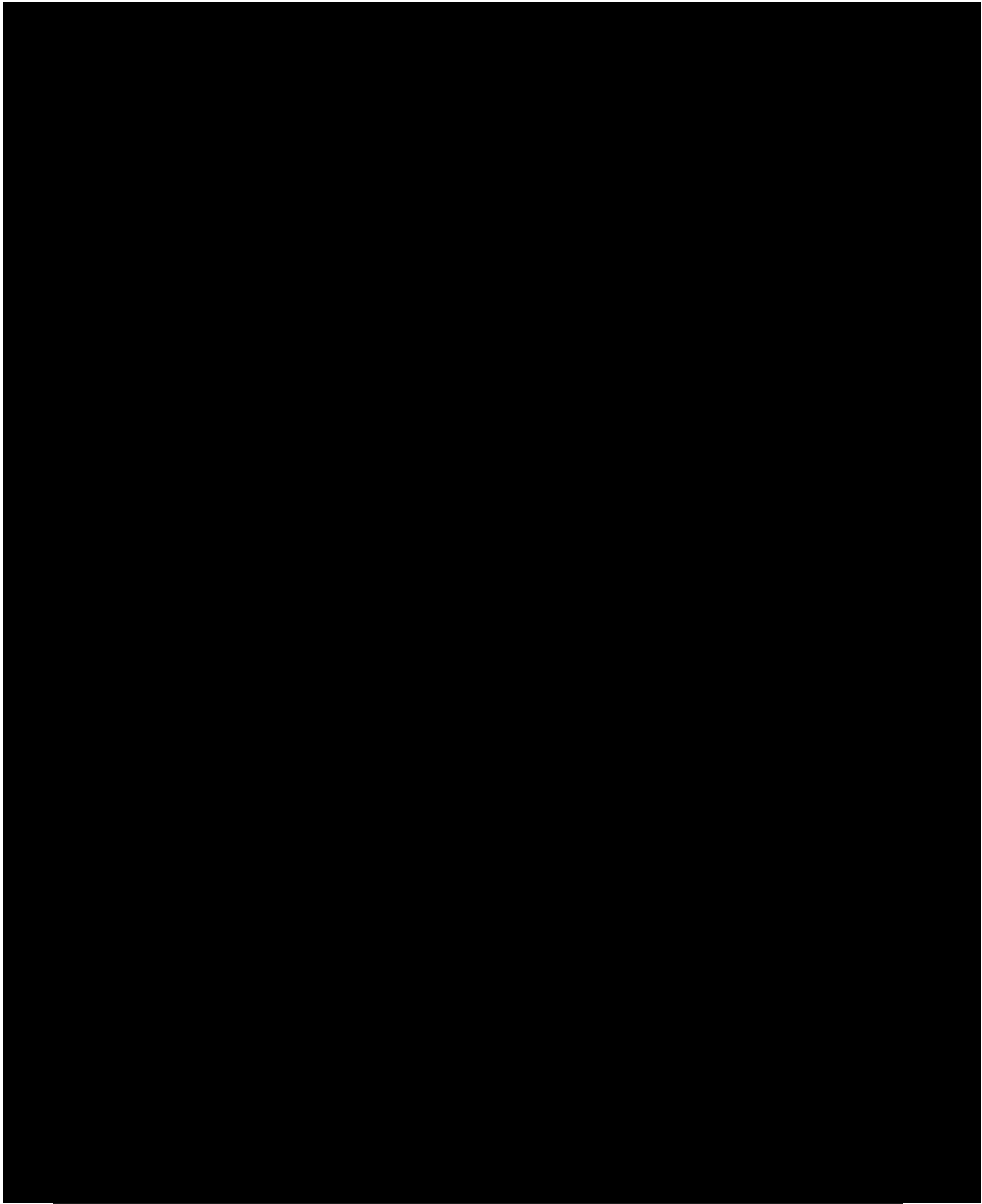


Figure 13 – Map of AHIMS sites in search area

## 4.4. SUMMARY

The assessments of the regional, archaeological and environmental contexts of the subject area are summarised as follows:

- No previously registered Aboriginal objects or Aboriginal places have been identified within the subject area.
- The subject area is located on a ridgeline and portions of the subject area are within 200 m of a waterway, both of which suggest a likelihood of past Aboriginal land use.
- The relatively shallow soils of the subject area, with an anticipated A-horizon depth of approximately 30 cm, are likely to be susceptible to ground disturbing activities.
- A previous archaeological assessment (AMBS 2012) identified portions of the present subject as having moderate or high archaeological sensitivity based on their proximity to a known waterway or location on a ridgeline, but that assessment did not consider the negative impact of ground disturbance on the retention of archaeological remains.
- Historical activities, including clearance of vegetation, agriculture, construction and demolition of buildings, installation of services and occupation of the properties, is determined to have caused moderate to high levels of disturbance to the relatively shallow soils of the subject area, negatively impacting the integrity and intactness of any archaeological remains.

## 5. ARCHAEOLOGICAL POTENTIAL

The following is an assessment and discussion of the Aboriginal archaeological potential of the subject area. Aboriginal archaeological potential is the likelihood that the material remains of past Aboriginal land use have accumulated and been retained within the subject area. Archaeological potential is therefore limited to Aboriginal objects. It does not consider Aboriginal places or other intangible aspects of Aboriginal culture.

### 5.1. FRAMEWORK FOR ASSESSMENT

Aboriginal archaeological potential may be assessed by synthesising ethnographic, environmental and archaeological information pertaining to a subject area. The synthesis of such information typically includes the consideration of:

- Any ethnographic evidence of the past behaviours of Aboriginal people within the same region and context
- The location, density and nature of previously registered Aboriginal sites within the same region and context
- The findings of previous archaeological investigations within the same region and context
- The presence or absence of landscape features that are commonly associated with certain archaeological resources
- The level of disturbance to the subject area after Aboriginal land use, which may impact on or remove entirely any potential archaeological material

For the present subject area, the relevant information is presented in Section 4 above.

The *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010) ('The Due Diligence Code') provides a starting point for assessing past Aboriginal land use based on landscape features. The Due Diligence Code specifies the following landscape features are commonly associated with past Aboriginal land use:

- Areas within 200 m of waters including freshwater and the high tide mark of shorelines
- Areas located within a sand dune system
- Areas located on a ridge top, ridge line or headland; areas located within 200 m below or above a cliff face
- Areas within 20 m of or in a cave, rock shelter, or a cave mouth

The above list is not exhaustive and other landscape features should be considered. For example, the presence of remnant native forest is likely to indicate a greater likelihood for instances of modified trees.

The Aboriginal archaeological potential of subject area may be rated High, Moderate, Low or Nil. An indicative process of determining the archaeological potential of a subject area and the indicative outcome of that finding are provided in Table 8 below.

Table 8 – 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.

Likelihood	Indicative subject area context	Indicative action
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 or Aboriginal object (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.

## 5.2. ASSESSMENT OF ARCHAEOLOGICAL POTENTIAL

The likelihood of the various site features recordable on the AHIMS register (see Section 4.3.2 above) occurring within the present subject area is assessed in Table 9 below. The assessment is based on a synthesis of the ethnographic, environmental and archaeological contexts discussed in Section 4 above.

Owing to the location of the subject area on a ridgeline and the proximity of waterways to portions of the subject area, there is a high likelihood of land use by Aboriginal people prior to historical development. However, due to the relatively shallow soil A-horizon within the subject area, the potential for Aboriginal objects to be retained within some parts of the subject area is significantly reduced historical activities (including ploughing, construction of buildings and installation of services and other infrastructure). Any Aboriginal objects present within the subject area are most likely to be artefacts, which represent 96% of all confirmed site features within the region. The landscape elements present within the subject area and level of historical activity are not consistent with the presence or retention of other types of Aboriginal object.

The potential for the subject area to retain Aboriginal archaeological resources is therefore assessed to be **moderate** for stone artefacts within portions of the subject area that have not been subjected to a high level of ground disturbance. The assessed archaeological potential of the subject area is mapped in Figure 14 below.

As discussed in Section 4.3.1.1 above, a previous archaeological assessment (AMBS 2012) identified portions of the present subject as having moderate or high archaeological sensitivity on the basis that they are located in close proximity to a known waterway or on a ridgeline. However, the AMBS assessment does not consider ground disturbance and limits the importance of ridges to the ridge crest only. The present assessment takes into consideration the sensitivity of the entire ridgeline and the effect of ground disturbance on archaeological potential, per the predictive model outlined in the Due Diligence Code.

Table 9 – Archaeological Potential Assessment

Site Type	Assessment	Potential
Art	Art is typically associated with shelters, overhangs and across rock formations. The subject area does not include any visible rock outcrops or overhangs that would be indicative of the potential for rock art (Section 4.2.1). The likelihood of any art being present within the subject area is low.	Low

Site Type	Assessment	Potential
Artefact	Artefacts may be found in any environment previously used by Aboriginal people and represent 96% of all confirmed Aboriginal site features within the region around the subject area (Section 4.3.2.2). The subject area is located on a ridgeline (Section 4.2.1) and portions of the subject area is within 200 m of a waterway (Section 4.2.4), both of which suggest a likelihood of past Aboriginal land use. Ground disturbance across the subject area ranges from moderate to high (Section 4.2.2). There is moderate potential for the artefacts to be retained within areas of moderate ground disturbance.	Moderate
Burial	Burials are typically associated with caves and rock overhangs, creek banks and soft, sandy soils. The subject area does not include any caves or rock overhangs (Section 4.2.1). While the subject area is located near several first order waterways (Section 4.2.2), the relatively shallow loamy soils of the Blacktown soil landscape are not typically associated with burials (Section 4.2.2). Furthermore, the moderate to high ground disturbance across the subject area (Section 4.2.5) reduces the potential for any burials to be retained. There is therefore low potential for the presence of burials.	Low
Ceremonial Ring	The moderate to high ground disturbance across the subject area (Section 4.2.5) is likely sufficient to have destroyed any ceremonial rings. The likelihood of ceremonial rings being present within the subject area is low.	Low
Earth Mound	The moderate to high ground disturbance across the subject area (Section 4.2.5) is likely sufficient to have destroyed any earth mounds. The likelihood of earth mounds being present within the subject area is low.	Low
Fish Trap	The subject area is not located near a high-order waterway capable of bearing fish or near a coastline (Section 4.2.2). The likelihood of a fish trap being present within the subject area is negligible.	Nil
Grinding Groove	The subject area does not include any visible sandstone outcrops that would be indicative of the potential for grinding grooves (Section 4.2.1). Moreover, the subject area is underlain by shale, not sandstone (Section 4.2.2) The likelihood of any grinding grooves being present within the subject area is low.	Low
Habitation Structure	The moderate to high ground disturbance across the subject area (Section 4.2.5) is likely sufficient to have destroyed any habitation structures. The likelihood of habitation structures being present within the subject area is low.	Low
Hearth	Hearths are typically identified by concentrations of charcoal or hearthstones, which are highly susceptible to ground disturbance, or baked clay surfaces in areas of very shallow soil. As the present subject area has been subject to moderate to high ground disturbance (Section 4.2.5) and has up to about 30 cm of topsoil above the underlying clay (Section 4.2.2), the likelihood of any hearths being present is low.	Low



Site Type	Assessment	Potential
Modified Tree	Historical development of the subject area has resulted in clearance of most natural vegetation (Section 4.2.3). Given the low number of mature trees that may be remnant and the rarity of modified trees in general, the likelihood of any modified trees being present is low.	Low
Non-human Bone & Organic Material	Occurrence of non-human bone and organic material is rare, owing to poor preservation. There is therefore low potential for the presence of non-human bone and organic material.	Low
Ochre Quarry	No sources of ochre are identified within the subject area (Section 4.2.2) and there are no ochre quarries identified within the region (Section 4.3.2). The likelihood of any ochre deposits being present within the subject area is low.	Low
Shell	Shell deposits typically occur in close proximity to resource-bearing water, such as rivers and the ocean. As the subject area is not located near such a water body (Section 4.2.2), the likelihood of any shell deposits being present within the subject area is low.	Low
Stone Arrangement	The moderate to high ground disturbance across the subject area (Section 4.2.5) is likely sufficient to have destroyed any stone arrangements. The likelihood of stone arrangements being present within the subject area is low.	Low
Stone Quarry	The subject area does not include any visible rock outcrops or overhangs that would be indicative of the potential for stone quarries (Section 4.2.1). The likelihood of any deposits of utile stone outcrops being present within the subject area is low.	Low

## 5.3. SUMMARY

The assessment of the Aboriginal archaeological potential of the subject area is summarised as follows:

- Portions of the subject area are assessed as having **moderate** archaeological potential for Aboriginal artefacts.
- The remainder of the subject area is assessed as having low archaeological potential due to ground disturbance caused by historical activities, including ploughing, construction of buildings and installation of services and other infrastructure.





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Project No: P0040609b  
Project Manager: Sam Richards

## ARCHAEOLOGICAL POTENTIAL

Rickard Road, Leppington  
Aland

■ Site A   
 ■ Site B   
 ■ Moderate Potential   
 ■ Low Potential

Figure 14 – Archaeological potential



## 6. ARCHAEOLOGICAL SURVEY

An archaeological survey of the subject area was undertaken on 13 December 2022. The archaeological survey was conducted by Sam Richards (Urbis Associate Director, Archaeology), Owen Barrett (Urbis Consultant Archaeologist) and the RAP site officers listed in Table 4 above (see Section 3.2.2 above). Also in attendance was Andrew Stacey representing the Proponent.

The Assessment Guidelines (Clause 2.2.3) require that a field inspection and survey of the study area be undertaken following review and analysis of previous archaeological work (if any) within the study area and vicinity (see Section 4.3.1 above) and a predictive model of Aboriginal site distribution has been developed (see Section 5 above).

The purpose of the archaeological survey, as outlined in the Code of Practice (Requirement 5), was 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).'

### 6.1. SURVEY METHODOLOGY

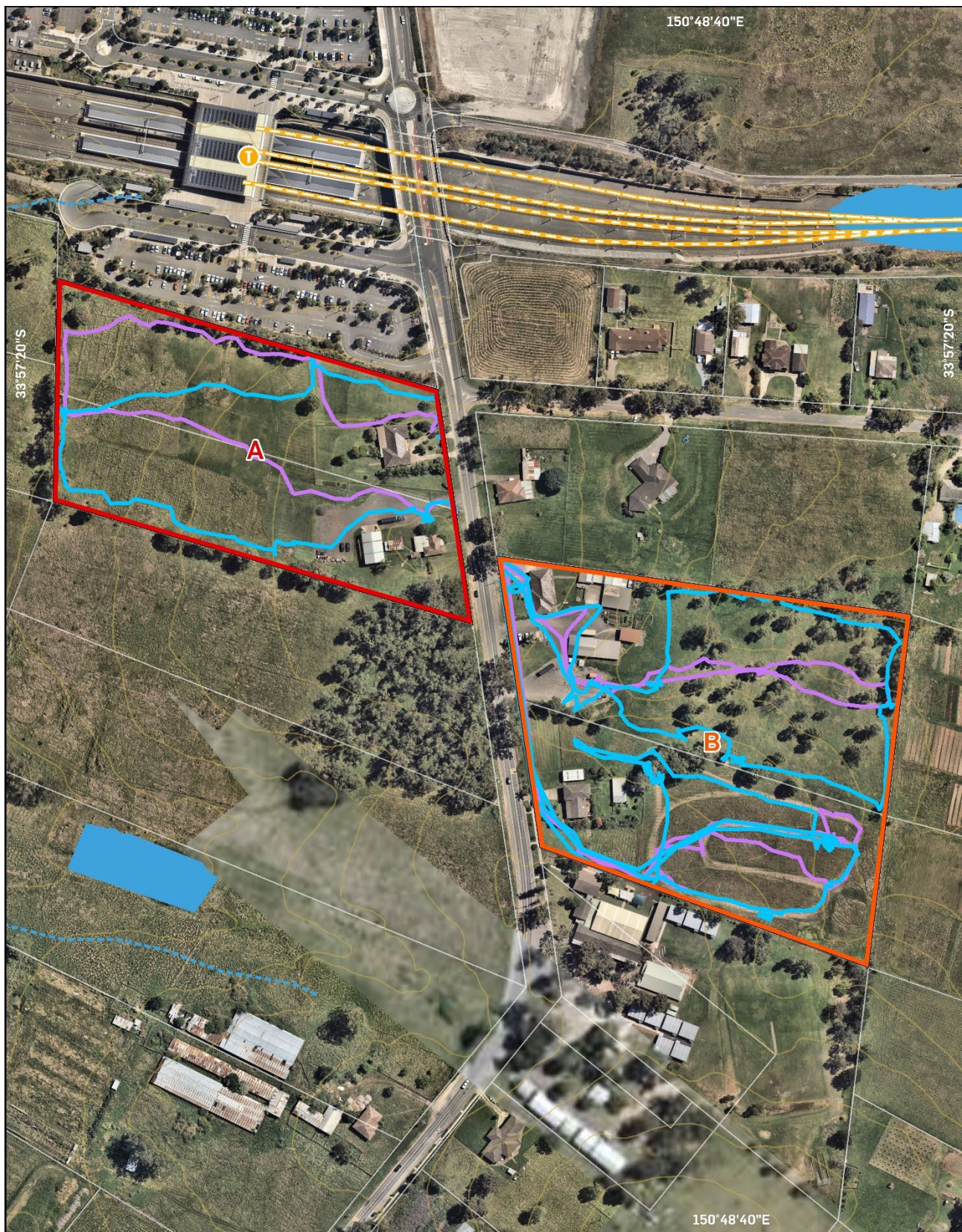
The archaeological survey was undertaken in accordance with the requirements as set out in Requirement 5 of the Code of Practice, as described below.

A sampling strategy was developed prior to undertaking the archaeological survey, in accordance with Requirement 5a of the Code of Practice. The subject area included a single landform: the ridge top and associated upper slopes of a ridgeline. The subject area was surveyed with the goal of 100% coverage due to the small size of the subject area and lack of distinct landforms to target.

In accordance with Requirement 5b of the Code of Practice, the archaeological survey was conducted on foot and in accordance with the sampling strategy described above. The subject area was divided into two survey units corresponding to the curtilage of Site A and Site B (Figure 15). Survey units were recorded through a combination of digital photography and field notes including observations of exposure and visibility, levels of disturbance, erosion, vegetation, the presence of Aboriginal sites, and other relevant observations or features. GPS tracking was utilised to record effective coverage and can be seen in Figure 15 below.

In accordance with Requirement 5c of the Code of Practice, the survey team traversed the subject area utilising GPS navigation, with reference to aerial photographs and property boundaries. The team was arranged in a line with spacing between survey team members was 5 to 10 m. Archaeologists with GPS trackers were positioned at each end of the group to record the survey transects.





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250 M

Project No: P0040609b

Project Manager: Sam Richards

■ Site A 
 ■ Site B 
 — Contours 
 ■ Hydrology 
 - - Ephemeral 
 — Track 1 
 — Track 2

## SURVEY TRANSECTS

Rickard Road, Leppington  
Aland

Figure 15 – Survey transects



## 6.2. SURVEY UNITS AND LANDFORMS

In accordance with Requirements 9 and 10 of the Code of Practice, the percentage of exposures and ground surface visibility (GSV) was estimated for each survey unit and landform. Survey units and survey coverage are summarised in Table 10, with the location of all survey units presented in Figure 15. A summary by landform is presented in Table 11.

The subject area included a number of residential structures, with associated gardens, lawns, sheds and other outbuildings. These structures were situated towards the road frontage in both Site A and Site B. Visibility was effectively zero in these areas. The rear of both Site A and Site B are free of structures and contained introduced grasses and eucalypt regrowth. Visibility was limited to exposures resulting from disturbance including paths, tracks and erosion.

Table 10 – Survey coverage

Survey Unit	Landform	Survey Unit Area (m <sup>2</sup> )	Visibility (%)	Exposure (%)	Effective Coverage (m <sup>2</sup> )	Effective Coverage (%)
1 (Site A)	Ridge top and upper slopes	32000	<10	<10	<32	<1
2 (Site B)	Ridge top and upper slopes	42000	<10	<10	<42	<1

Table 11 – Landform summary

Landform	Landform Area (m <sup>2</sup> )	Area Effectively Surveyed (m <sup>2</sup> )	Percentage of Landform Effectively Covered	Number of Aboriginal Sites	Number of Artefacts or Features
Ridge top and upper slopes	74000	74	<1.0%	1	1

## 6.3. SURVEY OBSERVATIONS

### 6.3.1. Survey Unit 1 (Site A)

Survey Unit 1 (Site A) encompassed an area of approximately 32,000 m<sup>2</sup>. The landform in Survey Unit 1 consists of a ridge top and gentle upper slopes. Vegetation in Survey Unit 1 consisted of exotic grasses, which reduced GSV to less than 10%. No remnant mature trees or culturally modified trees were identified. Exposures were limited to small patches beneath sparse trees.

No Aboriginal objects were identified in Survey Unit 1.

Ground disturbance towards the street frontage of Survey Unit 1 appeared to be higher in areas occupied by structures (Figure 16 and Figure 17). In the western portion of Survey Unit 1, away from the street frontage, the ground was observed to have mounds and furrows, apparently due to past ploughing of the soil (Figure 18 and Figure 19). The RAPs participating in the archaeological survey agreed with the assessment that this ploughing has caused a high degree of ground disturbance, which is consistent with the desktop assessment of ground disturbance for Site A.





Figure 16 – View south-west of Site A street frontage



Figure 17 – View south-east of Site A street frontage



Figure 18 – View north of the rear of Site A showing typical visibility



Figure 19 – View east of the rear of Site A showing typical visibility

### 6.3.2. Survey Unit 2 (Site B)

Survey Unit 2 (Site B) encompassed an area of approximately 42,000m<sup>2</sup>. The landform in Survey Unit 2 consists of a ridge top and gentle upper slopes. A wide, shallow drainage line traversed the northern portion of Site B (166 Rickard Road) with rises either side. Vegetation in Survey Unit 2 consisted of exotic grasses, which reduced GSV to less than 10% and eucalypt regrowth. No remnant mature trees or culturally modified trees were identified. Exposures were limited to small patches of erosion and an apparent racetrack in the southern portion of Site B (156 Rickard Road).

Ground disturbance associated with the construction of buildings was evident towards the street frontage of Survey Unit 2, including evidence of fill having been used to create a level site in places. A lower degree of disturbance was evident at the rear of Survey Unit 2, although localised areas within the northern portion of Site B (166 Rickard Road) appeared to have been eroded to clayey subsoil. These observations are consistent with the desktop assessment of ground disturbance for Site B.

One Aboriginal object was identified in Survey Unit 2. The newly identified Aboriginal object is an isolated silcrete core, which was given the name Rickard Road Isolated Find 1 and subsequently registered as AHIMS ID 45-5-5672. The newly identified Aboriginal object is discussed in further detail in Section 6.3.3 below.

The presence of an Aboriginal object within Site B indicates past Aboriginal land use of that part of the subject area. The drainage line traversing the rear of 166 Rickard Road and low ground to the east of the site, currently dammed, may have contained ephemeral water sources which provided resources to Aboriginal people. It was agreed in discussion with the RAPs in attendance during the survey that test excavation would be appropriate at this location prior to physical works being undertaken.





Figure 20 – View north-west of Site B street frontage



Figure 21 – View north-east of levelled shed in Site B



Figure 22 – View of rear of Site B showing typical visibility



Figure 23 – View of racetrack in Site B showing visibility

### 6.3.3. Newly Identified Site

The archaeological survey identified a single Aboriginal object, which is located within Site B (156 Rickard Road, Lot 38A DP 8979).

The newly identified artefact is located within the south-eastern quadrant of Site B, on a ridgetop, with a gentle downward slope (Figure 24). It is approximately 180 m from low lying ground to the east of the property, which is currently dammed and utilised as market gardens. The artefact was situated in an area of exposed ground, which appears to have been used as racetrack (Figure 25 and Figure 26). The geographic coordinates for the site are [REDACTED]

The artefact was identified as being a silcrete core, with numerous flake scars being evident (Figure 27 and Figure 28). No other artefacts were observed in the vicinity. However, visibility outside the immediate area of the racetrack was very low due to the presence of vegetation, which may have prevented identification of any other artefacts present on the ground surface.

An AHIMS site card was prepared for the location and submitted on the AHIMS register (AHIMS ID 45-5-5672). The site was given the name 'Rickard Road Isolated Find 1', according to the conventions established in *Guide to completing the AHIMS Site Recording Form* (OEH 2012) and provided in Appendix D.

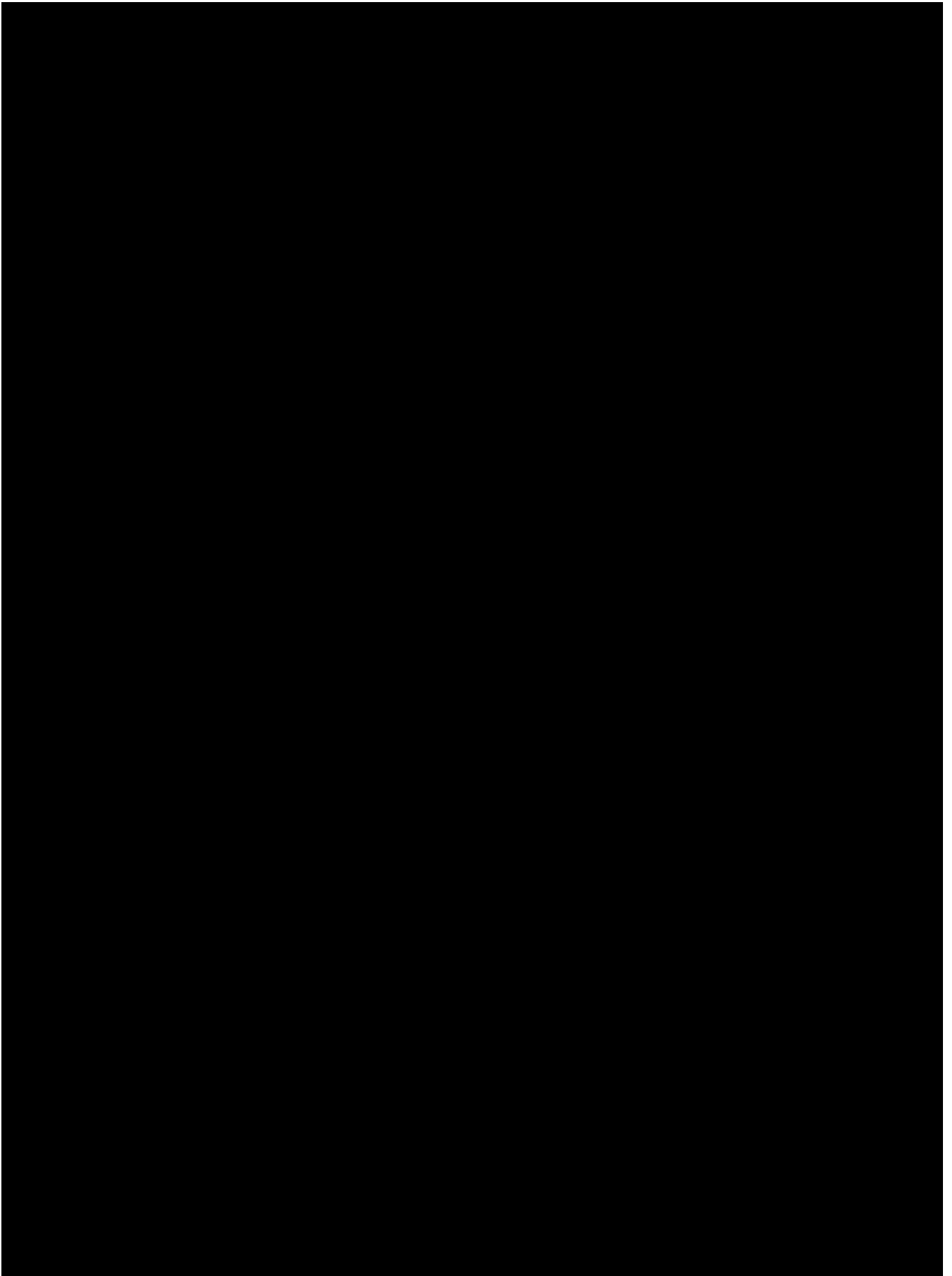
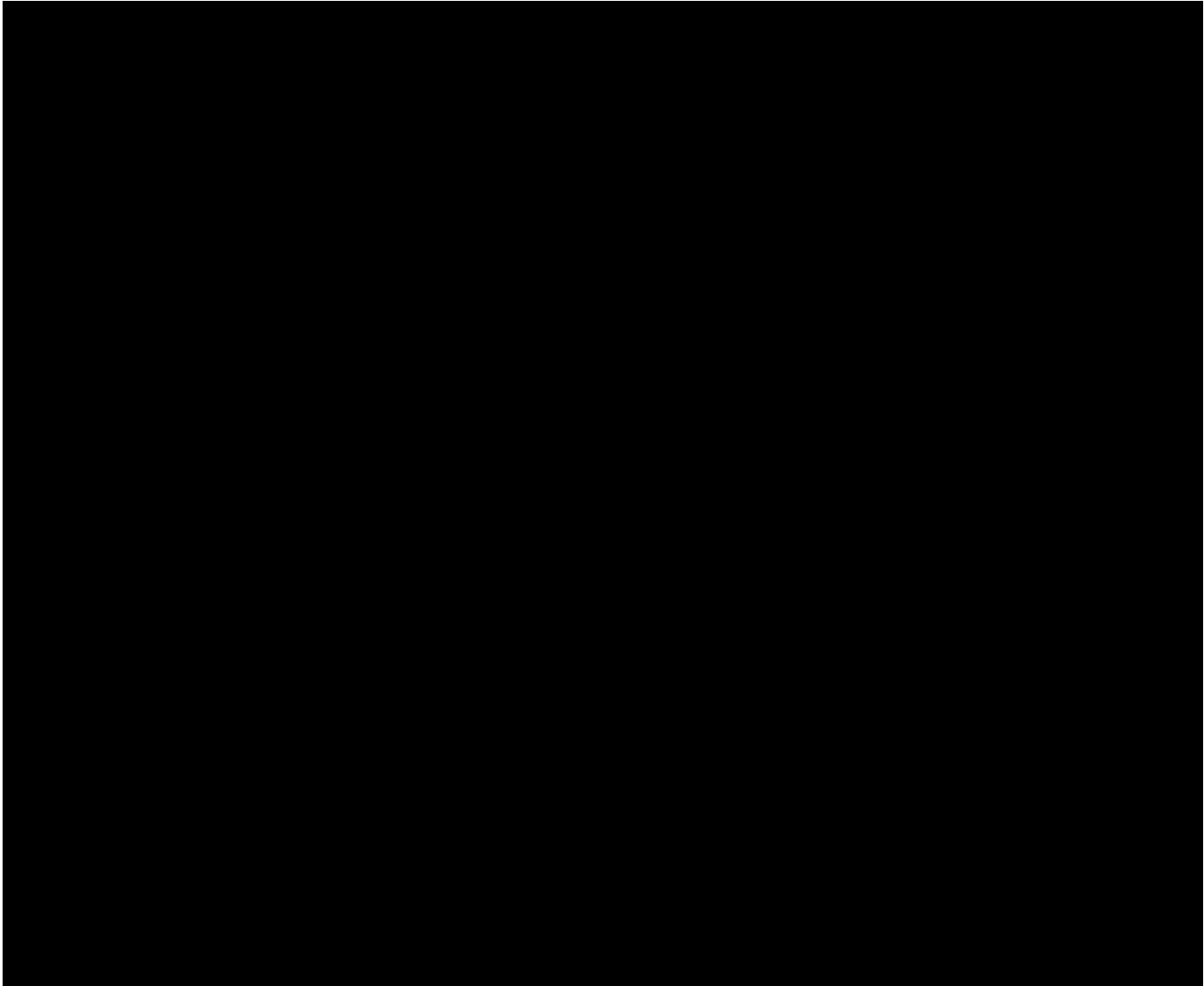


Figure 24 – Location of Rickard Road Isolated Find 1



## 6.4. SUMMARY

The findings of the archaeological survey of the subject area are summarised as follows:

- The archaeological survey identified one previously unidentified Aboriginal object, located within Site B, consisting of an isolated silcrete core.
- The newly identified Aboriginal object has been registered as AHIMS # 45-5-5672.
- Observations of ground disturbance within the subject area consistent with the present desktop assessment.

## 7. 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.

### 7.1. FRAMEWORK FOR 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.

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?

The Aboriginal heritage significance of the subject area is assessed in the following section within the framework outlined above.

### 7.2. 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.

#### 7.2.1. 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.

Whilst the general landscape is identified to have high social and cultural significance, the subject area is not known to have any specific social or cultural associations. A final assessment of the social or cultural value of any Aboriginal archaeological resources within the subject should be made following a subsurface test excavation prior to any physical works being undertaken within the subject area.

### **7.2.2. 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.

No historical associations between the Aboriginal community and the subject area were identified during the present assessment, either through desktop research or through consultation with the Aboriginal community. Any archaeological remains within the subject area are therefore unlikely to have any historic value.

A final assessment of the historic value of any Aboriginal archaeological resources within the subject should be made following a subsurface test excavation prior to any physical works being undertaken within the subject area.

### **7.2.3. 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.

One newly identified Aboriginal object, an isolated silcrete core, was identified within the subject area during the archaeological survey undertaken for the present assessment (Section 6). The subject area is assessed as having moderate potential to retain further Aboriginal artefacts, based on its location on a ridgeline and the proximity of waterways (Section 5.2).

Isolated finds and artefact scatters are numerous within the Cumberland Plain and broader Sydney region (Section 4.3.2). Furthermore, historical disturbance in the presence case is likely to have impacted the integrity of any archaeological deposits (Section 4.2.5). Although the subject area is likely to retain further artefacts, they are unlikely to contribute significantly to our understanding of Aboriginal land use. Any archaeological resources within the subject area are likely to have little scientific value.

A final assessment of the scientific value of any Aboriginal archaeological resources within the subject should be made following a subsurface test excavation prior to any physical works being undertaken within the subject area.

### **7.2.4. 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.

Due to historical activities within the subject area, including land clearance, agriculture and the construction and demolition of buildings and other infrastructure, the present visual appearance and other sensory aspects of the subject area are unlikely to resemble those of the landscape of the local area as it existed prior to European contact. The subject area is therefore determined to have low aesthetic significance insofar as it relates to Aboriginal cultural heritage.

Individual Aboriginal objects may have aesthetic value in their own right. The one newly identified Aboriginal is unlikely to meet this criteria as it is unremarkable example of a silcrete core, which are common in the area.

A final assessment of the aesthetic value of any Aboriginal archaeological resources within the subject should be made following a subsurface test excavation prior to any physical works being undertaken within the subject area.

### **7.3. STATEMENT OF SIGNIFICANCE**

Based on the evidence obtained during the consultation process, the subject area is determined to have low Aboriginal cultural heritage significance for its social and cultural and scientific (archaeological) significance value. There is a single known Aboriginal object located within the subject area, an isolated silcrete core, and other isolated finds and low-density artefact scatters are likely to be present. Such Aboriginal objects are common in the region around the subject area and in the Cumberland Plain and Sydney basin more generally and are therefore of limited scientific value. With regard to social and cultural significance, while it is acknowledged that Aboriginal cultural connection extends to entire landscape, no special connection has been established in relation to the present subject area.

A final assessment significance should be made following a subsurface test excavation prior to any physical works being undertaken within the subject area. However, it is unlikely that the subject area retains any Aboriginal objects of high significance, given the history of disturbance within the subject area, absence of any surface indications of highly significant Aboriginal objects and the general nature of archaeological remains in the region around the subject area, which primarily comprise low density artefact scatters and isolated finds.

## 8. 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.

### 8.1. FRAMEWORK FOR ASSESSMENT

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.

### 8.2. 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, the archaeological survey of the subject area undertaken as part of the present assessment identified a previously unknown Aboriginal object, being an isolated stone artefact (Section 6.3.3 above). As the newly identified Aboriginal object is located on the ground surface, any works within that part of the subject area have the potential to harm a known Aboriginal object.

The desktop assessment further determined that there is moderate potential for further Aboriginal objects to be retained within portions of the subject area (Section 5.2 above). Any ground disturbing works within those areas of moderate potential are likely to cause direct harm to as yet unknown Aboriginal objects within 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.

### 8.3. 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.

Any future ground disturbing works in the area of the newly identified Aboriginal object (AHIMS ID 45-5-5672) would cause direct harm to that object. Moreover, as there is moderate archaeological potential for Aboriginal objects within large portions of the subject area, any ground disturbing works proposed for the subject area would be likely to cause harm to as yet unidentified Aboriginal objects.

As a primary harm mitigation measure, it is recommended that an archaeological test excavation should be undertaken to investigate whether any subsurface Aboriginal archaeological remains exist prior to the commencement of any physical works within the subject area. The subsurface archaeological investigation program should be undertaken by appropriately qualified archaeologists with the participation of nominated RAPs.

An Archaeological Research Design (ARD) and Excavation Methodology (EM) should be developed to inform the further archaeological investigation. As part of the ARD and EM, specific questions should be developed in relation to any Aboriginal archaeological resource that might be encountered and how Aboriginal people might have used the subject area in the past. In consultation with the RAPs, a protocol for the handling of any Aboriginal objects and archaeological resources that might be uncovered during the archaeological investigation or the proposed works should be developed as part of the ARD and EM. The ARD & EM should further detail procedures to be undertaken if human remains are found.

In view of the low likelihood of any subsurface Aboriginal objects having high significance being present within the subject area and to avoid any unnecessary impacts to any subsurface archaeological deposits, it is recommended that the subsurface archaeological investigation be undertaken only after specific physical works have been proposed for the subject area.

### 8.4. SUMMARY

The assessment of impact of the proposed works and proposed measures for avoidance and minimisation of harm are summarised as follows:

- Any ground disturbing works within the subject area are likely to cause direct harm to either the newly identified Aboriginal object (AHIMS ID 45-5-5672) and/or as yet unidentified Aboriginal objects.
- Prior to the commencement of any physical works within the subject area, an archaeological test excavation should be undertaken to investigate whether any subsurface Aboriginal archaeological remains exist.

## 9. CONCLUSIONS & RECOMMENDATIONS

The ACHA concluded that:

- No previously identified Aboriginal objects have been identified within the curtilage of the subject area.
- One previously unidentified Aboriginal object, a silcrete core (now registered as AHIMS # 45-5-5672 Rickard Road Isolated Find), was identified during the archaeological survey of the subject area undertaken as part of the present assessment.
- The environmental context of the subject area suggests past Aboriginal land use is likely, being located on a ridgeline and having portions that are within 200 m of a waterway.
- A previous archaeological assessment (AMBS 2012) identified portions of the present subject as having moderate or high archaeological sensitivity based on their proximity to a known waterway or location on a ridgeline, but that assessment did not consider the negative impact of ground disturbance on the retention of archaeological remains.
- Historical activities, including clearance of vegetation, agriculture, construction and demolition of buildings, installation of services and occupation of the properties, is determined to have caused moderate to high levels of disturbance to the relatively shallow soils of the subject area, negatively impacting the integrity and intactness of any archaeological remains.
- The portions of the subject area that have been subjected to moderate ground disturbance are assessed as having moderate potential to retain as yet unidentified artefacts associated with past Aboriginal utilisation of the subject area.
- The subject area is assessed as having low Aboriginal heritage significance for its social and cultural value to the Aboriginal community as part of the broader cultural landscape and scientific (archaeological) value as a common example of a stone artefact-bearing site within the Cumberland plain.
- While no physical works are presently proposed, any ground disturbing works within the subject area are likely to cause direct harm to either the newly identified Aboriginal object (AHIMS ID 45-5-5672) and/or as yet unidentified Aboriginal objects.

Based on the above conclusions, Urbis recommends the following:

- **Recommendation 1 – Submission of Report**

A copy of this report should be submitted with the Planning Proposal for the rezoning and future development of the subject area as part of the proposed Leppington Town Centre Planned Precinct.

- **Recommendation 2 – Re-zoning**

The identified or potential Aboriginal cultural heritage should not present a barrier to re-zoning of the subject area.

- **Recommendation 3 – Update ACHA**

In the event that any specific physical works are proposed for the subject area, the ACHA should be updated to consider the impacts of those works and to propose appropriate harm avoidance and minimisation measures.

- **Recommendation 4 – Further Archaeological Investigation**

Prior to the commencement of any physical works within the subject area, an archaeological test excavation should be undertaken to investigate whether any subsurface Aboriginal archaeological remains exist. The subsurface archaeological investigation program should be undertaken by appropriately qualified archaeologists with the participation of nominated RAPs.

Prior to an archaeological test excavation, the following will be necessary:

- A Sampling Strategy, Archaeological Research Design (ARD) and Excavation Methodology (EM) should be developed to inform the archaeological test excavation program. As part of the ARD and EM, specific questions should be developed in relation to any Aboriginal archaeological resource that might be encountered and how Aboriginal people might have used the subject area in the past.

- The above will be outlined in a letter notifying of intention to undertake a test excavation to be provided to Heritage NSW under Requirement 15c of the Code of Practice. This will be provided a minimum of 2 weeks prior to the excavation taking place.

- **Recommendation 5 - Archaeological Technical Report (ATR)**

An Archaeological Technical Report (ATR) should be prepared following completion of the archaeological test excavation program in compliance with Requirement 11 the Code of Practice, with further recommendations based on the findings of the investigation.

- **Recommendation 6 – Update ACHA Following Completion of Test Excavation**

The ACHA will be updated following the test excavation with further management recommendations, a refined impact assessment and mitigation measures in relation to any identified Aboriginal archaeological resources.

- **Recommendation 7 – Additional Stage 4 Consultation Period**

Following the updating of the ACHAR and ATR the reports will need to be issued to the RAPs for an additional 28-day consultation period in compliance with *4.4 Stage 4 – Review of draft cultural heritage assessment report of the Aboriginal cultural heritage consultation requirements for proponents 2010*

The above recommendations are consistent with previous management recommendations for the Austral and Leppington North Precincts (AMBS 2012), encompassing the present subject area, which require an impact assessment and test excavation to be undertaken prior to any specific proposed works.

It was also agreed in discussion with the RAPs in attendance during the archaeological survey that an archaeological test excavation would be appropriate prior to physical works being undertaken.

