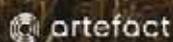


Energy from Waste Facility, Eastern Creek

Aboriginal Cultural Heritage
Assessment Report

Report to Urbis
March 2015



Artefact Heritage
ABN 73 144 073 526 +61 2 9025 3958
Lvl 1/715 New South Head Rd office@artefact.net.au
Rose Bay 2029
PO BOX 772 Rose Bay
NSW Australia 2029

EXECUTIVE SUMMARY

The Next Generation NSW (the Proponent), propose to develop an Energy from Waste (EFW) facility at Eastern Creek. The proposed EFW works will include the construction of an Electricity Generation Plant; with ancillary works related to the preparation and subsequent operation of the EFW. The works will be located within Lots 1 to 2 of DP1145808, in the Blacktown City Council Local Government Area (LGA). The subject site is bounded by the M4 Western Motorway, the Hanson Wallgrove Quarry, transmission line easement and Archbold Road (Figure 1)

An Aboriginal Archaeological Technical Report (ATR) and Aboriginal Cultural Heritage Assessment Report (ACHAR) was prepared by Godden Mackay Logan (GML) in 2014 for the Eastern Creek EFW Facility Environmental Impact Statement (EIS). A copy of the ATR is provided in Appendix A and the ACHAR in Appendix B. GML identified one area of moderate archaeological potential and two areas of high archaeological potential (2014a:40). However, only one of these areas of archaeological potential will be directly impacted by the proposed works. The area is known as EFW South (AHIMS 45-5-4491), and is located on an elevated area at the confluence of three waterlines in the southeast corner of the subject site (Figure 4). Therefore GML recommended that an archaeological test excavation was required to assess the nature, extent, condition and integrity of the site (2014a:49).

Following the preparation of test excavation methodology (Artefact 2014) for EFW South, archaeological test excavation was conducted over a period of four days at the proposed EFW Facility. Test excavation of PAD site EFW South (AHIMS 45-5-4491) retrieved an assemblage of fourteen artefacts from nine of the thirty-seven 500x500 mm excavation units. The Archaeological Test Excavation Report is included as Appendix C.

Artefact Heritage has been engaged by Urbis to prepare an updated addendum to 2014 ACHAR prepared by GML, to incorporate the additional Aboriginal consultation and results of test excavation.

Overview of findings

The following recommendations were based on consideration of:

- Statutory requirements under the EP&A Act 1979.
- The requirements of the DGRs.
- The results of background research, archaeological test excavation and assessment.
- The likely impacts of the proposed development.
- The interests of Aboriginal stakeholders.

It was found that:

- EFW South (45-5-4491) will be partially impacted by the proposed works. Based on the ATR (GML 2014a) and the results of test excavation, this site has been assessed as having low archaeological significance. Impacts would result in partial loss of value.
- The intrinsic values of Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493) will be indirectly impacted by the modification of the study area. However there will be no ground surface impact within these areas as part of the proposed development.

It is therefore recommended that:

- No further archaeological investigation of EFW South (45-5-4491) is required prior to impacts.
- Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493) are located outside of the development footprint and will be retained. Impact to this area should be avoided during proposed works, by designating these areas conservation zones. All contractors working in the area should be made aware of its location to avoid unintentional impacts.
- If Aboriginal skeletal material is uncovered during construction the requirements of Section 3.6 of the OEH code of practice would be followed.
- The retrieved test excavation artefact assemblage will be reburied at a nearby location that will not be impacted by any future development works. The area selected as a location for reburial is the portion of EFW South (45-5-4491) that falls within the Riparian Setback (Figure 6); as it will be retained as part of the proposed development.
- When the artefact assemblage is reburied, a site recording form should be submitted to the OEH AHIMS site register within details of the location of the assemblage.
- A draft version of this ACHAR was forwarded to registered Aboriginal stakeholders on 26 February 2015 for review and comment.

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APPENDIX A: GML 2014 - Aboriginal Archaeological Technical Report

APPENDIX B: GML 2014 - Aboriginal Cultural Heritage Assessment Report

APPENDIX C: Artefact 2014 - Archaeological Test Excavation Report

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1.0 INTRODUCTION AND BACKGROUND

1.1 Introduction

The Next Generation NSW (the Proponent), propose to develop an Energy from Waste (EFW) facility at Eastern Creek. The proposed EFW works will include the construction of an Electricity Generation Plant; with ancillary works related to the preparation and subsequent operation of the EFW. The works will be located within Lots 1 to 2 of DP1145808, in the Blacktown City Council Local Government Area (LGA). The subject site is bounded by the M4 Western Motorway, the Hanson Wallgrove Quarry, transmission line easement and Archbold Road (Figure 1).

An Aboriginal Archaeological Technical Report (ATR) and Aboriginal Cultural Heritage Assessment Report (ACHAR) were prepared by Godden Mackay Logan (GML) in 2014 for the Eastern Creek EFW Facility Environmental Impact Statement (EIS). A copy of the ATR is provided in Appendix A and the ACHAR in Appendix B. GML identified one area of moderate archaeological potential and two areas of high archaeological potential (2014a:40). However, only one of these areas of archaeological potential will be directly impacted by the proposed works. The area is known as EFW South (AHIMS 45-5-4491), and is located on an elevated area at the confluence of three waterlines in the southeast corner of the subject site (Figure 4). Therefore GML recommended that an archaeological test excavation was required to assess the nature, extent, condition and integrity of the site (2014a:49).

Following the preparation of a test excavation methodology (Artefact 2014) for EFW South, archaeological test excavation was conducted over a period of four days at the proposed EFW Facility. Test excavation of PAD site EFW South (AHIMS 45-5-4491) retrieved an assemblage of fourteen artefacts from nine of the thirty-seven 500x500 mm excavation units. The Archaeological Test Excavation Report is included as Appendix C.

Artefact Heritage has been engaged by Urbis to prepare an updated addendum to 2014 ACHAR prepared by GML, to incorporate the additional Aboriginal consultation and results of test excavation.

1.2 Objectives of this ACHAR

The Director-General's Environmental Assessment Requirements (DGRs) for the Eastern Creek EFW facility required an Aboriginal Heritage Assessment as part of the EIS. An Aboriginal Archaeological Technical Report (ATR) and Aboriginal Cultural Heritage Assessment Report (ACHAR) was prepared by Godden Mackay Logan (GML) in 2014, which recommended archaeological test excavation. The main objective of this addendum ACHAR is provide the results of the archaeological test excavation and additional stakeholder consultation, to meet the requirements of the DGRs.

This addendum report includes:

- An updated description of the Aboriginal community involvement and Aboriginal consultation
- Details of archaeological test excavation results
- A significance assessment of the study area including cultural and archaeological values
- An impact assessment to the significance of Aboriginal heritage values of all identified Aboriginal sites within the study area.
- Provision of recommendations for management and mitigation measures for Aboriginal heritage values

This addendum ACHAR does not include background information including: archaeological survey, environmental background, ethnohistory or review of the archaeological background. For full details, please see the original ACHAR, prepared by GML (2014b).

1.3 Proposed Development

The proposed development involves the construction and operation of an Electricity Generation Plant. The proposal will result in an Energy from Waste Plant using as fuel, residual waste which would otherwise be land filled, to allow for a 'green' electricity generation facility. The plant, powered by burning non-recyclable combustible waste material, will have a capacity for up to 1.35 million tonnes of waste material.

Further to the EFW Facility, the proposal includes the adoption of a plan of subdivision (Figure 2) and the following ancillary works:

- Earthworks associated with the balance of the site
- Internal roadways
- Provision of a direct underpass connection (Precast Arch and Conveyor Culvert) between TNG Facility and the Genesis Xero Waste Facility
- Staff amenities and ablutions
- Staff car parking facilities
- Water detention and treatment basins
- Services (Sewerage, Water Supply, Communications, Power Supply).

1.4 Investigators and Contributors

Alexander Timms, Archaeologist at Artefact Heritage, prepared this report with management input from Principal Archaeologist Dr Sandra Wallace.

Figure 1: General location of study area



Figure 2: Energy from Waste proposed works location of subject site (from EIS 2014)



1.5 Statutory Requirements

National Parks and Wildlife Act (1974) (NPW Act)

The NPW Act, administered by the OEH provides statutory protection for all Aboriginal 'objects' (consisting of any material evidence of the Aboriginal occupation of NSW) under Section 90 of the Act, and for 'Aboriginal Places' (areas of cultural significance to the Aboriginal community) under Section 84.

The protection provided to Aboriginal objects applies irrespective of the level of their significance or issues of land tenure. However, areas are only gazetted as Aboriginal Places if the Minister is satisfied that sufficient evidence exists to demonstrate that the location was and/or is, of special significance to Aboriginal culture.

The NPW Act was amended in 2010 and as a result the legislative structure for seeking permission to impact on heritage items has changed. A Section 90 permit is now the only Aboriginal Heritage Impact Permit (AHIP) available and is granted by the OEH. Various factors are considered by OEH in the AHIP application process, such as site significance, Aboriginal consultation requirements, ESD principles, project justification and consideration of alternatives. The penalties and fines for damaging or defacing an Aboriginal object have also increased.

As this project is being assessed under Part 4 Division 4.1 of the EP&A Act 1979 permits issued under the NPW Act 1974 are not required.

Environmental Planning & Assessment Act (1979) (EP&A Act)

The proposal will be assessed under Part 4, Division 4.1 of the EP&A Act, which establishes an assessment and approval regime for State Significant Development (SSD). Part 4, Division 4.1 applies to development that is declared to be SSD by a State Environmental Planning Policy (SEPP). Section 89J of the EP&A Act specifies that approvals or permits under section 90 of the NPW Act 1974 are not required for approved SSD.

2.0 DESCRIPTION OF THE AREA

2.1 Location of the Study Area

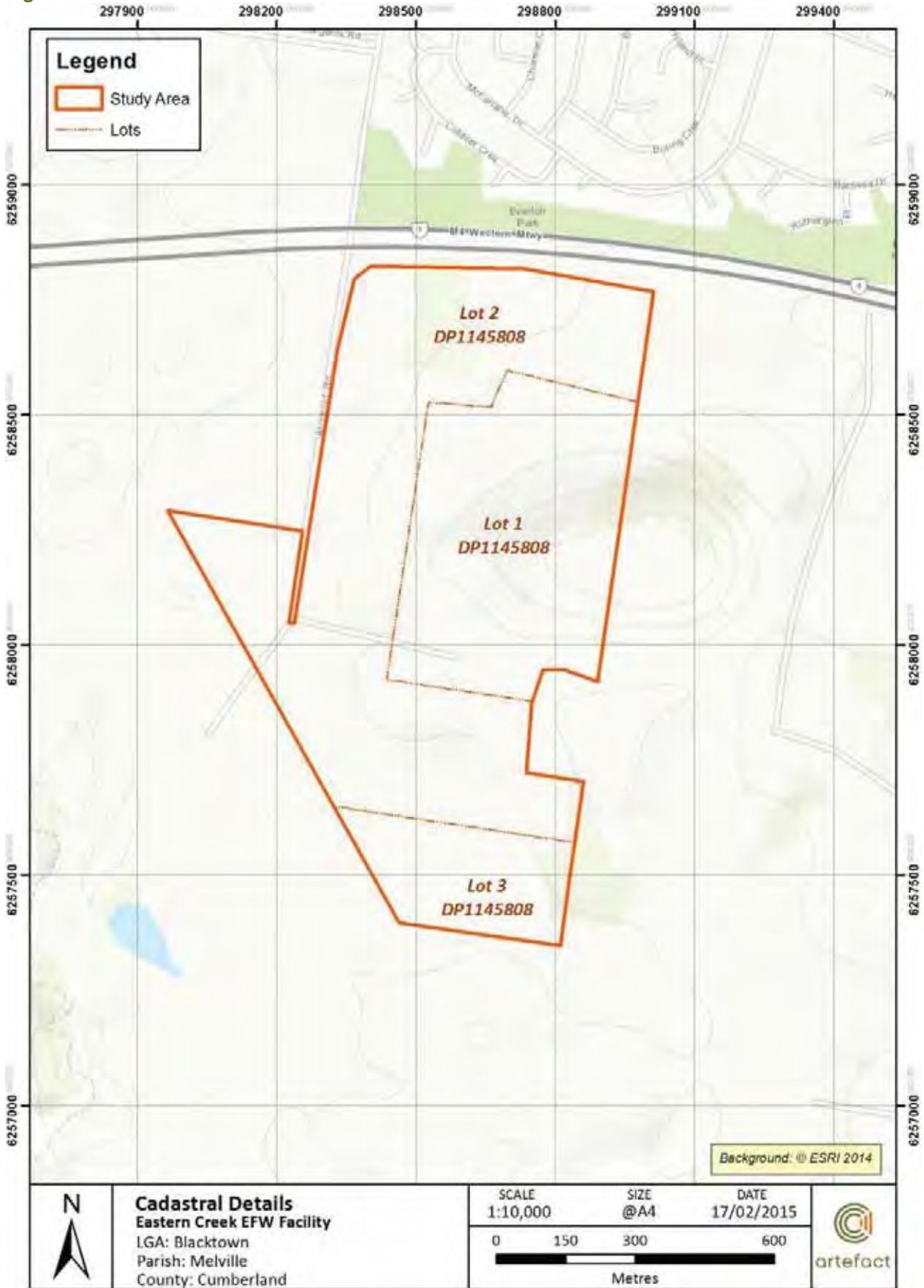
The study area is located within the Blacktown City Council Local Government Area in the County of Cumberland, Melville Parish (Figure 3).

2.2 Environmental Context

The study area is located on the undulating floodplain between Ropes Creek (450 metres to the west) and Eastern Creek (2.7 kilometres to the east). The study area is made up of low elevation undulating land, with a slight ridge in the running north-south through the southeast portion of the study area. There are also a number of gentle slopes in the northwest and north portions of the study area, associated with low hills outside of the study area. To the west the terrain flattens out towards the floodplain. Overall, the landform units within the study area range from alluvial flats, to gentle ridges, slopes and gullies.

The underlying geology of the study area consists of late Triassic period Bringelly shale deposits; which consists of shale, claystone, laminate, lithic sandstone, rare coal and tuff (Clark and Jones 1991). The study area is within the Blacktown soil landscape; which generally consists of shallow duplex soils over a clay base.

Figure 3: Cadastral information



2.3 Identified Aboriginal Objects

Three sites are located within the study area, which were identified by GML during an archaeological survey (GML 2014a). A summary of each site is provided below.

2.3.1 Archbold Road 1 (45-5-4492)

Archbold Road 1 is located in the north portion of the study area. The site area combines three previously recorded sites that had not been registered with AHIMS (Brayshaw and Haglund 1996, JMcD 2002). During the survey GML identified two surface artefacts (one silcrete and one quartz) and large PAD with a high archaeological potential (2014a:35). The location of this site is shown in Figure 4.

2.3.2 Archbold Road 2 (45-5-4493)

Archbold Road 2 is located in the northwest portion of the study area. During the survey GML identified three surface artefacts and a large PAD with a moderate archaeological potential (2014a:36). The location of this site is shown in Figure 4.

2.3.3 EFW South (45-5-4491)

EFW South, was located in the southeast portion of the study area. The area had previously been identified as being an area of high archaeological potential (JMcD 2002 and JMcD 2005). During the survey two surface artefacts were identified, and the area was assessed as a large PAD with a high archaeological potential (2014a:36-37). Artefact Heritage completed an archaeological test excavation of this site (2014). A total of 14 silcrete flaked pieces were recovered during subsurface test excavation. The location of this site is shown in Figure 4.

2.4 Aboriginal land use

The exact nature of Aboriginal land use patterns in the vicinity of the study area before colonisation is unknown. Assumptions about land use patterns are made on the basis of archaeological information gained from the local area, from observations made by the Europeans after settlement of the area, and from information known about available natural resources.

As Aboriginal people were mobile hunter-gatherers, it is likely that they moved across the landscape between resources. It is also likely that movement was related to socio/cultural factors such as gatherings and ceremonial obligations. Campsites would have provided temporary residences for the transitory lifestyle. It is difficult to ascertain whether a campsite existed at a given location, but correlations between stone artefact density and campsites are often assumed. While it is likely that knapping would have occurred at a campsite, it is also likely that knapping would have occurred during movement across the landscape, as tools were prepared or repaired during hunting and gathering activities.

Archaeological data gathered in the locality suggests that artefacts are found across the landscape in varying densities. High density artefact scatters are adjacent major waterlines in the area (Ropes Creek and Eastern Creek); with a drop in artefact density in the transitional land between them.

Figure 4: Location of recorded Aboriginal sites within the study area



3.0 CONSULTATION PROCESS

Aboriginal stakeholder consultation for the Eastern Creek EFW facility project was commenced by GML on behalf of The Next Generation NSW (the proponent). As a SSD project, under Part 4, Division 4.1 of the EPA Act, consultation can be undertaken in accordance with the Department of Environment and Conservation (now OEH) *Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation 2005*. However the *Aboriginal cultural heritage consultation requirements for proponents 2010* was used as a guideline for best practice. Twelve Aboriginal stakeholders have registered for consultation throughout the project, including:

- Darug Land Observations (DLO)
- Tocomwall
- Darug Aboriginal Cultural Heritage Assessments (DACHA)
- Koomurri Ngunawal Aboriginal Corporation (KNAC)
- HSB Heritage Consultants (HHC)
- Wurrumay Consultants
- Darug Aboriginal Landcare (DALC)
- Darug Tribal Aboriginal Corporation (DTAC)
- Deerubbin Local Aboriginal Land Council (DLALC)
- Kamilaroi-Yankuntjatjara Working Group (KYWC)
- Gunjeewong Cultural Heritage Aboriginal Corporation (GCHAC)
- Darug Custodian Aboriginal Corporation (DCAC)

A consultation log was maintained detailing correspondence with the Aboriginal stakeholder groups. For the full consultation log maintained by GML see the ACHAR (GML 2014b). A copy of the ATR and ACHAR completed by GML in 2014 are attached as Appendix A and Appendix B.

The Test Excavation Methodology was sent by Artefact Heritage to all registered Aboriginal stakeholders for comment on 8 October 2014. Glen Freeman indicated that KNAC had no issues with the methodology. Des Dyer indicated that DALC agreed with the recommendations and methodology and would like to see a plan of management put in place to rebury artefacts somewhere close by, once the development is completed.

Test excavation was conducted over four days from Monday 3 November to Thursday 6 November 2014. The Archaeological Test Excavation Report is included as Appendix C.

A draft version of this ACHAR was forwarded to registered Aboriginal stakeholders on 26 February 2015 for review and comment. The comments indicated that the sites were highly significant to the Darug people. The sites are considered to be closely associated with the wider landscape and land use practices of Aboriginal people. The responses agreed with the findings and recommendations of this report and requested that the artefact assemblage be reburied somewhere close to the site. This included a comment from DACHA supporting reburial of the retrieved artefacts within a conserved and protected area close to where the artefacts were retrieved from.

The consultation log is provided in Appendix D and copies of relevant correspondence are provided in Appendix E.

4.0 SUMMARY AND ANALYSIS OF BACKGROUND INFORMATION

This addendum ACHAR does not include background information including: archaeological survey, environmental background, ethnohistory or review of the archaeological background. For full details, please see the original ACHAR, prepared by GML (2014b).

4.1 Results of Archaeological Test Excavation

The ATR and ACHAR investigations prepared by GML (2014a, 2014b) recommended further archaeological investigation should take place at Aboriginal site EFW South; which consisted of two surface artefacts with an associated PAD; which will be directly impacted by the concept design and placement of ancillary facilities:

Test excavation should be undertaken across any areas of PAD that cannot be avoided by the direct impacts from the EFW – this is understood to mean the stone artefact site with PAD 'EFW South'. Test excavation should be used to confirm the condition and extent of the archaeological deposit and allow for a complete scientific investigation of the site. Test excavations should follow the requirements of the OEH's Code of Practice.

GML assessed that Archbold Road 1 and Archbold Road 2 will not be directly impacted by the proposed design. Therefore these sites do not require archaeological test excavation, as per the recommendations of the ATR (GML 2014a:49).

The ATR report completed by GML (2014a) recommended that the test excavation should be completed according to the OEH *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (Code of Practice). As the project has been declared to be SSD use of the Code of Practice is not required. However the test excavation methodology was completed in accordance with the Code of Practice, as per the recommendations of GML (2014a). The Code of Practice is an applicable framework to use for comparative analysis of archaeological findings within the current test excavation and past excavations within the wider region.

The subsequent test excavations identified a low density, sub-surface artefact scatter EFW South (45-5-4491). The results of the archaeological test excavation within EFW South are detailed below.

4.1.1 Stone artefact distribution and density

Test excavation of PAD site EFW South retrieved an assemblage of fourteen artefacts from nine of the thirty-seven 500x500 mm excavation units (Figure 5). The total area excavated 18.5m²; with an artefact density of 0.76 artefacts/m².

The location of artefacts indicates a sparse scatter across the majority of the site area, with a concentration of ten artefacts within the north central portion of Area 3 (TP16-A, TP16-B, TP16-C, TP18 and TP19). The highest number of artefacts were found in TP16-A; therefore the excavation unit was extended into a 1x1 m test pit, using three more 500x500 mm test pits (TP16-B, TP16-C, TP16-C (Figure 5). However the artefact numbers decreased in the additional test pits. Additional artefacts identified in TP18 and TP19 showed that there was a concentration in the area.

An additional transect was excavated to the east of these artefact bearing excavation units to investigate the potential continuance of the concentration (TP21 to TP24).

However, no artefacts were identified in the additional pits; which successfully established an extent for the artefact concentration.

One more artefact was identified in the south portion of Area 2 (TP27) and a further three artefacts in Area 3 (TP30 and TP34), demonstrating that the pattern of artefact distribution across this portion of the site reflected isolated scatters /isolated artefacts rather than a continuous scatter. However as all artefacts were identified on slightly raised areas adjacent ephemeral waterlines, they are considered to part of the same site (EFW South).

4.1.2 Raw material and artefact characteristics

The artefact assemblage was made up of stone artefacts composed entirely of silcrete (n=14, 100%); which ranged from orange to red in colour.

Technological categories represented in the assemblage included: angular fragments (n=7, 50%), distal flakes (n=4, 29%), complete flakes (n=2, 14%) and a proximal flake (n=1, 7%).

No tools, retouched artefacts or cores were noted in the assemblage. The assemblage is indicative of general stone reduction and casual discard.

4.1.3 Artefact depth

The majority of the artefacts were recovered from 0 – 100 millimetres depth, broadly corresponding to the A horizon.

No artefacts were retrieved from the underlying B horizon.

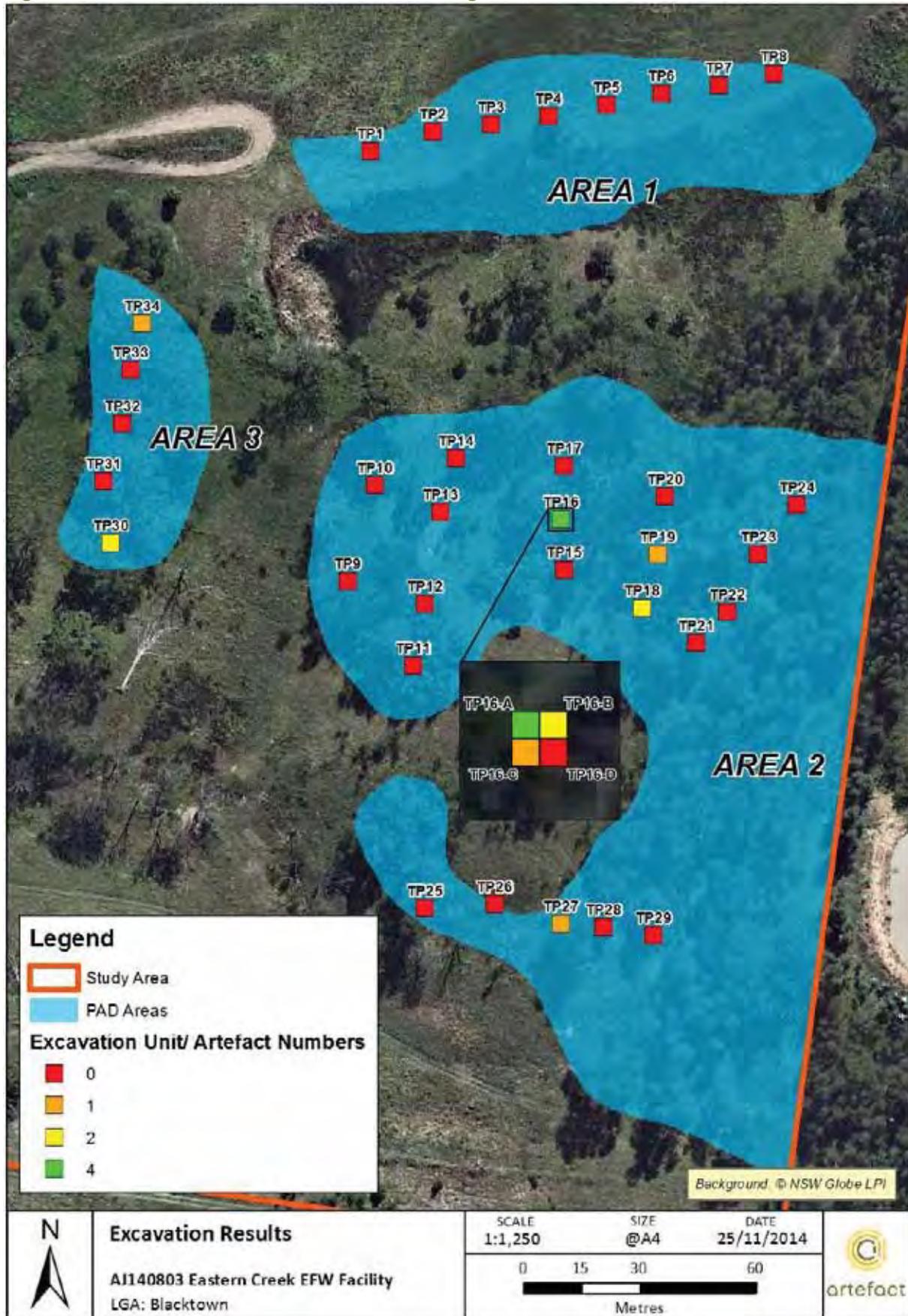
4.1.4 The artefact assemblage

Artefact density was low across the site (0.76 artefacts/m² on average). There is a slight concentration of artefacts within the north central portion of Area 2; however artefacts are diffuse overall and no meaningful patterns between location and landform were identified (Figure 5). The small size of the assemblage means that patterns of intra-site artefact distribution cannot be reliably (statistically) established.

The low artefact density at EFW South conforms to the wider pattern of variable artefact densities recorded during sub-surface investigations in the region. Previous archaeological investigations in the area identified high concentrations of artefacts adjacent to major waterlines in the area (Ropes Creek and Eastern Creek); with a drop in artefact density in the transitional land between them. Site EFW South (45-5-4491) is located within the lower lying, transitional land, between the two major creeks; and therefore conforms to site patterning of the region.

The artefacts recovered comprise small to medium sized angular fragments, distal flakes, complete flakes and a proximal flake. Silcrete was the only raw material type identified; studies have shown that silcrete is ubiquitous across the Eastern Creek area and wider Cumberland Plain region.

Figure 5: Distribution of artefacts retrieved during excavation



4.1.5 Aboriginal settlement history

The archaeological investigations undertaken at EFW South uncovered a low density assemblage of small to medium size flakes and angular fragments with no evidence of usewear. The raw material used is common in the region. No evidence of intensive occupation of the site or the manufacture of stone tools was discovered. The assemblage is likely to reflect general stone reduction and discard rather than intensive occupation or site use. The overall results are reflective of background scatter or transient campsites related to the movement of Aboriginal people across the landscape. The type of low-density site represented by EFW South (45-5-4491) is common in the Eastern Creek area and wider Cumberland Plain region.

5.0 CULTURAL HERITAGE VALUES

5.1 What are cultural heritage values?

This significance assessment has been undertaken in accordance with the OEH *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales 2011*.

Cultural heritage consists of places, or objects, that are of significance to Aboriginal people. Cultural heritage values are the attributes of these places or objects that allow the assessment of levels of cultural significance.

5.2 What is cultural significance?

Assessing the cultural significance of a place or object means defining why a place or object is culturally important. It is only when these reasons are defined that measures can be taken to appropriately manage possible impacts on this significance. Assessing cultural significance involves two main steps, identifying the range of values present across the study area and assessing why they are important.

5.3 Social/cultural heritage values and significance

Social/cultural heritage significance should be addressed by the Aboriginal people who have a connection to, or interest in, the area. As part of the consultation process the registered Aboriginal stakeholder groups will be asked to provide appropriate information on the cultural significance of the study area.

The ACHAR completed by GML indicated that the registered stakeholders considered the study area to be part of a complex of sites within the region; and represented a component of the wider Darug landscape (2014b:23). Leanne Watson (DCAC) commented that the all previous studies and oral histories revealed that the Darug people had lived in the area for thousands of years, and are still present (GML 2014b:23).

The correspondence received from the updated ACHAR confirmed the cultural importance of the sites within the Darug region. The Aboriginal stakeholders indicated a deep connection to the area and associated cultural material.

5.4 Historic values and significance

Historic values refer to the association of the place with aspects of Aboriginal history. Historic values are not necessarily reflected in physical objects, but may be intangible and relate to memories, stories or experiences.

No comments about the historic values of the area were forthcoming from any of the registered stakeholders. There are no known historic values associated with the study area. No evidence of historic interactions, such as flaked glass or ceramic, were identified during test excavations at EFW South. The study area as a whole has been assessed as demonstrating low historic values and significance.

5.5 Archaeological significance assessment

Archaeological significance refers to the archaeological or scientific importance of a landscape or area. This is characterised by using archaeological criteria such as archaeological research potential, representativeness and rarity of the archaeological resource and potential for educational values. These are outlined below:

- 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?

A summary of the significance values of the recorded site within the study area is outlined in Table 1 discussed below.

Table 1: Summary of archaeological significance values of sites within the study area

AHIMS #	Site name	Research potential	Scientific/ archaeological potential	Representative value	Rarity value	Overall significance
45-5-4491	EFW South	Low	Low	Low	Low	Low

Aboriginal site EFW South (45-5-4491) has been assessed as having low archaeological significance.

The ATR previously assessed EFW South (45-5-4491) as having high archaeological potential (GML 2014a:50). However, test excavation identified a low density artefact scatter, with minimal lithic or technological diversity. EFW South (45-5-4491) presents low potential for further research and low rarity and representativeness within the local landscape. As such, EFW South (45-5-4491) has been assessed as having low archaeological significance.

The ATR previously assessed Archbold Road 1 (45-5-4492) as having high archaeological potential (GML 2014a:50). The significance assessment within the ACHAR indicated that the site had moderate research potential, as any artefacts recovered could further the understanding of the Darug cultural landscape (GML 2014a:50 and 2014b:24). The site was considered rare within a local context, as similar sites have been impacted by development. Similarly the ATR had assessed Archbold Road 2 (45-5-4493) as having moderate archaeological potential; with moderate research and rarity ratings (GML 2014a:50 and 2014b:24). The archaeological significance of Aboriginal sites Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493) can't be assessed without further archaeological investigation. However these areas will not be impacted by the proposed development.

5.6 Aesthetic values and significance

Aesthetic values refer to the sensory, scenic, architectural and creative aspects of the place. These values may be related to the landscape and are often closely associated with social/cultural values.

A large portion of the study area has been modified; however it still retains areas of aesthetic values. The natural features of the landscape, including vistas of the surrounding area and the gentle slope down to Ropes Creek tributary can still be seen. However, the visual features of the landscape have been modified and altered by quarrying activities and landform modification.

Examples of woodland that once covered the study area are still extant within EFW South (45-5-4491) and Archbold Road 1 (45-5-4492); however these are located on the edges of the existing waste facility and quarry in the centre of the study area. The study area as a whole has been assessed as demonstrating moderate aesthetic significance.

5.7 Statement of significance

Archaeological significance has been established for EFW South (45-5-4491), based on the results of archaeological test excavation. The area is considered to have high cultural values to the Darug landscape, based on the Aboriginal stakeholder comments. However, due to the limited lithic and technical diversity within the artefact assemblage; the site presents low potential for further research and low rarity and representativeness within the local landscape. Therefore the overall significance of EFW South (45-5-4491) is considered low.

The archaeological significance of Aboriginal sites Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493) can't be assessed without further archaeological investigation. However these areas will not be impacted by the proposed development.

6.0 AVOIDING AND MINIMISING HARM

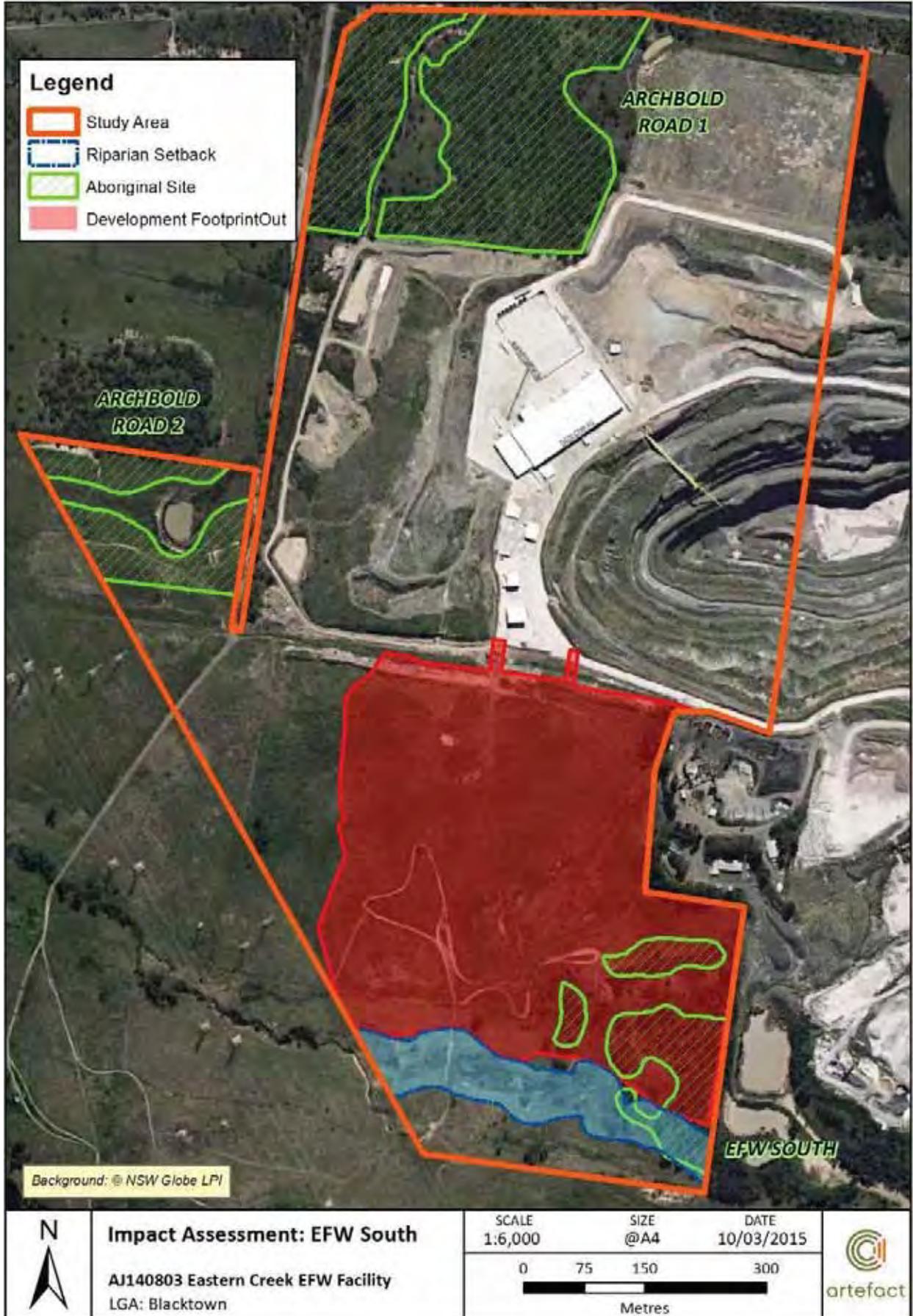
AHIMS site EFW South (45-5-4491) would be directly impacted by the proposal (Figure 6). The proposed development would involve the construction and operation of an Electricity Generation Plant. Other works associated with the development would include earthworks to balance the site, construction of internal roadways/carparks, construction of a direct underpass connection (Precast Arch and Conveyor Culvert) between TNG Facility and the Genesis Xero Waste Facility, water detention/treatment basins and installation of services (Sewerage, Water Supply, Communications, Power Supply). A majority of EFW South (45-5-4491) is located within the development footprint, with a small portion of the site running into the Riparian setback to the south, associated with Ropes Creek tributary (Figure 6). Therefore a majority of the site will be impacted, with the remaining portion of the site preserved within Riparian setback (Table 2).

Aboriginal sites Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493) will not be directly harmed by the proposed development, as they are outside of the development footprint (Figure 6). However the indirect harm could be caused through the partial loss of intangible heritage values, including cultural and aesthetic (GML 2014b). As the landscape within the study area will be modified, the value of the sites as part of the cultural landscape will be partially affected (Table 2).

Table 2: Impact assessment

Site Name	Type of harm	Degree of harm	Consequence of harm
EFW South (45-5-4491)	Direct	Partial	Partial loss of value
Archbold Road 1 (45-5-4492)	Indirect (No physical impacts)	Partial	Partial loss of [intrinsic] value
Archbold Road 2 (45-5-4493)	Indirect (No physical impacts)	Partial	Partial loss of [intrinsic] value

Figure 6: Aboriginal site areas overlaid with proposed area of impact



6.1 Consideration of alternatives and justification of impacts

The proposed Eastern Creek EFW allows waste material from Genesis Xero Material Processing Centre (MPC and Waste Transfer Station (WTS) to generate electrical power. The EFW facility will ensure a safe, clean and reliable form of energy generation for Metropolitan Sydney now and in the future, while providing a means of waste management through the operation of the facility in concurrence with the Genesis Resource Recovery Facility to reduce or even eradicate the need for landfill in the future. The Facility provides a sustainable solution to Sydney's growing waste generation. The proposal will result in a net positive Greenhouse Gas effect, eliminating some 1 million tonnes of CO₂ per annum.

Aboriginal heritage values within the study area have been taken into consideration during the development of the concept design. However, the design requires a certain layout for efficient operation of the proposed EFW facility; located adjacent the existing Genesis Xero MPC and WTS. This is necessary for the transfer of waste material to the Eastern Creek EFW facility for processing.

EFW South (45-5-4491) demonstrates low research potential and low representativeness, rarity and education values; resulting in an overall low scientific significance. There is no alternative layout that will allow for the retention of the site and still meet the necessary requirements for the EFW facility design. The design has also avoided direct impact to the two remaining sites, Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493).

6.2 Ecological Sustainable Development (ESD) Principles

ESD principles are relevant to this ACHAR as the OEH *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* specifies that ESD principles must be considered when assessing harm and recommending mitigation measures in relation to Aboriginal objects.

The following relevant ESD principles are outlined in Section 3A of the *Environment Protection and Diversity Act 1999*:

- Decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations (the 'integration principle').
- If there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation (the 'precautionary principle').
- The principle of inter-generational equity – that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations (the 'intergenerational principle').

The proposal would adhere to the following ESD principles.

The Integration Principle

The proposal would comply with the Integration Principle in regard to Aboriginal heritage. The Aboriginal heritage values of the study area have been considered as part of the planning process for the EFW facility. Archaeological test excavation was conducted at EFW South (45-5-4491) to investigate the extent and nature of the site. The investigation identified that the proposed works will not impact on any areas of high archaeological and/or cultural significance.

Furthermore, Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493) have been recorded as Aboriginal sites and areas of archaeological potential, which will be retained as conservation areas, based on their cultural merit.

The Precautionary Principle

The proposal would be unlikely to effect the overall significance of identified Aboriginal cultural heritage values within the Precinct. There is no considerable scientific uncertainty as to the impacts of the project on heritage values. Predictive models have been used to assess the probable nature of the archaeological record within the study area, based on other studies in the locality.

The precautionary principle would nevertheless be adhered in the implementation of conservation areas at Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493).

The Principle of Intergenerational Equity

The proposal was considered to adhere to this principle in regard to Aboriginal heritage as archaeological test excavation was used to identify the nature and significance sub-surface archaeological deposits within the study area and provided further information on requirements for impact avoidance and/or further archaeological mitigation measures if required. The archaeological investigation assessed EFW South (45-5-4491) as having low scientific significance.

Furthermore, the cultural environment will be preserved for the benefit of future generations, with the retention of Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493).

6.3 Management and Mitigation Measures

Mitigation measures vary depending on the assessment of archaeological significance of a particular Aboriginal site and are based on its research potential, rarity, representativeness and educational value. In general, the significance of a site would involve the following mitigation measures:

In general, the significance of a site would involve the following mitigation measures:

- Low archaeological significance – No further investigation required.
- Moderate archaeological significance – Conservation where possible. If conservation was not practicable, further archaeological investigation would be required such as salvage excavations or surface collection.
- High archaeological significance – Conservation as a priority.

The proposed plans for the EFW facility development would impact on a portion of EFW South (45-5-4491). The archaeological significance of EFW South (45-5-4491) is considered to be low. The test excavation of the site (Artefact 2015) has provided sufficient information on the site. Further archaeological investigation would not be able to provide any meaningful information on the nature of the site.

The archaeological significance of Aboriginal sites Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493) can't be assessed without further archaeological investigation. However these sites will be conserved, which meets the mitigation measures.

Table 3: Impacts and mitigation measures for Aboriginal heritage values within the study area.

Site Name	Site type	Significance	Type of harm	Degree of harm	Mitigation measures	Management measures
EFW South (45-5-4491)	Artefact Scatter	Low	Direct	Partial	Test excavation	None
Archbold Road 1 (45-5-4492)	Artefact Scatter, PAD	Moderate	Indirect (no physical impacts)	Partial	None	Conservation
Archbold Road 2 (45-5-4493)	Artefact Scatter, PAD	Moderate	Indirect (no physical impacts)	Partial	None	Conservation

6.3.1 Management outcomes

Archaeological information from EFW South (45-5-4491) has been retrieved and assessed. No further mitigation measures are recommended for the site.

Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493) should be designated as conservation zones and be avoided by future development impacts.

6.4 Proposed management policy for Aboriginal Heritage

6.4.1 Conservation Areas

The area that makes up Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493) has been recommended as conservation zones by previous work in the area. Jo McDonald Cultural Heritage completed a Heritage Conservation Strategy for the SEPP59 Eastern Creek Business Park Precinct (2005); which covered the current study area. The findings of the Heritage Conservation Strategy were based on a wider Strategic Management Model for heritage (JMcD 2002). The report identified requirements of Aboriginal cultural heritage impact mitigation and ongoing management requirements. The report recommended two conservation areas, one in the north and another in the south of the current study area.

The southern conservation identified by Jo MacDonald (2005) was registered as EFW South (45-5-4491) and the northern conservation area was registered as Archbold Road 1 (45-5-4492). The ATR (GML 2014a) for the proposed Eastern Creek EFT Facility identified Archbold Road 2 (45-5-4493) within the northwest portion of the study area. The ACHAR recommended that Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493) be conserved as part of the proposed development (GML 2014b:27)

Due to the archaeological potential and relationship to the cultural landscape Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493) will be designated conservation areas. All contractors working in the area should be made aware of its location to avoid unintentional impacts. The archaeological value of these areas should be taken account in any future planning for the area. These mitigation measures should be outlined in the Construction Environmental Management Plan (CEMP); including detailed maps of the conservation area locations.

6.4.2 Discovery of human remains

If suspected human skeletal remains are uncovered at any time throughout archaeological test excavation program, procedures outlined in Part 3.6 of the OEH Code of Practice would be followed.

6.4.3 Changes of development design

This ACHAR was based upon the development design made available to Artefact as of the date of preparation of this report. Any changes that may impact on known Aboriginal sites or may impact areas that have not been assessed during the current study should be assessed by an archaeologist in consultation with the registered Aboriginal stakeholder groups.

6.4.4 Ongoing consultation with Aboriginal stakeholder groups

This project is ongoing and consultation with registered Aboriginal stakeholders should continue throughout the life of the project. Ongoing consultation with registered Aboriginal stakeholders will take place throughout the preparation of this final version of the ACHAR and reburial of retrieved artefacts.

It should be noted that if there has been a gap of greater than six months in consultation for a project, the consultation process would restart with the compilation of a new registered stakeholder list.

6.4.5 Reburial of artefacts

The retrieved test excavation artefact assemblage from EFW South (45-5-4491) will be reburied at a location that will not be impacted by any future development works. The selected location for reburial is the portion EFW South (45-5-4491) which is within the Riparian setback (located to the south of the development footprint) and will not be impacted (Figure 6).

7.0 RECOMMENDATIONS

The following recommendations were based on consideration of:

- Statutory requirements under the EP&A Act 1979.
- The requirements of the DGRs.
- The results of background research, archaeological test excavation and assessment.
- The likely impacts of the proposed development.
- The interests of Aboriginal stakeholders.

It was found that:

- EFW South (45-5-4491) will be partially impacted by the proposed works. Based on the ATR (GML 2014a) and the results of test excavation, this site has been assessed as having low archaeological significance. Impacts would result in partial loss of value.
- The intrinsic values of Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493) will be indirectly impacted by the modification of the study area. However there will be no ground surface impact within these areas as part of the proposed development.

It is therefore recommended that:

- No further archaeological investigation of EFW South (45-5-4491) is required prior to impacts.
- Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493) are located outside of the development footprint and will be retained. Impact to this area should be avoided during proposed works, by designating these areas conservation zones. All contractors working in the area should be made aware of its location to avoid unintentional impacts.
- If Aboriginal skeletal material is uncovered during construction the requirements of Section 3.6 of the OEHL code of practice would be followed.
- The retrieved test excavation artefact assemblage will be reburied at a nearby location that will not be impacted by any future development works. The area selected as a location for reburial is the portion of EFW South (45-5-4491) that falls within the Riparian Setback (Figure 6); as it will be retained as part of the proposed development.
- When the artefact assemblage is reburied, a site recording form should be submitted to the OEHL AHIMS site register within details of the location of the assemblage.
- A draft version of this ACHAR was forwarded to registered Aboriginal stakeholders on 26 February 2015 for review and comment.

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artefact

Artefact Heritage
ABN 73 144 673 525
Lvl 1/716 New South Head Rd
Rose Bay 2029
PO Box 772 Rose Bay
NSW Australia 2029
t 61 2 9025 4050
office@artefact.net.au
www.artefact.net.au

APPENDIX A

GML 2014 - ABORIGINAL ARCHAEOLOGICAL TECHNICAL REPORT

Energy From Waste (EFW) Plant, Eastern Creek

Aboriginal Archaeological Technical Report

Report prepared for Urbis on behalf of The Next Generation (TNG)

September 2014



Sydney Office 78 George Street Redfern NSW Australia 2016 T +61 2 9319 4811

Canberra Office 2A Mugga Way Red Hill ACT Australia 2603 T +61 2 6273 7540

GML Heritage Pty Ltd ABN 60 001 179 362

www.gml.com.au

Report Register

The following report register documents the development and issue of the report entitled Energy From Waste (EFW) Plant, Eastern Creek—Aboriginal Archaeological Technical Report, undertaken by GML Heritage Pty Ltd in accordance with its quality management system.

Job No.	Issue No.	Notes/Description	Issue Date
13-0493	1	Final Report	22 September 2014

Quality Assurance

GML Heritage Pty Ltd operates under a quality management system which has been certified as complying with the Australian/New Zealand Standard for quality management systems AS/NZS ISO 9001:2008.

The report has been reviewed and approved for issue in accordance with the GML quality assurance policy and procedures.

Project Manager:	Tyler Beebe	Project Director & Reviewer:	Tim Owen
Issue No.	1	Issue No.	1
Signature		Signature	
Position:	Consultant	Position:	Associate
Date:	22 September 2014	Date:	22 September 2014

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1.0 Introduction

GML Heritage (GML) Pty Ltd was engaged by Urbis, on behalf of The Next Generation NSW Pty Ltd (TNG) to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) and an Aboriginal Archaeological Technical Report (ATR) for the proposed Energy from Waste (EFW) facility at Eastern Creek project (Figure 1.1).

The purpose of this report is to identify whether the study area possesses or has the potential to possess Aboriginal heritage archaeological sites, places, objects, landscapes and/or values, in accordance with the NSW Office of Environment and Heritage (OEH) guidelines for Aboriginal heritage assessment (listed below). This report details the results of archaeological field survey carried at the study area, in accordance with OEH's *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (Code of Practice).

GML's involvement in the project ended following the field survey, prior to archaeological test excavation. As such, this report provides a preliminary significance assessment of the identified archaeological Aboriginal sites, places, landscapes and/or other values. As archaeological test excavation was required to characterise the nature and extent of the archaeological deposit, and allow an assessment of its archaeological value, the impact assessment and recommendations for future archaeological investigation and management strategies provided reflect the need for further work in relation to understanding the archaeological resource—rather than a formal assessment of the proposed EFW facility.

1.1 Project Brief and Study Area

The Energy from Waste (EFW), Eastern Creek project area (the study area), is located at Eastern Creek, Lots 2 and 3 in DP 1145808, within the Blacktown Local Government Area (LGA), south of the M4, east of Ropes Creek, west of the former Pioneer Quarry, and bounded to the west by Archbold Road (Figures 1.1 and 1.2).

TNG proposes to construct an EFW electricity generation plant at the southern end of the study area. The proposed development involves the construction of the EFW energy generation plant, as well as internal roadways, amenities and ablutions, parking facilities, and water detention basins. Any action that disturbs the ground surface has the potential to impact soils that may contain an Aboriginal archaeological deposit. Therefore this assessment has been undertaken in order to determine if there is the potential for Aboriginal objects within the study area, and if so, to what extent they may be impacted through the development proposal. This will allow development of relevant and appropriate Aboriginal cultural heritage management strategies as necessary and appropriate to the study area.

Figure 1.3 depicts the proposed location of the proposed plant. Details of the proposed development impact and location are presented in the Impact Assessment, Section 5.0 of this report. The EFW project will be assessed under the Environmental Planning and Assessment Act (EPA Act) as a State Significant Development (SSD) Project. This report will be used to support a DA for the EFW plant and associated works within the study area.

1.2 Objectives for the Assessment

The objectives of this assessment were:

- to understand the number, extent, type, condition, integrity and archaeological potential of Aboriginal heritage sites and places within the study area;
- to determine whether the identified Aboriginal sites and places are a component of a wider Aboriginal cultural landscape;
- to understand how the physical Aboriginal sites relates to Aboriginal tradition within the wider area;
- to prepare a scientific cultural values assessment for all identified aspects of Aboriginal cultural heritage, as identified within this report;
- to determine how the proposed project may impact the identified Aboriginal cultural heritage;
- to aim to minimise impacts to Aboriginal cultural heritage through sensible and pragmatic site and land management;
- to determine where impacts are unavoidable and develop a series of impact mitigation strategies that benefit Aboriginal cultural heritage and the proponent; and
- to provide clear recommendations for the conservation of archaeological values and mitigation of impacts to these values.

1.3 Statutory Context

In NSW Aboriginal heritage is principally protected under two Acts:

- the *National Parks and Wildlife Act 1974* (NPW Act 1974); and
- the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979).

1.3.1 NPW Act 1974

The NPW Act provides statutory protection for all Aboriginal ‘objects’ (consisting of any material evidence of the Indigenous occupation of New South Wales) under Section 90 of the NPW Act, and ‘Aboriginal places’ (areas of cultural significance to the Aboriginal community) under Section 84 of the NPW Act. Aboriginal objects and places are afforded automatic statutory protection in New South Wales whereby it is an offence (without the Minister’s consent) to harm an Aboriginal object or declared Aboriginal Place.

The NPW Act defines an Aboriginal object as:

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.

The protection provided to Aboriginal objects and places applies irrespective of the level of their significance or issues of land tenure. Sites of traditional significance that do not necessarily contain material remains may be gazetted as ‘Aboriginal Places’ and thereby protected under the NPW Act.

However, areas are only gazetted if the Minister is satisfied that sufficient evidence exists to demonstrate that the location was and/or is of special significance to Aboriginal culture.

On 1 October 2010, the mechanisms for the protection and management of Aboriginal heritage places and objects changed with the adoption of the *NPW Amendment (Aboriginal Objects and Places) Regulation 2010*.

New offences relating to the harm to, or desecration of, an Aboriginal object or declared Aboriginal Place were introduced. The definition of 'harm' now includes to destroy, deface, damage or move an Aboriginal object or declared Aboriginal Place. The former Department of Environment, Climate Change and Water (DECCW—now the OEH) stated:

The most significant change is the introduction of tiered offences and penalties. Offences committed with knowledge, in aggravating circumstances or in relation to an Aboriginal Place will attract higher penalties than previously. There is a new strict liability offence of harming Aboriginal objects and of harming or desecrating Aboriginal Places. (DECCW 2010b)

The strict liability offence of harming Aboriginal objects has a number of defences. The two defences relevant to the proposed development include the statutory defence of due diligence through complying with an adopted industry code or compliance with the conditions of an AHIP.

The potential for Aboriginal objects, sites, places and/or values within the study area and whether the proposed development may impact on such objects has been assessed and the results presented in this report.

1.3.2 EPA Act 1979

The *Environmental Planning and Assessment Act 1979* (NSW) (EPA Act) provides a statutory framework for the determination of development proposals. It provides for the identification, protection and management of heritage items through inclusion in schedules to planning instruments such as Local Environmental Plans (LEPs) or Regional Environmental Plans (REPs). Heritage items in planning instruments are usually historic sites but can include Aboriginal objects and places. The EPA Act requires that appropriate measures be taken for the management of the potential archaeological resource by means consistent with practices and standards adopted in meeting the requirements of the NPW Act.

The EFW Plant Development will be assessed as a State Significant Development (SSD) in accordance with Part 3 of the EPA Act. Therefore the requirement for an Aboriginal Heritage Impact Permit (AHIP) in accordance with Section 90 the NPW Act may not apply to this development.

1.3.3 Approach to Aboriginal Heritage Management

In order to administer the NPW Act 1974 and EP&A Act 1979, the OEH has issued a series of best practice guidelines and policies. The applicability of these depends upon the approval mechanism for a project. The current project will be assessed and granted approval under Part 3 (State Significant Development) of the EP&A Act 1979. Therefore the approach to the preparation of this document was based on the following current best practice guidelines:

- DECC Operational Policy: *Protecting Aboriginal Cultural Heritage (February 2009)*;
- DECCW *Aboriginal cultural heritage consultation requirements for proponents 2010. Part 6 National Parks and Wildlife Act 1974 (April 2010)*;

GML Heritage

- DECCW *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (13 September 2010);
- DECCW *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (24 September 2010);
- *OEH Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (April 2011); and
- The *Australia ICOMOS Burra Charter 1999* (Burra Charter).

1.3.4 Due Diligence Approach

The OEH adheres to a code of practice guideline that defines a ‘due diligence’ approach to Aboriginal heritage: DECCW *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (13 September 2010). This guideline is designed to assist individuals and organisations to exercise due diligence when carrying out activities that may harm Aboriginal objects, and/or Aboriginal Places, and to determine whether they should apply for consent in the form of an AHIP.

The *Due Diligence Code of Practice* sets out the reasonable and practicable steps which individuals and organisations need to take in order to:

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

The OEH has defined due diligence thus:

Due diligence is a legal concept describing a standard of care. Exercising due diligence means turning your mind to the likely risks of your proposed course of action. It is not enough to perform activities carefully. Due diligence requires consideration of your obligations under, in this case, the NPW Act, and the consideration and adoption of a course of action that is directed towards preventing a breach of the Act.

In the context of protecting Aboriginal cultural heritage, due diligence involves taking reasonable and practicable measures to determine whether your actions will harm an Aboriginal object and if so avoiding that harm.¹

The steps that are required to follow the due diligence process are:

- searching the Aboriginal Heritage Information Management System (AHIMS);
- checking for landscape features which may indicate the presence of Aboriginal objects;
- strategies to avoid harming Aboriginal objects; and
- desktop assessment and visual inspection to confirm the presence of Aboriginal objects.²

In preparing this report, GML complied with the guidelines set out in OEH *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (13 September 2010). The extent of land covered by the due diligence process is described as the study area, see below.

1.3.5 Reporting Approach

This Aboriginal Archaeological Technical Report (ATR) is an appendix to the ACHAR. This ATR is a standalone technical report which provides evidence about the material traces of Aboriginal land use that is integrated with the other findings from the assessment of Aboriginal heritage to support the conclusions and management recommendations in the ACHAR.

This report has been prepared following the requirements for reporting as established in DECCW *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (24 September 2010)*.

These two reports should be used by TNG to demonstrate compliance with the initial stages of the Aboriginal assessment, to the completion of the field survey. Future reporting, archaeological test excavation and further Aboriginal consultation would be required to complete the assessment. These tasks were beyond GML's commissioned scope.

1.4 Investigators and Contributors

This project has undertaken by the following personnel; each person's role, qualification and affiliations are detailed in the table below.

Table 1.1 Investigators and Contributors

Person (Qualification)	Affiliation	Role
Sam Cooling (M. Arch. Science, BA.)	GML	Project Manager, Author
Dr Tim Owen (PhD Aboriginal archaeology, BSc [Hons] International Archaeology)	GML	Project Director, Report Reviewer
Natalie Vinton	GML	Senior Advice
Jane McMahon (BA)	GML	Author
Tyler Beebe (BA)	GML	Project Manager, Author
Gordon Workman	DLO	
Paul Goddard	DLO	
Des Dyer	DALC	
John Reilly	DTAC	
Gordon Morton	DACHA	
Tylan Blunden	DCAC	
Philip Khan	KYWG	
Jen Norfolk	Tocomwall	



Figure 1.1 Regional Study area location. (Source: Nearmaps with GML Additions 2014).



Figure 1.2 Study area. (Source: Nearthmaps with GML Additions)



Figure 1.3 Approximate location of proposed EFW plant. (Source: Nearthmaps with GML additions)

1.5 Endnotes

- ¹ DECCW, 24 April 2009. *Due diligence guidelines for protection of Aboriginal objects in NSW*. Accessed Online.
- ² DECCW 2010. NPWS Act 1974. *Fact sheet 2*. September 2010.

2.0 Archaeological Context

In line with OEH reporting requirements¹, this section provides a review of previous archaeological work, the landscape context, regional character and an Aboriginal heritage predictive model.

2.1 Previous Archaeological Work

The purpose of this section is to synthesise available information from previous archaeological and ethno–historical studies to provide a context and baseline for what is known about Aboriginal cultural heritage in the subject area.

2.1.1 Previous Archaeological Reports

A literature review of the NSW OEH library (and additional reports held by GML) was undertaken to understand the broader region’s archaeological patterning. This review was targeted to those reports relevant to the study area. Key word searches were used to find reports for the locality in AHIMS. A review of key reports is provided, in chronological order, below..

Kohen 1986²

An archaeological survey by Jim Kohen in 1986 covered the current study area, as well as some of the surrounding land. Through the course of this survey, a total of 13 sites were located and registered (BTSW/1 to BTSW/13). Visibility during this survey was described as poor and survey concentrated on exposures such as creek lines, dams and tracks³. No sites were identified within the current study area through the course of this survey however this could have been due to low visibility and exposure in the area. This is one of only two archaeological surveys (the other being JMcDCHM 2002, detailed below) that have previously covered the area of the proposed EFW Plant.

Brayshaw and Haglund 1996⁴

Brayshaw and Haglund undertook archaeological survey in 1996 of the lands to the north of the current study area in relation to the proposed widening of the M4 motorway. Of the sites recorded during this survey, one (‘Chatsworth Road’) was recorded on the boundary of, or immediately to the north of, the northern boundary of the current study area (to the south of the M4). This site consisted of three silcrete flakes over a distance of 270m (across three locations). This site is referred to in subsequent reports as both ‘Chatsworth Road’, and ‘M4U4’. The site was not registered with AHIMS at the time, and was assessed further in JMcDCHM 2002 and 2005 (see below).

JMcDCHM 2002⁵

In 2002, JMcDCHM undertook archaeological assessment of lands which were gazetted under the State Environment Planning Policy (SEPP 59)—Central Western Area Economic and Employment Area. This included the entirety of the current study area, as well as surrounding lands. Through this study, the current study area was surveyed as a part of the investigation of the wider SEPP 59 lands. At the time of the 2002 report, the lands subject to SEPP 59 were owned by several different landowners, and therefore the current study area was referred to throughout this report as included within the ‘Fitzpatrick’ land. Archaeological survey across the ‘Fitzpatrick’ land in 2002 recorded two new artefacts (RF/ISF1 and RF/ISF2), both located on a graded track in the north of the study area. As these two Isolated Finds were in close proximity (ie within 100m of each other) to each other, as well as the site originally recorded by Brayshaw and Haglund in 1996 (ie Chatsworth Road/M4U4), and in consideration of the fact than none of the three sites had yet been registered, JMcDCHM decided

that these three sites should all be registered as one. This site was renamed 'Archbold Road', and an AHIMS site card prepared and attached to the 2002 report in Appendix 5. However, somehow still this site has not been registered with AHIMS.

In addition, two artefact sites were recorded in the land immediately adjacent to the current study area (referred to as 'Sargents' land). These two sites (Sargents 1 and Sargents 2), both also had site cards prepared for registration at the time of recording, and included in Appendix 5 of the report, however neither seem to be registered with AHIMS.

A Strategic Management Model (SMM) was developed for the SEPP 59 lands in order to manage development of lands on the basis of their conservation potential. Management zones were allocated across the whole of the SEPP59 lands based on a combination of their archaeological potential, landscape type and levels of disturbance. The majority of the (then) 'Fitzpatrick' land, outside of the area of the Quarry (ie the current study area) was assigned as Zone 2 (moderate archaeological potential), with treed areas in the north and south assigned as Zone 1 (high archaeological potential and a Core Conservation Zone candidate). This report proposed that no archaeological investigation, or development, should take place within designated Core Conservation Zone (CCZ) areas, while any land outside the CCZ would be deemed developable. This report provided recommendations for the direction of further management decisions to be made for the SEPP 59 lands regarding Aboriginal heritage.

JMcDCHM 2005⁶

In 2005, JMcDCHM undertook prepared a Heritage Conservation Strategy regarding Aboriginal cultural heritage management outcomes for part of the SEPP59 Eastern Creek Business Park (Stage 3) Precinct; the lands referred to as 'Sargents' land, and the 'Valad' land (previously known as 'Fitzpatrick' land, and including the current study area). Following on from the assessment of the entire SEPP59 lands in 2002, this report focused on identifying requirements for mitigation of Aboriginal cultural heritage impacts, as well as ongoing management requirements for lands proposed for conservation within the Stage 3 Precinct area.

This report followed the SMM set out in the JMcDCHM 2002 report (as above), and recommended the conservation of two areas (one in the north and one in the south), selection of a sample for archaeological sub-surface investigation within Zone 2 lands to mitigate the impact to Aboriginal heritage through development of the area, and the preparation of a Plan of Management as part of the conservation management strategy.

ERM 2005⁷

In 2005, ERM undertook a heritage study (including both Aboriginal and historical heritage), including background research and a field survey, at Eastern Creek, Blacktown. The ERM study area was located immediately adjacent (to the west) of the study area for the current project. The eastern boundary of the ERM study area was governed by the location of the main power lines, which form the south west border of the current study area.

The survey for this project identified 14 Aboriginal sites and 2 PADs across the area. ERM recommended that a 'heritage preservation zone' be established in order to protect the main concentration of Aboriginal heritage sites. Aboriginal objects were generally found during survey wherever good exposures for the detection of archaeological materials were present. ERM concluded that Aboriginal objects were likely to be found across low-lying areas of the site in varying concentrations, with higher densities likely to be found closer to creek banks.

JMcDCHM 2006⁸

In 2006 JMcDCHM undertook archaeological salvage excavation in accordance with a Section 90 permit within an area known as the Wonderland Surplus (approximately 1.3km to the east of the study area). Throughout this project, two areas of PAD (EC3/1 and EC3/2) were investigated and subject to salvage excavation due to having previously been assessed as having good potential for an intact archaeological deposit. The excavation of EC3/1 sampled a hill slope and drainage gully, while EC3/2 sampled the adjacent low ridgetop. Lithic density was similar in each landscape, with average densities of 0.8 artefacts/m² and 0.9 artefacts/m² respectively.

A total of 1550 lithics were recovered from the salvage excavation of the two PADs. Although the relatively low lithic densities recovered made the determination of site use difficult, the excavation demonstrated clear use of the area by Aboriginal people.

Navin Officer 2007⁹

In 2007 Navin Officer was engaged by FDC Building Services Pty Ltd to undertake a subsurface test excavation program at the previously surveyed Erskine Park Employment Area. The aim of the test excavation was to identify the nature and extent of the three previously identified Aboriginal sites (EP1, EP 2 and EP PAD 1). This test excavation area was located approximately 1.7km south west of the current study area (Figure 2.1).

The excavation was undertaken by backhoe and mechanical excavation equipment while monitored by archaeologists and Aboriginal stakeholder representatives. The study area was divided into four areas and a total of 112 test units were excavated with a total of 310 stone artefacts identified within 70 of the 112 test units.

It was concluded that average densities were 5.7 artefacts per square metre. The dominating raw material types identified during the excavation were silcrete (70%) and tuff (21.3%). Area 2, a spurline crest along Ropes Creek had the highest densities. Area 3, a valley floor, had the second highest densities while Area 4 and Area 1, adjacent to a first order drainage line, were identified as low potential landforms.

JMcDCHM 2009¹⁰

An Aboriginal Heritage Management Plan (AHMP) was prepared by JMcDCHM in 2009 for the development of 'The Light Horse Business Centre' within the lands known as 'Dial A Dump' Industries (DADI) lands, including the 'Valad' lands as assessed in JMcDCHM 2005, as well as the current study area. This AHMP built on the archaeological assessment reports prepared by JMcDCHM in 2002 and 2005 for wider land holdings in the area. The AHMP identified two designated conservation areas within the subject land, and was prepared in order to ensure the protection of Aboriginal sites and landscapes within these conservation areas.

The 2009 reports notes that at some time between the preparation of the JMcDCHM 2005 assessment of the land, and the 2009 assessment, part of the area designated as archaeologically sensitive (Zone 1- High Archaeological Potential), had been subject to earthworks. A trench cut and subsequent infill seriously impacted a portion (c. 1ha in size) of the Zone 1 area located in the south of the study area (within, and to the south of the second order stream in the south of the current study area). Therefore the 2009 report reassigned the zoning of archaeological sensitivity of the area accordingly in order to mitigate against this impact (Figure 2.1). This disturbance is further detailed in Section 2.2.5 below.

The conservation of the south and north Zone 1 areas was deemed to represent an appropriate conservation outcome, and thus a meaningful management outcome was anticipated for the subject land in conjunction with the appropriate management of the two conservation areas.

While the majority of the 2009 development was located within archaeological sensitivity Zone 3, small amounts of ground disturbance were required within Zone 2 lands (ie three detention basins and an area of fill). The report determined that the proposed development impacts from the DADI Light Horse Business Centre were not considered major enough to warrant further archaeological investigation in those areas, the report states that:

Should more extensive development proposals in the future be located in these Zone 2 areas then these would require further assessment at the time to determine whether subsurface investigation was warranted. (JMcDCHM 2009: 10).

The final recommendations of the AHMP included: access to conservation areas be limited (ie fenced) and managed appropriately; no construction activities or any future works that impact on soil should take place in the conservation areas; and that any management decisions made in relation to Aboriginal heritage must involve consultation with representatives of the Aboriginal community. The Aboriginal community provided written response regarding the AHMP, stating their support for the implementation and adherence to the recommendations and management strategies of the AHMP.

GML 2013¹¹²

Throughout the course of 2013, GML undertook an Aboriginal archaeological assessment, including test and salvage excavation, of the development area known as Oakdale Central Precinct, on behalf of Goodman Property Services. The Oakdale Central Precinct is located approximately 2km south west of the current study area (Figure 2.1).

This assessment included field survey, Aboriginal community consultation, test excavation, and salvage excavation. Final post-excavation reporting is currently being undertaken, and therefore the results as presented here are preliminary.

The archaeological excavation of the Oakdale Central Precinct demonstrated that there are discrete artefact deposits of moderate densities within 150m of Ropes Creek, generally located on alluvial as opposed to residual soils (ie in association with the flood plain of Ropes Creek, a third order stream). Archaeological salvage excavation within the Oakdale Central Precinct also recovered the presence of Aboriginal cultural features other than stone objects, such as Aboriginal earth ovens within the site. Therefore, the post-excavation reporting of this site is also investigating the location and presence of domestic activities undertaken by Aboriginal people within this landscape. This has important implications for Aboriginal use of landscape, as well as the investigation of archaeological evidence other than stone objects (ie hearths and ovens), which have not previously been often sought, or focused on through archaeological investigations on the Cumberland Plain.

2.1.2 Aboriginal Heritage Information Management System (AHIMS) search

A search of the OEH AHIMS database of an area approximately 1km surrounding the study area was undertaken on 11 March 2014. The results of the search are shown in Figure 2.3. The search identified 63 recorded Aboriginal sites, which comprised: artefact concentrations (open camp sites), Potential Archaeological Deposits (PADs), and Artefact Sites with PADs. This search indicated that artefact concentrations constitute the predominant remnants recorded in this area. An overview of the AHIMS results are shown in Table 2.1. The complete results of the AHIMS search are provided in Appendix A.

Table 2.1 Results of the AHIMS search

Site Feature	Frequency	Percentage (%)
Artefact Concentrations (Open Camp Sites)	59	94
Artefact Site + PAD	2	3
PAD	2	3
Total	63	100

General patterning indicates that artefact sites dominate the archaeological record. These can be found in any location, on any landform; however recorded sites appear to become denser towards the margins of smaller creek lines and near the confluences of the water courses. However, this is also likely to be influenced by the locations of previous intensive archaeological surveys, with sites tending to decrease in number within areas that have been subject to less intensive archaeological survey (ie within the proposed EFW Plant location; the current study area).

Unregistered Aboriginal Sites

The assessment of prior reports indicated that there were also three recorded, but unregistered Aboriginal sites located within, or in close proximity to, the study area. Details of sites reported on, but not previously AHIMS registered, are provided below. All three of these sites have now been registered with the AHIMS registrar through the course of this project. However, only one of these unregistered sites is located within the current study area.

Table 2.2 Summary of Aboriginal sites (AHIMS Search area)

Sites	Number
AHIMS Registered Sites	63
Unregistered Sites	3
Total	69

Archbold Road 1

This site is comprised of three recorded sites; M4U4, RF/ISF1 and RF/ISF2. M4U4 was first recorded by Brayshaw and Haglund¹³ (see Brayshaw and Haglund 1996 in Section 2.1.1 above), and consisted of three artefacts located over a distance of 270m on a fire trail just on the border of/slightly outside the current study area boundary. These artefacts were recorded on areas of exposure adjacent to intact vegetation, which was designated as an area of associated PAD.

During the JMcDCHM survey in 2002 (see JMcDCHM 2002 in Section 2.1.1 above), two new surface sites were recorded: RF/ISF1 and RF/ISF2. These two sites both consisted of an isolated artefact on a track within 100m of each other.

Due to the proximity of these three sites to each other, and that none of them had been registered with AHIMS, in 2002 JMcDCHM prepared a site card to register all three sites as a single site. However, this site had not previously been registered with AHIMS.

Sargents 1 and 2

Through the survey undertaken by JMcDCHM 2002 of the study area, two artefact sites were recorded in the land immediately adjacent to the current study area (referred to in the 2002 report as ‘Sargents’ land). Sargents 1 consisted of two artefacts in an area of various dirt vehicle tracks, in association with an area of extensive dumping of building and household rubbish, where severe sheet wash erosion had cut through the soil. Sargents 2 was located to the west of Sargents 1, and consisted of two artefacts on dirt vehicle/bike tracks. Site cards were prepared for both sites at the time of recording in 2002, and included in Appendix 5 of the JMcDCHM 2002 report, however neither was registered with AHIMS at the time.

While neither Sargents 1 or 2 are located within the current study area, they have been registered through the course of this project as they contribute to the wider Aboriginal site location patterning in the regional context of the study area.

2.1.3 Synopsis of Known Aboriginal Sites and Previous Work

A number of archaeological surveys have been undertaken surrounding and including portions of the study area. The intensity of archaeological survey has resulted in the recording of numerous Aboriginal sites and the patterning observed in the AHIMS data. In addition, a number archaeological excavations have been undertaken, all of which have recovered sub-surface material from associated deposits.

Artefact sites dominant the record for the study area and surrounding land, particularly in association with areas of exposure and erosion. Sub surface excavations have demonstrated the ability for areas of moderate to low disturbance to possess intact archaeological deposits with low, moderate and high artefact counts, and in some cases, stratigraphic integrity of alluvial soils (ie Oakdale Central), and evidence for Aboriginal occupation of the region other than stone objects (ie hearths and earth ovens at Oakdale Central).

A total of 69 sites (63 on AHIMS, 3 previously unregistered) are located within, and in close proximity to the study area. Of these sites however, only one is registered within the study area itself. However, previous research, as well as the number of Aboriginal sites registered in the study area surroundings demonstrates that this single site is not an accurate reflection of the presence of Aboriginal archaeological deposits within the study area. Previous research demonstrates that the study area is likely to possess Aboriginal stone objects and archaeological deposits in all areas that have not previously been subject to high levels of historical ground disturbance.

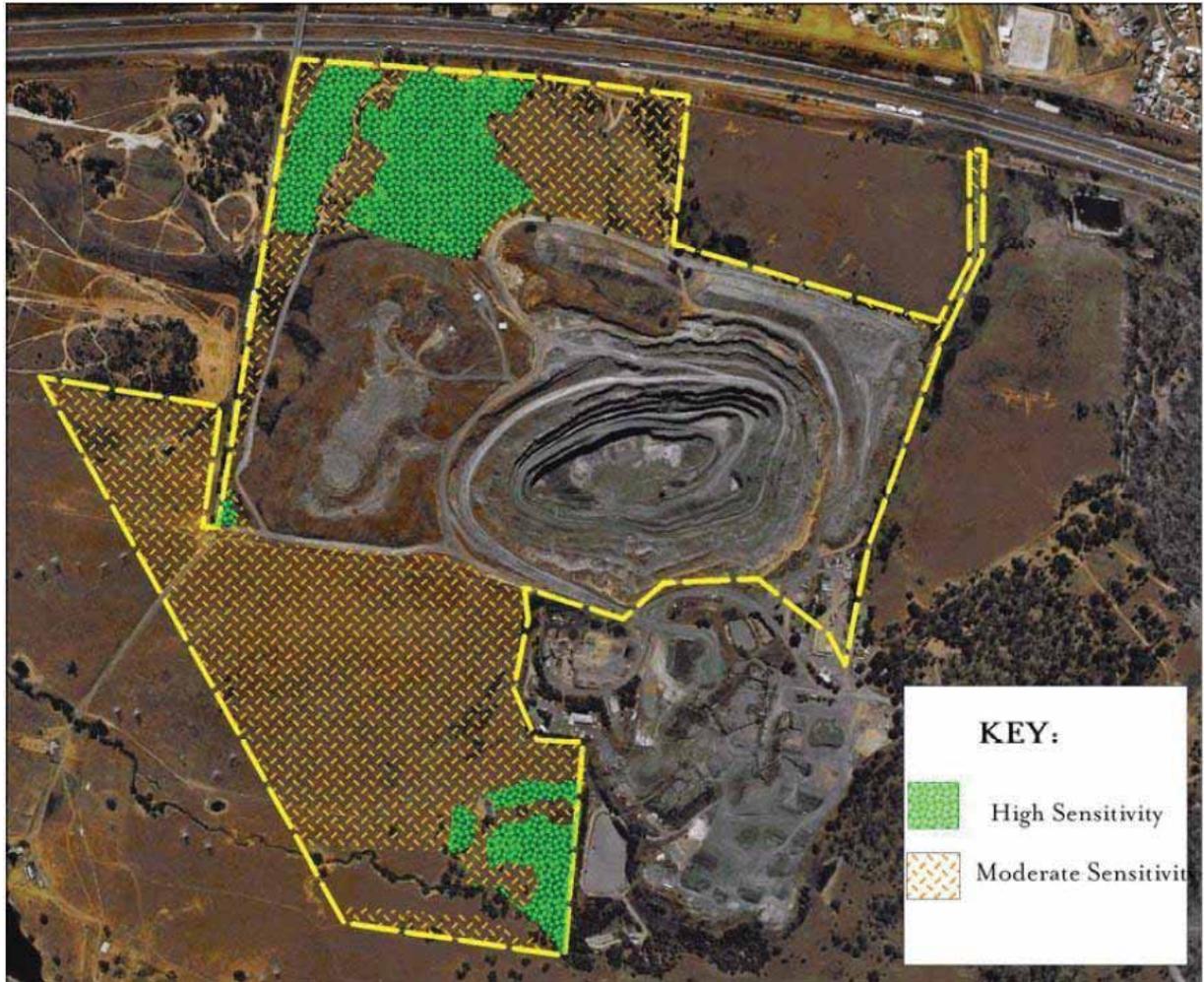


Figure 2.1 JMcDCHM 2009: Archaeological Sensitivity Zoning.



Figure 2.2 AHIMS results. (Source: OEH AHIMS, Near Maps with GML additions 2014).

2.2 Landscape Context

The purpose of this section is to provide contextual information for use in developing a predictive model relating to the remains for evidence of Aboriginal occupation and use of the study area. Interactions between people and their surroundings are of integral importance in both the initial formation and the subsequent preservation of the archaeological record. The nature and availability of resources including water, flora and fauna and suitable raw materials for the manufacture of stone tools and other items had (and continues to have) a significant influence over the way in which people utilise the landscape.

Alterations to the natural environment also impact upon the preservation and integrity of any cultural materials that may have been deposited whilst current vegetation and erosional regimes affect the visibility and detectability of Aboriginal sites and objects. For these reasons, it is essential to consider the environmental context as a component of any heritage assessment.

2.2.1 Geology

The study area is located within a primary geology of a Triassic Wianamatta Group and is a part of the Liverpool sub-group with a structure of Bringelly shale overlaying both Minchinbury Sandstone and the Ashfield shale sequences. The Bringelly shale formation comprises well-bedded shales, carbonaceous and non-carbonaceous claystone, laminates, quartz and occasional beds of fine to medium lithic sandstones.¹⁴

The natural landscape of the study area is characterised by its location within the Cumberland Plain and its proximity to, and association with Ropes Creek, a third order permanent water source.

The natural topography of the broader landscape is characterised by the gently undulating rises of the Wianamatta Group shales.

2.2.2 Geomorphology and Soils

Landforms across the study area are comprised of relatively flat undulating grass surface terrain containing hillslopes and ridgelines with gently inclining slopes of 5 to 10 degrees. Surrounding local relief is 10 to 30 metres and a modal terrain slope of approximately 3% exists within the study area. This has resulted in an erosional landform pattern comprising of gently undulating rises sloping down toward the drainage lines and second order creek that is present within the study area.¹⁵ In general, the Cumberland Plain is an aggrading landscape that results in artefact scatters and Aboriginal sites being buried over time.

The geology of the study area is overlain by the Blacktown soil landscape¹⁶. The soils of the Blacktown soil landscape range in depth from shallow to moderately deep (less than 100cm) and consist of red and yellow podzolic soils on crests, grading to yellow podzolic soils on lower slopes and on drainage lines. Minor sheet and gully erosion can often occur within this soil landscape where surface vegetation is not maintained. The South Creek soil landscape can often occur within the Blacktown soil landscape along drainage depressions.

2.2.3 Hydrology

The availability of water has significant implications for the range of resources available and the suitability of an area for human occupation, both past and present. The study area is located approximately 500–700m to the east of Ropes Creek (a third order stream in this location), and therefore has a number of locations where water would have been available. The study area contains one second order tributary of Ropes Creek (including a first order stream node) in the south of the study area (within the area proposed as the location for the Energy Plant). A first order stream drains out of the study area from the eastern boundary approximately in the centre of the site, with the headwaters of another first order stream entering the study area just to the north of the first (Figure 2.3).

The presence of fresh water within the study area, as well as its close proximity to a permanent water source (ie Ropes Creek) means that a source of fresh water should have been accessible all year round from the landforms present within the study area. Eastern Creek is located approximately 3km to the east of the current study area.



Figure 2.3 Hydrology of the study area with zones of archaeological potential. (Source: Near Maps with GML additions)

2.2.4 Vegetation

The Cumberland Plain originally contained a complex of woodland and forest adapted to mostly clayey soils.¹⁷ The vegetation community surrounding the study area includes trees such as the Grey Box (*E. moluccana*), and the Forest red gum (*E. tereticornis*). Ironbarks (mainly Red Ironbark or Mugga—*E. sideroxylon*) also survive in stands or in isolation. Blackthorn (*Bursaria spinosa*) and paperbark (*Melaleuca spp*) are also representative of the woodland in the area. Species such as swamp oak (*Casuarina glauca*) continue to dominate the closed woodlands along creek lines.

The variability of soils across the site and the wider region would have provided a resource rich interface with species adapted to the sandstone and shale soils. The study area would have originally comprised of open eucalypt woodland (eg Forest red gum) in which trees were widely spaced and the ground cover was dominated by grassed understoreys. Closed woodland of paperbark and swamp oak, for example, would have been present along the creek margins.¹⁸

Most of the original vegetation across the study area has now been cleared and is now dominated by introduced pasture grasses. Eucalypts intermingled with pockets of River oaks, along with patchy occurrences of regrowth, shrubs, bushes and weeds occur along the margins of the second and first order tributaries of Ropes Creek present in the south of the study area. A wooded area is present in the north of the study area, bounded by the M4 to the north, and the south/south east by the Hanson Wallgrove Quarry.

2.2.5 Land Use History and Disturbance

A Heritage Impact Statement (HIS) was prepared at the same time as this report, which included historical research into the land use history of the study area. The findings of this historical research is summarised below with regards to associated ground disturbance across the study area. For full details regarding historic land use including land titles and background, see full GML HIS report¹⁹.

Between 1818 and 1920, the area between Prospect and South Creek along the Western Highway was granted to free settlers and ex-convicts. The study area is located across a number of these grants, however the majority falls within John Thomas Campbell's 1100 acre grant, bounded by Ropes Creek to the west, while the northern section of the study area falls within sections of the 800 acres of land granted to William Cox Junior²⁰ (Figure 2.4).

From documentary sources, it is known that the Chatsworth estate, located to the west of the current study area, was developed with a farm and some outbuildings, close to Ropes Creek. Many of the structures associated with the farm remain standing or are evident in the landscape in this area. During the early period of European settlement, no recorded development took place within the portions of the grants which now encompass the study area. Some agricultural uses may have taken place, particularly in the southern portions of the lot which were later owned by the Shepherd brothers as they were likely to have been part of their nursery. The road running through the study area and connecting the Chatsworth homestead with Archbold Road was likely created during the mid-1800s to provide access to the farm.

During the mid-twentieth century, a portion of land across the Campbell and Cox estate was affected by the easement of a transmission line to the Sydney West substation in the south. This caused the division of the estates into the irregular lots they currently form. Archbold Road (then Chatsworth Road) was in place by this time. However, the road to the Chatsworth homestead remained unsealed (Figure 2.5). The construction of the M4 Motorway in the 1970s also alienated portions of the Cox estate.

Since the 1950s, a number of these lots which had been subdivided from the larger grants were purchased by Ray Fitzpatrick Pty Ltd²¹, later known as Ray Fitzpatrick Quarries. Major development by this company commenced before 1956 in the form of excavation of a large open cut mine to the immediate east of the study area. The progressive expansion of the quarrying activity led to the excavation of a portion in the centre of the study area (within Lot 2 DP 1145808) and land use associated with this facility across the site.

Analysis of aerial photography from 1947 (Figure 2.6), 1956 (Figure 2.7), 1978 (Figure 2.8) and 1986 (Figure 2.9) provides some indication of land use during the latter half of the twentieth century. Changes to the landscape during this period include:

- A small dam in the northwest corner, visible in 1947, expanded progressively with increased vegetation in that area since 1986.
- The unnamed road off Archbold Road became more defined and regular after 1956.
- A new dam in the far west corner was created by 1978.
- Quarrying activity was expanded into the study area in 1978, and again in 1986.

At some stage before the end of 2007, a diversion trench was cut across the south of Lot 2, DP262213 (in the south of the study area), in order to provide temporary diversion of dam overflow from the

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adjoining property to a minor creek line to allow remediation works to occur in the intervening creek area²². The disturbance created by this diversion is presented in Figure 2.10 and discussed in JMcDCHM 2009 (Section 2.1.1 above).

Therefore, previous land use history and ground disturbance within the current study area can be summarised as follows:

- Limited historic ground disturbance was undertaken across the study area from 1818 to 1956;
- High levels of ground disturbance were undertaken in the centre of the study area in association with the excavation and quarrying activities and development of associated facilities from 1956;
- Excavation for a diversion trench in the south of the study area that took place sometime between 2005 and 2007 resulted in high levels of soil disturbance in the south of the study area, in association with a creek line; and
- Other than vehicle tracks across the grassed section of the study area (ie south of the quarry and associated facilities, and north of the creekline in the south), this part of the study area appears to have been subject to limited historical ground disturbance.

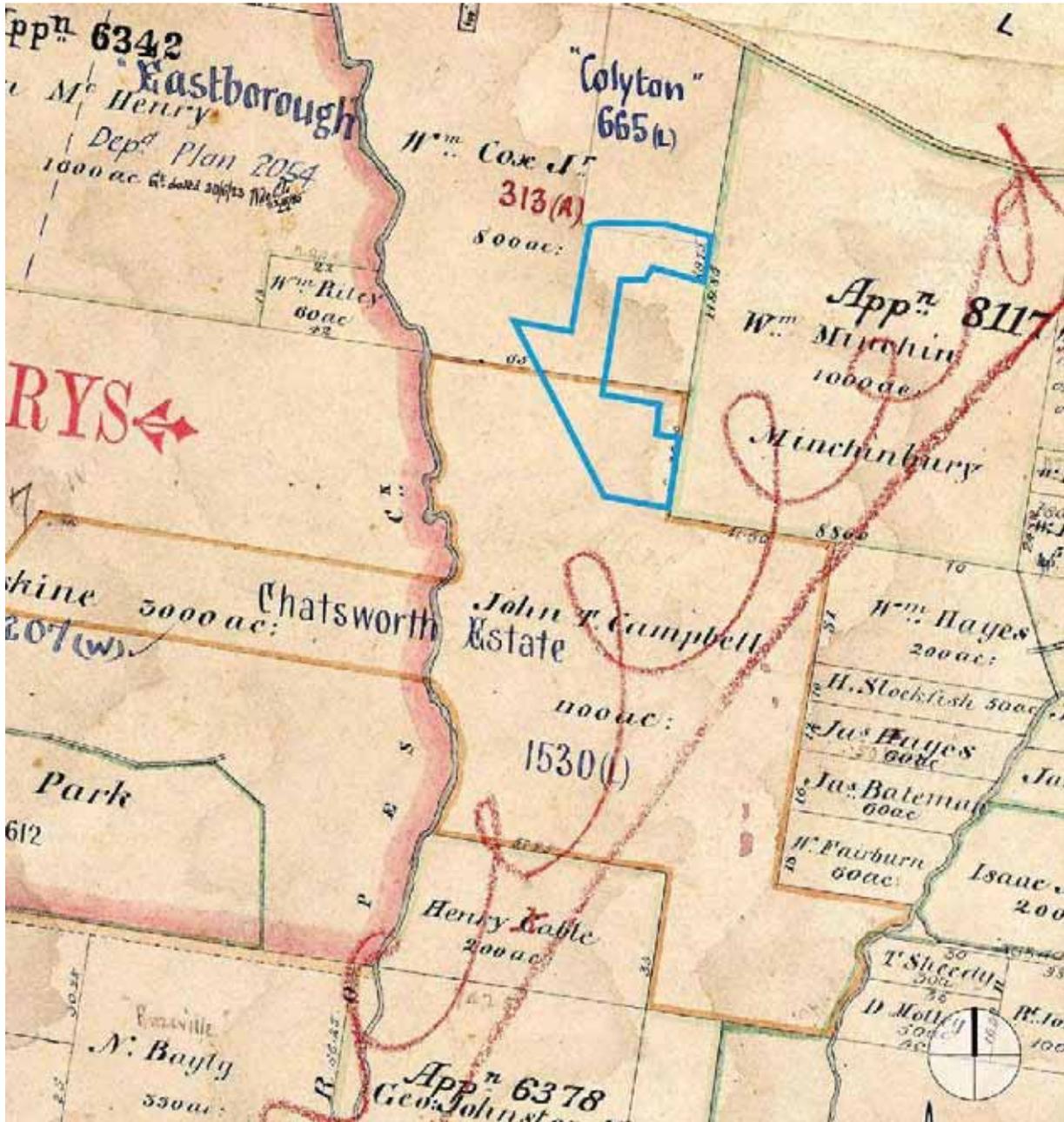


Figure 2.4 1898 Melville Parish Map showing the location of the study area in relation to the first land grants in the area. (Source: Department of Land and Property Information)



Figure 2.5 1938 Melville Parish Map showing the location of the study area in relation to later easements and developments. (Source: Department of Land and Property Information)



Figure 2.6 Aerial photograph of the study area in 1947. (Source: Department of Land and Property Information)



Figure 2.7 Aerial photograph of the study area in 1956. (Source: Department of Land and Property Information)



Figure 2.8 Aerial photograph of the study area in 1978. (Source: Department of Land and Property Information)



Figure 2.9 Aerial photograph of the study area in 1986. (Source: Department of Land and Property Information)



Figure 2.10 Aerial photograph of the study area in 2007. (Note the disturbance in the south of the study area around the creek).
Source: GoogleEarth with GML Additions)

2.3 Regional Character and Aboriginal Heritage Predictive Model

This section considers the evidence for Aboriginal landscape (regional) use of the broader study area, as presented in Sections 2.1 and 2.2. The aim is to highlight the main issues and regional character of Aboriginal land use and the material traces it has produced along the Cumberland Plain.

2.3.1 Aboriginal Chronology in the Sydney Area

Thousands of occupation sites have been documented for the Sydney region and the available radiocarbon ages are thus only indicative of the rates of occupation for each millennium. Most of the determinations date to the second millennium (1ka–2ka BP) with around 50% of the dates falling within the last 2000 years. Recent archaeological excavations have revealed a number of older open site deposits in the region with Pre-Bondaian assemblages, but not all of these have been dated. It is likely, therefore, that the available determinations underestimate the number of assemblages more than 5000 years old.

The Eastern Regional Sequence (ERS) is a framework for chronologically understanding changes in lithic technologies in southeastern Australia, particularly in the Sydney region. Our understanding of temporal change and characteristics of lithic technologies within the Bondaian phases of ERS for the Sydney region is presented in Table 2.3.

Table 2.3 Eastern Regional Sequence.

Period	Age	Description
Pre-Bondaian	c30,000–8000BP	Preferential use of silicified tuff in assemblages. Cores and tools vary widely in size. No backed artefacts, elouera or ground stone. Predominant technique is unifacial flaking. Bipolar flakes are rare.
Early Bondaian	c8000–3000BP	Decline in use of silicified tuff. Shift in rare material usage. Appearance of backed artefacts. Wide use of bipolar flaking.
Middle Bondaian	c3000–1000BP	Main phase of backed artefacts. Introduction of asymmetric alternating flaking. Smaller tools and cores. Increase in bipolar flaking.
Late Bondaian	c1000BP–European Contact	Backed artefacts become rare or absent from most sites.

Pleistocene Deposits—Parramatta Sand Body

Multiple phases of prehistoric Aboriginal occupation, from late Pleistocene (c25–30ka) to mid-Bondaian (c3–5ka) were dated from among the lithic assemblages retrieved from this sandy river terrace deposit (JMCDCHM 2005c).

The radiocarbon determinations from RTA-G1 in Parramatta demonstrate multiple occupation events over a considerable time period. The date of 30,735 ± 407 BP is the earliest date for human occupation along the eastern coast of Australia. The RTA-G1 determinations indicated that a transition from preferential use of silicified tuff to substantial use of silcrete was made between c6000 and 8000 years ago. A significant amount of occupation evidence from RTA-G1 predates this transition.

Prior to this suite of determinations, we lacked a firm indication of age for silicified tuff assemblages across the Cumberland Plain (and the broader Sydney region) which underlay silcrete dominant assemblages.

Pleistocene Deposits—Discovery Point, Tempe

A date of 9376 ± 61 BP (Wk-16167), calibrated to 10,700 BP (95.4% probability) was recovered for a small weathered silicified tuff assemblage at the former Tempe House, the earliest date for an occupation site in the eastern coastal strip of the Sydney Basin (JMCDCHM 2005b). This date provided contextualization of an earlier phase of stone tool production that has now been identified in a number of open stratified sand bodies around the region (at Richmond, Rouse Hill, and Parramatta) (JMCDCHM 1997c, 2001 and 2005d). This date likely referred to an earlier silicified tuff assemblage (characterised by relatively sparse deposition rates, non-blade technology and stone rationing behaviour).

The use of silicified tuff as a Pre-Bondaian signature was also encountered through the increased use of silicified tuff at the base of the Darling Mills State Forest—two rock shelters with dates of 6740 ± 120 BP (Wk-2963) and 10,150 ± 130 BP (Wk-2511) (Corkill 1999). These radiocarbon determinations also indicate that use of glossy silcrete (ie heat-treated silcrete)—which dominates most silcrete assemblages on the Cumberland Plain—may have been adopted as early as c6700 and 5050 Cal BP. This is significantly earlier than had been suggested by previous studies of heat treatment in the region (McDonald and Rich 1993).

2.3.2 Cumberland Plain Predictive Model

The Cumberland Plain is one of Australia's most archaeologically excavated landscapes, where the past 20 years has seen hundreds of excavations across many locations and landforms. A number of key Aboriginal heritage archaeological excavations have been undertaken that have informed the archaeological record and provided the basis for predictive modelling on the Cumberland Plain (JMcDCHM 1999, 2002b, 2005b and 2005c; McDonald and Rich 1993; White and McDonald 2010).

On this research basis, a predictive model has been developed that suggests how the likely nature of Aboriginal sites across the Cumberland Plain can vary in terms of landforms and landscape. Stream order is the basis for the Cumberland Plain predictive model of Aboriginal site location (McDonald and Mitchell 1994²³; White and McDonald 2010²⁴), and assumes that Aboriginal people would preferentially select places where the water supply is more permanent and predictable for their usual camping locations. The smallest tributary streams are first order streams and the classification continues stepwise downstream. Two first order streams join at a first order node to form a second order stream; two second order streams join at a second order node to form a third order stream, and so on.

It is predicted that the size (density and complexity) and nature of archaeological features will vary according to the permanence of water (ie ascending stream order), landscape unit and proximity to lithic resources in the following ways:

- in any landscape location across the Cumberland Plain, there is a chance that a 'background scatter' of Aboriginal objects exists—that is, objects deposited as a consequence of one-off manufacture and/or use, where no correlation would be associated with a landform or a more permanent activity area. Such areas are unlikely to contain a subsurface archaeological deposit;
- assessment of archaeological subsurface potential solely through surface manifestation of artefacts during surface survey is inadequate to accurately identify and assess the presence of subsurface deposits as soils are largely aggrading across the Cumberland Plain, and therefore most artefacts are buried;
- in the headwaters of upper tributaries (ie first order creeks), archaeological evidence will be sparse and represent little more than a background scatter; and where distant from stone sources, it would demonstrate the use of stone rationing strategies;
- in the middle reaches of minor tributaries (second order creeks) there will be archaeological evidence for sparse but focused activity (eg one-off camp locations, single episode knapping floors);
- in the lower reaches of tributary creeks (third order creeks) there will be archaeological evidence for more frequent occupation. This will include repeated occupation by small groups, knapping floors (perhaps used and reused), and evidence of more concentrated activities;
- on major creek lines (fourth order) there will be archaeological evidence for more permanent or repeated occupation. Sites will be complex and may even be stratified. Artefacts will show less use of rationing strategies as people may have been less mobile during their use of tools, and remained in the same location for several days, or even weeks;
- creek junctions may provide foci for site activity; the size of the confluence (in terms of stream ranking nodes) could be expected to influence the size of the site;

- ridge top locations between drainage lines will usually contain limited archaeological evidence although isolated knapping floors or other forms of one-off occupation may be in evidence in such a location;
- elevated terraces and flats, overlooking higher order watercourses may contain archaeological evidence for more permanent or repeated occupation; and
- naturally outcropping silcrete will have been exploited and evidence for extraction activities (decortication, testing and limited knapping) would be found in such locations.

It has also been hypothesized that stone artefact based sites in close proximity to an identified stone source would cover a range of size and cortex characteristics. With distance away from the resource, the general size of artefacts in the assemblage should decrease, as should the percentage of cortex and rate of artefact discard (distance–decay model). The increasing number of new silcrete sources has made the testing of the distance decay model (Dallas & Witter 1983) more difficult, and suggests that this model is a risky mechanism for explaining raw material preferences around the Cumberland Plain.

2.3.3 Strategic Management Model

As briefly summarised in Section 2.1.1 above (JMcDCHM 2002), a Strategic Management Model (SMM) was developed for the lands previously covered by SEPP 59, within which the current study area is located. This SMM was modelled on a similar approach to wider landscape based archaeological modelling, as utilised at the St Marys Development Site (SMDS) (former ADI St Marys).²⁵ The SMM was based on a combination of both scientific and cultural (social) values, and identified the range of representative landscapes with the best conservation potential in combination with identified areas of Aboriginal significance. The main aim of this strategy is to preserve a representative sample of intact landscapes where possible, in order to ‘ensure that a range of human responses, as represented by the archaeology, can be protected’.²⁶ The SMM identified three zones across the former SEPP 59 lands. All archaeological assessment that has been undertaken since the JMcDCHM 2002 report, including the study area, has been predicated on the use of this model to mitigate against impact to Aboriginal cultural heritage values.

Table 2.4 Archaeological management zones across SEPP 59 lands, after the SMM. (Source: JMcDCHM 2002)

Management Zone	Archaeological Potential	Management Outcome
Zone 1	High potential for intact archaeological evidence.	Conservation Zone to be selected from this zone. Remainder to be developed.
Zone 2	Moderate potential for intact archaeological evidence.	Developable land. Some landscapes may require further work before clearance given.
Zone 3	Low to no potential for intact archaeological evidence.	Developable land with no constraints—no further archaeological work required

2.3.4 Current Study Area Predictions

The current study area is located to the east of Ropes Creek, and contains one second order stream (in the south), as well as one first order stream, and the headwaters of another first order stream in the north. Archaeological material associated with the second order tributary is anticipated to be sparse and likely to represent background densities associated with people moving across the landscape.

Deeper alluvial soils, such with the possibility to yield stratigraphic evidence, are unlikely to be present within the study area. The following predictive statements can be made about the study area, however would likely require validation through archaeological test excavation.

Based upon an understanding of the landforms and disturbances associated with the study area, it can be stated that:

- Aboriginal sites are most likely to be evidenced by the presence of stone artefacts. Other types of Aboriginal sites are unlikely to occur within the study area;
- most landforms within the study area that contain residual soil horizons; even those with sparse or no surface manifestations of Aboriginal objects may contain subsurface archaeological deposits, albeit in low densities $>1/m^2$;
- most sites will be of middle to late Holocene age (4000 years before present to c1850). Suitable geomorphic conditions for the preservation of Pleistocene aged assemblages do not occur within the study area;
- the density and diversity of implements and debitage are likely to be conditioned by permanence of water (stream order) and landscape unit;
- distance to known silcrete sources seems to have little influence on artefact discard generally, although many silcrete sources are perhaps still to be identified. Proximity to known sources does influence the proportion of flaked to blocky silcrete material on sites; and
- landforms that overlook creek systems may have also been used for Aboriginal activities. Such landforms include the hilltops, hill slopes and low flat elevations with a creek facing aspect. .

2.4 Endnotes

- ¹ DECCW *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (24 September 2010)*. Pages 20-21.
- ² Kohen 1986, An archaeological survey of the Aboriginal sites in the City of Blacktown, in JMcDCHM 2002 Archaeological assessment of Aboriginal sites: Eastern Creek Strategic Land Use Study, SEPP59.
- ³ *ibid*, p. 20
- ⁴ Brayshaw and Haglund 1996, M4 Upgrade Archaeological Survey for Aboriginal Sites for proposal to upgrade the M4 Motorway from Church St, Parramatta, to Coleman St, St Marys, and Prospect to Emu Plains.
- ⁵ JMcDCHM 2002 Archaeological assessment of Aboriginal sites: Eastern Creek Strategic Land Use Study, SEPP59
- ⁶ JMcDCHM 2005 Heritage Conservation Strategy for Aboriginal sites in lands owned by Valad and Sargents, Eastern Creek Business Park (Stage 3) Precinct Plan.
- ⁷ ERM 2005, Historical and Aboriginal Heritage Assessment of Lot 4 DP 262213, Eastern Creek
- ⁸ JMcDCHM 2006 Archaeological Subsurface investigations at SEPP59 EC3/1 (#45-5-3201) and EC3/2 (#45-5-3202), Wonderland Surplus, Old Wallgrove Road, Eastern Creek. Report to Australand Holdings Pty Ltd.
- ⁹ Navin Officer 2007 *Erskine Park Employment Area, Ropes Creek NSW, Archaeological Subsurface Testing Program*.
- ¹⁰ JMcDCHM 2009 'Dial A Dump' Industries Holdings Eastern Creek, The Light Horse Business Centre, Aboriginal Heritage Management Plan, prepared for 'Dial a Dump' Industries.
- ¹¹ GML 2013 Oakdale Central Archaeological Technical Report
- ¹² GML 2014, in preparation, Oakdale Central Aboriginal Salvage Excavation Report.
- ¹³ Brayshaw and Haglund 1996
- ¹⁴ Bannerman, SM & PA Hazelton. 'Soil Landscapes of the Penrith 1:100,000 Sheet'. Soil Conservation of NSW. Sydney.
- ¹⁵ Speight, JG 1990 Landforms. In Australian Soil and Land Survey Field Handbook. McDonald, RC et al. Inkata Press.
- ¹⁶ *ibid*.

- ¹⁷ Benson, D & Howell, J 1990 *Taken for Granted: The bushland of Sydney and its suburbs*. Kangaroo Press (in association) with the Royal Botanic Gardens, Sydney.
- ¹⁸ See for example Denson, D & J Howell 1990, 'Taken for Granted: the bushland of Sydney and its suburbs', Kangaroo Press Pty Ltd, NSW.
- ¹⁹ GML Heritage 2014, Energy From Waste (EFW) Plant, Eastern Creek, Heritage Impact Statement, prepared for Urbis on behalf of The Next Generation (TNG).
- ²⁰ *ibid*, p4.
- ²¹ Certificate of Title Vol.13544 Fol.125, Vol.13548 Fol.70, Vol.13507 Fol.223.
- ²² Ian Grey Groundwater Consulting Pty Ltd 2007, Results of Water Quality and Soil Sampling and Analysis, Lot 2, DP262213, Old Wallgrove Road, Eastern Creek, Letter report to Minter Ellison Lawyers.
- ²³ McDonald, J and Mitchell, P 1994. An assessment of the archaeological context, landuse history and management requirements for Aboriginal Archaeology in the Australian Defence Industries Site, St. Marys, NSW. JMcDCHM Pty Ltd Report to ADI Ltd, NSW Property Group.
- ²⁴ White, E and McDonald, J 2010. Lithic Artefact Distribution in the Rouse Hill Development Area, Cumberland Plain, New South Wales. *Australian Archaeology*. p 70.
- ²⁵ GML + JMcDCHM 2013 SMDS Central Precinct
- ²⁶ JMcDCHM 2002 p. 43

3.0 Archaeological Field Survey

The first aim of an archaeological survey is to identify all visible evidence of past Aboriginal occupation within the study area. The second aim is to determine zones that have the potential for buried subsurface archaeological deposits. Combining these two together will allow the creation of an Archaeological Zoning Plan (AZP) that defines where Aboriginal evidence is (and will be) across the study area. In addition consideration should be given to locations within the study area that do not contain physical evidence from Aboriginal occupation, but would have been significant to Aboriginal use of the landscape, eg walking tracks, ceremonial areas, Dreaming trails etc. These should also be recorded, mapped and considered within the framework of assessment and management for Aboriginal heritage.

It must be noted that practically all archaeological survey is limited by a number of factors such as ground surface visibility, access restrictions and tempered by environmental factors during the period of survey. These influences will affect the outcome of any survey, and possibly introduce biases into the results.

3.1 Survey Methodology and Survey Sampling Strategy

An archaeological survey was undertaken by GML Archaeologists (Sam Cooling and Jane McMahon) and representatives from seven RAPs on Friday 13 June 2014. A linear pedestrian survey aimed to assess the whole study area, inspecting all soil exposures and zones with low vegetation that contained tracks and paths. Sampling included all landforms that will potentially be impacted by the proposed project. As archaeological survey had previously been undertaken across the study area (JMcDCHM 2002, 2005, 2009), the current survey aimed to ground truth the current state of the study area (as compared with previous surveys), as well as to attempt to relocate previously identified artefact locations and identify Potential Archaeological Deposits (PADs).

The archaeological survey was undertaken in accordance with the OEH *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010* and the results recorded in this section of the report.

The study area was systematically surveyed with parallel transects, where possible, and opportunistic inspection of areas and features which were identified as having potential to be associated with Aboriginal cultural heritage, or identified as requiring archaeological test excavation. Survey units were accurately defined and the beginning, length and end point of transects or survey unit boundaries were recorded using a GPS.

Newly identified sites had their location recorded using a GPS, their surface visible content described, their visible extent mapped on the aerial and were digitally photographed. Notes were also made of soil conditions and evidence of disturbance. AHIMS cards will be completed for each site, which will be submitted to the OEH. An attempt was made to relocate previously recorded sites to confirm their condition.

The landscape of the study area was characterised and areas suitable for test excavation were designated in collaboration with the RAPs.

3.1.1 Field Methods

OEH Definitions

In accordance with the OEH guidelines¹, the description of survey coverage includes landform units, the total area surveyed within that landform unit and a quantification of the level of exposure and visibility. OEH have defined exposure and visibility thus:

Visibility is the amount of bare ground (or visibility) on the exposures which might reveal artefacts or other archaeological materials. It is important to note that visibility, on its own, is not a reliable indicator of the detectability of buried archaeological material. Things like vegetation, plant or leaf litter, loose sand, stony ground or introduced materials will affect the visibility. Put another way, visibility refers to 'what conceals'.

Exposure is different to visibility because it estimates the area with a likelihood of revealing buried artefacts or deposits rather than just being an observation of the amount of bare ground. It is the percentage of land for which erosion and exposure was sufficient to reveal archaeological evidence on the surface of the ground. Put another way, exposure refers to 'what reveals'.²

The calculation of effective coverage provides a means with which to describe the proportion of the study area in which it is possible to assess the presence or absence of archaeological material. This measure is expressed as a percentage and can be calculated using a number of different techniques. For this study, effective coverage was calculated by multiplying the area surveyed by the percentage of exposure and visibility within the survey unit. The area of effective coverage was then expressed as a percentage of the whole survey unit.

3.1.2 Archaeological Potential

Archaeological site formation is a complex combination of scientific factors, such as bioturbation; and environmental factors, such as erosion or burial through soil movement. Once discarded on the ground surface, artefacts are often readily incorporated into the topsoil horizons through the process of bioturbation. Most commonly, dense artefact deposits exist hidden beneath the upper surface, unobservable by the casual observer (cf Wandsnider and Camilli 1992³; Fanning and Holdaway 2001⁴). Archaeological assessments that do not employ appropriate methods of subsurface detection or prediction cannot reliably define an area's archaeological content. Most frequently, the eroded component of a larger subsurface deposit is detected and recorded at a site. Where soils are sandy, artefacts can occur at greater depths and erosion may frequently expose artefacts. Therefore, it is crucial that soils, sands and the geomorphology of an area are defined in an archaeological assessment and the archaeological implications defined. An understanding of these factors, linked further to the notions of site integrity and condition, yield an understanding of an area or site's archaeological potential.

It is important to note that the level of archaeological potential relates to the likelihood of discovering an Aboriginal object within a location. Further description should then be made as to the potential condition and integrity of the soil matrix and potential site itself. Only once all these factors have been considered can scientific value start to be assessed for an area with potential. Therefore, while scientific value and potential are linked, it must be noted that these values and potentials are not the same and can differ substantially for any single site or area with potential.

Areas with archaeological potential were identified according to the definitions in Table 3.1.

Table 3.1 Definitions of Archaeological Potential.

Rank	Definition	Example
No potential	Artefacts and other evidence cannot occur in situ.	Eroded landforms, reconstructed landscapes, hazardous landscape, developed areas.
Low potential	Artefacts (or other evidence) are not normally found in comparable contexts but could occur in low densities making detection unlikely.	Landforms with no specific focus for use, that is, with water sources or undifferentiated slopes.
Moderate potential	Artefacts (or other evidence) are known to occur in comparable landforms in detectable densities (~1 artefact/m ²) and there is an unknown possibility for detection.	Landforms with an environmental focus which may have seen seasonal visitation.
High potential	Artefacts (or other evidence) are consistently found in comparable landforms or similar environmental contexts and thus will certainly be found in any ground breaking works.	Landforms with known environmental focus encouraging repeat visitation to specific locale, that is, margins of swamp or near high order creeks.

3.2 Survey Results—Survey Units & Landforms

In accordance with OEH recording requirements the study area was surveyed according to survey units, landforms and landscapes. All survey units are described in Table 3.2 and shown in Figure 3.1. Details with respect to landform coverage are provided in Table 3.3.

Whilst the whole study area was walked and inspected for Aboriginal objects, only transects associated with the zones of potential are described in the following table and figures.

Table 3.2 Survey Coverage

Survey Unit (SU)	Landform	Survey unit area (SUA) (sq m)	Visibility (V) %	Exposure (E) %	Effective coverage area (ECA) (sq m) (=SUA* V%*E%)	Effective coverage % (=ECA/SUA*100)
1	slope	120	10%	20%	2.4	2%
2	hilltop	90	0	0	0	0
3	slope	560	5%	20%	5.6	1%
4	slope	310	5%	5%	0.78	0.25%
5	slope	500	5%	5%	1.25	0.25%
6	slope	370	100%	100%	370	100%
7	slope	170	0%	0%	0	0%
8	slope	454	5%	20%	4.5	1%
9	Slope	240	100%	100%	240	100%
10	Slope	360	10%	5%	1.8	0.5%
11	Ridge	400	5%	5%	1	0.25%
12	Slope	290	1%	0	0	0

13	slope	420	100%	100%	420	100%
14	slope	250	50%	20%	25	10%
15	slope	300	50%	50%	75	25%
16	slope	260	80%	80%	166	64%
17	slope	250	90%	90%	203	81%
18	Slope	360	10%	5%	1.8	0.5%

Table 3.3 Landform summary—sampled areas

Landform	Landform area (LA) (sq m)	ECA	% landform effectively surveyed (=ECA/LA *100)	Number of Aboriginal sites	Number of artefacts or features
Slope	5214	1517.13	29%	7	14
Ridge	400	1	<1%	1	1
Hill top	90	0	0	0	0

3.3 Survey Results—Aboriginal Sites/Places and Landscapes

The archaeological survey identified a previously recorded site (Archbold Road 1) and two additional previously unrecorded Aboriginal sites. An overview of these sites and areas of PAD are provided in Table 3.4. The locations of all recorded sites and PADs are shown in Figure 3.5.

3.3.1 Archbold Road 1

The area of Archbold 1 was previously assessed by JMcDCHM in 2002 as being an area of high archaeological potential. GML is in agreement with this assessment. Eight pedestrian survey transects (1–8) were used to cover the area (Figure 3.4). There is a hill top in the south east area of the site that slopes down to the western and northern study area boundaries. Ground visibility was hampered by dense vegetation and scrub brush. Soil exposure was limited to transect 6 which followed a vehicle track. Exposed soils were a red clay B horizon. It was along this track where two stone objects were observed, a small silcrete piece (<2cm) and quartz (<2cm). Archbold 1 is comprised of three previously recorded sites (M4U4, RF/ISF1 and RF/ISF2), in addition to the stone objects observed during this survey.



Figure 3.1 Archbold Road 1. (Source: GML 2014)

3.3.2 Archbold Road 2

JMcDCHM (2002) previously assessed this area as having moderate archaeological potential. GML is in agreement with this assessment. Five pedestrian survey transects (14–18) were used to cover the area (Figure 3.4). The site is on a gentle slope covered in dense grass. An east west running unnamed ephemeral creek crosses the area. There is a dam that first appears on the 1947 aerial, at the creek location. Soil exposure and visibility was limited to a dirt vehicle track that crosses the area. Exposed soil profiles consisted of brown silty loam topsoil over brownish red clay. It was along this track where three isolated stone objects were observed, a low density scatter (3 objects) was located further along.



Figure 3.2 Archbold Road 2. (Source: GML 2014)

3.3.3 EFW South

The EFW South site is in the southern portion of the study area that was assessed as being of high archaeological potential. Five pedestrian survey transects (9-13) were placed in the area of the site

(Figure 3.4). An unnamed tributary of Ropes Creek runs across the southern portion of the site, with an unnamed ephemeral creek branching off of it and crossing the site north-south. There is a slightly raised flat area among the trees where these two creeks meet that was determined to be an area of potential archaeological deposit. One stone object (silcrete) was observed on a dirt track adjacent to this area. A second stone object was located along a slight ridge line to the immediate north east of the PAD.



Figure 3.3 EFW South, showing area of PAD in background amongst the trees. (source: GML)

All specific details relating to each individual archaeological site are recorded on the AHIMS site cards. These are attached as Appendix B of this report.

Table 3.4 Recorded Aboriginal heritage sites and places

Site Name	Features	SU	Landform
Archbold Road 1	Lithic scatter, isolated finds	6	Slope
Archbold Road 2	Lithic scatter, isolated finds	14, 15, 16, 17, 18	Slope
EFW South	Isolated finds	11, 9	Ridge, slope

3.4 Analysis and Discussion

3.4.1 Observed Landform and Aspect

Gently inclined slopes were the dominate landform in the study area. Seven of the identified stone object expressions were associated with this landform. There is a slight ridge running north south in the south eastern portion of the study area. It was along this ridge that a stone object was observed at the base of a large tree (EFW South).

In general the PAD's associated with the identified stone object sites were located near ephemeral and second order creek lines. One area of PAD was associated with the Archibold Road 1 site located towards the base of a slight hill in the northern section of the study area.

The Cumberland Plain predictive model and assessment of the environmental context within which the study area is located, suggested landforms across the study area have a moderate potential to contain Aboriginal objects. The model predicts that there will be sparse but focused Aboriginal activity associated with second order creeks and that creek junction may also provide foci for site activity.

3.4.2 Soil Conditions (Integrity and Condition)

Pedestrian survey and examination of historic aerials reveal that much of the study area has been disturbed to varying degrees by both agriculture and industrial activities, although some portions of the study area, primarily in the north and south, have remained largely undisturbed. Along the undisturbed areas, the areas of agricultural disturbance still retain the potential for intact archaeological deposits.

The southern two thirds of the study area appear to have been used for agriculture and animal grazing, as evident by the construction and subsequent expansion of a dam in 1947. By 1978 a large commercial quarry had been constructed to the east of the study area. Large portions of the northern third of the study area appear to have been left largely untouched since 1947. Disturbances associated with the quarry in the northern third of the area can be seen in the 1978 aerial. Disturbance to the topsoil on the hill top overlooking the study area were observed during the survey. This disturbance was a result of terracing and other earthworks associated with the quarry. By 2007 documented disturbances also include topsoil stripping in the southern most portion, expansion of disturbances into the central portion associated with the quarry, and the construction and use of sealed and unsealed vehicle tracks over the extent of the study area. The construction in the 1970's of the M4 motorway along the northern margin of the study area may also have had some impact.

Erosion has generally been restricted to areas immediately associated with the creeks, dam, and vehicle tracks. In general the majority of the study area retains a good level of soil integrity. However areas that have been used for agriculture and grazing may have had an impact on the soils condition. Areas where soil has been removed have a definite impact on both the integrity and condition of said soils.

3.4.3 Environmental Focus

Following the field survey, it would appear that the ephemeral and second order creek systems within the study area may have been the preferred locations for Aboriginal activity. Should sufficient archaeological material be present, then it may be possible to describe this area as an Aboriginal landscape.

3.4.4 Observed Aboriginal sites

The location of the Aboriginal sites identified during the survey is shown in Figure 3.6. No scarred trees or other site features were observed. The most common stone material was red silcrete. This is not surprising considering the abundance of silcrete across the Cumberland Plain. Quartz and tuff were the other material observed during the survey. Stone material was only observed within the zones of archaeological potential associated with the three identified Aboriginal sites.