Support for the conclusions and recommendations of the ACHA was provided by seven of the RAPs:

[REDACTED]



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All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

## **APPENDIX A**

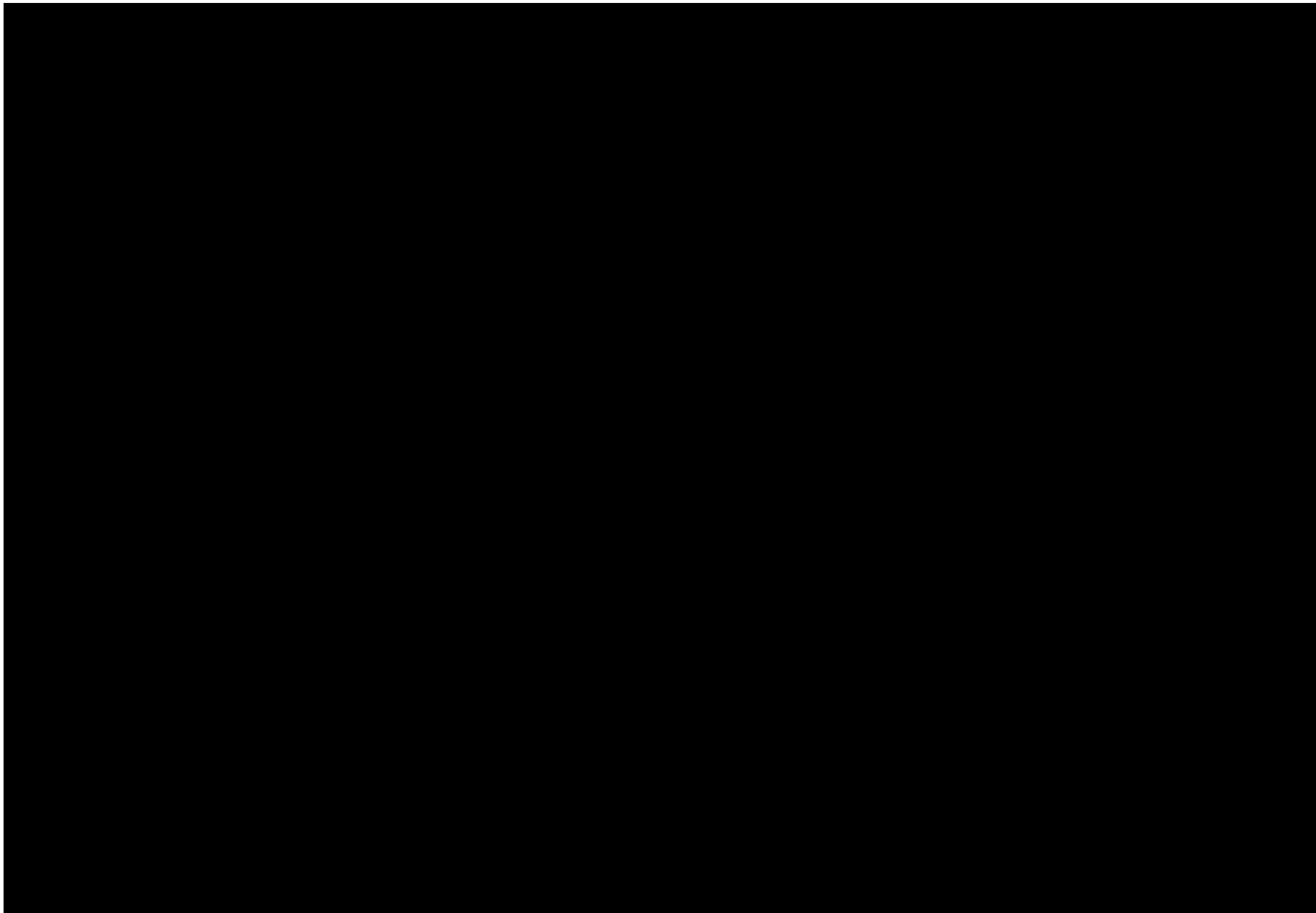
## **BASIC AND EXTENSIVE AHIMS SEARCH RESULTS**



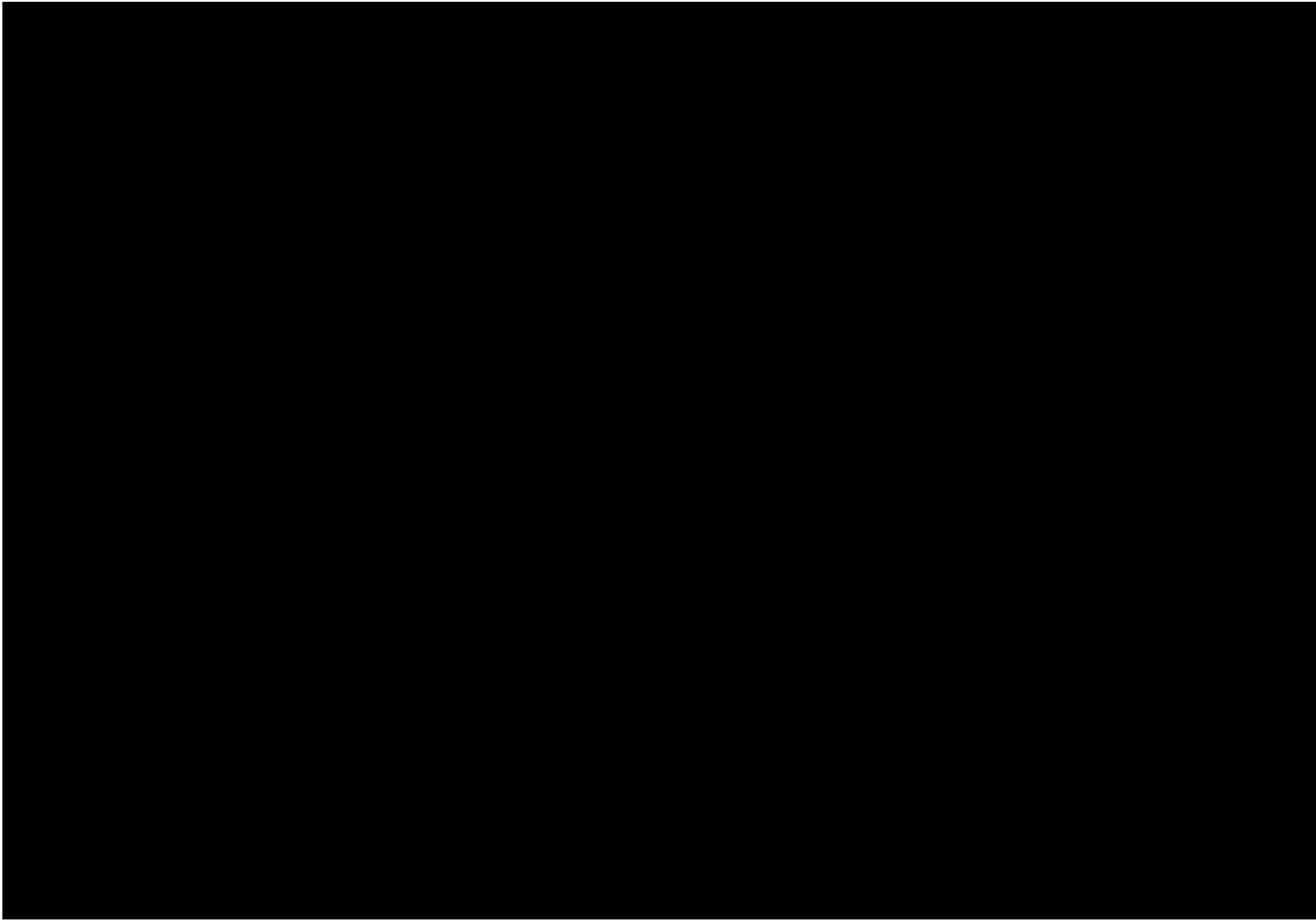
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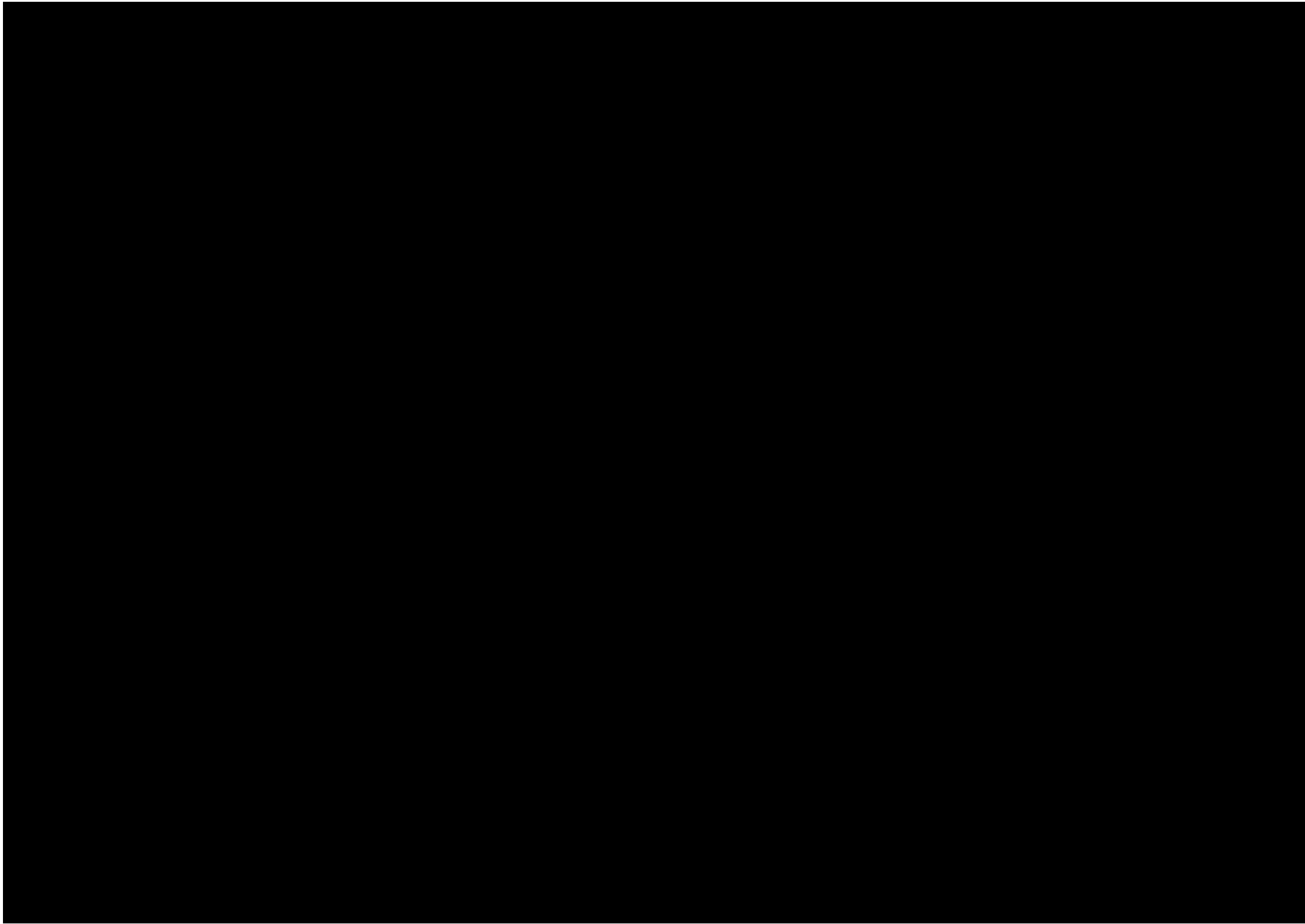
Client Service ID : 721863

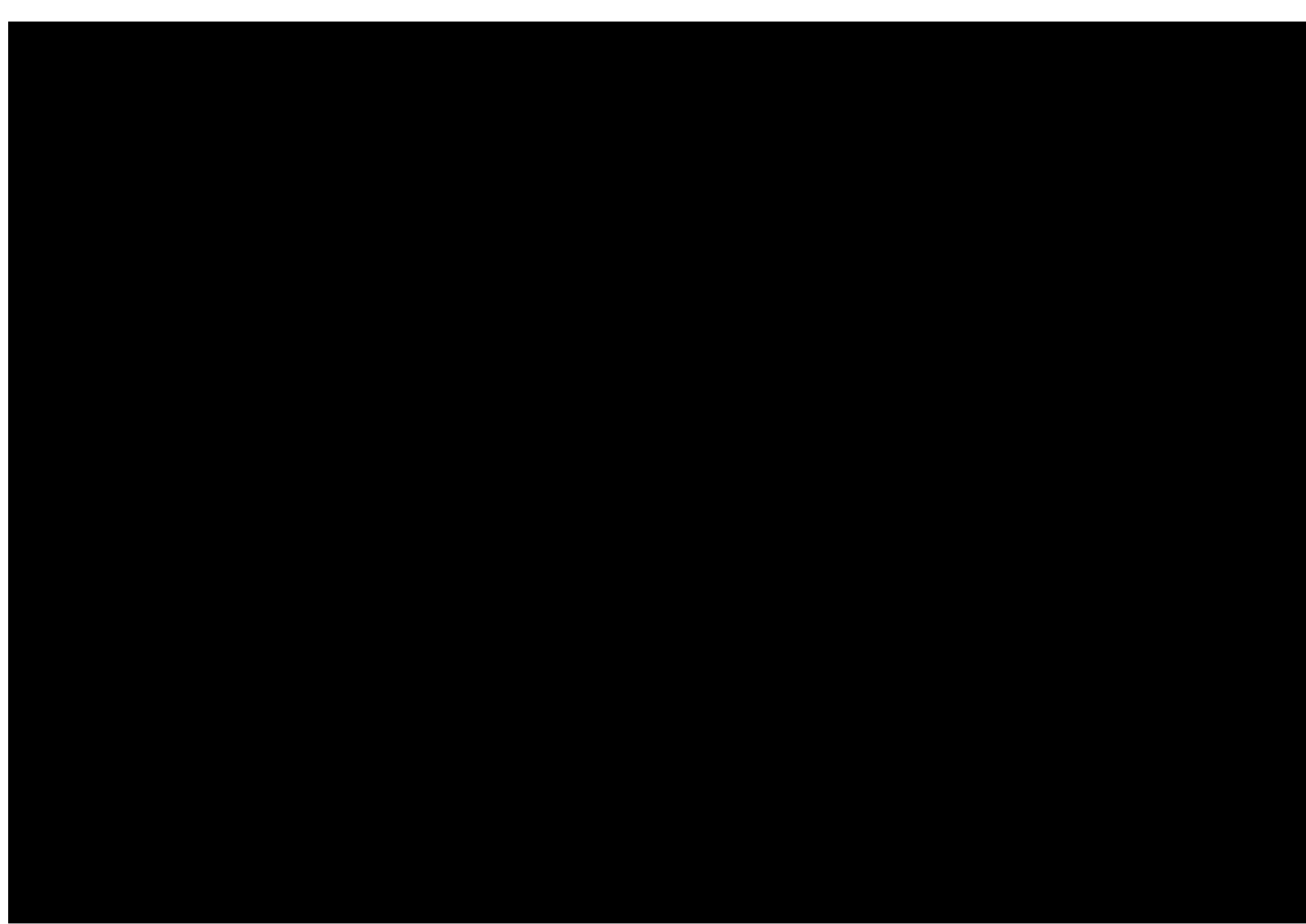






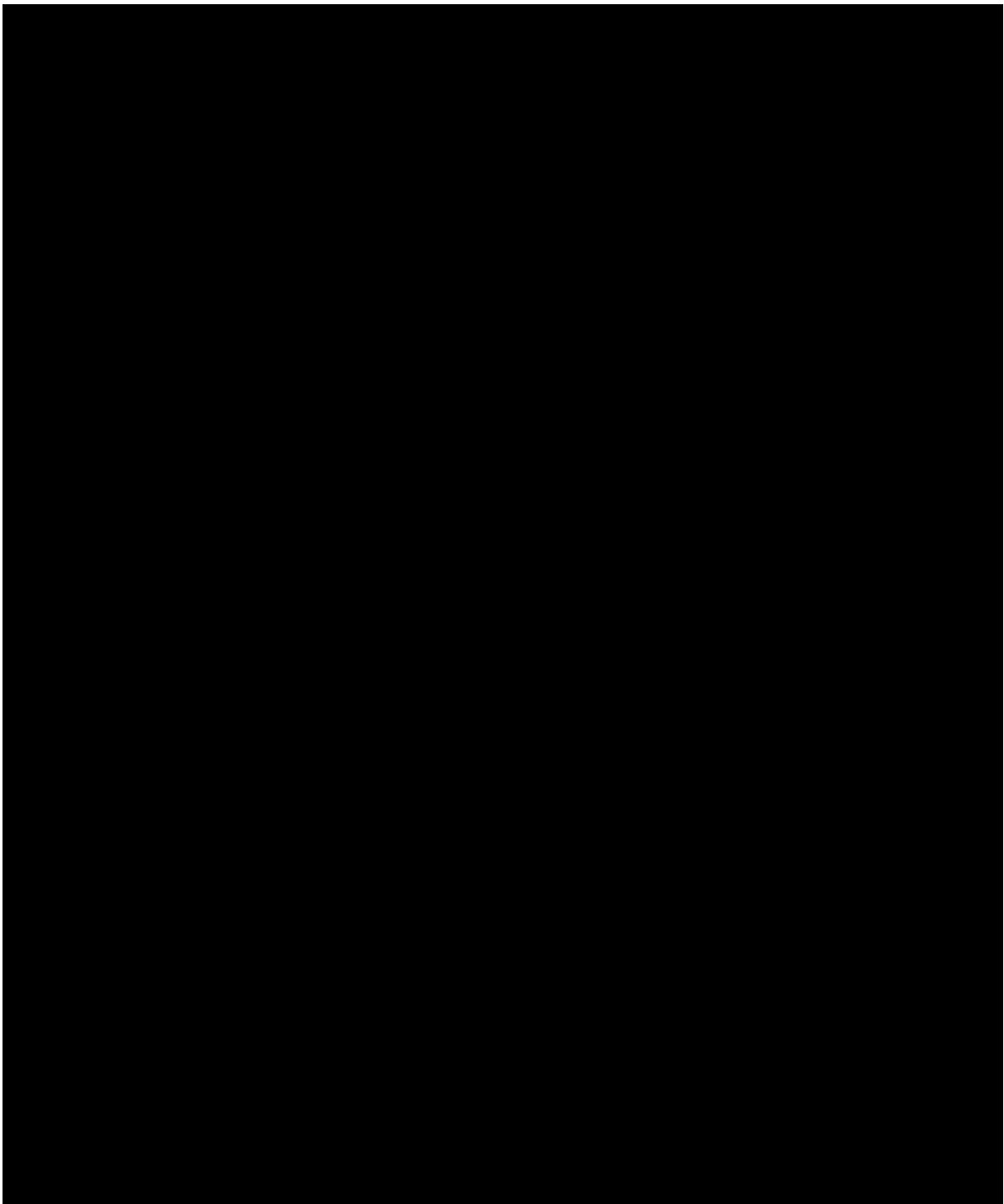






## **APPENDIX B**

## **REGISTERED ABORIGINAL PARTY CONSULTATION LOG**



## **APPENDIX C**

## **REGISTERED ABORIGINAL PARTY CONSULTATION DOCUMENTATION**



## **STAGE 1.1 – NATIVE TITLE SEARCH**


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Search Register of Native Title Claims

**Search National Native Title Register**

Search Register of Indigenous Land Use Agreements

Search Records of Section 31 Agreements

Search Applications and Determinations

Search Future Act Applications and Determinations

### 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

Camden 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](http://www.oric.gov.au)

No results for current search criteria

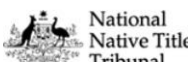
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Search Register of Native Title Claims

**Search Register of Native Title Claims**

Search National Native Title Register

Search Register of Indigenous Land Use Agreements

Search Records of Section 31 Agreements

Search Applications and Determinations

Search Future Act Applications and Determinations

### Search Register of Native Title Claims

The Register of Native Title Claims (RNTC) contains information about all claimant applications that have been registered. The Registrar is responsible for maintaining the RNTC.

Further information about the RNTC is available.

Tribunal file no.

Federal Court file no.

Application name

State or Territory

New South Wales

Representative A/TSI body area

Local government area

Camden Council

Date filed between

and

Sort by

Date filed

Search

No results for current search criteria

**From:** [Kirsten Downey](#)  
**To:** [Geospatial Search Requests](#)  
**Cc:** [Aaron Olsen](#)  
**Subject:** Request for Spatial Search of Tribunal Registers  
**Date:** Monday, 29 August 2022 8:29:00 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image005.png](#)  
[image007.png](#)  
[image009.png](#)  
[Request for Spatial Search of Tribunal Registers.pdf](#)

---

Good morning,

Please find attached a Native Title search request for Lot 2, DP 812366, Lot 1, DP 812366, Lot 38A, DP 8979, and Lot 37, DP 8979.

If you have any questions or need any further information, please let me know.

Kind regards,

**KIRSTEN DOWNEY** she/her/hers  
CONSULTANT  
D +61 2 8233 7603  
E [kdowney@urbis.com.au](mailto:kdowney@urbis.com.au)



ANGEL PLACE, LEVEL 8, 123 PITT STREET  
SYDNEY, NSW 2000, AUSTRALIA  
T +61 2 8233 9900

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## Request for Spatial Search of Tribunal Registers

### 1: Your details

Your name:	<i>Kirsten Downey</i>		
Your company:	<i>Urbis</i>		
E-mail address:	<i>kdowney@urbis.com.au</i>	Phone:	<i>61 2 8233 7603</i>
Your reference:	<i>P0040609</i>	Your state:	<i>New South Wales</i>
<input checked="" type="checkbox"/>	<i>I have read and acknowledge the terms and conditions on the next page.</i>		

### 2: Areas to be searched

Jurisdiction to be searched:	<i>New South Wales</i>	Tenure to be searched:	<i>Non freehold parcel</i>
------------------------------	------------------------	------------------------	----------------------------

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

Parcel 1:	<i>Lot 2 DP 812366</i>	Parcel 2:	<i>Lot 1 DP 812366</i>
Parcel 3:	<i>Lot 38A DP 8979</i>	Parcel 4:	<i>Lot 37 DP 8979</i>
Parcel 5:	<i>Click or tap here to enter text.</i>	Parcel 6:	<i>Click or tap here to enter text.</i>
Parcel 7:	<i>Click or tap here to enter text.</i>	Parcel 8:	<i>Click or tap here to enter text.</i>
Parcel 9:	<i>Click or tap here to enter text.</i>	Parcel 10:	<i>Click or tap here to enter text.</i>
Parcel 11:	<i>Click or tap here to enter text.</i>	Parcel 12:	<i>Click or tap here to enter text.</i>
Parcel 13:	<i>Click or tap here to enter text.</i>	Parcel 14:	<i>Click or tap here to enter text.</i>
Parcel 15:	<i>Click or tap here to enter text.</i>	Parcel 16:	<i>Click or tap here to enter text.</i>
Parcel 17:	<i>Click or tap here to enter text.</i>	Parcel 18:	<i>Click or tap here to enter text.</i>
Parcel 19:	<i>Click or tap here to enter text.</i>	Parcel 20:	<i>Click or tap here to enter text.</i>

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.

*Camden Local Government Area.*

E-mail the completed form to [GeospatialSearch@NNTT.gov.au](mailto: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](mailto: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.



**From:** [Geospatial Search Requests](#)  
**To:** [Kirsten Downey](#)  
**Cc:** [Aaron Olsen](#)  
**Subject:** RE: SR22/1287 - Request for Spatial Search of Tribunal Registers - SR22/1287 [SEC=OFFICIAL]  
**Date:** Monday, 29 August 2022 3:52:14 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

**OFFICIAL**

**Your ref:** P0040609

**Dear** Kirsten Downey,

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)

Feature ID	Tenure	Cadastral Data As At	Feature Area SqKm	Overlapping Native Title Feature				
				NNTT File Number	Name	Category	Overlap Area SqKm	% Selected Feature
1/DP812366	FREEHOLD	11/10/2021	0.0162	<a href="#">No overlap</a>			-	0.00%
2/DP812366	FREEHOLD	11/10/2021	0.0162	<a href="#">No overlap</a>			-	0.00%
37/DP8979	FREEHOLD	11/10/2021	0.0244	<a href="#">No overlap</a>			-	0.00%
38A/DP8979	FREEHOLD	11/10/2021	0.0187	<a href="#">No overlap</a>			-	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](mailto:GeospatialSearch@NNTT.gov.au)

Regards,

[Geospatial Searches](#)

**National Native Title Tribunal | Perth**

Email: [GeospatialSearch@nntt.gov.au](mailto:GeospatialSearch@nntt.gov.au) | [www.nntt.gov.au](http://www.nntt.gov.au)

**From:** Kirsten Downey <[kdowney@urbis.com.au](mailto:kdowney@urbis.com.au)>

**Sent:** Monday, 29 August 2022 6:29 AM

**To:** Geospatial Search Requests <[GeospatialSearch@NNTT.gov.au](mailto:GeospatialSearch@NNTT.gov.au)>

**Cc:** Aaron Olsen <[aolsen@urbis.com.au](mailto:aolsen@urbis.com.au)>

**Subject:** SR22/1287 - Request for Spatial Search of Tribunal Registers

**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 morning,

Please find attached a Native Title search request for Lot 2, DP 812366, Lot 1, DP 812366, Lot 38A, DP 8979, and Lot 37, DP 8979.

If you have any questions or need any further information, please let me know.

Kind regards,

**KIRSTEN DOWNEY** she/her/hers

CONSULTANT

D +61 2 8233 7603

E [kdowney@urbis.com.au](mailto:kdowney@urbis.com.au)

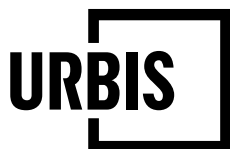


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## **STAGE 1.2 – ASCERTAINING LIST OF POTENTIAL RAPS**



**ANGEL PLACE  
LEVEL 8, 123 PITT STREET  
SYDNEY NSW 2000**

URBIS.COM.AU  
Urbis Pty Ltd  
ABN 50 105 256 228

29 August 2022

To whom it may concern,

## **156, 166, 173 & 183 RICKARD ROAD, LEPPINGTON, NSW – ABORIGINAL CULTURAL HERITAGE ASSESSMENT – ABORIGINAL COMMUNITY CONSULTATION STAGE 1.2 AGENCY NOTICE**

Urbis has been commissioned by Aland ('the Proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) of Site A and Site B, Rickard Road, Leppington, NSW ('the subject area'), legally described as the following:

### **Site A**

- 173 Rickard Road - Lot 2, DP 812366
- 183 Rickard Road - Lot 1, DP 812366

### **Site B**

- 156 Rickard Road - Lot 38A, DP 8979
- 166 Rickard Road - Lot 37, DP 8979

The subject area is located within the Camden Local Government Area (LGA) and within the bounds of the Tharawal Local Aboriginal Land Council (LALC).

The ACHA will support a Master Plan for the proposed development of the subject area. This involves the preliminary planning for Sites A and B, intended to inform a planning proposal for the future development of the Leppington town centre. The subject area is under the Western Sydney Parklands State Environmental Planning Policy (SEPP), within the Camden Growth Centres precinct.

The ACHA is to be carried out in accordance with relevant guidelines under the National Parks and Wildlife Act 1974 (NPW Act). The assessment will detail any potential Aboriginal cultural heritage resources within the subject area and provide recommendations regarding management of those resources.

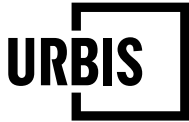
The proponent can be contacted via:

Aland

Number: 1300 513 317

Email: [leppington@aland.com.au](mailto:leppington@aland.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, 12 September 2022** in writing to:

Kirsten Downey  
Consultant  
Urbis  
Level 8, 123 Pitt Street  
Sydney, NSW, 2000  
E: [kdowney@urbis.com.au](mailto:kdowney@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 black ink, appearing to read "Balazs Hansel". The signature is fluid and cursive, with the first name "Balazs" and the last name "Hansel" clearly distinguishable.

Balazs Hansel  
Director  
+61 2 8233 7668  
[bhansel@urbis.com.au](mailto:bhansel@urbis.com.au)



**From:** [LLS GS Service Mailbox](#)  
**To:** [Kirsten Downey](#)  
**Cc:** [Aaron Olsen](#)  
**Subject:** Re: Rickard Road Leppington, NSW - Aboriginal Cultural Heritage Assessment - Stage 1.2 (Our ref: P0040609)  
**Date:** Monday, 29 August 2022 8:38:50 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image012.png](#)  
[image014.png](#)  
[image016.png](#)  
[Outlook-ivh4ukxz.png](#)  
[Outlook-13jcwhoh.png](#)  
[Outlook-31hb2i13.png](#)  
[Outlook-raeit1tk.png](#)

---

Dear Mr Hansel

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**

**Greater Sydney Local Land Services**

Level 4, 2 - 6 Station St Penrith | PO Box 4515, Westfield Penrith NSW 2750

**T:** 02 4724 2100

**E:** [gs.service@lls.nsw.gov.au](mailto:gs.service@lls.nsw.gov.au) | **W:** [www.greatersydney.lls.nsw.gov.au](http://www.greatersydney.lls.nsw.gov.au)

You can also contact us 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:** Kirsten Downey <kdowney@urbis.com.au>  
**Sent:** Monday, 29 August 2022 8:34 AM  
**Cc:** Aaron Olsen <aolsen@urbis.com.au>  
**Subject:** Rickard Road Leppington, NSW - Aboriginal Cultural Heritage Assessment - Stage 1.2  
(Our ref: P0040609)

Good morning,

Urbis is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) of 156, 166, 173 & 183 Rickard Road, Leppington, NSW. As part of the consultation process for the ACHA, we are seeking 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.

If you are aware of any Aboriginal persons and/or organisations that may hold an interest in the project, we request that you please provide their details by return email at your earliest convenience and preferably by **12 September 2022**.

For further details, please refer to our formal letter attached. We look forward to hearing from you.

Kind regards,

**KIRSTEN DOWNEY** *she/her/hers*  
CONSULTANT  
D +61 2 8233 7603  
E [kdowney@urbis.com.au](mailto:kdowney@urbis.com.au)



ANGEL PLACE, LEVEL 8, 123 PITT STREET  
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**From:** [Samira Abbasalipour](#)  
**To:** [Kirsten Downey](#)  
**Subject:** RE: Rickard Road Leppington, NSW - Aboriginal Cultural Heritage Assessment - Stage 1.2 (Our ref: P0040609)  
**Date:** Thursday, 1 September 2022 10:05:01 AM  
**Attachments:** [image020.png](#)  
[image011.png](#)  
[image012.png](#)  
[image013.png](#)  
[image015.png](#)  
[INFO - Local Aboriginal Groups - CONSULTATION LIST - Aug22.PDF](#)

---

Hi Kirsten

Please see Local Aboriginal Groups contact list attached.

Regards

Samira

**Dr Samira Abbasalipour**  
Heritage and Urban Design Advisor



70 Central Avenue, Oran Park, 2570  
(02) 4654 7992  
[www.camden.nsw.gov.au](http://www.camden.nsw.gov.au)

PO Box 183, Camden NSW 2570  
[Samira.Abbasalipour@camden.nsw.gov.au](mailto:Samira.Abbasalipour@camden.nsw.gov.au)



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LEADERSHIP



PARTNERSHIP



CUSTOMER  
FOCUS



COMMITMENT



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**Lifeline**  
13 11 14

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Camden Council acknowledges the Traditional Owners of the lands we meet  
and work upon and pay our respects to Elders past, present and emerging.

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**From:** Kirsten Downey <[kdowney@urbis.com.au](mailto:kdowney@urbis.com.au)>

**Sent:** Monday, 29 August 2022 11:04 AM

**Cc:** Aaron Olsen <[aolsen@urbis.com.au](mailto:aolsen@urbis.com.au)>

**Subject:** Rickard Road Leppington, NSW - Aboriginal Cultural Heritage Assessment - Stage 1.2 (Our ref: P0040609)

**Warning - This email originates from an external organisation**

---

Good morning,

Urbis is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) of 156, 166, 173 & 183 Rickard Road, Leppington, NSW, legally referred to as Lot 1 DP 812366, Lot 2, DP 812366, Lot 37, DP 8979, and Lot 38A, DP 8979.

As part of the consultation process for the ACHA, we are seeking 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.

If you are aware of any Aboriginal persons and/or organisations that may hold an interest in the project, we request that you please provide their details by return email at your earliest convenience and preferably by **12 September 2022**.

For further details, please refer to our formal letter attached. We look forward to hearing from you.

Kind regards,

**KIRSTEN DOWNEY** she/her/hers

CONSULTANT

D +61 2 8233 7603

E [kdowney@urbis.com.au](mailto:kdowney@urbis.com.au)

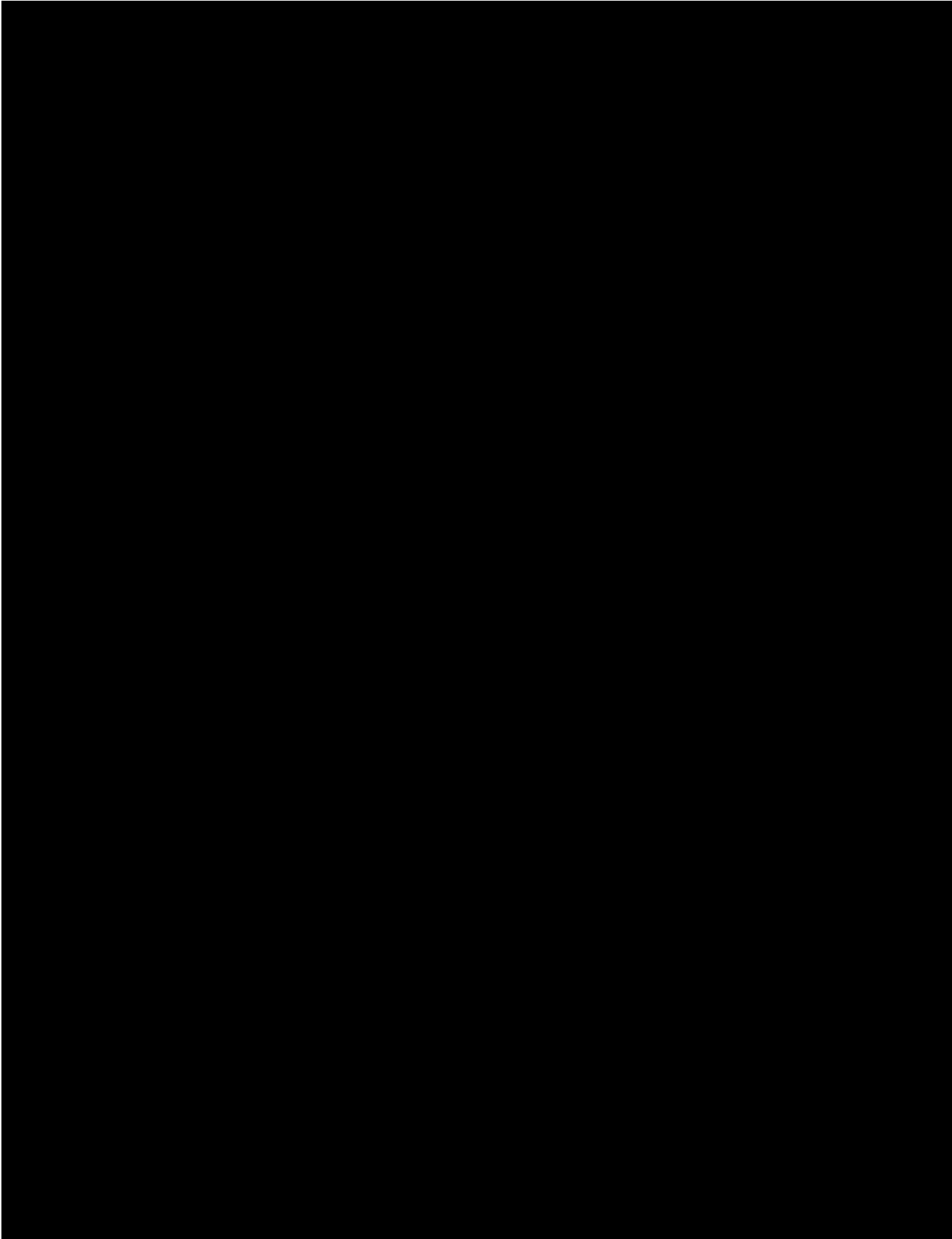


ANGEL PLACE, LEVEL 8, 123 PITT STREET  
SYDNEY, NSW 2000, AUSTRALIA  
T +61 2 8233 9900

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

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2 September 2022

By email: [kdowney@urbis.com.au](mailto:kdowney@urbis.com.au)

Kirsten Downey  
Consultant  
Urbis  
Angel Place  
Level 8, 123 Pitt Street  
SYDNEY NSW 2000

Dear Kirsten,

**Aboriginal Cultural Heritage Assessment – 156, 166, 173 & 183 Rickard Road,  
Leppington, NSW: request for list of potential Aboriginal stakeholders**

We refer to your letter and email to this Office, dated 29 August 2022, requesting contact information for Aboriginal organisations, stakeholders and/or people who may have cultural knowledge relevant to the proposed development of 156, 166, 173 and 183 Rickard Road, Leppington, NSW (comprising Lots 1 DP 812366, Lot 2, DP 812366, Lot 37, DP 8979, and Lot 38A, DP 8979), 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.

As identified in your letter, 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



Brendan Smith  
Project Officer  
Office of the Registrar, Aboriginal Land Rights Act 1983

Tharawal Local Aboriginal Land Council  
PO Box 245  
THIRLMERE NSW  
Ph: (02) 4681 0059  
Email: [ceo@tharawal.com.au](mailto:ceo@tharawal.com.au)

Our reference: Doc22/762563

Kirsten Downey  
Consultant  
Urbis  
Level 8, 123 Pitt Street  
Sydney, NSW, 2000

5/09/2021

Dear Kirsten,

**WRITTEN NOTIFICATION OF PROPOSAL AS REQUIRED UNDER DECCW ABORIGINAL  
CULTURAL HERITAGE CONSULTATION REQUIREMENTS FOR PROPONENTS 2010**

**Subject: Site A - 173 Rickard Road - Lot 2, DP 812366 - 183 Rickard Road - Lot 2, DP 812366 - Site B - 156 Rickard Road - Lot 2, DP 812366 - 166 Rickard Road - Lot 2, DP 812366.**

Thank you for your correspondence dated 29 August 2021 to Heritage NSW (Department of Premier and Cabinet) regarding the above project.

Attached is a list of known Aboriginal parties for the proposed development at **Camden** Local Government Area that Heritage NSW considers likely to have an interest in the activity.

Please note this list is not necessarily an exhaustive list of all interested Aboriginal parties.

Receipt of this list does not remove the requirement of a proponent/ consultant to advertise in local print media and contact other bodies seeking interested Aboriginal parties, in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (April 2010).

Under Section 4.1.6. of the Consultation Requirements, you must also provide a copy of the names of each Aboriginal person who registered an interest to the relevant Heritage NSW office and Local Aboriginal Land Council (LALC) within 28 days from the closing date for registering an interest.

Please note that the contact details in the list provided by Heritage NSW may be out of date as it relies on Aboriginal parties advising Heritage NSW when their details need changing. If individuals/companies undertaking consultation are aware that any groups contact details are out of date, or letters are returned unopened, please contact either the relevant stakeholder group (if you know their more current details) and/or Heritage NSW. AHIP applicants should make a note of any group they are unable to contact as part of their consultation record.

## **LIST OF ABORIGINAL STAKEHOLDERS FOR THE DEPARTMENT of PREMIER and CABINET (DPC) SOUTHERN REGION HELD BY DPC 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.

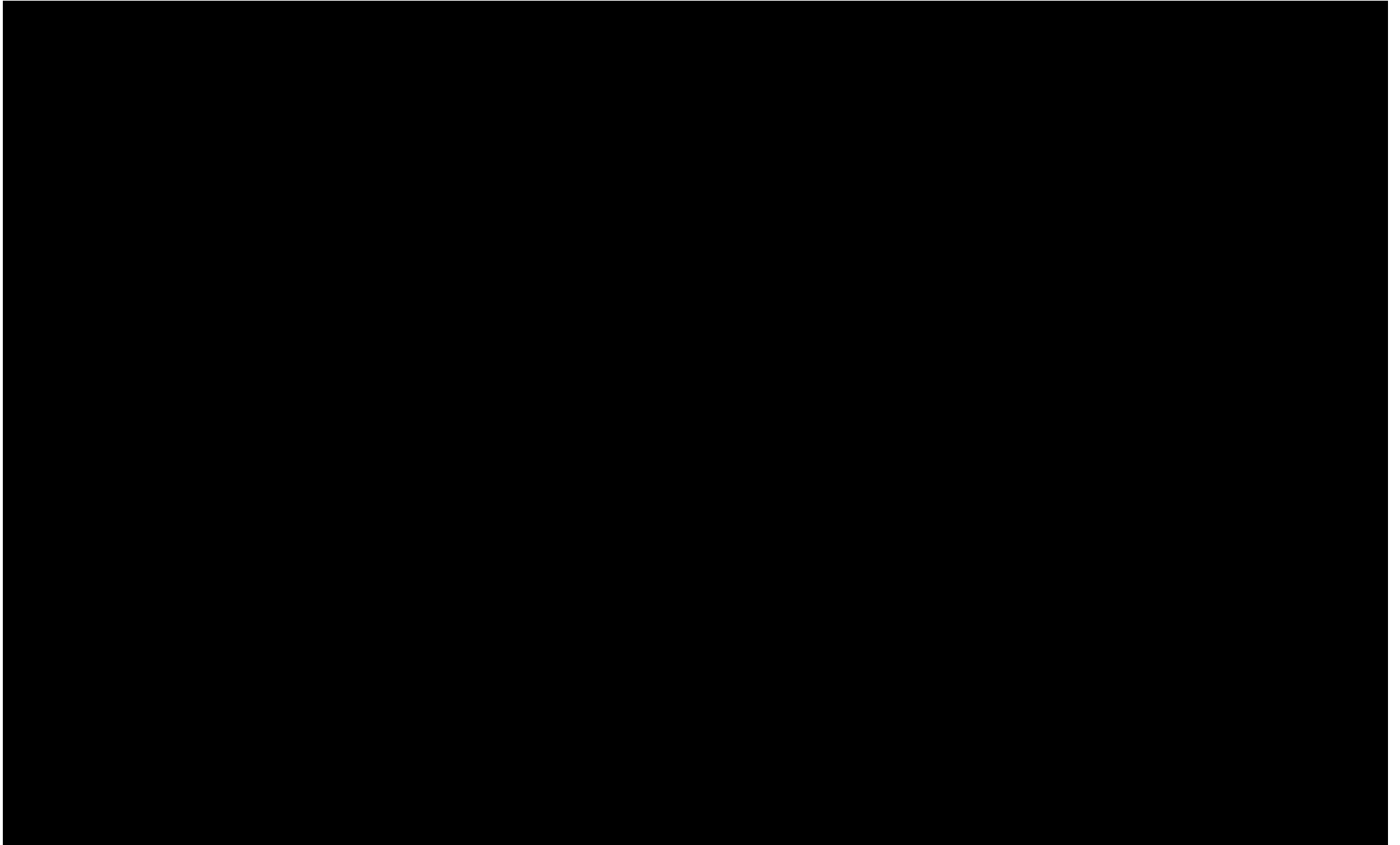
### **How to use this list**

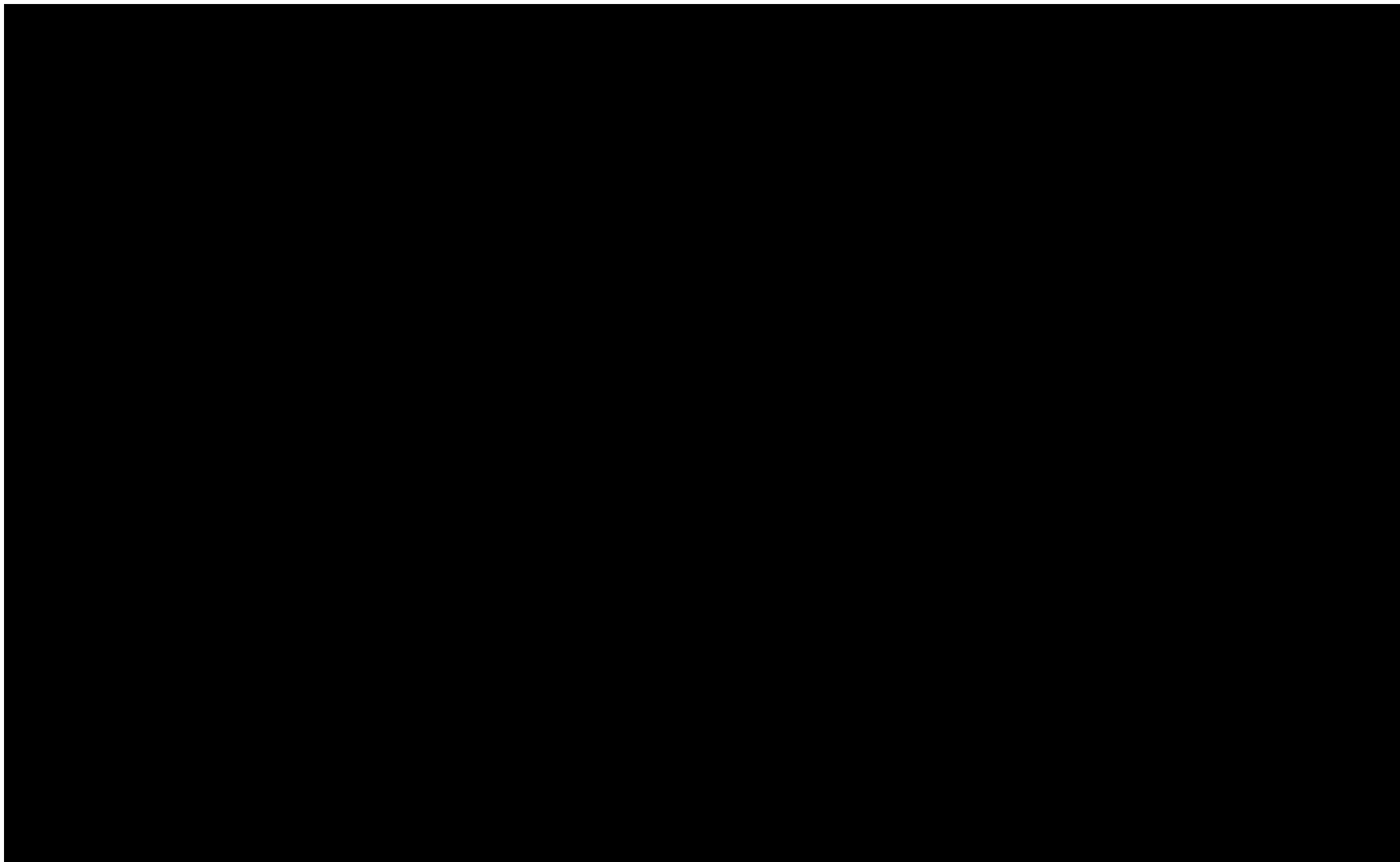
- 1. Contact the organisations/individuals who have indicated an interest in the relevant LGA/s and invite them to register an interest in your project**