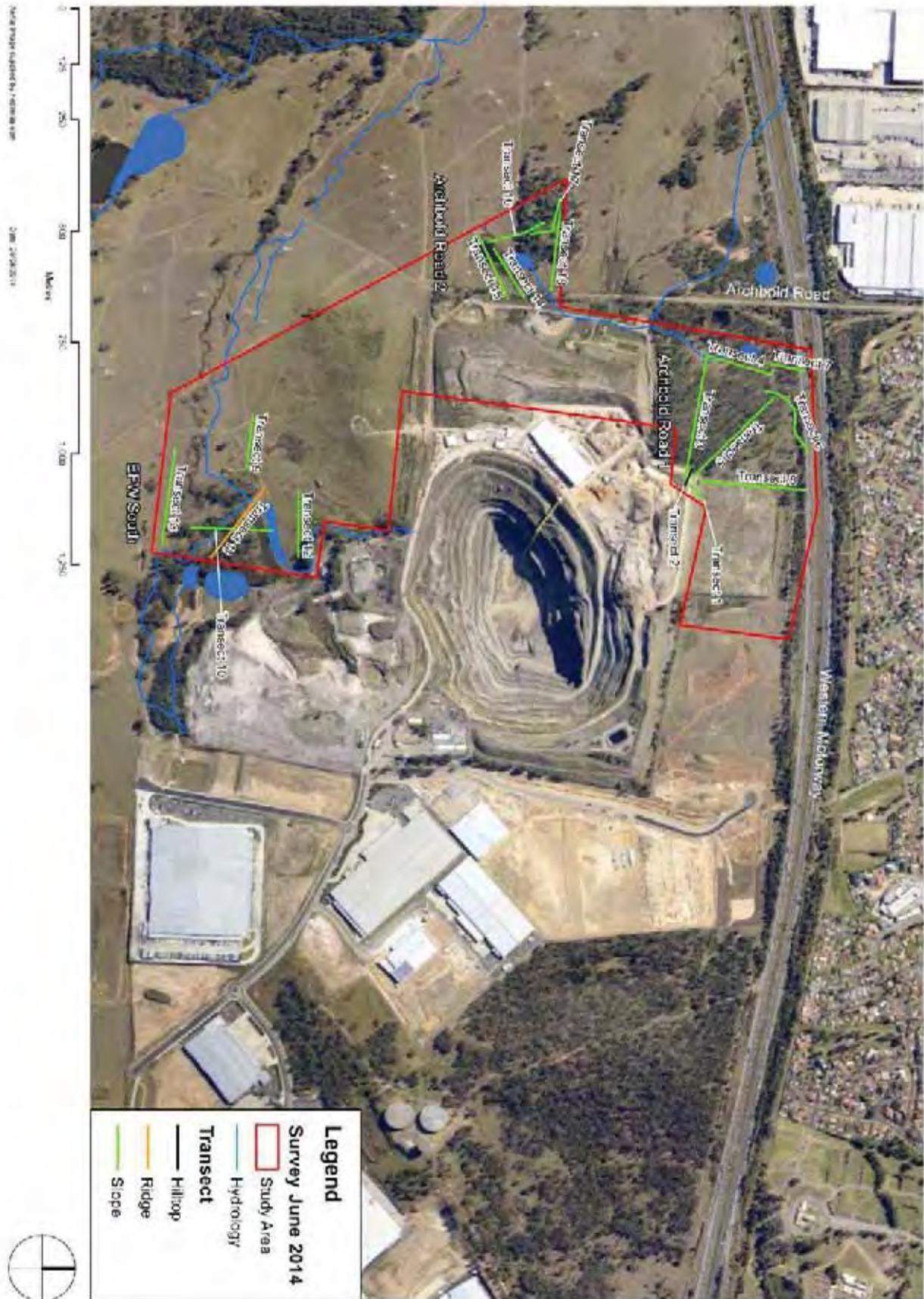


Figure 3.4 Survey transects and the hydrology of the study area. (Source: Near Maps with GML additions)

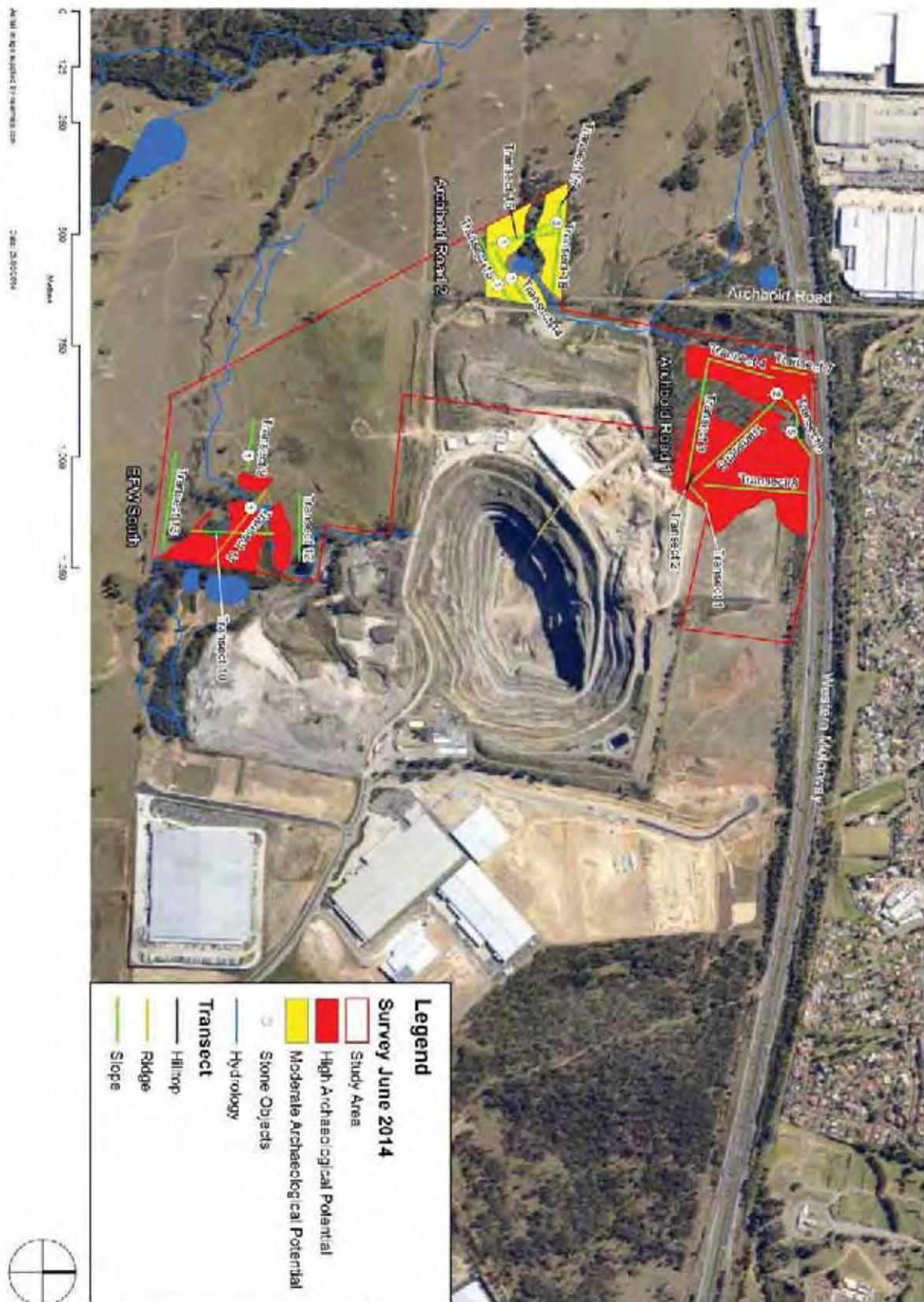


Figure 3.5 Survey transects, the identified Aboriginal sites with their connected zones of archaeological potential and observed stone object densities. (Source: Near Maps with GML additions)

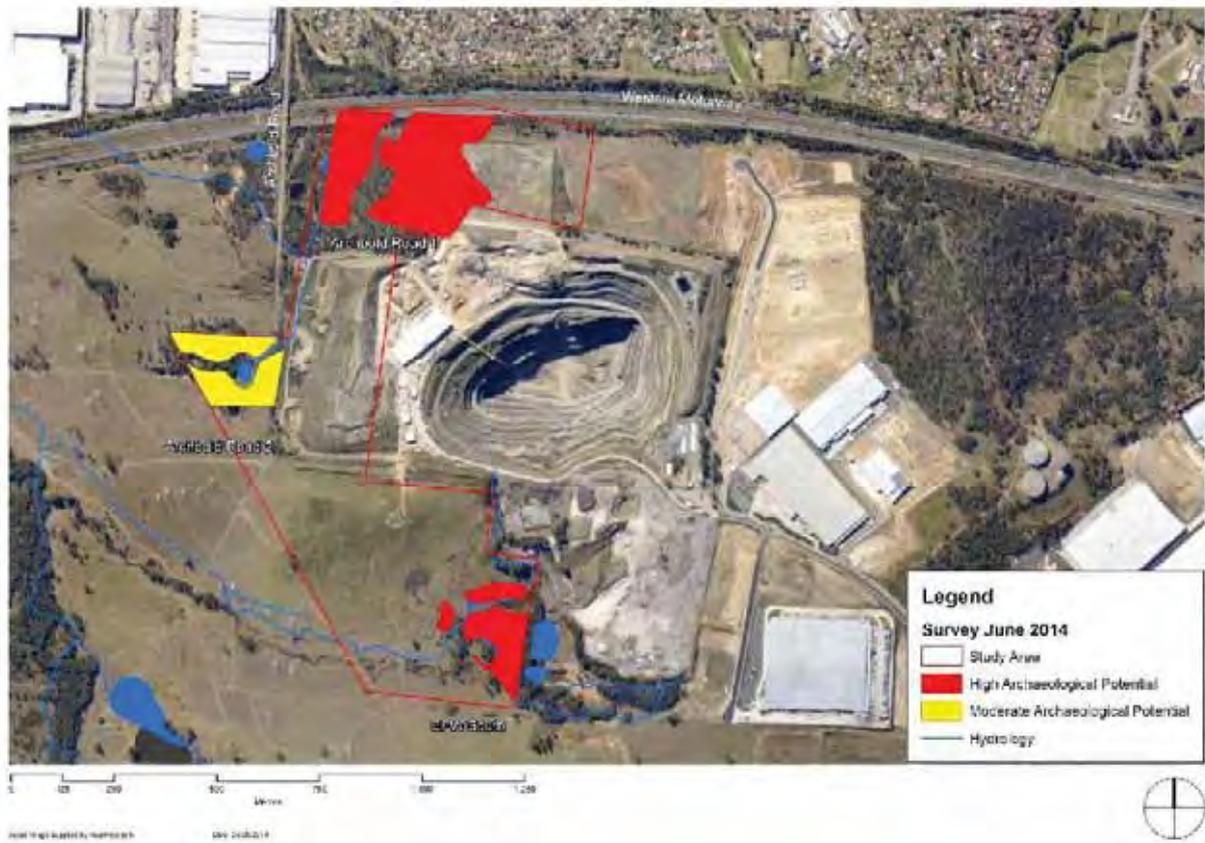


Figure 3.6 The location of Aboriginal sites and their connected zones of archaeological potential. (Source: Near Maps with GML additions)

3.5 Endnotes

- ¹ DECCW *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (24 September 2010) p 13.
- ² 2010: Appendix A.
- ³ Wandsnider, LA, and Camilli, EL 1992. The Character of Surface Archaeological Deposits and its Influence on Survey Accuracy. *Journal of Field Archaeological*. 19(2): pp 169–188.
- ⁴ Fanning, P, and Holdaway, S 2001. Stone Artefact Scatters in Western NSW, Australia: Geomorphic Controls on Artefact Size and Distribution. *Geoarchaeology: An International Journal*. 16(6): pp 667–686.

4.0 Scientific Values and Significance Assessment

4.1 Preamble

Aboriginal heritage sites, objects and places hold value for communities in many different ways. The nature of those heritage values is an important consideration when deciding how to manage a heritage site, object or place and balance competing land-use options.

The approach to the Aboriginal heritage assessment is based upon identifying the key Aboriginal heritage values; values that are likely to be both tangible and intangible. This approach needs to consider the values assessment from the scientific and Aboriginal community perspectives, in accordance with Australian best practice documents.

This assessment concerns itself with scientific values only. Aspects of social value, historic values and aesthetic value are assessed in the Aboriginal Cultural Heritage Assessment Report, to which this report is an appendix¹.

The primary guide to management of heritage places is the Australia ICOMOS Burra Charter 1999. The Burra Charter defines cultural significance as:

Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects.

Places may have a range of values for different individuals or groups.

4.1.1 Assessment Criteria

This assessment has sought to identify Aboriginal heritage objects and sites within the study area and obtain sufficient information to allow the values of those objects and sites to be determined. Following OEH guidelines for assessing scientific value² five key criteria have been considered during the examination of the scientific value/significance of the identified sites and places within the subject area. These criteria are:

- 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?
 - Integrity & condition. Integrity refers to the level of modification a site has been subject to (the cultural and natural formation process) and whether the site could yield intact archaeological deposits, which could be spatially meaningful. Condition takes into account the state of the material, which is especially relevant for organic materials;
 - Complexity. The demonstrated or potential ability of a site to yield a complex assemblage (stone, bone and/or shell) and/or features (hearths, fire pits, activity areas);
 - Archaeological potential. The potential to yield information (from sub-surface materials which retain integrity, stratigraphical or not) that will contribute to an understanding of contemporary archaeological interest, or which could be saved for future research potential.

- Connectedness. Whether the site can be connected to other sites at the local or regional level through aspects such as type, chronology, content (i.e. materials present, manufacturing processes), spatial patterning or ethno-historical information;
- 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; and
- Archaeological landscapes. The study of the cultural sites relating to Aboriginal peoples within the context of their interactions in the wider social and natural environment they inhabited. Landscapes can be large or small depending upon specific contexts (i.e. local or regional conditions); they may also may be influenced by Aboriginal social and demographic factors (which may no longer be apparent);

A statement of Aboriginal scientific significance has been prepared that summarises the salient values as drawn from the above criteria.

4.2 Scientific Assessment

The study area has been assessed against each of the criteria, defined above:

Research potential

The study area is located within a complex of stone based Aboriginal sites, primarily associated with the large network of creeks that cross the Cumberland Plain. There is the potential for the stone artefacts present to further our understanding of the Darug cultural landscape through analysis and assessment.

Integrity and Condition

Whilst large portions of the study area have been impacted by historical activities, those areas defined as holding archaeological potential (Figure 3.6) appear to have been impacted less than the surrounding landforms. These zones may hold good soil integrity and condition, and as such could possess spatially intact Aboriginal archaeological deposits.

Complexity

Due to varying levels of disturbance across the study area, coupled with the typical characteristics of a bio-turbated duplex soil, the study area is unlikely to contain complex archaeological assemblages and/or features. However, the stone based sites could contain evidence for multiple stone knapping events, which on assessment may yield complex information characteristic of such a site.

Archaeological Potential

Based on the expressions of stone objects observed within the three identified Aboriginal sites, there is a moderate to high potential in some areas of the study area to yield information that would further

archaeological understanding of the region. These zones of archaeological potential have been identified in Figure 3.6.

Connectedness

The study area is connected to known sites in the immediate area as part of network of sites that make up the Darug cultural landscape. Further evidence for Aboriginal heritage, associated with the study area, is likely to be associated with other known sites in the immediate area.

Representativeness

The study area may contain a representative assemblage of stone artefacts, although it is likely that any artefacts present would likely be similar to those recovered from sites in the region. The study area is unlikely to yield a stone assemblage with great variability from others in the region.

Rarity

The study area is unlikely to yield an archaeological deposit that could be considered rare at the local or regional level. However, an assessment of accumulative impact to Aboriginal heritage, in the local area, may find that the extent of similar Aboriginal archaeological sites is now dwindling. As such locations with high archaeological potential are becoming rarer in the context of western Sydney. As such, it could be found that Archbold Road 1 is one of the last remaining landforms that holds high archaeological potential.

Education potential

The study area is unlikely to contain archaeological sites suitable for public educational purposes. However, the stone based resources would possibly hold education potential for Aboriginal people and archaeological students, without specialist knowledge of stone objects.

Archaeological landscapes

The study area is part of the wider Darug cultural landscape on the Cumberland Plain. There is a complex network of streams and creeks across the plain which served as important focal points of traditional Aboriginal activity.

4.2.2 Statement of Scientific Heritage Significance

The subject area is likely to hold a level of scientific significant connected with its potential to yield information relating to stone based archaeological resource. The level of scientific significance needs to be further investigated through an understanding of the nature, extent, condition and integrity of the archaeological resource, within its cultural landscape setting.

4.3 Endnotes

¹ This division is in line with OEH requirements for reporting and assessment, as defined under OEH, 2011. *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (April 2011). Section 2.4.2 and DECCW, 2010. *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (24 September 2010). Requirement 11.

² OEH, 2011. *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (April 2011). Page 10.

5.0 Impact Assessment

5.1 Ecologically Sustainable Development

5.1.1 Preamble

An objective of the *NPW Act 1974* is the “conservation of objects places and features ... of cultural value within the landscape, including ... places, objects and features of significance to Aboriginal people ...” (s.2A(1)(b)(i)).

The publication—*Operational Policy: Protecting Aboriginal Cultural Heritage* (DECCW 2009)—provides guidance to proponents in term of Ecologically Sustainable Development (ESD). The following discussion provides an overview of ESD and its application to the current project.

Avoiding or Reducing Impact to Aboriginal Sites

DECC [OEH] needs to balance the sometimes competing tensions between development activities and environment protection when we make decisions. Although the NPW Act gives a high level of protection to known Aboriginal objects [and since the NPW Amendment Regulation 2010 all unknown Aboriginal sites], recent court decisions have reinforced that Part 6 gives the Director General (DG) express powers to consent to the damage, destruction or defacement of Aboriginal objects by development activities. The powers in Part 6 are not inconsistent with the objects of the Act or a requirement to give effect to ESD. (DECC 2009: Section 3.8)

The OEH has three policies that provide guidance with respect to avoiding or reducing impact to Aboriginal sites:

Policy 20

Impacts to significant Aboriginal objects and places should always be avoided wherever possible. We [the OEH] will promote the development (or amendment) of proposals to avoid impacts and therefore avoid the need for s.90 AHIPs.

Policy 21

Where impacts to Aboriginal objects and places cannot be avoided, we will require the proponent or AHIP applicant to develop (or amend) proposals so as to reduce the extent and severity of impacts to significant Aboriginal objects and places through the use of reasonable and feasible measures. Any measures proposed should be negotiated between the proponent or AHIP applicant and the Aboriginal community.

Policy 22

Once all avoidance, minimisation and mitigation options have been adequately explored, we may also consider the appropriateness of any proposed actions having potential Aboriginal cultural heritage benefit. Any actions proposed should be negotiated between the proponent or AHIP applicant and the Aboriginal community.

5.1.2 Principles of Ecologically Sustainable Development

Ecologically Sustainable Development has been defined in section 6 of the *Protection of the Environment Administration Act 1991* (NSW). This requires the integration of economic and environmental considerations (including cultural heritage) in the decision-making process. In regard to Aboriginal cultural heritage, ESD can be achieved by applying the principle of intergenerational equity and the precautionary principle (DECC 2009: 26).

Intergenerational Equity

Intergenerational equity is the principle whereby the present generation should ensure the health, diversity and productivity of the environment for the benefit of future generations.

In terms of Aboriginal heritage, intergenerational equity can be considered in terms of the cumulative impacts to Aboriginal objects and places in a region. If few Aboriginal objects and places remain in a region (for example, because of impacts under previous AHIPs), fewer opportunities remain for future generations of Aboriginal people to enjoy the cultural benefits of those Aboriginal objects and places.

Information about the integrity, rarity or representativeness of the Aboriginal objects and places proposed to be impacted, and how they illustrate the occupation and use of land by Aboriginal people across the region, will be relevant to the consideration of intergenerational equity and the understanding of the cumulative impacts of a proposal.

Where there is uncertainty, the precautionary principle should also be followed. (DECC 2009:26)

The Precautionary Principle

The precautionary principle states that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

In applying the precautionary principle, decisions should be guided by:

a careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment

an assessment of the risk-weighted consequences of various options.

The precautionary principle is relevant to DECC's consideration of potential impacts to Aboriginal cultural heritage where:

the proposal involves a risk of serious or irreversible damage to Aboriginal objects or places or to the value of those objects or places, and

there is uncertainty about the Aboriginal cultural heritage values or scientific or archaeological values, including in relation to the integrity, rarity or representativeness of the Aboriginal objects or places proposed to be impacted.

Where this is the case, a precautionary approach should be taken and all cost-effective measures implemented to prevent or reduce damage to the objects/place. (DECC 2009:26)

With respect to the above OEH policies (Policy 20–22) and ESD the following sections detail specifications for conservation, potential impact, and possible reductions to impact on the identified Aboriginal sites and values in the current study area.

5.2 The Proposed Activity and Impacts to Aboriginal Sites

TNG propose the construction of an Energy From Waste (EFW) electricity generation plant, and associated infrastructure, within the study area (the proposed activity is shown in Figure 5.1). The EFW will receive unsalvageable and economic residue waste from the adjoining Genesis Material Processing Centre (MPC) and Waste Transfer Station (WTS) for thermal conversion and the consequential generation of electrical power. The project aims to manage and convert to energy non-recyclable but combustible waste loads.

The proposal will also include the following ancillary infrastructure:

- Internal roadways;

- Staff amenities;
- Staff parking facilities; and
- Water detention basins.

To undertake this development within the study area, the proposed activity will require cutting and filling the current topography to level the precinct, sinking (via excavation) of foundations, footings and services (such as sewer mains and stormwater drainage into the current soil horizons), construction of a large pad for the warehouse building, and a program of assisted natural regeneration and bushland reconstruction. These activities will result in a range of impacts to the Aboriginal heritage values of the study area. These generally include impacts to topsoil horizons and, thus, in some cases, subsurface archaeological deposits as detailed in Table 5.1.

Table 5.1 Development activities and the type and degree of impacts and harm they may cause to Aboriginal sites.

Activity	Type of Harm	Degree of Harm	Consequence of Harm
Filling of current topography.	Though this may cap a site, it is considered harm by the OEH.	Minimal—caps and preserves sites for future posterity but makes these sites fairly inaccessible.	Conservation with inaccessibility.
Topsoil stripping.	Removal of soil horizons which may contain archaeological deposits.	Destruction of Aboriginal sites.	Loss of information, loss of heritage value.
Removal of trees and/or exotic species, including grasses.	Removal of soil horizons which may contain archaeological deposits.	Partial or total destruction of Aboriginal sites.	Loss of information, loss of heritage value.
Cutting of current topography.	Removal of soil horizons which may contain archaeological deposits.	Destruction of Aboriginal sites.	Loss of information, loss of heritage value.
Sinking (via excavation) of foundations, footings and services.	Removal of soil horizons which may contain archaeological deposits.	Destruction of Aboriginal sites.	Loss of information, loss of heritage value.

5.3 Proposed Conservation of Heritage Sites

Avoidance of Aboriginal heritage sites represents the best heritage outcome as it means no impact to the identified heritage features and thus connected values. An avoidance strategy can be employed for Archbold Road 1 included the zone of high Aboriginal archaeological potential zone at the north of the study area, through creation of a northern conservation area. This action is in keeping with prior designation of conservation areas, detailed in JMCHM 2009.

5.4 Potential Effects arising from Proposed Impacts

Table 5.2 details the potential impacts to the three identified Aboriginal sites located within the study area.¹ The potential effects of the EFW proposal would result in both direct and indirect harm to these sites. The potential indirect harm to the sites would be partial loss of intangible heritage value (especially the cultural setting of the sites). One of the values of any site is its place in the cultural landscape, and its association with other known places. Through the artificial modification of that landscape, sites and places nearby are indirectly affected.

GML Heritage

Table 5.2 Identified potential harm to Aboriginal heritage.

Site	Type of Harm	Degree of Harm	Consequence of Harm
Archbold Road 1	Indirect	Partial	Partial loss of heritage value
Archbold Road 2	Indirect	Partial	Partial loss of heritage value
EFW South	Direct—Topsoil stripping and infilling of topography.	Total harm to the Aboriginal archaeological contents and aesthetic setting of this site.	Total loss of information, total loss of heritage value

5.5 Endnotes

¹ After DECCW *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (24 September 2010). Requirement 11.

6.0 Management, Mitigation & Recommendations

The following management and mitigation statements are made in light of the findings of the study area inspection, background research, predictive modelling, heritage significance assessment, relevant NSW legislation protecting Aboriginal heritage, the OEH Aboriginal Cultural Heritage Assessment Guidelines and consultation with local Aboriginal stakeholders. A total of 3 Aboriginal heritage sites (including PADs) could be impacted by the proposed project. Of these 3, impacts to 3 could be avoided if an appropriate mitigation strategy is employed.

The following management and mitigation statements are based on consideration of:

- legal requirements under the terms of the NPW Act, as amended—which states that it is illegal to harm or desecrate an Aboriginal object without first obtaining an AHIP from the Director-General, OEH, NSW;
- abiding by the new OEH Code of Practice, which was adopted by the *NPW Regulation 2009* (NPW Regulation) made under the NPW Act, and which came into force on 1 October 2010;
- the assessment of the Aboriginal cultural heritage values in the subject area;
- the interests of the local Aboriginal community members who participated in this project; and
- the size of the study area, the size of the remaining areas with archaeological sensitivity and likely impacts posed by the project proposal.

6.1 Recommended Aboriginal Heritage Management and Mitigation Strategy

- Where impacts to heritage sites can be avoided, such as in open space land which are not proposed to have structures or other development on them, avoidance strategies should be employed.
- Previous assessment of the study area (JMcDCHM 2002) state that portions of the study area have moderate to high archaeological potential.
- An assessment by JMcDCHM (2002) recommended that northern and southern portions of the study area should be designated as Core Conservation Zones.
- Test excavation should be undertaken across any areas of PAD that cannot be avoided by direct impacts from the EFW—this is understood to mean the stone artefact site with PAD 'EFW South'. Test excavation should be used to confirm the condition and extent of the archaeological deposit and to allow for a complete scientific investigation of the site. Test excavation should follow the requirements of the OEH's Code of Practice.
- Once an assessment of the EFW South has been made, an assessment of cumulative impact should be undertaken for the local area. This is especially important in the context of Aboriginal site conservation, given the extent of development and urban growth.
- Prior land use planning had noted the conservation potential for both Archbold Road 1 and EFW South—project approval may need to consider the loss of Aboriginal heritage values connected

with EFW South. Efforts should be made to retain the other higher value Aboriginal sites in the local region.

- Should a significant Aboriginal archaeological deposit be identified within EFW South, then salvage excavation would be warranted prior to any development impacts occurring. The program of salvage excavation should be comparable in scale and objective to other similar excavations on the Cumberland Plain, with the objective of recovering a statistically assessable assemblage of Aboriginal objects. This management requirement was supported by the Aboriginal RAPs, who determine the need to recover cultural Aboriginal objects prior to development impacts.
- The proponent would need to undertake all future works in collaboration with the Aboriginal community.
- It is recommended that copies of this report be provided to relevant members of the Aboriginal community who registered an interest in this project for their comment and Aboriginal social assessment. All comments received from the community should be attached to this report.
- A digital copy of this report should be forwarded to the OEH for their records and to support future assessment in this region. GML have submitted all new AHIMS cards for previously unrecorded Aboriginal sites to the OEH for inclusion in the AHIMS database.

6.2 Recommendation

Table 6.1 provides a summary of management recommendation for all of known Aboriginal sites, places, landscape and values and areas of archaeological potential (as assessed in Section 4, and detailed in Table 5.1).

Table 6.1 Summary of recommendations for Aboriginal heritage sites

Site	Is the site harmed	Is an impact approval required	The recommended mitigation strategy
Archbold Road 1	Indirectly	No	This site has been determined to hold high Aboriginal archaeological potential. The site may considered to be rare within the local region as cumulative impact has removed many similar sites. Under the principles of ESD and considering the needs of intergenerational equity, this site should be designated a permanent conservation zone and avoided by future development impacts.
Archbold Road 2	Indirectly	No	This site has lower Aboriginal archaeological potential than Archbold Road 1, however management may need to be similar.
EFW South	Directly	Yes, under SSD approval as a condition of consent	This site has high Aboriginal archaeological potential and if it cannot be avoided by the proposed EFW development it should be subject to archaeological test excavation to assess its nature, extent, condition and integrity. This would allow a complete scientific, aesthetic and social value assessment to be made. It is likely that this site would require open area salvage excavation before development impact commenced.

7.0 Appendices

Appendix A

AHIMS Search Results

Appendix B

New AHIMS Site Cards

Appendix A

AHIMS Search Results

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref Number : 13-0493
Client Service ID : 127926

<u>SiteID</u>	<u>SiteName</u>	<u>Datum</u>	<u>Zone</u>	<u>Easting</u>	<u>Northing</u>	<u>Context</u>	<u>Site Status</u>	<u>SiteFeatures</u>	<u>SiteTypes</u>	<u>Reports</u>
45-5-1063	Miner Glen 1;MG 1;	AGD	56	297000	6258400	Open site	Valid	Artefact : -	Open Camp Site	98435
	Contact	Recorders	C Barker					Permits		
45-5-1067	Ropes Creek	AGD	56	297350	6258660	Open site	Valid	Artefact : -	Open Camp Site	3694,98435
	Contact	Recorders	Helen Brayshaw;Ms.Laila Haglund					Permits		
45-5-1068	Roper Road	AGD	56	297130	6258670	Open site	Valid	Artefact : -	Open Camp Site	3694,98435
	Contact	Recorders	Helen Brayshaw;Ms.Laila Haglund					Permits		
45-5-0435	Eastern Creek W6	AGD	56	299890	6257880	Open site	Valid	Artefact : -	Open Camp Site	1018,98435
	Contact	Recorders	Susan (Now McIntyre-Tamwoy) McIntyre					Permits		
45-5-0437	Eastern Creek W4	AGD	56	299260	6257680	Open site	Valid	Artefact : -	Open Camp Site	1018,98435
	Contact	Recorders	Susan (Now McIntyre-Tamwoy) McIntyre					Permits		
45-5-0440	Eastern Creek W5	AGD	56	299760	6258120	Open site	Valid	Artefact : -	Open Camp Site	1018,98435
	Contact	Recorders	Susan (Now McIntyre-Tamwoy) McIntyre					Permits		
45-5-0556	Blacktown Southwest 2 Eastern Creek	AGD	56	298750	6257180	Open site	Valid	Artefact : -	Open Camp Site	1007,1050,984 35
	Contact	Recorders	Jim Kohen					Permits		
45-5-0557	Blacktown Southwest 3 Eastern Creek	AGD	56	298230	6256880	Open site	Valid	Artefact : -	Open Camp Site	1007,1050,984 35
	Contact	Recorders	Jim Kohen					Permits		
45-5-0558	Blacktown Southwest 5 Eastern Creek	AGD	56	300120	6256880	Open site	Valid	Artefact : -	Open Camp Site	1007,1050,984 35
	Contact	Recorders	Jim Kohen					Permits	2610	
45-5-0559	Blacktown Southwest 7 Colyton	AGD	56	297710	6257100	Open site	Valid	Artefact : -	Open Camp Site	1007,1050,984 35
	Contact	Recorders	Jim Kohen					Permits		
45-5-0560	Blacktown Southwest 8 Colyton	AGD	56	297630	6256600	Open site	Valid	Artefact : -	Open Camp Site	1007,1050,984 35
	Contact	Recorders	Jim Kohen					Permits		
45-5-0563	Blacktown Southwest 11 Colyton	AGD	56	297900	6256600	Open site	Valid	Artefact : -	Open Camp Site	1007,1050,984 35
	Contact	Recorders	Jim Kohen					Permits		
45-5-0564	Blacktown Southwest 12 Colyton	AGD	56	297350	6258400	Open site	Valid	Artefact : -	Open Camp Site	1007,1050,984 35
	Contact	Recorders	Jim Kohen					Permits	2318	
45-5-0565	Blacktown Southwest 13 Colyton	AGD	56	297700	6258200	Open site	Valid	Artefact : -	Open Camp Site	1007,1050,984 35
	Contact	Recorders	Jim Kohen					Permits		
45-5-0588	Blacktown Southwest 1 Eastern Creek	AGD	56	300330	6256700	Open site	Valid	Artefact : -	Open Camp Site	98435
	Contact	Recorders	Jim Kohen					Permits		

Report generated by AHIMS Web Service on 11/03/2014 for Sam Cooling for the following area at Lat, Long From : -33.8072, 150.8108 - Lat, Long To : -33.7924, 150.8344 with a Buffer of 1000 meters. Additional Info : Prep of arch assess, Number of Aboriginal sites and Aboriginal objects found is 63

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<u>SiteID</u>	<u>SiteName</u>	<u>Datum</u>	<u>Zone</u>	<u>Easting</u>	<u>Northing</u>	<u>Context</u>	<u>Site Status</u>	<u>SiteFeatures</u>	<u>SiteTypes</u>	<u>Reports</u>
45-5-0479	Cloyton 4 Cloyton	AGD	56	297200	6259680	Open site	Valid	Artefact : -	Open Camp Site	1018
	Contact									
45-5-0481	Colyton 3 Colyton	AGD	Mary Dallas Consulting Archaeologists	56	297180	6259390	Valid	Artefact : -	Open Camp Site	1018
	Contact									
45-5-0484	Colyton 1 Colyton	AGD	Mary Dallas Consulting Archaeologists; Jim Kohen	56	297670	6258940	Valid	Artefact : -	Open Camp Site	1018,98435
	Contact									
45-4-0206	RC 1;	AGD	Jim Kohen	56	297400	6258850	Valid	Artefact : -	Open Camp Site	2434,98435
	Contact									
45-5-2832	IF:3	AGD	John Edgar	56	299630	6257920	Valid	Artefact : -		4599
	Contact									
45-5-2833	IF:4	AGD	Dominic Steele Archaeological Consulting	56	299700	6257770	Valid	Artefact : -		4599
	Contact									
45-5-2834	IF:5	AGD	Dominic Steele Archaeological Consulting	56	299730	6257870	Valid	Artefact : -		4599
	Contact									
45-5-2835	IF:6	AGD	Dominic Steele Archaeological Consulting	56	299855	6258080	Valid	Artefact : -		4599
	Contact									
45-5-2806	AWL 5	AGD	Dominic Steele Archaeological Consulting	56	300080	6258200	Valid	Artefact : -		4599
	Contact									
45-5-2824	AWL 1	AGD	Dominic Steele Archaeological Consulting	56	300300	6258160	Valid	Artefact : -		4599
	Contact									
45-5-2825	AWL 2	AGD	Dominic Steele Archaeological Consulting	56	299640	6258320	Valid	Artefact : -		4599
	Contact									
45-5-2826	AWL 3	AGD	Dominic Steele Archaeological Consulting	56	299630	6258220	Valid	Artefact : -	2701	4599
	Contact									
45-5-2830	IF:1	AGD	Dominic Steele Archaeological Consulting	56	300130	6258100	Valid	Artefact : -		4599
	Contact									
45-5-2831	IF:2	AGD	Dominic Steele Archaeological Consulting	56	299630	6258170	Valid	Artefact : -	2470	4599
	Contact									
45-5-3062	EP PAD 1	AGD	Dominic Steele Archaeological Consulting	56	297553	6256165	Valid	Potential Archaeological Deposit (PAD) ; - ; Artefact : -	2701	98432
	Contact									
45-5-3159	RCIF 2	AGD	S Scanlon	Biosis Research Pty Ltd Sydney Office; Navin Officer Heritage Consultants Pty Ltd	56	297776	6256537	Valid	Artefact : 1	2550,3262,3340
	Contact									
	Contact	Environmental Resources Management Australia								

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<u>SiteID</u>	<u>SiteName</u>	<u>Datum</u>	<u>Zone</u>	<u>Easting</u>	<u>Northing</u>	<u>Context</u>	<u>Site Status</u>	<u>SiteFeatures</u>	<u>SiteTypes</u>	<u>Reports</u>
45-5-3160	RCAS 8	AGD	56	297464	6258087	Open site	Valid	Artefact : 5		
	<u>Contact</u>	T Russell								
45-5-3161	RCAS 7	AGD	56	297851	6257499	Open site	Valid	Artefact : 27		<u>Permits</u>
	<u>Contact</u>	T Russell								
45-5-3162	RCAS 4	AGD	56	297972	6256918	Open site	Valid	Artefact : 7		<u>Permits</u>
	<u>Contact</u>	T Russell								
45-5-3163	RCAS 5	AGD	56	297990	6256594	Open site	Valid	Artefact : 3		<u>Permits</u>
	<u>Contact</u>	T Russell								
45-5-3164	RCAS 3	AGD	56	298240	6256720	Open site	Valid	Artefact : 14		<u>Permits</u>
	<u>Contact</u>	T Russell								
45-5-3165	RCAS 1	AGD	56	298026	6257394	Open site	Valid	Artefact : 5		<u>Permits</u>
	<u>Contact</u>	T Russell								
45-5-3076	Austral 4	AGD	56	299880	6256380	Open site	Valid	Artefact : -, Potential Archaeological Deposit (PAD) :-		<u>Permits</u>
	<u>Contact</u>	Doctor,Jo McDonald								
45-5-3078	Minchinbury Reservoir Artefact Scatter	AGD	56	299976	6257624	Open site	Valid	Artefact : 20		<u>Permits</u>
	<u>Contact</u>	T Russell								
45-5-3201	EC3-PAD1	AGD	56	299764	6258006	Open site	Partially Destroyed	Potential Archaeological Deposit (PAD) :-		100449
	<u>Contact</u>	Jo McDonald Cultural Heritage Management								
45-5-3202	EC3-PAD2	AGD	56	299627	6257876	Open site	Partially Destroyed	Potential Archaeological Deposit (PAD) :-		100449
	<u>Contact</u>	Jo McDonald Cultural Heritage Management								
45-5-3203	AWL9	AGD	56	299660	6257700	Open site	Valid	Artefact : -		100449
	<u>Contact</u>	Jo McDonald Cultural Heritage Management								
45-5-3204	ISF9	AGD	56	299530	6257850	Open site	Valid	Artefact : -		100449
	<u>Contact</u>	Jo McDonald Cultural Heritage Management								
45-5-3205	ISF10	AGD	56	299660	6257850	Open site	Valid	Artefact : -		100449
	<u>Contact</u>	Jo McDonald Cultural Heritage Management								
45-5-3234	EPRC1	GDA	56	297040	6255945	Open site	Valid	Artefact : -		100562
	<u>Contact</u>	Navin Officer Heritage Consultants Pty Ltd								
45-5-3235	Erskine Park 1 (EP1)	AGD	56	296722	6256329	Open site	Valid	Artefact : -		100562
	<u>Contact</u>	Navin Officer Heritage Consultants Pty Ltd								

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<u>SiteID</u>	<u>SiteName</u>	<u>Datum</u>	<u>Zone</u>	<u>Easting</u>	<u>Northing</u>	<u>Context</u>	<u>Site Status</u>	<u>SiteFeatures</u>	<u>SiteTypes</u>	<u>Reports</u>
45-5-3286	ISF2 Jacfin	AGD	56	299720	6256730	Open site	Valid	Artefact : -		
45-5-3283	<u>Contact</u> EPP 1	Recorders GDA	Jo McDonald	296722	6256329	Heritage Management Open site	Valid	Artefact : 1	Permits 2610	
45-5-3284	<u>Contact</u> EPP 2	Recorders GDA	Navin Officer	296969	6256262	Heritage Consultants Pty Ltd, Open site	Valid	Artefact : 1	Permits	
45-5-3312	<u>Contact</u> EPRC2	Recorders AGD	Navin Officer	296990	6256005	Heritage Consultants Pty Ltd, Open site	Valid	Artefact : -	Permits 100562	
45-4-0205	<u>Contact</u> RC 2;	Recorders AGD	Navin Officer	298150	6258750	Heritage Consultants Pty Ltd Open site	Valid	Artefact : -	Permits 2666	
45-5-0562	<u>Contact</u> Blacktown Southwest 10 Colyton	Recorders AGD	John Edgar	297880	6256420	Open site	Valid	Artefact : -	Permits 452	
45-5-0482	<u>Contact</u> Colyton 2 Colyton	Recorders AGD	Jim Kohen	297240	6259250	Open site	Valid	Artefact : -	Permits 1007,1050,984 35	
45-5-0561	<u>Contact</u> Blacktown Southwest 9 Colyton	Recorders AGD	Mary Dallas	297580	6256310	Archaeologists Open site	Valid	Artefact : -	Permits 1072,1092,1852	
45-5-3842	<u>Contact</u> EPLR1	Recorders GDA	Jim Kohen	298970	6256569	Open site	Valid	Artefact : -	Permits	
45-5-3843	<u>Contact</u> RCIF1	Recorders AGD	Mr. Kelvin Officer,	298621	6256456	Biosis Research Pty Ltd Open site	Valid	Artefact : -	Permits 3262,3340	
45-5-3936	<u>Contact</u> ROPES CREEK AS4	Recorders GDA	Mr. Kelvin Officer,	298002	6256241	Biosis Research Pty Ltd Open site	Valid	Artefact : 1	Permits 3262,3340	
45-5-3935	<u>Contact</u> Erskine Park 2 (EP2)	Recorders AGD	Mr. Lyndon Patterson	296969	6256262	Open site	Valid	Artefact : 8	Permits	
45-5-3937	<u>Contact</u> ROPES CREEK AS3	Recorders GDA	Navin Officer	298214	6256217	Heritage Consultants Pty Ltd Open site	Valid	Artefact : 1	Permits	
45-5-3938	<u>Contact</u> ROPES CREEK AS2	Recorders GDA	Mr. Lyndon Patterson	298533	6256290	Open site	Valid	Artefact : 1	Permits	
45-5-3939	<u>Contact</u> ROPES CREEK AS1	Recorders GDA	Mr. Lyndon Patterson	298768	6256397	Open site	Valid	Artefact : 1	Permits	
45-5-3942	<u>Contact</u> Erskine Park AS1	Recorders GDA	Mr. Lyndon Patterson	297476	6257026	Open site	Valid	Artefact : 54	Permits	
45-5-4192	<u>Contact</u> EASTERN CREEK IF 1	Recorders GDA	Biosis Research Pty Ltd	297990	6258073	Sydney Office Open site	Valid	Artefact : 1	Permits	

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

<u>SiteID</u>	<u>SiteName</u>	<u>Contact</u>	<u>Datum</u>	<u>Zone</u>	<u>Easting</u>	<u>Northing</u>	<u>Context</u>	<u>Site Status</u>	<u>SiteFeatures</u>	<u>SiteTypes</u>	<u>Reports</u>
							Biosis Research Pty Ltd Sydney Office				

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Appendix B

New AHIMS Site Cards



Aboriginal Site Recording Form



AHIMS Registrar
PO Box 1967, Hurstville NSW 2220

Office Use Only

Site Number

Date received / / Date entered into system / / Date catalogued / /

Entered by (I.D.)

Information Access

Gender/male Gender/female Location restriction General restriction No access

For Further Information Contact:

Nominated Trustee

Title Surname First Name Initials

Organisation

Address

Phone number Fax

Knowledge Holder

Title Surname First Name Initials

Organisation

Address

Phone number Fax

Aboriginal Heritage Unit or Cultural Heritage Division Contacts

Office Use Only

Client on system

Client on system

Geographic Location

Site Name

Easting Northing AGD/GDA

Mapsheet

Zone Location Method

Other Registration

Primary Recorder

Title Surname First Name Initials

Organisation

Address

Phone number Fax

Date recorded

Client on system

General Site Information

Closed Site

Shelter/Cave Formation

- Boulder
- Wind erosion
- Water erosion
- Rock collapse

Rock Surface Condition

- Boulder
- Sandstone platform
- Silica gloss
- Tessellated
- Weathered
- Other platform

Open Site

Site Orientation

- N-S
- NE-SW
- E-W
- SE-NW
- N/A

Condition of Ceiling

- Boulder
- Sandstone platform
- Silica gloss
- Tessellated
- Weathered
- Other platform

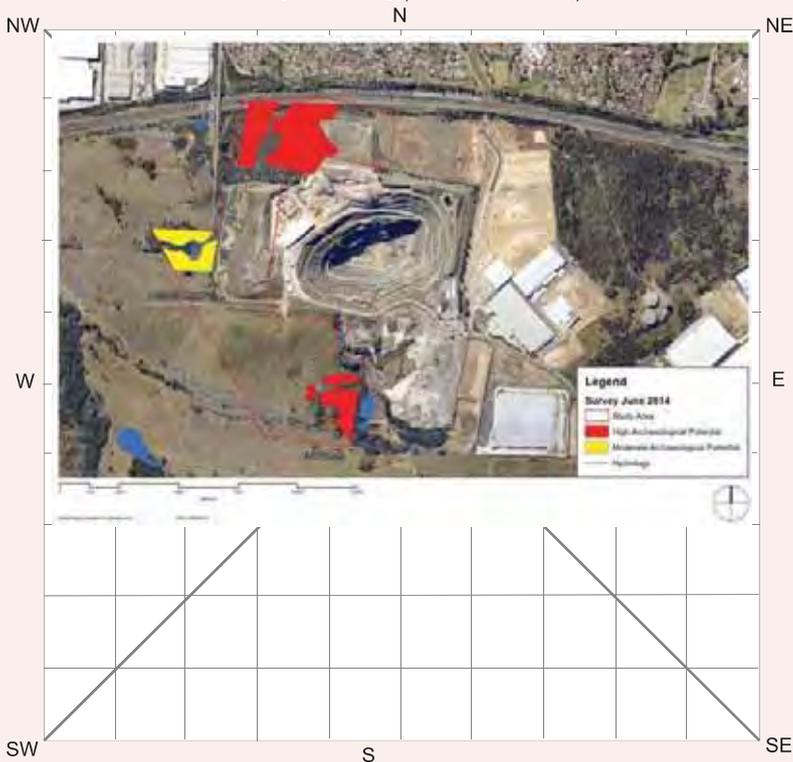
Shelter Aspect

- North
- North East
- East
- South East
- South
- South West
- West
- North West

Features

- 1. Aboriginal Ceremony & Dreaming
- 2. Aboriginal Resource & Gathering
- 3. Art
- 4. Artefact
- 5. Burial
- 6. Ceremonial Ring
- 7. Conflict
- 8. Earth Mound
- 9. Fish Trap
- 10. Grinding Groove
- 11. Habitation Structure
- 12. Hearth
- 13. Non Human Bone & Organic Material
- 14. Ochre quarry
- 15. Potential Archaeological Deposit
- 16. Stone Quarry
- 17. Shell
- 18. Stone Arrangement
- 19. Modified Tree
- 20. Water Hole

Site Plan Indicate scale, boundaries of site, features



Site Dimensions

Closed Site Dimensions (m)

- Internal length
- Internal width
- Shelter height
- Shelter floor area

Open Site Dimensions (m)

- Total length of visible site
- Average width of visible site
- Estimated area of visible site
- Length of assessed site area



Aboriginal Site Recording Form



AHIMS Registrar
PO Box 1967, Hurstville NSW 2220

Office Use Only

Site Number

Date received / / Date entered into system / / Date catalogued / /

Entered by (I.D.)

Information Access

Gender/male Gender/female Location restriction General restriction No access

For Further Information Contact:

Nominated Trustee

Title	Surname	First Name	Initials
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Organisation <input type="text"/>			
Address <input type="text"/>			
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Knowledge Holder

Title	Surname	First Name	Initials
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Organisation <input type="text"/>			
Address <input type="text"/>			
Phone number <input type="text"/>		Fax <input type="text"/>	

Aboriginal Heritage Unit or Cultural Heritage Division Contacts

Office Use Only

Client on system

Client on system

Geographic Location

Site Name

Easting Northing AGD/GDA

Mapsheet

Zone Location Method

Other Registration

Primary Recorder

Title	Surname	First Name	Initials
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Organisation <input type="text"/>			
Address <input type="text"/>			
Phone number <input type="text"/>		Fax <input type="text"/>	

Date recorded

Client on system

General Site Information

Closed Site

Shelter/Cave Formation

- Boulder
- Wind erosion
- Water erosion
- Rock collapse

Rock Surface Condition

- Boulder
- Sandstone platform
- Silica gloss
- Tessellated
- Weathered
- Other platform

Open Site

Site Orientation

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- NE-SW
- E-W
- SE-NW
- N/A

Condition of Ceiling

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- Sandstone platform
- Silica gloss
- Tessellated
- Weathered
- Other platform

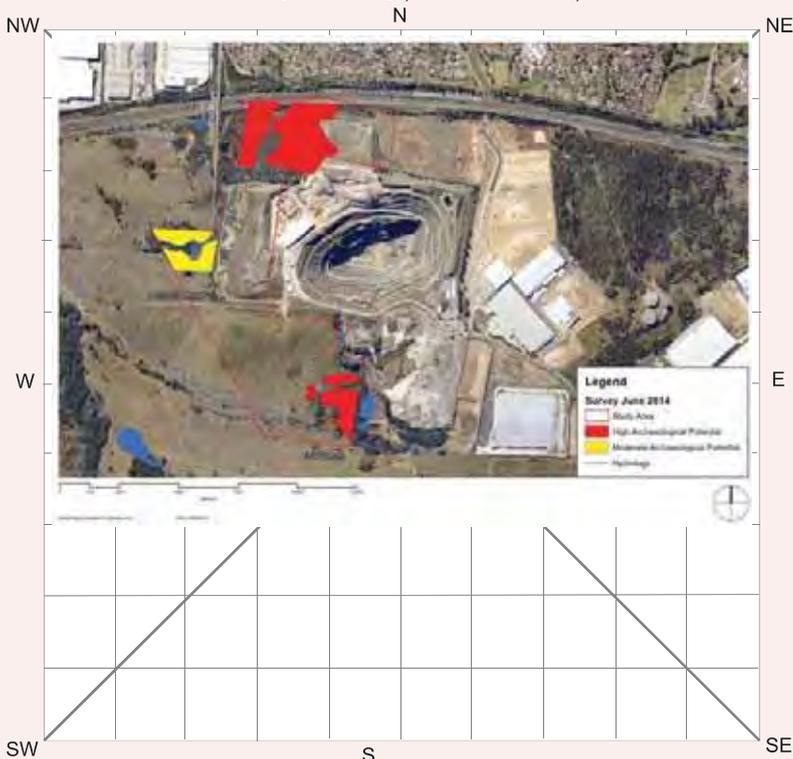
Shelter Aspect

- North
- North East
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- West
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Features

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- Estimated area of visible site
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Aboriginal Site Recording Form



AHIMS Registrar
PO Box 1967, Hurstville NSW 2220

Office Use Only

Site Number

Date received / / Date entered into system / / Date catalogued / /

Entered by (I.D.)

Information Access

Gender/male Gender/female Location restriction General restriction No access

For Further Information Contact:

Nominated Trustee

Title	Surname	First Name	Initials
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Organisation	<input type="text"/>		
Address	<input type="text"/>		
Phone number	<input type="text"/>	Fax	<input type="text"/>

Knowledge Holder

Title	Surname	First Name	Initials
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Organisation	<input type="text"/>		
Address	<input type="text"/>		
Phone number	<input type="text"/>	Fax	<input type="text"/>

Aboriginal Heritage Unit or Cultural Heritage Division Contacts

Office Use Only

Client on system

Client on system

Geographic Location

Site Name E F W S o u t h

Easting 1 5 0 4 9 Northing 3 3 4 8 1 0 AGD/GDA GDA

Mapsheet

Zone 56 Location Method Client GIS or CAD System

Other Registration

Primary Recorder

Title	Surname	First Name	Initials
<input type="text"/> M r <input type="text"/>	<input type="text"/> T y l e r <input type="text"/>	<input type="text"/> B e e b e <input type="text"/>	<input type="text"/>
Organisation	<input type="text"/> G M L <input type="text"/>		
Address	<input type="text"/> 7 8 <input type="text"/> G e o r g e <input type="text"/> S t <input type="text"/> R e d f e r n <input type="text"/>		
Phone number	<input type="text"/> 9 3 1 9 4 8 1 1 <input type="text"/>	Fax	<input type="text"/>

Date recorded

Client on system

General Site Information

Closed Site

Shelter/Cave Formation

- Boulder
- Wind erosion
- Water erosion
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Rock Surface Condition

- Boulder
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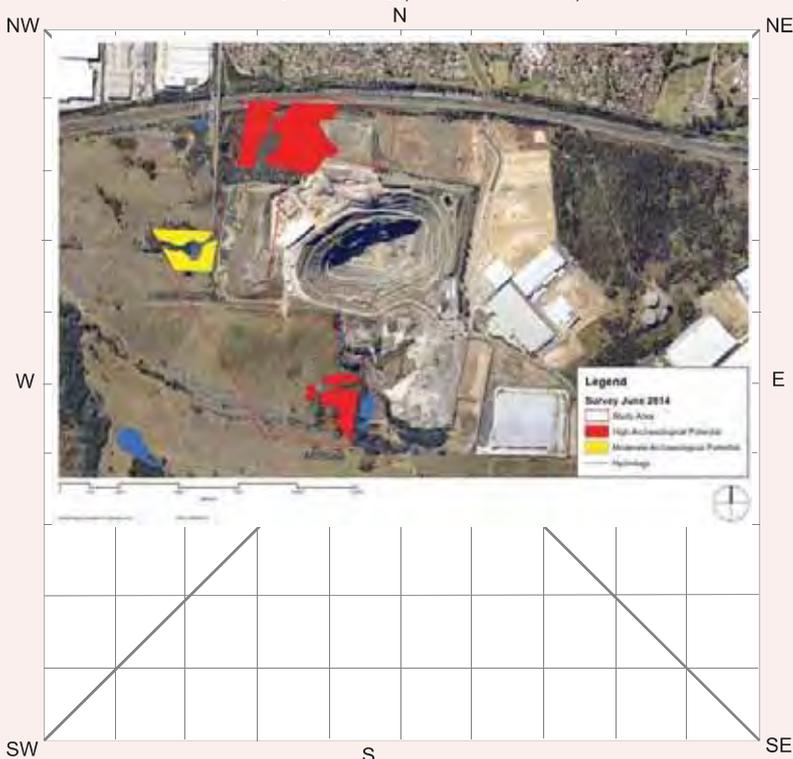
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- Shelter floor area

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- Total length of visible site
- Average width of visible site
- Estimated area of visible site
- Length of assessed site area

APPENDIX B

GML 2014 - ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT

Energy From Waste (EFW) Plant, Eastern Creek

Aboriginal Cultural Heritage Assessment

Report prepared for Urbis on behalf of The Next Generation (TNG)

September 2014



Sydney Office 78 George Street Redfern NSW Australia 2016 T +61 2 9319 4811

Canberra Office 2A Mugga Way Red Hill ACT Australia 2603 T +61 2 6273 7540

GML Heritage Pty Ltd ABN 60 001 179 362

www.gml.com.au

Report Register

The following report register documents the development and issue of the report entitled Energy From Waste (EFW) Plant, Eastern Creek—Aboriginal Cultural Heritage Assessment Report, undertaken by GML Heritage Pty Ltd in accordance with its quality management system.

Job No.	Issue No.	Notes/Description	Issue Date
13-0493	1	Final Report	22 September 2014

Quality Assurance

GML Heritage Pty Ltd operates under a quality management system which has been certified as complying with the Australian/New Zealand Standard for quality management systems AS/NZS ISO 9001:2008.

The report has been reviewed and approved for issue in accordance with the GML quality assurance policy and procedures.

Project Manager:	Tyler Beebe	Project Director & Reviewer:	Tim Owen
Issue No.	1	Issue No.	1
Signature		Signature	
Position:	Consultant	Position:	Associate
Date:	22 September 2014	Date:	22 September 2014

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Executive Summary

GML Heritage (GML) Pty Ltd was engaged by The Next Generation NSW Pty Ltd (TNG) to prepare an Aboriginal cultural heritage assessment report (ACHAR) for proposed Energy from Waste (EFW) facility at Eastern Creek project. This report forms part of the Environmental Assessment for the study area prepared under Part 3 of the *Environmental Planning and Assessment Act 1979*.

The aim of this project are:

- to involve the Aboriginal community in decisions with respect to its heritage;
- to identify, assess and report on Aboriginal heritage values within the study area;
- to determine how the EFW project may harm these values; and
- to establish the mechanism for conservation and mitigation of harm to these values.

This ACHAR should be read in conjunction with the Aboriginal archaeological technical report for this study area; the archaeological report details the archaeological field work, scientific assessment, impact assessment and mitigation and management recommendation for the project.

The cultural heritage assessment of the study area, as reported herein, has confirmed the identification of social and scientific Aboriginal values associated with the study area.

The recommendations arising from this report is that the identified Aboriginal site in the south of the study area would be impacted by the proposed development, whilst other Aboriginal sites would be avoided and placed within a conservation offset area.

Aboriginal Cultural Heritage Assessment Report Cover Sheet

Report title	Aboriginal Cultural Heritage Assessment Report for the proposed Energy from Waste (EFW) facility at Eastern Creek
Author(s) name	Sam Cooling and Tyler Beebe
Author(s) contact details	GML Heritage 78 George Street, Redfern NSW 2016 Tel: 02 9319 4811 Fax: 02 9319 4383
Address of subject area	Eastern Creek, Lots 2 and 3 in DP 1145808 Blacktown Local Government Area
Report prepared for	Company name The Next Generation NSW Pty Ltd c/o Urbis Person Ian Malouf Email ianmalouf@dadi.com.au Phone 0418 968 123
Date of Report	19 September 2014
Use of report/ confidentiality	
This report is not confidential except as expressly stated	This report may be used by OEH in a number of ways including: placing it in a database; generally making hard and electronic copies available to the public; and communicating the report to the public. However, If this report (or part thereof) is confidential or sensitive please advise OEH and any restrictions as to use of this report in the space above, otherwise leave it blank.
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Indemnity	If the person/entity who claims to be the copyright owner of the report is not entitled to claim copyright in the report, he/she/it indemnifies all persons using the report in accordance with the National Parks & Wildlife Act 1974 against any claim, action, damage or loss in respect of breach of copyright.

1.0 Introduction

GML Heritage (GML) Pty Ltd was engaged by Urbis, on behalf of The Next Generation NSW Pty Ltd (TNG) to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) and an Aboriginal Archaeological Technical Report (ATR) for the proposed Energy from Waste (EFW) facility at Eastern Creek project (Figure 1.1). This report forms part of the Environmental Assessment for the study area prepared under Part 3 (State Significant Development) of the *Environmental Planning and Assessment Act 1979*.

The purpose of this report is to identify whether the study area possesses or has the potential to possess Aboriginal heritage archaeological sites, places, objects, landscapes and/or values, in accordance with the NSW Office of Environment and Heritage (OEH) guidelines for Aboriginal heritage assessment (listed below).

This report provides a preliminary significance assessment of the identified archaeological Aboriginal sites, places, landscapes and/or other potential heritage values. An impact assessment and management recommendations are provided to assist TNG with their future responsibilities for the management of Aboriginal cultural heritage within the study area.

1.1 Project Brief and Study Area

The Energy from Waste (EFW), Eastern Creek project area (the study area), is located at Eastern Creek, Lots 2 and 3 in DP 1145808, within the Blacktown Local Government Area (LGA), south of the M4, east of Ropes Creek, west of the former Pioneer Quarry, and bounded to the west by Archbold Road (Figures 1.1 and 1.2).

TNG proposes to construct an EFW electricity generation plant at the southern end of the study area. The proposed development involves the construction of the EFW energy generation plant, as well as internal roadways, amenities and ablutions, parking facilities, and water detention basins. Any action that disturbs the ground surface has the potential to impact soils that may contain an Aboriginal archaeological deposit. Therefore this assessment has been undertaken in order to determine if there is the potential for Aboriginal objects within the study area, and if so, to what extent they may be impacted through the development proposal. This will allow development of relevant and appropriate Aboriginal cultural heritage management strategies as necessary and appropriate to the study area.

Figure 1.3 depicts the proposed location of the proposed plant. Details of the proposed development impact and location are presented in the Impact Assessment, Section 5.0 of this report. The EFW project will be assessed under the Environmental Planning and Assessment Act (EPA Act) as a State Significant Development (SSD) Project. This report will be used to support a DA for the EFW plant and associated works within the study area.

1.2 Statutory Context

In NSW Aboriginal heritage is principally protected under two Acts:

- the NPW Act; and
- the *Environmental Planning and Assessment Act 1979* (EPA Act).

On 1 October 2010 the mechanisms for the protection and management of Aboriginal heritage places and objects changed with the adoption of the *NPW Amendment (Aboriginal Objects and Places) Regulation 2010*.

New offences relating to the harm to, or desecration of, an Aboriginal object or declared Aboriginal Place were introduced. The definition of 'harm' now includes to destroy, deface, damage or move an Aboriginal object or declared Aboriginal Place. The OEH has stated:

The most significant change is the introduction of tiered offences and penalties. Offences committed with knowledge, in aggravating circumstances or in relation to an Aboriginal Place will attract higher penalties than previously. There is a new strict liability offence of harming Aboriginal objects and of harming or desecrating Aboriginal Places.¹

The strict liability offence of harming Aboriginal objects has a number of defences. The two defences relevant to this project include the statutory defence of due diligence through complying with an adopted industry code of practice (see due diligence below) or compliance with the conditions of an AHIP.

The *Environmental Planning and Assessment Act 1979* (NSW) (EPA Act) provides a statutory framework for the determination of development proposals. It provides for the identification, protection and management of heritage items through inclusion in schedules to planning instruments such as Local Environmental Plans (LEPs) or Regional Environmental Plans (REPs). Heritage items in planning instruments are usually historic sites but can include Aboriginal objects and places. The EPA Act requires that appropriate measures be taken for the management of the potential archaeological resource by means consistent with practices and standards adopted in meeting the requirements of the NPW Act.

The EFW Plant Development will be assessed as a State Significant Development (SSD) in accordance with Part 3 of the EPA Act. Therefore the requirement for an Aboriginal Heritage Impact Permit (AHIP) in accordance with Section 90 the NPW Act may not apply to this development.

1.3 Approach to Aboriginal Heritage Management

In order to administer the NPW Act and EPA Act, the OEH has issued a series of best practice guidelines and policies. The applicability of these depends upon the approval mechanism for a project. The approach to the preparation of this document was based on the following current best practice guidelines:

- Department of Environment, Climate Change and Water (DECCW) *Aboriginal cultural heritage consultation requirements for proponents 2010. Part 6 National Parks and Wildlife Act 1974 (April 2010)*;
- DECCW *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (13 September 2010)*;
- DECCW *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (24 September 2010)*;
- *OEH Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (April 2011)*; and
- *The Australia ICOMOS Burra Charter 1999 (Burra Charter)*.

1.4 Objectives of this Aboriginal Cultural Heritage Assessment

The objectives of this assessment were:

- to undertake identification of Aboriginal community members who can speak for the Country within which the project is located;
- to involve the Aboriginal community in the cultural heritage assessment process;
- to consult with the Aboriginal community and determine their opinions with respect to the project and its potential 'harm' to their cultural heritage
- to understand the range and type of Aboriginal heritage values and places within the study area;
- to determine whether the identified Aboriginal sites and places are a component of a wider Aboriginal cultural landscape;
- to understand how the physical Aboriginal sites relates to Aboriginal tradition within the wider area;
- to prepare a cultural heritage values assessment for all identified aspects of Aboriginal cultural heritage, as identified within this report;
- to determine how the proposed project may impact the identified Aboriginal cultural heritage;
- to aim to minimise impacts to Aboriginal cultural heritage through sensible and pragmatic site and land management;
- to determine where impacts are unavoidable and develop a series of impact mitigation strategies that benefit Aboriginal cultural heritage and the proponent; and
- to provide clear recommendations for the conservation of Aboriginal heritage values and mitigation of any potential impacts to these values.

1.4.1 Reporting Approach

This ACHAR has been prepared in accordance with the requirements of *OEH Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (April 2011)*. This ACHAR should be read in conjunction with the Aboriginal Archaeological Technical Report (ATR) prepared for the study area; the archaeological report details the archaeological field work, scientific assessment, impact assessment and mitigation and management recommendation for the project.

1.5 Investigators and Contributors

The project team's roles, qualifications and affiliations are detailed in Table 1.1. A number of Aboriginal community representatives have assisted in the archaeological assessment's field survey and provided cultural input into the ACHAR and ATR. The list of contributors involved is specified below.

Table 1.1 Investigators and Contributors

Person (Qualification)	Affiliation	Role
Sam Cooling (M. Arch. Science, BA.)	GML	Project Manager, Author

GML Heritage

Dr Tim Owen (PhD Aboriginal archaeology, BSc [Hons] International Archaeology)	GML	Project Director, Report Reviewer
Jane McMahon (BA)	GML	Author
Tyler Beebe (BA)	GML	Project Manager, Author
Jen Norfolk	Tocomwall	
Uncle Gordon Workman	DLO	
Paul Goddard	DLO	
John Reilly	DTAC	
Des Dyer	DALC	
Gordon Morton	DACHA	
Tylan Blunden	DCAC	
Philip Khan	KYWG	



Figure 1.1 Regional Study area location. (Source: Nearmaps with GML Additions 2014).



Figure 1.2 Study area. (Source: Nearmaps with GML Additions 2014).



Figure 1.3 Approximate location of proposed plant. (Source: Near Maps with GML additions)

2.0 Aboriginal Community Consultation

2.1 Introduction

This chapter contains specific details of Aboriginal community consultation with regard to the heritage assessment of the study area.

Aboriginal community consultation is required in order to make a valid assessment of Aboriginal heritage values; especially those Aboriginal memories, stories and associations between the Aboriginal people and their traditional lands or Country. Aboriginal people frequently express an enduring connection to their Country, a connection that transcends generations, both past and present. The connection is frequently expressed as a sense of belonging, which may manifest through physical objects or place; alternatively it may be presented as an intangible idea, where an appreciation of an unseen quality or non-materialistic value connects a place in the landscape, tradition, observance, custom, lore belief and/or history to the person or group describing the item, event or value. The notion of intangible, social or community values is essential to Aboriginal people as ‘the effective protection and conservation of this heritage is important in maintaining the identity, health and wellbeing of Aboriginal people’.¹

Aboriginal consultation is required for any assessment of Aboriginal heritage. The OEH specifies that consultation should follow the guideline document ‘*DECCW, Aboriginal cultural heritage consultation requirements for proponents 2010*’ in relation to any study that might eventually be used to support an application under Part 6 of the *National Parks and Wildlife Act 1974*.

These guidelines set out a process for inviting Aboriginal groups to register interest as a party to consultation (including the placing of local press advertisement[s]), seeking responses on the proposed assessment methodology, and seeking comment on proposed assessments and recommendations. The guidelines specify timeframes for each stage of the consultation process.