**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.**

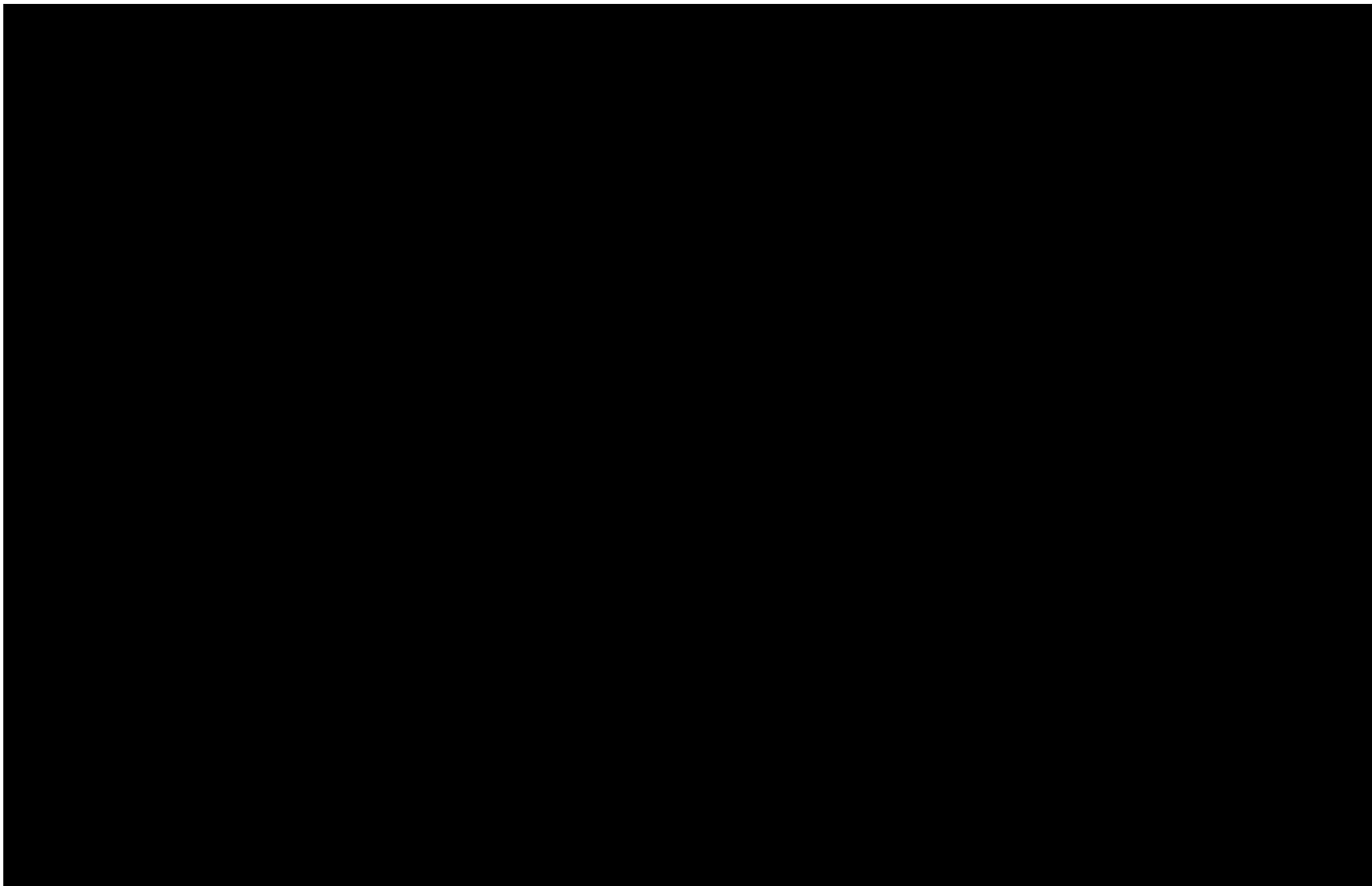
**Last updated 10 August 2022**

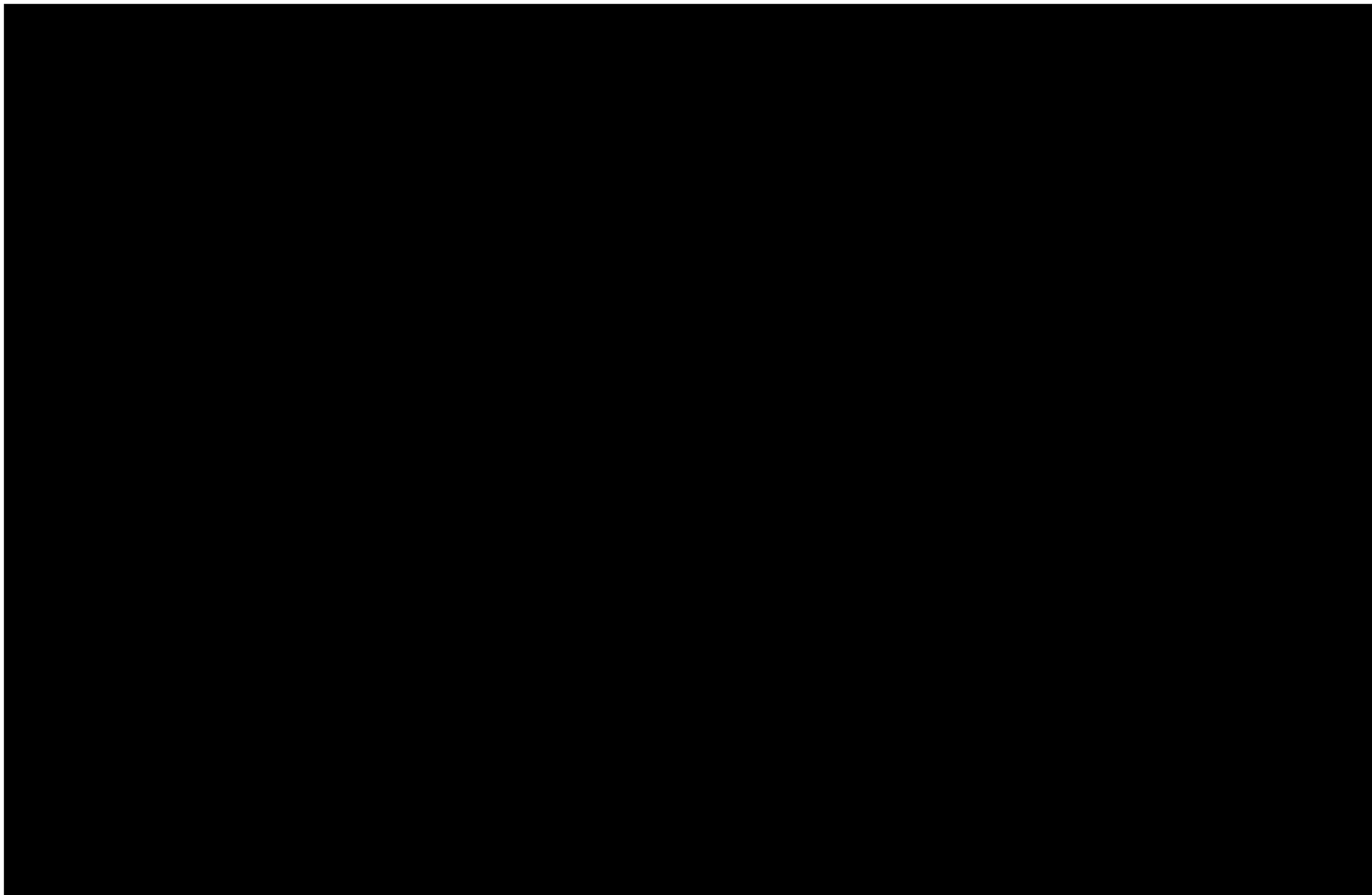
Camden Local Government Area

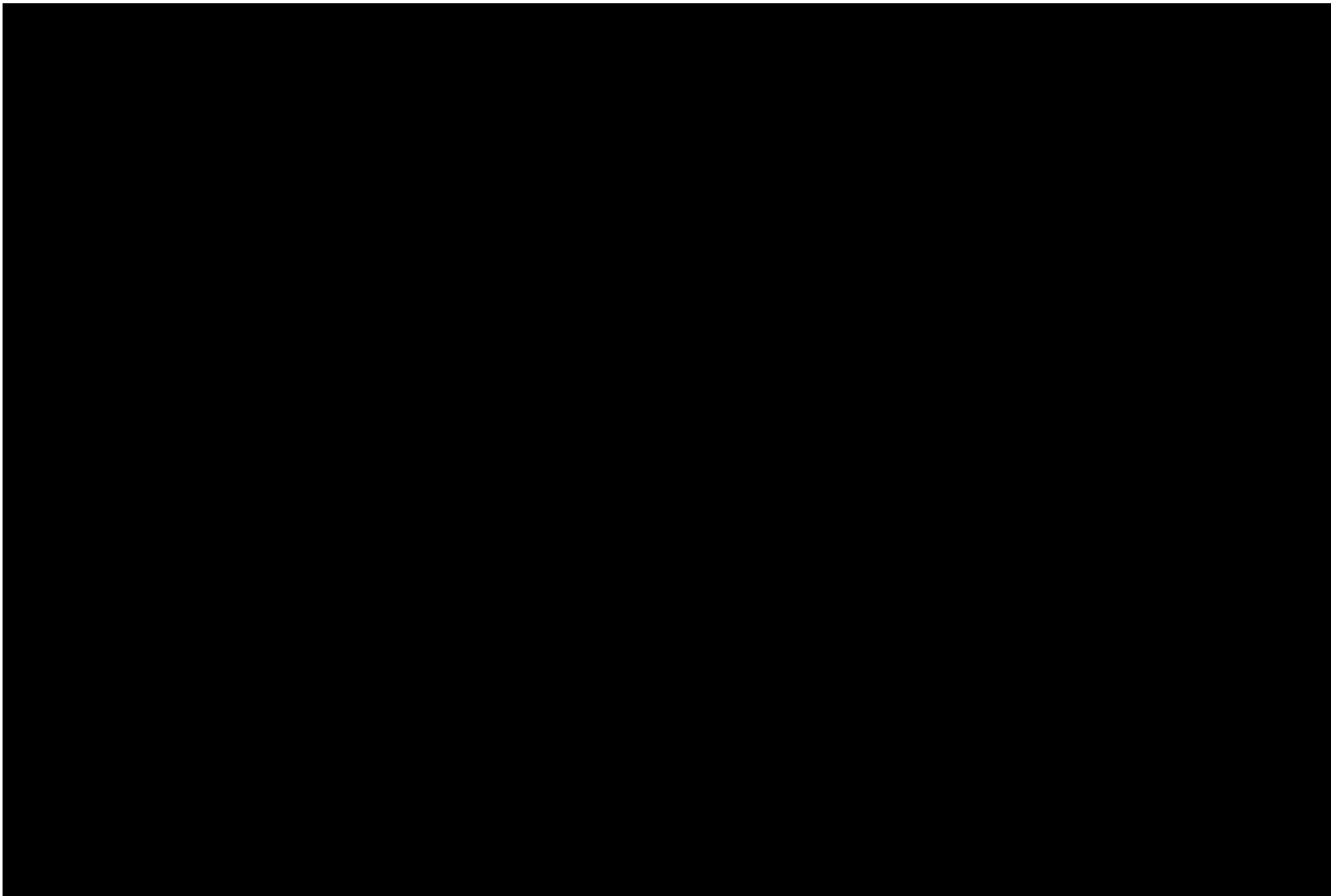


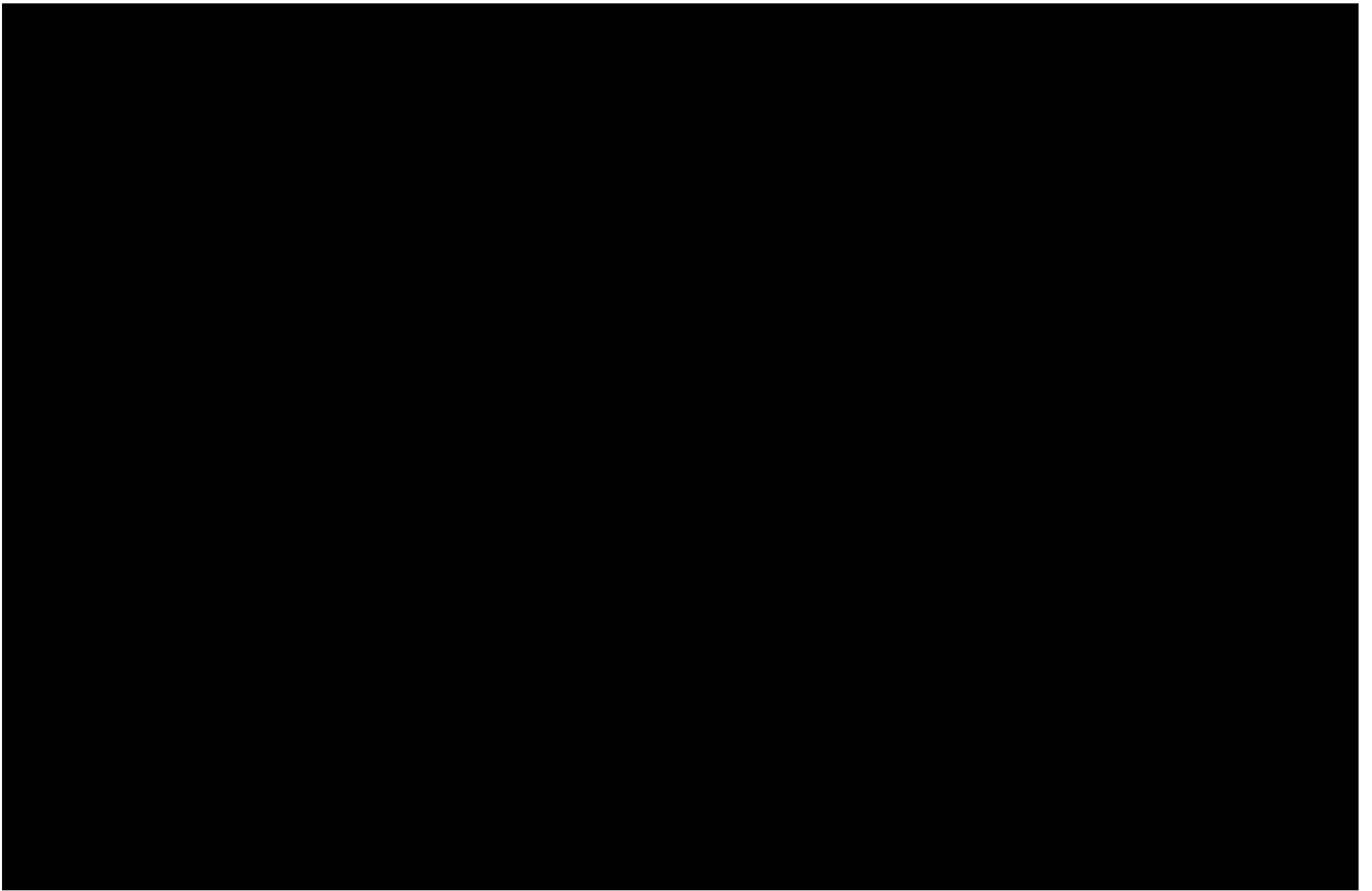


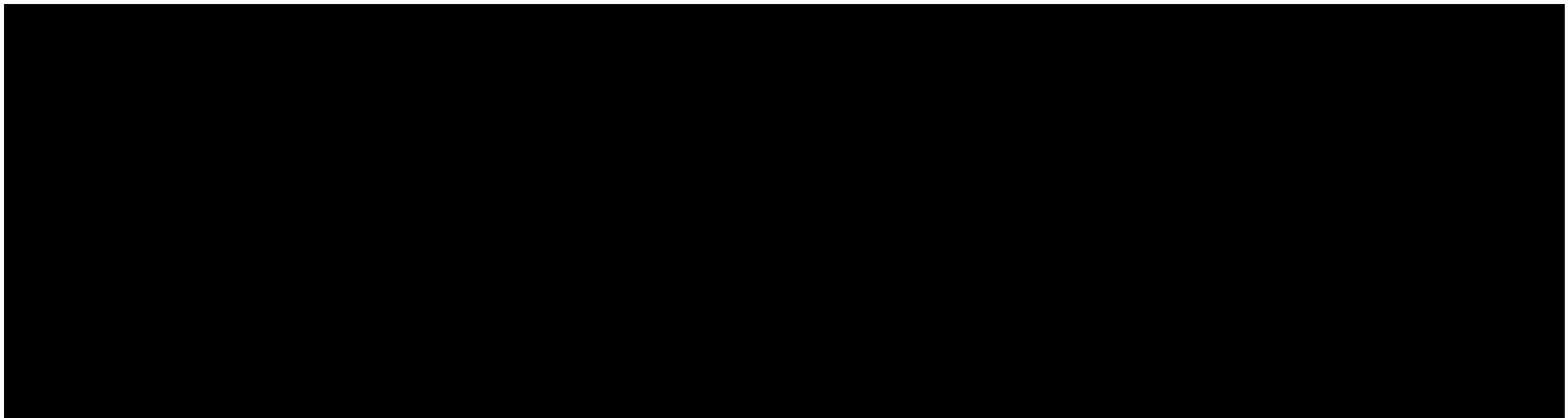












If you have any questions about this advice, please email:  
[heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au) or contact (02) 9873 8500.

Yours sincerely



**Barry Gunther, Aboriginal Senior Assessment Officer**  
**Environment and Heritage – Heritage NSW**  
**Department of Planning and Environment**  
**Aboriginal Heritage Regulation Branch – South Heritage NSW**

**Attachment A:**

Registered Aboriginal Interests DPE RAP List for the **Camden** Local Government Area.



## **STAGE 1.3 – INVITATION TO POTENTIAL RAPS**

9 September 2022

To whom it may concern,

## **156, 166, 173 & 183 RICKARD ROAD, LEPPINGTON, NSW – ABORIGINAL CULTURAL HERITAGE ASSESSMENT – ABORIGINAL COMMUNITY CONSULTATION STAGE 1.3 INVITATION TO REGISTER**

Please be advised that your contact details have been provided to us by Heritage NSW as an Aboriginal person or party who may have an interest in registering for the above project.

Urbis has been commissioned by Aland ('the Proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) for Site A and Site B, Rickard Road, Leppington, NSW ('the subject area'), legally described as the following:

### **Site A**

- 173 Rickard Road - Lot 2, DP 812366
- 183 Rickard Road - Lot 1, DP 812366

### **Site B**

- 156 Rickard Road - Lot 38A, DP 8979
- 166 Rickard Road - Lot 37, DP 8979

The subject area is located within the Camden Local Government Area (LGA) and within the bounds of the Tharawal Local Aboriginal Land Council (LALC).

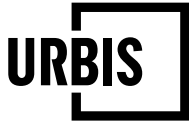
The ACHA will support a Master Plan for the proposed development of the subject area. This involves the preliminary planning for Sites A and B, intended to inform a planning proposal for the future development of the Leppington town centre. The subject area is under the Western Sydney Parklands State Environmental Planning Policy (SEPP), within the Camden Growth Centres precinct.

The proponent can be contacted via:

Phone number: 1300 513 317

Email: [leppington@aland.com.au](mailto:leppington@aland.com.au)

The ACHA is to be carried out in accordance with relevant guidelines under the *National Parks and Wildlife Act 1974 (NPW Act)*. The assessment will detail any potential Aboriginal cultural heritage resources within the subject area and provide recommendations regarding management of those resources.



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 and management measures, including if an Aboriginal Heritage Impact Permit will be needed.

Please register your interest in writing to the contact details provided below by **Close of Business, 23 September 2022.**

Wade Goldwyer  
Consultant  
Urbis  
Level 8, 123 Pitt Street  
Sydney, NSW, 2000  
E: [wgoldwyer@urbis.com.au](mailto: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 be advised that the Proponent is required to forward the names of registered Aboriginal parties to Heritage NSW and Tharawal Local Aboriginal Land Council unless the party specifies that they do not want their details released.

Please do not hesitate to contact us should you have any queries in relation to the provided information.

Yours sincerely,

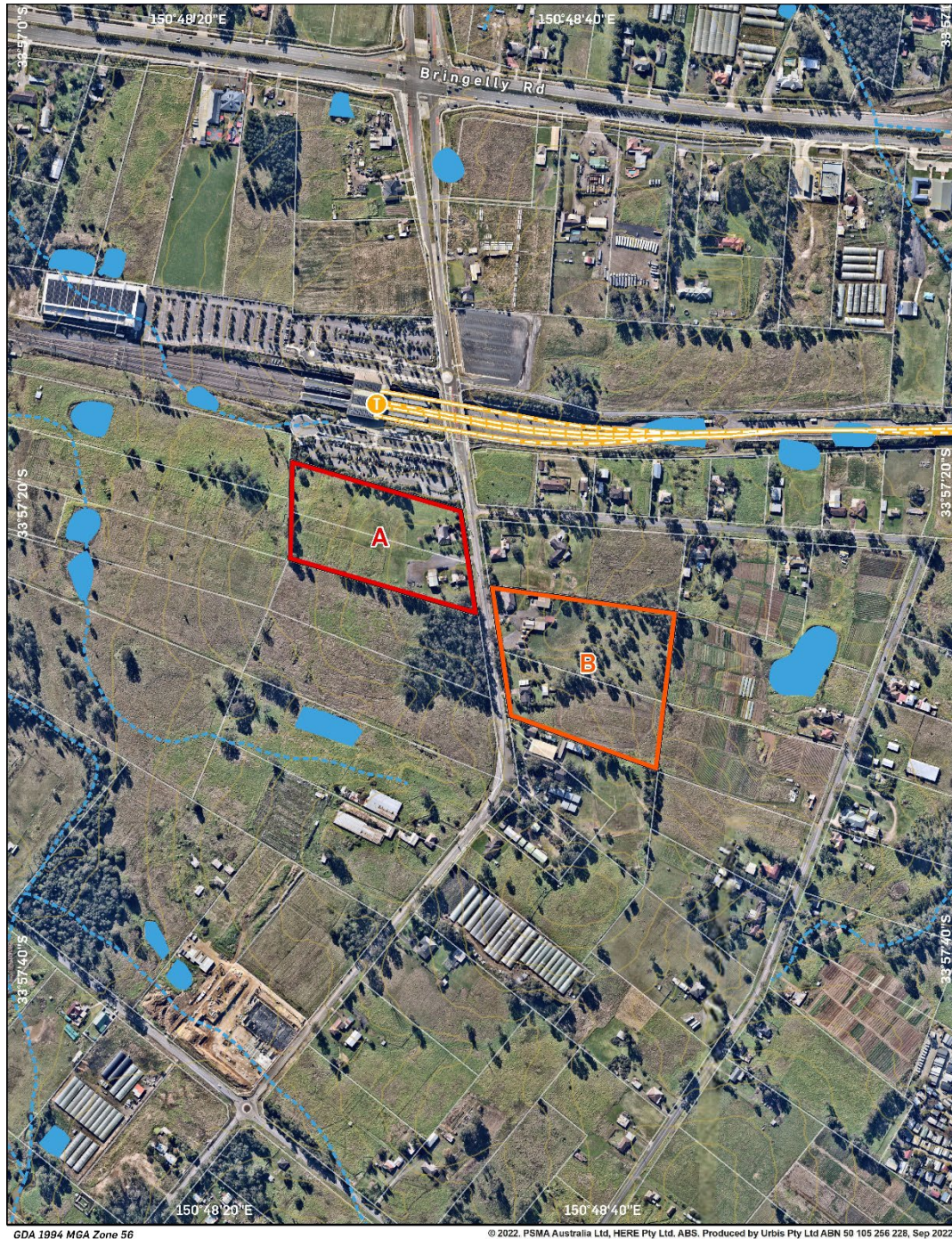
A handwritten signature in dark ink, appearing to be "S. Richards", with a long horizontal stroke extending to the right.

Sam Richards  
Associate Director  
+61 2 8424 5136  
[sam.richards@urbis.com.au](mailto:sam.richards@urbis.com.au)



Figure 1 – Regional location of the subject area





GDA 1994 MGA Zone 56

© 2022, PSMA Australia Ltd, HERE Pty Ltd, ABS. Produced by Urbis Pty Ltd ABN 50 105 256 228, Sep 2022



Project No: P0040609b

Project Manager: Sam Richards

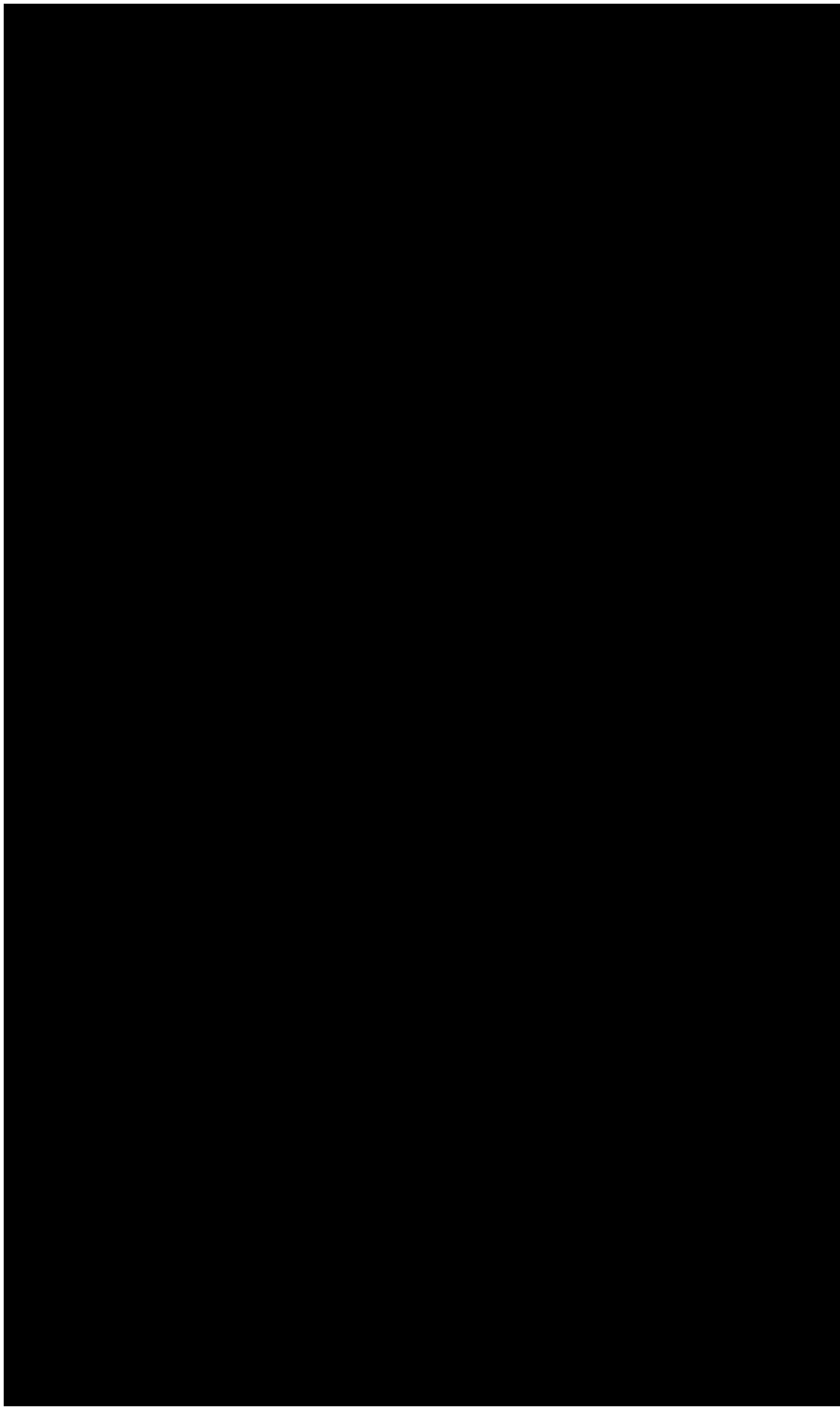
Site A Site B Contours Hydrology Ephemeral

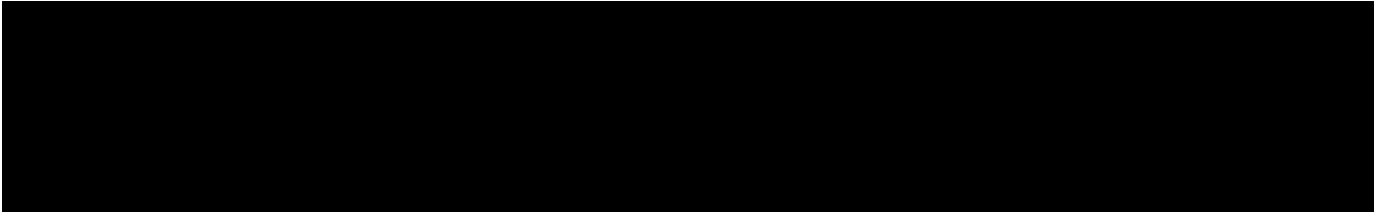
**SUBJECT AREA**  
Rickard Road, Leppington  
Aland

Figure 2 – Location of the subject area









Good morning,

Urbis is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) of 156, 166, 173 & 183 Rickard Road, Leppington, NSW, legally referred to as Lot 1 DP 812366, Lot 2, DP 812366, Lot 37, DP 8979, and Lot 38A, DP 8979.

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 **23 September 2022**.

Please send responses to the following:

Wade Goldwyer  
Consultant  
Urbis Pty Ltd  
Level 8, 123 Pitt Street  
Sydney, NSW, 2000  
E: [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

Kind regards,

**WADE GOLDWYER**  
CONSULTANT

D +61 2 8233 9956  
E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

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## Renotification of a non-claimant application for determination of native title in New South Wales

Notification day: 21 September 2022

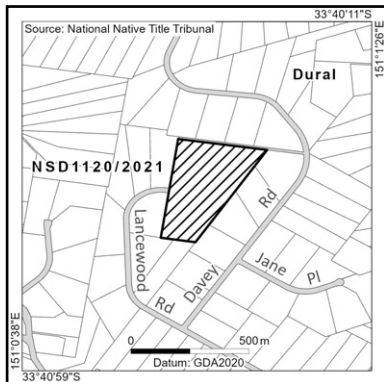
**Important note:** This application is being renotified in newspapers that circulate throughout the application area

A 'non-claimant' application has been made to the Federal Court of Australia (Federal Court) seeking a determination that native title does not exist in the area described below. The Applicant has a non-native title interest in the area, which is set out in their application and summarised below.

Under the *Native Title Act 1993* (Cth), there can be only one determination of native title for an area. Unless there is a relevant native title claim, as defined in section 24FE, over the area described below on or before **20 December 2022**, the area may be subject to protection under section 24FA and **acts may be done which extinguish or otherwise affect native title**.

A person who claims to hold native title rights and interests in this area may wish to file a native title claimant application or become a party to this non-claimant application. These may be the only opportunities to have those rights and interests taken into account in the Federal Court's determination. Any other person may also wish to become a party.

If you want to become a party to this application, you must file a Form 5 (Notice of Intention to become a Party) with the Federal Court, **on or before 20 December 2022**. Further information regarding how to file a Form 5 is available from [www.fedcourt.gov.au](http://www.fedcourt.gov.au). After **20 December 2022**, you will need to seek leave from the Federal Court to become a party.



**Applicant's name:** Deerubbin Local Aboriginal Land Council

**Federal Court File No:** NSD1120/2021

**Non-native title interest:** The applicant holds an estate in fee simple in relation to the application area but, pursuant to s 36(9) of the *Aboriginal Land Rights Act 1983* (NSW), is subject to any native title which existed in relation to the land immediately prior to its transfer to the applicant

**Order sought by Applicant:** The applicant seeks a determination that native title does not exist in Lot 176 in Deposited Plan 752047

**Description:** The application area covers about 9.35 hectares, located at the north eastern end of Lancewood Road in Dural  
**Relevant LGA:** The Hills Shire Council

For assistance and further information about this application, call Huia McGrath on 08 6317 5442 or visit [www.nntt.gov.au](http://www.nntt.gov.au).



National  
Native Title  
Tribunal

## 156, 166, 173, & 183 Rickard Road, Leppington, NSW Aboriginal Cultural Heritage Assessment – Community Consultation Stage 1



Urbis has been commissioned by Aland ('the Proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) for Site A and B, Rickard Road, Leppington, NSW ('the subject area'), legally described as the following:

### Site A

173 Rickard Road - Lot 2, DP 812366  
183 Rickard Road - Lot 1, DP 812366

### Site B

156 Rickard Road - Lot 38A, DP 8979  
166 Rickard Road - Lot 37, DP 8979

The subject area is located within the Camden Local Government Area (LGA) and within the bounds of the Tharawal Local Aboriginal Land Council (LALC).

The ACHA will support a Master Plan for the proposed development of the subject area. This involves the preliminary planning for Sites A and B, intended to inform a planning proposal for the future development of the Leppington town centre. The subject area is under the Western Sydney Parklands State Environmental Planning Policy (SEPP), within the Camden Growth Centres precinct.

The proponent can be contacted via:

Number: 1300 513 317

Email: [leppington@aland.com.au](mailto:leppington@aland.com.au)

The ACHA is to be carried out in accordance with relevant guidelines under the National Parks and Wildlife Act 1974 (NPW Act). The assessment will detail any potential Aboriginal cultural heritage resources within the subject area and provide recommendations regarding management of those resources, including if an Aboriginal Heritage Impact Permit will be needed.

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.

**Please register your interest in writing to the contact details provided below by Close of Business, 21 September 2022.**

Kirsten Downey Consultant Urbis Pty Ltd  
Level 8, 123 Pitt Street  
Sydney NSW 2000  
E: [kdowney@urbis.com.au](mailto:kdowney@urbis.com.au)

Please be advised that the Proponent is required to forward the names of registered Aboriginal parties to Heritage NSW and Tharawal Local Aboriginal Land Council unless the party specifies that they do not want their details released.

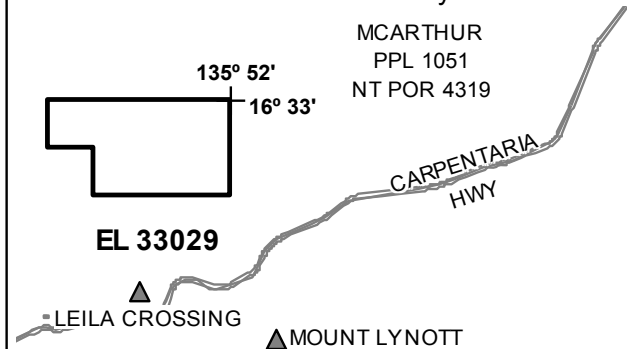
## NOTICE OF PROPOSED GRANT OF EXPLORATION LICENCES

### NATIVE TITLE ACT 1993 (CTH) SECTION 29

The Honourable Nicole Manison MLA, the Northern Territory Minister for Mining and Industry, C/- Department of Industry, Tourism and Trade, GPO Box 4550 DARWIN NT 0801, hereby gives notice in accordance with section 29 of the *Native Title Act 1993* (Commonwealth) of her intent to do an act, namely to grant the following exploration licence applications.

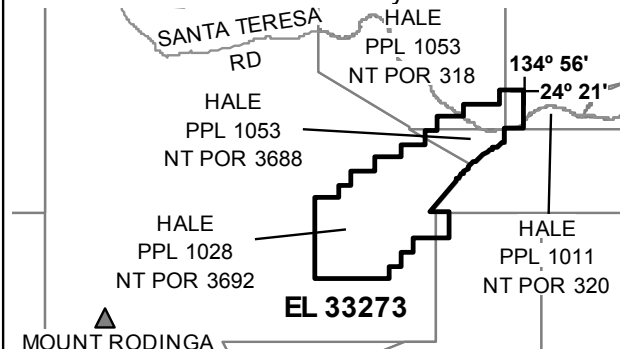
#### Applications to which this notice applies:

Exploration Licence 33029 sought by CERBERUS RESOURCES PTY LTD, ACN 615 192 535 over an area of 7 Blocks (24 km<sup>2</sup>) depicted below for a term of 6 years, within the MALLAPUNYAH locality.



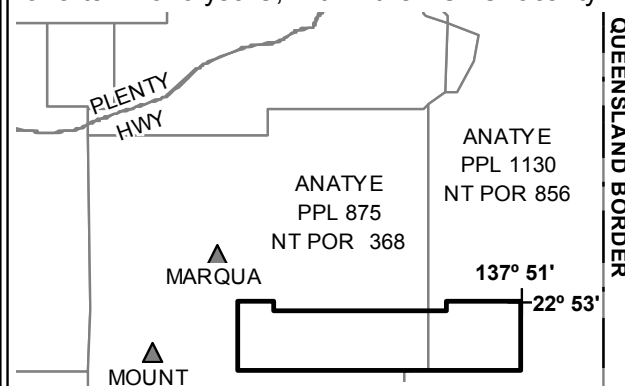
Not To Scale NMIG Map Sheet No: 6064

Exploration Licence 33273 sought by ECOSTORAGE SOLUTIONS PTY LTD, ACN 653 988 419 over an area of 113 Blocks (329 km<sup>2</sup>) depicted below for a term of 6 years, within the PELLINORE locality.



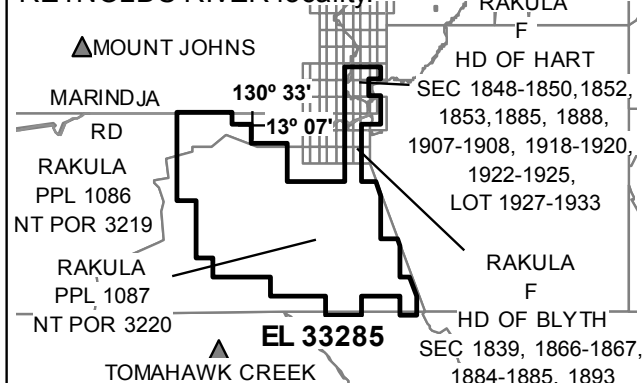
Not To Scale NMIG Map Sheet No: 5849

Exploration Licence 33278 sought by PLUTONIC LIMITED, ACN 632 991 167 over an area of 198 Blocks (627 km<sup>2</sup>) depicted below for a term of 6 years, within the TOKO locality.



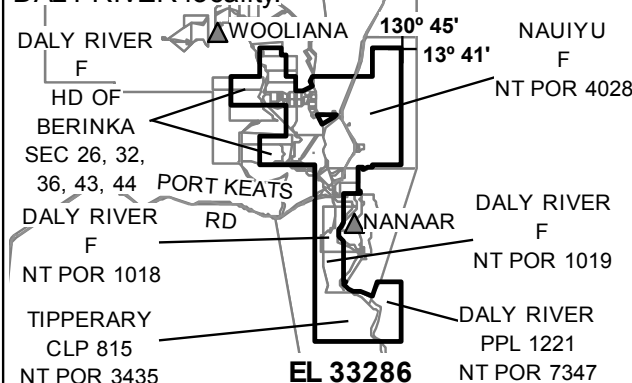
Not To Scale NMIG Map Sheet No: 6452

Exploration Licence 33285 sought by URO CORPORATION PTY LTD, ACN 653 927 998 over an area of 91 Blocks (299 km<sup>2</sup>) depicted below for a term of 6 years, within the REYNOLDS RIVER locality.



Not To Scale NMIG Map Sheet No: 5071

Exploration Licence 33286 sought by URO CORPORATION PTY LTD, ACN 653 927 998 over an area of 28 Blocks (89 km<sup>2</sup>) depicted below for a term of 6 years, within the DALY RIVER locality.



Not To Scale NMIG Map Sheet No: 5070

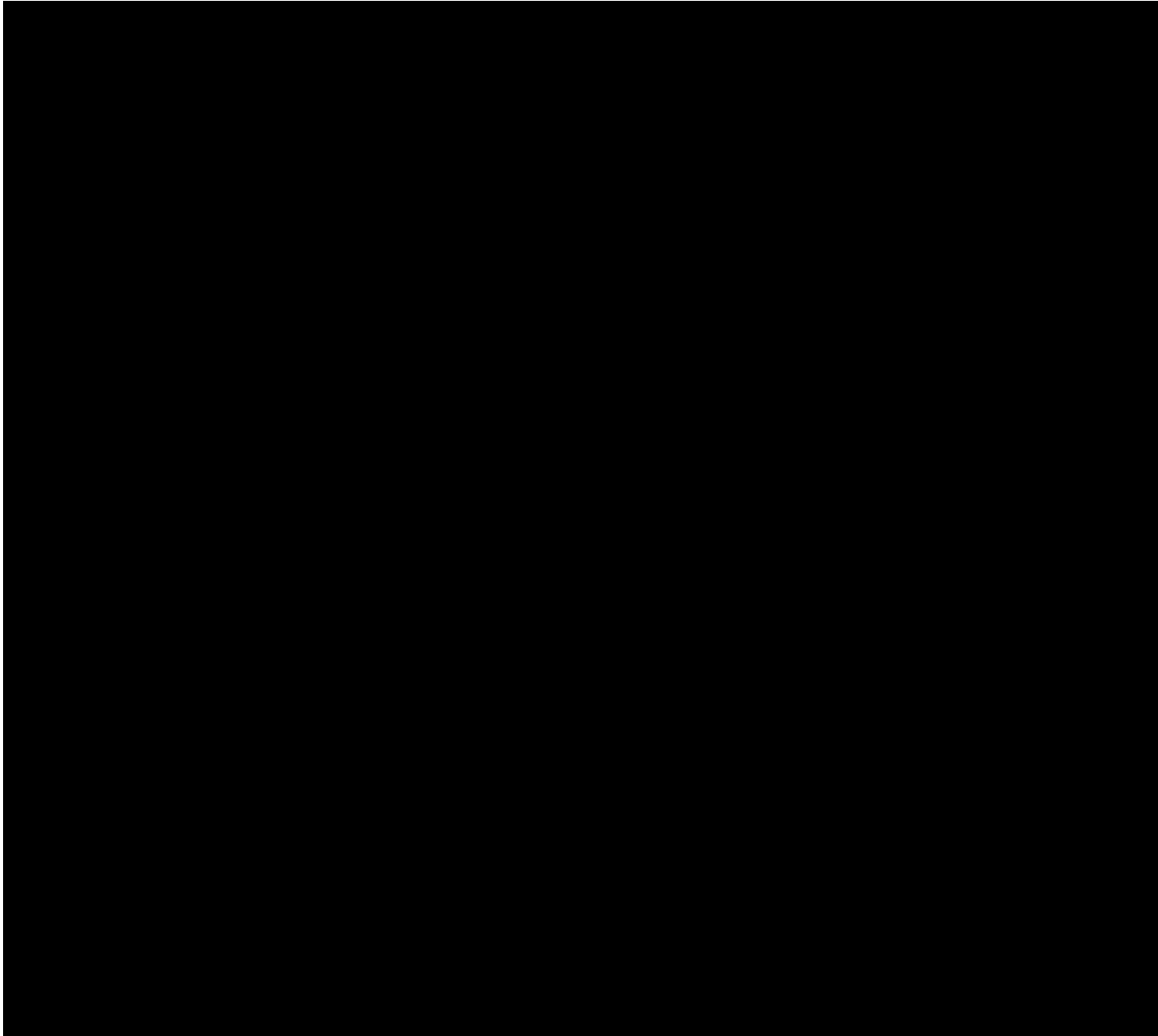
**Nature of act(s):** The grant of an exploration licence under the *Mineral Titles Act 2010* authorises the holder to conduct activities in connection with exploration for minerals for a term not exceeding 6 years and to seek renewal(s). The term for which it is intended to grant the mineral exploration licences referred to in this notice commences from the date of grant. Further information about the act may be obtained from the Department of Industry, Tourism and Trade, GPO Box 4550 Darwin NT 0801 or Centrepont Building 48-50 Smith Street Darwin NT 0800, telephone (08) 8999 5322.

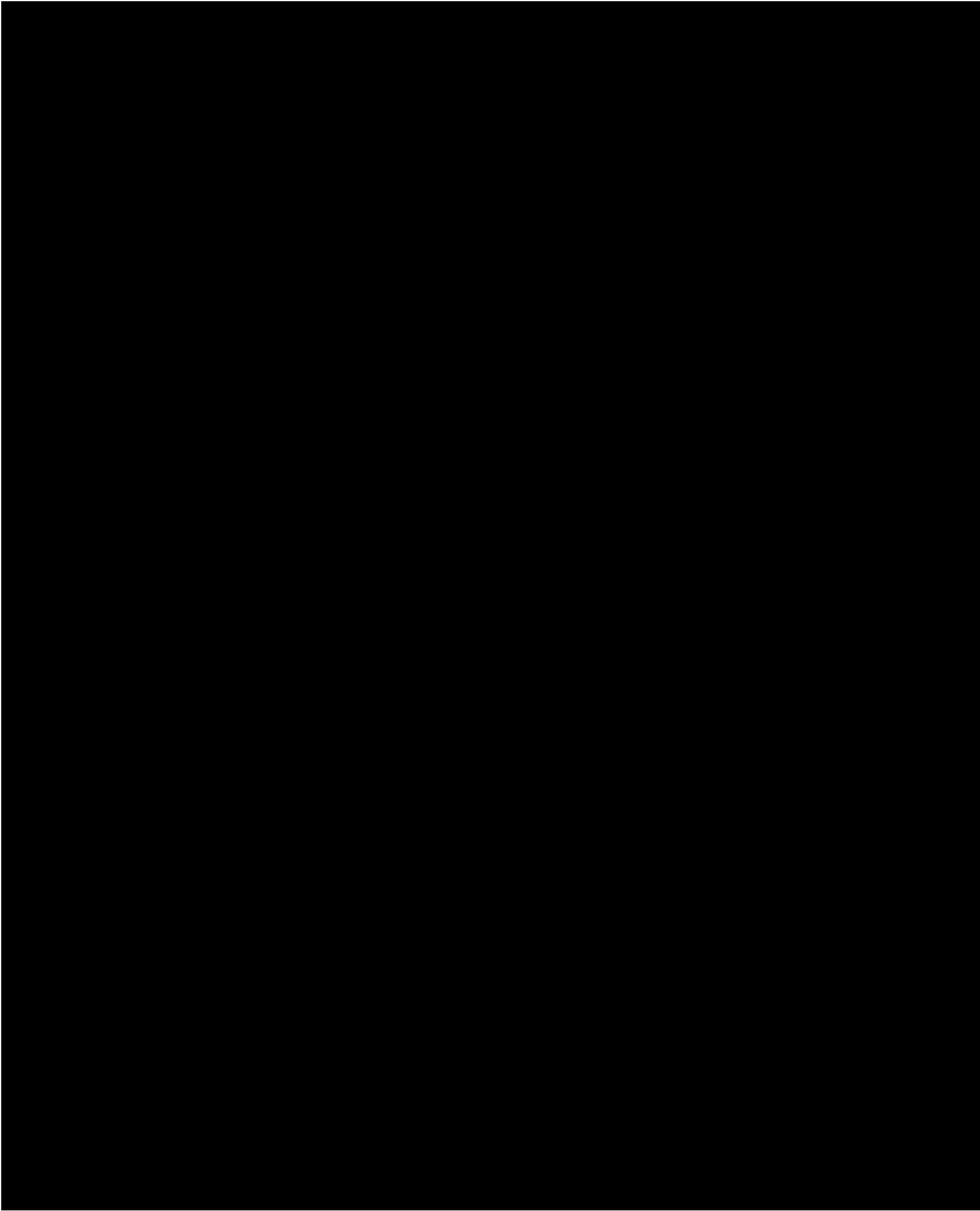
**Native Title Parties:** Any person who is, or becomes a "native title party" within the meaning of the *Native Title Act 1993* is entitled to the negotiation and/or procedural rights provided in Part 2, Division 3, Subdivision P of the *Native Title Act 1993*. Under section 30 of the *Native Title Act 1993*, persons have until 3 months after the notification day to take certain steps to become native title parties in relation to this notice. Enquiries concerning becoming a native title party should be directed to the National Native Title Tribunal, GPO Box 9973, Brisbane QLD 4001, or telephone (07) 3307 5000.

**Expedited Procedure:** The Northern Territory Government considers that the acts are acts attracting the expedited procedure

as defined in section 237 of the *Native Title Act 1993*. The exploration licences referred to in this notice may be granted unless an objection is made by a native title party to the statement that the act is one which attracts the expedited procedure. Such an objection must be made to the National Native Title Tribunal within 4 months of the notification day.

Notification Day: 7 September 2022







Please send responses to the following:

Wade Goldwyer

Consultant

Urbis Pty Ltd

Level 8, 123 Pitt Street

Sydney, NSW, 2000

E: [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

Kind regards,

**WADE GOLDWYER**

CONSULTANT

**D** +61 2 8233 9956

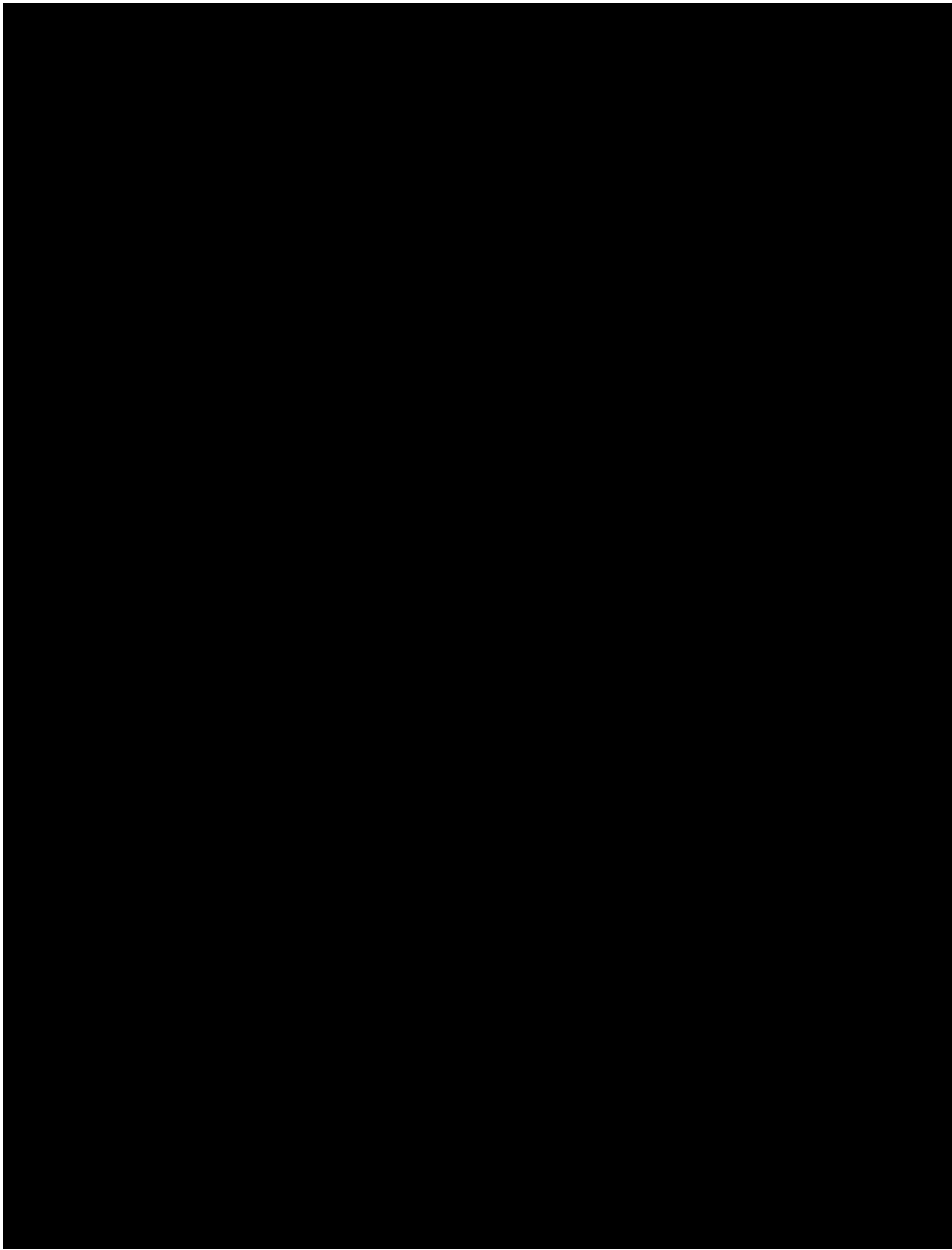
**E** [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

LEVEL 14, 1 WILLIAM STREET  
PERTH, WA 6000, AUSTRALIA

**T** +61 8 9346 0500

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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 **23 September 2022**.

Please send responses to the following:

Wade Goldwyer

Consultant

Urbis Pty Ltd

Level 8, 123 Pitt Street

Sydney, NSW, 2000

E: [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

Kind regards,

**WADE GOLDWYER**

CONSULTANT

D +61 2 8233 9956

E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

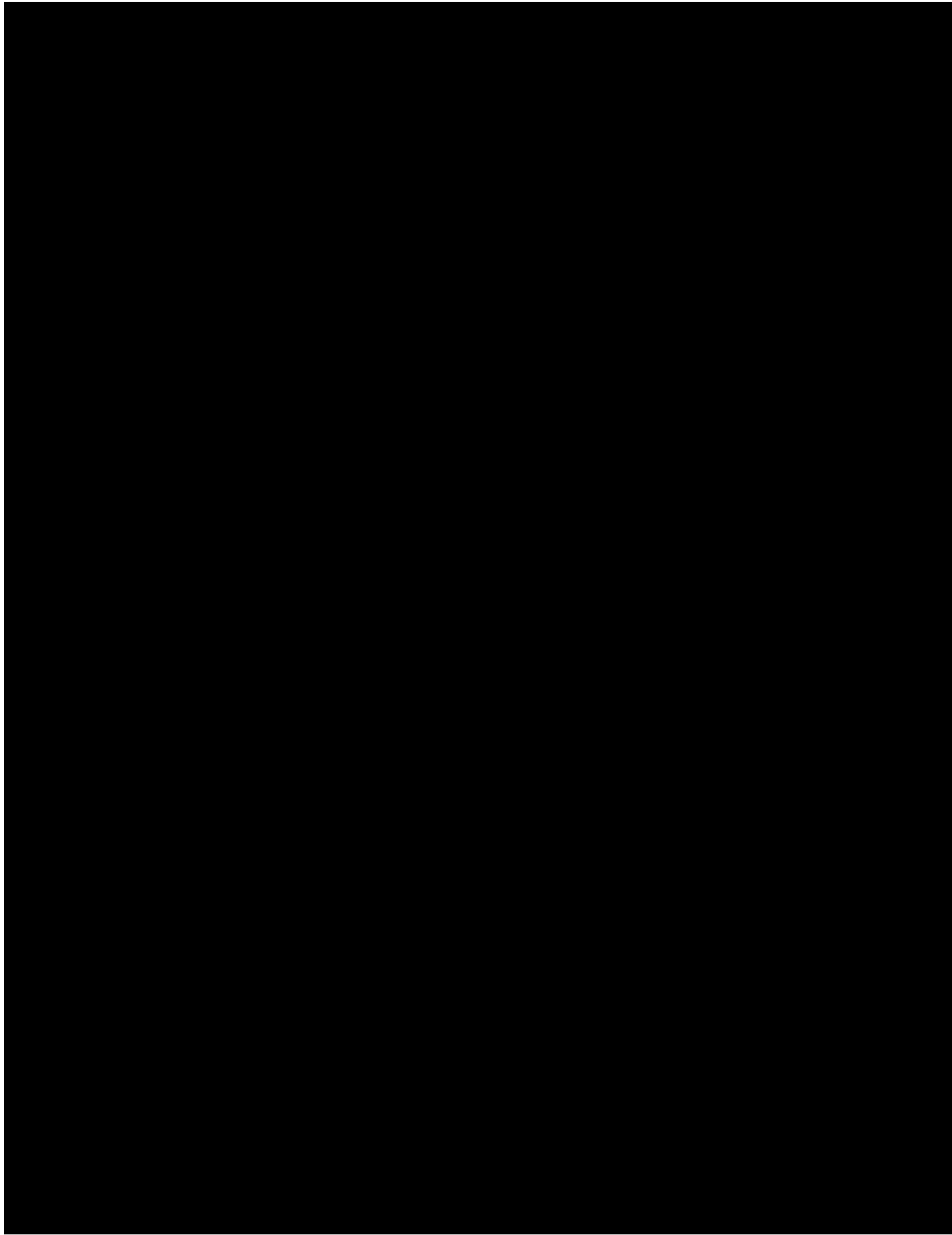
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Urbis Pty Ltd

Level 8, [123 Pitt Street](#)

[Sydney, NSW, 2000](#)

E: [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

Kind regards,

**WADE GOLDWYER**  
CONSULTANT

D +61 2 8233 9956

E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

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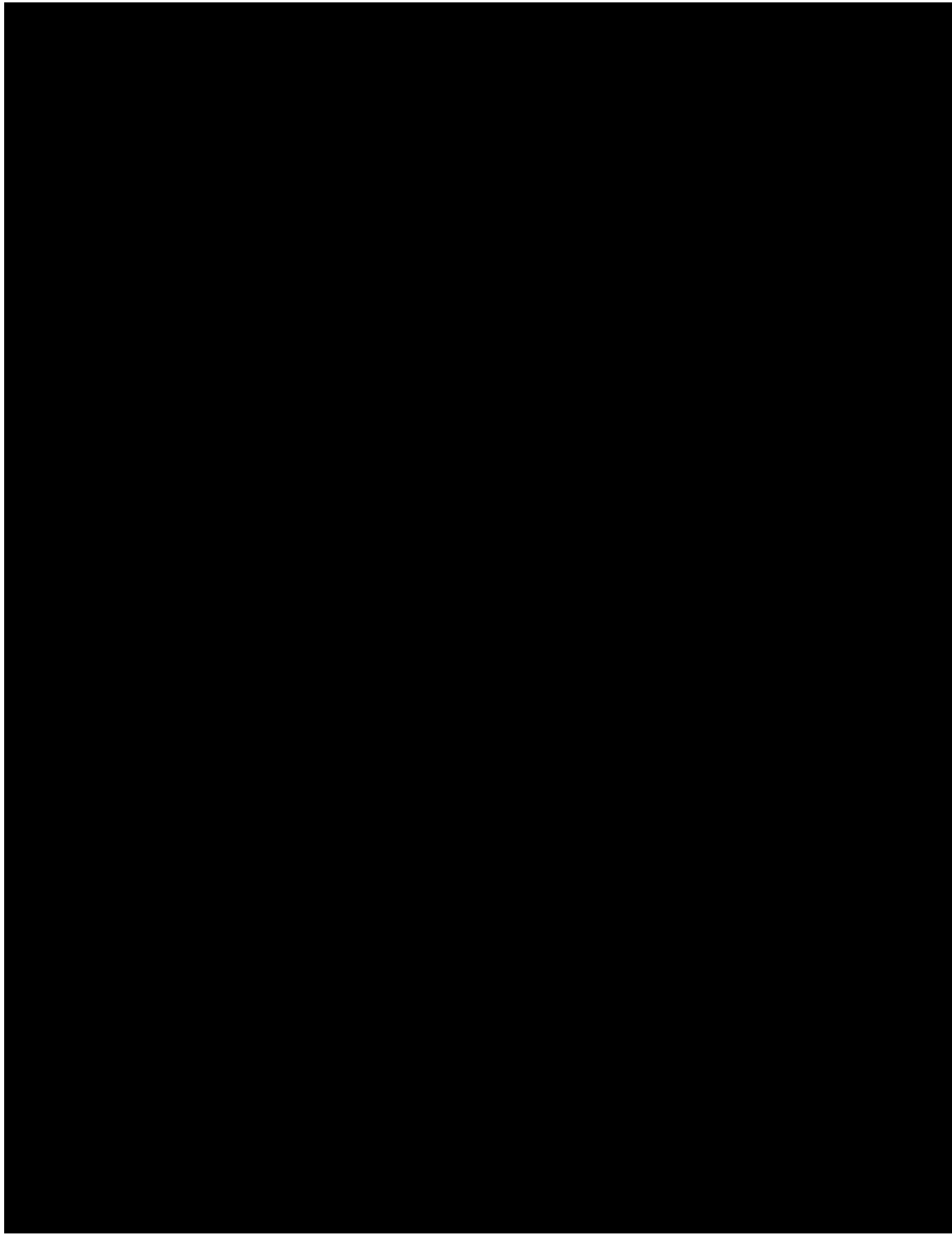
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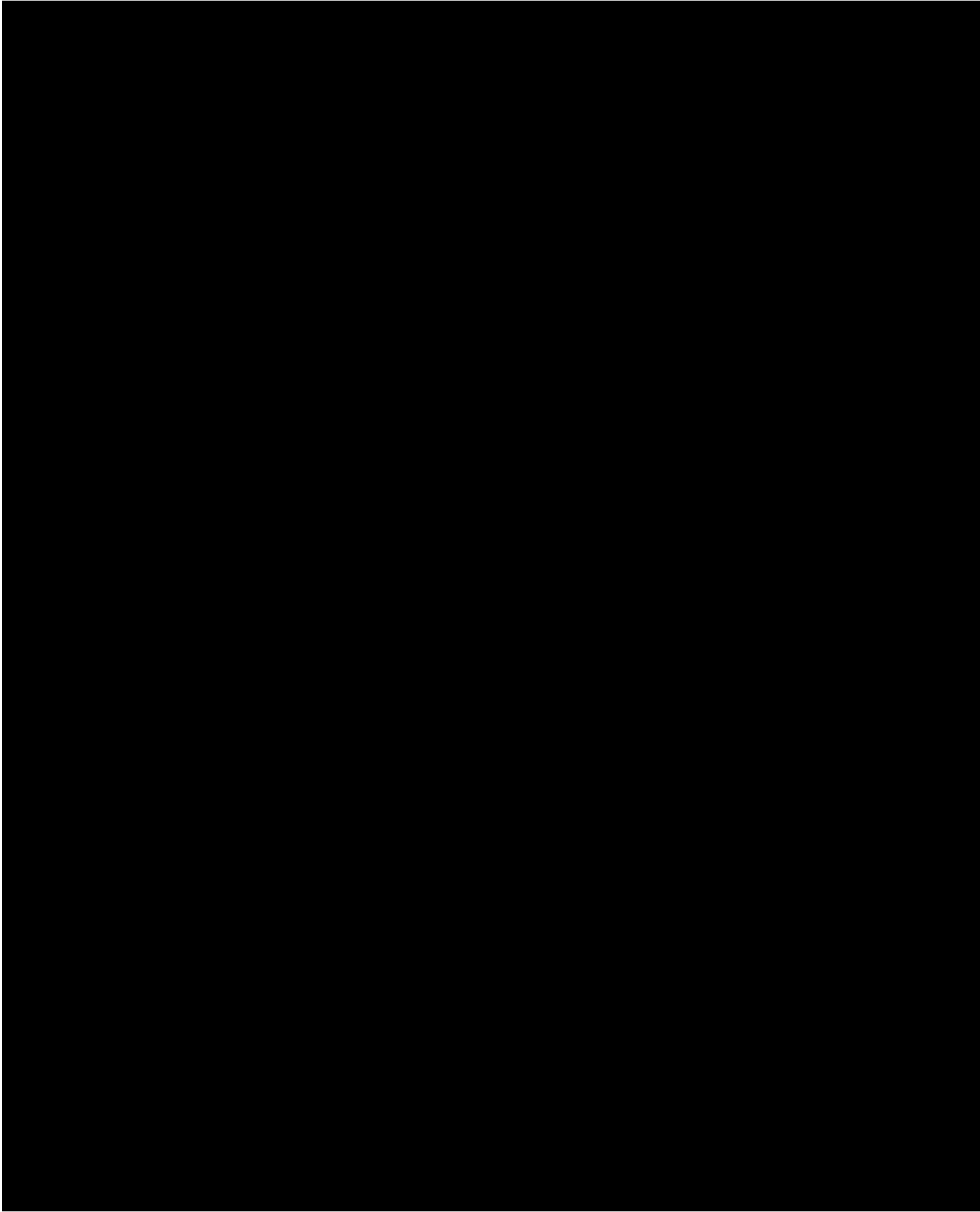
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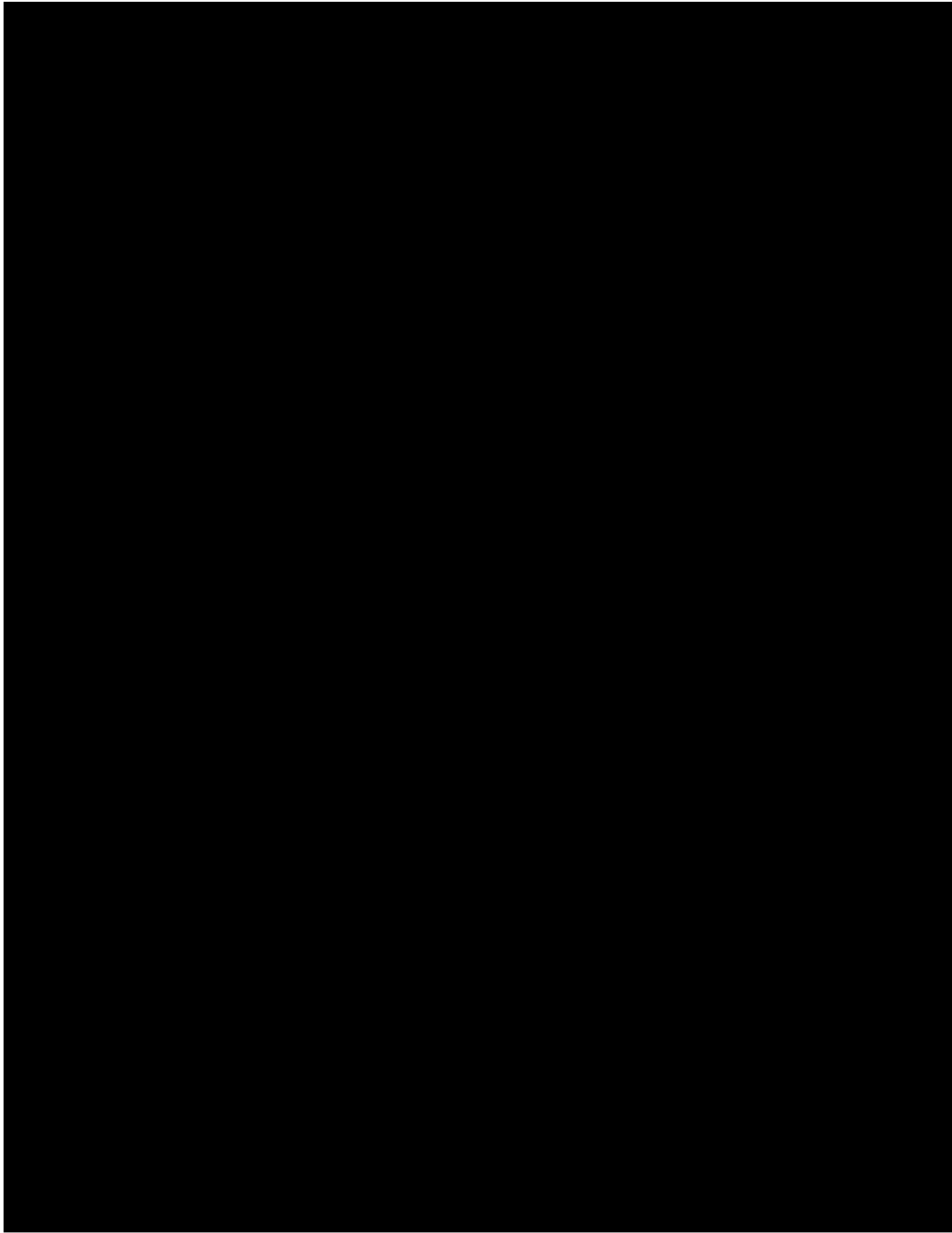


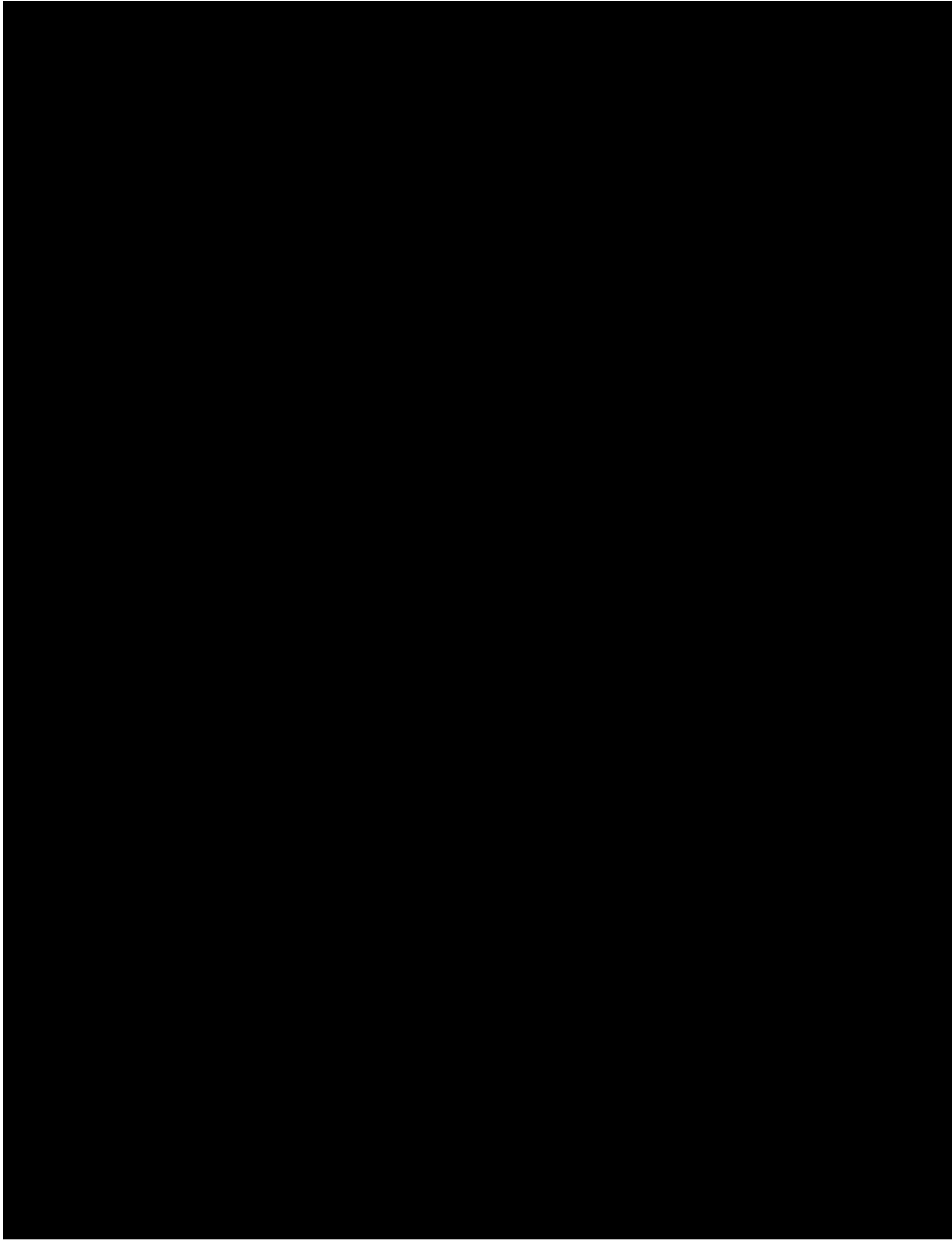
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Consultant  
Urbis Pty Ltd  
Level 8, 123 Pitt Street  
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E: [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

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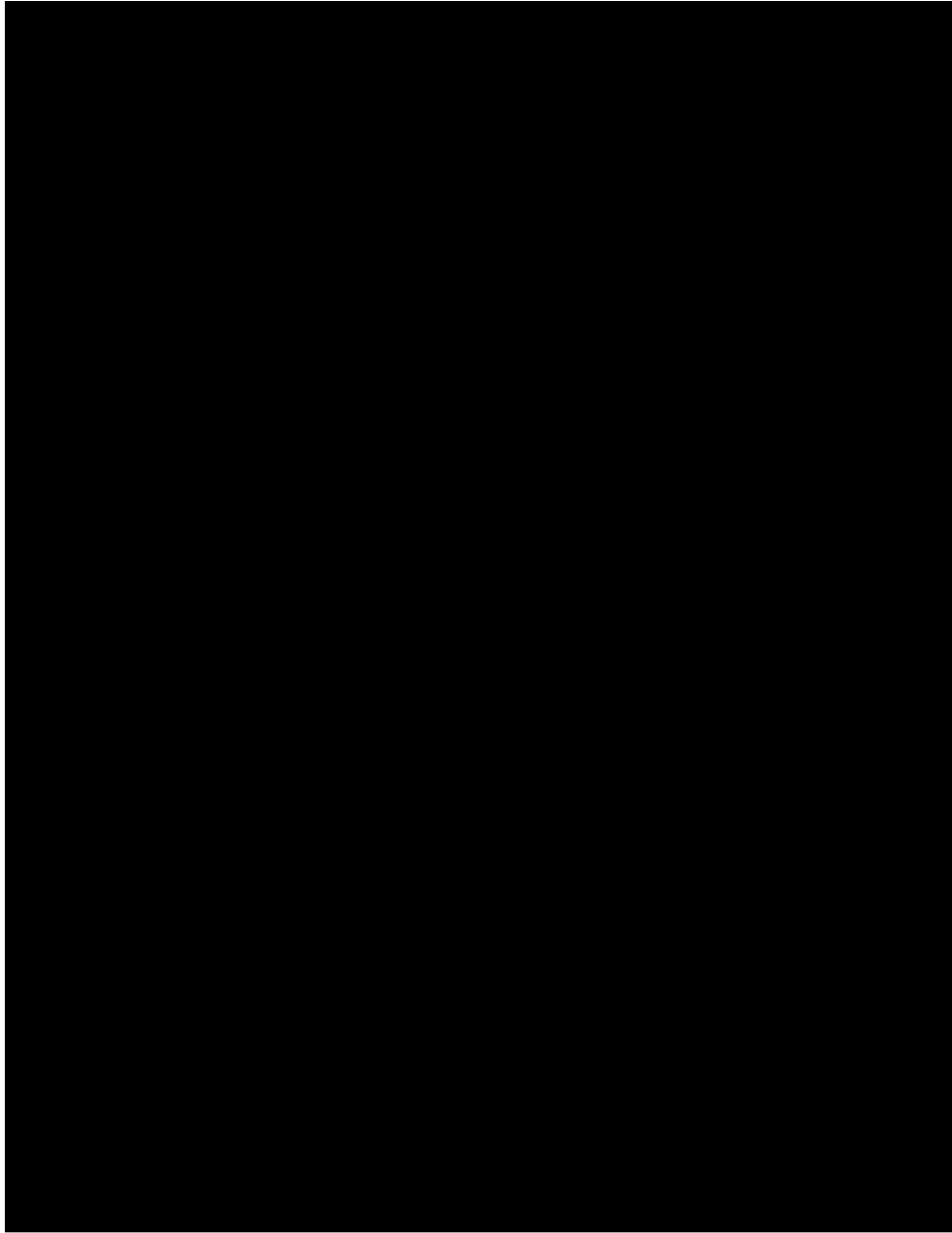


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Good morning,



Sent from [Mail](#) for Windows 10

---

**From:** [Wade Goldwyer](#)

**Sent:** Friday, 9 September 2022 12:46 PM

**Cc:** [Sam Richards](#); [Aaron Olsen](#)

**Subject:** Rickard Road Leppington, NSW - Aboriginal Cultural Heritage Assessment - Stage 1.3 Invitation (Our ref: P0040609)

Good morning,

Urbis is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) of 156, 166, 173 & 183 Rickard Road, Leppington, NSW, legally referred to as Lot 1 DP 812366, Lot 2, DP 812366, Lot 37, DP 8979, and Lot 38A, DP 8979.

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 **23 September 2022**.

Please send responses to the following:

Wade Goldwyer  
Consultant  
Urbis Pty Ltd  
Level 8, 123 Pitt Street  
Sydney, NSW, 2000  
E: [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

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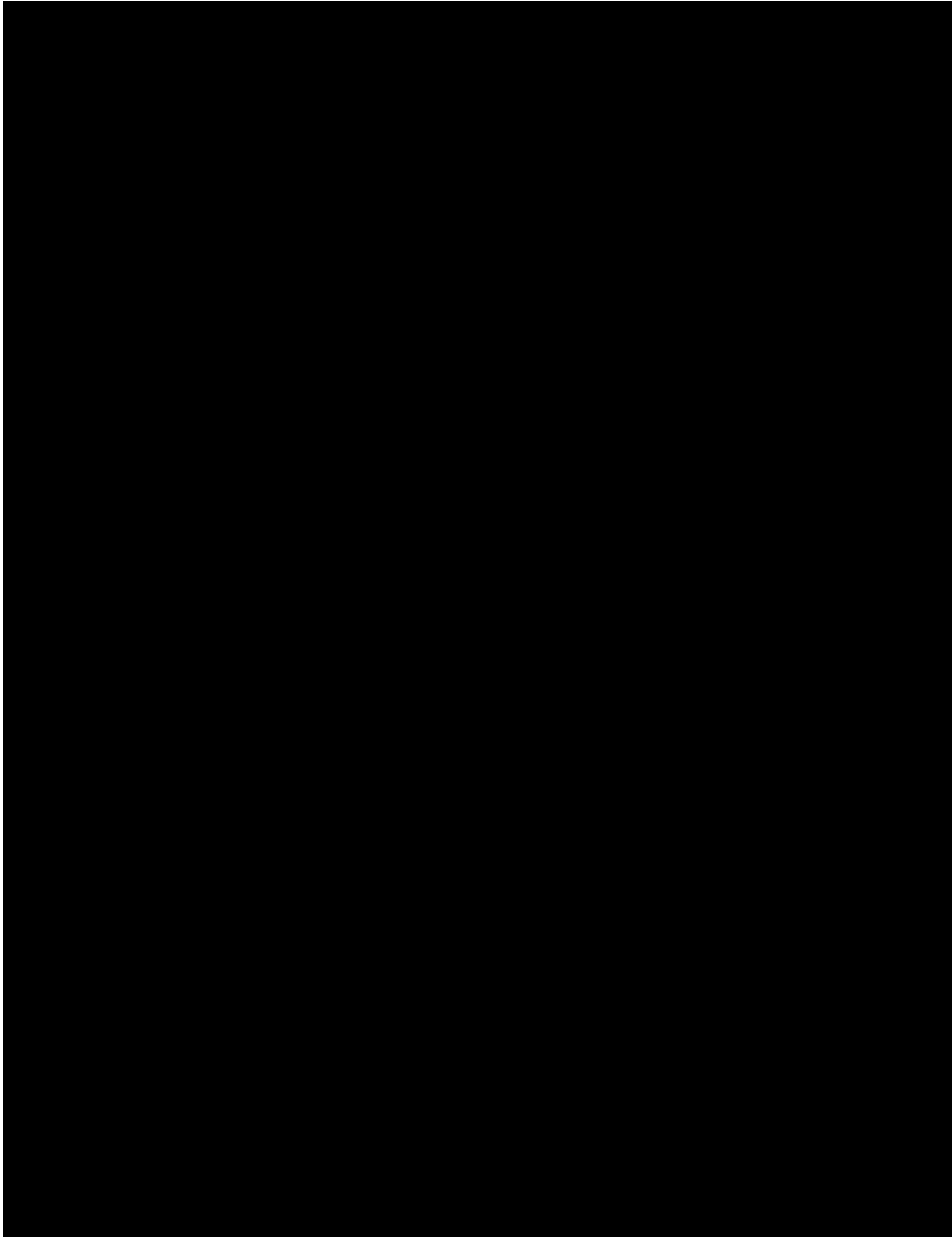
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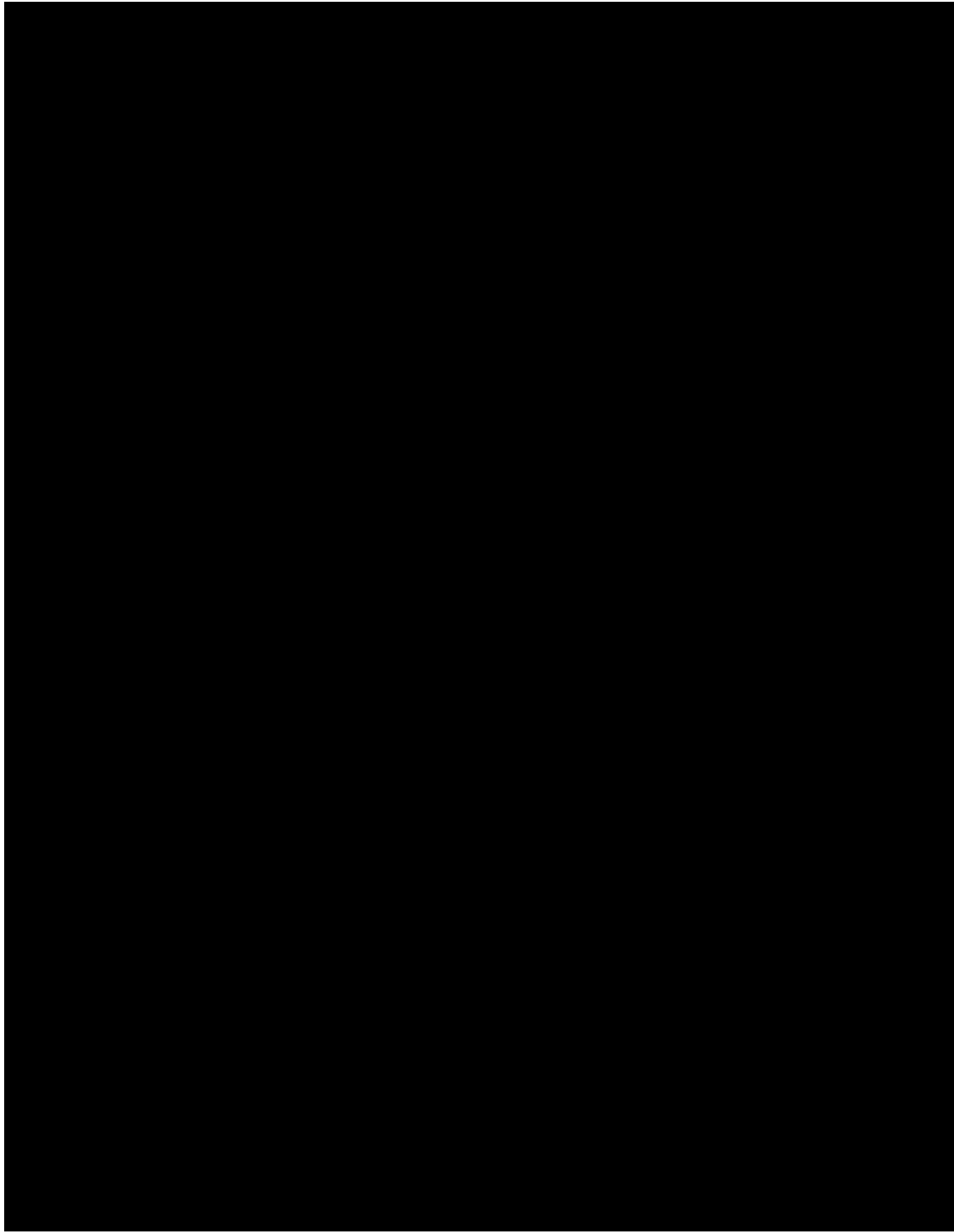
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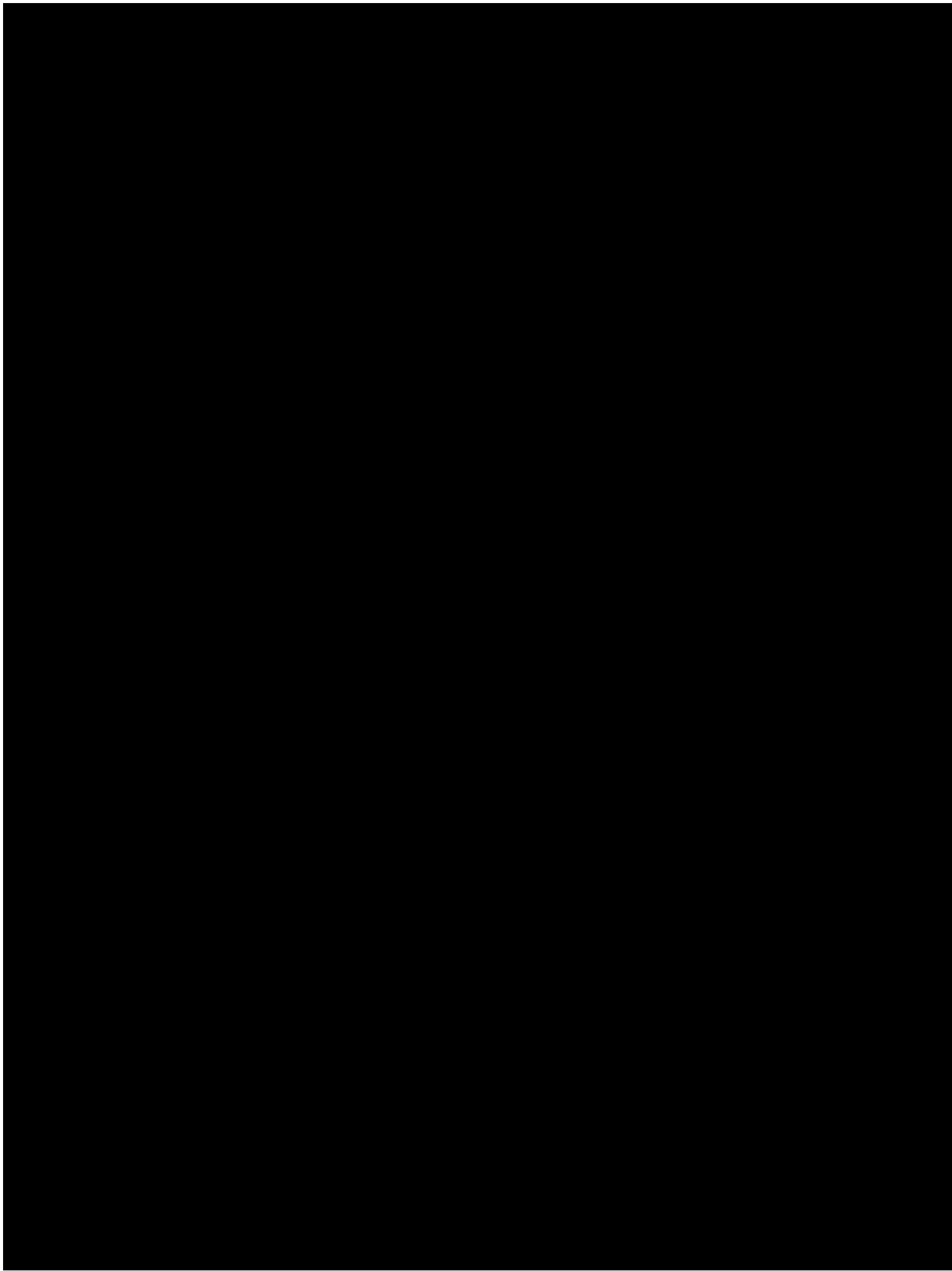
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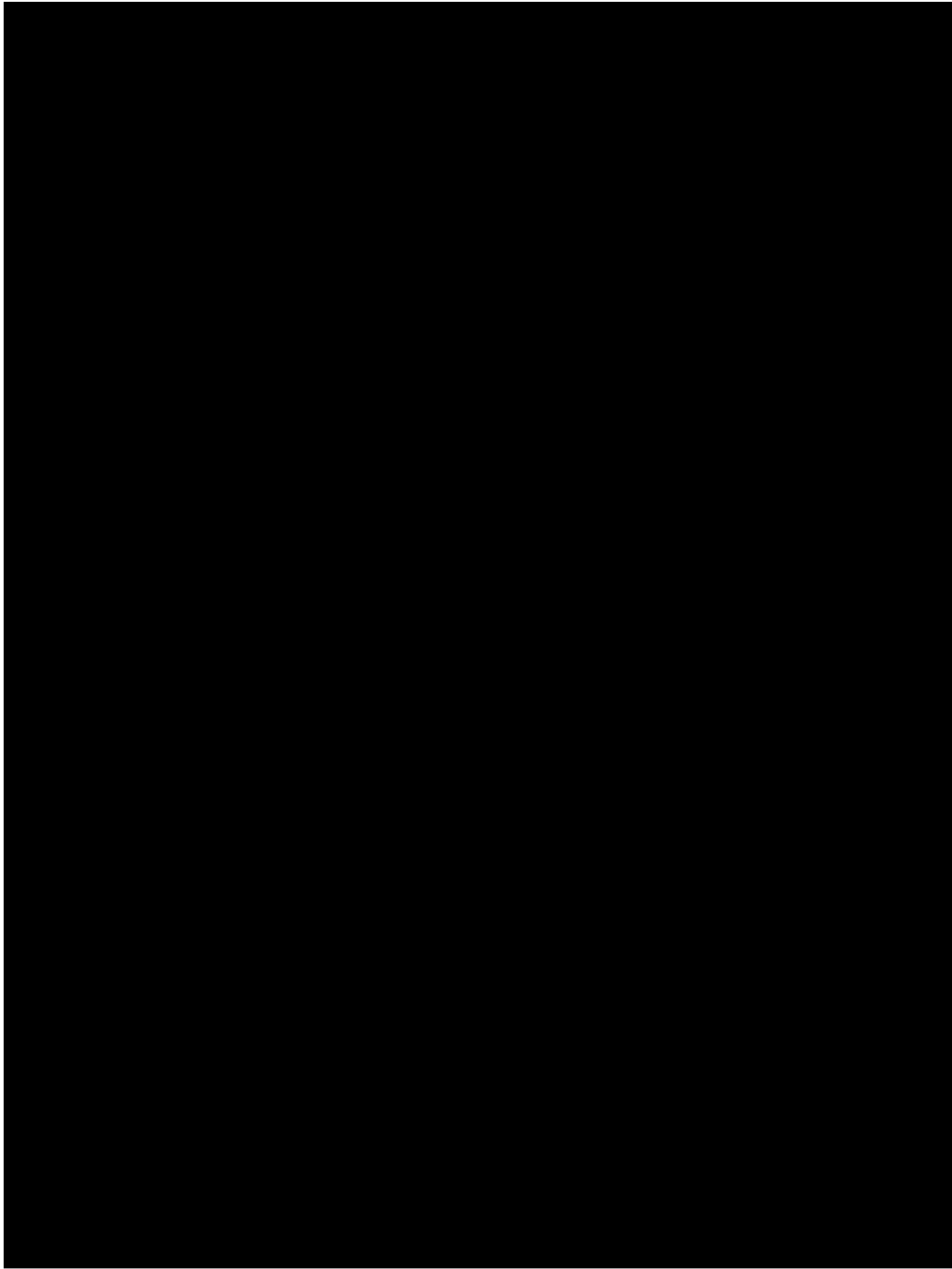
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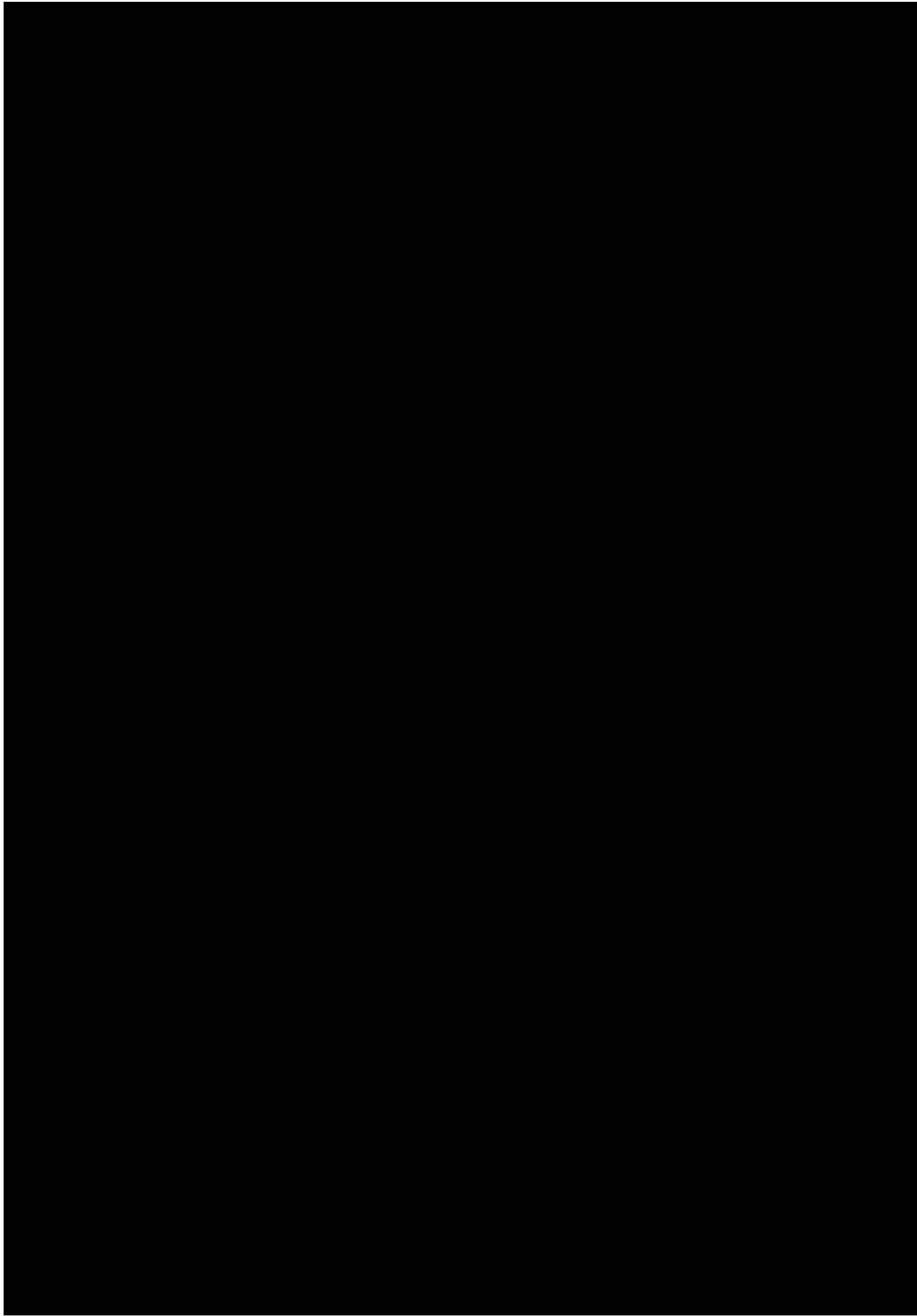
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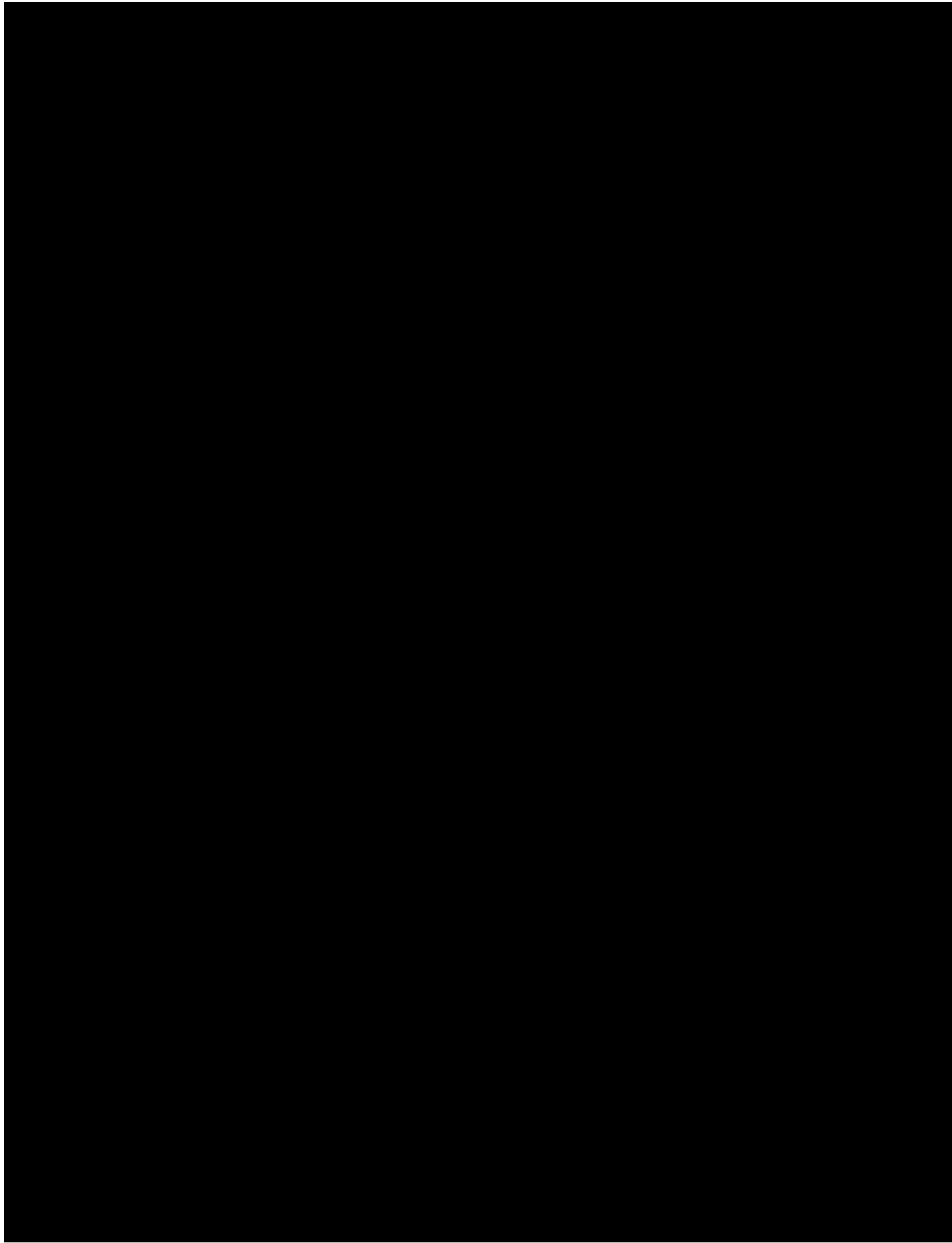
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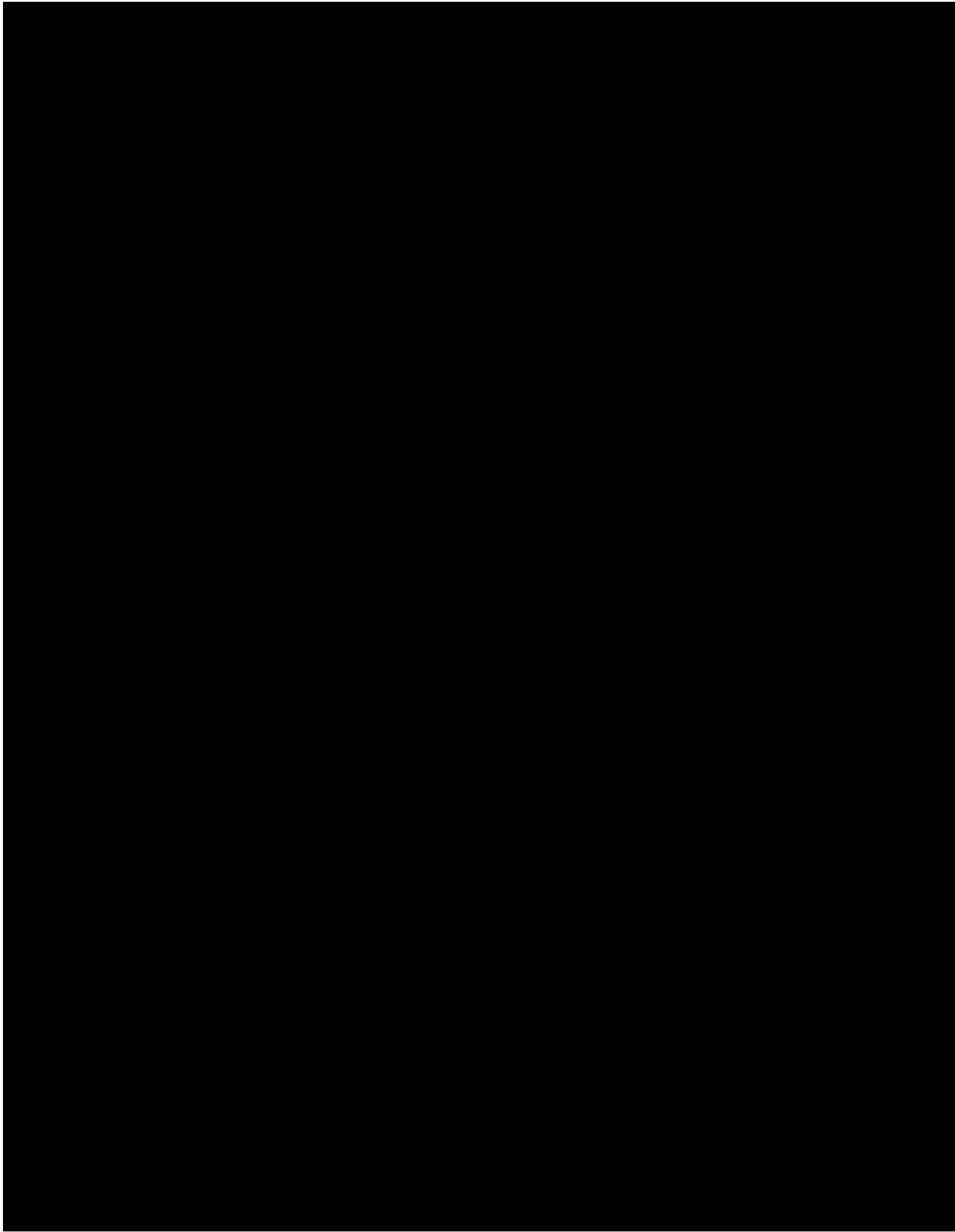
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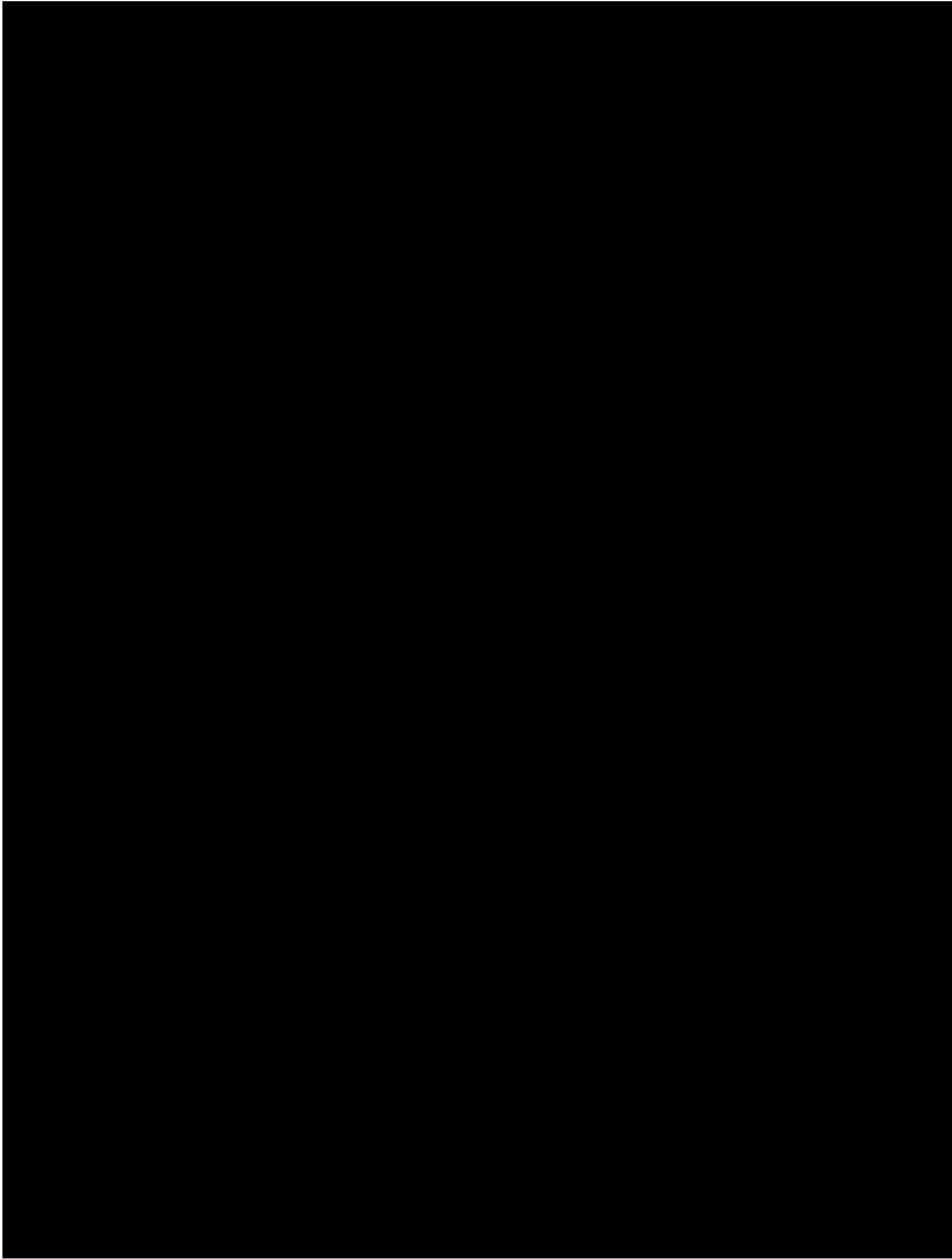
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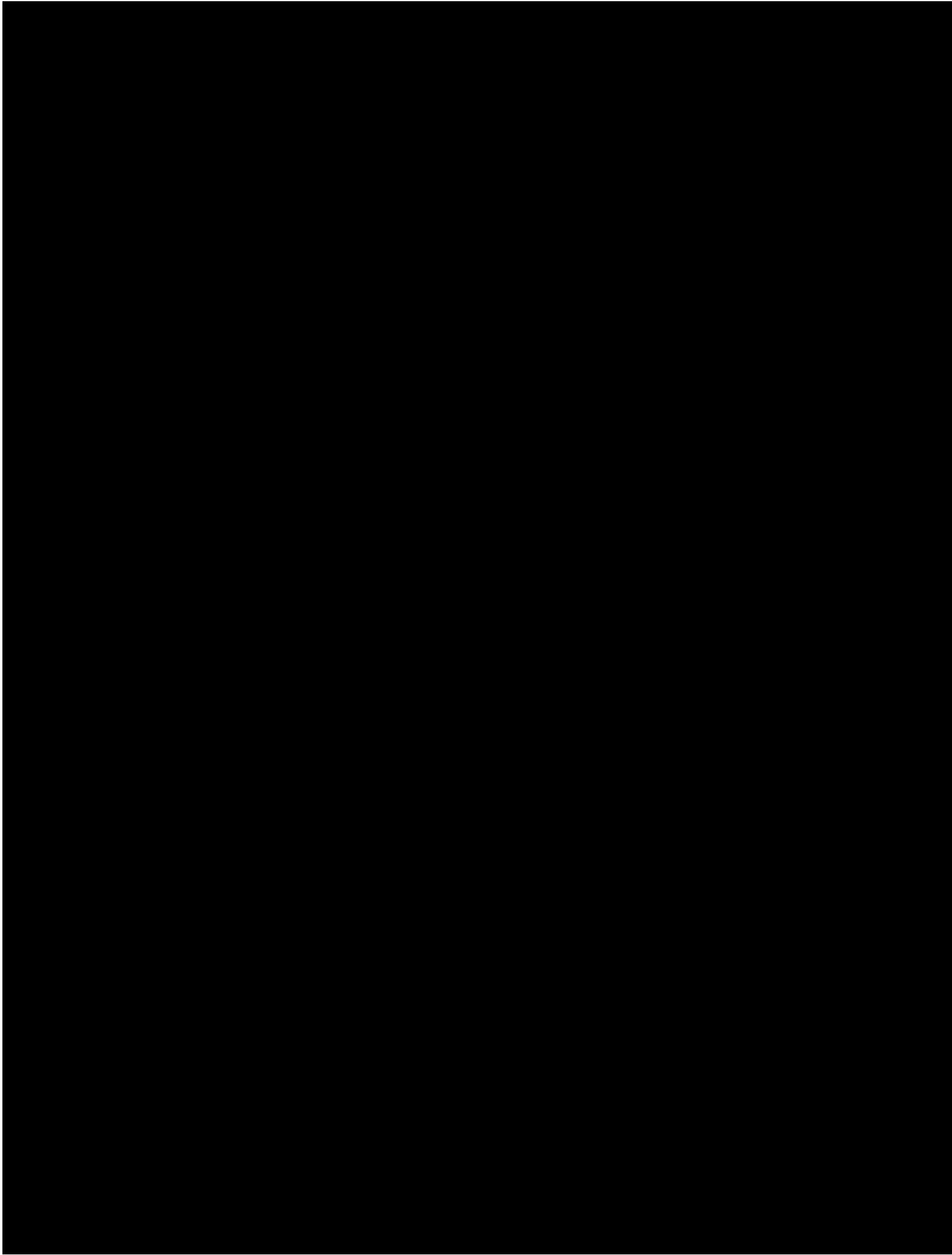
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--