The Aboriginal community consultation for this project has been carried out in accordance with the OEH guideline. The complete log of all communications between GML and local Aboriginal stakeholders is presented in *Appendix A*. This chapter provides an overview of the consultation process.

2.2 The Process of Consultation

In order to gather social and community views and opinions with respect to Aboriginal heritage, the OEH has established a formal process involving identification, registration, engagement and consultation with Aboriginal peoples who may hold cultural knowledge relevant to determining the significance of an Aboriginal object and/or place.

Adherence with the April 2010 guidelines involves following a number of stages, which include:

- informing Aboriginal people about the nature and scope of the proposal;
- understanding what might be present in the landscape and its cultural significance;
- determining the potential impacts and the proposed strategies to deal with them; and
- reviewing the report.²

The guidelines specify timeframes for each stage of the consultation process. Further details pertaining to these stages are described below.

2.2.1 Stage 1: Notification of Project

The aim of Stage 1 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 area of the proposed project'.³ The identification process involves:

- initial letters sent to select government agencies to determine relevant Aboriginal stakeholder groups to contact; and
- placement of a notice in local press, inviting Aboriginal people who hold relevant cultural knowledge to register in the process of community consultation.

A letter notifying all Aboriginal people and the Local Aboriginal Land Council (LALC) about the proposed project must be sent to each individual and group identified through the above steps. Aboriginal people have a minimum of 14 days after the letter is sent or the notice is published in the newspaper to register an interest in the project.

The outcome of Stage 1 is a list of Aboriginal people who have registered to be involved in consultation for the project—the Registered Aboriginal Parties (RAPs). The RAPs are to be involved for the remainder of the project; no Aboriginal consultation outside of the RAPs is required.

2.2.2 Stage 2: Presentation of Information

A letter is to be sent to all RAPs informing them of the project outline, project impacts, the timeline and milestones of the project. Included is a methodology for undertaking field assessment and a request for any information on culturally sensitive areas of local traditional knowledge relating to the study area.

The OEHL have determined that Stage 2 must allow 28 days for the RAPs to respond.

2.2.3 Stage 3: Gathering Information

Field assessment could commence four weeks after the Stage 2 package has been sent to the RAPs. During the field assessment, the RAPs may provide knowledge about local traditions and cultural aspects of the study area. Any such information would be presented in the heritage assessment.

2.2.4 Stage 4: Review of Draft Report

Following client review of the draft Aboriginal heritage assessment, each RAP must be provided with the draft report for comment. The OEHL stipulates that RAPs should be allowed 28 days to provide comment on the draft report. All community comments would be appended to the report and appear in the final Heritage Assessment.

The Aboriginal community consultation for this project has been carried out in accordance with the OEHL guidelines. This chapter provides a brief overview of the consultation process. The complete log of all communications between GML and RAPs is presented in Appendix B of the ATR, following this report.

2.3 Commencement of Consultation (Stage 1)

Letters requesting contact details of Aboriginal people or organisations who may hold cultural knowledge relevant to the study area and any known heritage issues to be taken into consideration (Step 1 notifications) were sent on 5 December 2012 to:

- The NSW OEH Planning and Aboriginal Heritage Section;
- Registrar, *Aboriginal Land Rights Act 1983* (NSW);
- The National Native Title Tribunal (NNTT);
- Native Title Services Corporation (NTSCorp);
- Blacktown City Council (BCC);
- Hawkesbury Nepean Catchment Management Authority (HNCMA); and
- Deerubbin Local Aboriginal Land Council (DLALC).

Responses were received from the OEH; NNTT; NTS Corp; and BCC.

Subsequently, those Aboriginal people who were identified during the Step 1 notifications were contacted via letter on 28 March 2014, providing information regarding the project and inviting them to register an interest (Step 2 notifications). An advertisement for inviting registrations of interest by Aboriginal people with cultural knowledge relevant to the project area was also placed in the Blacktown Advocate on 19 March 2014.

In line with the outcomes of Stage 1 following OEH 2010: Appendix B¹, the following Aboriginal people registered an interest and constitute the Registered Aboriginal Parties (RAPs) for the EFW, Eastern Creek project:

- Darug Land Observations (DLO);
- Tocomwall;
- Darug Aboriginal Cultural Heritage Assessments (DACHA);
- Koomurri Ngunawal Aboriginal Corporation (KNAC);
- HSB Heritage Consultants (HHC);
- Wurrumay Consultants;
- Darug Aboriginal Landcare (DALC);
- Darug Tribal Aboriginal Corporation (DTAC);
- Deerubbin Local Aboriginal Land Council (DLALC);
- Kamilaroi-Yankuntjatjara Working Group (KYWC);
- Gunjee Wong Cultural Heritage Aboriginal Corporation (GCHAC); and

¹ DECCW, Aboriginal cultural heritage consultation requirements for proponents 2010

- Darug Custodian Aboriginal Corporation (DCAC).

A copy of the notification and details of Registered Aboriginal Parties were provided to OEH and Deerubbin LALC on 17 April 2014.

2.4 Presentation of Information (Stage 2)

Each group was provided with written details of the proposed project and the project methodology by registered post on 16 April 2014. Four responses were received from the project RAPs regarding the project methodology. DTAC and DCAC both agreed with the project methodology, however raised concern regarding the number of groups registered for consultation that were not Darug people/not from the area. DTAC representative Mr John Reilly noted that 'only Darug persons should be on Darug Country, such as fieldwork and test excavation'. Ms Leanne Watson of DCAC also noted that the sites in the region are a complex, rather than separate sites, and recommended that the connections between these sites be interpreted through the project. She also stated that the area is of high cultural significance as a Darug landscape. In addition, a response was received from both HHC and KYWC stating their support for the project methodology.

2.5 Participation in Field Assessment

2.5.1 Field Survey

Field survey for the assessment was undertaken on 15 May 2014 and included representatives from seven of the twelve RAPs. The field survey aimed to inspect the study area where ground surface visibility existed, to investigate the current state of the study area, as well as to identify any landforms and areas of low ground disturbance that would be appropriate for test excavation. The survey methodology and project was discussed with the Aboriginal stakeholders prior to and on the day of the survey as mentioned above.

2.6 Gathering Cultural Significance Information (Stage 3)

During the survey, GML archaeologists discussed local Aboriginal heritage values and patterning with the community representatives. This provided an understanding of the local perspective for Aboriginal habitation and subsistence patterns. When Aboriginal sites and areas of archaeological potential were identified, all participants were involved in recording the site, allocating areas of archaeological potential and determining their extents. At the completion of the survey an open discussion was held during which the sites recorded, the archaeological potential and required investigation was discussed and agreed upon by all present. The outcomes of this consultation underwrite the EFW, Eastern Creek Heritage Assessment.

GML's involvement in the EFW project ceased following the field survey. Reporting relating to the assessment, survey and management was provided to this end point. As such, the process under Stage 3 has not been completed under this report. Future consultation processes should continue Stage 3.

2.7 Review of Draft Report (Stage 4)

This report should be provided for viewing by the RAPs (as a record of work and consultation to September 2014)—however, given GML's cessation of involvement in the project post survey, any comments relating to the assessment of the study area should be managed through consequential heritage work.

2.8 Aboriginal Comments Provided to GML

Table 2.1 details all submissions made by the RAPs with respect to the cultural heritage values of the study area. If provided as a written format, the original is presented in Appendix A.

Table 2.1 RAP comments with respect to cultural heritage

#	RAP	Date of Submission	Format	Comment
1	Ms Leanne Watson, DCAC	5 May 2014	Letter	“Our sites are a complex and not all separate sites and recommend that the connections are interpreted throughout the project. Information gathered during these projects is of high significance, once our sites are gone there is no other evidence of the sites or connections. This area has shown in recent excavations and surveys that this is a Darug landscape and there are still numerous parts of our histories to be recorded. Eastern Creek is an area that Darug families have had a connection to for thousands of years as shown in all previous studies, Darug people stayed in this area to present times, the oral histories of this area support the families staying here for thousands of years.” (Letter, 5 May 2014).
2	Mr John Reilly, DTAC	6 May 2014	Verbal	Concern with non-Darug people, people ‘without permission’ participating in fieldwork, particularly test excavations and disturbing the ground.

2.9 GML’s Response to the Submissions

GML’s response to each submission is detailed in Table 2.2.

Table 2.2 Response to RAP’s submissions (# refers to submission as listed in Table 2.1)

#	GML’s response
1	No GML response
2	GML advised client that they had a legal obligation to consult with all registered groups—recommendations stemming from the Darug people’s concerns, indicate that eight of the twelve RAP’s are representatives from Darug groups (and to DLALC), who should be invited to participate in all future fieldwork stages of the project.

2.10 Endnotes

¹ DECCW 2010. NPWS Act 1974. *Fact sheet 1*. September 2010.

¹ DECCW 2010 (April). *Aboriginal cultural heritage consultation requirements for proponents 2010*. DECCW, Sydney.

² List taken from DECCW (2010:10).

³ DECCW (2010:10).

3.0 Aboriginal Cultural Heritage

The purpose of this section is to synthesize available information from previous archaeological and ethnohistorical studies to provide a context and baseline for what is known about Aboriginal cultural heritage in the subject area.

3.1 Ethnohistory

The landscape of the study area, as with much of the Cumberland Plain, was occupied and managed by the Darug (various spellings including 'Dharug', 'Dharrook', 'Dharruk', 'Dhar-rook, etc') people for thousands of years prior to European occupation which inscribed the land with a different pattern and form.¹ The Darug was a language group that represented a number of different groups of people who occupied the Sydney basin from the coast between South Head and the north shore of Botany Bay, out to the edge of the Blue Mountains. Within this area there were approximately 20 different bands, each having a different territory, boundaries and sacred spaces.²

The Wianamatta landscape within which this land sits is a resistant and dynamic landscape. The physical traces that remain, such as Darug campsites and artefacts, and the memories held by people, tell of the environmental and human stories that have occurred through time. The Darug bands used the landscape seasonally, and formed open campsites on the higher ground with ready access to natural water sources such as creeks, billabongs and wetlands. Campsites were selected and moved so people could take advantage of seasonally abundant foods.

Traditionally, Ropes Creek would have provided the Darug people with a source of fresh water, fish, shellfish and aquatic plants used for a variety of purposes. The surrounding plains provided native animals and vegetable foods and other resources including timber and leaves, natural gums and resins that were used for a range of implements and tasks. The Darug would have fired areas within their traditional country to maintain a clear and open understorey. This encouraged the fruiting of plants and the growth of fresh herbage for animals to graze. Wallabies, emus, snakes, bandicoots, possums, swans and other game foods would have been eaten. Roots and tubers including yams would have been dug along the creeks and roasted in open campfires.

Stone was a vital material and its distribution in the landscape played a role in determining people's movements and patterns of trade and exchange with other language groups.³ Stone materials occur in the region as silcrete, silicified tuff (formerly indurate mudstone),⁴ chert and quartz. The Darug used pebbles, cobbles and sometimes boulders in the manufacture of stone tools. Silcrete was a preferred material for tool making.

Though fragmentary and modified by later occupation and development, the rich archaeological evidence comprised of artefact scatters and campsites recorded across the Wianamatta landscape; it is an evocative and important source of information about how the Darug occupied and used their traditional country over thousands of years.

3.2 Archaeological and Landscape Context

This section provides a summary of the review of previous archaeological work and the landscape context provided in Section 2 of the ATR which this report accompanies. Reference should be made to Section 2 of the ATR for detail.

The information obtained by the review of the previous archaeological work and the landscape context gave an understanding of the regional character, and assisted in forming the Aboriginal heritage predictive model relating to the remains for evidence of Aboriginal occupation and use of the study area.

Interactions between people and their surroundings are of integral importance in both the initial formation and the subsequent preservation of the archaeological record. The nature and availability of resources including water, flora and fauna, and suitable raw materials for the manufacture of stone tools and other items had (and continues to have) a significant influence over the way in which people utilize the landscape.

Alterations to the natural environment also impact upon the preservation and integrity of any cultural materials that may have been deposited, whilst current vegetation and erosional regimes affect the visibility and detectability of Aboriginal sites and objects. For these reasons, it is essential to consider the environmental context as a component of any heritage assessment.

3.2.1 Aboriginal Heritage Information Management System (AHIMS)

A search of the OEH AHIMS database of an area approximately 1km surrounding the study area was undertaken on 11 March 2014. The results of the search are shown in Figure 3.1. The search identified 63 recorded Aboriginal sites, which comprised: artefact concentrations (open camp sites), Potential Archaeological Deposits (PADs), and Artefact Sites with PADs. This search indicated that artefact concentrations constitute the predominant remnants recorded in this area. An overview of the AHIMS results are shown in Table 3.1. The complete results of the AHIMS search are provided in Appendix A.

Table 3.1 Results of the AHIMS search

Site Feature	Frequency	Percentage (%)
Artefact Concentrations (Open Camp Sites)	59	94
Artefact Site + PAD	2	3
PAD	2	3
Total	63	100

General patterning indicates that artefact sites dominate the archaeological record. These can be found in any location, on any landform; however recorded sites appear to become denser towards the margins of smaller creek lines and near the confluences of the water courses. However, this is also likely to be influenced by the locations of previous intensive archaeological surveys, with sites tending to decrease in number within areas that have been subject to less intensive archaeological survey (ie within the proposed EFW Plant location; the current study area).

Unregistered Aboriginal Sites

The assessment of prior reports indicated that there were also three recorded, but unregistered Aboriginal sites located within, or in close proximity to, the study area. Details of sites reported on, but not previously AHIMS registered, are provided below. All three of these sites have now been registered with the AHIMS registrar through the course of this project. However, only one of these unregistered sites is located within the current study area.

Table 3.2 Summary of Aboriginal sites (AHIMS Search area)

Sites	Number
AHIMS Registered Sites	63
Unregistered Sites	3
Total	69

Archbold Road 1

This site is comprised of three recorded sites; M4U4, RF/ISF1 and RF/ISF2. M4U4 was first recorded by Brayshaw and Haglund⁵ (see Brayshaw and Haglund 1996 in Section 2.1.1 of the ATR), and consisted of three artefacts located over a distance of 270m on a fire trail just on the border of/slightly outside the current study area boundary. These artefacts were recorded on areas of exposure adjacent to intact vegetation, which was designated as an area of associated PAD.

During the JMcDCHM survey in 2002 (see JMcDCHM 2002 in Section 2.1.1 of the ATR), two new surface sites were recorded: RF/ISF1 and RF/ISF2. These two sites both consisted of an isolated artefact on a track within 100m of each other.

Due to the proximity of these three sites to each other, and that none of them had been registered with AHIMS, in 2002 JMcDCHM prepared a site card to register all three sites as a single site. However, this site had not previously been registered with AHIMS.

Sargents 1 and 2

Through the survey undertaken by JMcDCHM 2002 of the study area, two artefact sites were recorded in the land immediately adjacent to the current study area (referred to in the 2002 report as 'Sargents' land). Sargents 1 consisted of two artefacts in an area of various dirt vehicle tracks, in association with an area of extensive dumping of building and household rubbish, where severe sheet wash erosion had cut through the soil. Sargents 2 was located to the west of Sargents 1, and consisted of two artefacts on dirt vehicle/bike tracks. Site cards were prepared for both sites at the time of recording in 2002, and included in Appendix 5 of the JMcDCHM 2002 report, however neither was registered with AHIMS at the time.

While neither Sargents 1 or 2 are located within the current study area, they have been registered through the course of this project as they contribute to the wider Aboriginal site location patterning in the regional context of the study area.

3.2.2 Previously Recorded Aboriginal Sites within the Study Area

Only one previously recorded Aboriginal site is located within the study area, that of Archbold Road (previously unregistered). This site has been registered with AHIMS through the course of this project.

Five sites have been located within close proximity to the study area boundaries—two artefact sites to the west of the study area in association with the second order stream that drains into the study area in the south (100–200m west of the study area), one artefact site in association with the same stream, to the east of the study area (c. 20m east of the study area), and two artefact sites in association with areas of erosion to the north west and west of the study area (c. 80m and 200m west of the study area) (Figure 3.1).

3.2.3 Previous Archaeological Reports

A literature review of the NSW OEH library (and additional reports held by GML) was undertaken to understand the broader region's archaeological patterning. This review was targeted to those reports relevant to the study area. Key word searches were used to find reports for the locality in AHIMS. A review of key reports is provided in Section 2 of the ATR. Of these, the most relevant of these studies to the current project are JMcDCHM 2002 and JMcDCHM 2009

JMcDCHM 2002⁶

In 2002, JMcDCHM undertook archaeological assessment of lands which were gazetted under the State Environment Planning Policy (SEPP 59)—Central Western Area Economic and Employment Area. This included the entirety of the current study area, as well as surrounding lands. Through this study, the current study area was surveyed as a part of the investigation of the wider SEPP 59 lands. At the time of the 2002 report, the lands subject to SEPP 59 were owned by several different landowners, and therefore the current study area was referred to throughout this report as included within the 'Fitzpatrick' land. Archaeological survey across the 'Fitzpatrick' land in 2002 recorded two new artefacts (RF/ISF1 and RF/ISF2), both located on a graded track in the north of the study area. As these two Isolated Finds were in close proximity (ie within 100m of each other) to each other, as well as the site originally recorded by Brayshaw and Haglund in 1996 (ie Chatsworth Road/M4U4), and in consideration of the fact that none of the three sites had yet been registered, JMcDCHM decided that these three sites should all be registered as one. This site was renamed 'Archbold Road', and an AHIMS site card prepared and attached to the 2002 report in Appendix 5. However, somehow still this site has not been registered with AHIMS.

In addition, two artefact sites were recorded in the land immediately adjacent to the current study area (referred to as 'Sargents' land). These two sites (Sargents 1 and Sargents 2), both also had site cards prepared for registration at the time of recording, and included in Appendix 5 of the report, however neither seem to be registered with AHIMS.

A Strategic Management Model (SMM) was developed for the SEPP 59 lands in order to manage development of lands on the basis of their conservation potential. Management zones were allocated across the whole of the SEPP59 lands based on a combination of their archaeological potential, landscape type and levels of disturbance. The majority of the (then) 'Fitzpatrick' land, outside of the area of the Quarry (ie the current study area) was assigned as Zone 2 (moderate archaeological potential), with treed areas in the north and south assigned as Zone 1 (high archaeological potential and a Core Conservation Zone candidate). This report proposed that no archaeological investigation, or development, should take place within designated Core Conservation Zone (CCZ) areas, while any land outside the CCZ would be deemed developable. This report provided recommendations for the direction of further management decisions to be made for the SEPP 59 lands regarding Aboriginal heritage.

JMcDCHM 2009⁷

An Aboriginal Heritage Management Plan (AHMP) was prepared by JMcDCHM in 2009 for the development of 'The Light Horse Business Centre' within the lands known as 'Dial A Dump' Industries (DADI) lands, including the 'Valad' lands as assessed in JMcDCHM 2005, as well as the current study area. This AHMP built on the archaeological assessment reports prepared by JMcDCHM in 2002 and 2005 for wider land holdings in the area. The AHMP identified two designated conservation areas

within the subject land, and was prepared in order to ensure the protection of Aboriginal sites and landscapes within these conservation areas.

The 2009 reports notes that at some time between the preparation of the JMcDCHM 2005 assessment of the land, and the 2009 assessment, part of the area designated as archaeologically sensitive (Zone 1- High Archaeological Potential), had been subject to earthworks. A trench cut and subsequent infill seriously impacted a portion (c. 1ha in size) of the Zone 1 area located in the south of the study area (within, and to the south of the second order stream in the south of the current study area). Therefore the 2009 report reassigned the zoning of archaeological sensitivity of the area accordingly in order to mitigate against this impact.

The conservation of the south and north Zone 1 areas was deemed to represent an appropriate conservation outcome, and thus a meaningful management outcome was anticipated for the subject land in conjunction with the appropriate management of the two conservation areas.

While the majority of the 2009 development was located within archaeological sensitivity Zone 3, small amounts of ground disturbance were required within Zone 2 lands (ie three detention basins and an area of fill). The report determined that the proposed development impacts from the DADI Light Horse Business Centre were not considered major enough to warrant further archaeological investigation in those areas, the report states that:

Should more extensive development proposals in the future be located in these Zone 2 areas then these would require further assessment at the time to determine whether subsurface investigation was warranted. (JMcDCHM 2009: 10).

The final recommendations of the AHMP included: access to conservation areas be limited (ie fenced) and managed appropriately; no construction activities or any future works that impact on soil should take place in the conservation areas; and that any management decisions made in relation to Aboriginal heritage must involve consultation with representatives of the Aboriginal community. The Aboriginal community provided written response regarding the AHMP, stating their support for the implementation and adherence to the recommendations and management strategies of the AHMP.

3.2.4 Synopsis of Known Aboriginal Sites and Previous Work

A number of archaeological surveys have been undertaken surrounding and including portions of the study area. The intensity of archaeological survey has resulted in the recording of numerous Aboriginal sites and the patterning observed in the AHIMS data. In addition, a number archaeological excavations have been undertaken, all of which have recovered sub-surface material from associated deposits.

Artefact sites dominant the record for the study area and surrounding land, particularly in association with areas of exposure and erosion. Sub surface excavations have demonstrated the ability for areas of moderate to low disturbance to possess intact archaeological deposits with low, moderate and high artefact counts, and in some cases, stratigraphic integrity of alluvial soils (ie Oakdale Central), and evidence for Aboriginal occupation of the region other than stone objects (ie hearths and earth ovens at Oakdale Central).

A total of 69 sites (63 on AHIMS, 3 previously unregistered) are located within, and in close proximity to the study area. Of these sites however, only one is registered within the study area itself. However, previous research, as well as the number of Aboriginal sites registered in the study area surroundings demonstrates that this single site is not an accurate reflection of the presence of Aboriginal archaeological deposits within the study area. Previous research demonstrates that the study area is

likely to possess Aboriginal stone objects and archaeological deposits in all areas that have not previously been subject to high levels of historical ground disturbance.

3.2.5 Landscape Context

The study area is located within a primary geology of a Triassic Wianamatta Group and is a part of the Liverpool sub-group with a structure of Bringelly shale overlaying both Minchinbury Sandstone and the Ashfield shale sequences. The Bringelly shale formation comprises well-bedded shales, carbonaceous and non-carbonaceous claystone, laminates, quartz and occasional beds of fine to medium lithic sandstones.⁸

The natural landscape of the study area is characterised by its location within the Cumberland Plain and its proximity to, and association with Ropes Creek, a third order permanent water source. The natural topography of the broader landscape is characterised by the gently undulating rises of the Wianamatta Group shales. The geology is overlain by the Blacktown soil landscape⁹. The soils of the Blacktown soil landscape range in depth from shallow to moderately deep (less than 100cm) and consist of red and yellow podzolic soils on crests, grading to yellow podzolic soils on lower slopes and on drainage lines. Minor sheet and gully erosion can often occur within this soil landscape where surface vegetation is not maintained. The South Creek soil landscape can often occur within the Blacktown soil landscape along drainage depressions (Figure 3.3).

Landforms across the study area are comprised of relatively flat undulating grass surface terrain containing hillslopes and ridgelines with gently inclining slopes of 5 to 10 degrees. Surrounding local relief is 10 to 30 metres and a modal terrain slope of approximately 3% exists within the study area. This has resulted in an erosional landform pattern comprising of gently undulating rises sloping down toward the drainage lines and second order creek that is present within the study area.¹⁰ In general, the Cumberland Plain is an aggrading landscape that results in artefact scatters and Aboriginal sites being buried over time.

The study area is located approximately 500–700m to the east of Ropes Creek (a third order stream in this location), and therefore has a number of locations where water would have been available. The study area contains one second order tributary of Ropes Creek (including a first order stream node) in the south of the study area (within the area proposed as the location for the Energy Plant). A first order stream drains out of the study area from the eastern boundary approximately in the centre of the site, with the headwaters of another first order stream entering the study area just to the north of the first (Figure 3.2). Eastern Creek is located approximately 3km to the east of the current study area.

The variability of soils across the site and the wider region would have provided a resource rich interface with species adapted to the sandstone and shale soils. The study area would have originally comprised of open eucalypt woodland (eg Forest red gum) in which trees were widely spaced and the ground cover was dominated by grassed understoreys. Closed woodland of paperbark and swamp oak, for example, would have been present along the creek margins.¹¹

Most of the original vegetation across the study area has now been cleared and is now dominated by introduced pasture grasses. Eucalypts intermingled with pockets of River oaks, along with patchy occurrences of regrowth, shrubs, bushes and weeds occur along the margins of the second and first order tributaries of Ropes Creek present in the south of the study area. A wooded area is present in the north of the study area, bounded by the M4 to the north, and the south/south east by the Hanson Wallgrove Quarry.

Previous land use history and ground disturbance within the current study area can be summarised as follows:

- Limited historic ground disturbance was undertaken across the study area from 1818 to 1956;
- High levels of ground disturbance were undertaken in the centre of the study area in association with the excavation and quarrying activities and development of associated facilities from 1956;
- Excavation for a diversion trench in the south of the study area that took place sometime between 2005 and 2007 resulted in high levels of soil disturbance in the south of the study area, in association with a creek line; and
- Other than vehicle tracks across the grassed section of the study area (ie south of the quarry and associated facilities, and north of the creekline in the south), this part of the study area appears to have been subject to limited historical ground disturbance.

3.3 Regional Character and Aboriginal Heritage Predictive Model

This section considers the evidence for Aboriginal landscape (regional) use of the broader study area. The aim is to highlight the main issues and regional character of Aboriginal land use and the material traces it has produced along the Cumberland Plain.

The Cumberland Plain is one of Australia's most archaeologically excavated landscapes, where the past 20 years has seen hundreds of excavations across many locations and landforms. A number of key Aboriginal heritage archaeological excavations have been undertaken that have informed the archaeological record and provided the basis for predictive modelling on the Cumberland Plain (JMcDCHM 1999, 2002b, 2005b and 2005c; McDonald and Rich 1993; White and McDonald 2010).

On this research basis, a predictive model has been developed that suggests how the likely nature of Aboriginal sites across the Cumberland Plain can vary in terms of landforms and landscape. Stream order is the basis for the Cumberland Plain predictive model of Aboriginal site location (McDonald and Mitchell 1994¹²; White and McDonald 2010¹³), and assumes that Aboriginal people would preferentially select places where the water supply is more permanent and predictable for their usual camping locations. The smallest tributary streams are first order streams and the classification continues stepwise downstream. Two first order streams join at a first order node to form a second order stream; two second order streams join at a second order node to form a third order stream, and so on.

It is predicted that the size (density and complexity) and nature of archaeological features will vary according to the permanence of water (ie ascending stream order), landscape unit and proximity to lithic resources in the following ways:

- in any landscape location across the Cumberland Plain, there is a chance that a 'background scatter' of Aboriginal objects exists—that is, objects deposited as a consequence of one-off manufacture and/or use, where no correlation would be associated with a landform or a more permanent activity area. Such areas are unlikely to contain a subsurface archaeological deposit;
- assessment of archaeological subsurface potential solely through surface manifestation of artefacts during surface survey is inadequate to accurately identify and assess the presence of subsurface deposits as soils are largely aggrading across the Cumberland Plain, and therefore most artefacts are buried;

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- in the headwaters of upper tributaries (ie first order creeks), archaeological evidence will be sparse and represent little more than a background scatter; and where distant from stone sources, it would demonstrate the use of stone rationing strategies;
- in the middle reaches of minor tributaries (second order creeks) there will be archaeological evidence for sparse but focused activity (eg one-off camp locations, single episode knapping floors);
- in the lower reaches of tributary creeks (third order creeks) there will be archaeological evidence for more frequent occupation. This will include repeated occupation by small groups, knapping floors (perhaps used and reused), and evidence of more concentrated activities;
- on major creek lines (fourth order) there will be archaeological evidence for more permanent or repeated occupation. Sites will be complex and may even be stratified. Artefacts will show less use of rationing strategies as people may have been less mobile during their use of tools, and remained in the same location for several days, or even weeks;
- creek junctions may provide foci for site activity; the size of the confluence (in terms of stream ranking nodes) could be expected to influence the size of the site;
- ridge top locations between drainage lines will usually contain limited archaeological evidence although isolated knapping floors or other forms of one-off occupation may be in evidence in such a location;
- elevated terraces and flats, overlooking higher order watercourses may contain archaeological evidence for more permanent or repeated occupation; and
- naturally outcropping silcrete will have been exploited and evidence for extraction activities (decortication, testing and limited knapping) would be found in such locations.

It has also been hypothesized that stone artefact based sites in close proximity to an identified stone source would cover a range of size and cortex characteristics. With distance away from the resource, the general size of artefacts in the assemblage should decrease, as should the percentage of cortex and rate of artefact discard (distance–decay model). The increasing number of new silcrete sources has made the testing of the distance decay model (Dallas & Witter 1983) more difficult, and suggests that this model is a risky mechanism for explaining raw material preferences around the Cumberland Plain.

3.4 Summary of Field Survey

An archaeological survey was undertaken by GML (Sam Cooling and Jane McMahon) and representatives from seven RAPs on Friday 13 June 2014. A linear pedestrian survey aimed to assess the whole study area, inspecting all soil exposures and zones with low vegetation that contained tracks and paths. Sampling included all landforms that will potentially be impacted by the proposed project. As archaeological survey had previously been undertaken across the study area (JMcDCHM 2002, 2005, 2009), the current survey aimed to ground truth the current state of the study area (as compared with previous surveys), as well as to attempt to relocate previously identified artefact locations and identify Potential Archaeological Deposits (PADs).

The archaeological survey was undertaken in accordance with the OEH *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010* and the results recorded in this section of the report.

The study area was systematically surveyed with parallel transects, where possible, and opportunistic inspection of areas and features which were identified as having potential to be associated with Aboriginal cultural heritage, or identified as requiring archaeological test excavation. Survey units were accurately defined and the beginning, length and end point of transects or survey unit boundaries were recorded using a GPS.

Newly identified sites had their location recorded using a GPS, their surface visible content described, their visible extent mapped on the aerial and were digitally photographed. Notes were also made of soil conditions and evidence of disturbance. AHIMS cards will be completed for each site, which will be submitted to the OEH. As a result of the survey, one previously recorded site was relocated, confirmed and expanded (Archbold Road 1). Two additional previously unrecorded sites were observed and recorded (Archbold Road 2 and EFW South). Archbold Road 1 is a low density surface scatter of seven stone objects, Archbold Road 2 is also a low density scatter of six stone objects. EFW South consisted of two isolated finds in association with an area of potential archaeological deposit (Figure 3.3).

The landscape of the study area was characterised and areas suitable for test excavation were designated in collaboration with the RAPs.



Figure 3.1 AHIMS Sites. (Source: OEH AHIMS, Near Maps with GML Additions 2014).



Figure 3.2 Zones of archaeological potential and the watercourses of the area. (Source: Near Maps with GML additions)



Figure 3.3 Survey transects, zones of archaeological potential, watercourses of the area. (Source: Near Maps with GML additions)

3.5 Endnotes

- 1 Val Attenbrow, *Sydneys Aboriginal Past: Investigating the archaeological and historical records*, UNSW Press, 2002, p 33; notes that it was not until the 1870s that the word 'Darug' was used.
- 2 Murray, R and K White 1988, *Dharug and Dungaree: The History of Penrith and St Marys to 1860*, Hargreen Publishing Company, Melbourne, p 20.
- 3 Attenbrow, op cit p 43.
- 4 Jo McDonald Cultural Heritage Management Pty Ltd, *Archaeological Survey of the Ropes Creek Precinct at the St Marys Property, St Marys, NSW*, November 2006, p 7.
- 5 Brayshaw and Haglund 1996
- 6 JMcDCHM 2002 Archaeological assessment of Aboriginal sites: Eastern Creek Strategic Land Use Study, SEPP59
- 7 JMcDCHM 2009 'Dial A Dump' Industries Holdings Eastern Creek, The Light Horse Business Centre, Aboriginal Heritage Management Plan, prepared for 'Dial a Dump' Industries.
- 8 Bannerman, SM & PA Hazelton. 'Soil Landscapes of the Penrith 1:100,000 Sheet'. Soil Conservation of NSW. Sydney.
- 9 *ibid.*
- 10 Speight, JG 1990 Landforms. In *Australian Soil and Land Survey Field Handbook*. McDonald, RC et al. Inkata Press.
- 11 See for example Denson, D & J Howell 1990, 'Taken for Granted: the bushland of Sydney and its suburbs', Kangaroo Press Pty Ltd, NSW.
- 12 McDonald, J and Mitchell, P 1994. An assessment of the archaeological context, landuse history and management requirements for Aboriginal Archaeology in the Australian Defence Industries Site, St. Marys, NSW. JMcDCHM Pty Ltd Report to ADI Ltd, NSW Property Group.
- 13 White, E and McDonald, J 2010. Lithic Artefact Distribution in the Rouse Hill Development Area, Cumberland Plain, New South Wales. *Australian Archaeology*. p 70.

4.0 Aboriginal Cultural Heritage Significance Assessment

4.1 Introduction

An assessment of Aboriginal cultural significance can only be made by the relevant Aboriginal community. OEH¹ acknowledges that:

- Aboriginal people are the primary source of information about cultural heritage values.
- Management of impact to cultural heritage values must involve the relevant Aboriginal people.
- Consulting with Aboriginal people at an early stage of the assessment process ensures they have opportunities to fulfil their heritage obligations.

Aboriginal people must have control over how their cultural knowledge is used and shared during the development process. Restriction of cultural knowledge may be an important part of the value of the cultural knowledge.

The guide to management of heritage places is *The Burra Charter: The Australian ICOMOS Charter for Places of Cultural Significance 1999* (the Burra Charter). The Burra Charter defines cultural significance as:

Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups.

In line with the Burra charter's four principal values (social, historical, scientific and aesthetic) and NSW Heritage's Office's publication *Assessing Heritage Significance*², four assessment criteria can be used to assess the Aboriginal heritage values of the study area³.

The four criteria are:

- Social value⁴: 'an item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons';
- Historic value⁵: 'an item is important in the course, or patterning, of NSW's cultural or natural history (or cultural or natural history of the local area)';
- Scientific value⁶: 'an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);
- Aesthetic value⁷: 'an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)'.

Consultation with the registered Aboriginal parties, investigation into the background history of the study area and local region, and the field inspection has allowed for an understanding of the key values associated with social value, historic value and scientific value.

NB the ATR has addressed the preliminary scientific value associated with the place. Therefore this report provides a summary of the indicative scientific value (reference should be made to the ATR for the full preliminary scientific values assessment).

4.1.1 Gradings of Significance

Following OEH 2011 the values, as assessed above, will be graded in accordance with a basic ranking of high, moderate or low. The ranking is based upon the research potential, representativeness, rarity and educational potential of each value. The grading is stated at the end of each value assessment.

4.2 Aboriginal Cultural Values Assessment

4.2.1 Social Value

The RAPs have indicated that the study area is part of a complex of sites in the area, and therefore a component of a wider Darug landscape. DCAC commented that 'Eastern Creek is an area that Darug families have had a connection to for thousands of years, as shown in all previous studies, Darug people stayed in this area to present times, the oral histories of this area support the families stayed here for thousands of years' (Ms Leanne Watson, Letter, 5 May 2014). In addition, Aboriginal archaeological evidence connects the Darug Aboriginal community in a physical way to their cultural heritage and connection to the area.

Therefore the study area is assessed to hold high social value to the Darug people.

4.2.2 Historical Value

Research undertaken as part of this project and consultation with the RAPs has not, as yet, identified any historical associations with Aboriginal use or occupation of the subject land with regards to specific historical events, a historically important person, phase or activity in an Aboriginal community. Thus, the study area does not meet this criterion.

4.2.3 Scientific Value

The study area is located within a complex of sites associated with the large network of creeks that cross the Cumberland Plain. The archaeological potential of the study area has been assessed as moderate to high, based on a zoning plan (relating to three different areas with Aboriginal archaeological potential) described in the ATR. Any Aboriginal artefacts recovered have potential to further our understanding of the wider Darug cultural landscape. Therefore the study area is assessed to be of moderate scientific value.

4.2.4 Aesthetic Value

Aesthetic value is not inherent in a place, but generally arises in the response that people have to a place and its setting (as defined and described under the *Burra Charter* 2013). Descriptions of the aesthetic value of the study area by the RAPs are related to the place as an Aboriginal landscape.

No artefacts observed during the field survey of the study area were identified as having unusual or rare attributes that could be used to demonstrate outstanding technical achievements for educative/interpretative purposes or in terms of their high aesthetic values. However, excavation has the potential to recover artefacts of aesthetic significance that could form the basis of significant educative and interpretative teaching collections.

Therefore, at this time the study area is considered to potentially be of moderate aesthetic value.

4.3 Statement of Significance

The study area is significant because it is part of a wider Aboriginal cultural landscape that Darug families have been using for thousands of years. This landscape possess aesthetic qualities of importance to local Aboriginal people. The study area is likely to contain an expression of stone objects associated with the Aboriginal use of the area; the presence of these items means the study area holds social value to local Aboriginal people. Future investigation and study of these stone objects could provide new scientific information relating to specific Aboriginal use of this landscape.

An overview of how these cultural values are manifest within the study area is presented in Table 4.1.

Table 4.1 Summary of Aboriginal cultural heritage values

Value	Manifest through	Grade of Significance
Social	The study area is considered to be part of a complex of sites, part of a wider Darug landscape in the Eastern Creek area. The physical evidence in the area connects the local Darug Aboriginal community to their cultural heritage.	High
Historic	The study area does not meet this criterion.	None
Scientific	The potential for stone artefacts to further an understanding of the Darug cultural landscape.	Moderate
Aesthetic	The Eastern Creek Aboriginal cultural landscape holds aesthetic value to the local Aboriginal community. It is possible that any stone artefacts of recovered during future archaeological excavations may hold aesthetic significance.	Moderate

4.4 Endnotes

- 1 DECCW (2010: 2).
- 2 NSW Heritage Office. 2001. Assessing Heritage Significance.
- 3 OEH 2011 provides a background to undertaking an Aboriginal cultural heritage values assessment in accordance with the Burra Charter and NSW Heritage Office's Assessing Heritage Significance 2001. The approach recommended by OEH has been adhered to for this report.
- 4 NSW Heritage Office. 2001. Criteria D
- 5 NSW Heritage Office. 2001. Criteria A
- 6 NSW Heritage Office. 2001. Criteria E
- 7 NSW Heritage Office. 2001. Criteria C

5.0 Impact Assessment

This section provides a description of the proposed activity, timing for the activity, Aboriginal values that may be harmed (directly or indirectly by the activity) and the objectives of the proposed activity.

5.1 Summary of the Study Area Land Use History

A Heritage Impact Statement (HIS) was prepared at the same time as this report, which included historical research into the land use history of the study area. The findings of this historical research is summarised below with regards to associated ground disturbance across the study area. For full details regarding historic land use including land titles and background, see full GML HIS report¹

Between 1818 and 1920, the area between Prospect and South Creek along the Western Highway was granted to free settlers and ex-convicts. The study area is located across a number of these grants, however the majority falls within John Thomas Campbell's 1100 acre grant, bounded by Ropes Creek to the west, while the northern section of the study area falls within sections of the 800 acres of land granted to William Cox Junior.

During the early period of European settlement, no recorded development took place within the portions of the grants which now encompass the study area. Some agricultural uses may have taken place, particularly in the southern portions of the lot which were later owned by the Shepherd brothers as they were likely to have been part of their nursery.

During the mid-twentieth century, a portion of land across the Campbell and Cox estate was affected by the easement of a transmission line to the Sydney West substation in the south. This caused the division of the estates into the irregular lots they currently form. Archbold Road (then Chatsworth Road) was in place by this time.

Since the 1950s, a number of these lots which had been subdivided from the larger grants were purchased by Ray Fitzpatrick Pty Ltd², later known as Ray Fitzpatrick Quarries. Major development by this company commenced before 1956 in the form of excavation of a large open cut mine to the immediate east of the study area. The progressive expansion of the quarrying activity led to the excavation of a portion in the centre of the study area (within Lot 2 DP 1145808) and land use associated with this facility across the site.

5.2 Proposed Activity and Impacts to Aboriginal Sites

TNG propose the construction of an Energy From Waste (EFW) electricity generation plant, and associated infrastructure, within the study area. The EFW will receive unsalvageable and economic residue waste from the adjoining Genesis Material Processing Centre (MPC) and Waste Transfer Station (WTS) for thermal conversion and the consequential generation of electrical power. The project aims to manage and convert to energy non-recyclable but combustible waste loads.

The proposal will also include the following ancillary infrastructure:

- internal roadways;
- staff amenities;
- staff parking facilities; and
- water detention basins.

5.3 Harm to Aboriginal Objects and Aboriginal Heritage Values

The ATR has detailed that three areas (sites) with Aboriginal stone artefacts and soils with a level of archaeological potential have been identified within the study area: Archbold Road 1, Archbold Road 2, and EFW South.

The description in Table 5.1 defines whether these sites and their PADs would be harmed by the proposed activity. It is found that the proposed impacts result of the activity would culminate in both direct and indirect harm to the recorded sites. Indirect harm may arise through partial loss of intangible heritage values (social and aesthetic). One of the values of this study area is the Aboriginal cultural landscape, and its association with other known places. Through the artificial modification of that landscape, sites and places nearby are indirectly affected.

Table 5.1 Identified potential harm to Aboriginal heritage

Site	Type of Harm	Degree of Harm	Consequence of Harm
Archbold Road 1	Indirect	Partial	Partial loss of value
Archbold Road 2	Indirect	Partial	Partial loss of value
EFW South	Direct	Total	Partial loss of value

Table 5.1 identified the values inherent within facets of Aboriginal associated with the study area. Table 5.2 provides an assessment of how these values may be directly or indirectly affected by the proposal.

Table 5.2 Overview of impacts to values

Value	Manifest through	Degree of Harm	Consequence of Harm
Social	As a component of the wider Darug cultural landscape.	Partial	Partial loss of value
Historic	None	None	None
Scientific	The physical Aboriginal sites and their potential for stone artefacts to further our understanding of the cultural landscape.	Total	Partial loss of value
Aesthetic	The Aboriginal cultural landscape connected to the known Aboriginal sites. Stone artefacts may hold aesthetic value.	Partial	Partial loss of value

5.4 Endnotes

- ¹ GML Heritage 2014, Energy From Waste (EFW) Plant, Eastern Creek, Heritage Impact Statement, prepared for Urbis on behalf of The Next Generation (TNG).
- ² Certificate of Title Vol.13544 Fol.125, Vol.13548 Fol.70, Vol.13507 Fol.223.

6.0 Management, Mitigation and Recommendations

The following management and mitigation statements are made in light of the findings of the study area inspection, background research, predictive modelling, heritage significance assessment, relevant NSW legislation protecting Aboriginal heritage, the OEH Aboriginal Cultural Heritage Assessment Guidelines and consultation with local Aboriginal stakeholders.

The following management and mitigation statements are based on consideration of:

- Abiding by the new OEH Code of Practice, which was adopted by the *NPW Regulation 2009* (NPW Regulation) made under the NPW Act, and came into force on 1 October 2010.
- The assessment of the Aboriginal cultural heritage values in the study area.
- The interests of the local Aboriginal community members who participated in this project.
- The size of the study area, the size of the remaining areas with archaeological sensitivity and likely impacts posed by the project proposal.

The following principals, strategies and requirements for Aboriginal heritage management should be implemented.

6.1 Recommended Aboriginal Management and Mitigation Strategy

These recommendations further those presented in the ATR, which relate to the future management of the physical Aboriginal archaeological resource across the study area.

Given the combination of likely Aboriginal heritage values connected with the study area (social, aesthetic and scientific) it is important to appropriately recognise and manage these values. Ideally, the original land use conservation proposal, detailed in JMcDCHM (2002), which recommended that the northern and southern portions of the study area should be designated as Core Conservation Zones, would be retained and honoured. This outcome was expected by the Aboriginal community—however, since 2002 changes to land use planning associated with the study area have provided a avenue for development in the south of the study area.

As such, the Aboriginal site and values connected with the southern zone would be directly impacted by the proposal. In order to understand the extent of the archaeology connected to the site EFW South, and thus the extent of Aboriginal cultural values, it would be necessary to undertake Aboriginal archaeological test excavation (in line with the OEH *Code of Practice*). A program of test excavation should be used to define the nature and extent of this site.

Assuming that this site does contain an Aboriginal archaeological deposit of moderate or high scientific value, it would be necessary to off-set development impacts through open or salvage excavation of archaeological deposits prior to development activity commencing.

In terms of managing the intangible Aboriginal values of the study area, the proponent should seek to conserve the residual Aboriginal sites (Archbold Road 1 and 2), without further impact. Once test excavation of EFW South has been finalised, it would be possible to undertake an assessment of cumulative impact to Aboriginal heritage in the region. Future management should take into account OEH guidelines for consideration of ESD principles and particularly the need to retain intergenerational equity, through the appropriate management of other lands within the study area.

GML Heritage

Consideration will also need to be given to the future management of Aboriginal stone objects recovered from test excavations, including the possible provision of a keeping area, and a return to Country of the stone objects.

7.0 Appendices

Appendix A

Aboriginal Consultation Log

Appendix B

Specific Details of all Aboriginal Consultation

Appendix A

Aboriginal Consultation Log

Aboriginal Consultation Log—Energy From Waste (EFW) Plant, Eastern Creek

Stage 1—Notification of project proposal and registration of interest

Stage 1.1—Compilation of a list of Aboriginal stakeholders

Body/Group	Contact	Date Sent	Date Reply	Comment	Reference
OEH Planning and Aboriginal Heritage Section, Parramatta	Ms Susan Harrison	17 March 2014	25 March 2014	Letter from Ms Fran Scully. List of Aboriginal stakeholders known to OEH that may have an interest in the project. 'As the Department of Planning and Infrastructure (DP&I) is the approval authority for this project, the consultation process should be in accordance with the relevant guidelines as stipulated by DP&I.'	13-04930eh1 FIL14/2019
Deerubbin Local Aboriginal Land Council (DLALC)	Mr Kevin Cavanagh (CEO) / Mr Steve Randall	17 March 2014	4 April 2014		13-0493dlalc1
The Registrar, <i>Aboriginal Lands Right Act 1983</i>	Ms Megan Mebberson	17 March 2014			13-0493alra1
National Native Title Tribunal (NNTT)	Ms Kimberley Wilson	17 March 2014	25 March 2014	No native title claimants are registered in the area.	13-0493nntt1
Native Title Services Corporation (NTSCORP Limited)	Mr Warren Mundine (CEO)	17 March 2014	19 March 2014	'NTSCorp's privacy guidelines restrict us from providing proponents with contact details of traditional owners. However we will forward your correspondence to any individuals, groups or organisations, whom NTSCORP is aware assert traditional interests within, or hold cultural knowledge about the relevant area.' (Letter)	6104/14MO 13-0493ntscorp1 OE&H :19-3-14/3
Blacktown City Council	The General Manager	17 March 2014	4 April 2014	JM called Sue Galt 3.4.14. List sent	13-0493bcc1
Hawkesbury Nepean Catchment Management Authority (HNCMA)		17 March 2014			13-0493hncma1

Approximately 10 days should be allowed for these groups to respond.

Stage 1.2—Newspaper Advert

Newspaper	Date Sent	Date Printed	Reference
Blacktown Advocate	17 March 2014	19 March 2014	Blacktown Advocate, Page #47

14 days (4 April 2014) must be allowed for Aboriginal people to respond to the newspaper advertisement.

Stage 1.3—List of Aboriginal groups/people from Stage 1.1 and 1.2.

Organisation/Person	Contact	Date Registered	How the name was obtained and any comments	Reference
Darug Land Observations (DLO)	Mr Gordon Workman	20 March 2014	Email letter response to newspaper advert. Sent to Jane McMahon.	
Tocomwall	Mr Scott Franks	21 March 2014	Email letter response to newspaper advert. Sent to Jane McMahon and Sam Cooling.	
Deerubbin Local Aboriginal Land Council	Mr Kevin Cavanagh		OEH letter.	
Darug Custodial Aboriginal Corporation	Ms Leanne Watson		OEH letter.	
Darug Tribal Aboriginal Corporation	Ms Sandra Lee		OEH letter.	
Darug Aboriginal Cultural Heritage Assessments	Mr Gordon Morton (Ms Celestine Everingham)	28 March 2014	OEH letter. Ms Celestine Everingham rang Sam Cooling 28 March 2014 to verbally register for project.	
Darug Aboriginal Landcare Inc	Mr Des Dyer		OEH letter.	
Gunjeewong Cultural Heritage Aboriginal Corporation	Ms Cherie Carroll Turrise		OEH letter.	
Amanda Hickey Cultural Services	Ms Amanda Hickey		OEH letter.	

Mr Phil Khan	Mr Phil Khan		OEH letter.	
Warragil Cultural Services	Mr Aaron Slater		OEH letter.	
Wurrumay Consultancy	Ms Kerrie Slater		OEH letter.	
HSB Heritage Consultants	Ms Patricia Hampton		OEH letter.	
Koomurri Ngunawal Aboriginal Corporation	Glen Freeman	31 March 2014	Email letter response to newspaper advert. Sent to Jane McMahon.	

Stage 1.4—Aboriginal notification of the proposed project and an offer to be involved in the consultation

Aboriginal Organisation/Person	Contact	Date Sent	Reference
Deerubbin Local Aboriginal Land Council	Mr Kevin Cavanagh	Registered Post. 28 March 2014	13-0493dlalacc2
Darug Custodial Aboriginal Corporation	Ms Leanne Watson	Registered Post. 28 March 2014	13-0493dcacc1
Darug Tribal Aboriginal Corporation	Ms Sandra Lee	Registered Post. 28 March 2014	13-0493dlacc1
Darug Aboriginal Landcare Inc	Mr Des Dyer	Registered Post. 28 March 2014	13-0493dalic1
Gunjeewong Cultural Heritage Aboriginal Corporation	Ms Cherie Carroll Turrise	Registered Post. 28 March 2014	13-0493gchacc1
Amanda Hickey Cultural Services	Ms Amanda Hickey	Registered Post. 28 March 2014	13-0493ahacc1
Mr Phil Khan	Mr Phil Khan	Registered Post. 28 March 2014	13-0493pkc1
Warragil Cultural Services	Mr Aaron Slater	Registered Post. 28 March 2014	13-0493wcsc1
Wurrumay Consultancy	Ms Kerrie Slater	Registered Post. 28 March 2014	13-0493wcc1
HSB Heritage Consultants	Ms Patricia Hampton	Registered Post. 28 March 2014	13-0493hncc1

14 days (11 April 2014) must be allowed for Aboriginal people to register an interest to be consulted.

Stage 1.5—Registered Aboriginal Parties (RAP) Contact Details

Aboriginal Organisation/Person	Contact	Date Received and comments	Reference
Darug Land Observations (DLO)	Mr Gordon Workman	20.3.14. Email letter of registration.	
Tocomwall	Mr Scott Franks	21.3.14. Email letter of registration.	
Darug Aboriginal Cultural Heritage Assessments (DACHA)	Mr Gordon Morton Ms Celestine Everingham (primary address)	28.3.14. Phone call to SC to register interest for project.	
Koomurri Ngunawal Aboriginal Corporation	Mr Glen Freeman	31.3.14 Email letter of registration.	
HSB Heritage Consultant	Ms Patricia Hampton	31.3.14 Email letter of registration. Requested details not forwarded to LALC.	
Wurrumay Consultancy	Ms Kerrie Slater	31.3.14 Email letter of registration.	
Darug Aboriginal Landcare	Mr Des Dyer	1.4.14 Email letter of registration.	
Darug Tribal Aboriginal Corporation	Mr John Reilly	4.4.14 Phone call to SM to register interest for project	
Deerubbin Local Aboriginal Land Council (DLALC)	Mr Steve Randall	4.4.14 Email letter of registration.	
Kamileroi-Yankunijatiara Working Group	Mr Phil Khan	3.4.14 Letter of registration	
Gunjee Wong Cultural Heritage Aboriginal Corporation	Ms Cherie Carroll Turrise	7.4.14 Letter of registration	
Darug Custodial Aboriginal Corporation	Ms Leanne Watson	9.4.14 Email letter of registration.	

The proponent must provide a copy of the registered Aboriginal parties to the OEH and the LALC within 28 days of the closing data for registering an interest. This was mailed on 17 April 2014.

Stage 2—Presentation of information about the proposed project
Stages 2.1 and 2.2—Presentation of proposed project information and provision of proposed assessment methodology to the RAP

Aboriginal Organisation/Person	Date Sent	Date Reply	Comments, outcomes and/or issues and details of how input has been considered	Reference
Darug Land Observations (DLO)	16 April 2014			Registered Post 51000001548017 13-0493dlcc2
Tocomwall	16 April 2014			Registered Post 51000001543012 13-0493tc1
Darug Aboriginal Cultural Heritage Assessments (DACHA)	16 April 2014			Registered Post 5100000002015 13-0493dachac2
Koomurri Ngunawal Aboriginal Corporation	16 April 2014			Registered Post 51000001545016 13-0493knacc2
HSB Heritage Consultant	16 April 2014	28 April 2014	Email. Has read through the project information and assessment methodology and happy to proceed with the project. Wishes to be involved in any archaeological survey.	Registered Post 51000001546013 13-0493hhcc2
Wurumay Consultancy	16 April 2014			Registered Post 51000001542015 13-0493wccc2
Darug Aboriginal Landcare	16 April 2014			Registered Post 5100000001018 13-0493dalcc2

Darug Tribal Aboriginal Corporation	17 April 2014	6 May 2014	Phone call, Mr John Reilly to SC. DTAC agree with methodology. Noted there were quite a few RAPs registered, concerned as they are not from Country Concern with non-Darug people, people 'without permission' participating in fieldwork, particularly test excavations and disturbing the ground 'DTAC would support the understanding that only Darug persons should be on Darug Country, such as fieldwork and test excavation'	Registered Post 13-0493dtacc2
Deerubbin Local Aboriginal Land Council (DLALC)	16 April 2014			Registered Post 51000001549014 13-0493dlalacc3
Kamiloro-Yankunijatiara Working Group	16 April 2014	1 May 2014	Phone call, Mr Phil Khan to SC. Agrees with the methodology, enquired as to when fieldwork would start.	Registered Post 51000001544019 13-0493kywccc1
Gunjeewong Cultural Heritage Aboriginal Corporation	16 April 2014			Registered Post 51000001547010 13-0493gchacc2
Darug Custodial Aboriginal Corporation	16 April 2014	5 May 2014	Comments regarding nature of site; "recommend that the connections are interpreted throughout the project", and there are still numerous parts of our histories to be recorded". Concerns regarding number of groups for consultation with groups not from the area, states "we do not support personal profit groups and also do not support any input that they have into the recommendations"	Registered Post 51000001550010 13-0493dcacc2

The record of agreed outcomes and/or contentious issues should be supplied to all registered Aboriginal parties.

Stage 2.3—Field Survey or opportunity for RAP to visit the proposed project site (13 June 2014)

RAP	Invitation to Survey	Representative Attended	Comments
Darug Land Observations (DLO)	Phone call to GW 3.6.14. Available on 13.6.14. Email 10.6.14	Mr Gordon Workman Mr Paul Goddard	

Tocomwall	Left msg 3.6.14. Spoke to Danny 4.6.14, available on 13.6.14 Email 10.6.14 to Danny, Scott and Sarah	Ms Jen Norfolk
Darug Aboriginal Cultural Heritage Assessments (DACHA)	Phone call to CE 3.6.14. Available on 13.6.14 Fax 10.6.14	Mr Gordon Morton
Darug Aboriginal Landcare	Left msg 3.6.14. Spoke to Des 5.6.14, available on 13.6.14. Email 10.6.14 to Des.	Mr Des Dyer
Darug Tribal Aboriginal Corporation	Phone call to JR 3.6.14. Available on 13.6.14 Email to John 10.6.14	Mr John Reilly
Deerubbin Local Aboriginal Land Council (DLALC)	Phone call to SR 3.6.14. Available on 13.6.14 Email to Steve 10.6.14	<i>No representative sent.</i>
Kamiloroi-Yankunjatjara Working Group	Phone call to PK 3.6.14. Available on 13.6.14 Email to Phil 10.6.14	Mr Phil Khan
Darug Custodial Aboriginal Corporation	Left msg 3.6.14 Email to Leanne 10.6.14	Ms Tylan Blunden

Appendix B

Specific Details of all Aboriginal Consultation

17 March 2014

Registrar, Aboriginal Land Rights Act
PO Box 112
GLEBE NSW 2037

Att: Ms Megan Mebberson

Our Ref: 13-0493alra1

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment.

Dear Ms Mebberson

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

The proposed development involves the construction of the EFW facility, as well as internal roadways, amenities and ablutions, parking facilities, and water detention basins.

The land subject to assessment is located at Eastern Creek, Lots 2 and 3 in DP 1145808, within the Blacktown LGA, as marked on the map below (the study area). The exact location for the EFW facility is yet to be finalised, but will be located in the south of the study area.

Sydney Office

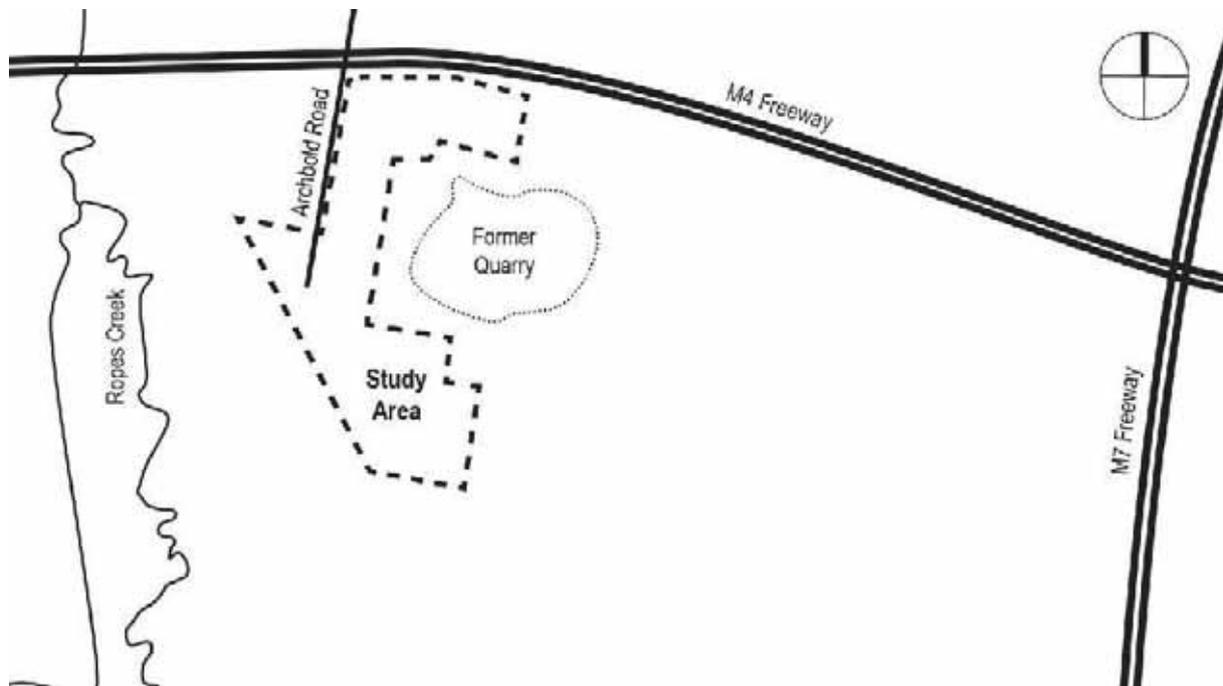
78 George Street Redfern
NSW Australia 2016
T +61 2 9319 4811
F +61 2 9319 4383
E heritage@gml.com.au

Canberra Office

2A Mugga Way Red Hill
ACT Australia 2603
T +61 2 6273 7540
F +61 2 6273 8114
E heritage@gml.com.au

GML Heritage Pty Ltd

ABN 60 001 179 362



In accordance with the DECCW's 'Aboriginal cultural heritage consultation requirements for proponents 2010' GML is required to 'compile a list of Aboriginal people who may have an interest for the proposed project area and hold knowledge relevant to determining cultural significance of Aboriginal objects and/or places.

Would you please provide in writing (a letter, fax or email) a list of any relevant Aboriginal people/groups who should be consulted with respect to this project. Your earliest attention to this matter would be appreciated.

The list of Aboriginal people/groups should be sent to:

Sam Cooling
GML Heritage
78 George Street
Redfern
NSW 2016

Alternatively the list can be emailed to samc@gml.com.au or faxed to GML on 02 9319 4383.

If you have any questions about this project please call me on 9319 4811.

Yours sincerely
GML Heritage Pty Ltd

Sam Cooling
Consultant Archaeologist

17 March 2014

The General Manager
Blacktown City Council
PO Box 63
BLACKTOWN NSW 2148

Our Ref: 13-0493bcc1

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment.

Dear Sir/Madam

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

The proposed development involves the construction of the EFW facility, as well as internal roadways, amenities and ablutions, parking facilities, and water detention basins.