Lowanna Gibson  
Project Manager for Butucarbin Cultural Heritage  
B.A Archaeology/Anthropology USYD  
Juris Doctor UTS





Wade Goldwyer

Consultant

Urbis Pty Ltd

Level 8, 123 Pitt Street

Sydney, NSW, 2000

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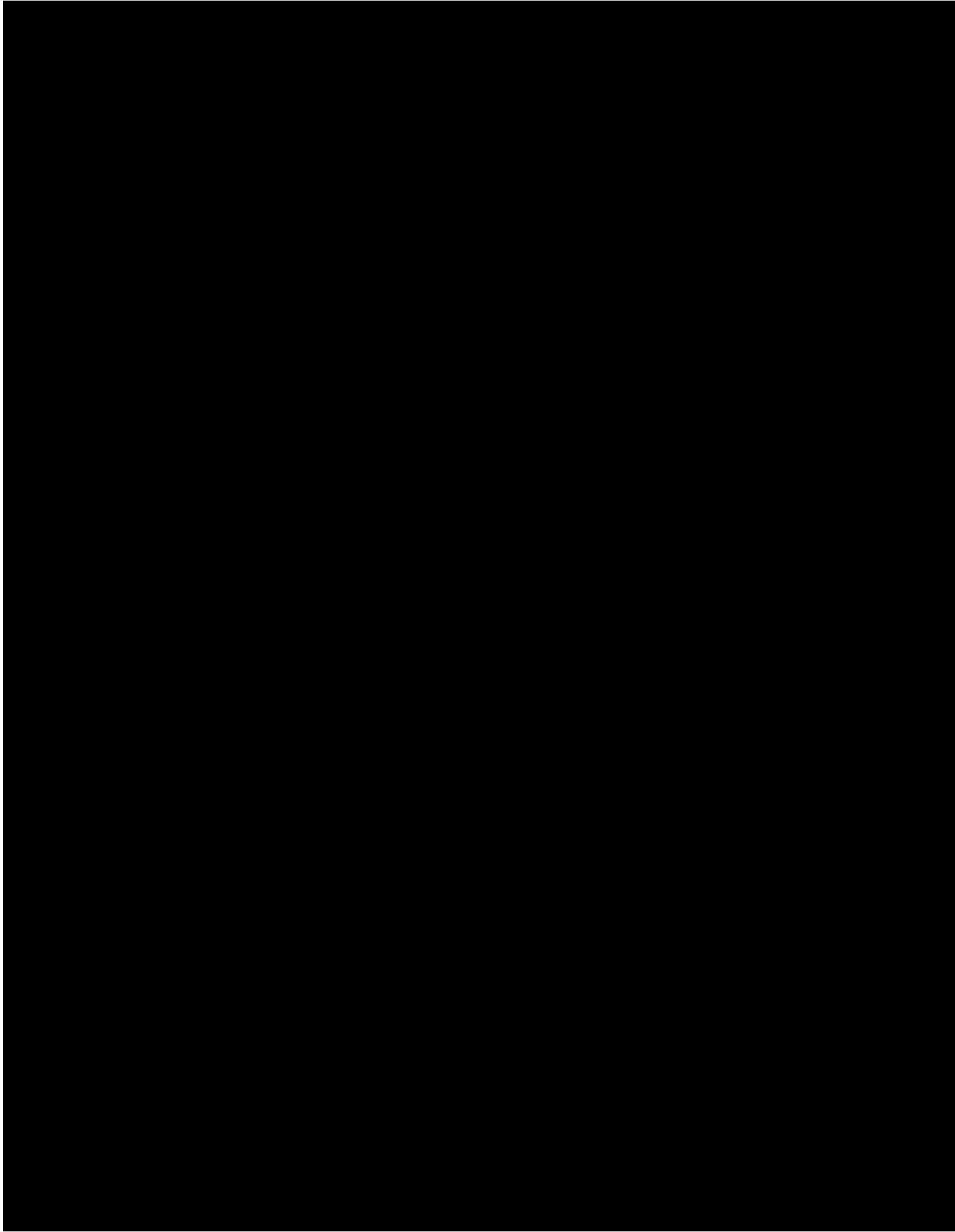


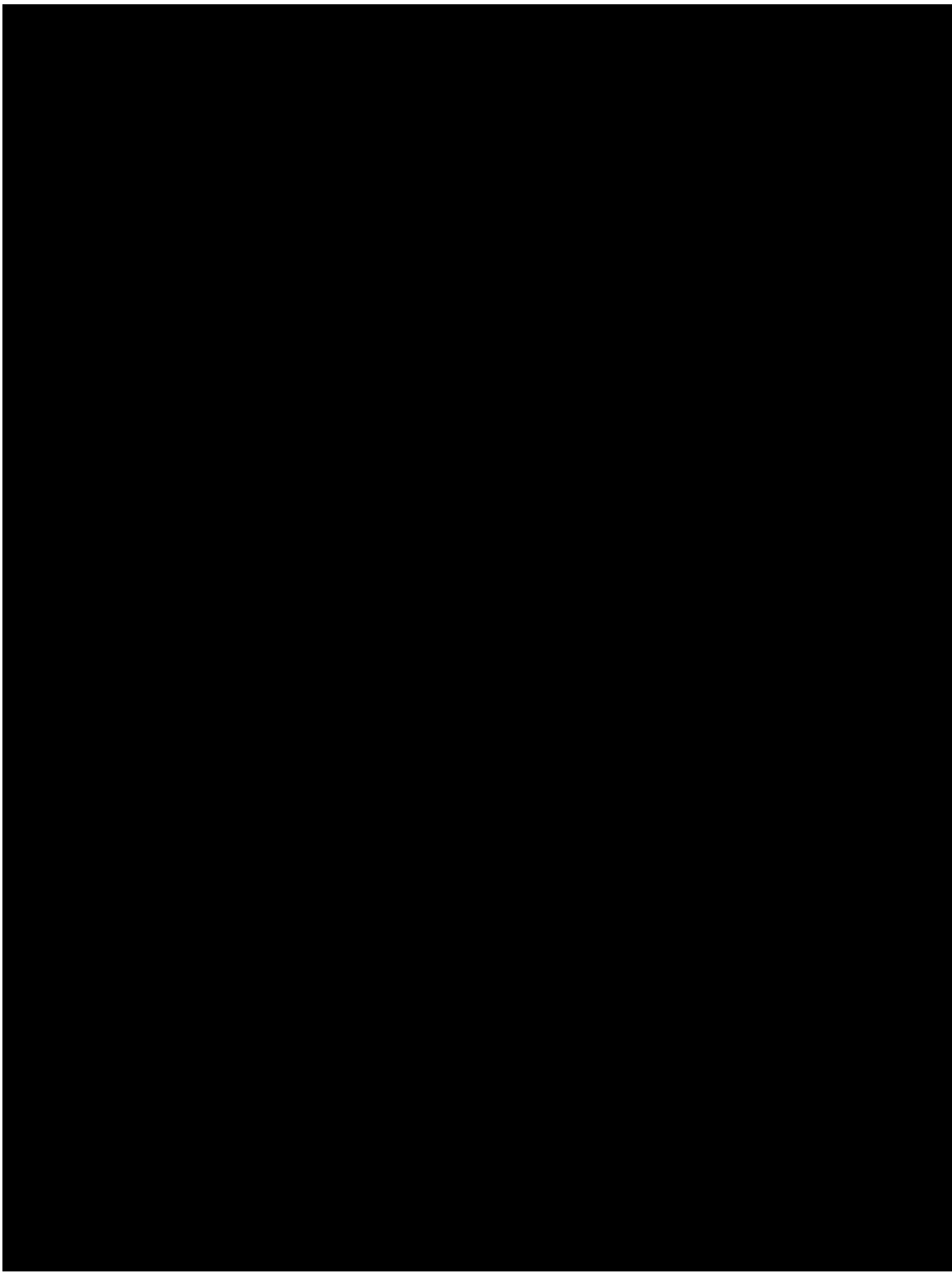
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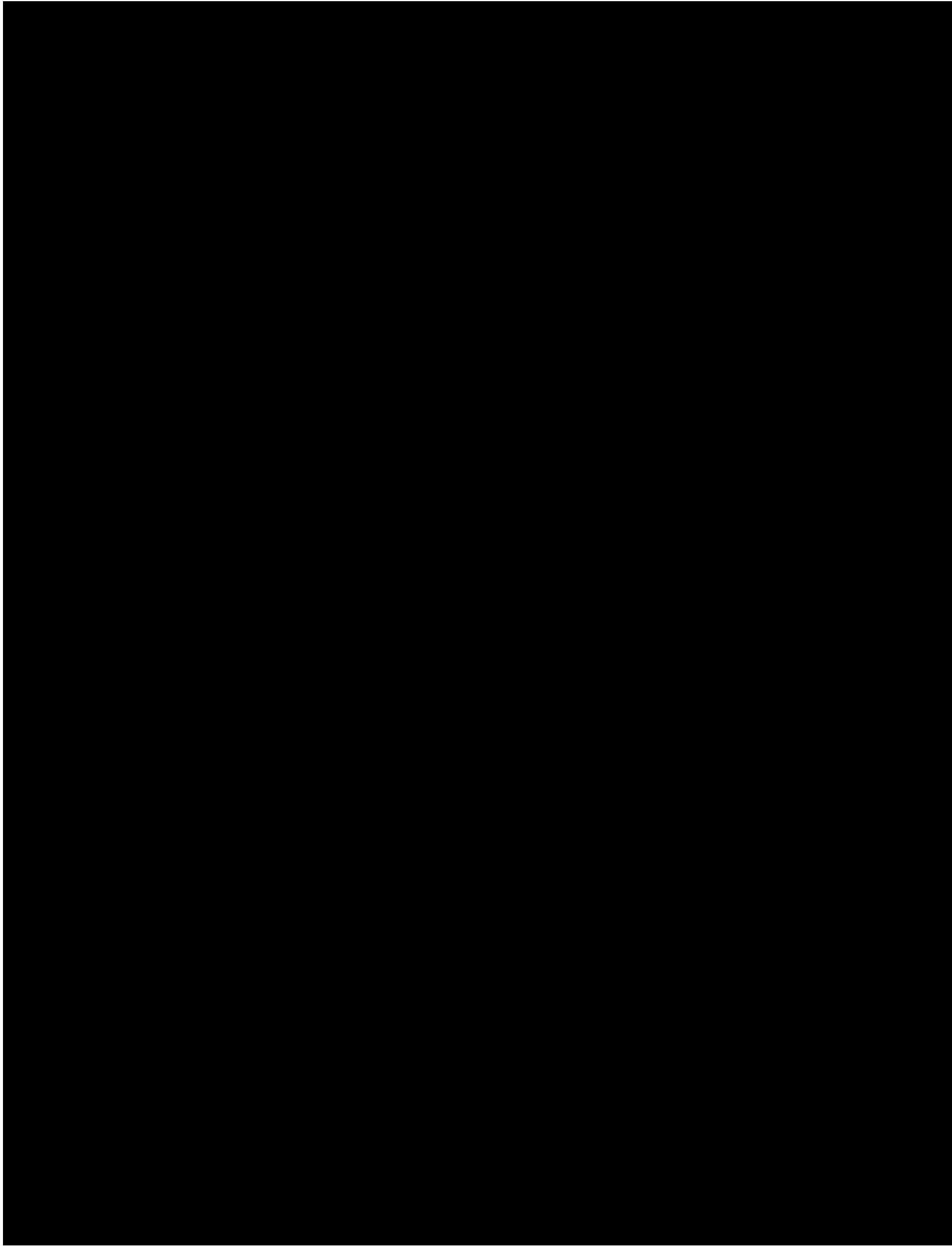
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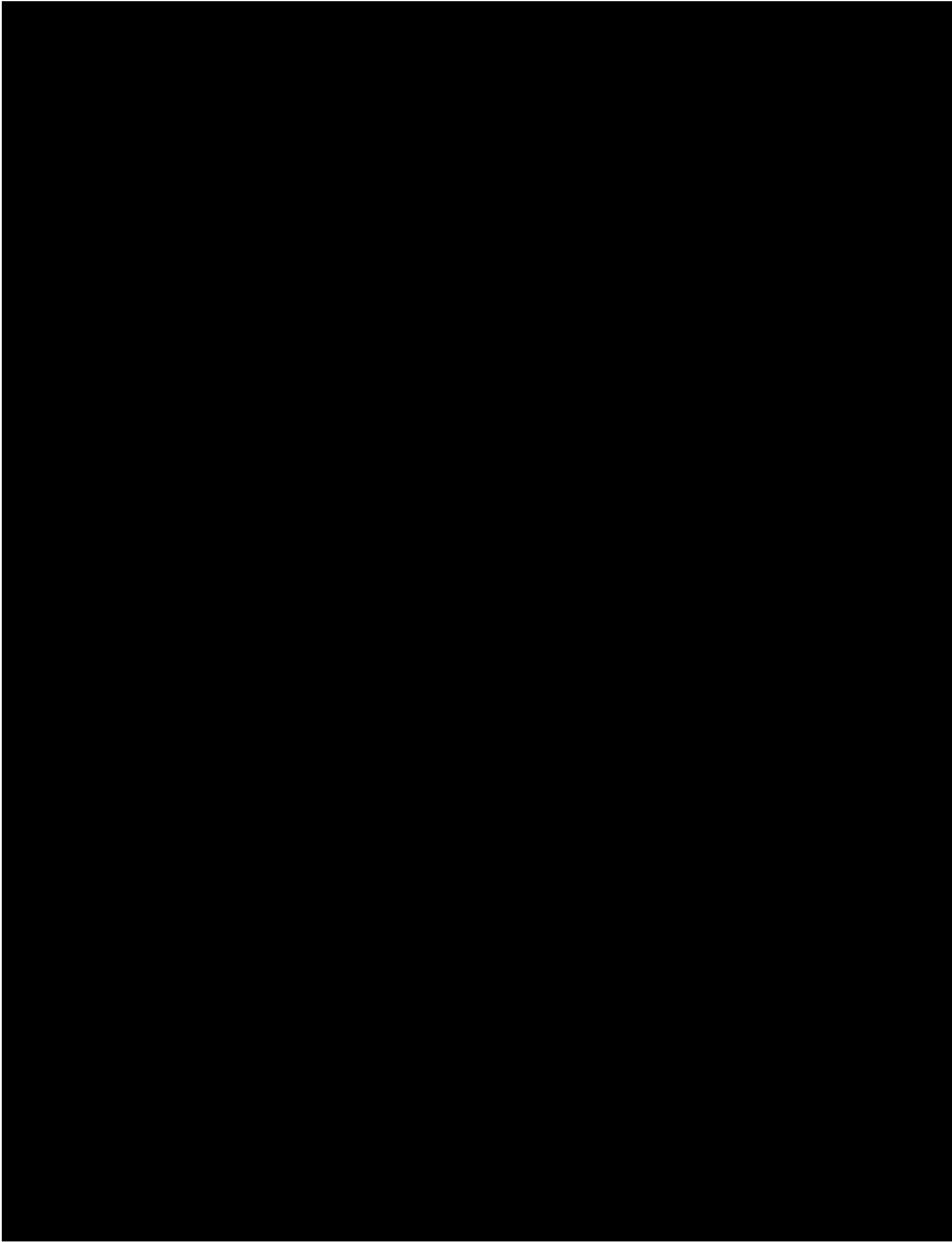
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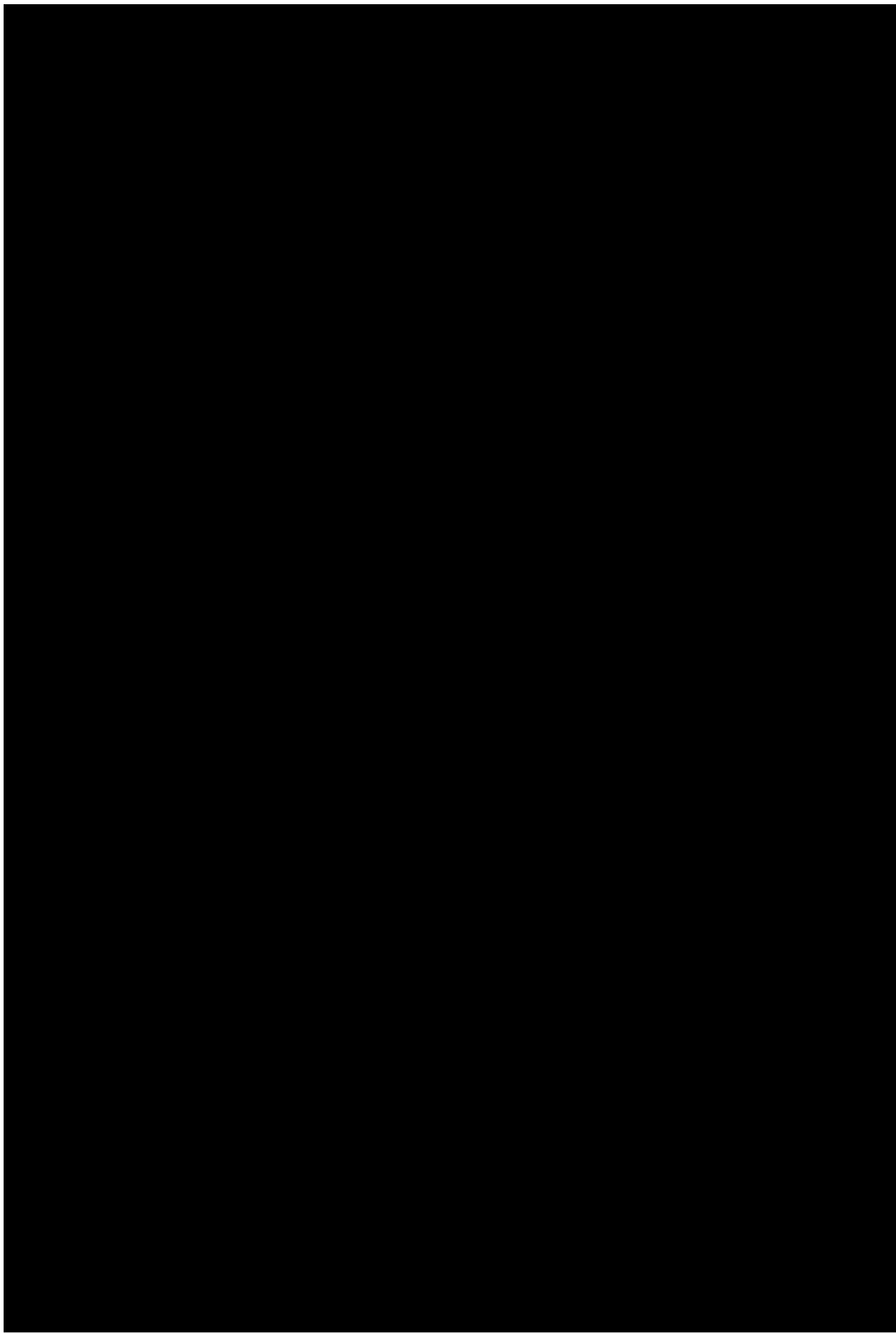


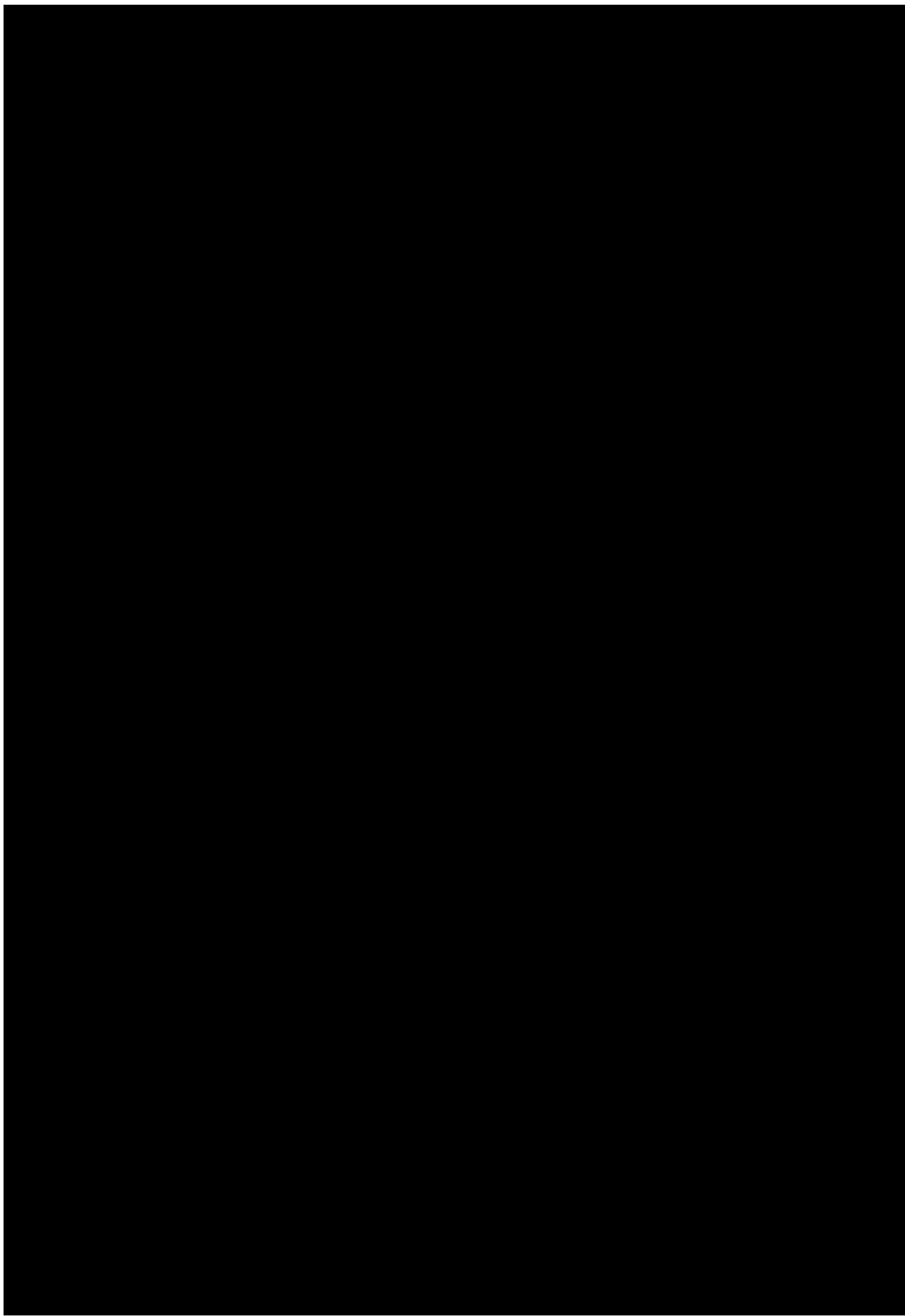
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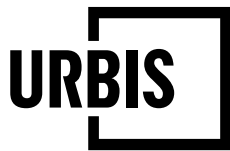
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## **STAGE 1.6 – FORWARDING RAP LIST**



**ANGEL PLACE  
LEVEL 8, 123 PITT STREET  
SYDNEY NSW 2000**

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Urbis Pty Ltd  
ABN 50 105 256 228

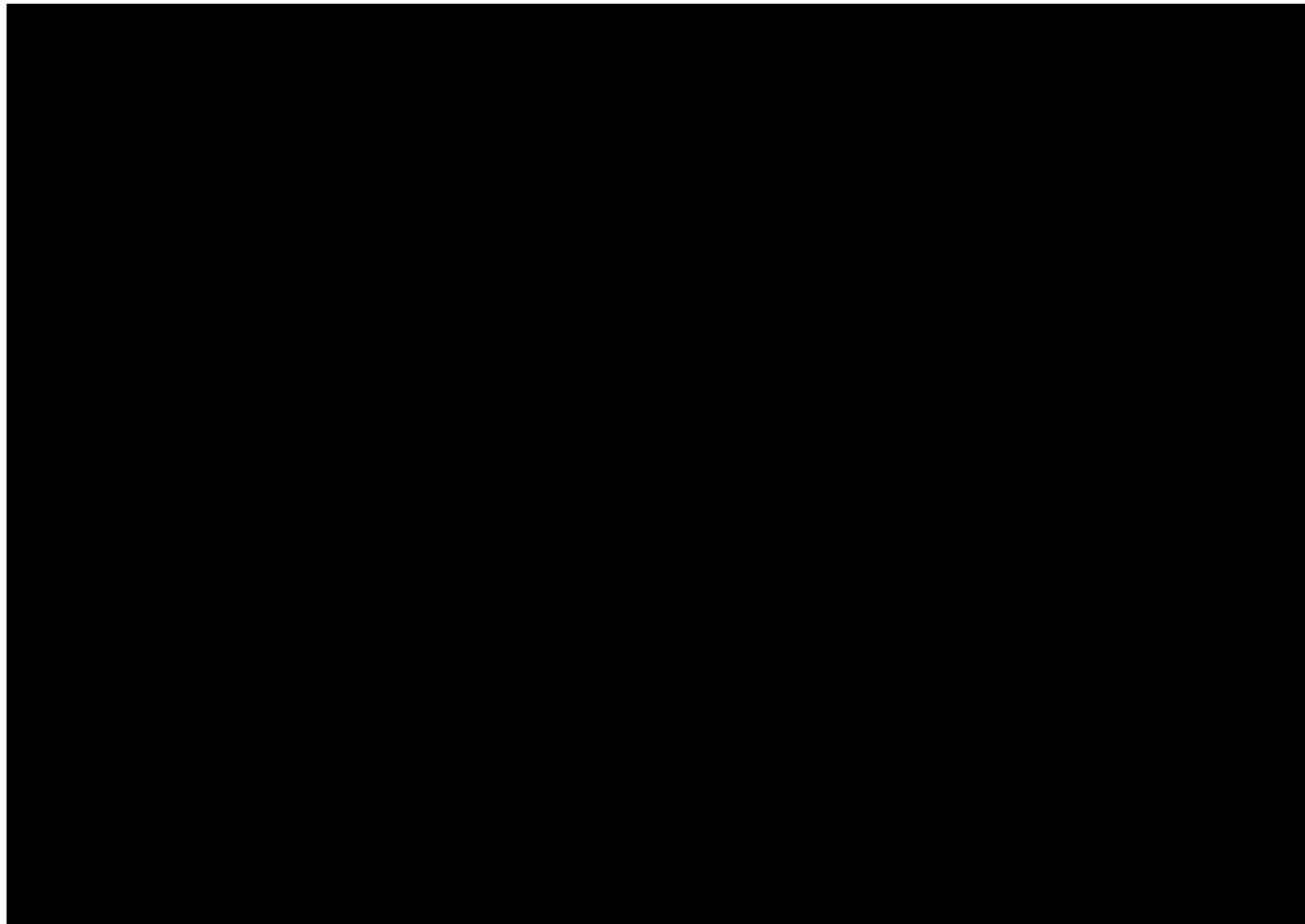
19 October 2022

Aboriginal Cultural Heritage Regulation Branch  
Heritage NSW  
Department of Premier and Cabinet  
By email: [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au)

To whom it may concern,

## **RICKARD ROAD, LEPPINGTON – ABORIGINAL CULTURAL HERITAGE ASSESSMENT – 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



Please do not hesitate to contact us should you have any queries in relation to the provided information.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'A. Olsen', with a long horizontal flourish extending to the right.

Aaron Olsen  
Consultant  
+61 2 8233 9957  
aolsen@urbis.com.au

9 September 2022

To whom it may concern,

## **156, 166, 173 & 183 RICKARD ROAD, LEPPINGTON, NSW – ABORIGINAL CULTURAL HERITAGE ASSESSMENT – ABORIGINAL COMMUNITY CONSULTATION STAGE 1.3 INVITATION TO REGISTER**

Please be advised that your contact details have been provided to us by Heritage NSW as an Aboriginal person or party who may have an interest in registering for the above project.

Urbis has been commissioned by Aland ('the Proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) for Site A and Site B, Rickard Road, Leppington, NSW ('the subject area'), legally described as the following:

### **Site A**

- 173 Rickard Road - Lot 2, DP 812366
- 183 Rickard Road - Lot 1, DP 812366

### **Site B**

- 156 Rickard Road - Lot 38A, DP 8979
- 166 Rickard Road - Lot 37, DP 8979

The subject area is located within the Camden Local Government Area (LGA) and within the bounds of the Tharawal Local Aboriginal Land Council (LALC).

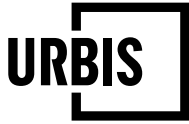
The ACHA will support a Master Plan for the proposed development of the subject area. This involves the preliminary planning for Sites A and B, intended to inform a planning proposal for the future development of the Leppington town centre. The subject area is under the Western Sydney Parklands State Environmental Planning Policy (SEPP), within the Camden Growth Centres precinct.

The proponent can be contacted via:

Phone number: 1300 513 317

Email: [leppington@aland.com.au](mailto:leppington@aland.com.au)

The ACHA is to be carried out in accordance with relevant guidelines under the *National Parks and Wildlife Act 1974 (NPW Act)*. The assessment will detail any potential Aboriginal cultural heritage resources within the subject area and provide recommendations regarding management of those resources.



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 and management measures, including if an Aboriginal Heritage Impact Permit will be needed.

Please register your interest in writing to the contact details provided below by **Close of Business, 23 September 2022.**

Wade Goldwyer  
Consultant  
Urbis  
Level 8, 123 Pitt Street  
Sydney, NSW, 2000  
E: [wgoldwyer@urbis.com.au](mailto: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 be advised that the Proponent is required to forward the names of registered Aboriginal parties to Heritage NSW and Tharawal Local Aboriginal Land Council unless the party specifies that they do not want their details released.

Please do not hesitate to contact us should you have any queries in relation to the provided information.

Yours sincerely,

A handwritten signature in dark ink, appearing to be "S. Richards", with a long horizontal stroke extending to the right.

Sam Richards  
Associate Director  
+61 2 8424 5136  
[sam.richards@urbis.com.au](mailto:sam.richards@urbis.com.au)

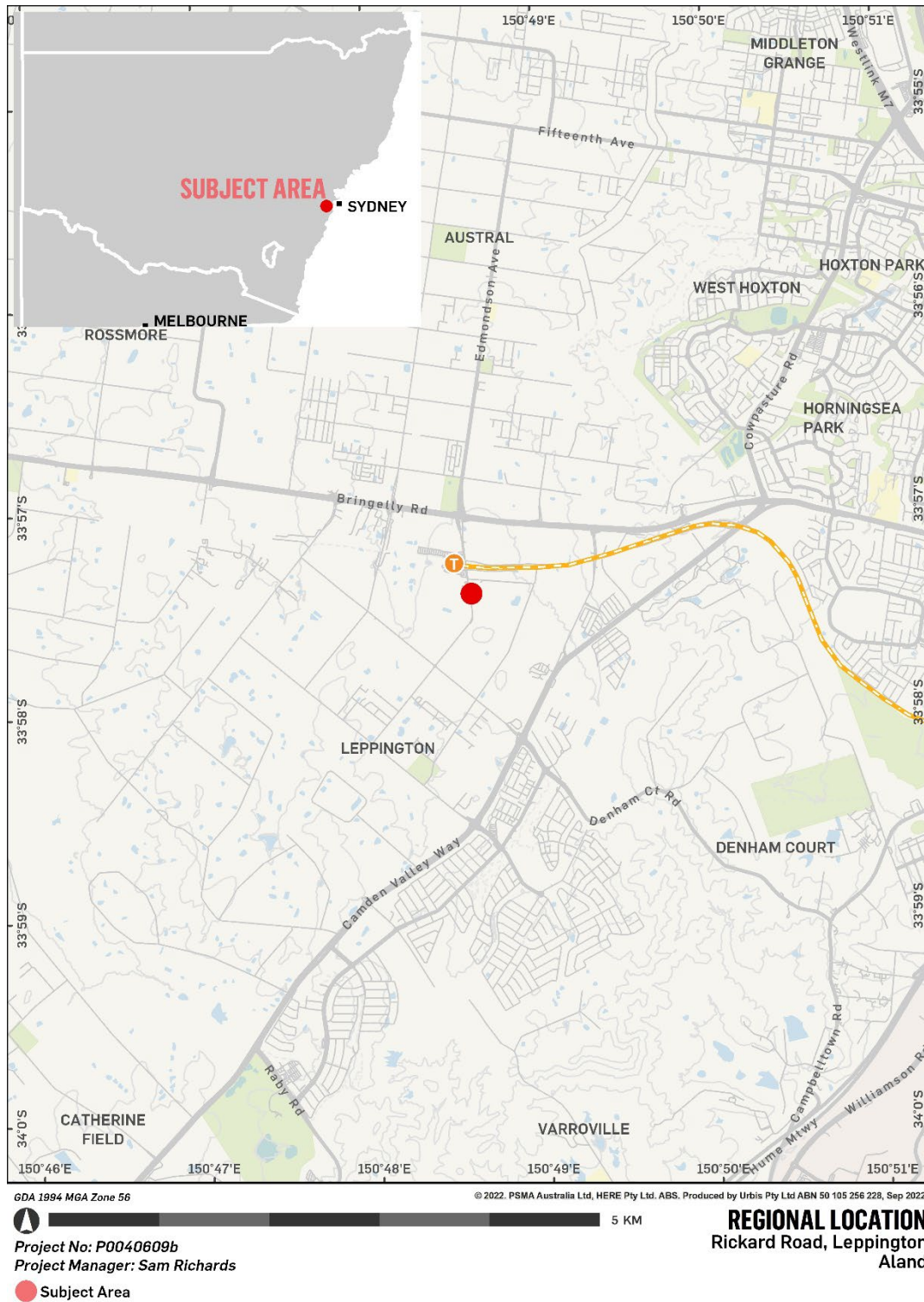
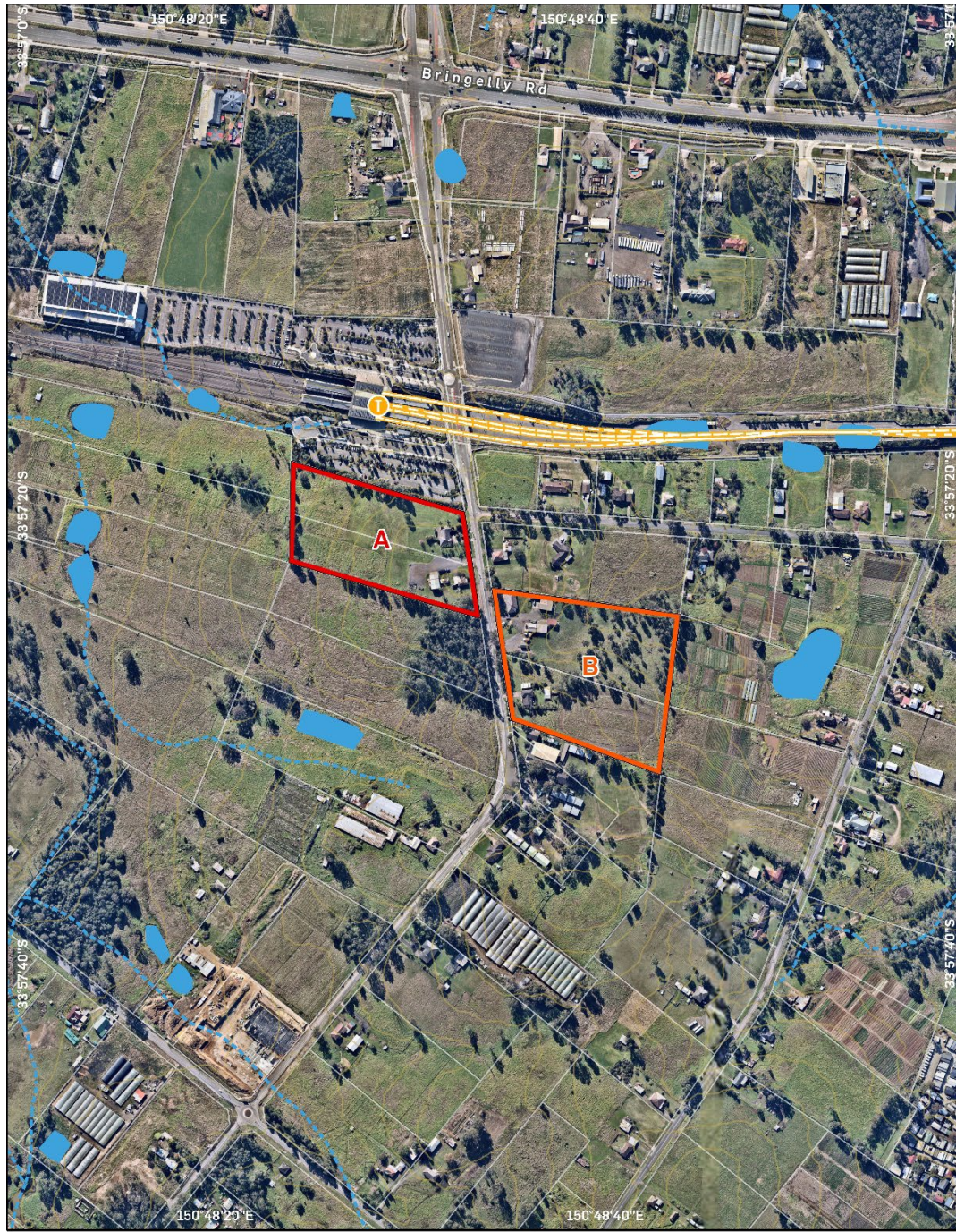


Figure 1 – Regional location of the subject area





GDA 1994 MGA Zone 56

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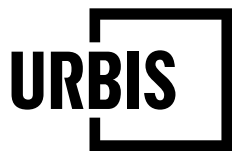
Project No: P0040609b

Project Manager: Sam Richards

Site A Site B Contours Hydrology Ephemeral

**SUBJECT AREA**  
Rickard Road, Leppington  
Aland

Figure 2 – Location of the subject area



**ANGEL PLACE  
LEVEL 8, 123 PITT STREET  
SYDNEY NSW 2000**

URBIS.COM.AU  
Urbis Pty Ltd  
ABN 50 105 256 228

19 October 2022

Tharawal Local Aboriginal Land Council  
By email: [reception@tharawal.com.au](mailto:reception@tharawal.com.au)

To whom it may concern,

## **RICKARD ROAD, LEPPINGTON – ABORIGINAL CULTURAL HERITAGE ASSESSMENT – 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

A large black rectangular box covers the entire content area of the table, indicating that the information has been redacted.