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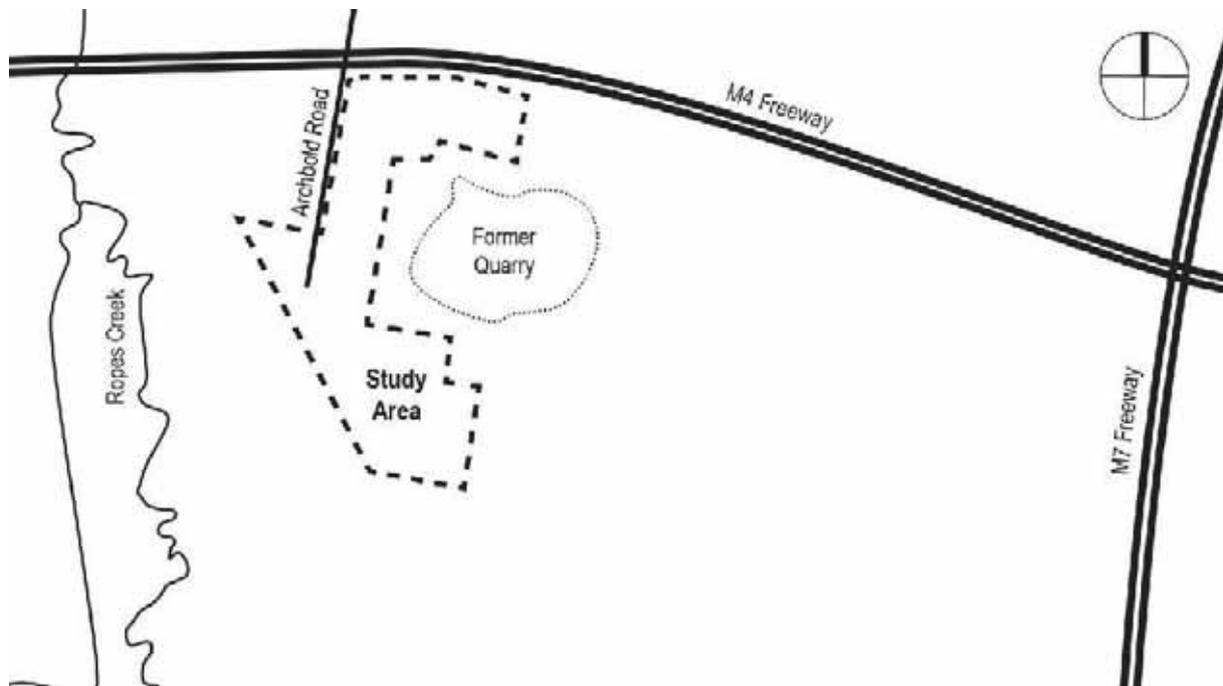
Sydney Office

78 George Street Redfern
NSW Australia 2016
T +61 2 9319 4811
F +61 2 9319 4383
E heritage@gml.com.au

Canberra Office

2A Mugga Way Red Hill
ACT Australia 2603
T +61 2 6273 7540
F +61 2 6273 8114
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78 George Street
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NSW 2016

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If you have any questions about this project please call me on 9319 4811.

Yours sincerely
GML Heritage Pty Ltd

A handwritten signature in black ink, appearing to read 'Sam Cooling'.

Sam Cooling
Consultant Archaeologist

17 March 2014

Mr Kevin Cavanagh
Deerubbin Local Aboriginal Land Council
PO BOX 40
PENRITH BC NSW 2751

Our Ref: 13-0493dlalc1

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment.

Dear Mr Cavanagh

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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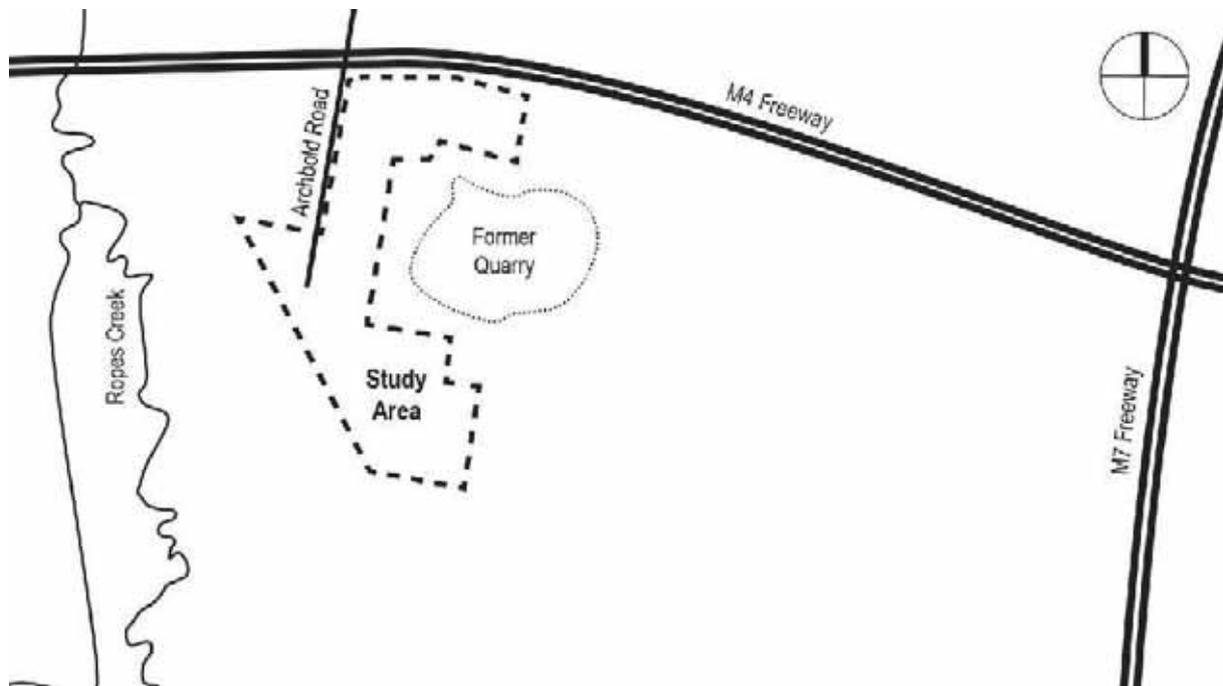
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Canberra Office

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ABN 60 001 179 362



In accordance with the DECCW's 'Aboriginal cultural heritage consultation requirements for proponents 2010' GML is required to 'compile a list of Aboriginal people who may have an interest for the proposed project area and hold knowledge relevant to determining cultural significance of Aboriginal objects and/or places.

Would you please provide in writing (a letter, fax or email) a list of any relevant Aboriginal people/groups who should be consulted with respect to this project. Your earliest attention to this matter would be appreciated.

The list of Aboriginal people/groups should be sent to:

Sam Cooling
GML Heritage
78 George Street
Redfern
NSW 2016

Alternatively the list can be emailed to samc@gml.com.au or faxed to GML on 02 9319 4383.

If you have any questions about this project please call me on 9319 4811.

Yours sincerely
GML Heritage Pty Ltd

Sam Cooling
Consultant Archaeologist

17 March 2014

The Manager
Hawkesbury Nepean Catchment Management Authority
Locked Bag 2048
GOULBURN NSW 2580

Our Ref: 13-0493hncma1

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment.

Dear Sir/Madam

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

The proposed development involves the construction of the EFW facility, as well as internal roadways, amenities and ablutions, parking facilities, and water detention basins.

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Sydney Office

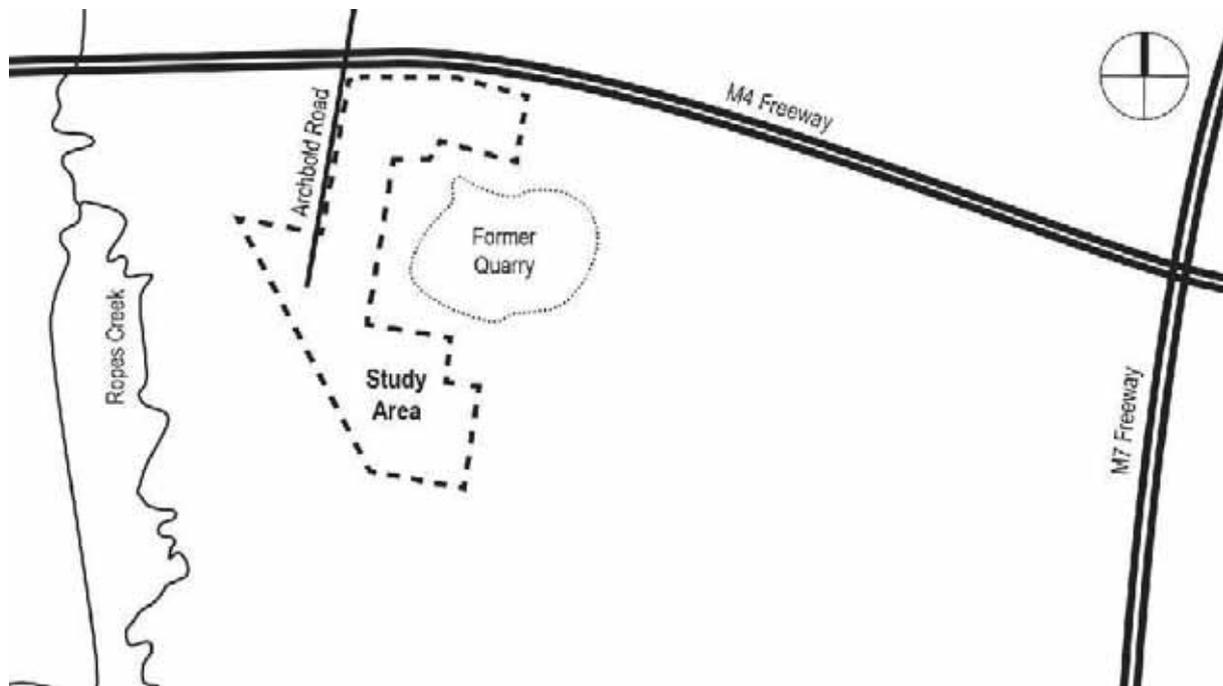
78 George Street Redfern
NSW Australia 2016
T +61 2 9319 4811
F +61 2 9319 4383
E heritage@gml.com.au

Canberra Office

2A Mugga Way Red Hill
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GML Heritage Pty Ltd

Sam Cooling
Consultant Archaeologist

17 March 2014

National Native Title Tribunal
GPO Box 9973
SYDNEY 2000

Attention: Ms Kimberley Wilson

Our Ref: 13-0493nntt1

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment.

Dear Ms Wilson

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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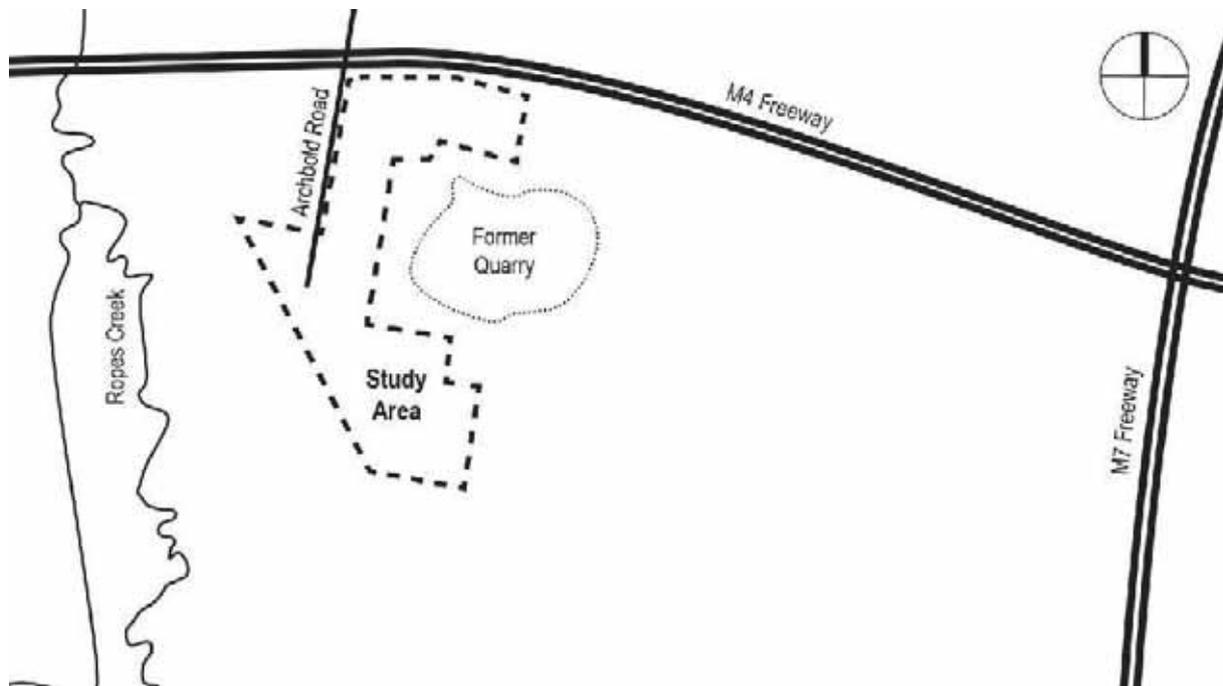
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Yours sincerely
GML Heritage Pty Ltd

Sam Cooling
Consultant Archaeologist

17 March 2014

Native Title Services Corporation
PO Box 2105
STRAWBERRY HILLS NSW 2012

Attention: Mr Warren Mundine

Our Ref: 13-0493ntscorp1

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment.

Dear Mr Mundine

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEHL guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

The proposed development involves the construction of the EFW facility, as well as internal roadways, amenities and ablutions, parking facilities, and water detention basins.

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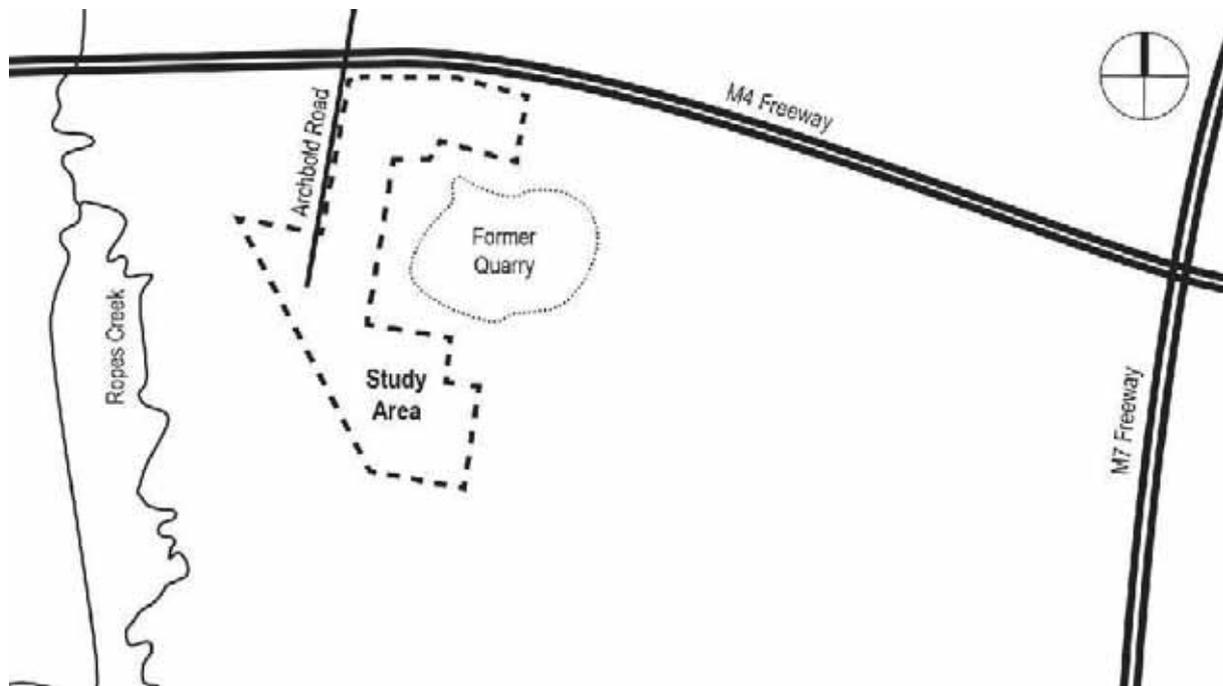
Sydney Office

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Yours sincerely
GML Heritage Pty Ltd

Sam Cooling
Consultant Archaeologist

17 March 2014

Ms Susan Harrison
Manager
Aboriginal Heritage and Planning
Office of Environment and Heritage
PO Box 668
PARRAMATTA NSW 2124

Our Ref: 13-0493oeh1

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment.

Dear Ms Harrison

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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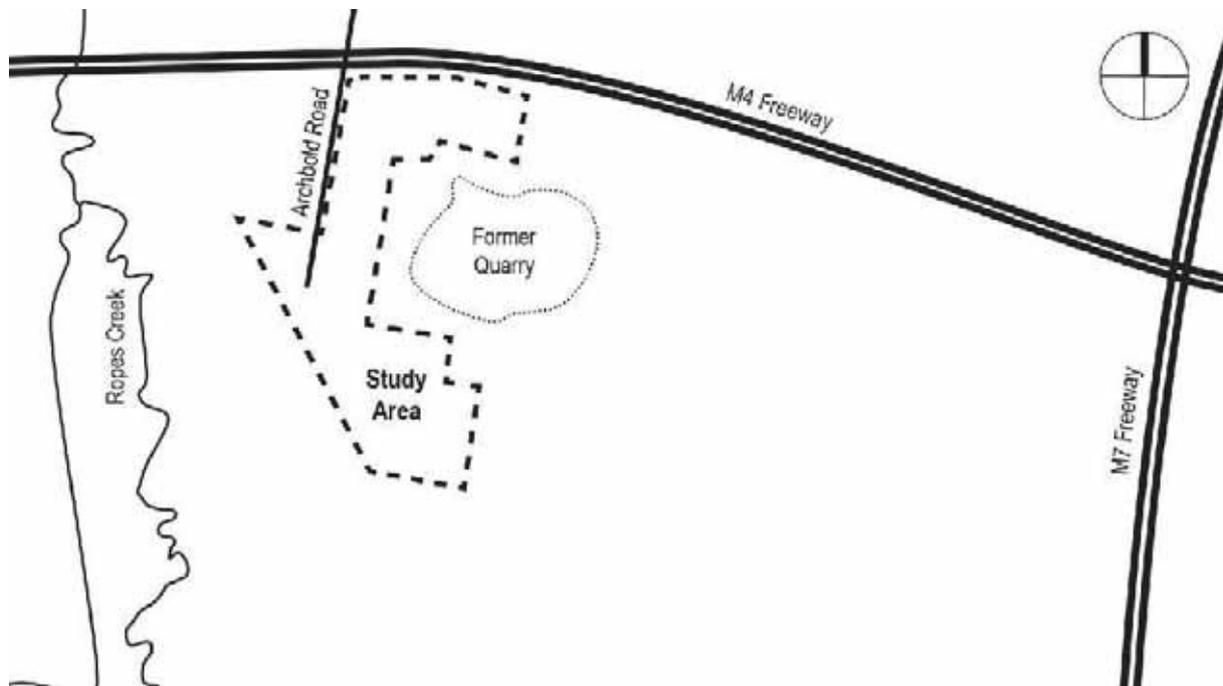
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If you have any questions about this project please call me on 9319 4811.

Yours sincerely
GML Heritage Pty Ltd

A handwritten signature in black ink, appearing to read 'Sam Cooling'.

Sam Cooling
Consultant Archaeologist

19 March 2014 ref: OE&H :19-3-14/3

GML Heritage
78 George Street
Redfern NSW 2016

Dear Sir/ Madam

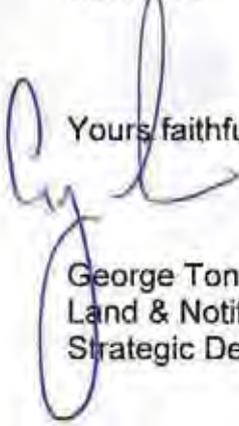
Aboriginal registration for community Consultatuin- EFW Eastern Creek Aboriginal Assessment

I refer to your letter on the 17 March 2014 concerning the above.

I advise that NTSCORP's privacy guidelines restrict us from providing proponents with contact details of traditional owners. However, we will forward your correspondence to any individuals, groups and organisations, whom NTSCORP is aware assert traditional interests within, or hold cultural knowledge about the relevant area.

Please be aware that NTSCORP cannot make a guarantee or undertaking that the recipients of our correspondence represent the entirety of traditional owners for the relevant area.

To assist proponents in following the Aboriginal Cultural Heritage Consultation Requirements, recipients of our correspondence will be invited to register their interest in the project directly with ASAP.



Yours faithfully

George Tonna
Land & Notifications Officer
Strategic Development Team

Head Office

Level 1, 44-70 Roskill Street, Redfern NSW 2016
PO Box 2105 Strawberry Hills NSW 2012

t + 61 2 9510 3188
f + 61 2 9310 4177
freecall: 1000 111 844

Regional Office (Coffs Harbour)

Suite 2, 133 West High Street, Coffs Harbour NSW 2450
PO Box 156 Coffs Harbour NSW 2450

t + 61 2 6651 4586
f + 61 2 6651 7954



25 March 2014

Sam Cooling
GML Heritage
78 George Street
Redfern NSW 2016

Sydney Office, Operations East

Level 16
Law Courts Building
Queens Square
Sydney NSW 2000
GPO Box 9973
Sydney NSW 2001
Telephone (02) 9227 4000
Facsimile (02) 9227 4030

Our Reference: 6104/14MO
Your Reference: 13-0493NNTT1

Dear Mr Cooling

Native Title Search Results for Blacktown Local Government Area

Thank you for your search request received on 19 March 2014 in relation to the above area.

Search Results

The results provided are based on the information you supplied and are derived from a search of the following Tribunal databases:

Register Type	NNTT Reference Numbers
Schedule of Applications (unregistered claimant applications)	Nil.
Register of Native Title Claims	Nil.
National Native Title Register	Nil.
Register of Indigenous Land Use Agreements	Nil.
Notified Indigenous Land Use Agreements	Nil.

At the time this search was carried out, there were **no relevant entries** in the above databases.

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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 me on the numbers listed below.

Yours sincerely

Melissa O'Malley | RECEPTIONIST/CLIENT SERVICES OFFICER

National Native Title Tribunal | Sydney Office

Level 16, Federal Law Courts Building, Queens Square, Sydney, New South Wales 2000

Telephone (02) 9227 4000 | Facsimile (02) 9227 4030 | Email melissa.o'malley@nntt.gov.au

Freecall 1800 640 501 | www.nntt.gov.au

Shared country, shared future.



Searching the NNTT Registers in New South Wales

Search service

On request the National Native Title Tribunal may search its public registers for you. A search may assist you in finding out whether any native title applications (claims), determinations or agreements exist over a particular area of land or water.

In New South Wales native title cannot exist on privately owned land including family homes or farms.

What information can a search provide?

A search can confirm whether any applications, agreements or determinations are registered in a local government area. Relevant information, including register extracts and application summaries, will be provided.

In NSW because we cannot search the registers in relation to individual parcels of land we search by local government area.

Most native title applications do not identify each parcel of land claimed. They have an external boundary and then identify the areas not claimed within the boundary by reference to types of land tenure e.g., freehold, agricultural leasehold, public works.

What if the search shows no current applications?

If there is no application covering the local government area this only indicates that at the time of the search either the Federal Court had not received any claims in relation to the local government area or the Tribunal had not yet been notified of any new native title claims.

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Where the information is found

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Email to: NSWEnquiries@nntt.gov.au

Post to: GPO Box 9973 Sydney NSW 2001

For additional enquiries: 02 9227 4000



**Office of
Environment
& Heritage**

Our reference: FIL14/2019

Sam Cooling
Consultant Archaeologist
GML Heritage
78 George Street
REDFERN NSW 2016

Dear Ms Cooling,

Thank you for your letter dated 17/3/2014 to the Office of Environment and Heritage (OEH) regarding obtaining a list of the Aboriginal stakeholders that may have an interest in the Aboriginal assessment for the Energy from Waste (EFW) electricity generation plant at Eastern Creek (Blacktown LGA).

Please find attached the list of Aboriginal stakeholders known to OEH that may have an interest in the project.

As the Department of Planning and Infrastructure (DP&I) is the approval authority for this project, the consultation process should be in accordance with the relevant guidelines as stipulated by DP&I.

If you wish to discuss any of the above matters further please contact Miranda Firman, Aboriginal Heritage Planning Officer, on (02) 9995 5477.

Yours sincerely

Fran Scully 25/03/14

Fran Scully
Acting Senior Team Leader, Planning
Greater Sydney Region
Regional Operations

Aboriginal Stakeholders that may have an interest in the Western Sydney LGA's

Organisation	Contact	Telephone	Address
Deerubbin Local Aboriginal Land Council	Kevin Cavanagh	(02) 4724 5600	2/9 Tindale St, Penrith NSW 2750
Darug Custodial Aboriginal Corporation	Leanne Watson	02 4577 5181 / 0415 770 163	PO Box 81, Windsor NSW 2756
Darug Tribal Aboriginal Corporation	Sandra Lee	02 9622 4081	PO Box 441, Blacktown NSW 2148
Darug Aboriginal Cultural Heritage Assessments	Gordon Morton	02 4567 7421 or 0422 865 831	90 Hermitage Rd, Kurrajong Hills NSW 2758
Darug Land Observations	Gordon Workman	0415 663 763/ fax 02 9831 8868	PO Box 571, Plumpton, NSW 2761
Gunjee Wong Cultural Heritage Aboriginal Corporation	Des Dyer Cherie Carroll Turrise	0408 360 814 (02) 6355 4110	18a Perigee Close, Doonside 2767 1 Bellvue Place, Portland NSW, 2847 * Cherie is Ngunnawal Elder however lived in the Western Sydney area during her childhood. She recognises she is not from the area but has associations.
Tocomwall	Scott Franks	0404 171 544	PO Box 76, Caringbah NSW 1495
Amanda Hickey Cultural Services	Amanda Hickey	0434 480 588	41 Dempsey Street, Emu Heights, NSW 2750 *Amanda is Wonnarua
Warragil Cultural Services	Phil Khan	0434 545 982	78 Forbes Street, Emu Plains, NSW 2750
Wurrumay Consultancy	Aaron Slater Kerrie Slater	0481 280 067 0423 935 556	22 Tiffany Close, Rooty Hill NSW 89 Pyramid street, Emu Plains NSW
HSB Heritage Consultants	Patricia Hampton	0424142216	62 Ropes Crossing Boulevard, Ropes Crossing 2760

*Cherie is Ngunnawal Elder however lived in the Western Sydney area during her childhood. She recognises she is not from the area but has associations.



25 March 2014

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GML Heritage
78 George Street
Redfern NSW 2016

Sydney Office, Operations East

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Post to: GPO Box 9973 Sydney NSW 2001

For additional enquiries: 02 9227 4000

28 March 2014

Warragil Cultural Services
22 Tiffany Close
ROOTY HILL NSW 2766

Att: Mr Aaron Slater

Our Ref: 13-0493wcsc1

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment

Dear Mr Slater

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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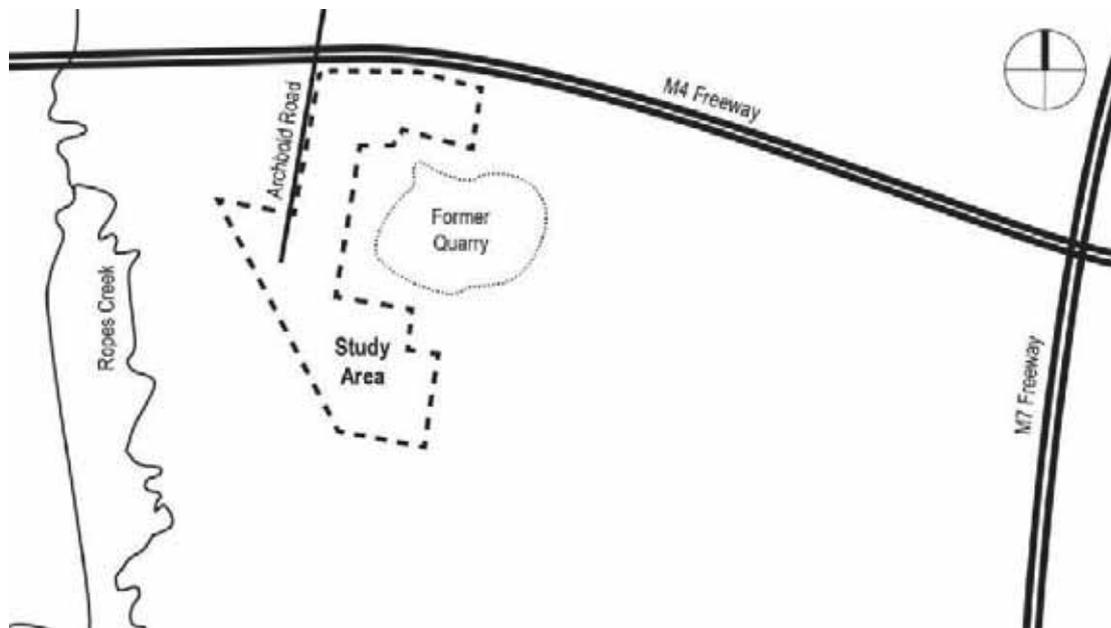
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GML Heritage Pty Ltd
ABN 60 001 179 362



In accordance with the OEH guidelines 'Aboriginal cultural heritage consultation requirements for proponents 2010' (DECCW, 2010), this is an invitation for 'Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places in the area of the proposed project to register an interest in a process of community consultation' with TNG and GML regarding the project. Should you wish to register an interest in the project, please send written confirmation to:

Jane McMahon/Sam Cooling
GML Heritage
78 George Street
REDFERN NSW 2016

Alternatively registration can be emailed to janem@gml.com.au or samc@gml.com.au or faxed to GML on 02 9319 4383.

Submissions should be marked '13-0493-EFW Eastern Creek' and confirm the name and contact details of the contact person or representative for your organisation or group. Registrations of interest will close on 11 April 2014.

Please be advised that if you register an interest in the project, your details will be forwarded to OEH and the LALC unless you specify that you do not want your details released.

If you have any questions about this project please call me on 9319 4811.

Yours sincerely
GML Heritage Pty Ltd

Sam Cooling
Consultant Archaeologist

28 March 2014

Wurrumay Consultancy
89 Pyramid Street
EMU PLAINS NSW 2750

Att: Kerrie Slater

Our Ref: 13-0493wcc1

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment

Dear Kerrie

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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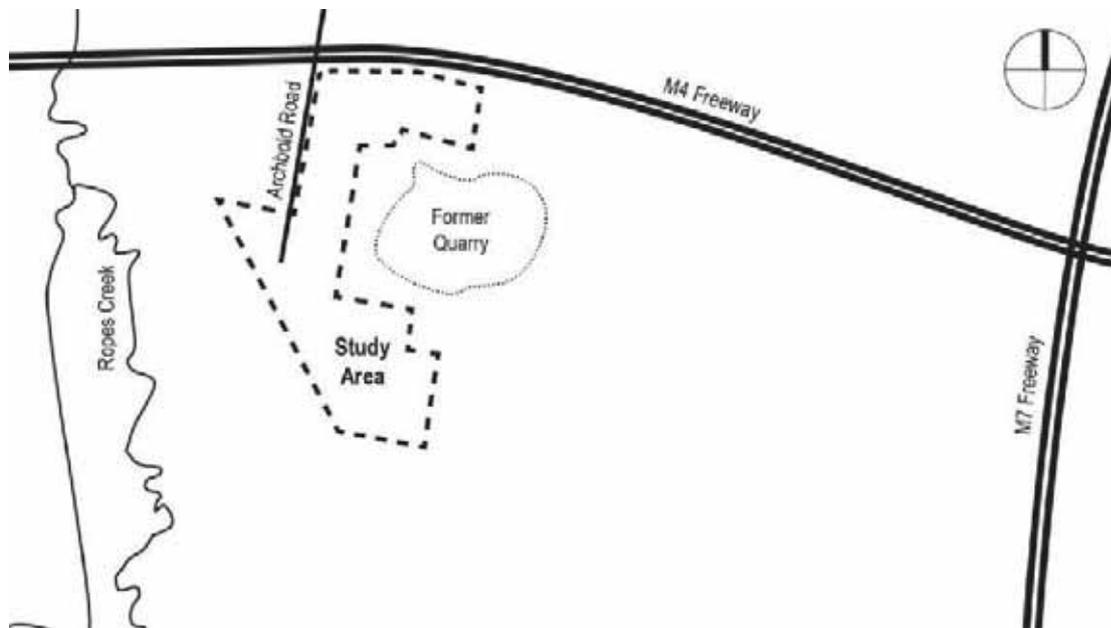
Sydney Office

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Yours sincerely
GML Heritage Pty Ltd

Sam Cooling
Consultant Archaeologist

28 March 2014

Mr Phil Khan
78 Forbes Street
EMU PLAINS NSW 2750

Our Ref: 13-0493pkc1

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment

Dear Mr Khan

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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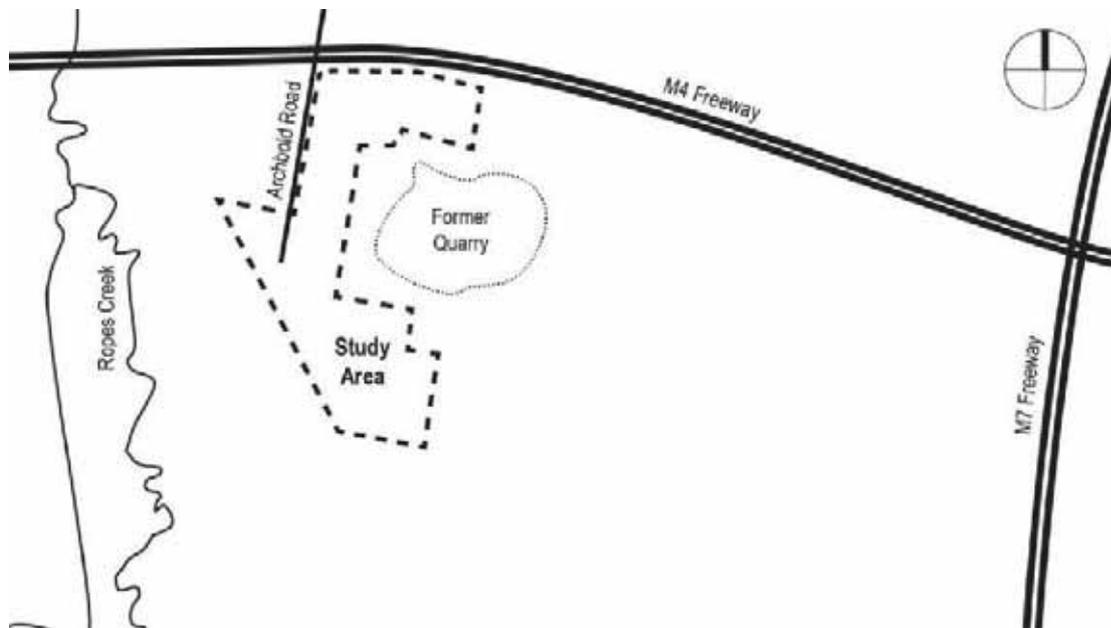
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Yours sincerely
GML Heritage Pty Ltd

Sam Cooling
Consultant Archaeologist

28 March 2014

HSB Heritage Consultants
62 Ropes Crossing Boulevard
ROPES CROSSING NSW 2760

Att: Ms Patricia Hampton

Our Ref: 13-0493hhcc1

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment

Dear Ms Hampton

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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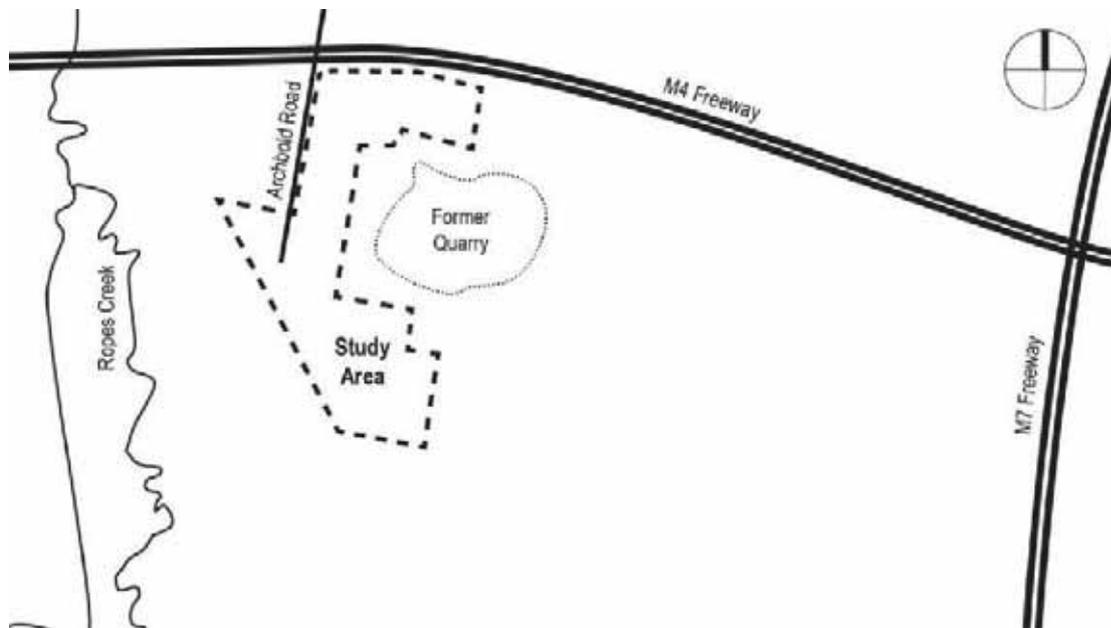
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Yours sincerely
GML Heritage Pty Ltd

Sam Cooling
Consultant Archaeologist

28 March 2014

Gunjeewong Cultural Heritage Aboriginal Corporation
1 Bellvue Place
PORTLAND NSW 2847

Attention: Cherie Carroll Turrise

Our Ref: 13-0493gchacc1

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment

Dear Ms Turrise,

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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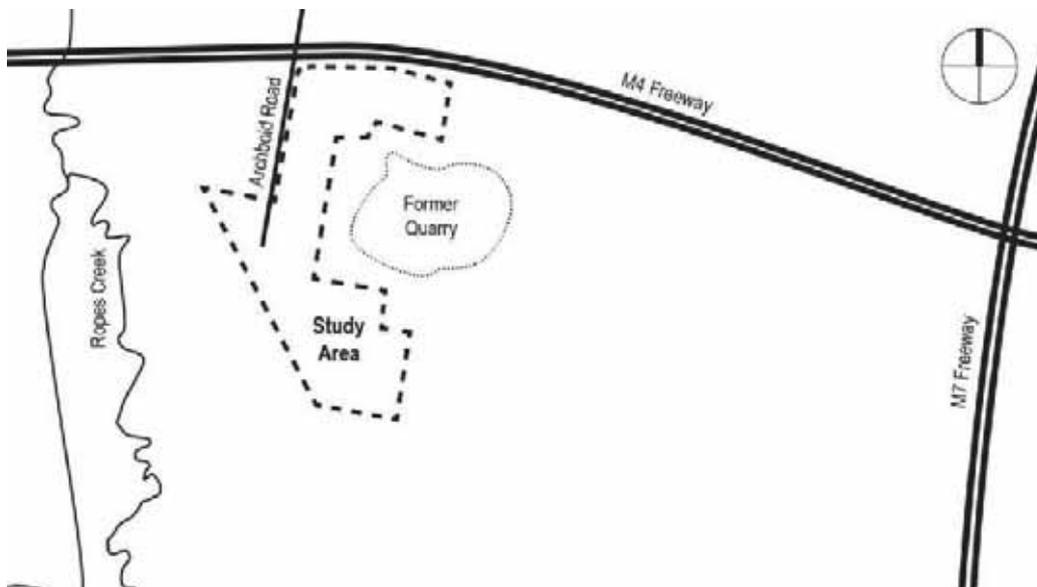
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Yours sincerely
GML Heritage Pty Ltd

Sam Cooling
Consultant Archaeologist

28 March 2014

Darug Tribal Aboriginal Corporation
PO Box 441
BLACKTOWN NSW 2148

Attention: Ms Sandra Lee

Our Ref: 13-0493dtacc1

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment

Dear Ms Lee,

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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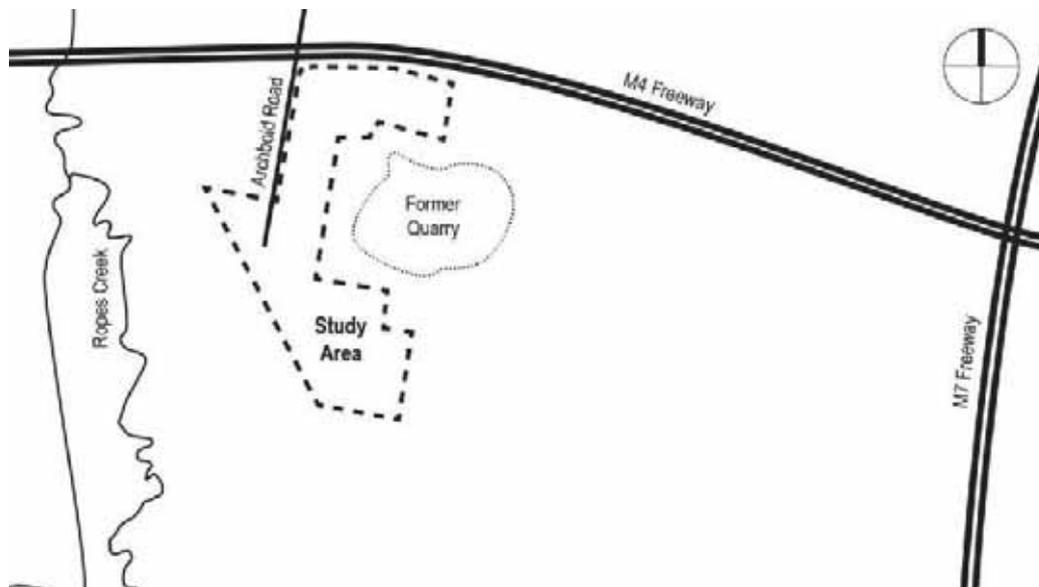
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Yours sincerely
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Sam Cooling
Consultant Archaeologist

28 March 2014

Deerubbin Local Aboriginal Land Council
2/9 Tindale Street
PENRITH NSW 2750

Attention: Mr Kevin Cavanagh

Our Ref: 13-0493dlalcc2

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment

Dear Mr Cavanagh,

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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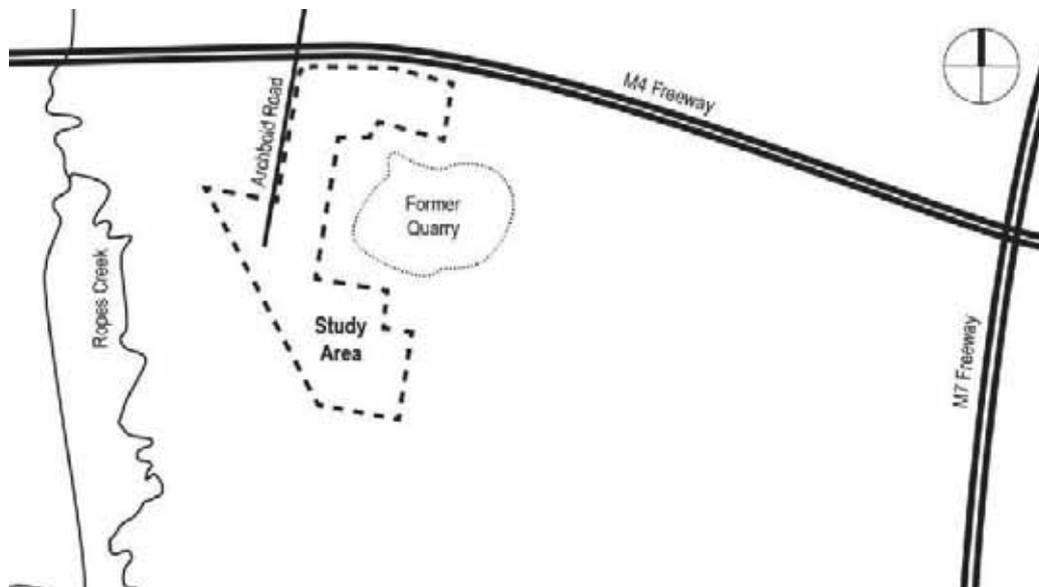
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Yours sincerely
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Sam Cooling
Consultant Archaeologist

28 March 2014

Darug Custodial Aboriginal Corporation
PO Box 81
WINDSOR NSW 2756

Attention: Ms Leanne Watson

Our Ref: 13-0493dcacc1

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment

Dear Ms Watson,

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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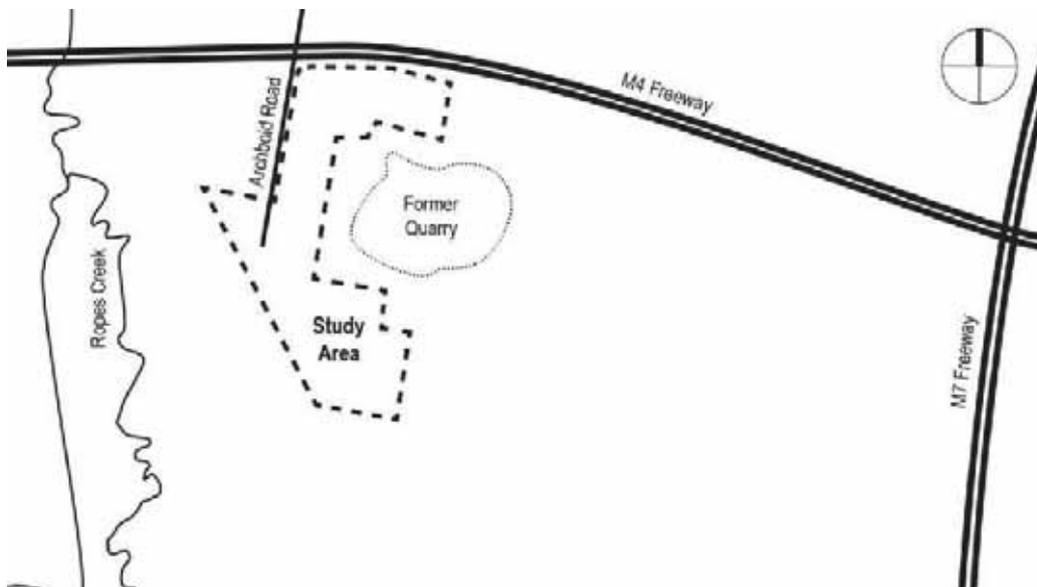
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Yours sincerely
GML Heritage Pty Ltd

Sam Cooling
Consultant Archaeologist

28 March 2014

Darug Aboriginal Landcare Inc
18a Perigee Close
DOONSIDE NSW 2767

Attention: Des Dyer

Our Ref: 13-0493dalic1

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment

Dear Mr Dyer,

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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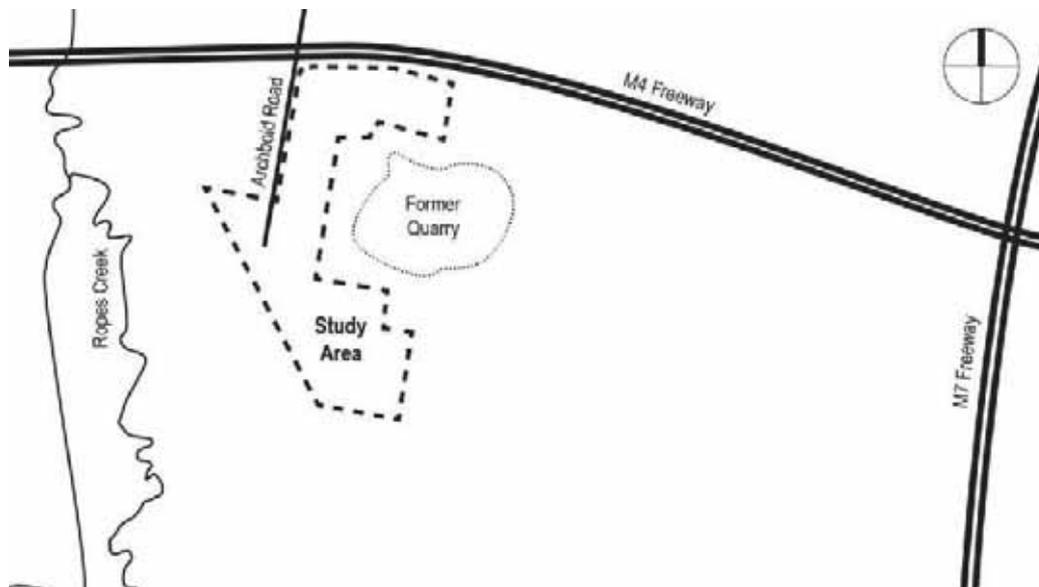
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Yours sincerely
GML Heritage Pty Ltd

Sam Cooling
Consultant Archaeologist

28 March 2014

Darug Aboriginal Cultural Heritage Assessments
90 Hermitage Road
KURRAJONG HILLS NSW 2758

Attention: Mr Gordon Morton

Our Ref: 13-0493dachac1

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment

Dear Mr Morton,

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEHL guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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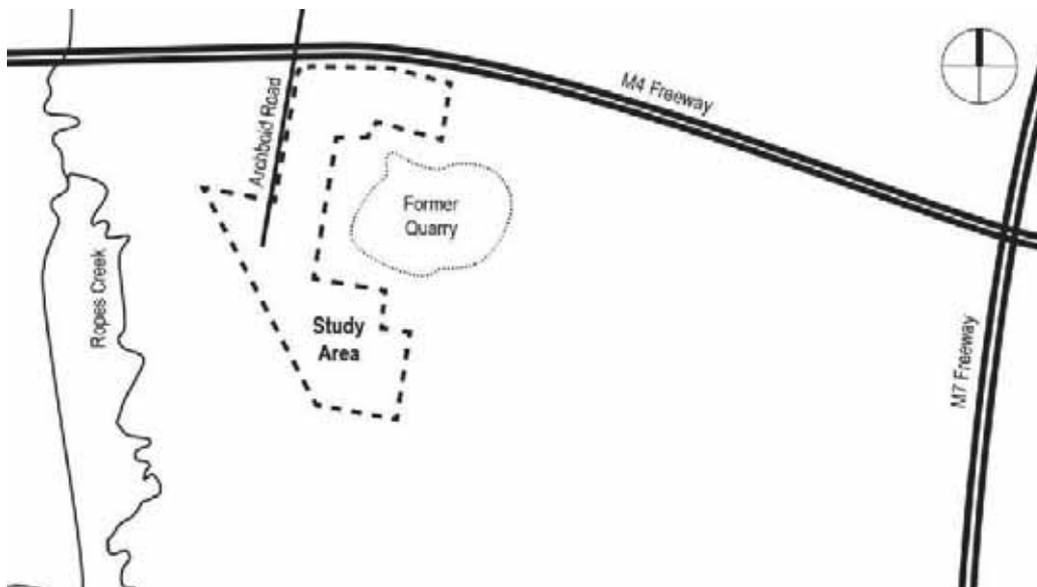
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Yours sincerely
GML Heritage Pty Ltd

Sam Cooling
Consultant Archaeologist

28 March 2014

Amanda Hickey Cultural Services
41 Dempsey Street
EMU HEIGHTS NSW 2750

Attention: Ms Amanda Hickey

Our Ref: 13-0493achsc1

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment

Dear Ms Hickey

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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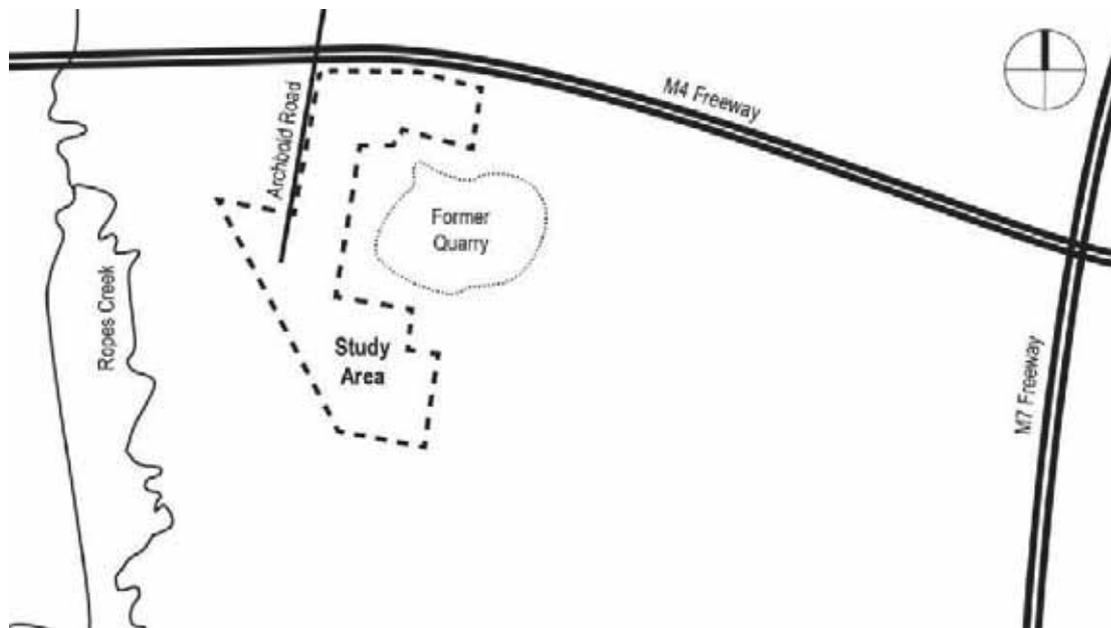
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78 George Street
REDFERN NSW 2016

Alternatively registration can be emailed to janem@gml.com.au or samc@gml.com.au or faxed to GML on 02 9319 4383.

Submissions should be marked '13-0493-EFW Eastern Creek' and confirm the name and contact details of the contact person or representative for your organisation or group. Registrations of interest will close on 11 April 2014.

Please be advised that if you register an interest in the project, your details will be forwarded to OEH and the LALC unless you specify that you do not want your details released.

If you have any questions about this project please call me on 9319 4811.

Yours sincerely
GML Heritage Pty Ltd

Sam Cooling
Consultant Archaeologist

Beebe, Tyler

From: MacLennan, Sally
Sent: Friday, 4 April 2014 10:24 AM
To: Cooling, Sam; McMahon, Jane
Subject: EFW Eastern Creek - DTAC registration

Hi team

Just took a call from John Reilly from DTAC registering for the EFW Eastern Creek job. He said he'd also send an email through. He gave me his contact number as well (0402 334 123).

He mentioned working on the adjacent site recently (former Sargent's Pies factory) with Abel Archaeology from Armidale.

Anyway, that's all.

S

Sally MacLennan | Consultant

GML Heritage

78 George St, Redfern NSW 2016

Tel: 02 9319 4811 | Fax: 02 9319 4383 | www.gml.com.au

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Beebe, Tyler

From: Steve Randall <SRandall@deerubbin.org.au>
Sent: Friday, 4 April 2014 9:55 AM
To: McMahon, Jane
Subject: Lots 2 & 3 DP 1145808, Archbold Road, Eastern Creek

Hello Jane,

Your Reference: 13-0493dlalcc2

I refer to your letter of 28 March 2014 regarding the above

Deerubbin Local Aboriginal Land Council wishes to be formally registered to participate in this project

Steve Randall

Deerubbin Local Aboriginal Land Council

Level 1, Suite 3, 291-295 High Street PENRITH, NSW, 2570

PO Box 40 PENRITH 2751

Ph: (02) 4724 5600 | Fax: (02) 4722 9713 M: 0417 219 174

E: SRandall@deerubbin.org.au | Website www.deerubbin.org.au

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Koomurri Ngunawal



Aboriginal Corporation

Glen Freeman
PO Box 356
DOONSIDE NSW 2767
mobile: 0451790215
email: KoomurriNAC@hotmail.com
ICN: 7812

31 March 2014

Culture Language Knowledge Spirituality Identity Family

As part of the oldest and continuous living culture in human history Aboriginal spiritual and cultural heritage is recognised and valued as a unique and essential component of the identity of all Australian people. Having occupied the ACT and NSW landscape for more than 42 000 years knowledge of important spiritual and cultural places and meanings resonate throughout this landscape. Aboriginal cultural and spiritual heritage also lives in the memories and oral histories, stories and associations of Aboriginal people to their traditional land and connection to country.

Aboriginal spiritual and cultural heritage through family, language, ceremony and education, as well as the ongoing custodianship of the ecology of the land, mother earth, is an essential and vital part of Aboriginal peoples spiritual and cultural identity, connection and sense of belonging to country. The ongoing effective protection and conservation of this cultural and spiritual heritage is of utmost importance in maintaining the identity, health, spiritual and cultural well being of Aboriginal people.

EFW Eastern Creek Project-Registration

As the contact person for the Koomurri Ngunawal Aboriginal Corporation i am contacting you to register our expression of interest for the above Project.

Looking forward to consulting with you on this Project.

With Regards

Glen Freeman
Contact/ Director
Koomurri Ngunawal Aboriginal Corporation
ICN:7812
Email:KoomurriNAC@hotmail.com
Mob 0451790215
Address PO Box 356 Doonside NSW 2767



Tocomwall Pty Ltd

PO Box 76 Caringbah NSW 1495

Tel: 02 9542 7714 Fax: 02 9524 4146

Email: info@tocomwall.com.au www.tocomwall.com.au

ABN: 13 137 694 618

21 March 2014

Jane McMahon
GML Heritage
78 George Street
REDFERN NSW
Via email: janem@gml.com.au; samc@gml.com.au

Dear Jane,

RE: WFW Eastern Creek Project Registration of interest

Tocomwall is seeking *primary involvement* in all consultation meetings and field work for the above mentioned project.

Tocomwall represents traditional owners from this area and retains local and oral history on behalf of its membership. We do not accept or support any person or organisation that comments regarding the said area unless confirmed in writing by myself.

Please also be advised that this Aboriginal organisation does not do volunteer work or attend unpaid meetings.

All correspondence should be emailed to scott@tocomwall.com.au and sarah@tocomwall.com.au or to the above postal address.

Yours faithfully

Scott Franks
Native Title & Environmental Services

DARUG - LAND - OBSERVATIONS



ABN: 87239202455
E-MAIL: gordow51@bigpond.net.au
PO BOX: 571 Plumpton. NSW 2761
Phone: 029831 8868 or 0415 663 763



19-3-2014

Jane McMahon
Project Officer AMBS *Archaeology & Heritage*

Notification and Registration of ALL Aboriginal Interests
Re: *EFW-Eastern Creek*

Please be advice that D.L.O is seeking to be involved in any and all consultation meetings and field work.

This office specializes in Aboriginal and community consultation. An has a membership that comprises of Traditional owners from the area in question those retain strong story and song lines and oral history and continued contact. We would also like to state that we do not except or support any person or organization that are NOT from the DARUG Nation that comments regarding the said area. Please also be advised that this aboriginal Organization does not do volunteer work or attend unpaid meetings. I hope that you advise your client of this so that, This Group will not be discriminated against and refused paid field work.

All Correspondence should be emailed to the following
gordow51@bigpond.net.au

Yours faithfully

Uncle
Gordon Workman
Darug Elder

Sites Officer



DARUG CUSTODIAN
ABORIGINAL
CORPORATION

PO BOX 81 WINDSOR 2756
PHONE: 0245775181 FAX: 0245775098
MOBILE: 0415770163
EMAIL: mulgokiwi@bigpond.com

Attention: Sam Cooling.

Subject: EFW Eastern Creek Aboriginal Assessment registration for community consultation.

Dear Sam,

Our group is a non-profit organisation that has been active for over forty years in Western Sydney, we are a Darug community group with over three hundred members. The main aim in our constitution is the care of Darug sites, places, wildlife and to promote our culture and provide education on the Darug history.

The Eastern Creek area is an area that our group has a vast knowledge of, we have worked and lived in for many years, this area is significant to the Darug people due to the connection of sites and the continued occupation. Our group has been involved in all previous assessments and works in this area as a traditional owner Darug group for the past 40 plus years.

Therefore we would like to register our interest for full consultation and involvement in this area.

Please contact us with all further enquiries on the above contacts.

Regards

Leanne Watson

JHe
SC

7 APR 2014

TO JANET MCMAHON / SAM COOLING CML Heritage
I would like to Register my Corporation for
Community Consultation - EFW / EASTERN CREEK ABORIGINAL
ASSESSMENT, Gunjeewong Cultural Heritage Aboriginal Corporation

Shene Carroll, M
Director

PHONE MOBILE 0438428805



EMAIL Julieschroder5live@.com.au
Schroder

ADDRESS 1 BELVUE PLACE PORTLAND NSW 2847

Pollowan Phillip Khan
78 Forbes Street
Emu Plains NSW 2750
1 April 2014,
mobile: 0434545982

GML
HERITGE Pty Ltd
78 George Street
Redfern NSW 2016

Dear Sam,

Thank you for your letter informing me that GML HERITAGE , has been engaged to undertake archaeological work at EFW Eastern Creek Aboriginal Assessment and that you are inviting Aboriginal organisations to register, if they wish to be involved in the community consultation process.

As Senior Aboriginal person who has for the past forty of so years (40) actively participated in the Protection Aboriginal Cultural Heritage throughout the Sydney Basin , and particularly throughout Western Sydney, I, on behalf of the Kamiloroi- Yankuntjatjara Working Group, wish to provide to you my organisations' registration of interest.

Information in my registration of Interest:

1. I am a Senior Aboriginal and Principal of the Kamiloroi -Yankuntjatjara Working Group, and all Aboriginal entity (ABN33979702507).
2. I prefer communicating by, Mail, Telephone, and; and I am, the Principal, person to contact and;
My contact details are:
Phillip Khan
78 Forbes Street, Emu Plains NSW 2750
Mobile 043 4545 982
3. I wish to be involved and participate in all levels of consultation/project involvement. I wish to attend all meetings, and, participate in available field work; and would receive a copy of the report.
4. I attach to this letter a copy of Kamiloroi- Yankuntjatjara Working Group's; GIO Public Liability Insurance; GIO Workers Compensation Certificate.

Should you wish me to provide further information, please do not hesitate to contact me on 0434545982.

Yours Sincerely,


Pollowan Phillip Khan

**KAMILAROI-YANKUNTJATJARA
WORKING GROUP**

- Lawn Mowing
- Gutter Cleaning
- Yard Clean-up
- Rubbish Removal
- Fencing



Phil Khan PH: 0434 545 982
philipkhan.acn@live.com.au 78 Forbes St Emu Plains 2750

3 APR 2014

HSB Heritage Consultants

ABN: 65735840891

31 March 2014

Jane McMahon/Sam Cooling
GML Heritage
78 George Street
Redfern, NSW, 2016

Dear Jane/Sam

RE: 13-0493-EFW Eastern Creek.

HSB Heritage Consultants are interested in registering as an Aboriginal Stakeholder Group for the upcoming Project Development within the study area of Eastern Creek.

HSB Heritage Consultants have fully insured Culture and Heritage skilled officers with excellent knowledge and past experience within this industry.

Kind Regards,

Patricia Hampton
Manager

Phone: 0424142216
Address: 62 Ropes Crossing Boulevard, Ropes Crossing 2760
Email: hsb_heritageconsultants@mail.com



Darug Aboriginal LandCare

(Uncle Des Dyer)

18a Perigee Close
Doonside 2767NSW
ABN 71 301 006 047

Sam Cooling
Archaeologist
GML

Re: 13-0493-EFW Eastern Creek

Dear Dominic,

Darug Aboriginal Landcare / Uncle Des Dyer. Have no objections to the planned development. Our organization would like to register and be consulted on the Aboriginal Cultural Heritage Assessment.

We would like to take part in any field survey and test excavations. Attend any meetings. We have read the draft Methodology and test excavation design and agree with it,

Our preferred method of communication is by Email or phone.
We agree and understand you can give our contacted details to others.

The area is an important part of our culture and valued by the community as most of the people that lived there were Darug.

Thank you

Kind regards
Des Dyer
Email desmond4552@hotmail.com
Mobile 0408360814



Wurrumay Consultant

89 Pyramid street

Emu Plains 2750. NSW

M: 0423 935556

E: Wurrumay@hotmail.com

ABN: 45 687 034 025

Date 31/3/2014

Jane McMahon

GML – Heritage

78 George Street

Redfern. NSW 2016

To: Jane

Re: Aboriginal Cultural Heritage Assessment- EFW – Eastern Creek

Wurrumay would like to Register an interest in the above Project

We have Ancestral Connection to the project areas

Our site officer's have Cultural Knowledge of the area and have Experience in identification of all aspects of Aboriginal Archaeological Assessment in Culture & Heritage works,

Which involves Hunter Valley & Liverpool Plains Areas, all staff have White Cards & Induction Card

Our company that assures protection and works the best interest of the Aboriginal Communities & Spiritual belief and to preserving

Our culture for future generations as our ancestors' have done for us.

If you require further information please don't hesitate to call me.

Current Certificates of Currency for Workers Compensation & Public Liability Insurances available on request also References.

Currently Reside in the local area.

We are registered with OEH and would like to be part of the project

Looking forward to working with you

Kind Regards

Kerrie Slater - Manager

Wurrumay Consultants

16 April 2014

Ms Kerrie Slater
Wurrumay Consultants
89 Pyramid Street
EMU PLAINS NSW 2750

Our Ref: 13-0493wcc2

Re: EFW Eastern Creek Aboriginal Assessment—Presentation of Project Information and Archaeological and Cultural Assessment Methodology

Dear Ms Slater

On behalf of The Next Generation Pty Ltd (TNG), GML Heritage would like to thank you for your registration of interest for the EFW Eastern Creek project.

The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

Therefore, please find attached to this letter a document entitled *Energy From Waste (EFW) Plant, Eastern Creek, Archaeological and Cultural Assessment Methodology Report*. This document presents the project background, and the proposed archaeological and cultural heritage assessment methodology for the project, in accordance with Stages 2 and 3 of the OEH Consultation Guidelines, for your information, review and comment.

Please provide written and/or oral comments on this document by **15 May 2014**. Please advise when commenting if you wish to be involved in the physical archaeological site survey phase of this project. All participants will be required to have a good level of physical fitness and be able to walk up to 10 kilometres per day.

Please send written comments to:

Att: Jane McMahon/Sam Cooling
GML Heritage
78 George Street
REDFERN NSW 2016

Alternatively comments can be made by email (janem@gml.com.au or samc@gml.com.au) or faxed to GML at 02 9319 4383.

Please mark written submissions as '13-0493–EFW Eastern Creek'.

Sydney Office

78 George Street Redfern
NSW Australia 2016
T +61 2 9319 4811
F +61 2 9319 4383
E heritage@gml.com.au

Canberra Office

2A Mugga Way Red Hill
ACT Australia 2603
T +61 2 6273 7540
F +61 2 6273 8114
E heritage@gml.com.au

GML Heritage Pty Ltd

ABN 60 001 179 362

Should you wish to discuss this project further, or provide verbal comment, please call Jane McMahon or Sam Cooling in the GML office on 9319-4811.

Yours sincerely
GML Heritage Pty Ltd



Sam Cooling
Consultant Archaeologist

Attachments:

- GML 2014, *Energy From Waste (EFW) Plant, Eastern Creek, Archaeological and Cultural Assessment Methodology Report*, Draft Report, prepared on behalf of The Next Generation (TNG) Pty Ltd.

16 April 2014

Mr Scott Franks
Tocomwall
PO BOX 76
CARINGBAH NSW 1495

Our Ref: 13-0493tc1

Re: EFW Eastern Creek Aboriginal Assessment—Presentation of Project Information and Archaeological and Cultural Assessment Methodology

Dear Scott

On behalf of The Next Generation Pty Ltd (TNG), GML Heritage would like to thank you for your registration of interest for the EFW Eastern Creek project.

The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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Please mark written submissions as '13-0493–EFW Eastern Creek'.

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78 George Street Redfern
NSW Australia 2016
T +61 2 9319 4811
F +61 2 9319 4383
E heritage@gml.com.au

Canberra Office

2A Mugga Way Red Hill
ACT Australia 2603
T +61 2 6273 7540
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ABN 60 001 179 362

Should you wish to discuss this project further, or provide verbal comment, please call Jane McMahon or Sam Cooling in the GML office on 9319-4811.

Yours sincerely
GML Heritage Pty Ltd

A handwritten signature in black ink, appearing to read 'Sam Cooling', with a horizontal line drawn through the bottom of the signature.

Sam Cooling
Consultant Archaeologist

Attachments:

- GML 2014, *Energy From Waste (EFW) Plant, Eastern Creek, Archaeological and Cultural Assessment Methodology Report*, Draft Report, prepared on behalf of The Next Generation (TNG) Pty Ltd.

16 April 2014

Mr Phil Khan
Kamilaroi-Yankuntjatjara Working Group
78 Forbes Street
EMU PLAINS NSW 2750

Our Ref: 13-0493kywcc1

Re: EFW Eastern Creek Aboriginal Assessment—Presentation of Project Information and Archaeological and Cultural Assessment Methodology

Dear Phil

On behalf of The Next Generation Pty Ltd (TNG), GML Heritage would like to thank you for your registration of interest for the EFW Eastern Creek project.

The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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Please mark written submissions as '13-0493–EFW Eastern Creek'.

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NSW Australia 2016
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F +61 2 9319 4383
E heritage@gml.com.au

Canberra Office

2A Mugga Way Red Hill
ACT Australia 2603
T +61 2 6273 7540
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GML Heritage Pty Ltd

ABN 60 001 179 362

Should you wish to discuss this project further, or provide verbal comment, please call Jane McMahon or Sam Cooling in the GML office on 9319-4811.

Yours sincerely
GML Heritage Pty Ltd



Sam Cooling
Consultant Archaeologist

Attachments:

- GML 2014, *Energy From Waste (EFW) Plant, Eastern Creek, Archaeological and Cultural Assessment Methodology Report*, Draft Report, prepared on behalf of The Next Generation (TNG) Pty Ltd.

16 April 2014

Mr Glen Freeman
Koomurri Ngunawal Aboriginal Corporation
PO BOX 356
DOONSIDE NSW 2767

Our Ref: 13-0493knac2

Re: EFW Eastern Creek Aboriginal Assessment—Presentation of Project Information and Archaeological and Cultural Assessment Methodology

Dear Mr Freeman

On behalf of The Next Generation Pty Ltd (TNG), GML Heritage would like to thank you for your registration of interest for the EFW Eastern Creek project.

The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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Please send written comments to:

Att: Jane McMahon/Sam Cooling
GML Heritage
78 George Street
REDFERN NSW 2016

Alternatively comments can be made by email (janem@gml.com.au or samc@gml.com.au) or faxed to GML at 02 9319 4383.

Please mark written submissions as '13-0493–EFW Eastern Creek'.

Sydney Office

78 George Street Redfern
NSW Australia 2016
T +61 2 9319 4811
F +61 2 9319 4383
E heritage@gml.com.au

Canberra Office

2A Mugga Way Red Hill
ACT Australia 2603
T +61 2 6273 7540
F +61 2 6273 8114
E heritage@gml.com.au

GML Heritage Pty Ltd

ABN 60 001 179 362

Should you wish to discuss this project further, or provide verbal comment, please call Jane McMahon or Sam Cooling in the GML office on 9319-4811.

Yours sincerely
GML Heritage Pty Ltd



Sam Cooling
Consultant Archaeologist

Attachments:

- GML 2014, *Energy From Waste (EFW) Plant, Eastern Creek, Archaeological and Cultural Assessment Methodology Report*, Draft Report, prepared on behalf of The Next Generation (TNG) Pty Ltd.

16 April 2014

Ms Patricia Hampton
HSB Heritage Consultants
62 Ropes Crossing Boulevard
ROPES CROSSING NSW 2760

Our Ref: 13-0493hhcc2

Re: EFW Eastern Creek Aboriginal Assessment—Presentation of Project Information and Archaeological and Cultural Assessment Methodology

Dear Ms Hampton

On behalf of The Next Generation Pty Ltd (TNG), GML Heritage would like to thank you for your registration of interest for the EFW Eastern Creek project.

The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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Please mark written submissions as '13-0493–EFW Eastern Creek'.

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ABN 60 001 179 362

Should you wish to discuss this project further, or provide verbal comment, please call Jane McMahon or Sam Cooling in the GML office on 9319-4811.

Yours sincerely
GML Heritage Pty Ltd



Sam Cooling
Consultant Archaeologist

Attachments:

- GML 2014, *Energy From Waste (EFW) Plant, Eastern Creek, Archaeological and Cultural Assessment Methodology Report*, Draft Report, prepared on behalf of The Next Generation (TNG) Pty Ltd.

16 April 2014

Ms Cherie Carroll Turrise
Gunjeewong Cultural Heritage Aboriginal Corporation
1 Bellvue Place
PORTLAND NSW 2847

Our Ref: 13-0493gchacc2

Re: EFW Eastern Creek Aboriginal Assessment—Presentation of Project Information and Archaeological and Cultural Assessment Methodology

Dear Cherie

On behalf of The Next Generation Pty Ltd (TNG), GML Heritage would like to thank you for your registration of interest for the EFW Eastern Creek project.

The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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Please provide written and/or oral comments on this document by **15 May 2014**. Please advise when commenting if you wish to be involved in the physical archaeological site survey phase of this project. All participants will be required to have a good level of physical fitness and be able to walk up to 10 kilometres per day.

Please send written comments to:

Att: Jane McMahon/Sam Cooling
GML Heritage
78 George Street
REDFERN NSW 2016

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Please mark written submissions as '13-0493–EFW Eastern Creek'.

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GML Heritage Pty Ltd

ABN 60 001 179 362

Should you wish to discuss this project further, or provide verbal comment, please call Jane McMahon or Sam Cooling in the GML office on 9319-4811.

Yours sincerely
GML Heritage Pty Ltd



Sam Cooling
Consultant Archaeologist

Attachments:

- GML 2014, *Energy From Waste (EFW) Plant, Eastern Creek, Archaeological and Cultural Assessment Methodology Report*, Draft Report, prepared on behalf of The Next Generation (TNG) Pty Ltd.

17 April 2014

Mr John Reilly
Darug Tribal Aboriginal Corporation
PO BOX 441
BLACKTOWN NSW 2148

Our Ref: 13-0493dtacc2

Re: EFW Eastern Creek Aboriginal Assessment—Presentation of Project Information and Archaeological and Cultural Assessment Methodology

Dear John

On behalf of The Next Generation Pty Ltd (TNG), GML Heritage would like to thank you for your registration of interest for the EFW Eastern Creek project.

The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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Please provide written and/or oral comments on this document by **15 May 2014**. Please advise when commenting if you wish to be involved in the physical archaeological site survey phase of this project. All participants will be required to have a good level of physical fitness and be able to walk up to 10 kilometres per day.

Please send written comments to:

Att: Jane McMahon/Sam Cooling
GML Heritage
78 George Street
REDFERN NSW 2016

Alternatively comments can be made by email (janem@gml.com.au or samc@gml.com.au) or faxed to GML at 02 9319 4383.

Please mark written submissions as '13-0493–EFW Eastern Creek'.

Sydney Office

78 George Street Redfern
NSW Australia 2016
T +61 2 9319 4811
F +61 2 9319 4383
E heritage@gml.com.au

Canberra Office

2A Mugga Way Red Hill
ACT Australia 2603
T +61 2 6273 7540
F +61 2 6273 8114
E heritage@gml.com.au

GML Heritage Pty Ltd

ABN 60 001 179 362

Should you wish to discuss this project further, or provide verbal comment, please call Jane McMahon or Sam Cooling in the GML office on 9319-4811.

Yours sincerely
GML Heritage Pty Ltd

A handwritten signature in black ink, appearing to read 'Sam Cooling', with a horizontal line drawn through the bottom of the signature.

Sam Cooling
Consultant Archaeologist

Attachments:

- GML 2014, *Energy From Waste (EFW) Plant, Eastern Creek, Archaeological and Cultural Assessment Methodology Report*, Draft Report, prepared on behalf of The Next Generation (TNG) Pty Ltd.

16 April 2014

Mr Gordon Workman
Darug Land Observations
PO Box 571
PLUMPTON NSW 2761

Our Ref: 13-0493dloc1

Re: EFW Eastern Creek Aboriginal Assessment—Presentation of Project Information and Archaeological and Cultural Assessment Methodology

Dear Gordon

On behalf of The Next Generation Pty Ltd (TNG), GML Heritage would like to thank you for your registration of interest for the EFW Eastern Creek project.

The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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Yours sincerely
GML Heritage Pty Ltd



Sam Cooling
Consultant Archaeologist

Attachments:

- GML 2014, *Energy From Waste (EFW) Plant, Eastern Creek, Archaeological and Cultural Assessment Methodology Report*, Draft Report, prepared on behalf of The Next Generation (TNG) Pty Ltd.

16 April 2014

Mr Steve Randall
Deerubbin Local Aboriginal Land Council
PO BOX 40
PENRITH NSW 2751

Our Ref: 13-0493dlalcc3

Re: EFW Eastern Creek Aboriginal Assessment—Presentation of Project Information and Archaeological and Cultural Assessment Methodology

Dear Steve

On behalf of The Next Generation Pty Ltd (TNG), GML Heritage would like to thank you for your registration of interest for the EFW Eastern Creek project.

The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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Should you wish to discuss this project further, or provide verbal comment, please call Jane McMahon or Sam Cooling in the GML office on 9319-4811.

Yours sincerely
GML Heritage Pty Ltd



Sam Cooling
Consultant Archaeologist

Attachments:

- GML 2014, *Energy From Waste (EFW) Plant, Eastern Creek, Archaeological and Cultural Assessment Methodology Report*, Draft Report, prepared on behalf of The Next Generation (TNG) Pty Ltd.

16 April 2014

Ms Leanne Watson
Darug Custodian Aboriginal Corporation
PO BOX 81
WINDSOR NSW 2756

Our Ref: 13-0493dcacc2

Re: EFW Eastern Creek Aboriginal Assessment—Presentation of Project Information and Archaeological and Cultural Assessment Methodology

Dear Leanne

On behalf of The Next Generation Pty Ltd (TNG), GML Heritage would like to thank you for your registration of interest for the EFW Eastern Creek project.

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Att: Jane McMahon/Sam Cooling
GML Heritage
78 George Street
REDFERN NSW 2016

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Please mark written submissions as '13-0493–EFW Eastern Creek'.

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ABN 60 001 179 362

Should you wish to discuss this project further, or provide verbal comment, please call Jane McMahon or Sam Cooling in the GML office on 9319-4811.

Yours sincerely
GML Heritage Pty Ltd



Sam Cooling
Consultant Archaeologist

Attachments:

- GML 2014, *Energy From Waste (EFW) Plant, Eastern Creek, Archaeological and Cultural Assessment Methodology Report*, Draft Report, prepared on behalf of The Next Generation (TNG) Pty Ltd.

16 April 2014

Mr Des Dyer
Darug Aboriginal LandCare
18a Perigee Close
DOONSIDE NSW 2767

Our Ref: 13-0493dalcc2

Re: EFW Eastern Creek Aboriginal Assessment—Presentation of Project Information and Archaeological and Cultural Assessment Methodology

Dear Des

On behalf of The Next Generation Pty Ltd (TNG), GML Heritage would like to thank you for your registration of interest for the EFW Eastern Creek project.

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Yours sincerely
GML Heritage Pty Ltd



Sam Cooling
Consultant Archaeologist

Attachments:

- GML 2014, *Energy From Waste (EFW) Plant, Eastern Creek, Archaeological and Cultural Assessment Methodology Report*, Draft Report, prepared on behalf of The Next Generation (TNG) Pty Ltd.

16 April 2014

Ms Celestine Everingham/Mr Gordon Morton
Darug Aboriginal Cultural Heritage Assessments
90 Hermitage Road
KURRAJONG HILLS NSW 2758

Our Ref: 13-0493dachac2

Re: EFW Eastern Creek Aboriginal Assessment—Presentation of Project Information and Archaeological and Cultural Assessment Methodology

Dear Celestine and Gordon

On behalf of The Next Generation Pty Ltd (TNG), GML Heritage would like to thank you for your registration of interest for the EFW Eastern Creek project.

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GML Heritage Pty Ltd



Sam Cooling
Consultant Archaeologist

Attachments:

- GML 2014, *Energy From Waste (EFW) Plant, Eastern Creek, Archaeological and Cultural Assessment Methodology Report*, Draft Report, prepared on behalf of The Next Generation (TNG) Pty Ltd.

Beebe, Tyler

From: Patricia Hampton <hsb_heritageconsultants@mail.com>
Sent: Monday, 28 April 2014 4:45 PM
To: McMahon, Jane
Subject: 13-0493-EFW Eastern Creek

Hi Jane,

In response to the EFW Eastern Creek Project, I have read through the project information and assessment methodology and happy to proceed with the project.

I will also wish to be involved in any archaeological survey's.

Thank You,

Patricia Hampton
HSB Heritage Cinsultants.

Sent using the free mail.com iPhone App

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Message protected by SpamScreen: e-mail anti-virus, anti-spam and content filtering.<http://www.spamscreen.com.au>

Click here to report this message as spam:

<https://login.mailguard.com.au/report/1JtIDRKjUn/3cTn9sU6LIhuiGxIKjdSHJ/1.002>

Filenote

Job:	EFW Eastern Creek	Job No.:	13-0493
Subject:	DTAC Methodology Response	Date/Time:	2.20pm, 6.5.14
Persons Involved:	Sam Cooling (GML) John Reilly (DTAC)	Our Ref:	

Note:

- Mr John Reilly from Darug Tribal Aboriginal Corporation (DTAC) called SC to provide reference regarding the project background and methodology document provided to him for the EFW Eastern Creek project
- Advised that DTAC agreed with methodology
- Noted there were quite a few RAPs registered, concerned as they are not from Country
- Concern with non-Darug people, people 'without permission' participating in fieldwork, particularly test excavations and disturbing the ground
- 'DTAC would support the understanding that only Darug persons should be on Darug Country, such as fieldwork and test excavation'

Action Needed:

- Add to Consultation log
- Inform client/proponent for upcoming survey/additional fieldwork consideration regarding RAPs to be offered opportunities to visit the site, and/or paid work
-

Signature: SC



DARUG CUSTODIAN
ABORIGINAL
CORPORATION

PO BOX 81 WINDSOR 2756
PHONE: 0245775181 FAX: 0245775098
MOBILE: 0415770163
EMAIL: mulgokiwi@bigpond.com

13-0493-EFW Eastern Creek.

Attention: Jane McMahon/ Sam Cooling

Subject: Aboriginal Cultural Heritage Assessment – Presentation of Project information and Archaeological and Cultural Assessment Methodology.

Dear Jane and Sam,

We have received and reviewed the Presentation of Project information and Archaeological and Cultural Assessment Methodology.

We would like to add that our sites are a complex and not all separate sites and recommend that the connections are interpreted throughout the project. Information gathered during these projects is of high significance, once our sites are gone there is no other evidence of the sites or connections. This area has shown in recent excavations and surveys that this is a Darug landscape and there are still numerous parts of our histories to be recorded. Eastern Creek is an area that Darug families have had a connection to for thousands of years as shown in all previous studies, Darug people stayed in this area to present times, the oral histories of this area support the families staying here for thousands of years.

Within this document the amount of groups for consultation is high with many groups not from this area, we do not support personal profit groups and also do not support any input that they have into the recommendations. Apart from the amount of people consulted we support the methodology within this report. Our group would like to attend the survey. Please contact us with all further enquiries on the above contacts.

Regards

Leanne Watson



Darug Aboriginal LandCare

(Uncle Des Dyer)

18a Perigee Close
Doonside 2767NSW
ABN 71 301 006 047

Jane McMahon / Sam Cooling
Archaeologist
GLM. Heritage
78 George Street
Redfern 2016
NSW

Re: EFW Eastern Creek

Dear Alyce,

Darug Aboriginal Landcare / Uncle Des Dyer. Have no objections to the planned development. Our organization would like to register and be consulted on the Aboriginal Cultural Heritage Assessment.

We would like to take part in any field survey and test excavations. Attend any meetings.

We agree with the Methodology and recommendations in the report

,
Our preferred method of communication is by Email or phone.

We agree and understand you can give our contacted details to others.

The area is an important part of our culture and valued by the community as most of the people that lived there were Darug.

Thank you

Kind regards
Des Dyer
Email desmond4552@hotmail.com
Mobile 0408360814



Darug Aboriginal LandCare

(Uncle Des Dyer)

18a Perigee Close
Doonside 2767NSW
ABN 71 301 006 047

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The area is an important part of our culture and valued by the community as most of the people that lived there were Darug.

Thank you

Kind regards
Des Dyer
Email desmond4552@hotmail.com
Mobile 0408360814

Facsimile

To: DACHA	Date: 12.6.14
Attention: Gordon/Celestine	Facsimile: (02) 4567 7421
From: Sam Cooling	Pages: 2 including this one
Subject: Eastern Creek Survey Tomorrow- Change of Meeting Location	Our reference: 13-0493dachafax2

Hi Gordon and Celestine,

There has been a change in the meeting location for tomorrow morning's survey.

The meeting place will now be at the entry to the Genesis Recycling and Landfill Facility, Honeycomb Drive, Eastern Creek.

Access is as follows:

- From the M7, take the Wallgrove Road Exit
- Turn into Wonderland Drive and continue to the end
- Take the second exit at Kmart roundabout into Honeycomb Drive and follow concrete road to the Genesis (DADI) facility.
- Please park in the carpark to the left of the weighbridges

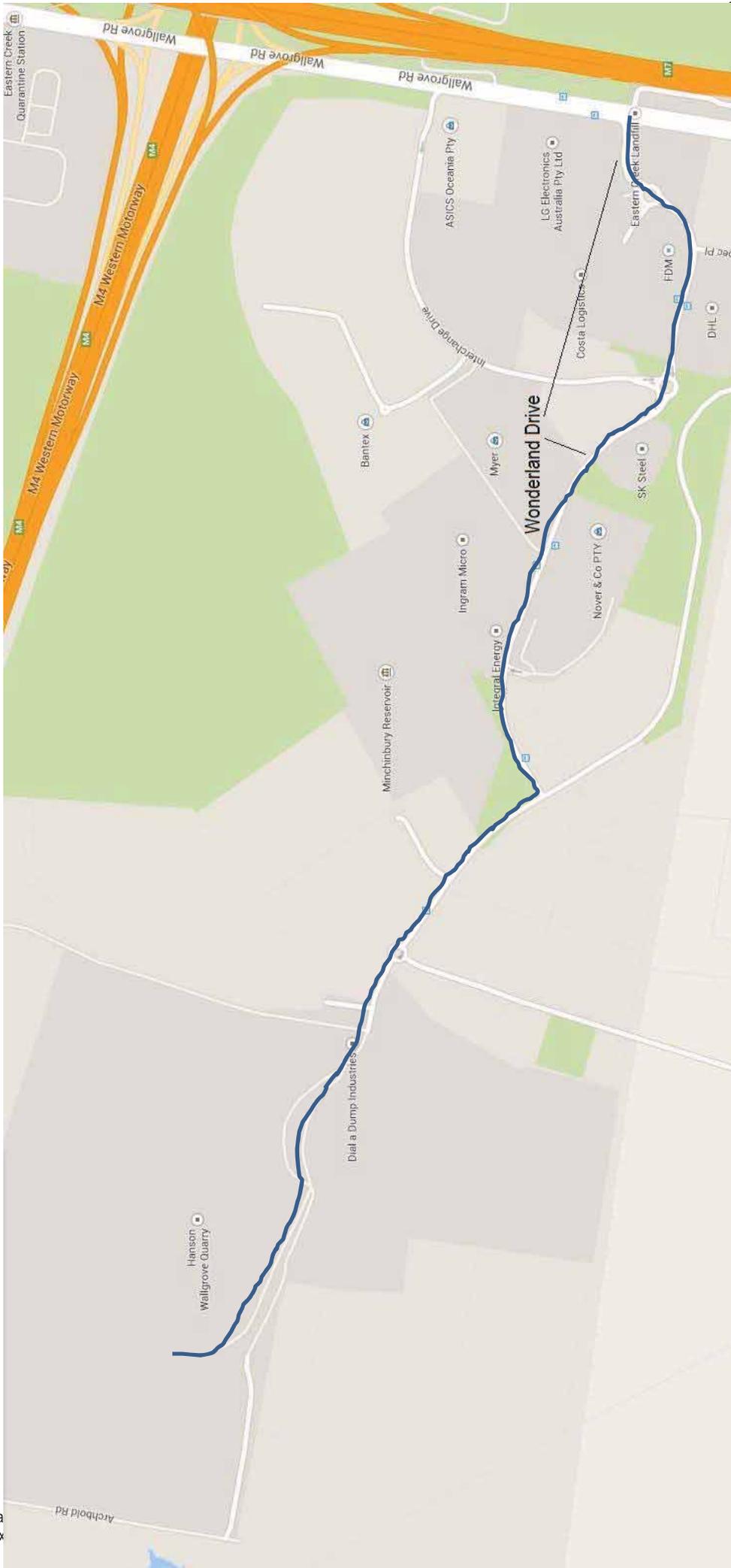
This path is shown on the attached map. Meeting time will still be 8.45am. We will meet in the carpark, and then report to the administration office for site induction.

Please be advised that safety equipment will be required for all survey participants including Hard Hat, Steel Cap Boots, Glasses and Safety Vest.

Any questions, please call me in the office on 9319-4811, or tomorrow I can be reached on my mobile on 0402 522 789 after 8am.

Kind Regards,

Sam



Facsimile

To: Darug Aboriginal Cultural Heritage Assessments (DACHA)	Date: 10.6.14
Attention: Ms Celestine Everingham/Mr Gordon Morton	Facsimile: (02) 4567 7421
From: Sam Cooling	Pages: 3 including this one
Subject: Energy From Waste Facility (EFW), Eastern Creek—Archaeological Field Survey	Our reference: 13-0493dachafax1

Dear Celestine/Gordon,

Following our phone call last week, as well as recent correspondence sent to you regarding the above project (project methodology, 16 April 2014), on behalf of The Next Generation Pty Ltd (TNG) (the proponent), GML Heritage (GML) wishes to invite one representative from your organisation to participate in the Field Survey of the 'EFW, Eastern Creek' study area, in a paid capacity on **Friday 13 June 2014**.

We estimate that the field survey will take three hours to complete and therefore the work would only be for half the day.

Work will commence on site at 9am, and we anticipate we will be finished by midday. We will access the site via Honeycomb Drive, a right off Old Wallgrove Road when travelling west from the M7. As we are not yet sure about site access, the meeting point will be at the corner of Old Wallgrove Road and Honeycomb Drive, as is indicated by the red circle in the map below, and the meeting time is **8:45am**. We will then drive from the meeting point into site together.

All site workers must comply with relevant Occupational Health and Safety rules and regulations of the site, including:

- Attendance at the GML WH&S induction on the first day of fieldwork.
- Compliance with the Safe Work Method Statement (SWMS) supplied at the WH&S induction.
- Appropriate PPE must be worn, including long sleeves, long pants, sturdy walking shoes or boots, sunhat and sunglasses. High visibility clothing and hard hats may be required and should be brought to site.
- Please bring water and morning tea/snacks as desired for yourself.
- The work we will be undertaking will be physically demanding, and as such, in addition to having appropriate experience, representatives should be physically capable of undertaking the survey.
- Persons under the influence of drugs and/or alcohol will not be permitted on to site. Smoking, alcohol consumption or the use of illicit drugs on site will not be tolerated.

Please ensure the person to participate will be able to undertake the required tasks, without risk to themselves or other people.

TNG have advised that they are able to offer \$350 per organisation for participation in the half day field survey for this project. This is a flat rate of payment per organisation for the day's work, regardless of the number of the number of people each organisation may bring to the survey. This fee is proposed to cover all costs and out-of-pocket expenses including travel.

Invoices for this amount, following the field survey, should be sent via email or mail to:

Alexandria Landfill P/L (CAN/ABN 098 849 971) Ref
The Next Generation NSW P/L
32 Burrows Road
ALEXANDRIA NSW 2015

Attention: Mr Ian Malouf, Managing Director

Re: Energy From Waste Facility, Eastern Creek—Aboriginal Archaeological Field Survey

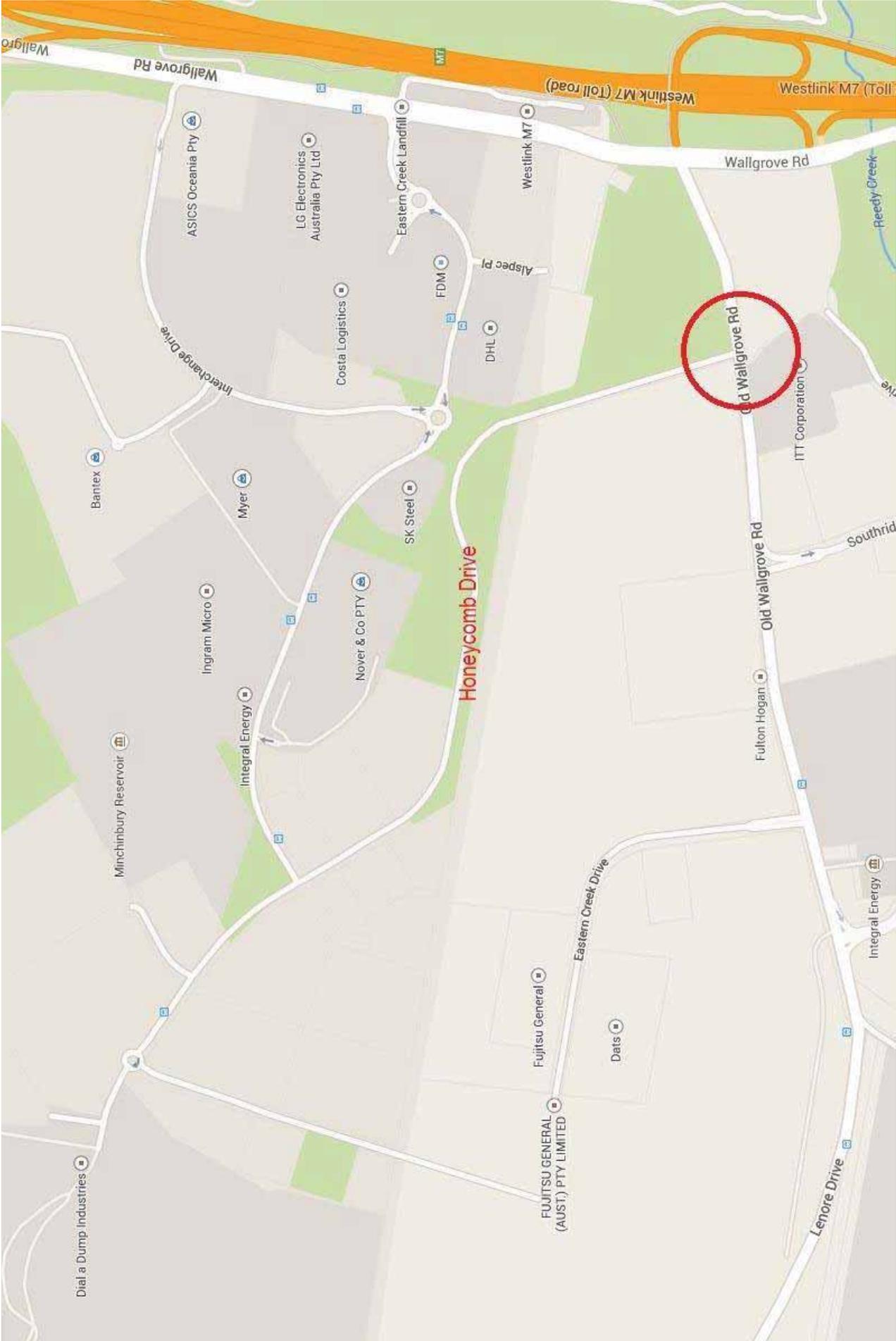
Email: ianmalouf@dadi.com.au

Please confirm your attendance at the field survey via email to samc@gml.com.au or via phone on 9319-4811.

Please make sure that your representative has a copy of this letter and is aware of the meeting location and time.

If you have any further questions about this project please do not hesitate to call or email me. Kind Regards,

Sam



3 June 2014

<Address>

<Address>

<Address>

<Address>

Attention:

Our Ref: 13-0493

Re: Energy From Waste Facility (EFW), Eastern Creek—Archaeological Field Survey

Dear

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GML Heritage Pty Ltd

ABN 60 001 179 362

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The Next Generation NSW P/L
32 Burrows Road
ALEXANDRIA NSW 2015

Attention: Mr Ian Malouf, Managing Director

Re: Energy From Waste Facility, Eastern Creek—Aboriginal Archaeological Field Survey

Email: ianmalouf@dadi.com.au

Please confirm your attendance at the field survey via email to samc@gml.com.au or via phone on 9319-4811.

Please make sure that your representative has a copy of this letter and is aware of the meeting location and time.

If you have any further questions about this project please do not hesitate to call or email me.

Yours sincerely
GML Heritage Pty Ltd



Sam Cooling
Consultant Archaeologist

17 April 2014

Office of Environment and Heritage
Environment Protection and Regulation Group
Aboriginal Heritage Section
PO Box 668
PARRAMATTA NSW 2124

Our Ref: 13-0493oeh2

**Re: Energy From Waste (EFW) Plant, Eastern Creek—Aboriginal
Registration for Community Consultation**

Dear Sir/Madam

On behalf of The Next Generation (TNG) (the proponent), in accordance with 4.1.6 of the *Aboriginal cultural heritage consultation requirements for proponents 2010*, I write to inform you of those Aboriginal people and organisations that have registered an interest in being consulted regarding the EFW Eastern Creek Archaeological Assessment project. The twelve Registered Aboriginal Parties (RAPs) for this project are:

- Darug Land Observations (DLO);
- Tocomwall;
- Darug Aboriginal Cultural Heritage Assessments;
- Koomurri Ngunawal Aboriginal Corporation;
- HSB Heritage Consultants;
- Wurrumay Consultants;
- Darug Aboriginal Landcare;
- Darug Tribal Aboriginal Corporation;
- Deerubbin Local Aboriginal Land Council;
- Kamilaroi-Yankuntjatjara Working Group;
- Gunjeewong Cultural Heritage Aboriginal Corporation; and
- Darug Custodian Aboriginal Corporation.

The current contact details we have for the aforementioned parties are listed below. Where requested by individual parties, contact details have been omitted from the table below.

An example of the notification letter sent to Aboriginal parties identified through contacting relevant statutory authorities, and the proof of the local

Sydney Office

78 George Street Redfern
NSW Australia 2016
T +61 2 9319 4811
F +61 2 9319 4383
E heritage@gml.com.au

Canberra Office

2A Mugga Way Red Hill
ACT Australia 2603
T +61 2 6273 7540
F +61 2 6273 8114
E heritage@gml.com.au

GML Heritage Pty Ltd
ABN 60 001 179 362

newspaper advertisement displayed on the 21 March 2013, are attached to this letter.

RAP	Address	Phone 1	Phone 2	Email	Fax (other)
DACHA Mr Gordon Morton	90 Hermitage Road, KURRAJONG HILLS NSW 2758	(02) 4567 7421	0422 865 831	N/A	(02) 4567 7421
DALC Mr Des Dyer	18a Perigee Close, DOONSIDE NSW 2767	0408 360 814		desmond4552@hotmail.com	
DCAC Ms Leanne Watson	PO BOX 81 WINDSOR NSW 2756	(02) 4577 5181	0415 770 163	mulqokiwi@bigpond.com	
DLO Mr Gordon Workman	PO BOX 571, PLUMPTON NSW 2761	(02) 9831 8868	0415 663 763	gordow51@bigpond.net.au	
DTAC Mr John Reilly	PO Box 441 BLACKTOWN NSW 2148	0402 334 123		jmreilly228@gmail.com darug_tribal@live.com.au	
DLALC Mr Steve Randall	Level 1, Suite 3, 291-295 High Street PENRITH NSW 2750 PO BOX 40 PENRITH NSW 2751	(02) 4724 5600	0417 219 174	SRandall@deerubbin.org.au	
Tocomwall Mr Scott Franks	PO BOX 76 CARINGBAH NSW 1495	(02) 9542 7714	0404 171 544	scott@tocomwall.com.au	
Wurrumay Consultants Ms Kerrie Slater	89 Pyramid Street EMU PLAINS NSW 2750	0423 935 556		Wurrumay@hotmail.com	
HSB Heritage Consultants Ms Patricia Hampton	62 Ropes Crossing Boulevard, ROPES CROSSING NSW 2760	0424 142 216		hsb_heritageconsultants@mail.com	
Kamilaroi- Yankuntjatjara Working Group Mr Phil Khan	78 Forbes Street EMU PLAINS NSW 2750	0434 545 982		Philipkhan.acn@live.com.au (Prefer phone or mail contact)	
Gunjeewong Cultural Heritage Aboriginal Corporation Ms Cherie Carroll Turrise	1 Bellvue Place PORTLAND NSW 2847	0438 428 805		juleschroder@live.com.au	

Koomurri
Ngunawal
Aboriginal
Corporation
Mr Glen Freeman

PO BOX 356
DOONSIDE NSW 2767

0451 790 215

KoomurriNAC@hotmail.com

Yours sincerely
GML Heritage Pty Ltd



Sam Cooling
Consultant Archaeologist

Attachments:

- Example Notification Letter
- Local Newspaper Advertisement Proof

28 March 2014

Deerubbin Local Aboriginal Land Council
2/9 Tindale Street
PENRITH NSW 2750

Attention: Mr Kevin Cavanagh

Our Ref: 13-0493dlalcc2

Re: Aboriginal registration for Community Consultation—EFW Eastern Creek Aboriginal Assessment

Dear Mr Cavanagh,

On behalf of The Next Generation NSW Pty Ltd (TNG) (the proponent), GML Heritage (GML) seek registration from local Aboriginal groups and people with respect to the assessment and future development of this land. The project entails the development of an Energy from Waste (EFW) electricity generation plant at Eastern Creek. The EFW project is being assessed under the Environmental Planning and Assessment Act as a State Significant Development (SSD) Project and will not require an Aboriginal Heritage Impact Permit in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. However the Director General Environmental Assessment Requirements (DG EARs) for the project require the preparation of an Environmental Impact Statement (EIS) including compliance with relevant statutory guidelines for Aboriginal Community Consultation in NSW (ie OEH guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*).

The proposed development involves the construction of the EFW facility, as well as internal roadways, amenities and ablutions, parking facilities, and water detention basins.

The land subject to assessment is located at Eastern Creek, Lots 2 and 3 in DP 1145808, within the Blacktown LGA, as marked on the map below (the study area). The exact location for the EFW facility is yet to be finalised, but will be located in the south of the study area.

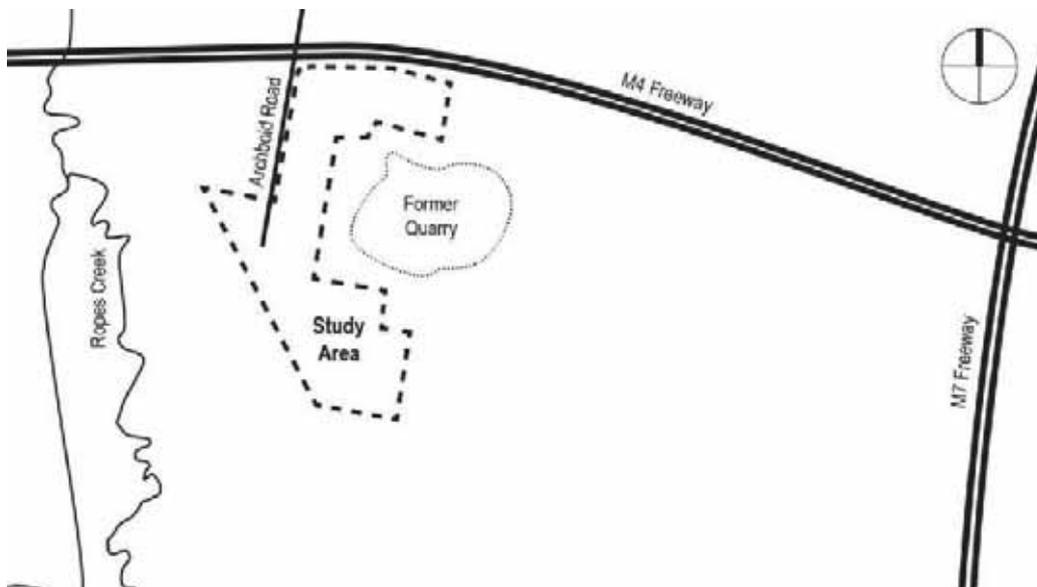
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In accordance with the OEH guidelines 'Aboriginal cultural heritage consultation requirements for proponents 2010' (DECCW, 2010), this is an invitation for 'Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places in the area of the proposed project to register an interest in a process of community consultation' with TNG and GML regarding the project. Should you wish to register an interest in the project, please send written confirmation to:

Jane McMahon/Sam Cooling
GML Heritage
78 George Street
REDFERN NSW 2016

Alternatively registration can be emailed to janem@gml.com.au or samc@gml.com.au or faxed to GML on 02 9319 4383.

Submissions should be marked '13-0493-EFW Eastern Creek' and confirm the name and contact details of the contact person or representative for your organisation or group. Registrations of interest will close on 11 April 2014.

Please be advised that if you register an interest in the project, your details will be forwarded to OEH and the LALC unless you specify that you do not want your details released.

If you have any questions about this project please call me on 9319 4811.

Yours sincerely
GML Heritage Pty Ltd

Sam Cooling
Consultant Archaeologist

Aboriginal Consultation Log—Energy From Waste (EFW) Plant, Eastern Creek

Stage 1—Notification of project proposal and registration of interest

Stage 1.1—Compilation of a list of Aboriginal stakeholders

Body/Group	Contact	Date Sent	Date Reply	Comment	Reference
OEH Planning and Aboriginal Heritage Section, Parramatta	Ms Susan Harrison	17 March 2014	25 March 2014	Letter from Ms Fran Scully. List of Aboriginal stakeholders known to OEH that may have an interest in the project. 'As the Department of Planning and Infrastructure (DP&I) is the approval authority for this project, the consultation process should be in accordance with the relevant guidelines as stipulated by DP&I.'	13-04930eh1 FIL14/2019
Deerubbin Local Aboriginal Land Council (DLALC)	Mr Kevin Cavanagh (CEO) / Mr Steve Randall	17 March 2014	4 April 2014		13-0493dlalc1
The Registrar, <i>Aboriginal Lands Right Act 1983</i>	Ms Megan Mebberson	17 March 2014			13-0493alra1
National Native Title Tribunal (NNTT)	Ms Kimberley Wilson	17 March 2014	25 March 2014	No native title claimants are registered in the area.	13-0493nntt1
Native Title Services Corporation (NTSCORP Limited)	Mr Warren Mundine (CEO)	17 March 2014	19 March 2014	'NTSCorp's privacy guidelines restrict us from providing proponents with contact details of traditional owners. However we will forward your correspondence to any individuals, groups or organisations, whom NTSCORP is aware assert traditional interests within, or hold cultural knowledge about the relevant area.' (Letter)	6104/14MO 13-0493ntscorp1 OE&H :19-3-14/3
Blacktown City Council	The General Manager	17 March 2014	4 April 2014	JM called Sue Galt 3.4.14. List sent	13-0493bcc1
Hawkesbury Nepean Catchment Management Authority (HNCMA)		17 March 2014			13-0493hncma1

Approximately 10 days should be allowed for these groups to respond.

Stage 1.2—Newspaper Advert

Newspaper	Date Sent	Date Printed	Reference
Blacktown Advocate	17 March 2014	19 March 2014	Blacktown Advocate, Page #47

14 days (4 April 2014) must be allowed for Aboriginal people to respond to the newspaper advertisement.

Stage 1.3—List of Aboriginal groups/people from Stage 1.1 and 1.2.

Organisation/Person	Contact	Date Registered	How the name was obtained and any comments	Reference
Darug Land Observations (DLO)	Mr Gordon Workman	20 March 2014	Email letter response to newspaper advert. Sent to Jane McMahon.	
Tocomwall	Mr Scott Franks	21 March 2014	Email letter response to newspaper advert. Sent to Jane McMahon and Sam Cooling.	
Deerubbin Local Aboriginal Land Council	Mr Kevin Cavanagh		OEH letter.	
Darug Custodial Aboriginal Corporation	Ms Leanne Watson		OEH letter.	
Darug Tribal Aboriginal Corporation	Ms Sandra Lee		OEH letter.	
Darug Aboriginal Cultural Heritage Assessments	Mr Gordon Morton (Ms Celestine Everingham)	28 March 2014	OEH letter. Ms Celestine Everingham rang Sam Cooling 28 March 2014 to verbally register for project.	
Darug Aboriginal Landcare Inc	Mr Des Dyer		OEH letter.	
Gunjeewong Cultural Heritage Aboriginal Corporation	Ms Cherie Carroll Turrise		OEH letter.	
Amanda Hickey Cultural Services	Ms Amanda Hickey		OEH letter.	

Mr Phil Khan	Mr Phil Khan		OEH letter.	
Warragil Cultural Services	Mr Aaron Slater		OEH letter.	
Wurrumay Consultancy	Ms Kerrie Slater		OEH letter.	
HSB Heritage Consultants	Ms Patricia Hampton		OEH letter.	
Koomurri Ngunawal Aboriginal Corporation	Glen Freeman	31 March 2014	Email letter response to newspaper advert. Sent to Jane McMahon.	

Stage 1.4—Aboriginal notification of the proposed project and an offer to be involved in the consultation

Aboriginal Organisation/Person	Contact	Date Sent	Reference
Deerubbin Local Aboriginal Land Council	Mr Kevin Cavanagh	Registered Post. 28 March 2014	13-0493dlalacc2
Darug Custodial Aboriginal Corporation	Ms Leanne Watson	Registered Post. 28 March 2014	13-0493dcacc1
Darug Tribal Aboriginal Corporation	Ms Sandra Lee	Registered Post. 28 March 2014	13-0493dlacc1
Darug Aboriginal Landcare Inc	Mr Des Dyer	Registered Post. 28 March 2014	13-0493dalic1
Gunjeewong Cultural Heritage Aboriginal Corporation	Ms Cherie Carroll Turrise	Registered Post. 28 March 2014	13-0493gchacc1
Amanda Hickey Cultural Services	Ms Amanda Hickey	Registered Post. 28 March 2014	13-0493ahacc1
Mr Phil Khan	Mr Phil Khan	Registered Post. 28 March 2014	13-0493pkc1
Warragil Cultural Services	Mr Aaron Slater	Registered Post. 28 March 2014	13-0493wcsc1
Wurrumay Consultancy	Ms Kerrie Slater	Registered Post. 28 March 2014	13-0493wcc1
HSB Heritage Consultants	Ms Patricia Hampton	Registered Post. 28 March 2014	13-0493hncc1

14 days (11 April 2014) must be allowed for Aboriginal people to register an interest to be consulted.

Stage 1.5—Registered Aboriginal Parties (RAP) Contact Details

Aboriginal Organisation/Person	Contact	Date Received and comments	Reference
Darug Land Observations (DLO)	Mr Gordon Workman	20.3.14. Email letter of registration.	
Tocomwall	Mr Scott Franks	21.3.14. Email letter of registration.	
Darug Aboriginal Cultural Heritage Assessments (DACHA)	Mr Gordon Morton Ms Celestine Everingham (primary address)	28.3.14. Phone call to SC to register interest for project.	
Koomurri Ngunawal Aboriginal Corporation	Mr Glen Freeman	31.3.14 Email letter of registration.	
HSB Heritage Consultant	Ms Patricia Hampton	31.3.14 Email letter of registration. Requested details not forwarded to LALC.	
Wurrumay Consultancy	Ms Kerrie Slater	31.3.14 Email letter of registration.	
Darug Aboriginal Landcare	Mr Des Dyer	1.4.14 Email letter of registration.	
Darug Tribal Aboriginal Corporation	Mr John Reilly	4.4.14 Phone call to SM to register interest for project	
Deerubbin Local Aboriginal Land Council (DLALC)	Mr Steve Randall	4.4.14 Email letter of registration.	
Kamileroi-Yankunijatiara Working Group	Mr Phil Khan	3.4.14 Letter of registration	
Gunjee Wong Cultural Heritage Aboriginal Corporation	Ms Cherie Carroll Turrise	7.4.14 Letter of registration	
Darug Custodial Aboriginal Corporation	Ms Leanne Watson	9.4.14 Email letter of registration.	

The proponent must provide a copy of the registered Aboriginal parties to the OEH and the LALC within 28 days of the closing data for registering an interest. This was mailed on 17 April 2014.

Stage 2—Presentation of information about the proposed project
Stages 2.1 and 2.2—Presentation of proposed project information and provision of proposed assessment methodology to the RAP

Aboriginal Organisation/Person	Date Sent	Date Reply	Comments, outcomes and/or issues and details of how input has been considered	Reference
Darug Land Observations (DLO)	16 April 2014			Registered Post 51000001548017 13-0493dlcc2
Tocomwall	16 April 2014			Registered Post 51000001543012 13-0493tc1
Darug Aboriginal Cultural Heritage Assessments (DACHA)	16 April 2014			Registered Post 5100000002015 13-0493dachac2
Koomurri Ngunawal Aboriginal Corporation	16 April 2014			Registered Post 51000001545016 13-0493knacc2
HSB Heritage Consultant	16 April 2014	28 April 2014	Email. Has read through the project information and assessment methodology and happy to proceed with the project. Wishes to be involved in any archaeological survey.	Registered Post 51000001546013 13-0493hhcc2
Wurumay Consultancy	16 April 2014			Registered Post 51000001542015 13-0493wccc2
Darug Aboriginal Landcare	16 April 2014			Registered Post 5100000001018 13-0493dalcc2

Darug Tribal Aboriginal Corporation	17 April 2014	6 May 2014	Phone call, Mr John Reilly to SC. DTAC agree with methodology. Noted there were quite a few RAPs registered, concerned as they are not from Country Concern with non-Darug people, people 'without permission' participating in fieldwork, particularly test excavations and disturbing the ground 'DTAC would support the understanding that only Darug persons should be on Darug Country, such as fieldwork and test excavation'	Registered Post 13-0493dtacc2
Deerubbin Local Aboriginal Land Council (DLALC)	16 April 2014			Registered Post 51000001549014 13-0493dlalacc3
Kamiloro-Yankunijatiara Working Group	16 April 2014	1 May 2014	Phone call, Mr Phil Khan to SC. Agrees with the methodology, enquired as to when fieldwork would start.	Registered Post 51000001544019 13-0493kywccc1
Gunjeewong Cultural Heritage Aboriginal Corporation	16 April 2014			Registered Post 51000001547010 13-0493gchacc2
Darug Custodial Aboriginal Corporation	16 April 2014	5 May 2014	Comments regarding nature of site; "recommend that the connections are interpreted throughout the project", and there are still numerous parts of our histories to be recorded". Concerns regarding number of groups for consultation with groups not from the area, states "we do not support personal profit groups and also do not support any input that they have into the recommendations"	Registered Post 51000001550010 13-0493dcacc2

The record of agreed outcomes and/or contentious issues should be supplied to all registered Aboriginal parties.

Stage 2.3—Field Survey or opportunity for RAP to visit the proposed project site (13 June 2014)

RAP	Invitation to Survey	Representative Attended	Comments
Darug Land Observations (DLO)	Phone call to GW 3.6.14. Available on 13.6.14. Email 10.6.14	Mr Gordon Workman Mr Paul Goddard	

Tocomwall	Left msg 3.6.14. Spoke to Danny 4.6.14, available on 13.6.14 Email 10.6.14 to Danny, Scott and Sarah	Ms Jen Norfolk
Darug Aboriginal Cultural Heritage Assessments (DACHA)	Phone call to CE 3.6.14. Available on 13.6.14 Fax 10.6.14	Mr Gordon Morton
Darug Aboriginal Landcare	Left msg 3.6.14. Spoke to Des 5.6.14, available on 13.6.14. Email 10.6.14 to Des.	Mr Des Dyer
Darug Tribal Aboriginal Corporation	Phone call to JR 3.6.14. Available on 13.6.14 Email to John 10.6.14	Mr John Reilly
Deerubbin Local Aboriginal Land Council (DLALC)	Phone call to SR 3.6.14. Available on 13.6.14 Email to Steve 10.6.14	<i>No representative sent.</i>
Kamiloroi-Yankunjatjara Working Group	Phone call to PK 3.6.14. Available on 13.6.14 Email to Phil 10.6.14	Mr Phil Khan
Darug Custodial Aboriginal Corporation	Left msg 3.6.14 Email to Leanne 10.6.14	Ms Tylan Blunden

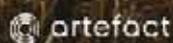
APPENDIX C

ARTEFACT 2014 - ARCHAEOLOGICAL TEST EXCAVATION REPORT

Energy from Waste Facility, Eastern Creek

Aboriginal Heritage Test Excavation
Report

Report to Urbis
November 2014



Artefact Heritage
ABN 73 144 973 526 +61 2 9025 3958
Lvl 1/716 New South Teed Rd office@artefact.net.au
Rose Bay 2029
PO BOX 772 Rose Bay
NSW Australia 2029

EXECUTIVE SUMMARY

The Next Generation NSW (the Proponent), propose to develop an Energy from Waste (EFW) facility at Eastern Creek. The proposed EFW works will include the construction of an Electricity Generation Plant; with ancillary works related to the preparation and subsequent operation of the EFW. The works will be located within Lots 2 and 3 of DP1145808, in the Blacktown City Council Local Government Area (LGA). The subject site is bounded by the M4 Western Motorway, the Hanson Wallgrove Quarry, Transmission line easement and Archbold Road.

An Aboriginal Archaeological Technical Report (ATR) and Aboriginal Cultural Heritage Assessment Report (ACHAR) were prepared by Godden Mackay Logan (GML) in 2014 for the Eastern Creek EFT Facility Environmental Impact Statement (EIS). GML identified one area of moderate archaeological potential and two areas of high archaeological potential (2014a:40). However only one of these areas of archaeological potential will be directly impacted by the proposed works. The area is known as EFW South, and is located on an elevated area at the confluence of three waterlines in the southeast corner of the subject site. Therefore GML recommended that an archaeological test excavation to assess the nature, extent, condition and integrity of the site (2014a:49).

Artefact Heritage have been engaged by Urbis to complete the archaeological test excavation of Aboriginal site EFW South. The ATR report completed by GML (2014a) recommended that the test excavation be completed according to the *OEH Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (Code of Practice). As the project has been declared to be SSD by a State Environmental Planning Policy (SEPP); use of the Code of Practice is not required. However, the test excavation was completed in accordance with the Code of Practice; as a large number of previous archaeological test excavations in the region have been completed under the Code of Practice therefore it is an applicable framework to use for comparative analysis of archaeological findings. It also adheres to the recommendation provided by GML (2014a).

Test excavation at EFW South involved the excavation of thirty-seven 500 x 500 mm excavation units distributed in transects to sample the three areas of archaeological potential that make up the EFW South PAD. The excavation units consisted of thirty-three individual 500x500 mm test pits, and four 500x500 mm test pits combined to make up a 1x1 m test pit. In general, excavation units were based on a fifteen metre grid; however spacing between excavation units was altered in some areas, due to the presence of waterlines and vegetation. As the identification of EFW South as a PAD is based on the confluence of waterlines; the excavation unit locations targeted the raised areas of land in proximity to the confluence.

Test excavation of PAD site EFW South retrieved an assemblage of fourteen artefacts from nine of the thirty-seven 500x500 mm excavation units. The total area excavated 18.5m²; with an artefact density of 0.76 artefacts/m². The artefact assemblage was made up of stone artefacts composed entirely of silcrete (n=14, 100%); which ranged from orange to red in colour. Technological categories represented in the assemblage included: angular fragments (n=7, 50%), distal flakes (n=4, 29%), complete flakes (n=2, 14%) and a proximal flake (n=1, 7%). No tools, retouched artefacts or cores were noted in the assemblage. The assemblage is indicative of general stone reduction and casual discard. The artefacts identified during test excavation offer low research or educational value. All material recovered the same quality silcrete raw material and artefacts were waste flakes, with very little technical diversity.

The results reflect a mostly diffuse (slight concentration within north central portion of Area 2), low density artefact scatter which most likely reflect intermittent use of the area. While being located close to water sources, the area would be prone to flooding. There are higher slopes and crests in the nearby region that would be preferable camp sites; as they would offer a view of the terrain and drier camping place.

The test excavation results fit the predictive model based on information available in the local context on the distribution of artefacts in similar landscape settings. Previous surface and sub-surface archaeological investigations in the area identified high concentrations of artefacts adjacent to major waterlines in the area (Ropes Creek and Eastern Creek); with a drop in artefact density in the transitional land between them. The landscape located between the waterlines having mostly background scatter. The artefacts identified adhere to the local model; and are therefore common within the local context and have limited research potential.

The following recommendations were based on consideration of:

- Statutory requirements under the EP&A Act 1979.
- The requirements of the DGRs.
- The results of background research, archaeological test excavation and assessment.
- The likely impacts of the proposed development.
- The interests of Aboriginal stakeholders.

It was found that:

- EFW South is a low density artefact scatter – a site type that is common within a local and regional context on the Cumberland Plain is of low archaeological significance. The proposed EFW Facility will have a direct impact on site EFW South.

It is therefore recommended that:

- No further archaeological investigation of site EFW South is necessary as it is of low archaeological significance.
- The ACHAR prepared by GML would be updated outlining the results of the additional Aboriginal consultation, test excavations and proposed impacts to the significance of Aboriginal heritage values of all identified Aboriginal sites within the study area.
- The retrieved artefact assemblage should be reburied at a nearby location within the study area that will not be impacted by any future development works. Consultation regarding this will be conducted as part of the Aboriginal stakeholder review of the ACHAR. The reburial site would be determined through consultation with the proponent and the registered Aboriginal stakeholders. A site update card should be forwarded to the OEH AHIMS Registrar with information on the location and depth of reburial.
- An Aboriginal Site Impact Recording Form must be completed and submitted to the OEH AHIMS Registrar within four months of completion of the authorised development works.