Please do not hesitate to contact us should you have any queries in relation to the provided information.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'A. Olsen', with a long horizontal line extending to the right.

Aaron Olsen  
Consultant  
+61 2 8233 9957  
aolsen@urbis.com.au



9 September 2022

To whom it may concern,

## **156, 166, 173 & 183 RICKARD ROAD, LEPPINGTON, NSW – ABORIGINAL CULTURAL HERITAGE ASSESSMENT – ABORIGINAL COMMUNITY CONSULTATION STAGE 1.3 INVITATION TO REGISTER**

Please be advised that your contact details have been provided to us by Heritage NSW as an Aboriginal person or party who may have an interest in registering for the above project.

Urbis has been commissioned by Aland ('the Proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) for Site A and Site B, Rickard Road, Leppington, NSW ('the subject area'), legally described as the following:

### **Site A**

- 173 Rickard Road - Lot 2, DP 812366
- 183 Rickard Road - Lot 1, DP 812366

### **Site B**

- 156 Rickard Road - Lot 38A, DP 8979
- 166 Rickard Road - Lot 37, DP 8979

The subject area is located within the Camden Local Government Area (LGA) and within the bounds of the Tharawal Local Aboriginal Land Council (LALC).

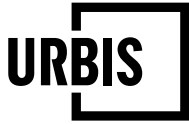
The ACHA will support a Master Plan for the proposed development of the subject area. This involves the preliminary planning for Sites A and B, intended to inform a planning proposal for the future development of the Leppington town centre. The subject area is under the Western Sydney Parklands State Environmental Planning Policy (SEPP), within the Camden Growth Centres precinct.

The proponent can be contacted via:

Phone number: 1300 513 317

Email: [leppington@aland.com.au](mailto:leppington@aland.com.au)

The ACHA is to be carried out in accordance with relevant guidelines under the *National Parks and Wildlife Act 1974 (NPW Act)*. The assessment will detail any potential Aboriginal cultural heritage resources within the subject area and provide recommendations regarding management of those resources.



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 and management measures, including if an Aboriginal Heritage Impact Permit will be needed.

Please register your interest in writing to the contact details provided below by **Close of Business, 23 September 2022.**

Wade Goldwyer  
Consultant  
Urbis  
Level 8, 123 Pitt Street  
Sydney, NSW, 2000  
E: [wgoldwyer@urbis.com.au](mailto: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 be advised that the Proponent is required to forward the names of registered Aboriginal parties to Heritage NSW and Tharawal Local Aboriginal Land Council unless the party specifies that they do not want their details released.

Please do not hesitate to contact us should you have any queries in relation to the provided information.

Yours sincerely,

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Associate Director  
+61 2 8424 5136  
[sam.richards@urbis.com.au](mailto:sam.richards@urbis.com.au)

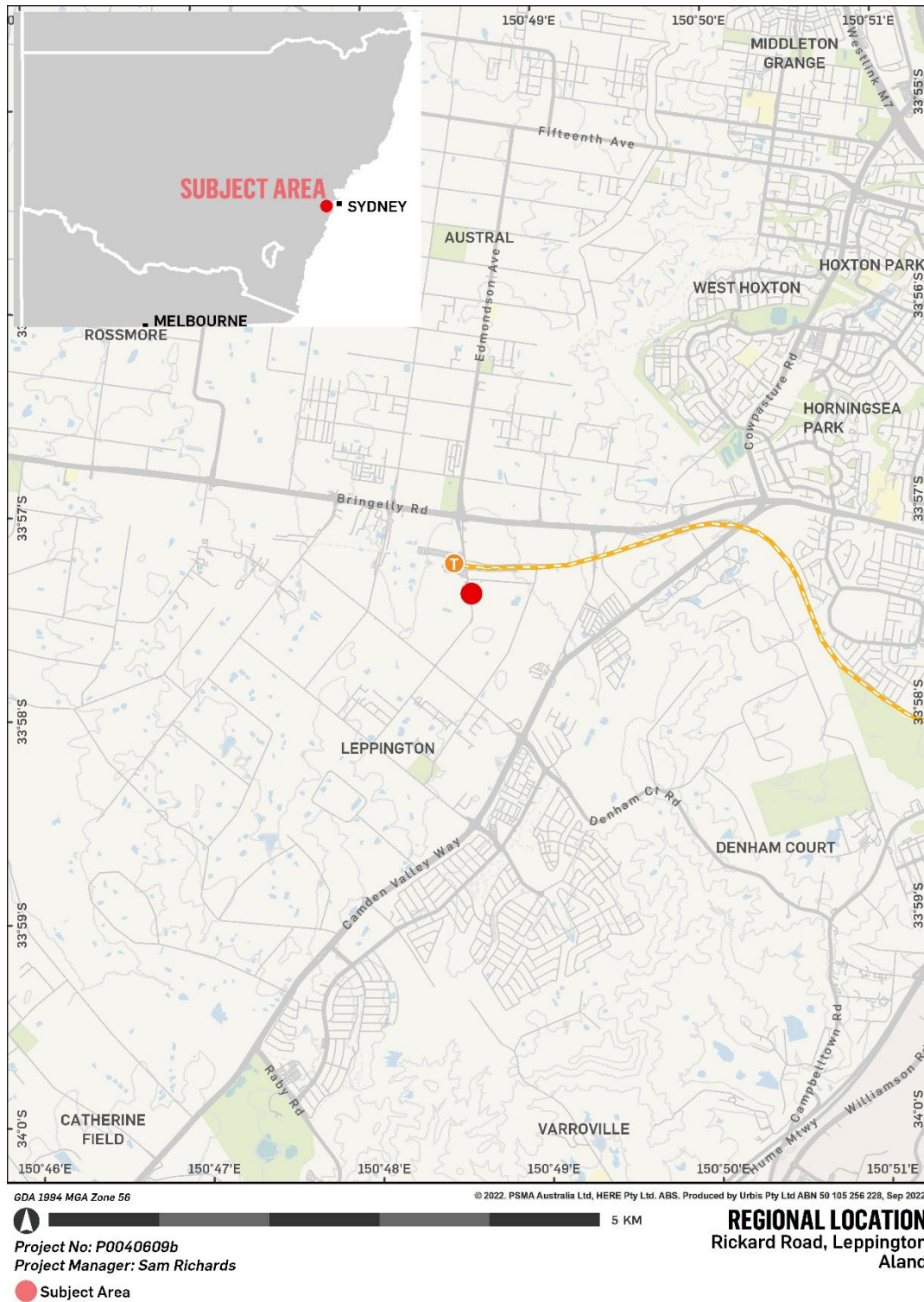


Figure 1 – Regional location of the subject area





Figure 2 – Location of the subject area

## **STAGE 2 & 3 – PRESENTING AND GATHERING INFORMATION**



5 October 2022

To whom it may concern

## **RICKARD ROAD, LEPPINGTON – ABORIGINAL CULTURAL HERITAGE ASSESSMENT – COMMUNITY CONSULTATION STAGES 2 & 3 – PRESENTING & GATHERING INFORMATION**

Thank you for registering your interest in the Aboriginal Cultural Heritage Assessment (ACHA) of 173, 183, 156 and 166 Rickard Road, Leppington, NSW, legally defined as Lots 1 and 2 in Deposited Plan (DP) 812366 and Lots 37 and 38A in DP 8979 ('the subject area') (Figure 1 and Figure 2).

Urbis has been commissioned by Aland ('the Proponent') to conduct the ACHA to inform and accompany a planning proposal for the rezoning and future development of the subject area as part of the proposed Leppington Town Centre Planned Precinct.

The Proponent can be contacted via:

Phone: 1300 513 317

Email: [leppington@aland.com.au](mailto:leppington@aland.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.

## **SUBJECT AREA**

The subject area is located at 173, 183, 156 and 166 Rickard Road, Leppington, NSW, directly south of Leppington Station and approximately 38 km west-south-west from the Sydney CBD. It is within the City of Camden Local Government Area ('Camden LGA') and within the boundaries of the Tharawal Local Aboriginal Land Council (Figure 1).

The subject area is currently zoned B3 - Commercial Core, SP2 - Infrastructure, and B7 - Business Park. Existing development within the subject area includes various residential buildings, landscaping and hardstand.

The properties comprising the subject area have been grouped together to form two sites, namely Site A and Site B.

Site A encompasses approximately 3.23 ha and has a frontage on Rickard Road to the east. The properties comprising Site A are listed as follows:

- 183 Rickard Road Leppington (Lot 1 DP 812366).
- 173 Rickard Road Leppington (Lot 2 DP 812366).

Site B encompasses approximately 4.29 ha and has a frontage on Rickard Road to the west. Site B includes the following properties:

- 156 Rickard Road Leppington (Lot 38A DP 8979).
- 166 Rickard Road Leppington (Lot 37 DP 8979).

## PROPOSED WORKS

No physical works are currently proposed for the subject area. The ACHA is being undertaken to inform and accompany a planning proposal for the future rezoning and development of the subject area as part of the proposed Leppington Town Centre Planned Precinct.

## 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 109 registered Aboriginal sites within a 6 km x 4 km area around the subject area (Appendix A).
- The AHIMS search identified no Aboriginal Objects registered within the subject area.
- Parts of the subject area are located within 200m of first order ephemeral drainage lines associated with Kemps Creek (Figure 3).
- The subject area is located entirely within the Blacktown soil landscape (Figure 3).
- The subject area is located on a north-south aligned ridge (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.

## 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 2 – Aboriginal cultural heritage assessment methodology below.

Table 2 – 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.
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.
Finalisation of ACHA report	Incorporation of all comments from the Proponent and RAPs into ACHA report and finalisation.

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.

## 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 2 November 2022)
After Stage 3: Archaeological survey and meeting	Within 1 week of completion of Stage 2 and 3
Stage 4: Provision of the draft ACHA report (including the proposed management and mitigation measures) to the RAPs	Within 2 weeks of completion of the archaeological survey and meeting
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

## 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:

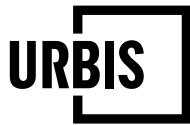
- Any restrictions on access of the material.
- Any restrictions on communication of the material (confidentiality).
- Any restrictions on the location/storage of the material.
- Any cultural recommendations on handling the material.
- Any names and contact details of persons authorised within the relevant 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.
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 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](mailto:wgoldwyer@urbis.com.au)

Please provide the requested information by **2 November 2022**. Comments received after this date might be excluded from the draft ACHA.

Yours sincerely,

A handwritten signature in black ink, appearing to be "A. Olsen", with a long horizontal flourish extending to the right.

Aaron Olsen  
Consultant  
+61 2 8233 9957  
[aolsen@urbis.com.au](mailto:aolsen@urbis.com.au)



Figure 1 - Regional location



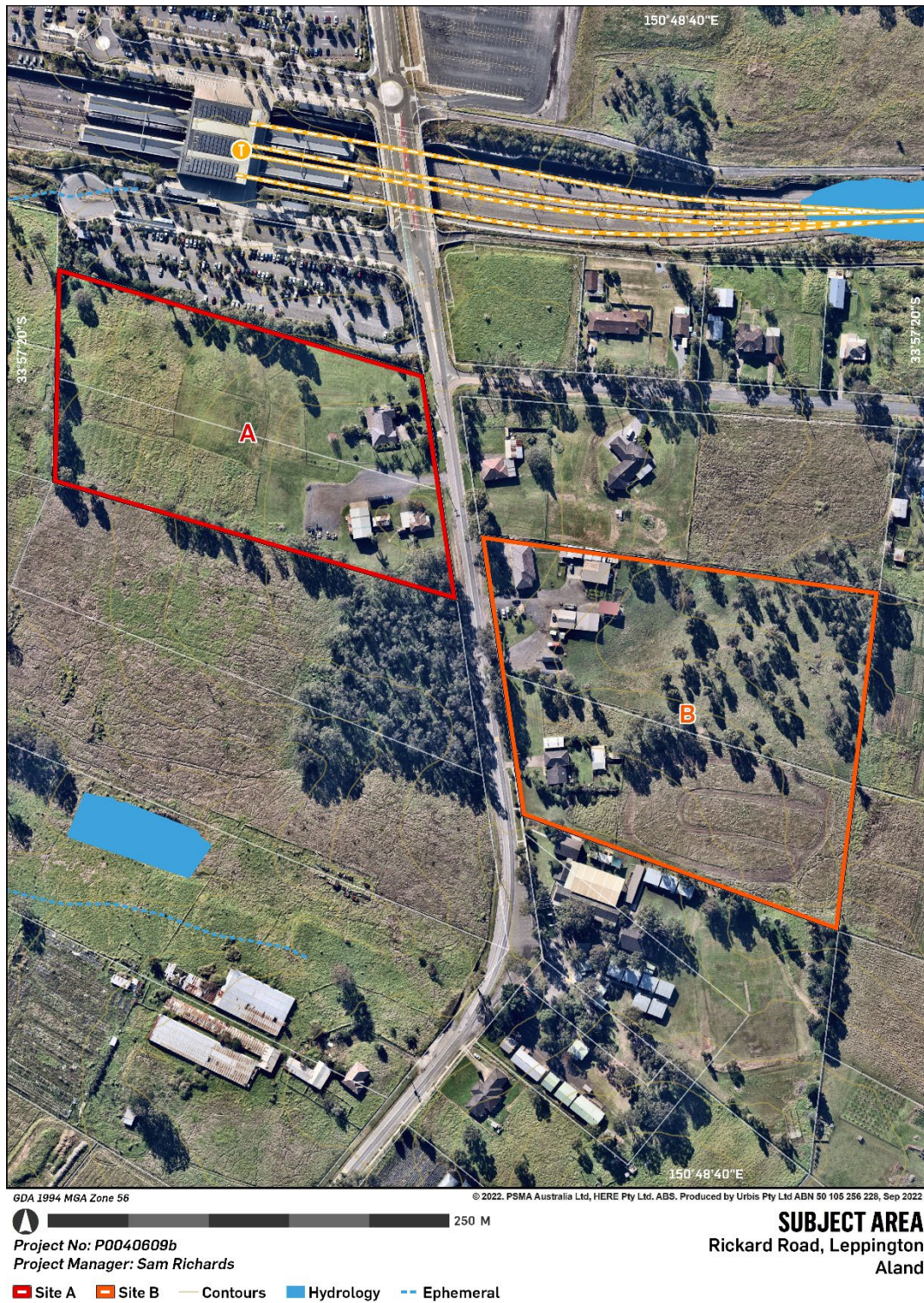


Figure 2 – Location of the subject area



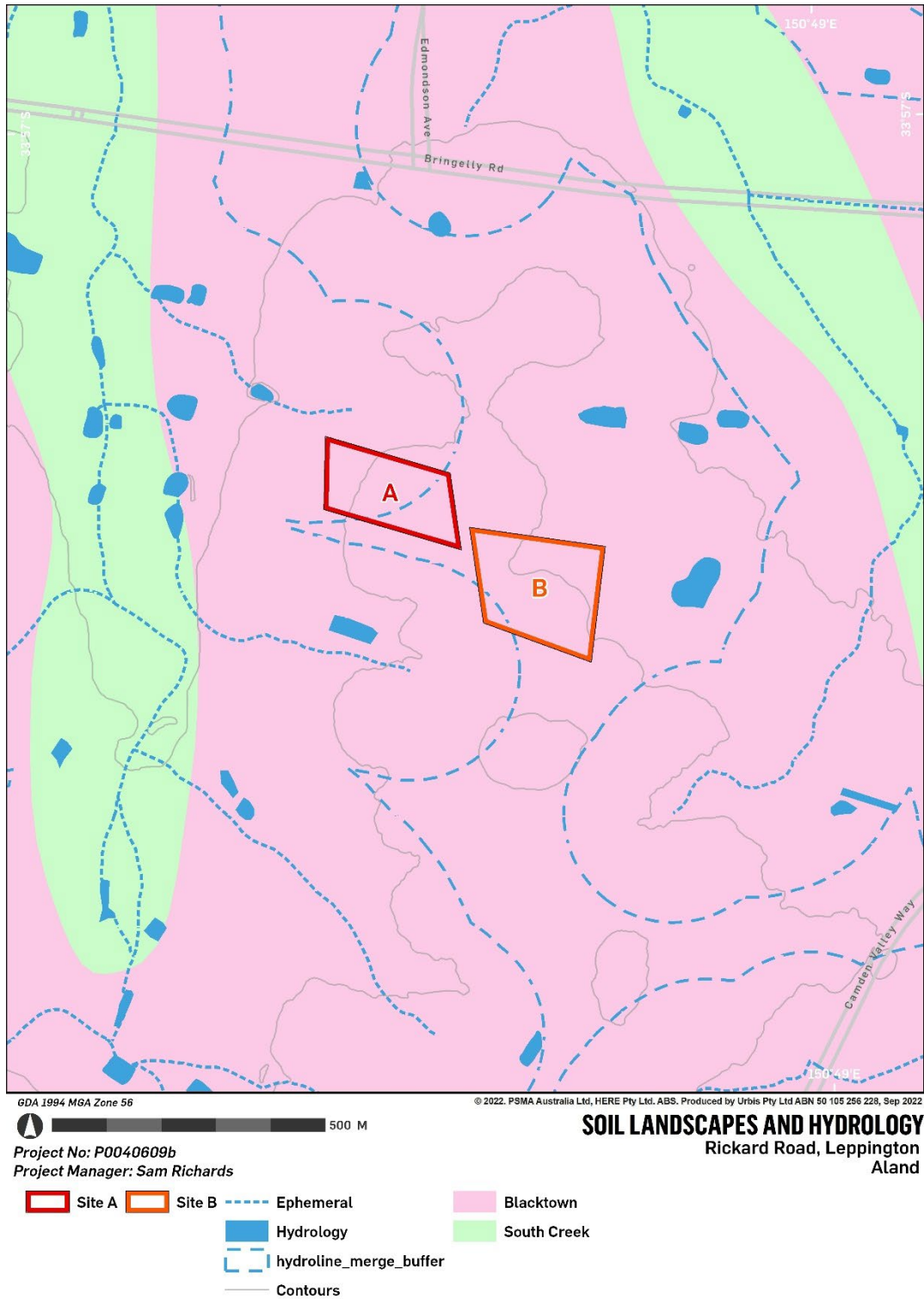
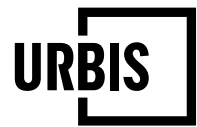
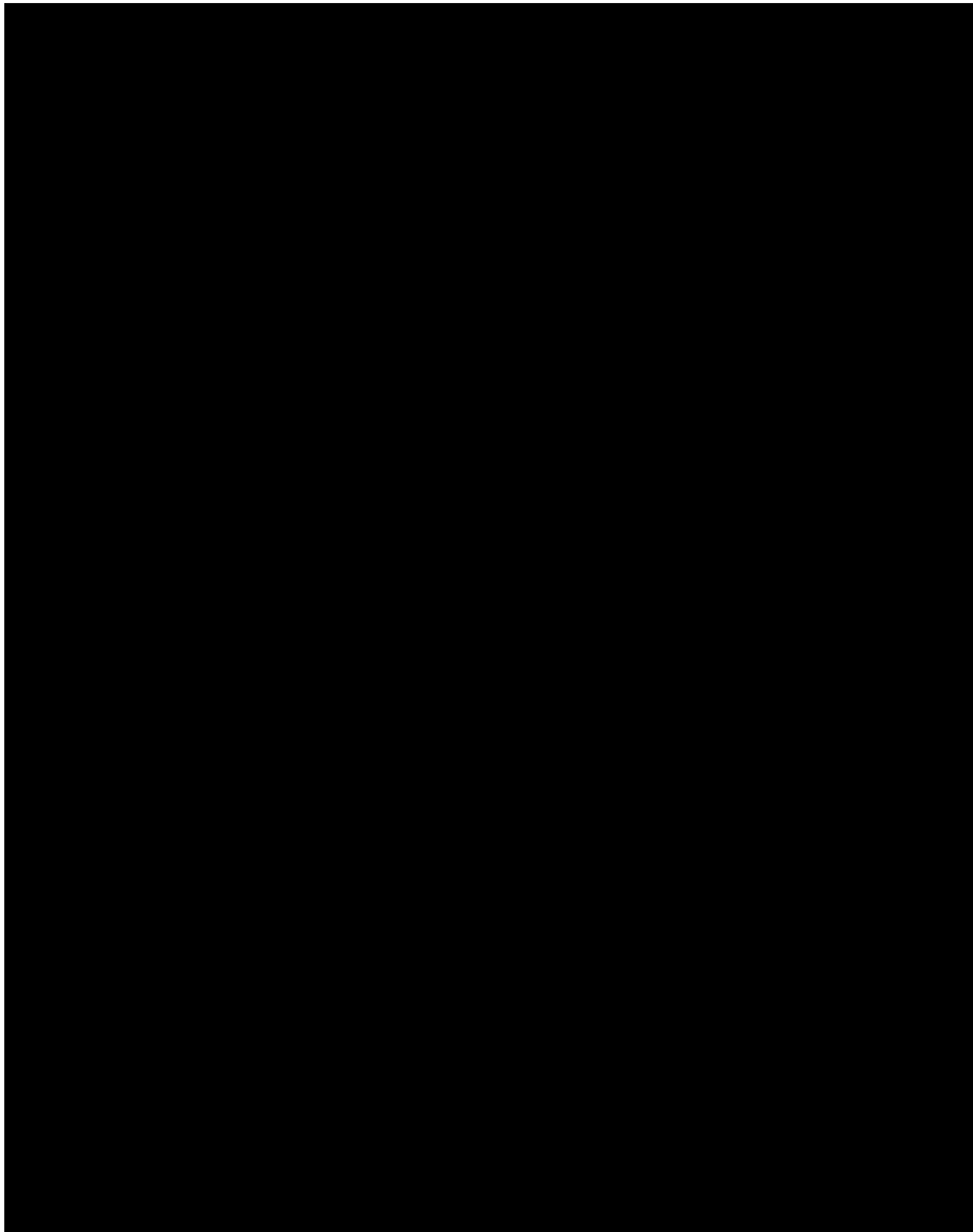


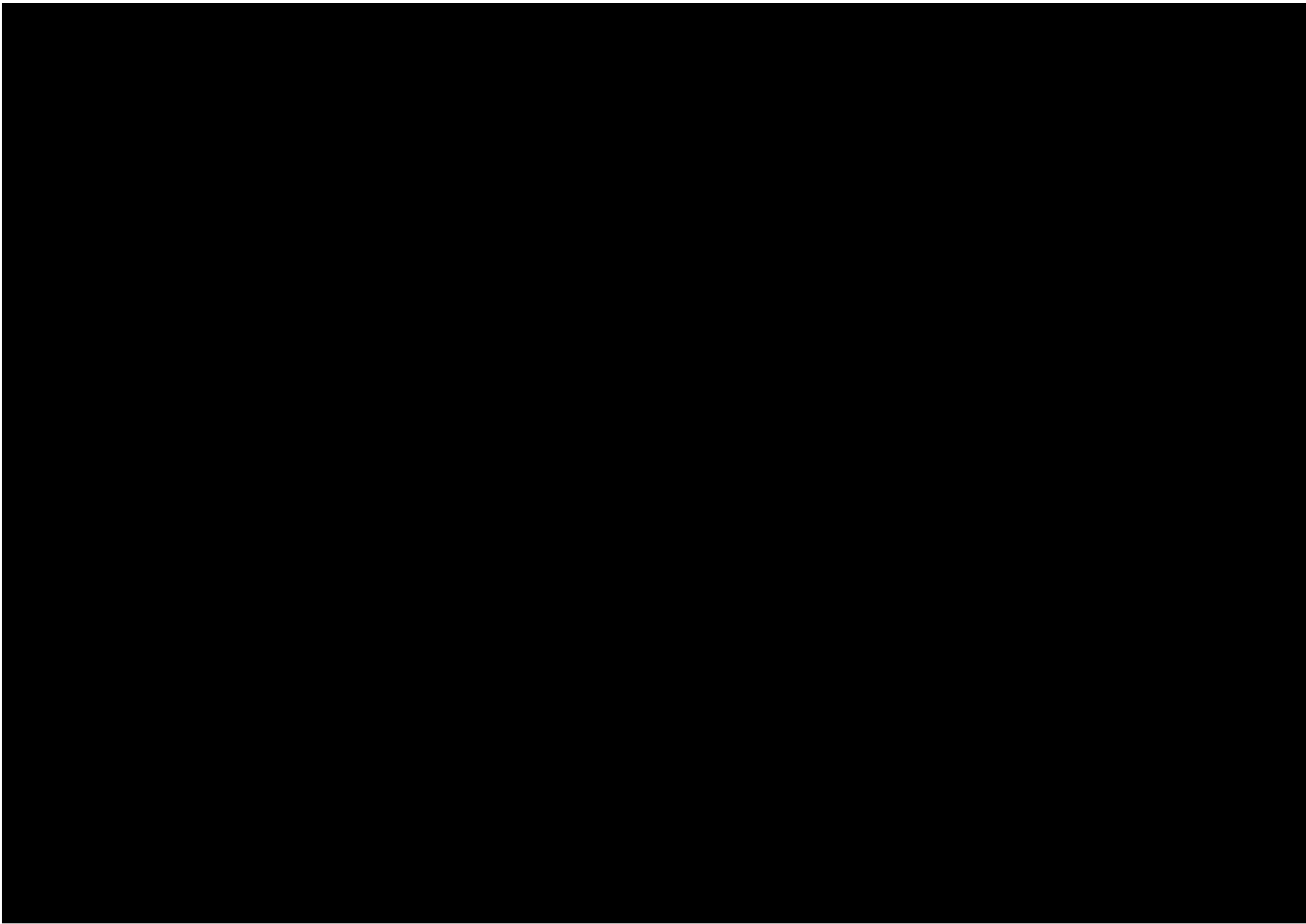
Figure 3 - Soil Landscapes and Hydrology

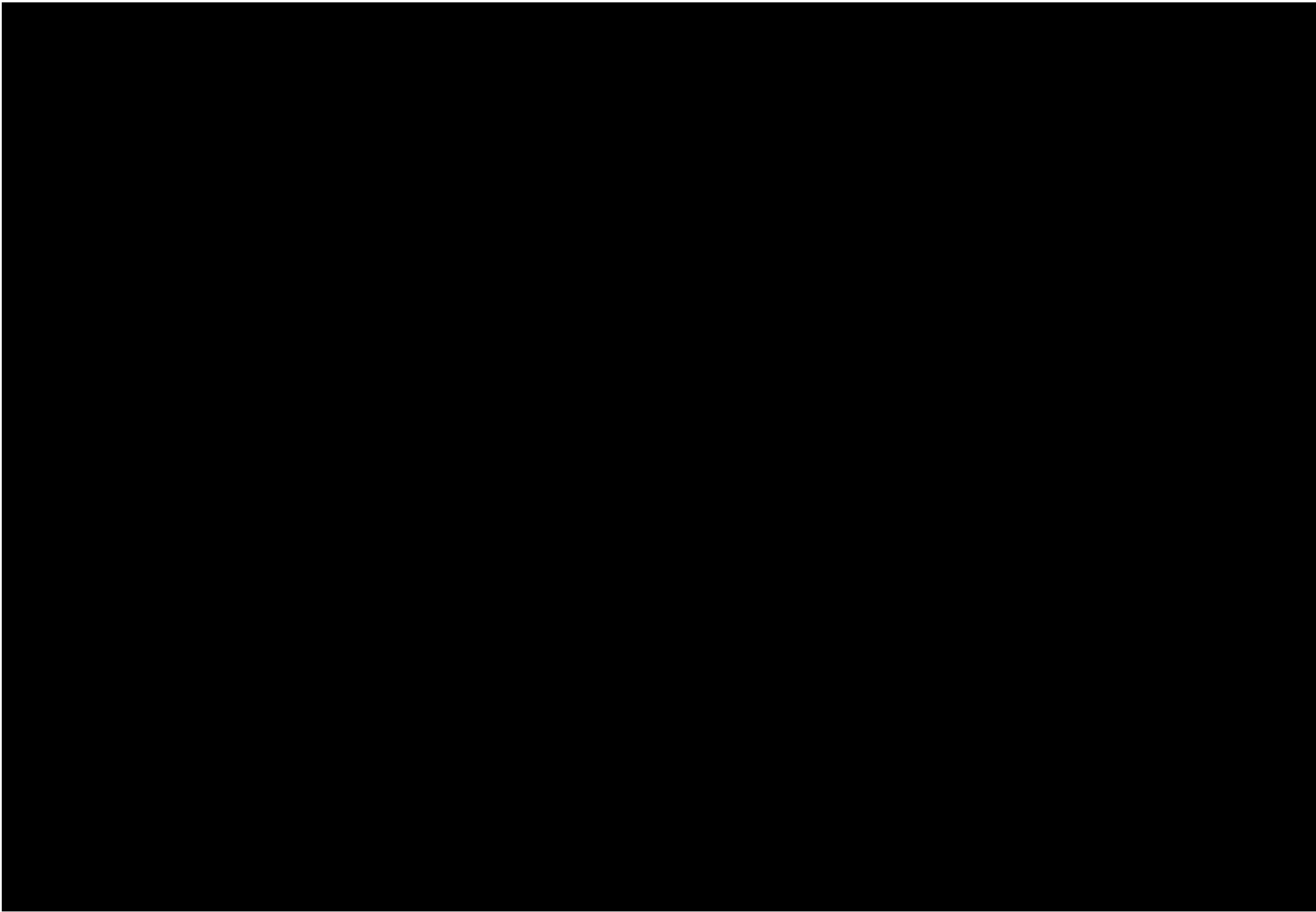


## **APPENDIX A – AHIMS BASIC SEARCH RESULTS**

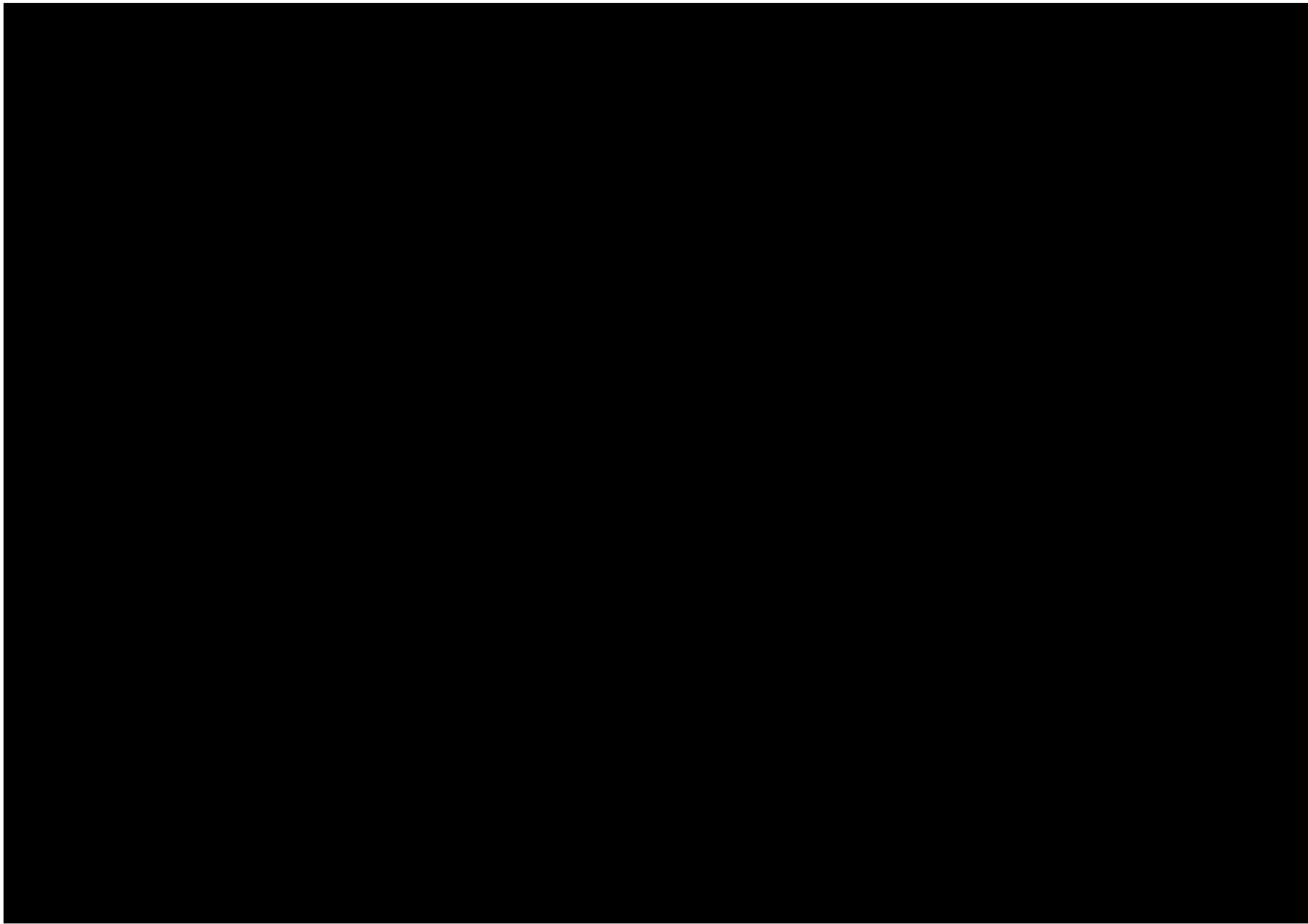




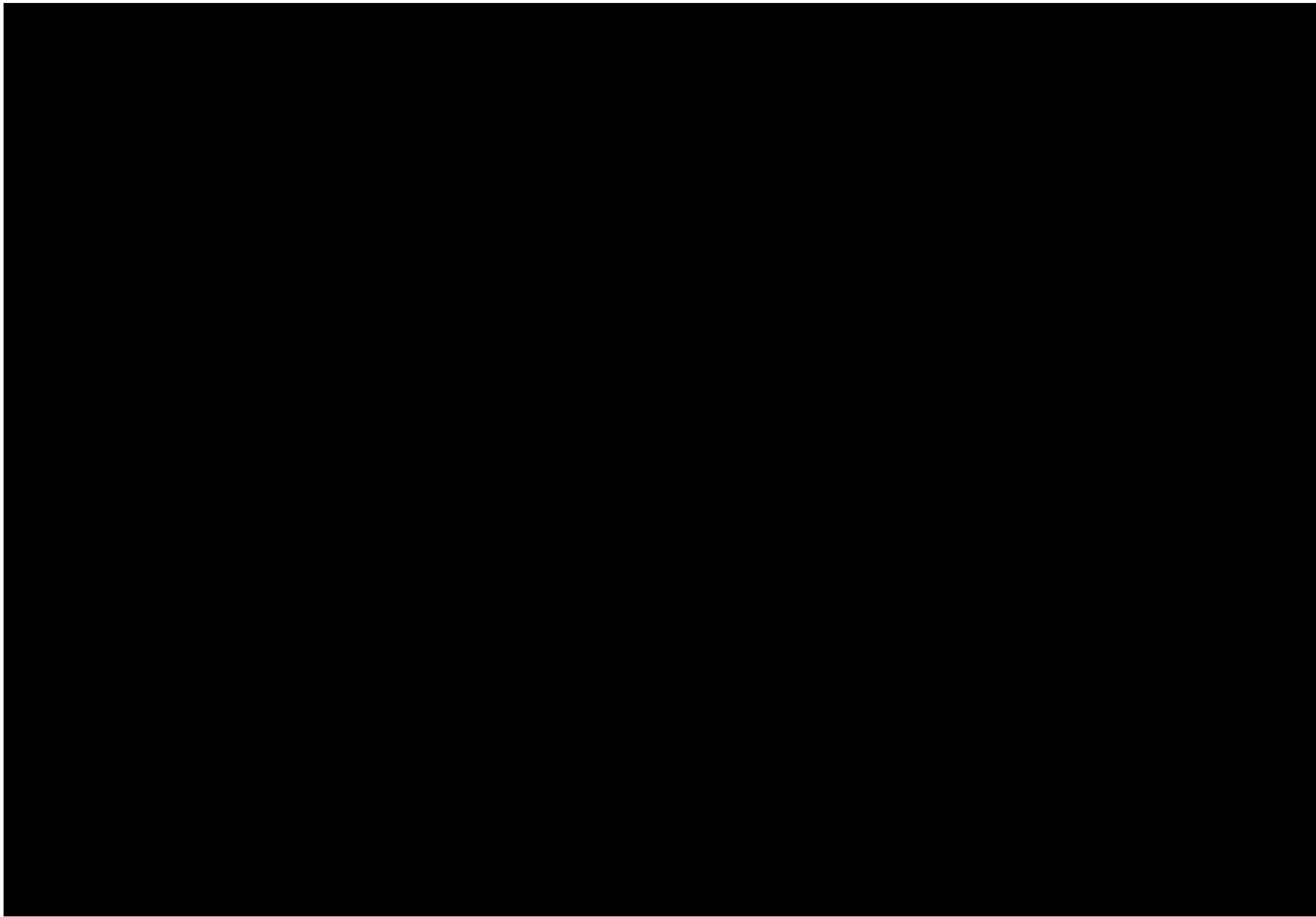


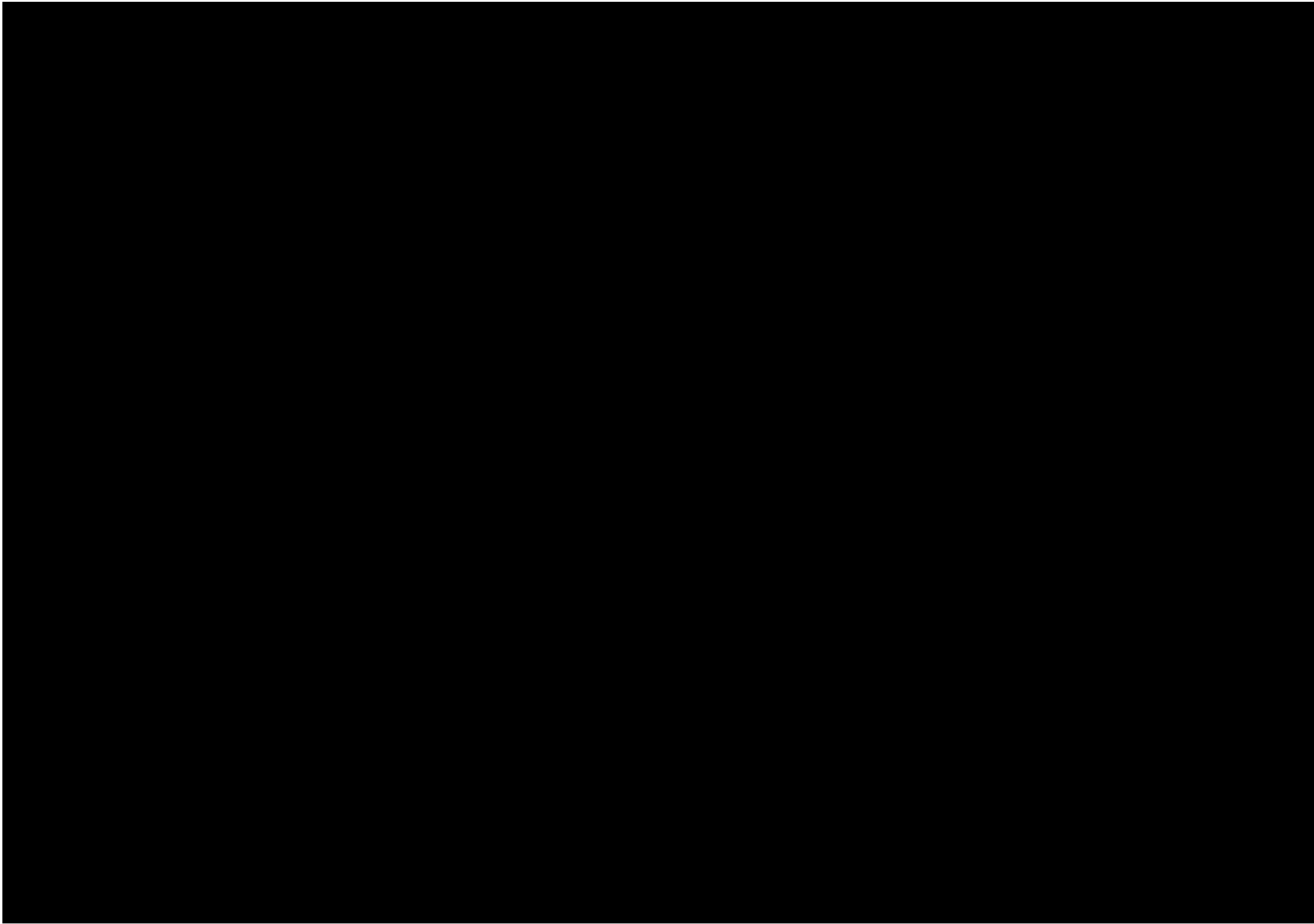


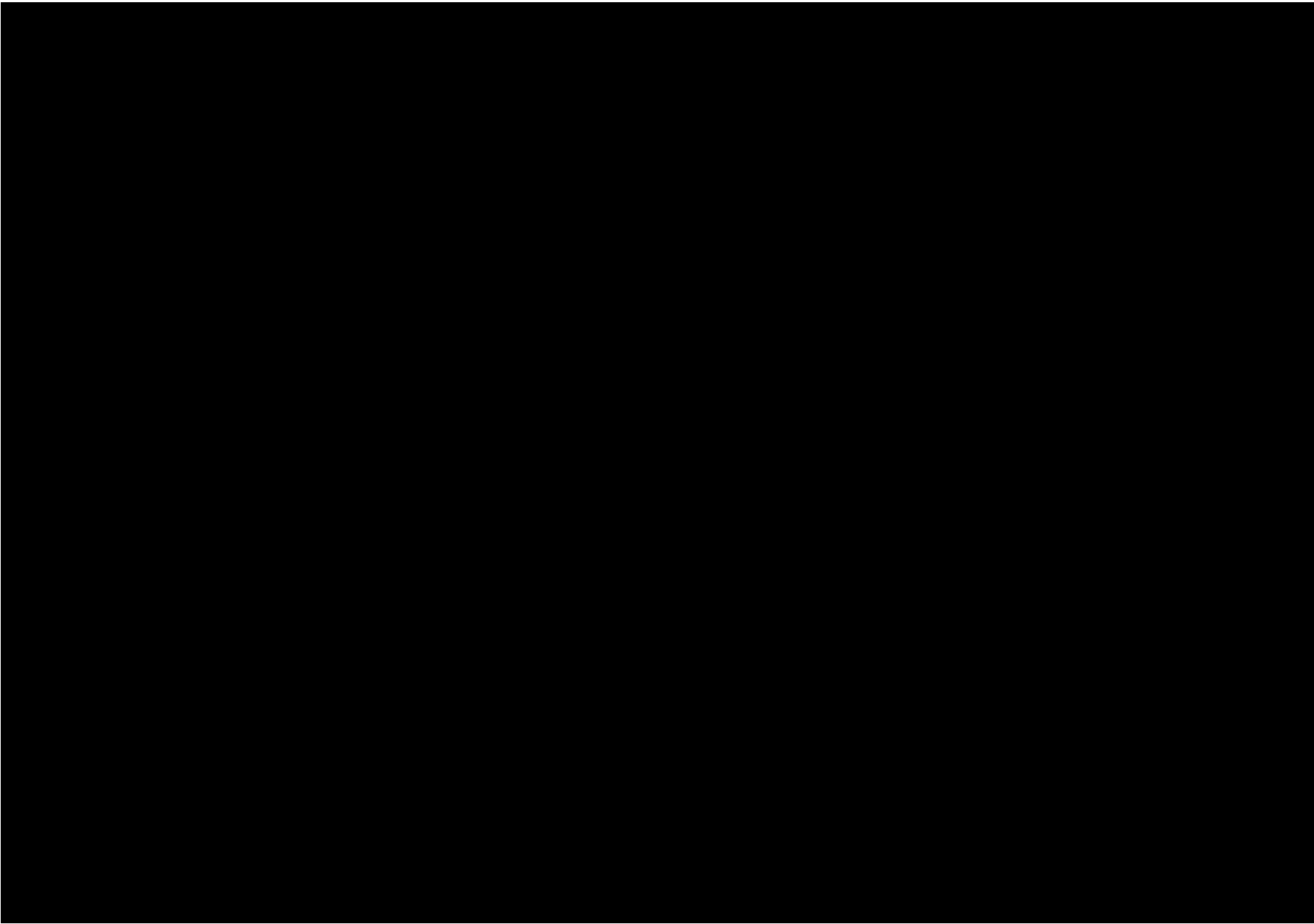


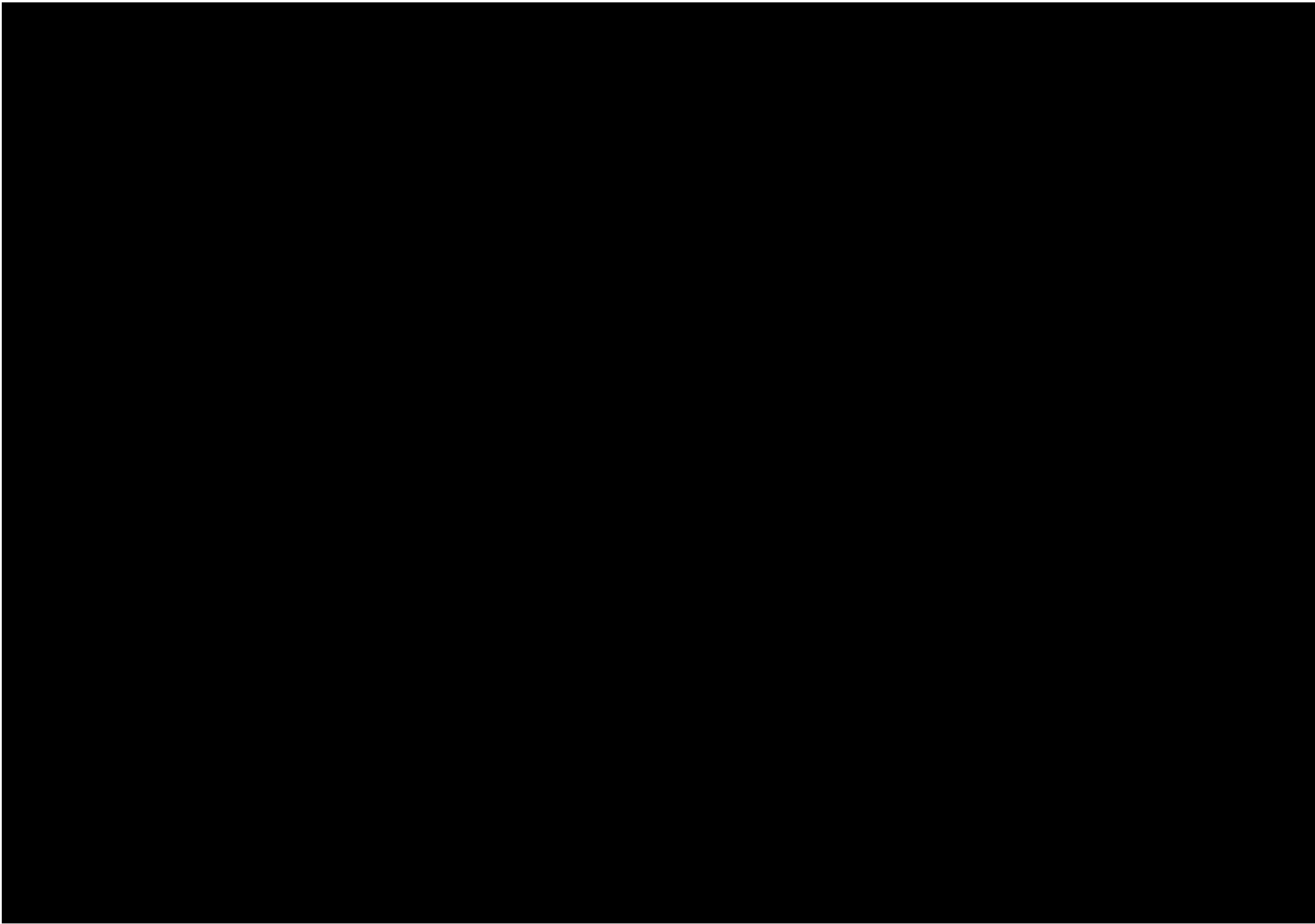






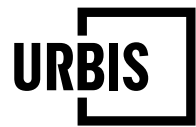




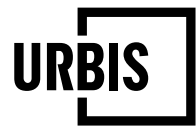


## **APPENDIX B – ACHA QUESTIONNAIRE**

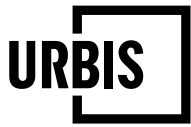
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2. **Representing your community members: Please state who you or your organisation represents. Do you or your organisation represent other members of the Aboriginal community? If so, please describe how information is provided to the other members, and how their information and knowledge may be provided back to the Proponent and Urbis.**

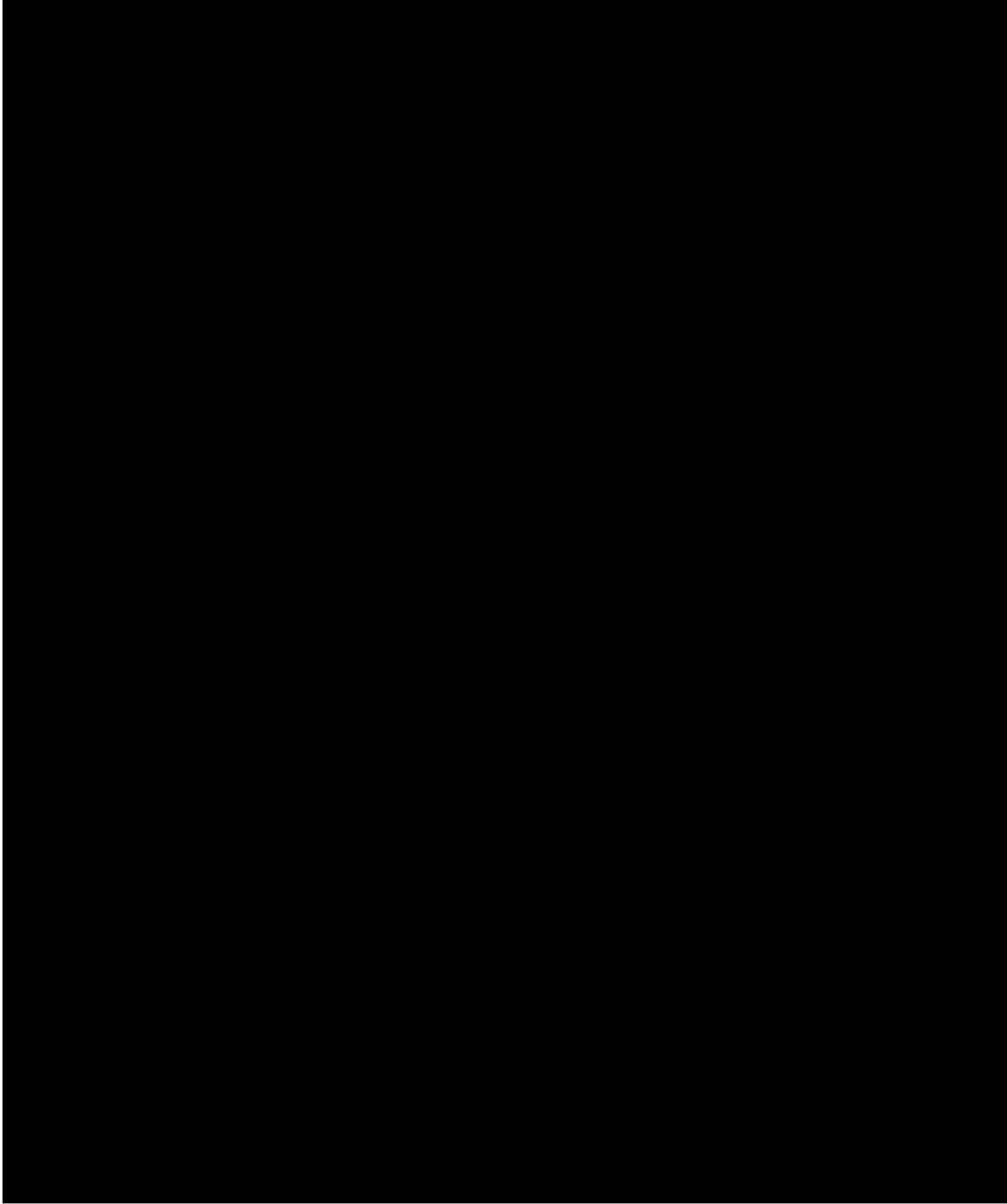


3. **Previous experience:** Please list your relevant (for example, in the area of the proposed project) previous experience in providing cultural heritage advice and survey participation.



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.





Thank you for your involvement with the Aboriginal Cultural Heritage Assessment (ACHA) for the proposed redevelopment of 156, 166, 173 & 183 Rickard Road, Leppington, NSW, legally referred to as Lot 1 DP 812366, Lot 2, DP 812366, Lot 37, DP 8979, and Lot 38A, DP 8979.

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 or Aaron Olsen (details below) by COB **2 November 2022**.

Aaron Olsen  
Consultant, Archaeology  
Urbis Pty Ltd  
Level 8, 123 Pitt Street, Sydney, 2000  
E: [aolsen@urbis.com.au](mailto:aolsen@urbis.com.au)  
P: 02 8233 9957

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 2 8233 9956  
E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

**SHAPING  
CITIES AND  
COMMUNITIES**



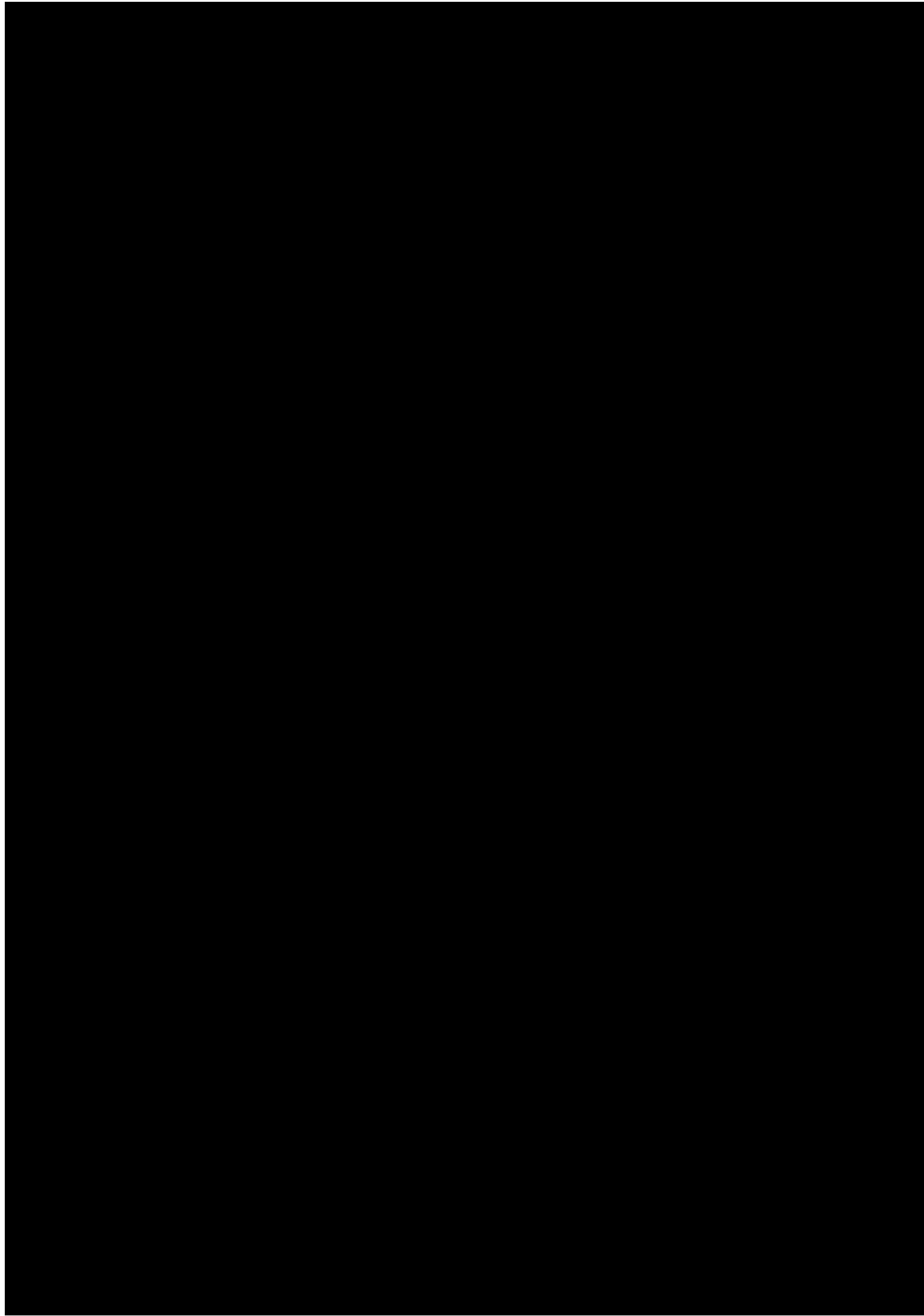
LEVEL 14, 1 WILLIAM STREET  
PERTH, WA 6000, AUSTRALIA  
T +61 8 9346 0500

Urbis recognises the traditional owners of the land on which we work.  
Learn more about our [Reconciliation Action Plan](#).

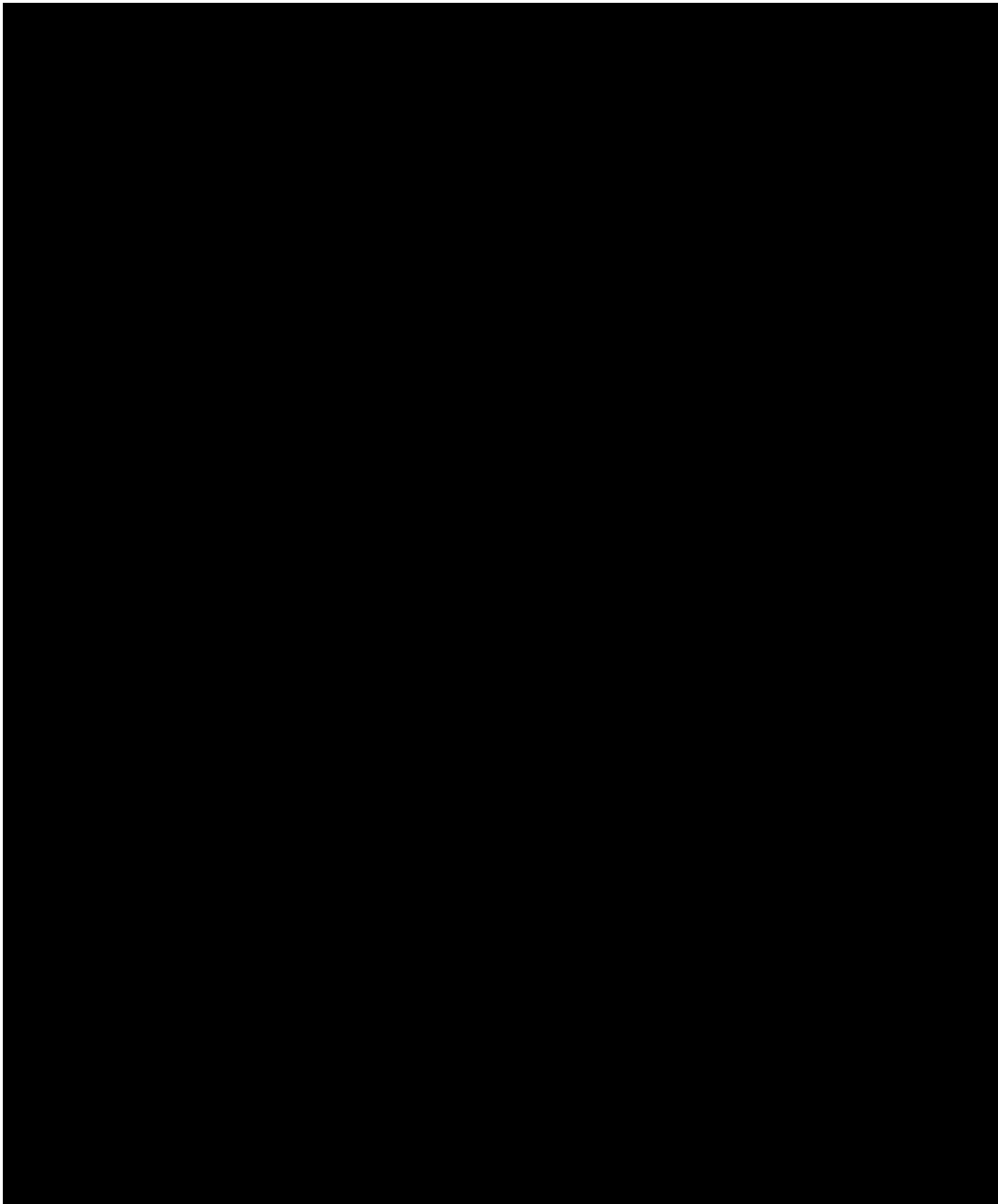
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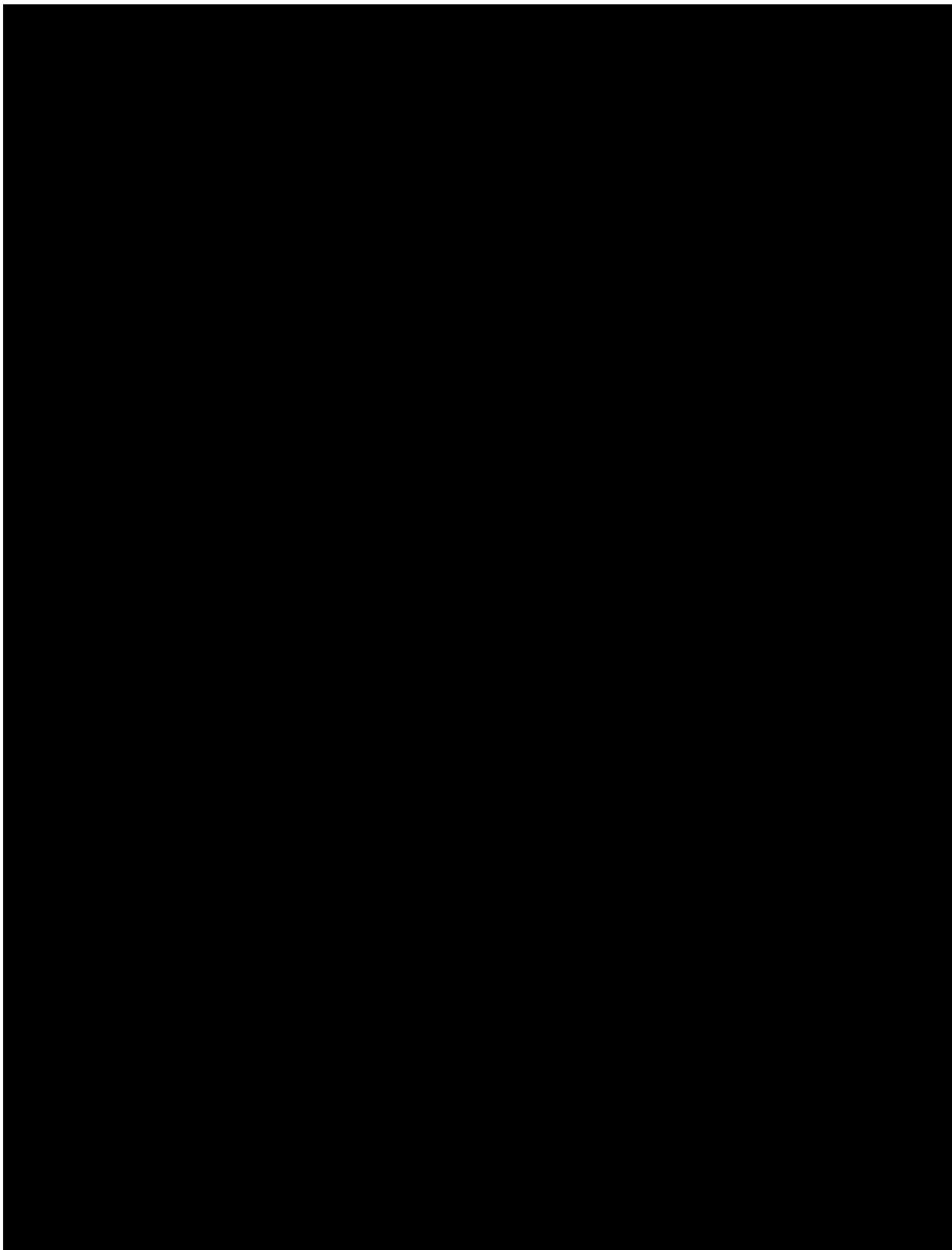
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Kind regards,

**WADE GOLDWYER**

CONSULTANT

D +61 2 8233 9956

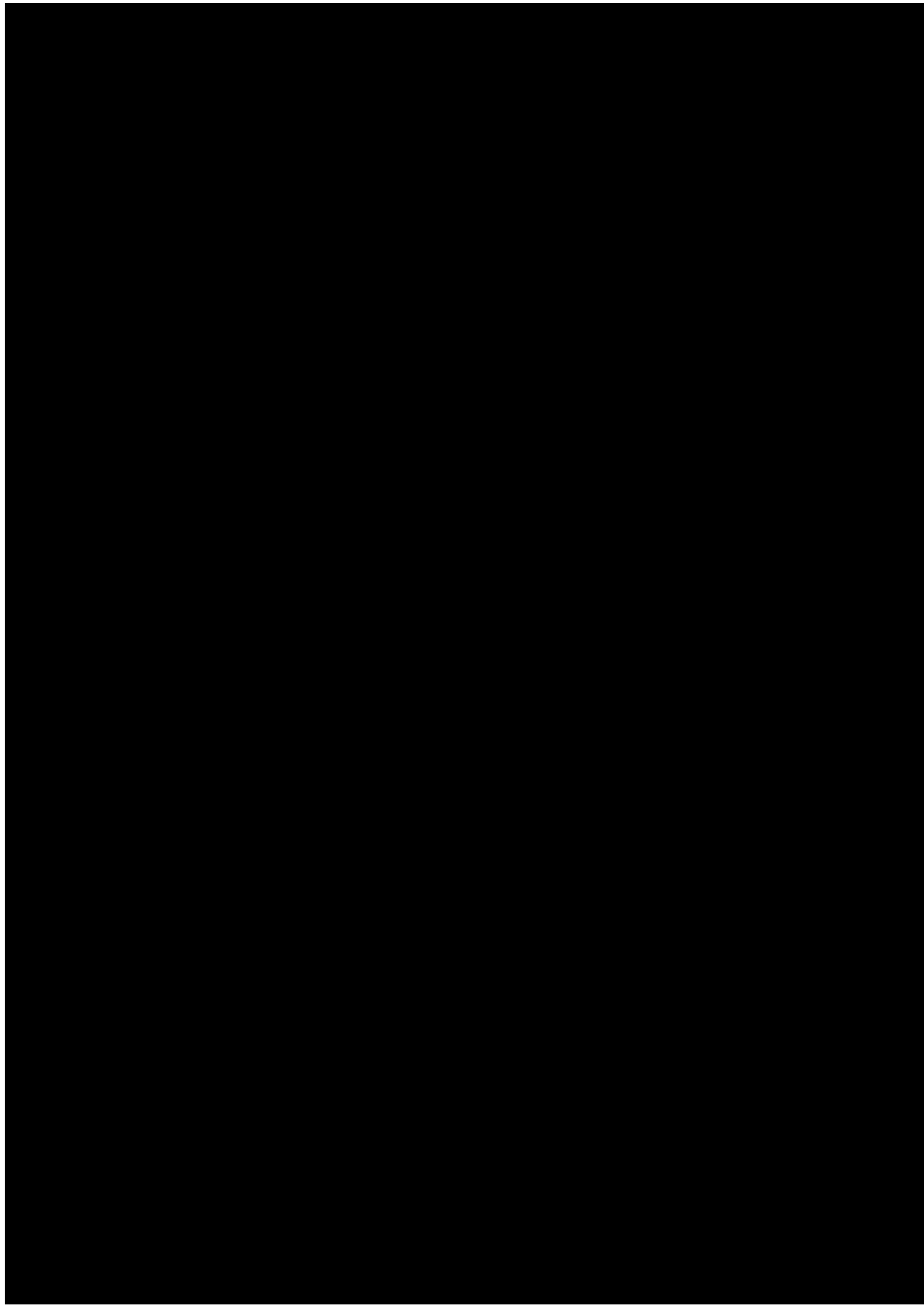
E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)



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PERTH, WA 6000, AUSTRALIA  
T +61 8 9346 0500

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Learn more about our **Reconciliation Action Plan**.

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**WADE GOLDWYER**  
CONSULTANT

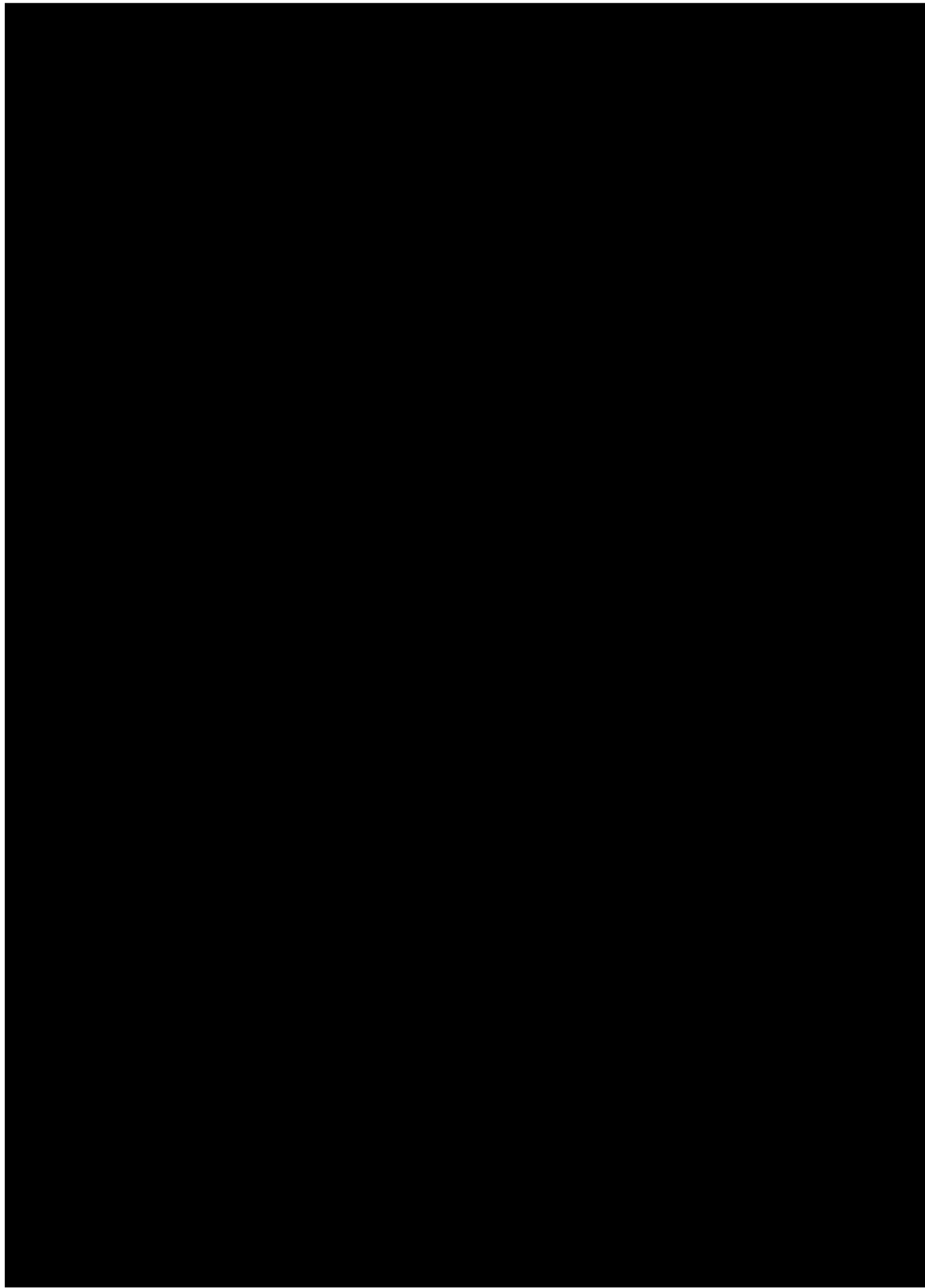
**D** +61 2 8233 9956

**E** [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

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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If you have any questions, please do not hesitate to get in contact.

Kind regards,

**WADE GOLDWYER**  
CONSULTANT

**D** +61 2 8233 9956

**E** [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

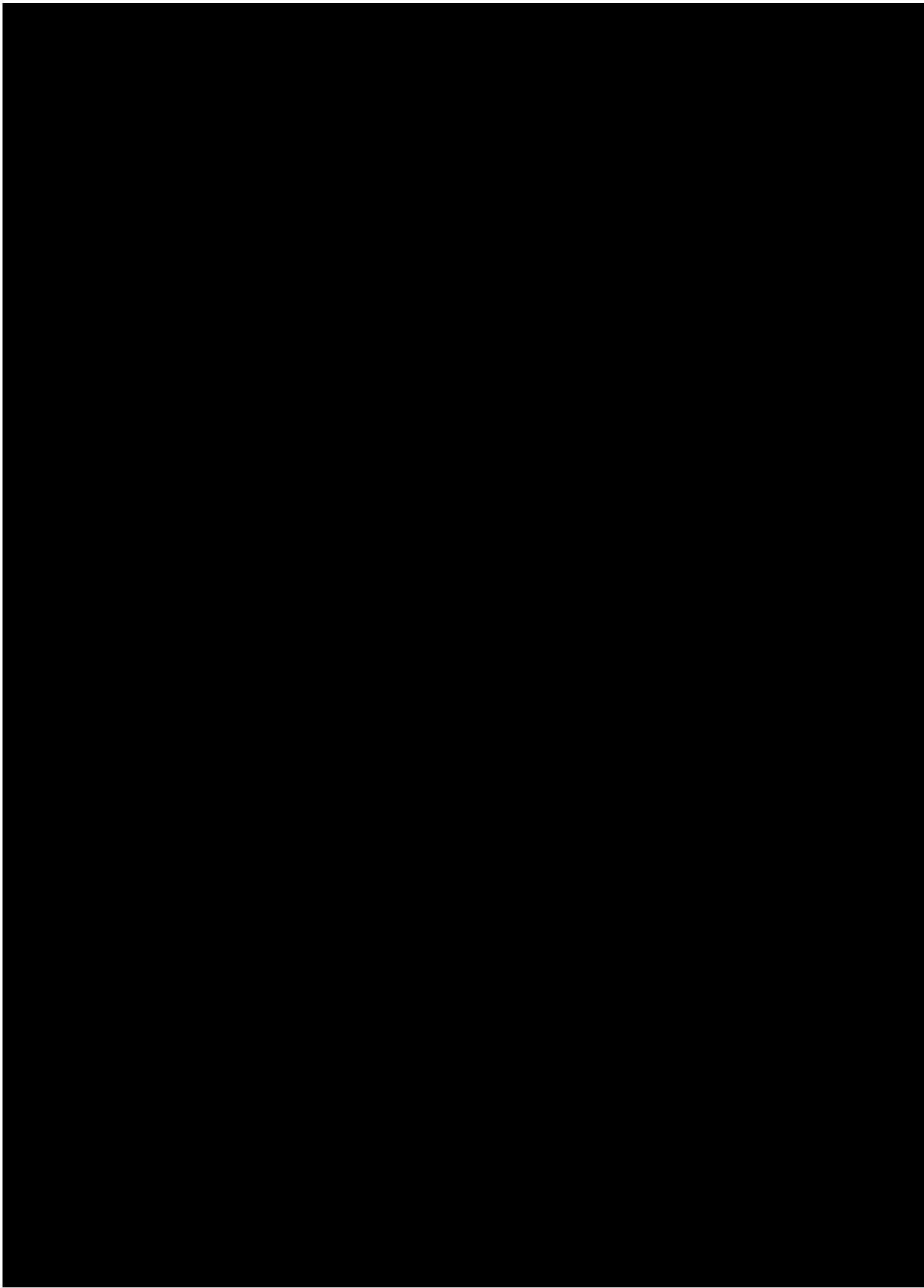
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[PERTH, WA](#) 6000, AUSTRALIA  
**T** +61 8 9346 0500

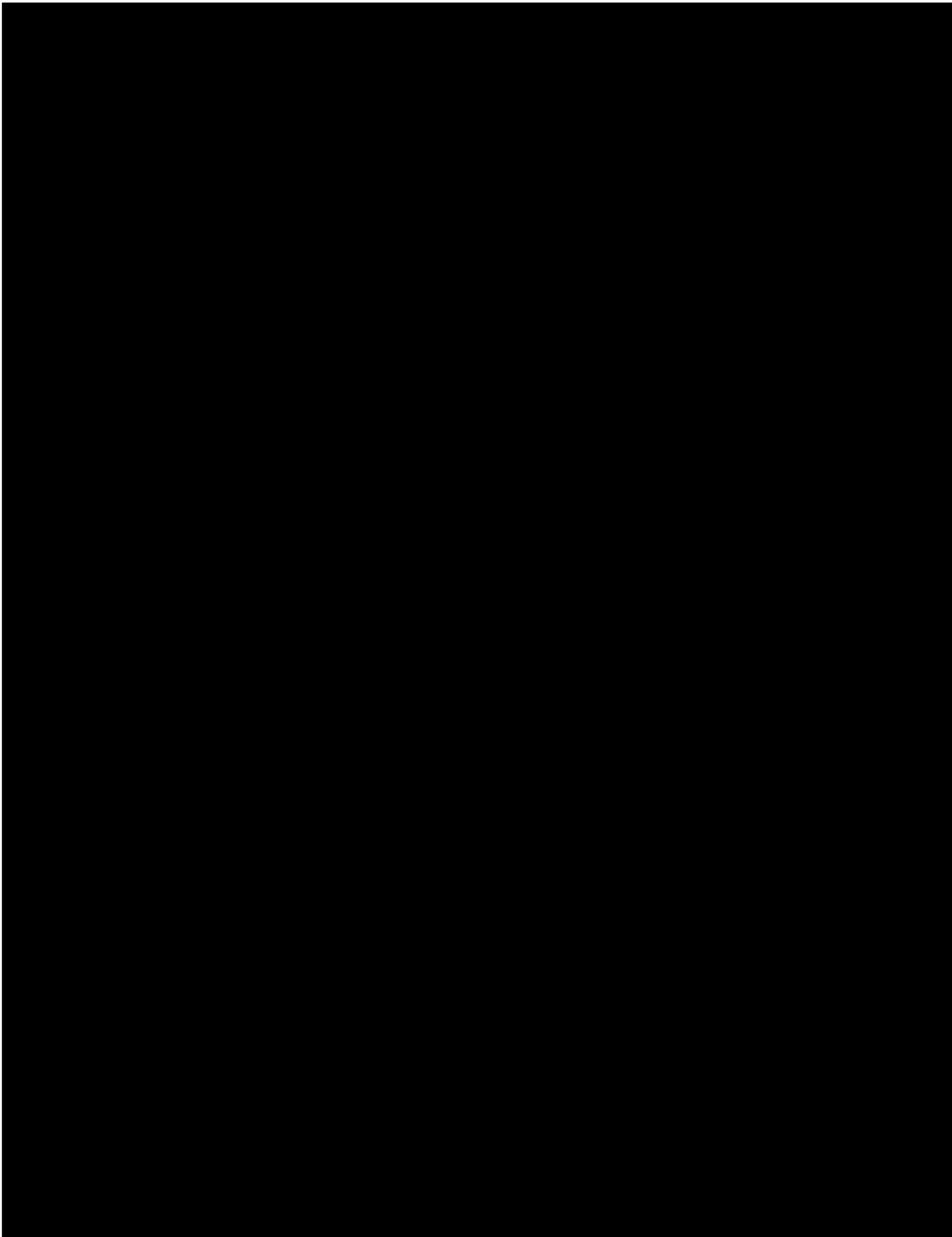
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methodology proposed to be implemented for the ACHA.

Please provide a response in writing, preferably by email, to myself or Aaron Olsen (details below) by COB **2 November 2022**.

Aaron Olsen

Consultant, Archaeology

Urbis Pty Ltd

Level 8, 123 Pitt Street, Sydney, 2000

E: [aolsen@urbis.com.au](mailto:aolsen@urbis.com.au)

P: 02 8233 9957

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

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D +61 2 8233 9956

E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

**SHAPING  
CITIES AND  
COMMUNITIES**



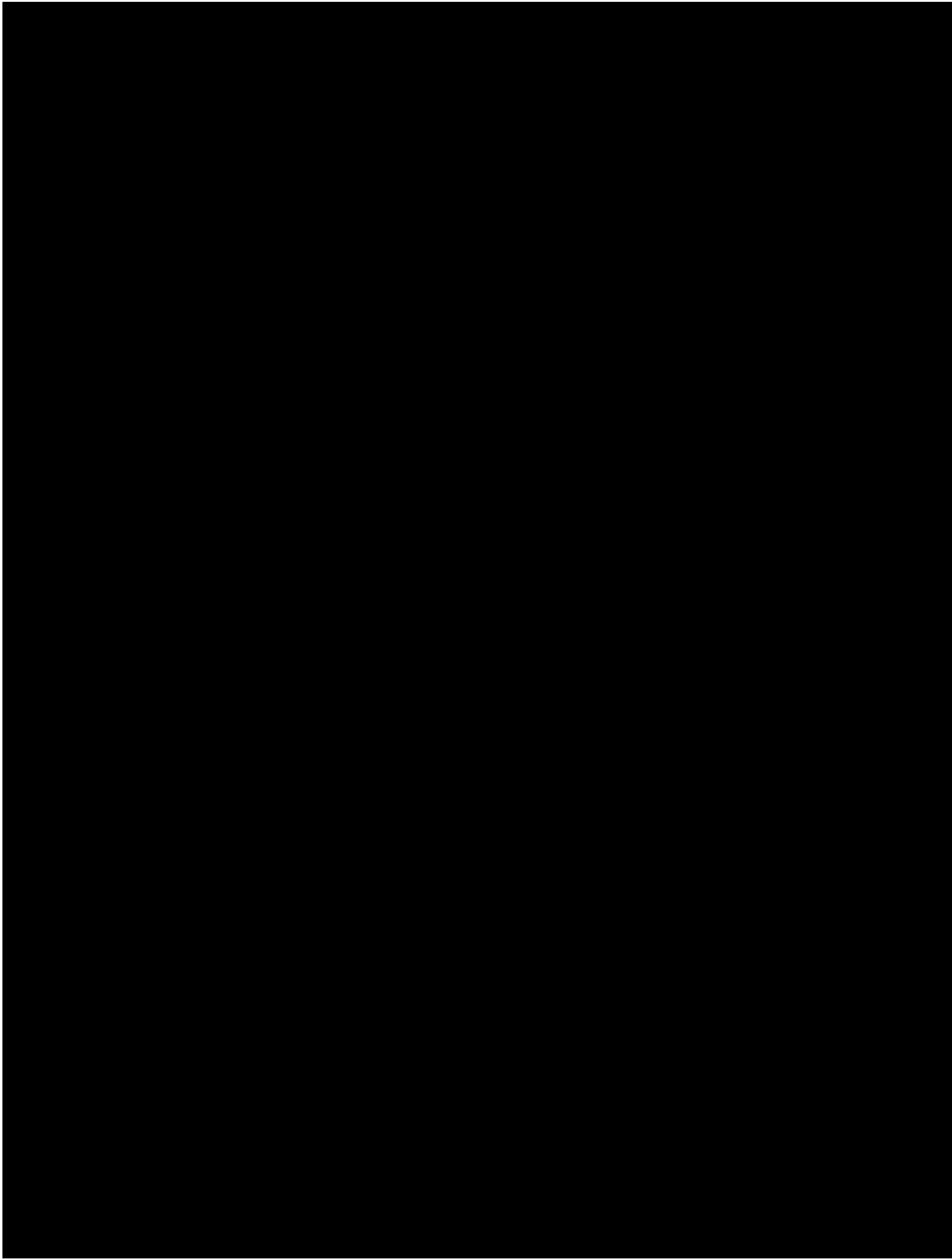
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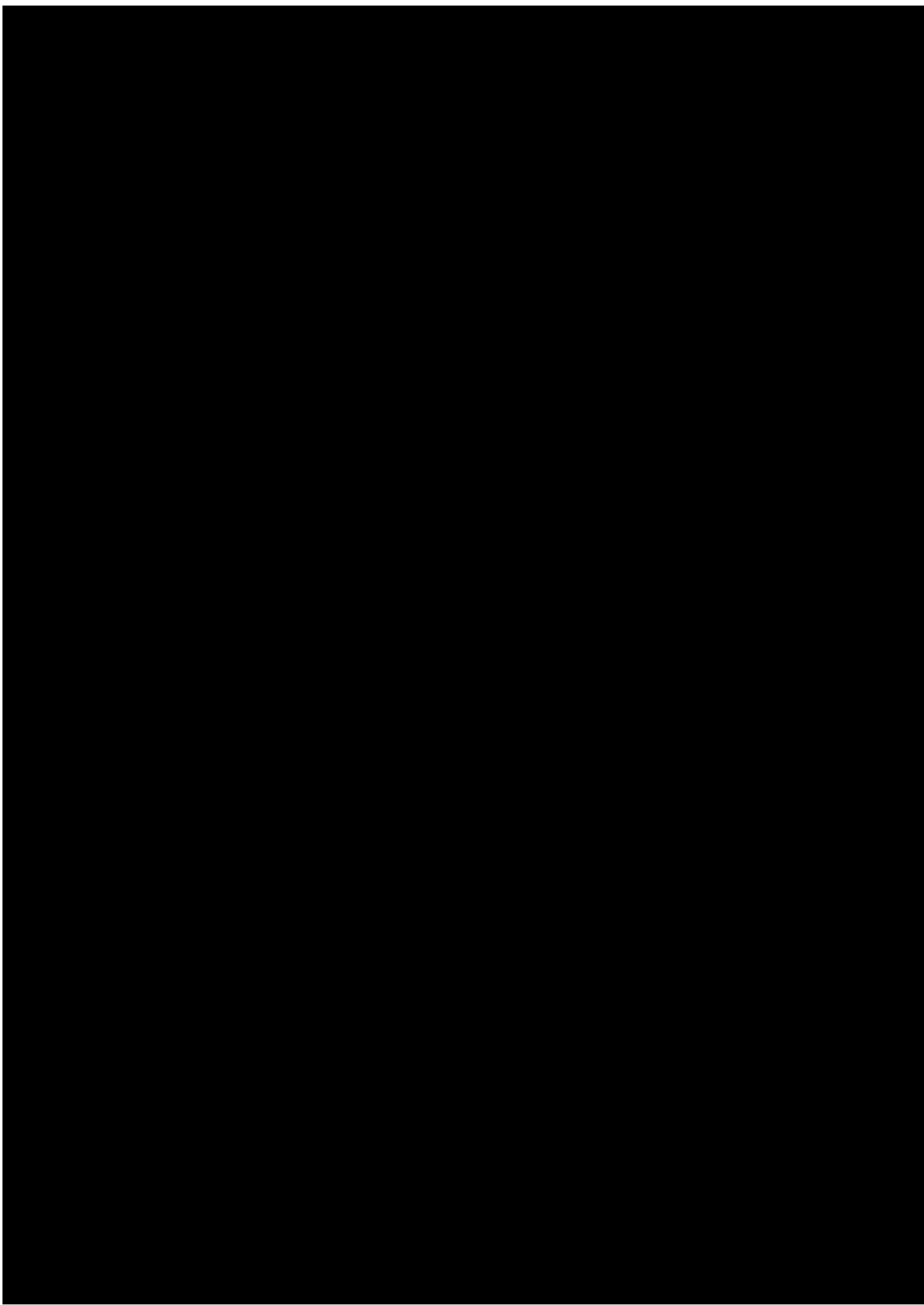
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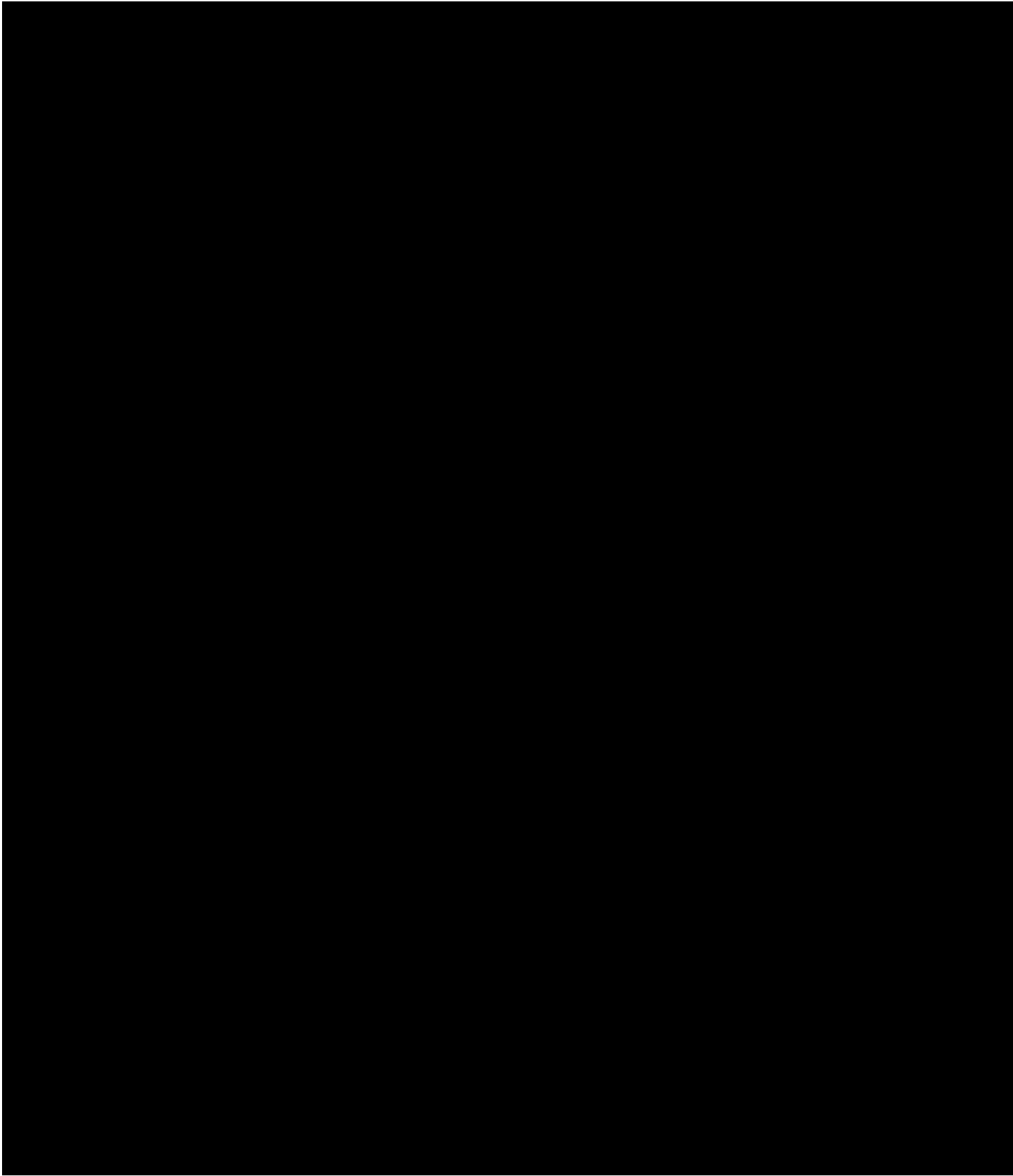