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1.0 INTRODUCTION AND BACKGROUND

1.1 Introduction

The Next Generation NSW (the Proponent), propose to develop an Energy from Waste (EFW) facility at Eastern Creek. The proposed EFW works will include the construction of an Electricity Generation Plant; with ancillary works related to the preparation and subsequent operation of the EFW. The works will be located within Lots 2 and 3 of DP1145808, in the Blacktown City Council Local Government Area (LGA). The subject site is bounded by the M4 Western Motorway, the Hanson Wallgrove Quarry, transmission line easement and Archbold Road (Figure 1)

An Aboriginal Archaeological Technical Report (ATR) and Aboriginal Cultural Heritage Assessment Report (ACHAR) were prepared by Godden Mackay Logan (GML) in 2014 for the Eastern Creek EFT Facility Environmental Impact Statement (EIS). GML identified one area of moderate archaeological potential and two areas of high archaeological potential (2014a:40). However, only one of these areas of archaeological potential will be directly impacted by the proposed works. The area is known as EFW South, and is located on an elevated area at the confluence of three waterlines in the southeast corner of the subject site (Figure 2). Therefore GML recommended that an archaeological test excavation was required to assess the nature, extent, condition and integrity of the site (2014a:49).

Following the preparation of a test excavation methodology (Artefact 2014) for EFW South, archaeological test excavation was conducted over a period of four days at the proposed EFW Facility. This report outlines the results of archaeological investigations.

1.2 Proposed Development

The proposed development involves the construction and operation of an Electricity Generation Plant. The proposal will result in an Energy from Waste Plant using as fuel, residual waste which would otherwise be land filled, to allow for a 'green' electricity generation facility. The plant, powered by residual waste fuel, will have a capacity for up to 1.35 million tonnes of waste material.

Further to the EFW Facility, the proposal includes the adoption of a plan of subdivision (Figure 3) and the following ancillary works:

- Earthworks associated with the balance of the site
- Internal roadways
- Provision of a direct underpass connection (Precast Arch and Conveyor Culvert) between TNG Facility and the Genesis Xero Waste Facility
- Staff amenities and ablutions;
- Staff car parking facilities
- Water detention and treatment basins
- Services (Sewerage, Water Supply, Communications, Power Supply).

1.3 Investigators and Contributors

Alexander Timms, Archaeologist at Artefact Heritage, prepared this report with management input from Principal Archaeologist Dr Sandra Wallace.

Figure 1: General location of study area

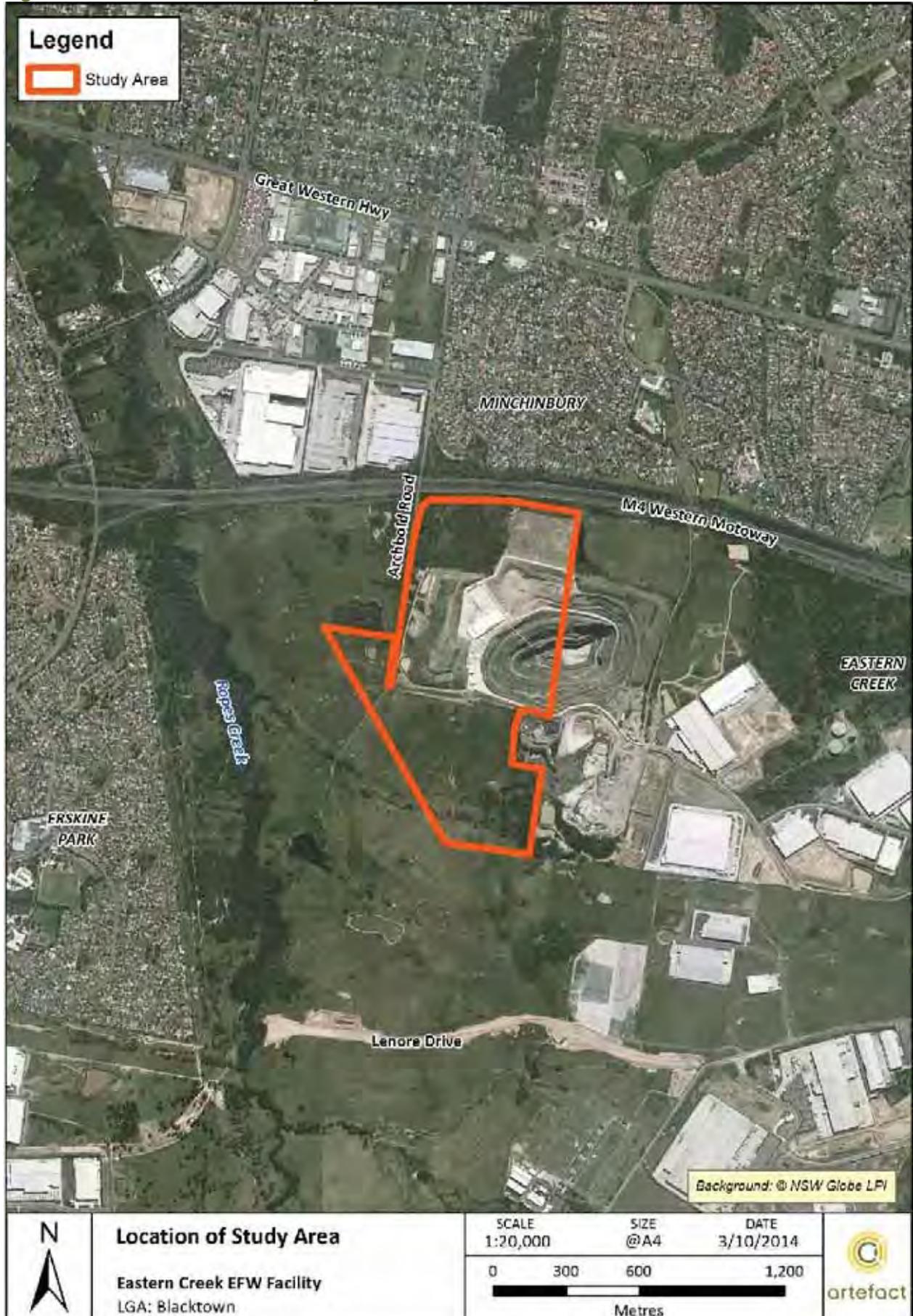


Figure 2: Areas of archaeological potential as identified by GML (2014a)



2.0 LEGISLATIVE CONTEXT

National Parks and Wildlife Act (1974) (NPW Act)

The NPW Act, administered by the OEH provides statutory protection for all Aboriginal 'objects' (consisting of any material evidence of the Aboriginal occupation of NSW) under Section 90 of the Act, and for 'Aboriginal Places' (areas of cultural significance to the Aboriginal community) under Section 84.

The protection provided to Aboriginal objects applies irrespective of the level of their significance or issues of land tenure. However, areas are only gazetted as Aboriginal Places if the Minister is satisfied that sufficient evidence exists to demonstrate that the location was and/or is, of special significance to Aboriginal culture.

The NPW Act was amended in 2010 and as a result the legislative structure for seeking permission to impact on heritage items has changed. A Section 90 permit is now the only Aboriginal Heritage Impact Permit (AHIP) available and is granted by the OEH. Various factors are considered by OEH in the AHIP application process, such as site significance, Aboriginal consultation requirements, ESD principles, project justification and consideration of alternatives. The penalties and fines for damaging or defacing an Aboriginal object have also increased.

As this project is being assessed under Part 4 Division 4.1 of the EP&A Act 1979 permits issued under the NPW Act 1974 are not required.

Environmental Planning & Assessment Act (1979) (EP&A Act)

The proposal will be assessed under Part 4, Division 4.1 of the EP&A Act, which establishes an assessment and approval regime for State Significant Development (SSD). Part 4, Division 4.1 applies to development that is declared to be SSD by a State Environmental Planning Policy (SEPP). Section 89J of the EP&A Act specifies that approvals or permits under section 90 of the NPW Act 1974 are not required for approved SSD. However the ATR (GML 2014a) recommended that the test excavation be completed according to the OEH *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW*.

3.0 ABORIGINAL CONSULTATION

Aboriginal stakeholder consultation for the Eastern Creek EFW facility project was commenced by GML on behalf of The Next Generation NSW (the proponent). Consultation was conducted in accordance with the Department of Environment and Conservation (now OEH) *Aboriginal cultural heritage consultation requirements for proponents 2010*. Twelve Aboriginal stakeholders have registered for consultation throughout the project, including:

- Darug Land Observations (DLO)
- Tocomwall
- Darug Aboriginal Cultural Heritage Assessments (DACHA)
- Koomurri Ngunawal Aboriginal Corporation (KNAC)
- HSB Heritage Consultants (HHC)
- Wurrumay Consultants
- Darug Aboriginal Landcare (DALC)
- Darug Tribal Aboriginal Corporation (DTAC)
- Deerubbin Local Aboriginal Land Council (DLALC)
- Kamilaroi-Yankuntjatjara Working Group (KYWC)
- Gunjeewong Cultural Heritage Aboriginal Corporation (GCHAC)
- Darug Custodian Aboriginal Corporation (DCAC)

A consultation log is maintained detailing correspondence with the Aboriginal stakeholder groups. For the full consultation log maintained by GML see the ACHAR (GML 2014b).

The Test Excavation Methodology was sent by Artefact Heritage to all registered Aboriginal stakeholders for comment on 8 October 2014. Glen Freeman indicated that KNAC had no issues with the methodology. Des Dyer indicated that DALC agreed with the recommendations and methodology and would like to see a plan of management put in place to rebury artefacts somewhere close by, once the development is completed.

Test excavation was conducted over four days from Monday 3 November to Thursday 6 November 2014. For a list of participants please refer to Section 6.1.

4.0 BACKGROUND CONTEXT

4.1 Environmental Context

The study area is located on the undulating floodplain between Ropes Creek (450 metres to the west) and Eastern Creek (2.7 kilometres to the east). The study area is made up of low elevation undulating land, with a slight ridge in the running north-south through the southeast portion of the study area. There are also a number of gentle slopes in the northwest and north portions of the study area, associated with low hills outside of the study area. To the west the terrain flattens out towards the floodplain. Overall, the landform units within the study area range from alluvial flats, to gentle ridges, slopes and gullies.

The underlying geology of the study area consists of late Triassic period Bringelly shale deposits; which consists of shale, claystone, laminate, lithic sandstone, rare coal and tuff (Clark and Jones 1991). The study area is within the Blacktown soil landscape; which generally consists of shallow duplex soils over a clay base.

4.2 Sub-surface Archaeological Investigation in the Local Area

Dominic Steele (2003) conducted test excavations across the proposed Wonderland Business Park; located approximately 1.5 kilometres to the east of the current study area. Excavations comprised a total of twenty 1x1 metre test pits arranged in two main transects that sampled a number of landforms; including a minor hill crest, slopes and creek flats of a small Eastern Creek tributary. The archaeological assessment identified a high ratio of surface to subsurface artefacts; as thirty surface artefacts were identified and only five artefacts were identified during subsurface testing. Only eight of the artefacts were identified as having diagnostic attributes of the reduction sequence, with the rest consisting of the assemblage being fragmented by post depositional effects causing breaking and shattering (Steele 2003:42). The dominant raw material identified was silcrete (77.5%) followed by quartz (10%) and tuff (7.5%). A potential ground axe and pebble fragment were also identified, manufactured from volcanic material. Steele (2003) concluded that the assemblage consisted of background scatter, related to sporadic landuse of Aboriginal people moving between the two principle creek lines in the area, being Ropes Creek and Eastern Creek.

Jo MacDonald CHM (2006) completed archaeological test excavations at the Wonderland Surplus Land, which is the adjacent property to the east of the current study area. Two PAD sites, identified by an earlier study (JMcD 2006), were targeted under the subsurface testing programme; including EC3/1 and EC3/2. The PAD sites covered a low ridge top (EC3/2) and hill slope (EC3/1). Testing methodology involved dispersed 1x1 metre test pits placed across the PADs; with areas of concentrated artefact density being extended into open area excavations. The open area excavation at EC3/1 covered 121m² and 151m² at EC3/2. A total of 1550 lithic artefacts were identified during excavations; mostly from silcrete material, with some tuff and quartz. Evidence from EC3/1 suggested a low density (0.8 artefacts per m²), often discontinuous scatter. Artefact conjoining also demonstrated spatial displacement downslope. The excavations at EC3/2 revealed the site was evenly dispersed and fairly low density (0.8 artefacts per m²). Artefact conjoining showed some displacement in the assemblage. It was concluded that EC3/1 represented an area that went intermittent occupation and EC/2 was a possible lookout point.

Biosis (2010) undertook test excavations for the proposed Erskine Park Link Road Project that connects Old Wallgrove Road to Erskine Park Road. The proposed link road runs 700 metres to the south of the current study area. Biosis completed test excavation of three Aboriginal sites within the proposed road route (AHIMS 45-5-3843, 45-5-3842, 45-5-3062), under AHIP 1113179. Excavations identified subsurface artefacts in all excavated sites.

A total of 352 artefacts were identified during test excavations. A majority of artefacts were identified at the PAD site located on the banks of Ropes Creek (n=341), while the density dropped within the two remaining sites located further from the creek line. The raw material of identified artefacts was mainly red and yellow silcrete, with a few quartz artefacts. Two potential artefacts manufactured from ceramic electricity insulators were also identified with the Ropes Creek PAD, suggesting contact period occupation of the Ropes Creek area.

KNC (2011) completed archaeological test excavations at the Australand Eastern Creek Employment Lands; located approximately 420 metres to the east of the current study area. The excavations were recommended by a Heritage Conservation Strategy (JMcD CHM 2004) for the area. The Heritage Conservation Strategy had identified areas of low, moderate and high archaeological potential, based on landform, within the Australand holding. The Strategy recommended that areas of high archaeological potential be subject to salvage excavation and a representative sample of landscapes with the area identified as moderate archaeological potential. The KNC excavations focused on two sites; AEC1, was positioned on both flat and sloping land and AEC2 was positioned on a ridgeline and crest landform. A total of thirty-nine 1x1 metre test pits were excavated at both AEC1 and AEC2. The stratigraphy on the north side of the site consisted of moderate brown clayey loam, over a red/brown very dry (sometimes cracked) clay base at an average depth of 20 millimetres. In the south portion of AEC1, the stratigraphy consisted of dark brown silty topsoil, overlying firm brown silty loam, with a base of dark orange clay at an average depth of 60 millimetres. The absence of A horizon soils on the north side of AEC1 was concluded to be the result of prior ground disturbance. Excavations at AEC2 identified a relatively uniform stratigraphy across the site consisting of dark brown clayey loam with a diffuse interface into basal clay. A total of ten flaked artefacts were identified during the excavations; seven at AEC1 and three from AEC2. The calculated artefact density was 0.25 artefacts per square metre. Artefacts were generally identified on down slopes associated with elevated flat areas. Silcrete was the dominant raw material type (60%), followed quartz (20%), mudstone (10%) and siliceous tuff (10%). It was concluded that the low density of artefacts identified were the result of the majority the area being located of areas of moderate archaeological potential, with only a small portion of high potential within the property. However, the results also adhered to the stream order theory in regards to artefact density of the Cumberland Plain, as well as supporting the intermittent land use between Ropes and Eastern Creeks as discussed by Steele (2003).

4.3 Discussion of EFW Facility Assessment by GML 2014

GML completed an ATR (2014a) and subsequent ACHAR (2014b) for the proposed Eastern Creek EFT Facility; which is the current scope of works being assessed by the test excavation. The survey completed as part of this assessment identified three new sites. The first site was Archbold Road 1, located in the north portion of the study area; which comprised three previously recorded sites that had not been registered with AHIMS (Brayshaw and Haglund 1996, JMcD 2002). During the survey GML identified three surface artefacts and large PAD with a high archaeological potential (2014a:35). The location of this site is shown in Figure 2.

The second site was Archbold Road 2, was located in the northwest portion of the study area. During the survey three surface artefacts were identified, and it was assessed that the area was a large PAD with a moderate archaeological potential (2014a:36). The location of this site is shown in Figure 2.

The third site was EFW South, was located in the southeast portion of the study area. The area had previously been identified as being an area of high archaeological potential (JMcD 2002 and JMcD 2005). During the survey two surface artefacts were identified, and the area was assessed as a large PAD with a high archaeological potential (2014a:36-37). The archaeological test excavation of this site is the current focus of this document. The location of this site is shown in Figure 2.

5.0 AIMS OF ARCHAEOLOGICAL TEST EXCAVATION

The investigation of the EFW South PAD within the study area provides a representative sample of a sensitive landform and presents the opportunity to add to the corpus of archaeological information for the region. Areas of PAD that will be investigated in accordance with this test excavation methodology includes the portions of raised land surrounding the confluence of two first order waterlines into a second order waterline which runs into Ropes Creek to the west. The raised areas around these waterlines consist of a gentle gradient down to the south; however there is a diverse micro-topography within this gently inclined slope. The micro-topography consists a shallow waterline basin, very low rises and slopes and some slightly raised flat areas. Therefore the methodology will aim to investigate the subsurface potential of all elements of the micro-topography.

Previous surface and sub-surface archaeological investigations in the area have identified some particularly high concentrations of artefacts in areas adjacent major waterlines in the area (Ropes Creek and Eastern Creek); with a noted drop in artefact density in the transitional land between them. The landscape located between the waterlines having mostly background scatter, with noted increase in elevated slopes and crests around first and second order streams that run off the major waterlines. Archaeological test excavation as outlined in this methodology will further investigate the distribution of Aboriginal objects in sub-surface contexts across the project area and provide more information on Aboriginal land use patterns.

In accordance with the OEH code of practice, the aims of archaeological test excavation are:

- To adequately identify the extent of EFW South.
- To assess the scientific significance of EFW South following an assessment of test excavation results.
- To provide an opportunity for registered Aboriginal stakeholders to comment on the Aboriginal cultural heritage values of the site.
- To provide the proponent with recommendations on opportunities to avoid impact and future requirements for further archaeological investigation where required.

6.0 EXCAVATION METHODOLOGY

Archaeological test excavation was conducted in accordance with the test excavation methodology (Artefact 2014).

The ATR report completed by GML (2014a) recommended that the test excavation be completed according to the OEH *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (Code of Practice). As the project has been declared to be SSD by a State Environmental Planning Policy (SEPP); it is not required to use the Code of Practice. However the test excavation methodology was completed in accordance with the Code of Practice, as per the recommendations of GML (2014a). As a large number of previous archaeological test excavations in the region have been completed under the Code of Practice, therefore it is an applicable framework to use for comparative analysis of archaeological findings within the current test excavation.

6.1 Dates and Personnel

Test excavation was conducted over four days between Monday 3 and Thursday 6 November 2014. A number of representatives from the registered Aboriginal parties and five archaeologists from Artefact Heritage took part in the test excavation program. A full list of personnel is outlined in Table 1 below.

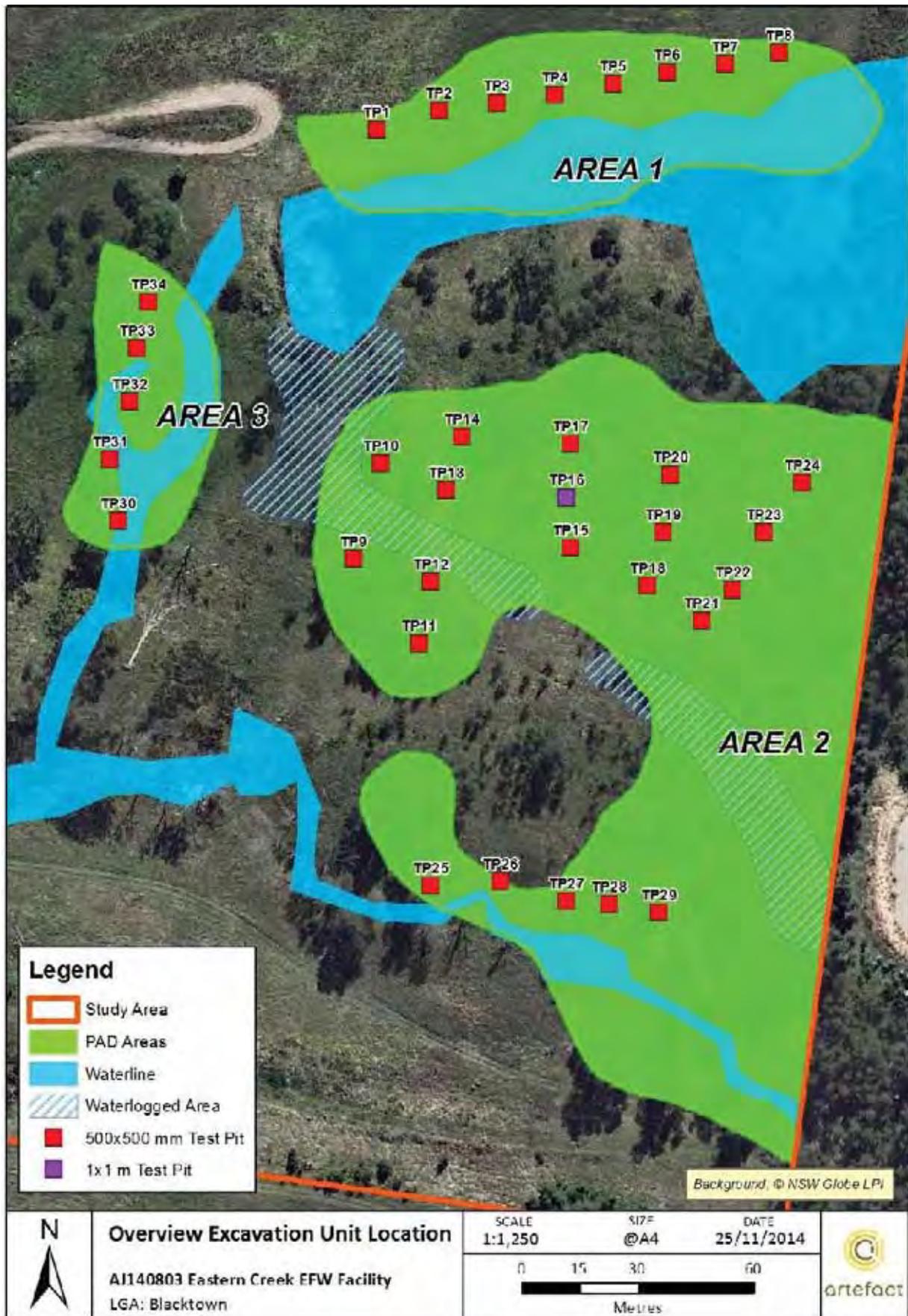
Table 1: Test excavation personnel

Representative	Organisation
Patricia Hampton	HSB Heritage Consultants
Tyler West	HSB Heritage Consultants
David Mason	Darug Aboriginal Landcare
Michael Lester	Tocomwall
Dennis Hardy	Darug Aboriginal Cultural Heritage Assessments
Josh Symons	Artefact Heritage
Alexander Timms	Artefact Heritage
Sylvia Daly	Artefact Heritage
Zvonka Stanin	Artefact Heritage
Christian Fielder	Artefact Heritage

6.2 Trench Layout and Excavation Units

Test excavation at EFW South involved the excavation of thirty-seven 500 x 500 mm excavation units distributed in transects to sample the three areas of archaeological potential that make up the EFW South PAD (Figure 4). The excavation units consisted of thirty-three individual 500x500 mm test pits, and four 500x500 mm test pits combined to make up a 1x1 m test pit (Figure 4). In general, excavation units were based on a fifteen metre grid; however spacing between excavation units was altered in some areas, due to the presence of waterlines and vegetation. As the identification of EFW South as a PAD is based on the confluence of waterlines; the proposed excavation unit locations targeted the raised areas of land in proximity to the confluence (Figure 4). During the time of excavation, the main tributary from Eastern Creek contained water. The waterline in Area 1 has been modified on the western end, to help retain water. The waterline that runs through Area 3 was dry.

Figure 4: Excavation Layout



6.3 Excavation procedure

Transects and excavation squares would be laid out using long hand-tapes, flags and pegs. An initial baseline would be laid out at each location, and trigonometry used to lay out parallel transects and offset excavation squares. A flag and peg would be placed at each point to be tested, and hand tapes and pegs used to lay out the remaining pegs at each corner of the excavation units. A datum would be established at the first excavation unit on the baseline. The location of each excavation unit would be recorded using a hand-held non-differential GPS, and the magnetic bearing of the first transect recorded using a compass.

In accordance with the OEH Code of Practice, the initial excavation unit at each location would be excavated in 5 centimetre spits. Subsequent excavation units will be excavated in 10 centimetre spits to the base of the artefact bearing deposit (with the exception of deposits deeper than 1.5 metres).

A context sheet for each excavation unit would be completed in the field. Details recorded will include date of excavation, name of excavators, depth, number of buckets and soil description. Additionally, one representative section wall from each excavation unit will be scale drawn, and photographs will be recorded of each section wall and base.

All retrieved deposit from each excavation unit would be placed in buckets and transported to a sieve area using wheelbarrows. All retrieved deposit would be sieved using nested 5 mm and 3 mm sieves.

6.4 Excavation recording

A recording form was completed for each excavation unit. The recording form provided space to document details of each spit, including spit number, start and end levels, number of buckets taken to the sieves, soil description, bioturbation, and any artefacts observed during excavation. Copies of all recording forms are attached in Appendix A.

A paper label including details of site name, date, excavation unit grid location, excavator name/s and spit number, was completed for each spit and placed into a small re-sealable bag. That bag was placed into a larger re-sealable bag transcribed with the same provenance details in permanent marker. The re-sealable bags were transported to the sieve area in one of the buckets containing excavated soil. Any artefacts retrieved during sieving were placed into the re-sealable bag.

A photographic record was maintained for each section wall and base of every excavation unit, and one section drawing was completed of a representative section wall within each excavation unit.

6.5 Artefact Recording

All Aboriginal objects retrieved during excavation or sieving were placed into a re-sealable bag with provenance details. Records of artefact numbers and preliminary details of artefact type were maintained throughout the course of the excavation. The specific attributes recorded were chosen to fulfil the aims of test excavation, and to provide a comparable dataset to other artefact assemblages in the region. Recorded attributes are outlined in Table 2.

Table 2: Recorded artefact attributes

Artefact attributes	Recorded details
Site Details	Provenance details.
Excavation Unit	Test pit number.
Spit	Spit number and spit depth.
Raw material	Raw material type and colour. Examples of raw material types include: silcrete, mudstone, quartz, petrified wood, glass and hornfels.
Reduction type	Flake; proximal flake fragment; medial flake fragment; distal flake fragment; bipolar flake; split flake (L or R); angular fragment; crenate fracture.
Tool / core type	Backed; retouched; core – unifacial, unifacial rotated, bifacial; core fragment.
Size range	Maximum dimension in the following categories – 0-5 mm, 6-10 mm, 11-15 mm, 16-20 mm, 21-30 mm, 31-40 mm, 41-50 mm.
Flake dimensions	Oriented length, width and thickness of complete flakes.
Cortex	Cortex coverage of whole artefact, including: none; 1-32%; 33-66%; 67-99%; 100%.

7.0 RESULTS

7.1 Excavation Unit Characteristics

A total of thirty-seven 500x500 mm test pits were excavated across the EFW South PAD. The excavation units consisted of thirty-three individual 500x500 mm test pits, and four 500x500 mm test pits combined to make up a 1x1 m test pit.

A description of soil deposits encountered, number of artefacts, their nature and extent are detailed below.

7.1.1 Spit Depth

The first test pit excavated in each of the three areas of the EFW South PAD were excavated in 50 mm spits. As the soil profile was consistent across the remaining excavation units for each area, all subsequent test pits were excavated in 100 mm increments.

The first test pit in Area 1 (TP1) was excavated in three 50 mm spits down to depth of 150 mm. The remaining seven test pits in Area 1 were excavated in 100 mm spits, down to an average depth of 137 mm.

The first test pit in Area 2 (TP9) was excavated in four 50 mm spits down to depth of 160 mm. The remaining seven test pits in Area 1 were excavated in 100 mm spits, down to an average depth of 187 mm.

The first test pit in Area 3 (TP30) was excavated in four 50 mm spits down to depth of 200 mm. The remaining seven test pits in Area 1 were excavated in 100 mm spits, down to an average depth of 107 mm.

7.1.2 Soil Description

The soil profile encountered within the test area was generally consistent. A detailed description of one excavation unit for each area is provided as a representative sample below. The remaining excavation units are summarised in Appendix A.

7.1.2.1 Area 1

The soil profile encountered within the northern portion of EFW South (Area 1) was consistent across the area, comprising brown silty loam with grass roots (A1 horizon) and occasional small stone inclusions. The A Horizon in turn overlay a B Horizon of dense orange-brown clay. The boundary between the A and B Horizons was not always sharp and even, with some mixing evident. A typical pit displaying the soil profile encountered across the Area 1 is described below (see Table 3 and Figure 5 to Figure 7). The location of all excavation units within Area 1 are shown in

Table 3: TP3 soil description

Context	Depth (mm)	Soil Description
1	0 - 100	A Horizon: Dry, medium grain, moderate compaction, brown silty loam. Inclusions of grass roots and occasional small stones.
2	100 - 160	B Horizon: Dry, medium grain, very hard compaction, brown and orange mottled clay. Sterile basal layer.

Figure 5: North wall of TP3



Figure 6: Context of TP3



Figure 7: North section of TP3

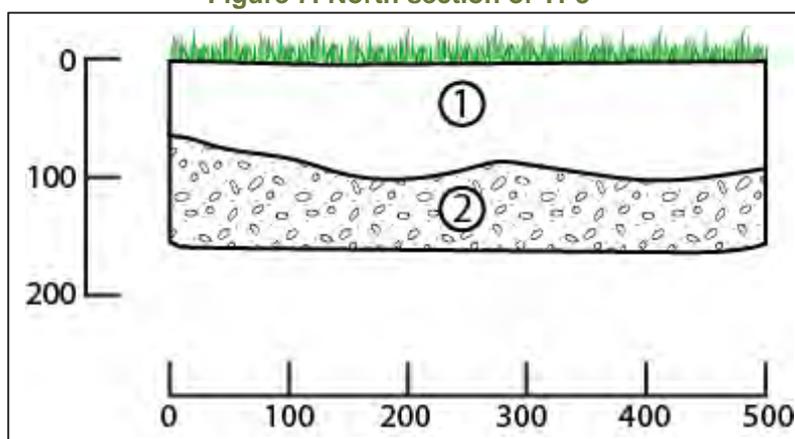
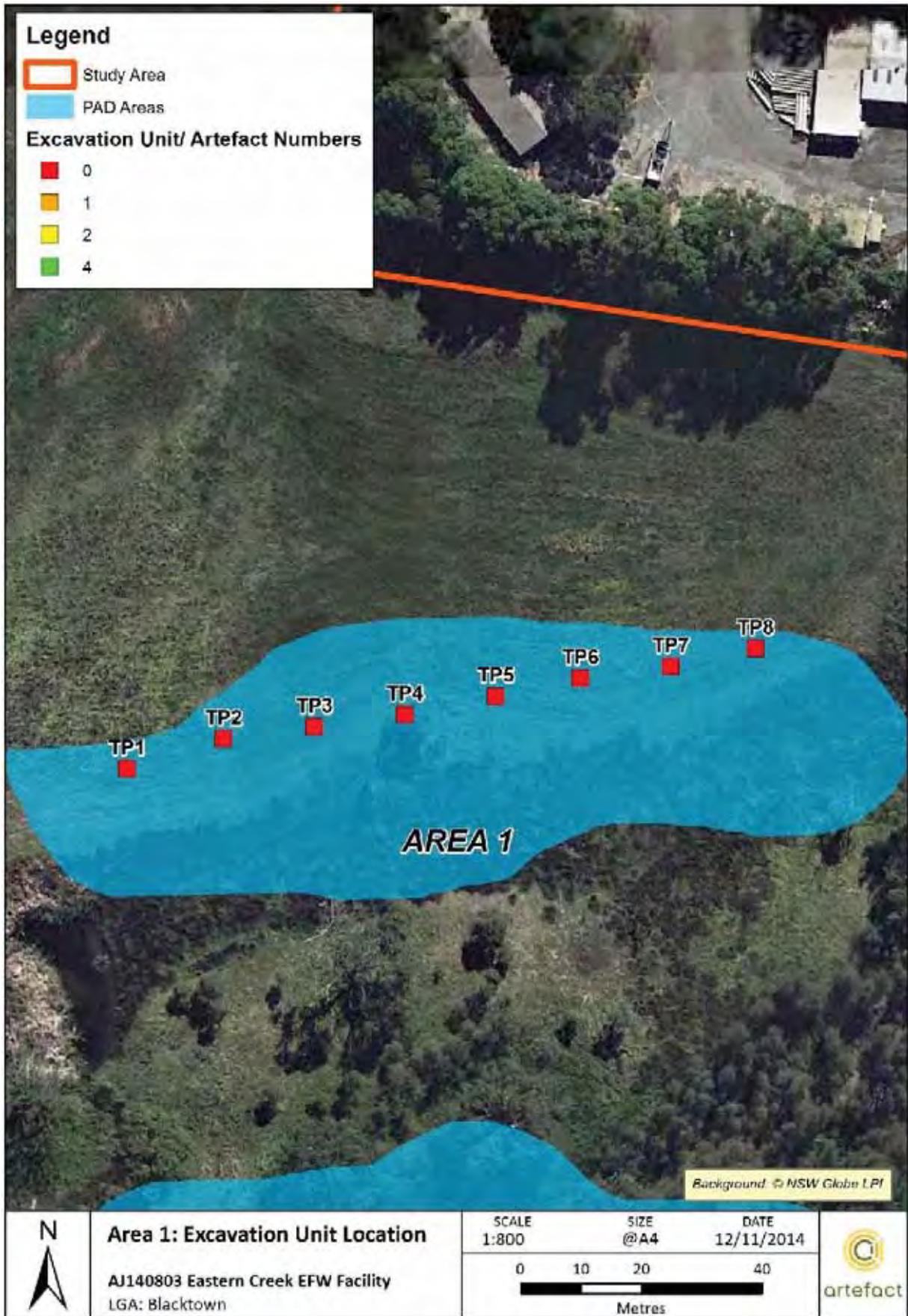


Figure 8: Area 1 - Excavation results



7.1.2.2 Area 2

The soil profile encountered within the central and southern portion of EFW South (Area 2) was relatively consistent across the area. The majority of test pits (TP9 to TP24) comprised grey brown silty loam with grass roots (A1 horizon) and occasional small stone inclusions. From the A horizon, there was a gradual change into a brown silty clay with minor orange mottling. A typical pit (TP16) displaying the soil profile encountered across the Area 2 is described below (see Table 4 and Figure 9 to Figure 11). Four artefacts were encountered in TP16, therefore the excavation unit was opened up into 100 x 100 cm area.

Soils within the southern portion of Area 3 (TP25 to TP29), tended to be deeper and waterlogged with increase clay content in the upper contexts; which is most likely due to their proximity to the waterline (Figure 4 and Figure 12).

Table 4: TP16 soil description

Context	Depth (mm)	Soil Description
1	0 - 100	A Horizon: Dry, medium grain, moderate compaction, grey brown silty loam. Inclusions of grass roots and occasional small stones.
2	100 - 160	B Horizon: Gradual change into dry, medium grain, very hard compaction, light brown and orange mottled silty clay. Sterile basal layer.

Figure 9: North wall of TP16



Figure 10: Context of TP16



Figure 11: North section of TP16

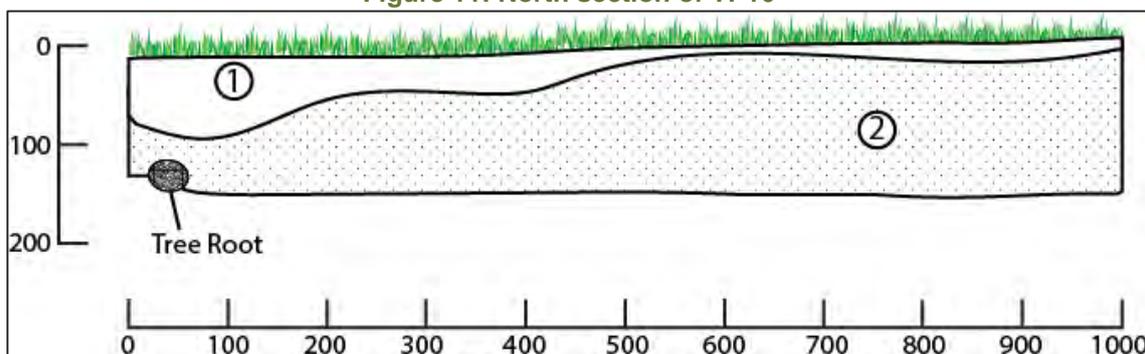
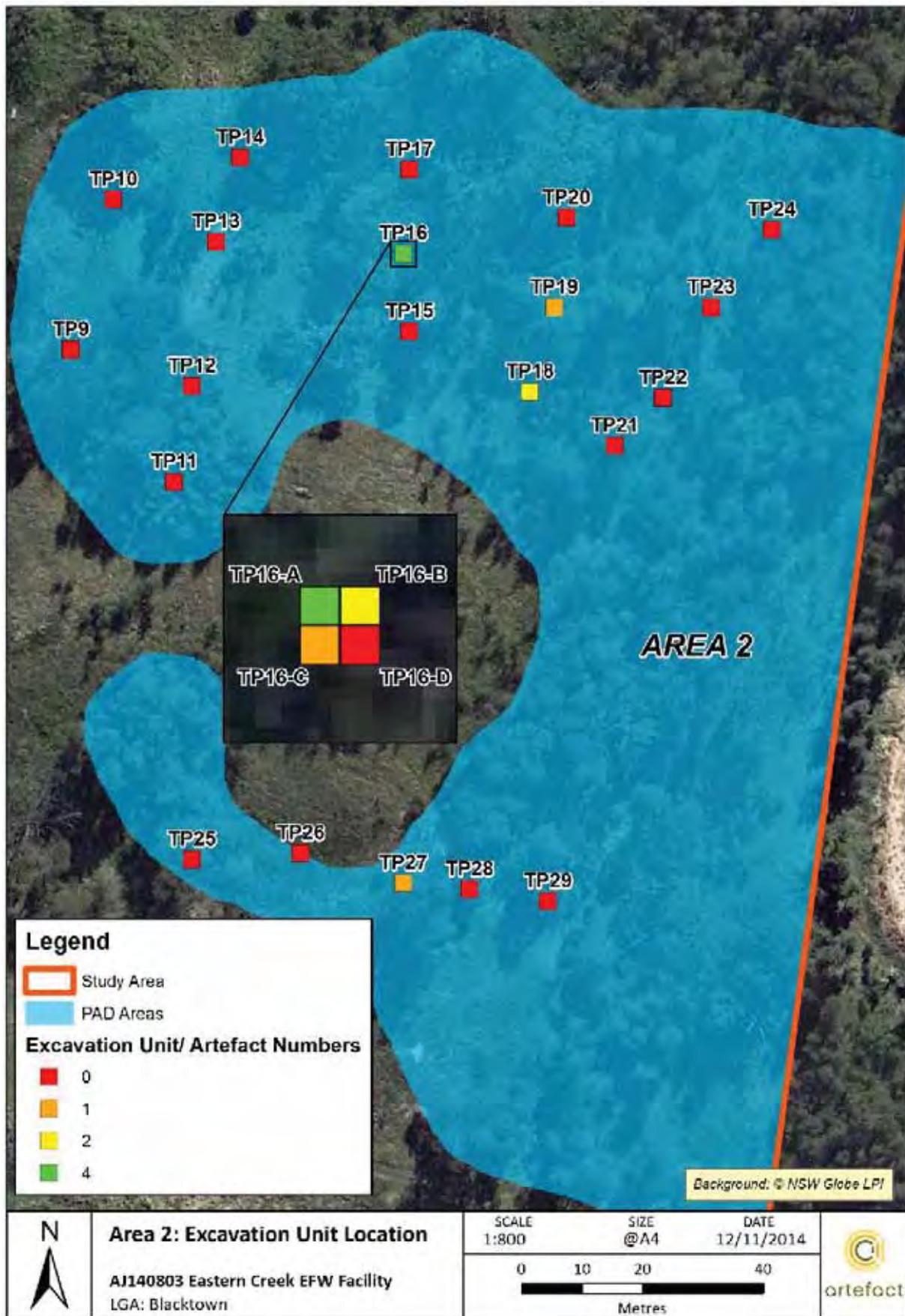


Figure 12: Area 2 - Excavation results



7.1.2.3 Area 3

The soil profile encountered within the central and southern portion of EFW South (Area 3) was consistent across the area. All test pits (TP30 to TP34) comprised very compact grey brown silty loam with grass roots (A1 horizon) and occasional small stone inclusions. The A horizon soils were very compact in this area; which has most likely been caused by excessive cattle movement within this portion of EFW South. From the compacted A horizon, there was a gradual change into a brown silty clay with minor orange mottling. A typical pit (TP30) displaying the soil profile encountered across the Area 3 is described below (see Table 5 and Figure 13 to Figure 15). The location of excavation units within Area 3 are shown in Figure 16.

Table 5: TP30 soil description

Context	Depth (mm)	Soil Description
1	0 - 60	A Horizon: Dry, medium grain, hard compaction, grey brown silty loam. Inclusions of grass roots and occasional small stones.
2	60 - 200	B Horizon: Gradual change into dry, medium grain, very hard compaction, light brown and orange mottled silty clay. Sterile basal layer.

Figure 13: West wall of TP30



Figure 14: Context of TP30



Figure 15: North section of TP30

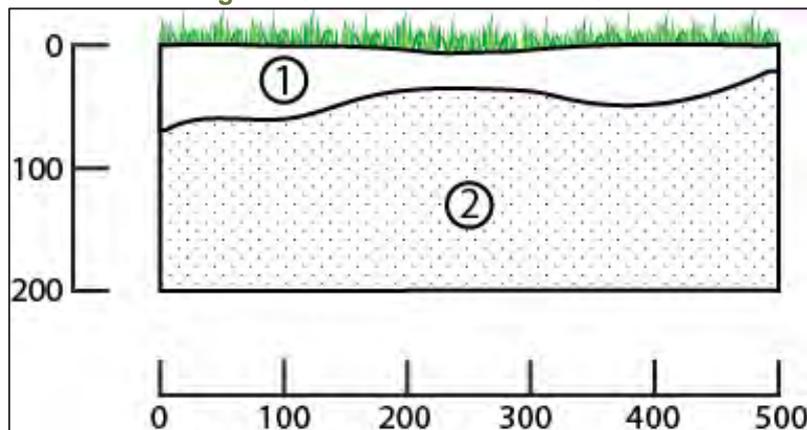
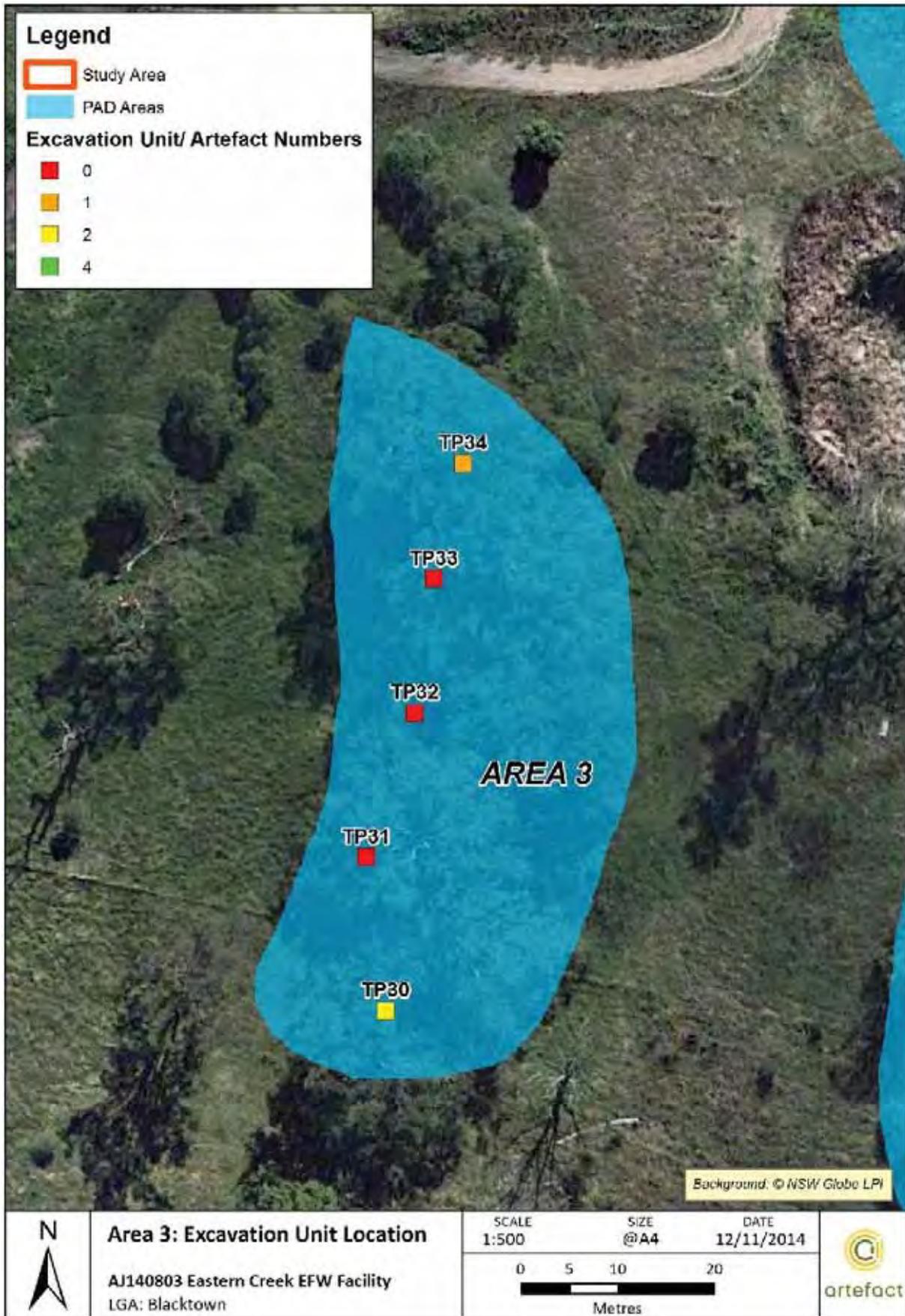


Figure 16: Area 3 - Excavation results



7.1.3 Levels of Disturbance

The area was nominated as a PAD due to the identification of two surface lithic artefacts, proximity to waterlines and evident integrity of the ground disturbance (GML 2014a:36-38). There is visual evidence of isolated portions of ground disturbance within the general area; however the test excavation did not enter these areas.

The results of the excavation show a consistent silt A horizon overlying a clay or silty clay B horizon. The stratigraphy often had a gradual change; however this is due to natural taphonomic processes, not ground disturbance. No European rubbish was encountered in any of the excavation units (i.e. glass, metal or ceramic pieces). Therefore the soil integrity of the area tested appears to be moderate. There is some evidence of fluvial erosion. Also, there is some bioturbation; mostly caused by Cattle and Kangaroos that frequent the area. However these disturbances are considered minor.

7.2 Stone Artefact Analysis

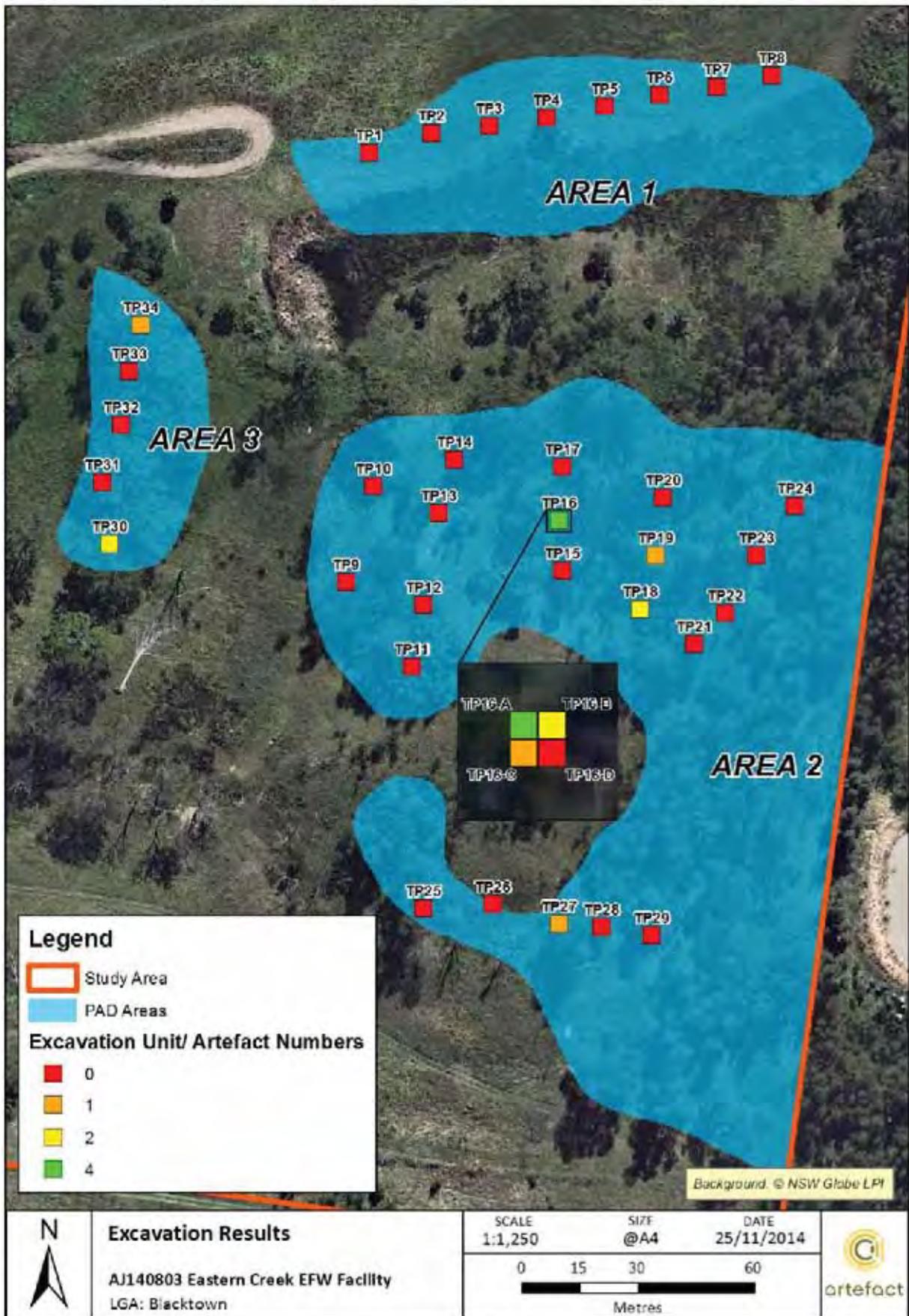
7.2.1 Stone artefact distribution and density

Test excavation of PAD site EFW South retrieved an assemblage of fourteen artefacts (Figure 18) from nine of the thirty-seven 500x500 mm excavation units (Figure 17). The total area excavated 18.5m²; with an artefact density of 0.76 artefacts/m².

The location of artefacts indicates a sparse scatter across the majority of the site area, with a concentration of ten artefacts within the north central portion of Area 3 (TP16-A, TP16-B, TP16-C, TP18 and TP19). The highest number of artefacts were found in TP16-A; therefore the excavation unit was extended into a 1x1 m test pit, using three more 500x500 mm test pits (TP16-B, TP16-C, TP16-C (Figure 17). However the artefact numbers decreased in the additional test pits. Additional artefacts identified in TP18 and TP19 showed that there was a concentration in the area. An additional transect was excavated to the east of these artefact bearing excavation units to investigate the potential continuance of the concentration (TP21 to TP24). However, no artefacts were identified in the additional pits; which successfully established an extent for the artefact concentration.

One more artefact was identified in the south portion of Area 2 (TP27) and a further three artefacts in Area 3 (TP30 and TP34), demonstrating that the pattern of artefact distribution across this portion of the site reflected isolated scatters /isolated artefacts rather than a continuous scatter. However as all artefacts were identified on slightly raised areas adjacent ephemeral waterlines, they are considered to part of the same site (EFW South).

Figure 17: Distribution of Artefacts Retrieved During Excavation



7.2.2 Raw material and artefact characteristics

The artefact assemblage was made up of stone artefacts composed entirely of silcrete (n=14, 100%); which ranged from orange to red in colour.

Technological categories represented in the assemblage included: angular fragments (n=7, 50%), distal flakes (n=4, 29%), complete flakes (n=2, 14%) and a proximal flake (n=1, 7%).

No tools, retouched artefacts or cores were noted in the assemblage. The assemblage is indicative of general stone reduction and casual discard.

Full recorded artefact attributes are presented in Appendix B.

7.2.3 Artefact depth

The majority of the artefacts were recovered from 0 – 100 millimetres depth, broadly corresponding to the A horizon.

No artefacts were retrieved from the underlying B horizon.

Figure 18: Artefact assemblage retrieved from excavations at EFW South



8.0 ANALYSIS AND DISCUSSION

8.1 Levels of Disturbance

No significant instances of sub-surface disturbance were encountered during excavations at EFW South. The test excavation confirmed that the soils within EFW South are intact. Overall, the disturbances to the ground surface resulting from use of the study area for cattle grazing and do not appear to have had significant impact on identified Aboriginal objects within EFW South.

8.2 The Artefact Assemblage

Artefact density was low across the site (0.76 artefacts/m² on average). There is a slight concentration of artefacts within the north central portion of Area 2; however artefacts are diffuse overall and no meaningful patterns between location and landform were identified. The small size of the assemblage means that patterns of intra-site artefact distribution cannot be reliably (statistically) established.

The low artefact density at EFW South conforms to the wider pattern of variable artefact densities recorded during sub-surface investigations in the region. Previous archaeological investigations in the area identified high concentrations of artefacts adjacent to major waterlines in the area (Ropes Creek and Eastern Creek); with a drop in artefact density in the transitional land between them. Site EFW South is located within the lower lying, transitional land, between the two major creeks; and therefore conforms to site patterning of the region.

The artefacts recovered comprise small to medium sized angular fragments, distal flakes, complete flakes and a proximal flake. Silcrete was the only raw material type identified; studies have shown that silcrete is ubiquitous across the Eastern Creek area and wider Cumberland Plain region.

8.3 Discussion and Conclusion

The archaeological investigations undertaken at EFW South uncovered a low density assemblage of small to medium size flakes and angular fragments with no evidence of usewear. The raw material used is common in the region. No evidence of intensive occupation of the site or the manufacture of stone tools was discovered. The assemblage is likely to reflect general stone reduction and discard rather than intensive occupation or site use. The overall results are reflective of background scatter or transient campsites related to the movement of Aboriginal people across the landscape. The type of low-density site represented by EFW South is common in the Eastern Creek area and wider Cumberland Plain region. This factor, along with the absence of complete tools or areas of tool manufacture, contributes to the lack of research value for site EFW South. As a result, no further archaeological investigation at the site is recommended. EFW South was initially recorded by GML as an artefact scatter with PAD; the site will be updated on the Aboriginal Heritage Information Management System (AHIMS) to incorporate the identified subsurface artefacts.

9.0 SIGNIFICANCE ASSESSMENT

9.1 Assessment Criteria

Archaeological significance refers to the archaeological or scientific importance of a landscape or area. This is characterised by using archaeological criteria such as archaeological research potential, representativeness and rarity of the archaeological resource and potential for educational values. These are outlined below:

- 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?

9.2 Archaeological Significance Assessment

Archaeological test excavation within EFW South, identified a low density, generally dispersed artefact scatter. While there is a significant distance between some of the outlying artefacts, they are of consistent material, similar depth and with the same slightly elevated landform adjacent ephemeral waterlines. Assessment of the scientific significance of EFW South considered the following aspects of the test excavation results:

- The results reflect a mostly diffuse (slight concentration within north central portion of Area 2), low density artefact scatter which most likely reflect intermittent use of the area. While being located close to water sources, the area would be prone to flooding. There are higher slopes in crest in the nearby region that would be preferable camp sites; as they would offer a view of the terrain and dryer camping place.
- The test excavation results fit the predictive model based on information available in the local context on the distribution of artefacts in similar landscape settings. Previous surface and sub-surface archaeological investigations in the area identified high concentrations of artefacts adjacent major waterlines in the area (Ropes Creek and Eastern Creek); with a drop in artefact density in the transitional land between them. The landscape located between the waterlines having mostly background scatter. The artefacts identified adhere to the local model; and are therefore common within the local context and have limited research potential.
- The artefacts identified during test excavation offer low research or educational value. All material recovered the same quality silcrete raw material and artefacts were waste flakes, with very little technical diversity.

10.0 IMPACT ASSESSMENT

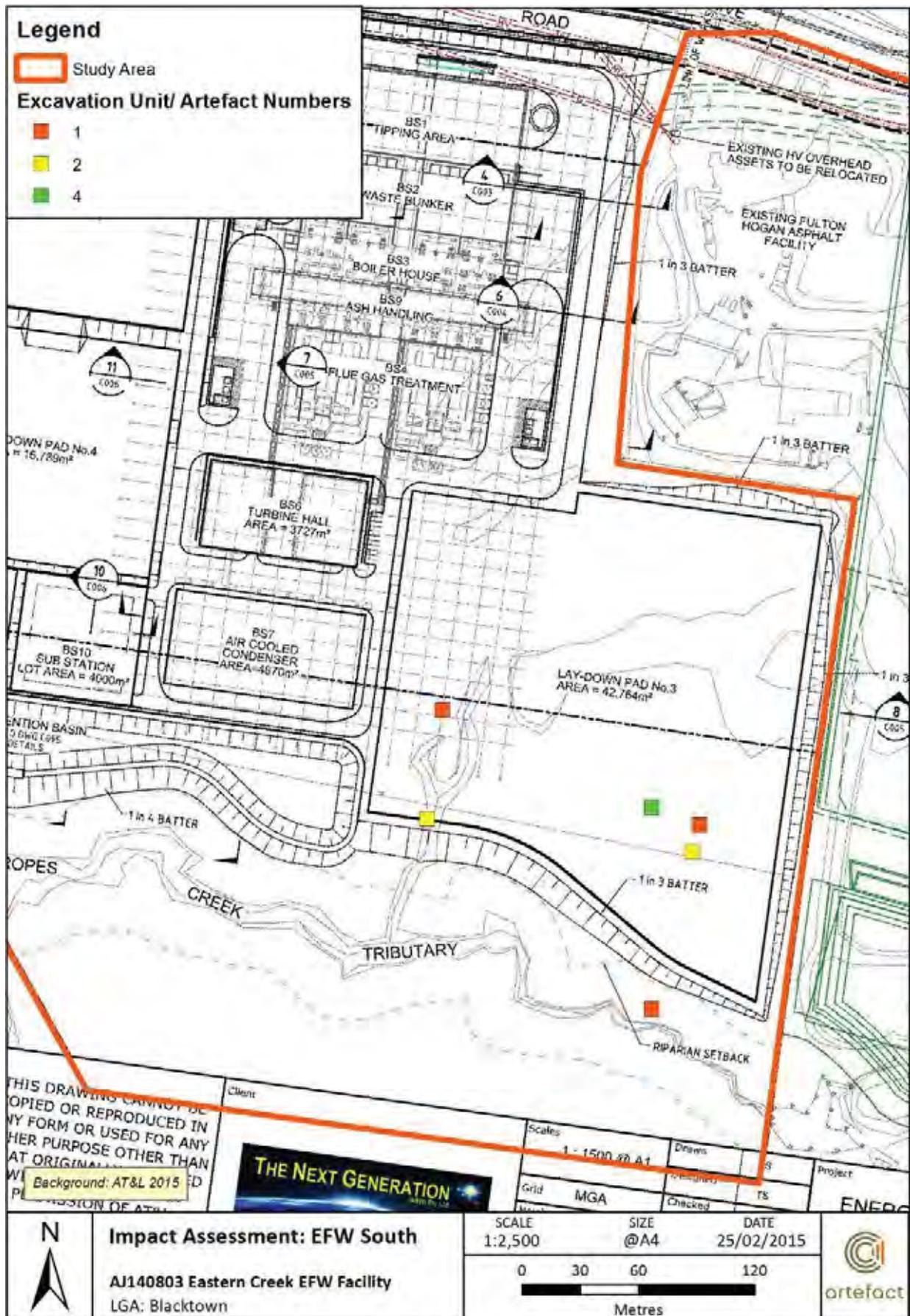
10.1 Impacts of the Proposed Development

Aboriginal objects have been retrieved from archaeological test excavation at EFW South. This site would be directly impacted by the proposed development (Figure 19). One area where artefacts were located will be within the Riparian Corridor, which will not be impacted; therefore there will not be a total loss of value. The assessment of impact is summarised in Table 6.

Table 6: Impact Assessment

Site Number	Site Name	Type of Harm	Degree of Harm	Consequence of Harm
45-5-4491	EFW South	Direct	Total	Partial loss of value

Figure 19: EFW South Artefacts over Proposed Impact Area



11.0 MITIGATION AND MANAGEMENT

11.1 Guiding Principles

The overall guiding principle for cultural heritage management is that where possible Aboriginal sites should be conserved. If conservation is not practicable, measures should be taken to mitigate against impacts to Aboriginal sites.

The nature of the mitigation measures recommended is based on the assessed significance of the site. The final recommendations would also be informed by cultural significance, which will be discussed by the Aboriginal community in their responses during the next stage of consultation.

11.2 Mitigation measures

Site EFW South has been assessed to be of low archaeological significance. No further archaeological investigation of that area is required prior to impacts taking place.

An Aboriginal Site Impact Recording Form (ASIRF) will be submitted to the OEH AHIMS Registrar by Artefact Heritage detailing the procedure and results of the test excavation program and the assessment of Site EFW South as demonstrating low archaeological significance.