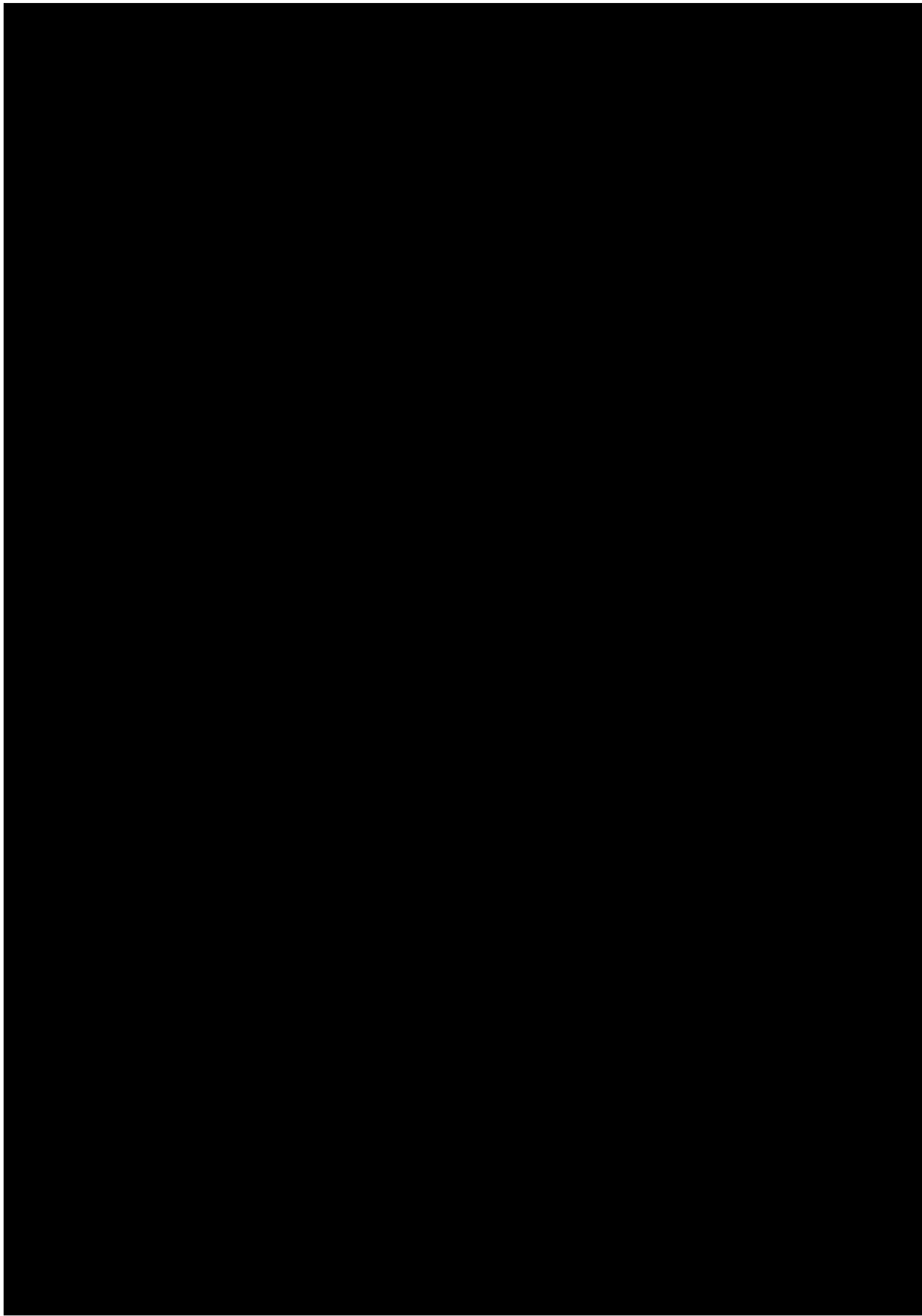


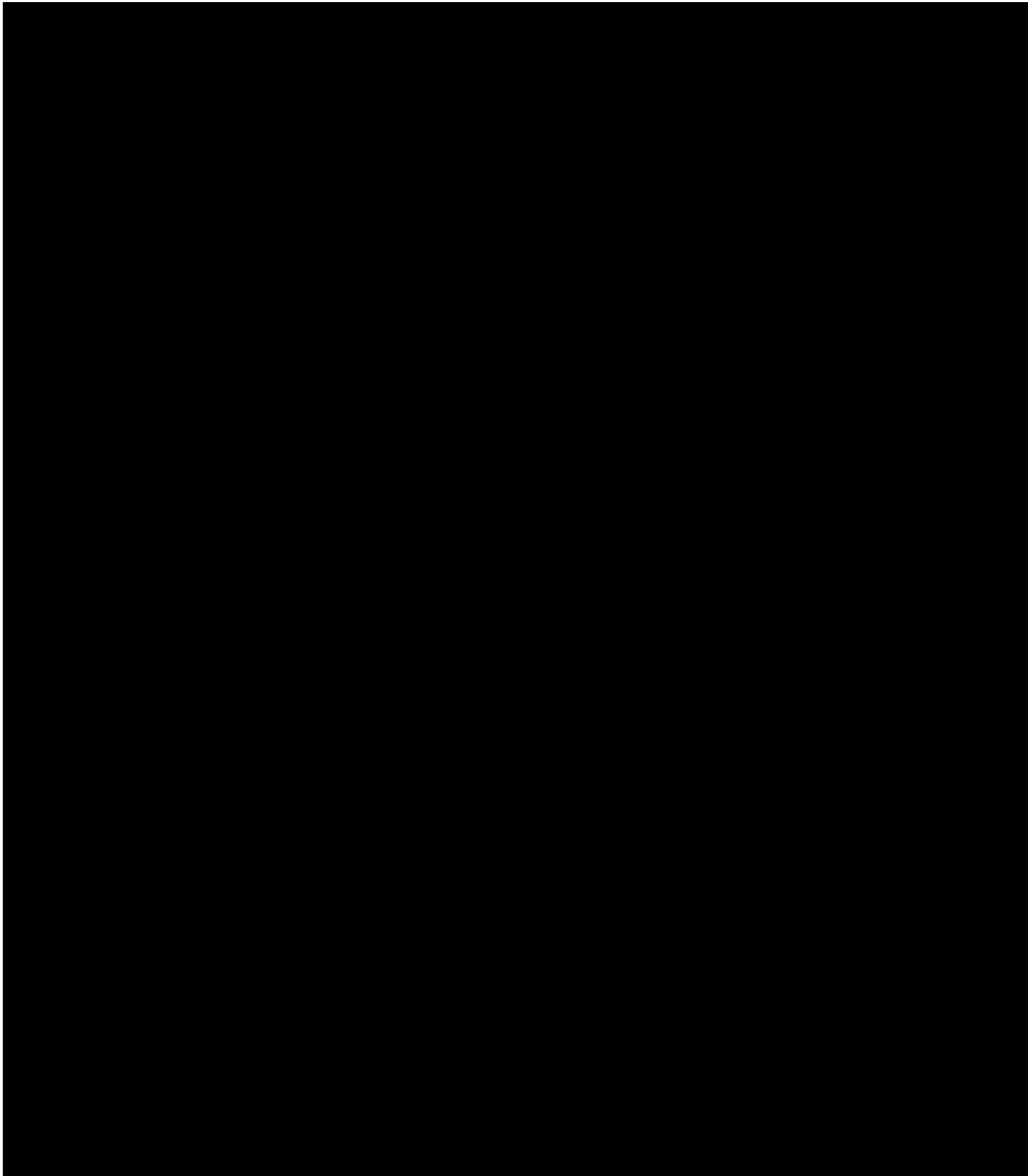


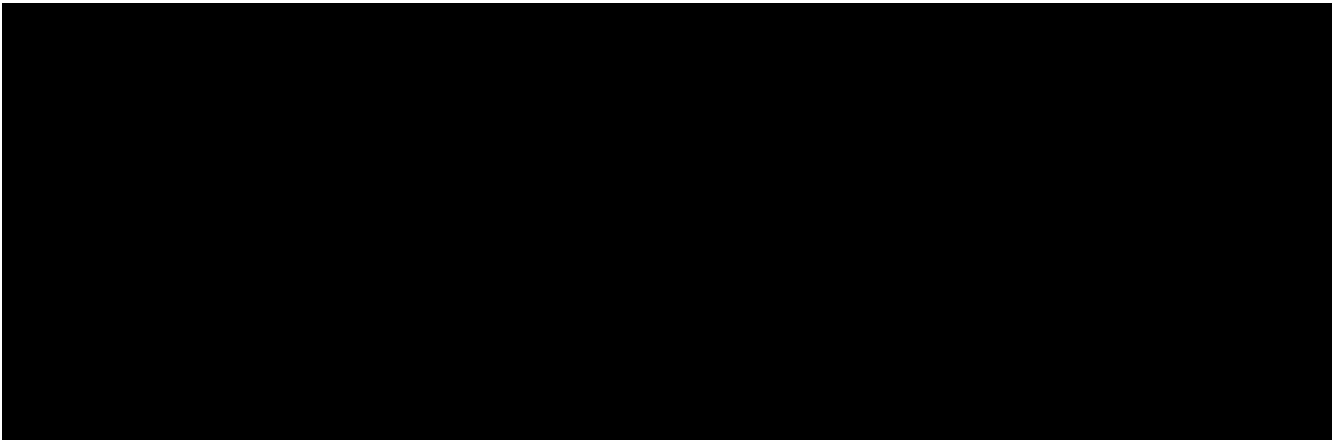




[The following text is a dense, handwritten manuscript, likely a letter or a page from a book. It is written in a cursive script and is mostly illegible due to the quality of the scan. The text appears to be a continuous paragraph or a series of connected sentences. The handwriting is fluid and somewhat slanted. There are some words that are more legible than others, but the overall content cannot be accurately transcribed. The text is written in dark ink on a light-colored paper. The margins are narrow, and the handwriting fills most of the page area.]







Good morning,

Thank you for registering your interest and taking an active role in the consultation process for the Aboriginal Cultural Heritage Assessment (ACHA) for the planning proposal for the future rezoning of two sites at Rickard Road Leppington, NSW (the subject area).

In accordance with Section 4.2 and 4.3 of the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW, 2010) (the Consultation Requirements) Urbis invites you on behalf of Aland (the Proponent) to register your interest in attending an on-site meeting and archaeological survey of the subject area. The meeting will provide the opportunity to familiarise yourself with the subject area, to discuss the cultural heritage approach and raise any cultural heritage information or concerns in accordance with Section 4.3 of the Consultation Requirements. The archaeological survey will take place after the meeting and will include a walkover of the subject area.

The site survey will take place from **10.00 am until approximately 2.00 pm, Tuesday 13<sup>th</sup> of December 2022**. The site survey will involve accessing the two sites and will require sturdy footwear. Please also bring enough water and food for the duration of the survey. Details regarding a meeting location has yet to be finalised and will be provided prior to the day.

The proponent has agreed to remuneration for one representative from each registered organisation for the site survey.

If you wish to attend the site survey, **please respond** accordingly and provide the following no later than **close of business tomorrow, Thursday December 8 2022**:

- Name and mobile phone number of the nominated site officer
- Certificates of Currency (if not already provided)
- Schedule of Rates (if not already provided)

Please provide your registration of interest and associated documentation to:

Owen Barrett  
Urbis Pty Ltd  
Level 8, 123 Pitt Street  
Sydney 2000 NSW  
P: 02 8424 5135  
E: [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

Please do not hesitate to contact us should you have any queries in relation to the provided information.

Kind regards

**OWEN BARRETT**  
CONSULTANT

## **STAGE 4 – REVIEW OF DRAFT ACHAR**



---

Good afternoon,

Thank you again for registering your interest in the above project.  
In accordance with Section 4.4 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Consultation Requirements), please find attached the draft Aboriginal Cultural Heritage Assessment Report (ACHAR) for your consideration and comment.

Please provide any comments in relation to the draft ACHAR by **11 April 2023** to:

Wade Goldwyer  
Consultant Urbis  
Level 8, 123 Pitt Street  
Sydney, NSW, 2000  
E: [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

If you have any questions, please let us know.

We look forward to hearing from you.

Kind regards

**WADE GOLDWYER**  
CONSULTANT  
D +61 8 9346 0506  
E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

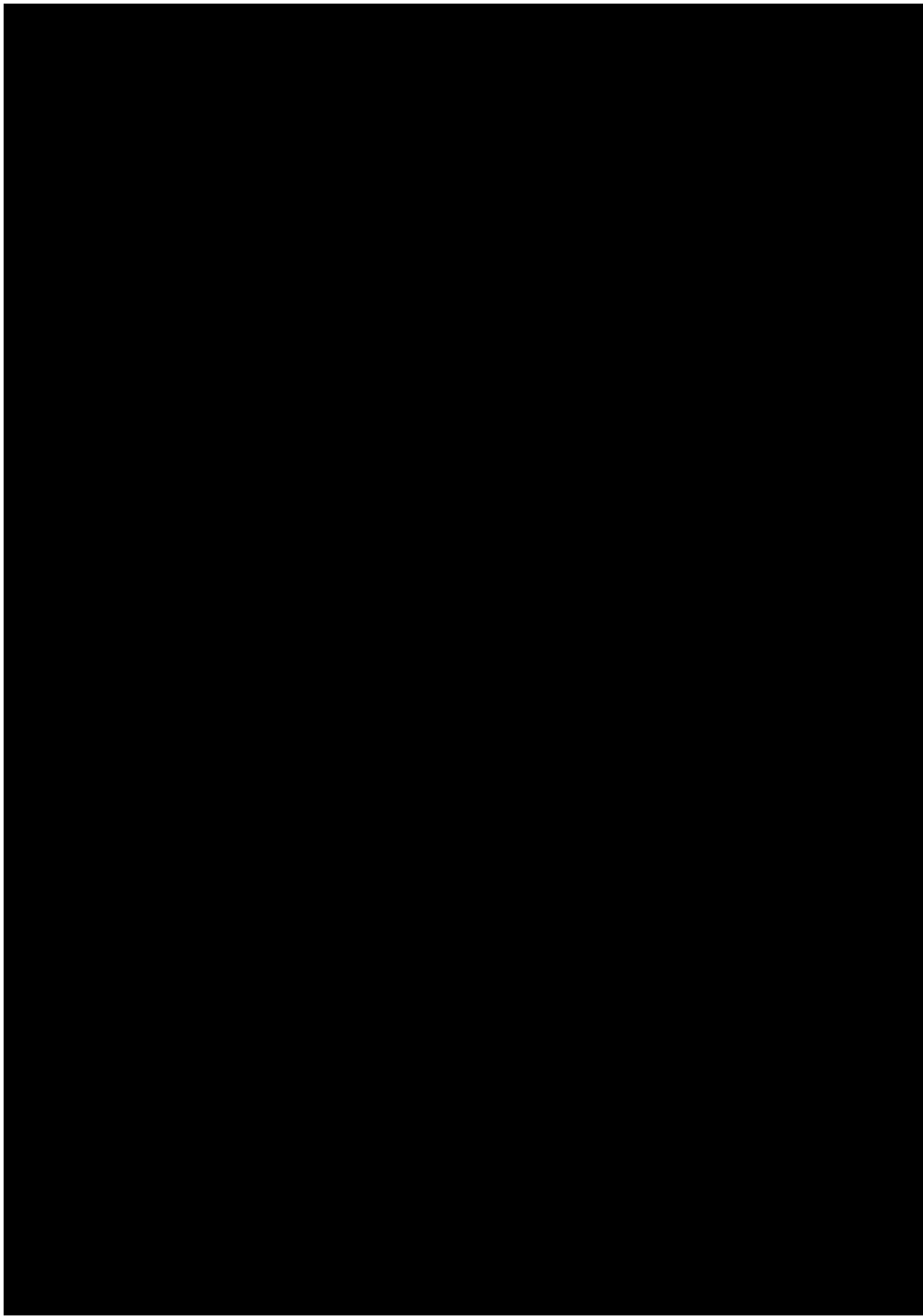
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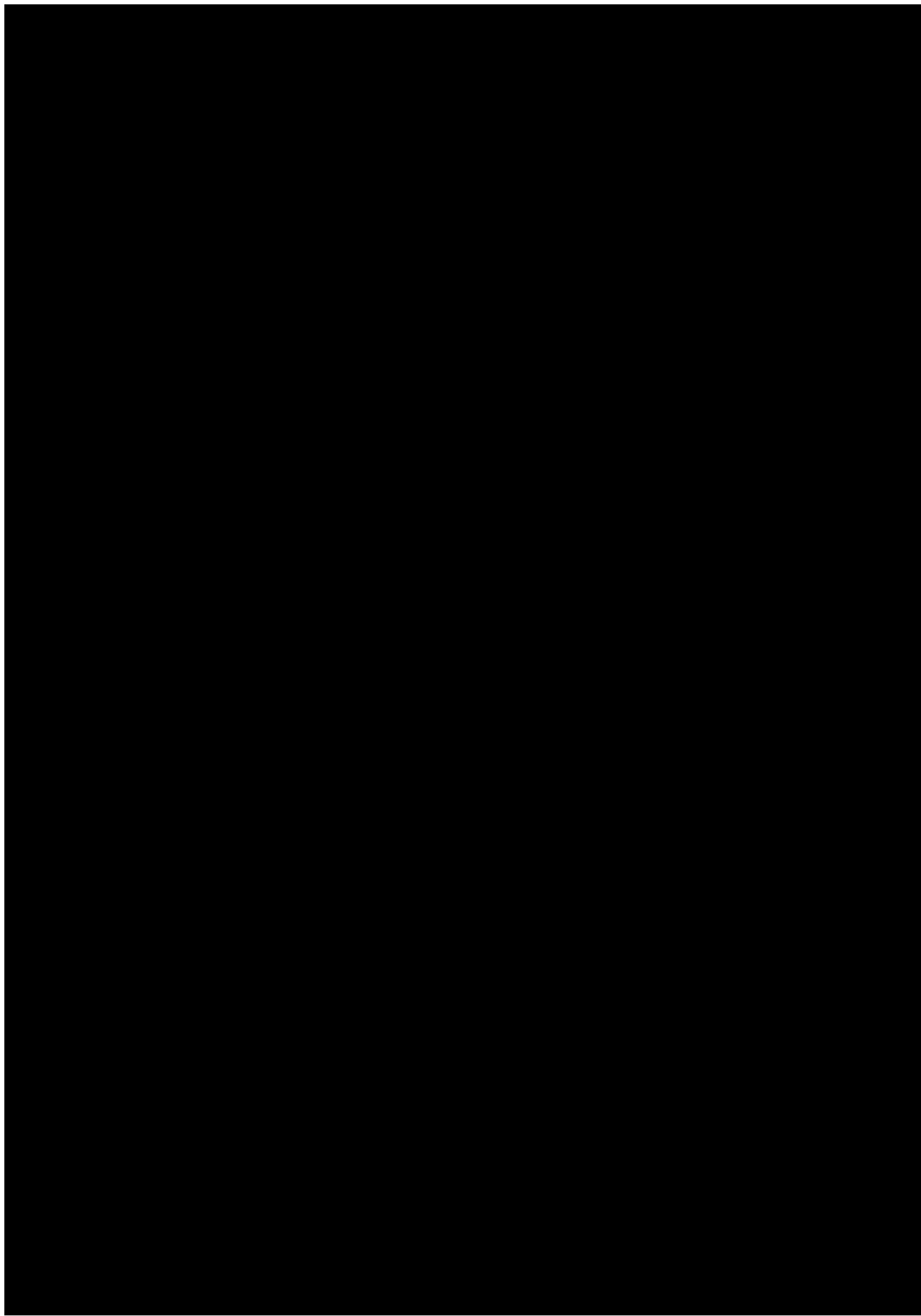


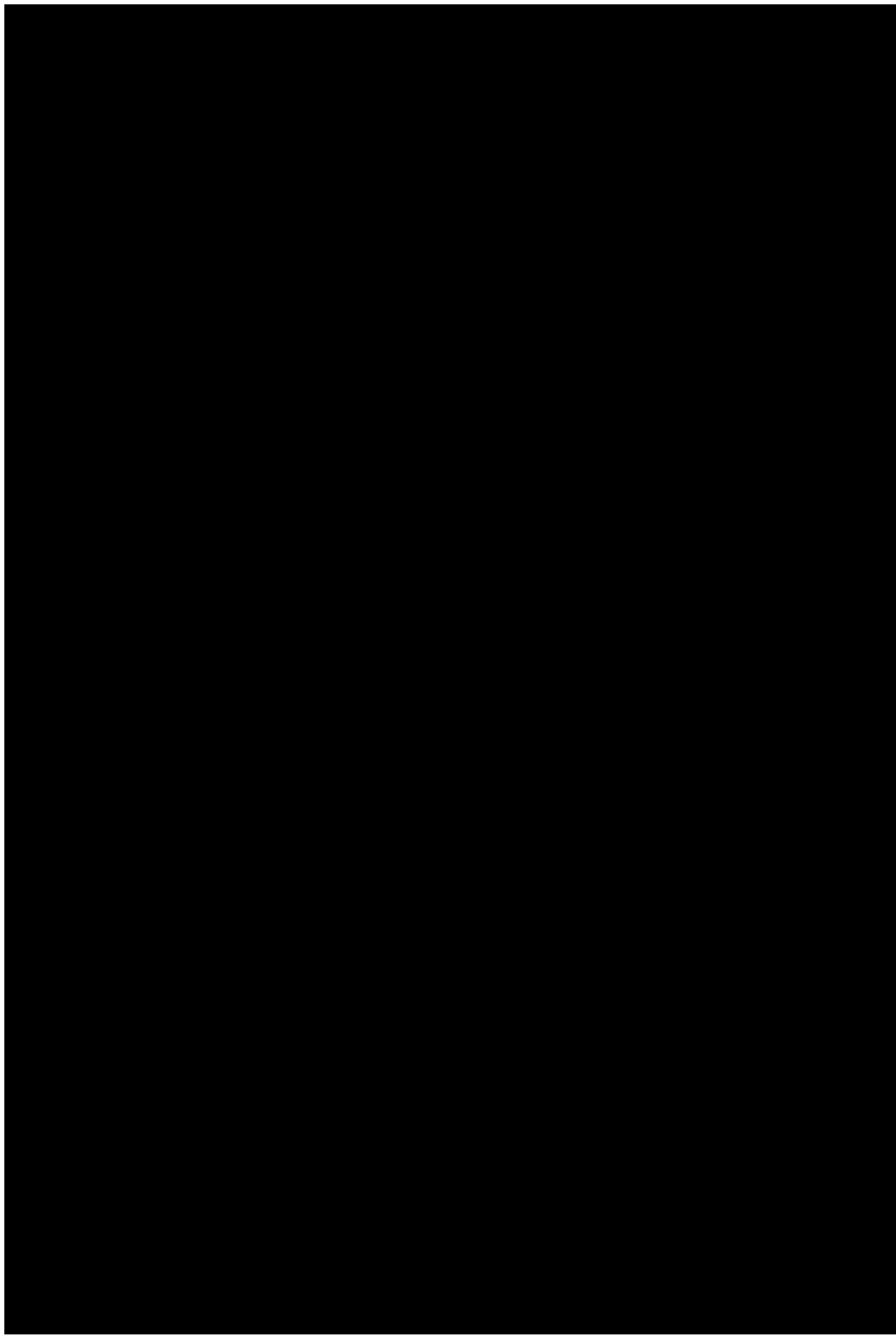
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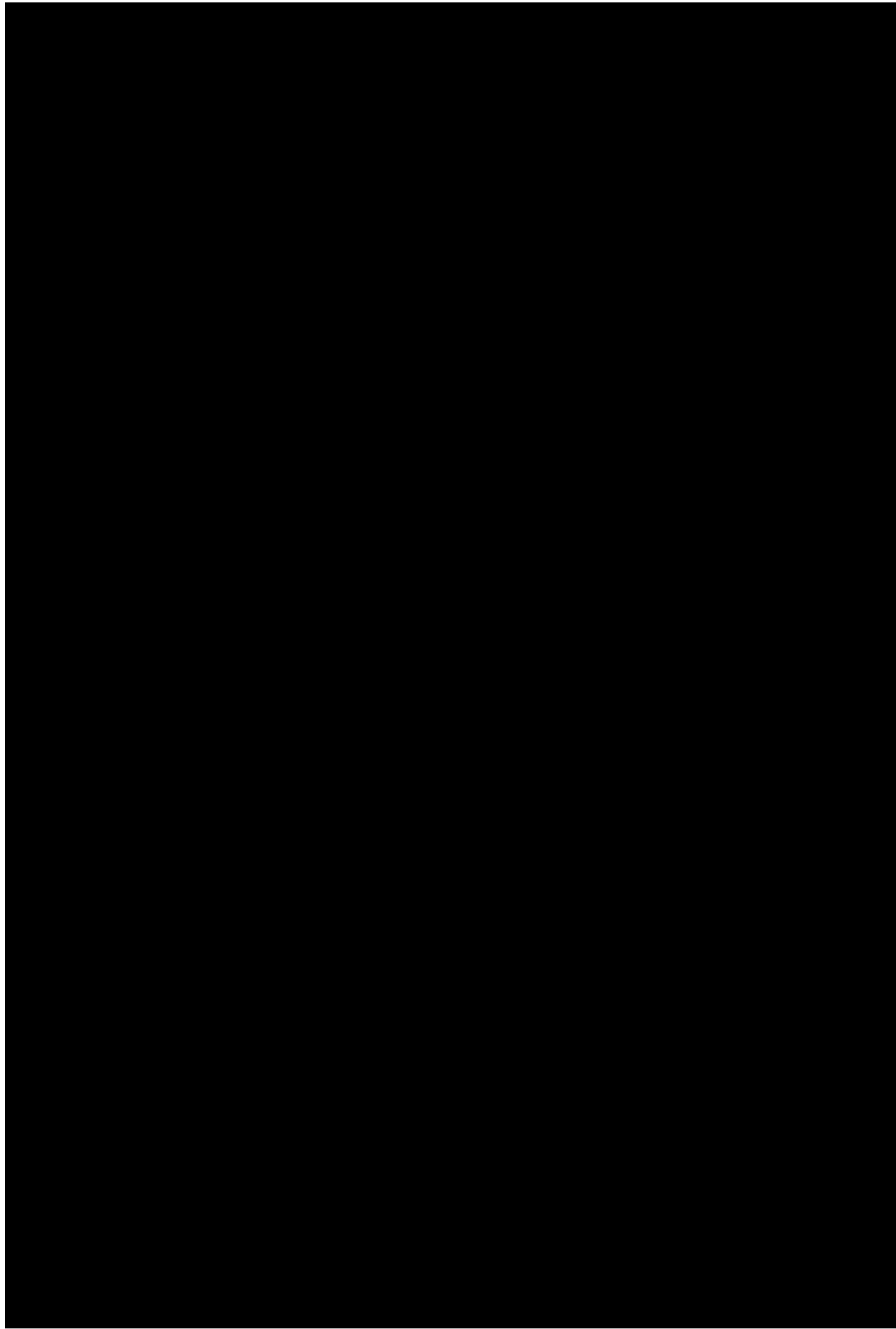


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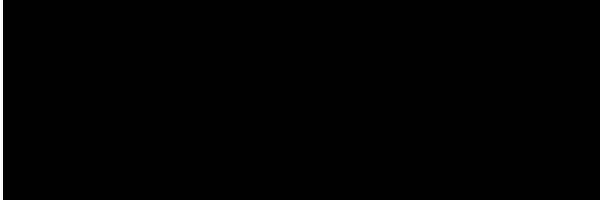
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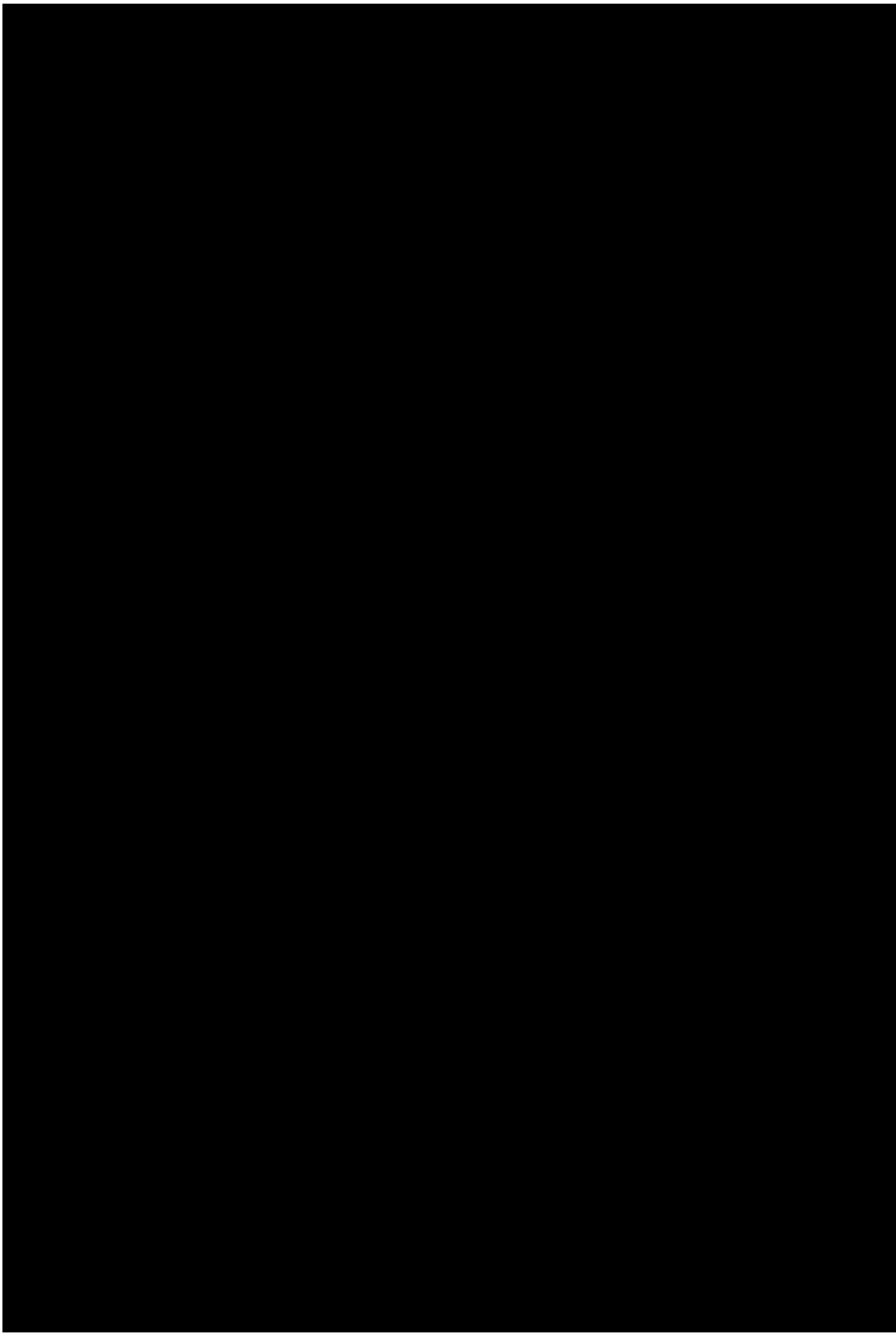


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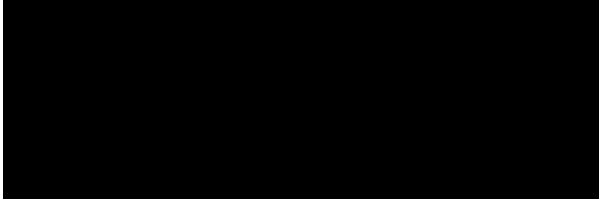
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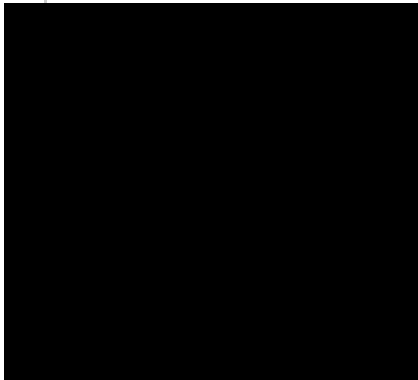


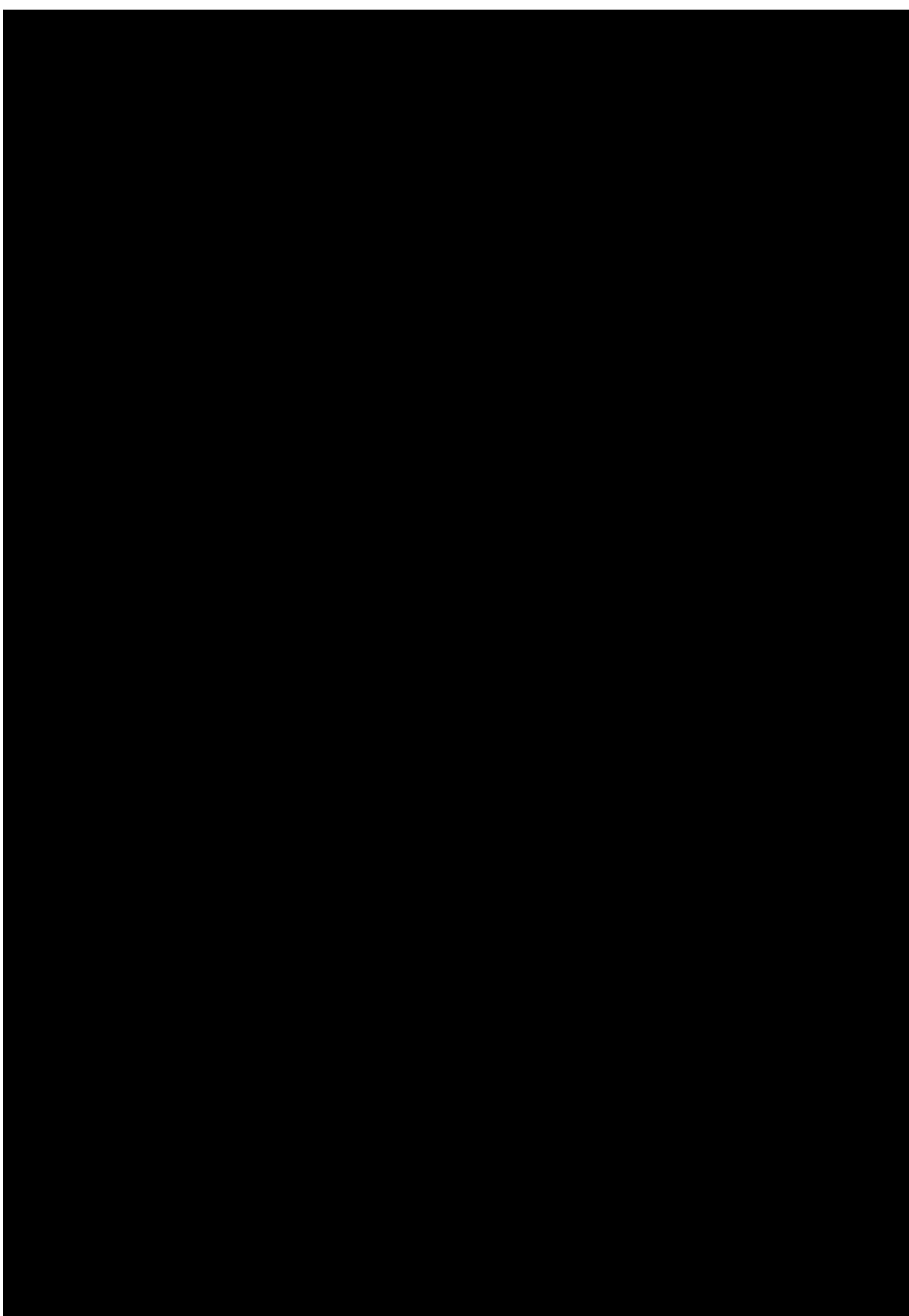
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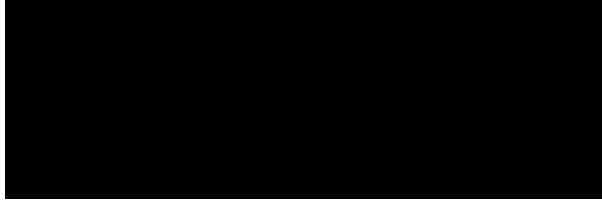
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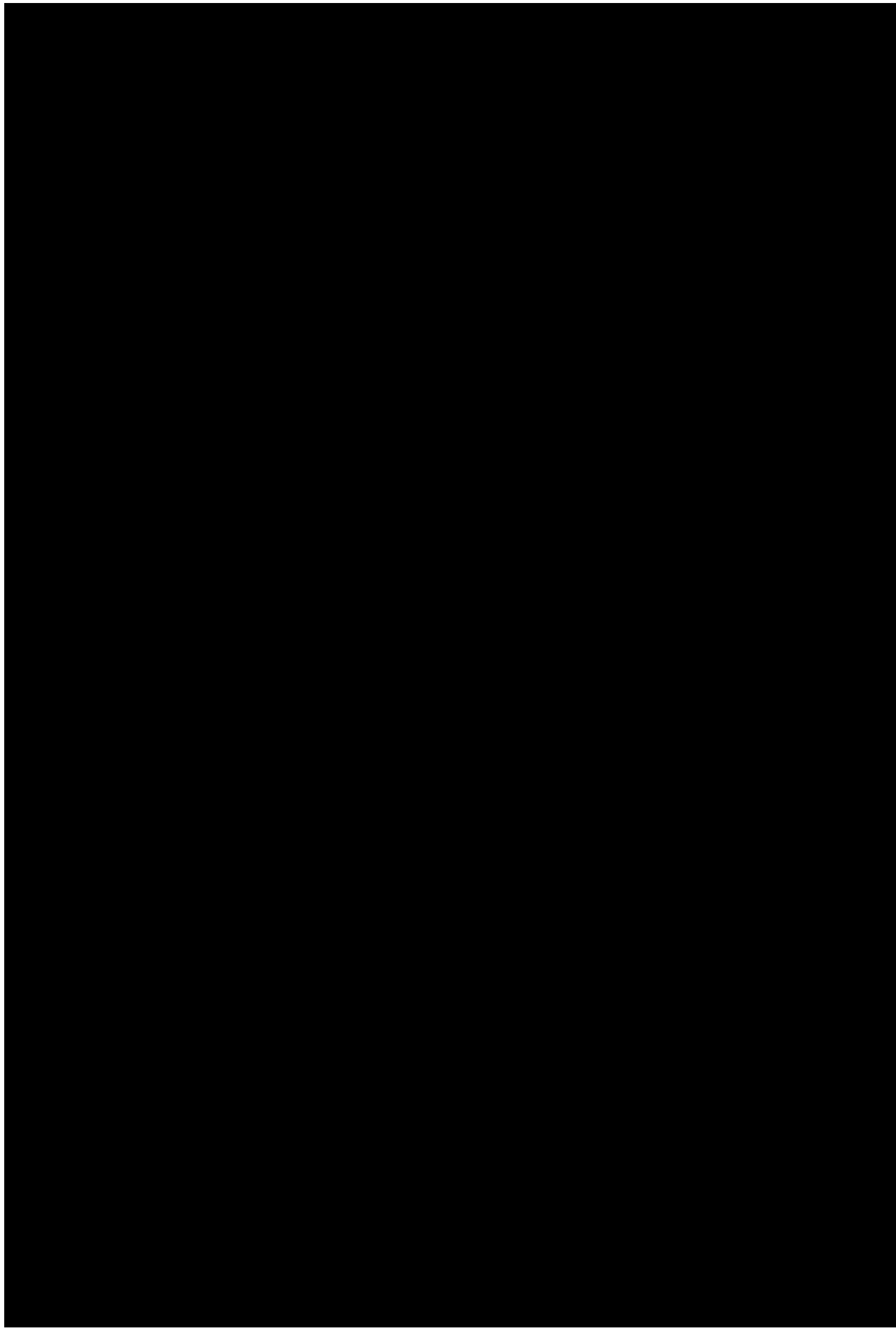


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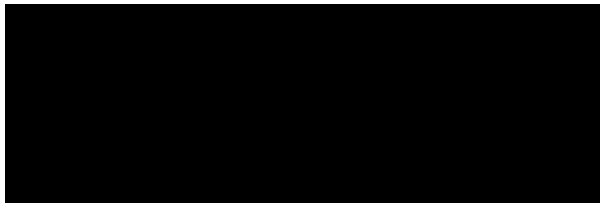


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Kind regards

**WADE GOLDWYER**

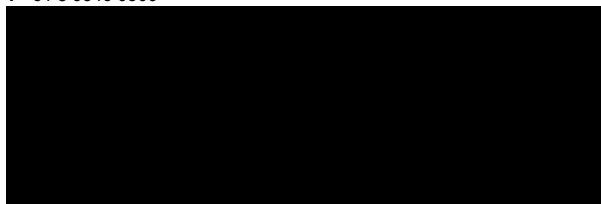
CONSULTANT

D +61 8 9346 0506

E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)



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## **APPENDIX D**

## **SITE CARD - ID# 45-5-5672 RICKARD ROAD ISOLATED FIND 1**



AHIMS site ID: 45-5-5672

Date recorded: 02-02-2023

## Site Location Information

Site name: Rickard Road Isolated Find 1

Horizontal Accuracy (m): 4

Zone: 56

Non-Differential GPS

## Recorder Information

(The person responsible for the completion and submission of this form)

Title	Surname	First name
Mr.	Barrett	Owen
Organisation:	Urbis	
Address:	ANGEL PLACE, LEVEL 8, 123 PITT STREET SYDNEY, NSW 2000	
Phone:	0284245135	E-mail: obarrett@urbis.com.au

## Site Context Information

Land Form Pattern:	Rolling Hills	Land Use:	Semirural
Land Form Unit:	Slope	Vegetation:	Isolated clumps of trees
Distance to Water (m):	180	Primary Report:	Urbis 2023, Rickard Road Leppington ACHA
How to get to the site:	Enter 156 Rickard Road Leppington and head to the rear of the property. The artefact is located approximately 40m from the rear boundary on an informal racetrack		
Other site information:	Approx. 180m from flat ground to the east of the property, which is currently dammed and utilised as market gardens. Potential for ephemeral water source in the past.		



Site contents information

open/closed site:

Site condition:

Features:

		Number of features	Length of feature(s) extent (m)	Width of feature (s) extent (m)	Scarred Trees			
					Scar Depth (cm)	Regrowth (cm)	Scar shape	Tree Species
1.	<input type="text" value="Artefact"/>	<input type="text" value="1"/>	<input type="text" value="10"/>	<input type="text" value="10"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Feature condition:

Description:

A multi directional silcrete core with various flake scars was observed on informal racetrack during archaeological survey. No other artefacts were observed in the vicinity, however, visibility adjacent to racetrack was very low due to the presence of vegetation.

Features:

		Number of features	Length of feature(s) extent (m)	Width of feature (s) extent (m)	Scarred Trees			
					Scar Depth (cm)	Regrowth (cm)	Scar shape	Tree Species
2.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Feature condition:

Description:

Features:

		Number of features	Length of feature(s) extent (m)	Width of feature (s) extent (m)	Scarred Trees			
					Scar Depth (cm)	Regrowth (cm)	Scar shape	Tree Species
3.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Feature condition:

Description:

### Features:

4.

Feature condition:

Description:

### Features:

5.

Feature condition:

Description:

Scarred Trees			
Scar Depth (cm)	Regrowth (cm)	Scar shape	Tree Species
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Scarred Trees			
Scar Depth (cm)	Regrowth (cm)	Scar shape	Tree Species
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

## Site photographs



Description:

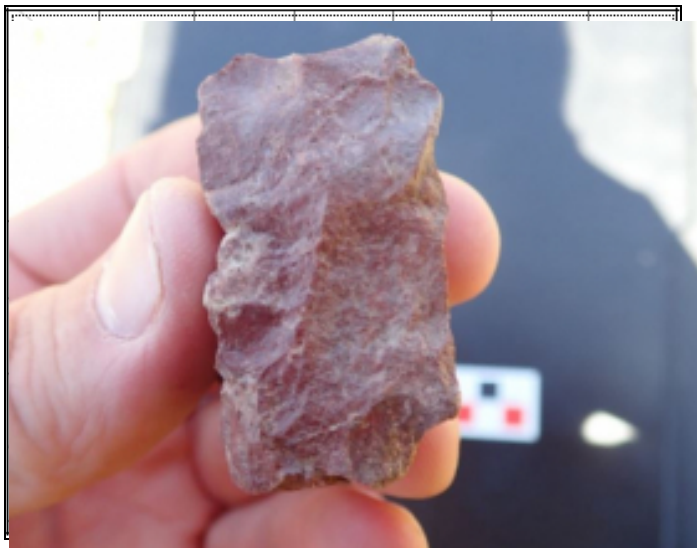


Description:



Description:

Detail of multi directional silcrete core



Description:

Detail of multi directional silcrete core

## Site restrictions

Do you want to

Restrict this site?:

☐

Restriction type:

Gender

General

Location

N/A

☐☐

Why is this site restricted?:

## Further information contact

Title

Surname

First name

Organisation:

Address:

Phone:

E-mail:

## Site interpretation and community statement