As Aboriginal objects would be impacted by the proposal, comprehensive Aboriginal consultation in accordance with the *DEC Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation 2005* has been undertaken. The results of the community consultation and the test excavations have been included in an Aboriginal Cultural Heritage Assessment Report (ACHAR).

The aim of the ACHAR is to:

- Describe the site area and the Aboriginal stakeholder consultation process.
- Summarise the site information available, including results of previous archaeological investigations and a summary of archaeological test excavation results.
- Describe the Aboriginal cultural heritage values of the site, including information on the cultural significance of the site provided by Aboriginal stakeholders.
- Describe the proposed activity.
- Outline methods for avoiding or minimising harm.

The draft version of the ACHAR will be provided to registered Aboriginal stakeholders for review and comment on. The finalised ACHAR would be forwarded to the Department of Planning and Infrastructure prior to approval of the EIS.

An ASIRF must be completed and submitted to the OEH AHIMS Registrar within four months of completion of the authorised development works.

11.2.1 Reburial of test excavation artefact assemblage

The retrieved test excavation artefact assemblage should be reburied at a nearby location within the study area that will not be impacted by any future development works. Consultation regarding this was conducted as part of the Aboriginal stakeholder review of the ACHAR, and a preference for reburial has been indicated. The reburial site would be determined through consultation with the proponent and the registered Aboriginal stakeholders. A site update card should be forwarded to the OEH AHIMS Registrar with information on the location and depth of reburial.

12.0 RECOMMENDATIONS

The following recommendations were based on consideration of:

- Statutory requirements under the EP&A Act 1979.
- The requirements of the DGRs.
- The results of background research, archaeological test excavation and assessment.
- The likely impacts of the proposed development.
- The interests of Aboriginal stakeholders.

It was found that:

- EFW South is a low density artefact scatter – a site type that is common within a local and regional context on the Cumberland Plain is of low archaeological significance. The proposed EFW Facility will have a direct impact on site EFW South.

It is therefore recommended that:

- No further archaeological investigation of site EFW South is necessary as it is of low archaeological significance.
- The ACHAR prepared by GML would be updated outlining the results of the additional Aboriginal consultation, test excavations and proposed impacts to the significance of Aboriginal heritage values of all identified Aboriginal sites within the study area.
- The retrieved artefact assemblage should be reburied at a nearby location within the study area that will not be impacted by any future development works. Consultation regarding this will be conducted as part of the Aboriginal stakeholder review of the ACHAR. The reburial site would be determined through consultation with the proponent and the registered Aboriginal stakeholders. A site update card should be forwarded to the OEH AHIMS Registrar with information on the location and depth of reburial.
- An Aboriginal Site Impact Recording Form must be completed and submitted to the OEH AHIMS Registrar within four months of completion of the authorised development works.

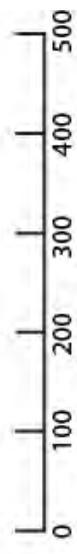
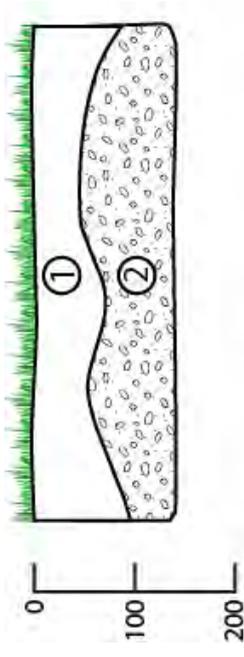
13.0 REFERENCES

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- Biosis. 2010. Erskine Park Link Road Aboriginal Archaeological Excavation undertaken as part of AHIP 1113179: Excavation Report. Report to RTA.
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- Clark, N.R., and Jones, D.C., 1991. Penrith 1:100,000 Geological Sheet 9030, 1st Edition. Geological Survey of New South Wales, Sydney.
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- Jo McDonald CHM Pty Ltd. 2002. Archaeological assessment of Aboriginal sites: Eastern Creek Strategic Land Use Study, SEPP59
- Jo McDonald CHM Pty Ltd. 2005. Heritage Conservation Strategy for Aboriginal sites in the lands owned by Austral Bricks P/L, Hartford Lane P/L, Jacfin P/L and Tesrol P/L in the Eastern Creek Business Park (Stage 3) Precinct Plan, Blacktown, NSW. Report prepared for APP Corporation Pty Ltd.
- Jo McDonald CHM Pty Ltd. 2006. Archaeological Subsurface Investigations at SEPP59. EC3/1 and EC3/2. Wonderland Surplus, Old Wallgrove Road, Eastern Creek. Report for Australand Holdings Pty Ltd.
- KNC. 2011. Australand Eastern Creek - Salvage Excavation Program. Report for Australand Property Group.
- Steele, D. 2003. Aboriginal Archaeological Test Excavation Report - Proposed Wonderland Business Park Development - Land Adjoining the Wonderland Theme Park, Wallgrove Road Eastern Creek.

APPENDIX A: TEST PIT SUMMARY

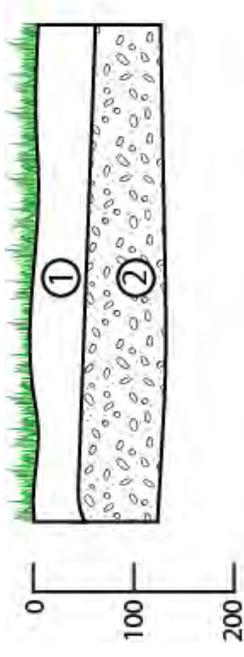
Area 1

Excavation Unit: TP1 Easting: 298706 Northing: 6257639 Artefacts: 0



- 1. Brown silty loam
- 2. Brown/orange clay

Excavation Unit: TP2 Easting: 298722 Northing: 6257644 Artefacts: 0



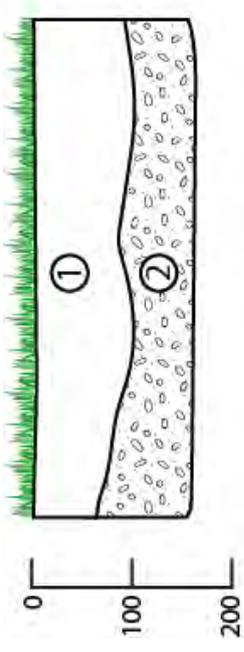
- 1. Brown silty loam
- 2. Brown/orange clay

Excavation Unit:
TP3

Easting:
298737

Northing:
6257646

Artefacts:
0



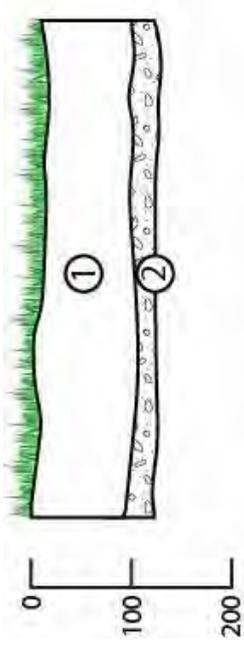
1. Brown silty loam
2. Brown/orange clay

Excavation Unit:
TP4

Easting:
298752

Northing:
6257648

Artefacts:
0



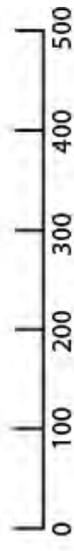
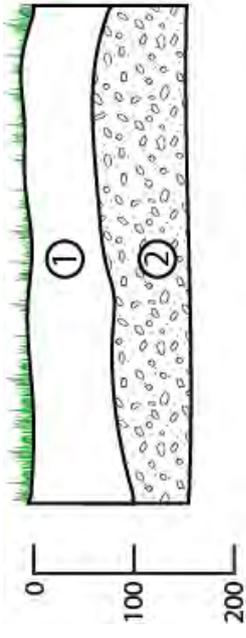
1. Brown silty loam
2. Brown/orange clay

Excavation Unit:
TP5

Easting:
298767

Northing:
6257651

Artefacts:
0



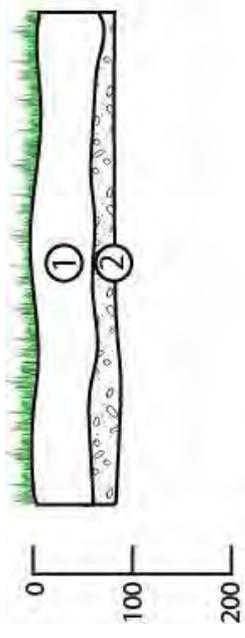
- 1. Brown silty loam
- 2. Brown/orange clay

Excavation Unit:
TP6

Easting:
298781

Northing:
6257654

Artefacts:
0



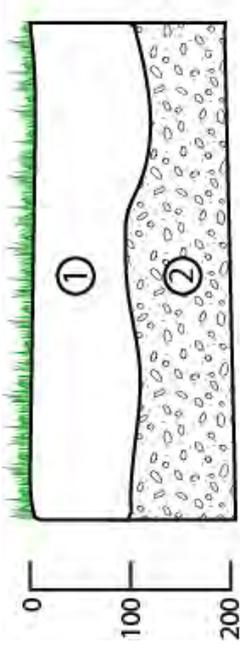
- 1. Brown silty loam
- 2. Brown/orange clay

Excavation Unit:
TP7

Easting:
298796

Northing:
6257656

Artefacts:
0



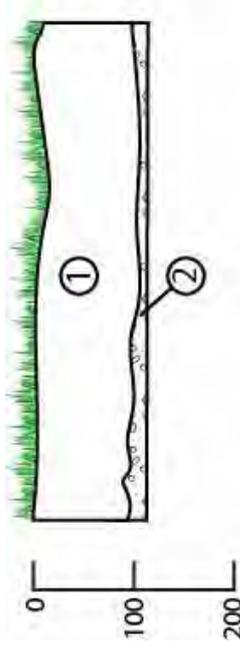
- 1. Brown silty loam
- 2. Brown/orange clay

Excavation Unit:
TP8

Easting:
298710

Northing:
6257659

Artefacts:
0



- 1. Brown silty loam
- 2. Brown/orange clay

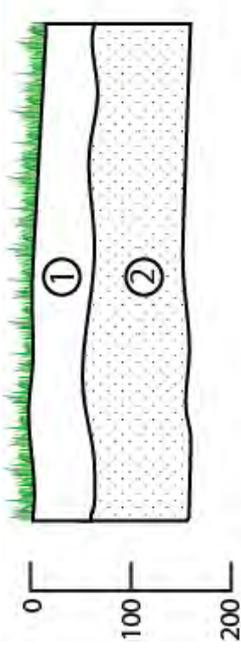
Area 2

Excavation Unit:
TP9

Easting:
298700

Northing:
6257527

Artefacts:
0



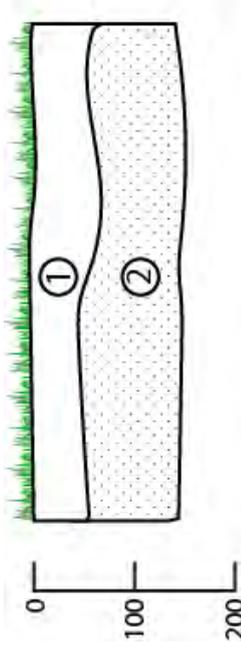
1. Light brown clayey loam
2. Brown silty clay, mottled orange

Excavation Unit:
TP10

Easting:
298707

Northing:
6257552

Artefacts:
0



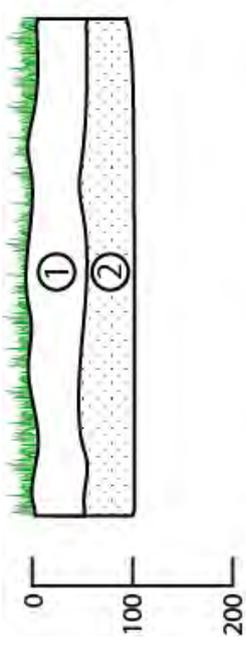
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2. Brown silty clay, mottled orange

Excavation Unit:
TP11

Easting:
298717

Northing:
6257505

Artefacts:
0



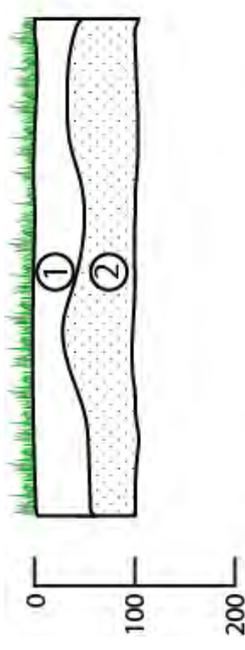
1. Light brown clayey loam
2. Brown silty clay, mottled orange

Excavation Unit:
TP12

Easting:
298720

Northing:
6257521

Artefacts:
0



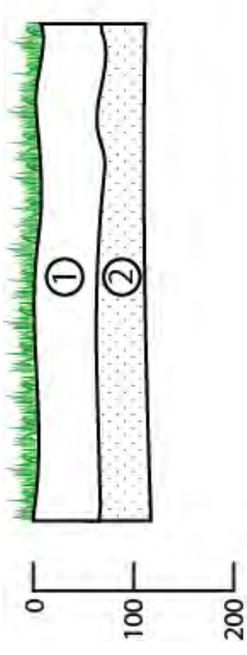
1. Light brown clayey loam
2. Brown silty clay, mottled orange

Excavation Unit:
TP13

Easting:
298724

Northing:
6257545

Artefacts:
0



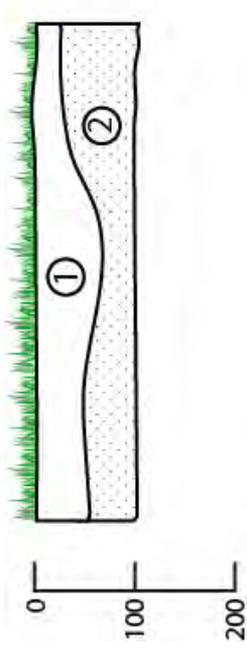
1. Light brown clayey loam
2. Brown silty clay, mottled orange

Excavation Unit:
TP14

Easting:
298728

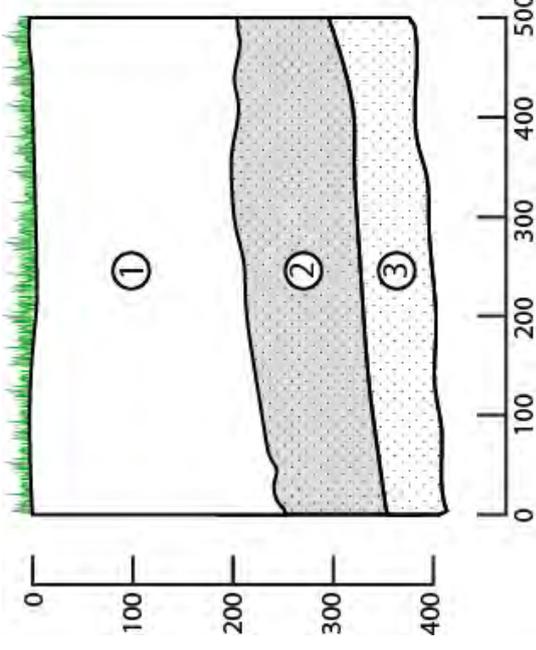
Northing:
6257559

Artefacts:
0



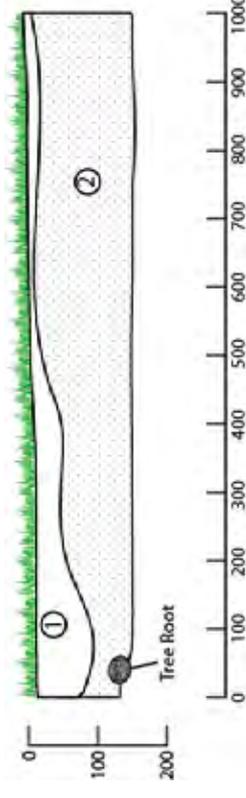
1. Light brown clayey loam
2. Brown silty clay, mottled orange

Excavation Unit: TP15
Easting: 298756
Nothing: 6257530
Artefacts: 0



1. Light brown clayey loam
2. Brown clayey silt, some orange mottle
3. Brown silty clay, mottled orange

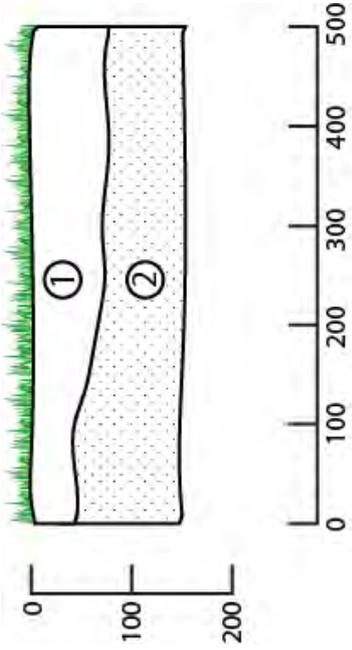
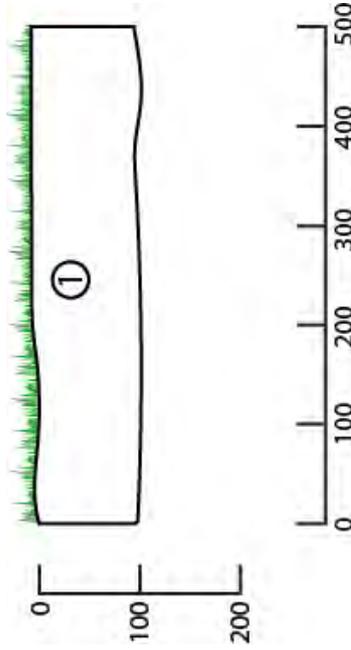
Excavation Unit: TP16-A
Easting: 298755
Nothing: 6257543
Artefacts: 4



1. Grey brown silty loam
2. Light brown silty clay, mottled orange

Excavation Unit: TP16-B
Easting: 298755.5
Nothing: 6257543
Artefacts: 2

As per T16-A description above

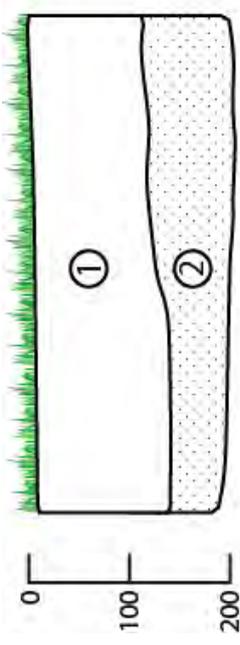
Excavation Unit: TP16-C	Easting: 298755	Northing: 6257542.5	Artefacts: 1	As per T16-A description above
Excavation Unit: TP16-D	Easting: 298755.5	Northing: 6257542.5	Artefacts: 0	As per T16-A description above
Excavation Unit: TP17 2050 3050	Easting: 298756	Northing: 6257557	Artefacts: 0	 <p>1. Light brown clayey loam 2. Brown silty clay, mottled orange</p>
Excavation Unit: TP18 2075 3020	Easting: 298776	Northing: 6257520	Artefacts: 2	 <p>1. Light brown clayey loam 2. Brown silty clay, mottled orange</p>

Excavation Unit:
TP19

Easting:
298780

Northing:
6257534

Artefacts:
1



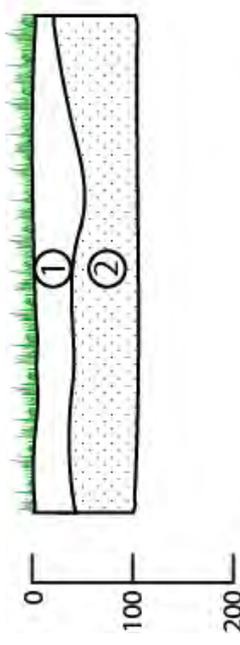
- 1. Light brown clayey loam
- 2. Brown silty clay, mottled orange

Excavation Unit:
TP20

Easting:
298782

Northing:
6257549

Artefacts:
0



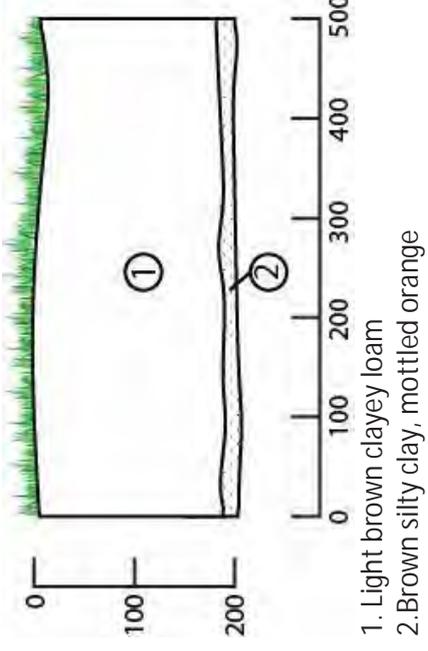
- 1. Light brown clayey loam
- 2. Brown silty clay, mottled orange

Excavation Unit:
TP21

Easting:
298790

Northing:
6257511

Artefacts:
0

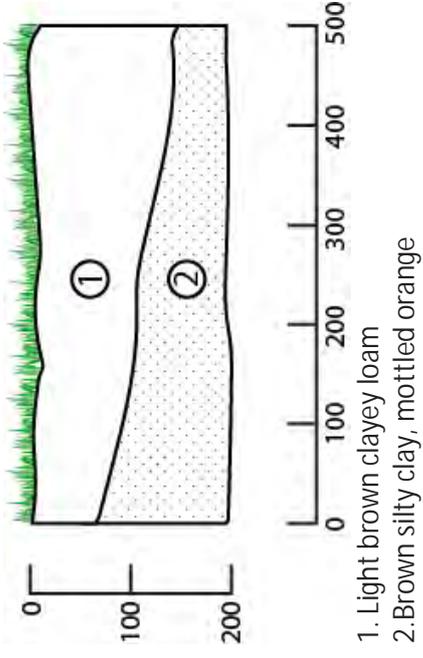


Excavation Unit:
TP22

Easting:
298798

Northing:
6257519

Artefacts:
0

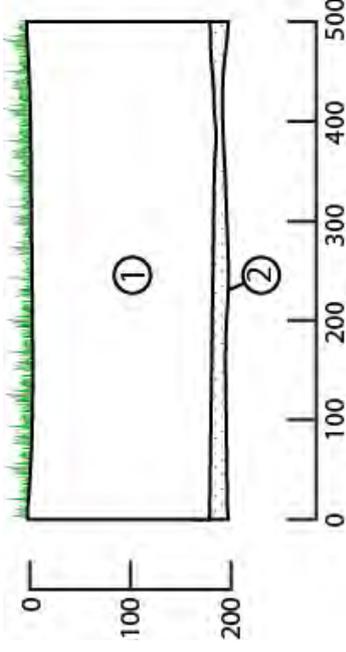


Excavation Unit:
TP23

Easting:
298806

Northing:
6257534

Artefacts:
0



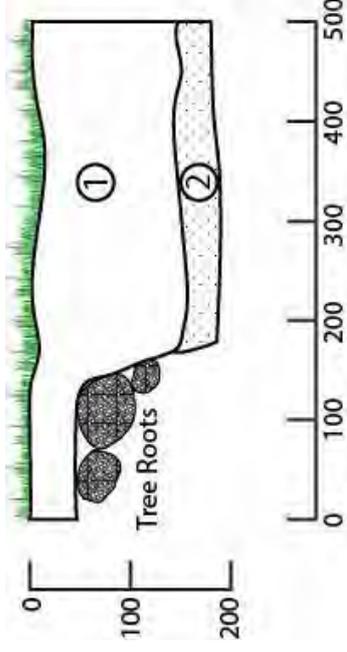
- 1. Light brown clayey loam
- 2. Brown silty clay, mottled orange

Excavation Unit:
TP24

Easting:
298816

Northing:
6257547

Artefacts:
0



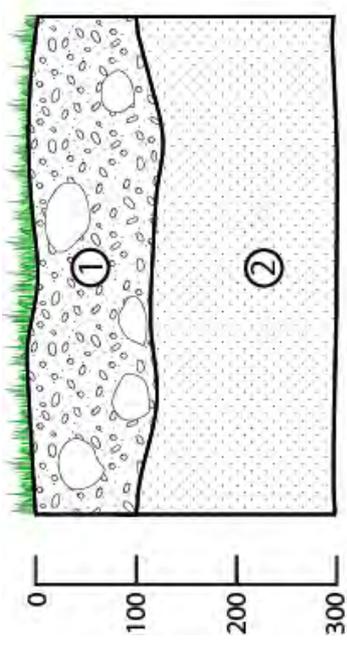
- 1. Light brown clayey loam
- 2. Brown silty clay, mottled orange

Excavation Unit:
TP25

Easting:
298720

Northing:
6257442

Artefacts:
0



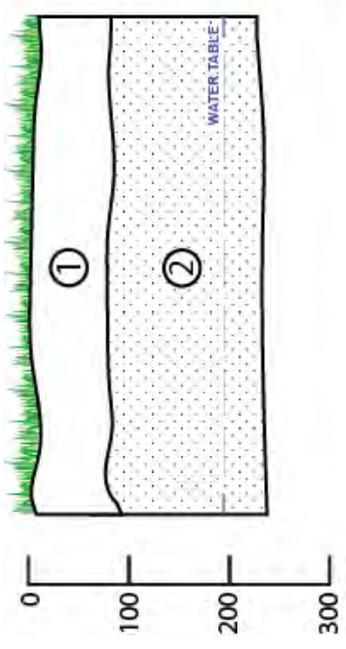
1. Brown silty loam, patches of compact tan silt and pebble inclusions
2. Damp reddish brown clay

Excavation Unit:
TP26

Easting:
298738

Northing:
6257449

Artefacts:
0



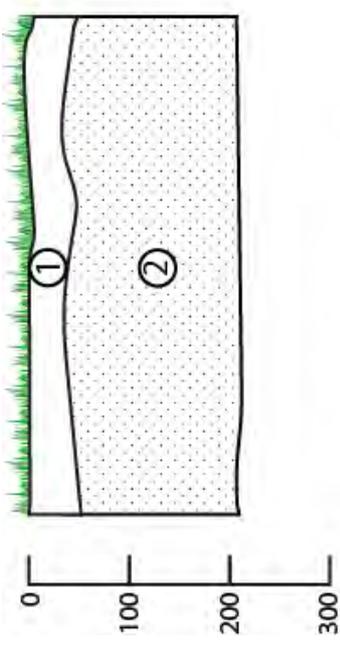
1. Brown silty loam, clay content increasing with depth
2. Waterlogged reddish brown clay

Excavation Unit:
TP27

Easting:
298755

Northing:
6257438

Artefacts:
1



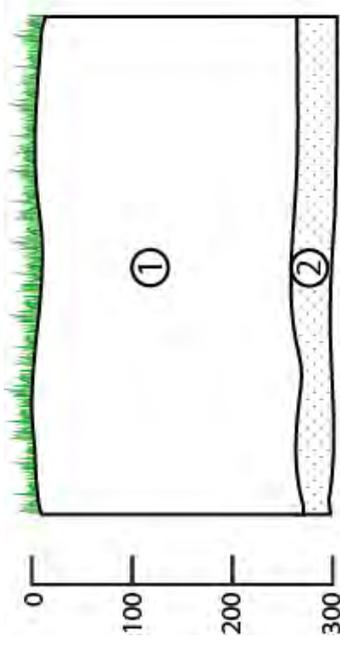
1. Brown silty loam, clay content increasing with depth
2. Reddish brown clay

Excavation Unit:
TP28

Easting:
298766

Northing:
6257437

Artefacts:
0



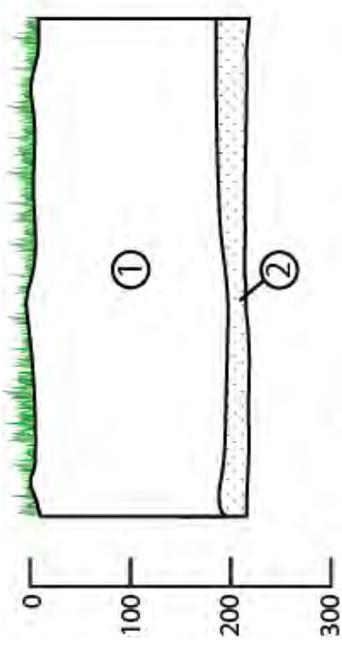
1. Brown silty loam, clay content increasing with depth
2. Reddish brown clay

Excavation Unit:
TP29

Easting:
298779

Northing:
6257435

Artefacts:
0



1. Brown silty loam, clay content increasing with depth
2. Reddish brown clay

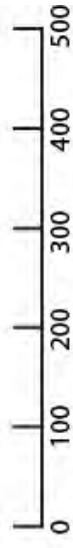
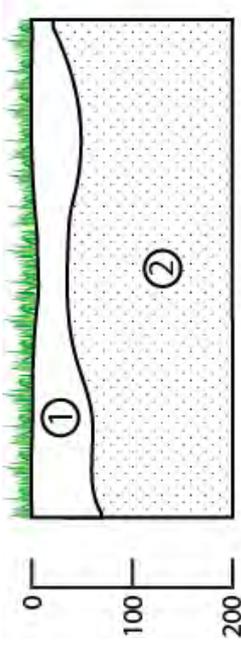
Area 3

Excavation Unit:
TP30

Easting:
298639

Northing:
6257537

Artefacts:
2



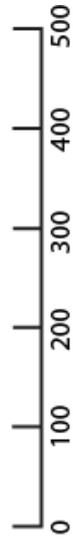
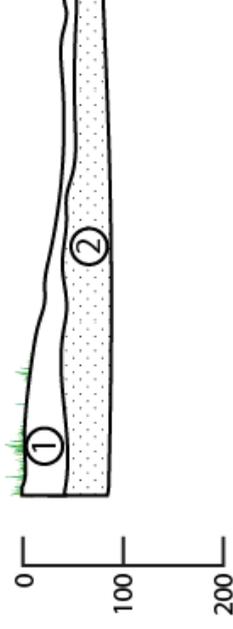
1. Compact, grey brown silty loam
2. Light brown silty clay, mottled orange

Excavation Unit:
TP31

Easting:
298637

Northing:
6257553

Artefacts:
0



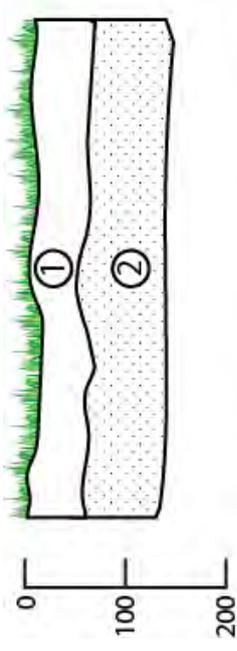
1. Compact, grey brown silty loam
2. Brown silty clay, mottled orange

Excavation Unit:
TP32

Easting:
298642

Northing:
6257568

Artefacts:
0



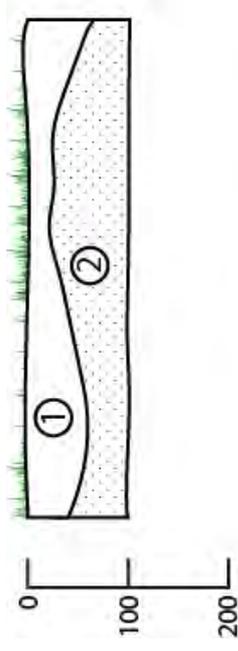
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1. Compact, grey brown silty loam
2. Brown silty clay, mottled orange

Excavation Unit:
TP33

Easting:
298644

Northing:
6257582

Artefacts:
0



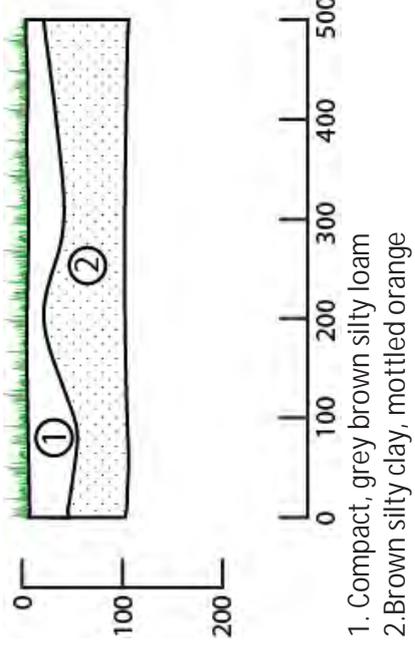
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1. Compact, grey brown silty loam
2. Brown silty clay, mottled orange

Excavation Unit:
TP34

Easting:
298647

Northing:
6257594

Artefacts:
1



APPENDIX B: ARTEFACT CATALOGUE

Artefact ID	Site Name	Area	TP	Spit	Material		Artefact			Attributes			Dimensions (mm)			Cortex (%)	
					Type	Colour	Reduction Type	Tool/ Core	Core Type	Notes	Platform Type	Termination Type	Length	Width	Thickness		
1	EFW South	2	16-A	1	SILCRETE	ORANGE	PROX FLAKE	-	-	-	-	PLAIN	-	11	11	2	0
2	EFW South	2	16-A	1	SILCRETE	ORANGE	DIST FLAKE	-	-	-	-	-	FEATHER	10	9	3	0
3	EFW South	2	16-A	1	SILCRETE	ORANGE	ANG FRAG	-	-	-	-	-	-	19	13	6	0
4	EFW South	2	16-A	1	SILCRETE	ORANGE	DIST FLAKE	-	-	-	-	-	FEATHER	21	15	4	0
5	EFW South	2	16-B	1	SILCRETE	ORANGE	COMP FLAKE	-	-	-	SINGLE FLAKE SCAR ON DORSAL	-	-	21	16	5	0
6	EFW South	2	16-B	1	SILCRETE	ORANGE	ANG FRAG	-	-	-	-	-	-	19	11	3	0
7	EFW South	2	16-C	1	SILCRETE	ORANGE	DIST FLAKE	-	-	-	-	-	FEATHER	10	15	4	0
8	EFW South	2	18	1	SILCRETE	RED	ANG FRAG	-	-	-	-	-	-	12	10	3	0
9	EFW South	2	18	1	SILCRETE	RED	ANG FRAG	-	-	-	-	-	-	10	5	2	0
10	EFW South	2	19	1	SILCRETE	ORANGE	DIST FLAKE	-	-	-	COARSE GRAINED	-	FEATHER	22	18	7	0
11	EFW South	2	27	2	SILCRETE	RED	ANG FRAG	-	-	-	-	-	-	11	9	6	0
12	EFW South	3	30	2	SILCRETE	ORANGE	COMP FLAKE	-	-	-	PLATFORM REMOVAL	PLAIN	AXIAL	10	16	6	5
13	EFW South	3	30	2	SILCRETE	RED	ANG FRAG	-	-	-	-	-	-	8	5	2	0
14	EFW South	3	34	1	SILCRETE	RED	ANG FRAG	-	-	-	-	-	-	9	6	1	0



artefact

Artefact Heritage
ABN 73 144 673 525
Lvl 1/716 New South Head Rd
Rose Bay 2029
PO Box 772 Rose Bay
NSW Australia 2029
t 61 2 9335 4050
office@artefact.net.au
www.artefact.net.au

APPENDIX D

CONSULTATION LOG

Contact / Organisation	Contacted by / Organisation	Method	Date / Time	Comments
Gordon Workman/Darug Land Observations	Sandra Wallace/Artefact	Email	08-Oct-14	Email with attached cover letter and excavation methodology for comment
Scott Franks/Tocomwall	Sandra Wallace/Artefact	Email	08-Oct-14	Email with attached cover letter and excavation methodology for comment
Celestine Everingham and Gordon Morton/DACHA	Sandra Wallace/Artefact	Letter	08-Oct-14	Letter with enclosed cover letter and excavation methodology for comment
Glen Freeman/Koomurri Ngunawal Aboriginal Corporation	Sandra Wallace/Artefact	Email	08-Oct-14	Email with attached cover letter and excavation methodology for comment
Patricia Hampton/HSB Heritage Consultants	Sandra Wallace/Artefact	Email	08-Oct-14	Email with attached cover letter and excavation methodology for comment
Kerrie Slater/Wurrumay Consultants	Sandra Wallace/Artefact	Email	08-Oct-14	Email with attached cover letter and excavation methodology for comment
Des Dyer/Darug Aboriginal Landcare	Sandra Wallace/Artefact	Email	08-Oct-14	Email with attached cover letter and excavation methodology for comment
John Reilly/Darug Tribal Aboriginal Corporation	Sandra Wallace/Artefact	Email	08-Oct-14	Email with attached cover letter and excavation methodology for comment
Steve Randall/Deerubbin Local Aboriginal Land Council	Sandra Wallace/Artefact	Email	08-Oct-14	Email with attached cover letter and excavation methodology for comment
Phillip Khan/Kamilaroi-Yankuntjatjara Working Group	Sandra Wallace/Artefact	Email	08-Oct-14	Email with attached cover letter and excavation methodology for comment
Cherie Carroll Turrise/Gunjeewong Cultural Heritage Aboriginal Corporation	Sandra Wallace/Artefact	Email	08-Oct-14	Email with attached cover letter and excavation methodology for comment
Leanne Watson/Darug Custodian Aboriginal Corporation	Sandra Wallace/Artefact	Email	08-Oct-14	Email with attached cover letter and excavation methodology for comment
Sandra Wallace/Artefact	Glen Freeman/Koomurri Ngunawal Aboriginal Corporation	Email	08-Oct-14	Email indicating that Glen has read the proposed excavation methodology and that KNAC has no issues with it
Alexander Timms/Artefact	Des Dyer/Darug Aboriginal Landcare	Email	10-Oct-14	Email with letter attached. Letter explains DAL agree with the recommendations and methodology. would like to see a plan of management be put in place to rebury artefacts some were close by once the development in completed
Gordon Workman/Darug Land Observations	Alexander Timms/Artefact	Email	17-Oct-14	Email requesting field reps for test excavation. Notice of flat rate of \$350 per day

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Scott Franks/Tocomwall	Sandra Wallace/Artefact	Email	17-Oct-14	Email requesting field reps for test excavation. Notice of flat rate of \$350 per day
Celestine Everingham and Gordon Morton/DACHA	Alexander Timms/Artefact	Letter	17-Oct-14	Letter requesting field reps for test excavation. Notice of flat rate of \$350 per day
Glen Freeman/Koomurri Ngunawal Aboriginal Corporation	Alexander Timms/Artefact	Email	17-Oct-14	Email requesting field reps for test excavation. Notice of flat rate of \$350 per day
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Phillip Khan/Kamilaroi-Yankuntjatjara Working Group	Alexander Timms/Artefact	Email	17-Oct-14	Email requesting field reps for test excavation. Notice of flat rate of \$350 per day
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Leanne Watson/Darug Custodian Aboriginal Corporation	Alexander Timms/Artefact	Email	17-Oct-14	Email requesting field reps for test excavation. Notice of flat rate of \$350 per day
Alexander Timms/Artefact	Patricia Hampton/HSB Heritage Consultants	Email	17-Oct-14	Patricia is available for any day of excavation. She accepts the flat rate of payment. Has attached her insurance details
Alexander Timms/Artefact	Des Dyer/Darug Aboriginal Landcare	Email	19-Oct-14	Des says that a rep will be available for the excavation
Alexander Timms/Artefact	Justine Coplin/Darug Custodian Aboriginal Corporation	Email	20-Oct-14	Email with letter attached. Confirming rep will be present for all five days. Requests confirmation, meeting time and location
Patricia Hampton/HSB Heritage Consultants	Alexander Timms/Artefact	Email	20-Oct-14	Emailed, thanking them for response. Indicated that I would be in touch shortly to confirm work
Des Dyer/Darug Aboriginal Landcare	Alexander Timms/Artefact	Email	20-Oct-14	Emailed, thanking them for response. Indicated that I would be in touch shortly to confirm work

Contact / Organisation	Contacted by / Organisation	Method	Date / Time	Comments
Justine Coplin/Darug Custodian Aboriginal Corporation	Alexander Timms/Artefact	Email	20-Oct-14	Emailed, thanking them for response. Indicated that I would be in touch shortly to confirm work
Steve Randall/Deerubbin Local Aboriginal Land Council	Alexander Timms/Artefact	Pers Comm	23-Oct-14	Spoke to Steve in regards to upcoming fieldwork - while out surveying at Tallawong Road. He indicated that he would only send reps if there were no other groups involved.
Gordon Workman/Darug Land Observations	Alexander Timms/Artefact	Phone	23-Oct-14	Gordon has indicated that he is extremely unimpressed with the flat-rate of pay. He described it as disrespectful and unfair. He indicate that he would be taking legal action to try to stop works on the site. I indicated that I understood his issues, but it was the proponent's decision.
Celestine Everingham and Gordon Morton/DACHA	Alexander Timms/Artefact	Phone	23-Oct-14	Spoke to Celestine about the upcoming fieldwork. She indicated that she was not happy with the flat-rate of pay. As it would mean that DACHA would lose money. She said she would talk to Gordon Morton to discuss the issue. They would let me know if they will have a representative available.
Glen Freeman/Koomurri Ngunawal Aboriginal Corporation	Alexander Timms/Artefact	Phone	23-Oct-14	Called and left a message. Asked Glen to call back.
Kerrie Slater/Wurrumay Consultants	Alexander Timms/Artefact	Phone	23-Oct-14	Optus message: saying phone cannot receive calls.
John Reilly/Darug Tribal Aboriginal Corporation	Alexander Timms/Artefact	Phone	23-Oct-14	Called and left a message. Asked John to call back.
Phillip Khan/Kamilaroi-Yankuntjatjara Working Group	Alexander Timms/Artefact	Phone	23-Oct-14	Phillip was not happy with the flat rate of pay. He indicated that it was unfair. He will have a discussion with other groups. He said he would get back to me.
Cherie Carroll Turrise/Gunjeewong Cultural Heritage Aboriginal Corporation	Alexander Timms/Artefact	Phone	23-Oct-14	Tried calling. Phone rings, then disconnects

Contact / Organisation	Contacted by / Organisation	Method	Date / Time	Comments
Alexander Timms/Artefact	John Reilly/Darug Tribal Aboriginal Corporation	Phone	23-Oct-14	Returned my earlier message. John indicated that they weren't happy with the flat rate. However he said that it was important to be involved in the project due to ancestral connection with the land. He said it would be difficult to organise. But he would have an answer to me by Monday 27 Oct.
Alexander Timms/Artefact	Glen Freeman/Koomurri Ngunawal Aboriginal Corporation	Phone	24-Oct-14	Returned my earlier message. Glen indicated that KNAC were not happy with the project. We discussed the rate of pay. He indicated that the project was a good one, in regards to the environment; however he disapproved of the treatment of Aboriginal Heritage. He believed that it was unfair that there was no negotiation or consultation in regards to the rate of pay. And the way it had been organised was Aboriginal tokenism. He understood the archaeologist role as messenger and indicated that he hoped we worked together in the future. However the group would not be participating in the field work at Eastern Creek. He said that he would email through a formal response shortly.
John Reilly/Darug Tribal Aboriginal Corporation	Alexander Timms/Artefact	Email	27-Oct-14	Email asking John if DTAC wished to send a representative to the field excavation. As John had indicated that he would let me know by today
Patricia Hampton/HSB Heritage Consultants	Alexander Timms/Artefact	Email	27-Oct-14	Email to confirm details of excavation. Outlines requirements. Request for confirmation
Des Dyer/Darug Aboriginal Landcare	Alexander Timms/Artefact	Email	27-Oct-14	Email to confirm details of excavation. Outlines requirements. Request for confirmation
Justine Coplin/Darug Custodian Aboriginal Corporation	Alexander Timms/Artefact	Email	27-Oct-14	Email to confirm details of excavation. Outlines requirements. Request for confirmation

Contact / Organisation	Contacted by / Organisation	Method	Date / Time	Comments
Alexander Timms/Artefact	Glen Freeman/Koomurri Ngunawal Aboriginal Corporation	Email	28-Oct-14	Email to indicate that KNAC will not be engaging any further in the proposed project due to the tokenistic nature of the remuneration offer from the proponent.
Alexander Timms/Artefact	John Reilly/Darug Tribal Aboriginal Corporation	Phone	28-Oct-14	John called to inform me that DTAC will not be participating in field work due to the low remuneration. He requested that the excavation results report be sent to DTAC still.
Alexander Timms/Artefact	Celestine Everingham and Gordon Morton/DACHA	Phone	30-Oct-14	Called to say that DACHA would be sending out a representative for fieldwork. Requested that information, including directions and site contact, be faxed to her.
Celestine Everingham and Gordon Morton/DACHA	Alexander Timms/Artefact	Fax	30-Oct-14	Fax to confirm details of excavation. Outlines requirements. Directions to site etc.
Gordon Workman/Darug Land Observations	Alexander Timms/Artefact	Email	26-Feb-15	Sent draft ACHAR for review. Review period ends 26 March 2015
Scott Franks/Tocomwall	Sandra Wallace/Artefact	Email	26-Feb-15	Sent draft ACHAR for review. Review period ends 26 March 2015
Celestine Everingham and Gordon Morton/DACHA	Alexander Timms/Artefact	Letter	26-Feb-15	Sent draft ACHAR for review. Review period ends 26 March 2015
Patricia Hampton/HSB Heritage Consultants	Alexander Timms/Artefact	Email	26-Feb-15	Sent draft ACHAR for review. Review period ends 26 March 2015
Kerrie Slater/Wurrumay Consultants	Alexander Timms/Artefact	Email	26-Feb-15	Sent draft ACHAR for review. Review period ends 26 March 2015
Des Dyer/Darug Aboriginal Landcare	Alexander Timms/Artefact	Email	26-Feb-15	Sent draft ACHAR for review. Review period ends 26 March 2015
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Steve Randall/Deerubbin Local Aboriginal Land Council	Alexander Timms/Artefact	Email	26-Feb-15	Sent draft ACHAR for review. Review period ends 26 March 2015
Phillip Khan/Kamilaroi-Yankuntjatjara Working Group	Alexander Timms/Artefact	Email	26-Feb-15	Sent draft ACHAR for review. Review period ends 26 March 2015
Cherie Carroll Turrise/Gunjeewong Cultural Heritage Aboriginal Corporation	Alexander Timms/Artefact	Email	26-Feb-15	Sent draft ACHAR for review. Review period ends 26 March 2015

Contact / Organisation	Contacted by / Organisation	Method	Date / Time	Comments
Leanne Watson/Darug Custodian Aboriginal Corporation	Alexander Timms/Artefact	Email	26-Feb-15	Sent draft ACHAR for review. Review period ends 26 March 2015
Alexander Timms/Artefact	Justine Coplin/Darug Custodian Aboriginal Corporation	Email	03-Mar-15	Sent email with letter attachment. The letter says that the Darug community has a strong connection with the Eastern Creek area. The surrounding Aboriginal sites in the area are highly significant. DCAC indicated that the draft ACHAR 'is inclusive and the assessment is thorough with a good documentation of findings. They support the findings and recommendation within this report.'
Alexander Timms/Artefact	Des Dyer/Darug Aboriginal Landcare	Email	09-Mar-15	Email with letter attachment. DAL have no objections to the proposed area of development and agree with the recommendations and methodology. The letter indicated that the area is very important to the Darug people, as a food source. The group would like to see a plan of management to rebury the artefacts somewhere close by, once the development is completed.
Josh Symons/ Artefact	Celestine Everingham / DACHA	Phone	26-Mar-15	DACHA supports the reburial of retrieved artefacts in a conserved and protected area close to where they were retrieved from.

APPENDIX E

COPIES OF CORRESPONDENCE



artefact

8 October 2014

Glen Freeman
Koomurri Ngunawal Aboriginal Corporation
PO Box 356
DOONSIDE NSW 2767

Dear Glen,

Re: Energy For Waste Facility, Eastern Creek – Draft archaeological test excavation methodology.

Thank you for registering as a stakeholder for the Energy from Waste (EFW), Eastern Creek Project. GML Heritage commenced consultation for this project on behalf of The Next Generation (TNG). Artefact Heritage is continuing this project and will be handling the next stages of the consultation process.

Urbis, on behalf of TNG (the Proponent), propose to develop an EFW facility at Eastern Creek. The proposed EFW works will include the construction of an Electricity Generation Plant; with ancillary works related to the preparation and subsequent operation of the EFW. The works will be located within Lots 1 to 3 of DP1145808, in the Blacktown City Council Local Government Area (LGA). The subject site is bounded by the M4 Western Motorway, the Hanson Wallgrove Quarry, Transmission line easement and Archbold Road (**Figure 1**).

An Archaeological Technical Report (ATR) and subsequent Aboriginal Cultural Heritage Assessment Report (ACHAR) was prepared by GML Heritage (GML) in 2014 for the EFW Eastern Creek Environmental Impact Statement (EIS). GML identified one area of moderate archaeological potential and two areas of high archaeological potential. However only one of these areas of archaeological potential will be directly impacted by the proposed works. The area is known as EFW South, and is located on an elevated area at the confluence of three waterlines in the southeast corner of the subject site. Therefore GML recommended that an archaeological test excavation to assess the nature, extent, condition and integrity of the site.

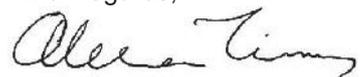
The project will be assessed under Part 4, Division 4.1 of the EP&A Act, which establishes an assessment and approval regime for State Significant Development (SSD). Part 4, Division 4.1 applies to development that is declared to be SSD by a State Environmental Planning Policy (SEPP). Section 89J of the EP&A Act specifies that approvals or permits under section 90 of the NPW Act 1974 are not required for approved SSD. However the ATR (GML 2014a) recommended that the test excavation be completed according to the OEH *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW*.

The aims of test excavation are to adequately identify the extent and nature of sub-surface potential archaeological deposit and to provide the proponent with recommendations on future requirements. Included with this letter is a draft version of the methodology for test excavation at EFW South, Eastern Creek. If you would like to provide written comments on the methodology, please forward them to me by **29 October 2014** at the following address:

Alexander Timms
Artefact Heritage
PO Box 772
Rose Bay NSW 2029
Email: alex.timms@artefact.net.au
Phone: 9371 5635

If you would like to discuss any of the details of the methodology please call me either in the office on 9371 5635, or on my mobile 0447 911 127.

Kind Regards,



Alexander Timms
Heritage Consultant
Artefact Heritage
alex.timms@artefact.net.au
0447 911 127



Figure 1: General location of study area





artefact

8 October 2014

John Reilly
Darug Tribal Aboriginal Corporation
PO Box 441
BLACKTOWN NSW 2148

Dear John,

Re: Energy For Waste Facility, Eastern Creek – Draft archaeological test excavation methodology.

Thank you for registering as a stakeholder for the Energy from Waste (EFW), Eastern Creek Project. GML Heritage commenced consultation for this project on behalf of The Next Generation (TNG). Artefact Heritage is continuing this project and will be handling the next stages of the consultation process.

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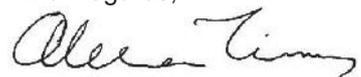
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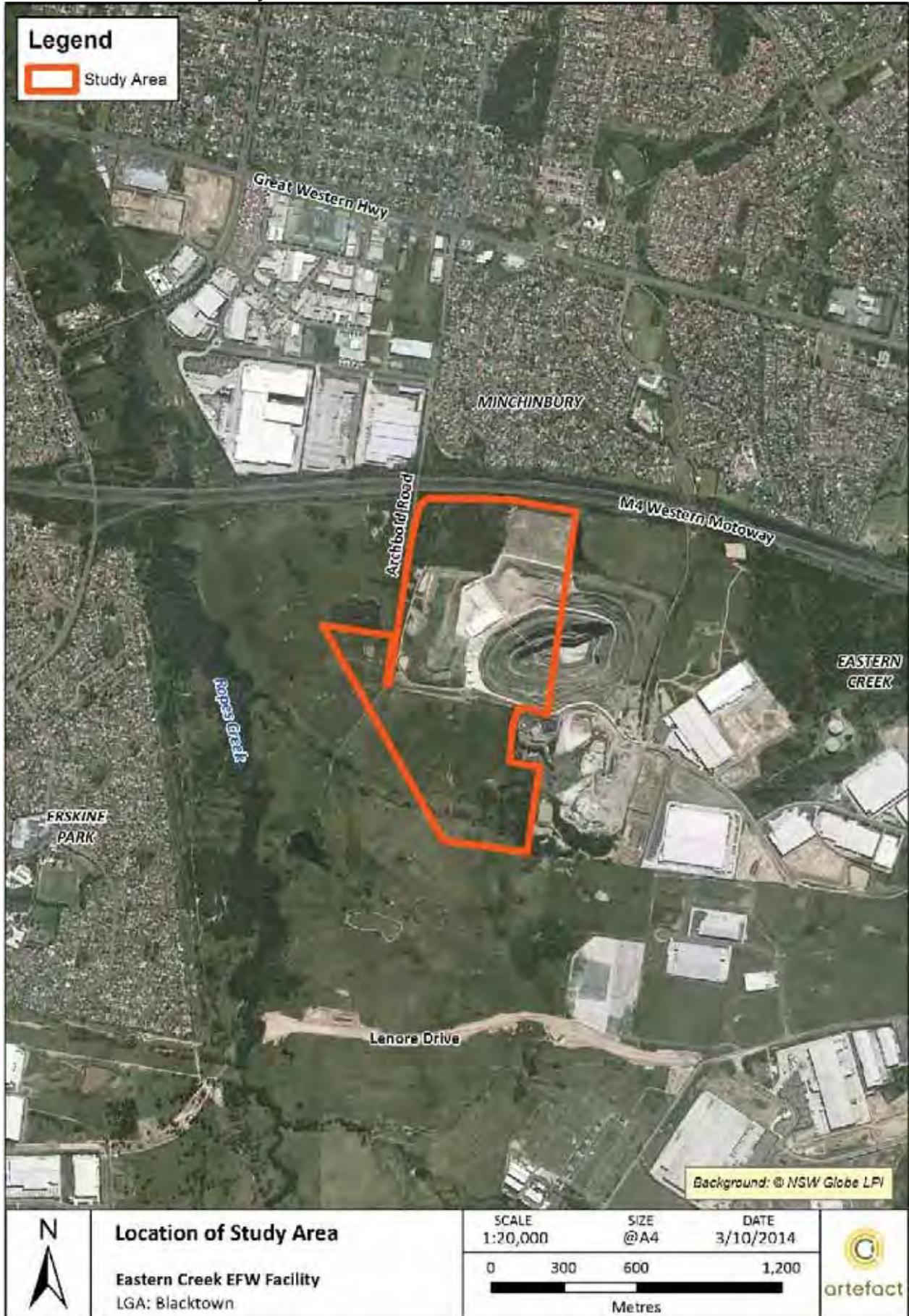
Kind Regards,



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0447 911 127



Figure 1: General location of study area





artefact

8 October 2014

Cherie Carroll Turrise
Gunjeewong Cultural Heritage Aboriginal Corporation
1 Bellevue Place
PORTLAND NSW 2847

Dear Cherie,

Re: Energy For Waste Facility, Eastern Creek – Draft archaeological test excavation methodology.

Thank you for registering as a stakeholder for the Energy from Waste (EFW), Eastern Creek Project. GML Heritage commenced consultation for this project on behalf of The Next Generation (TNG). Artefact Heritage is continuing this project and will be handling the next stages of the consultation process.

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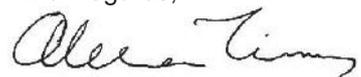
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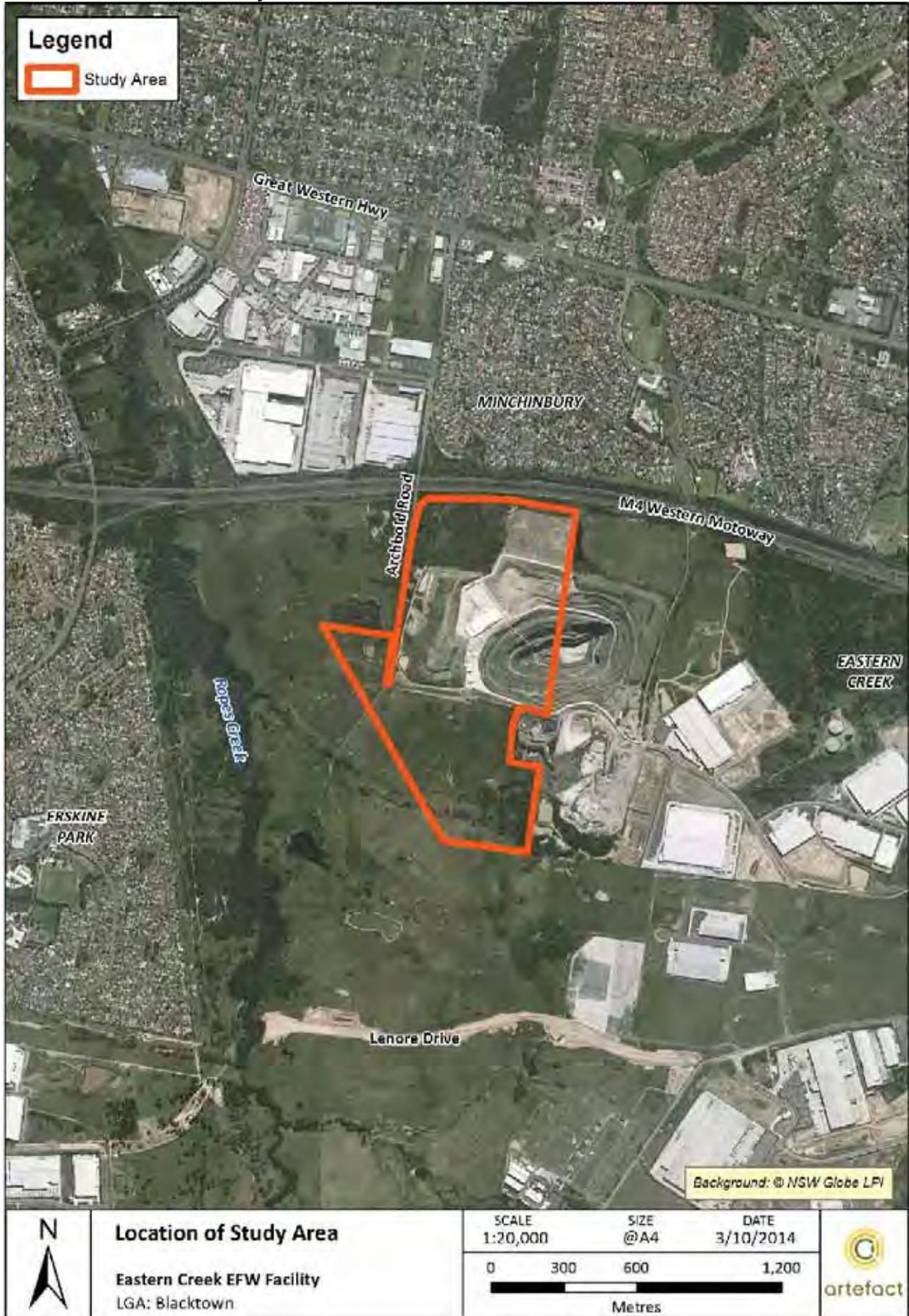
Kind Regards,



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alex.timms@artefact.net.au
0447 911 127



Figure 1: General location of study area





artefact

8 October 2014

Patricia Hampton
HSB Heritage Consultants
62 Ropes Crossing Boulevard
ROPES CROSSING NSW 2760

Dear Patricia,

Re: Energy For Waste Facility, Eastern Creek – Draft archaeological test excavation methodology.

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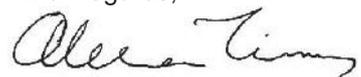
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0447 911 127



Figure 1: General location of study area





artefact

8 October 2014

Kerrie Slater
Wurrumay Consultants
89 Pyramid Street
EMU PLAINS NSW 2750

Dear Kerrie,

Re: Energy For Waste Facility, Eastern Creek – Draft archaeological test excavation methodology.

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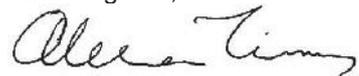
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Kind Regards,



Alexander Timms
Heritage Consultant
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alex.timms@artefact.net.au
0447 911 127



Figure 1: General location of study area





artefact

8 October 2014

Pollowan Phillip Khan
Kamilaroi-Yankuntjatjara Working Group
78 Forbes Street
EMU PLAINS NSW 2750

Dear Mr Khan,

Re: Energy For Waste Facility, Eastern Creek – Draft archaeological test excavation methodology.

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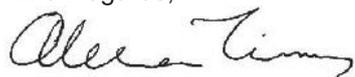
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Alexander Timms
Artefact Heritage
PO Box 772
Rose Bay NSW 2029
Email: alex.timms@artefact.net.au
Phone: 9371 5635

If you would like to discuss any of the details of the methodology please call me either in the office on 9371 5635, or on my mobile 0447 911 127.

Kind Regards,



Alexander Timms
Heritage Consultant
Artefact Heritage
alex.timms@artefact.net.au
0447 911 127



Figure 1: General location of study area





artefact

8 October 2014

Scott Franks
Tocomwall
PO Box 76
CARINGBAH NSW 1495

Dear Scott,

Re: Energy For Waste Facility, Eastern Creek – Draft archaeological test excavation methodology.

Thank you for registering as a stakeholder for the Energy from Waste (EFW), Eastern Creek Project. GML Heritage commenced consultation for this project on behalf of The Next Generation (TNG). Artefact Heritage is continuing this project and will be handling the next stages of the consultation process.

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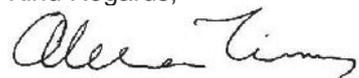
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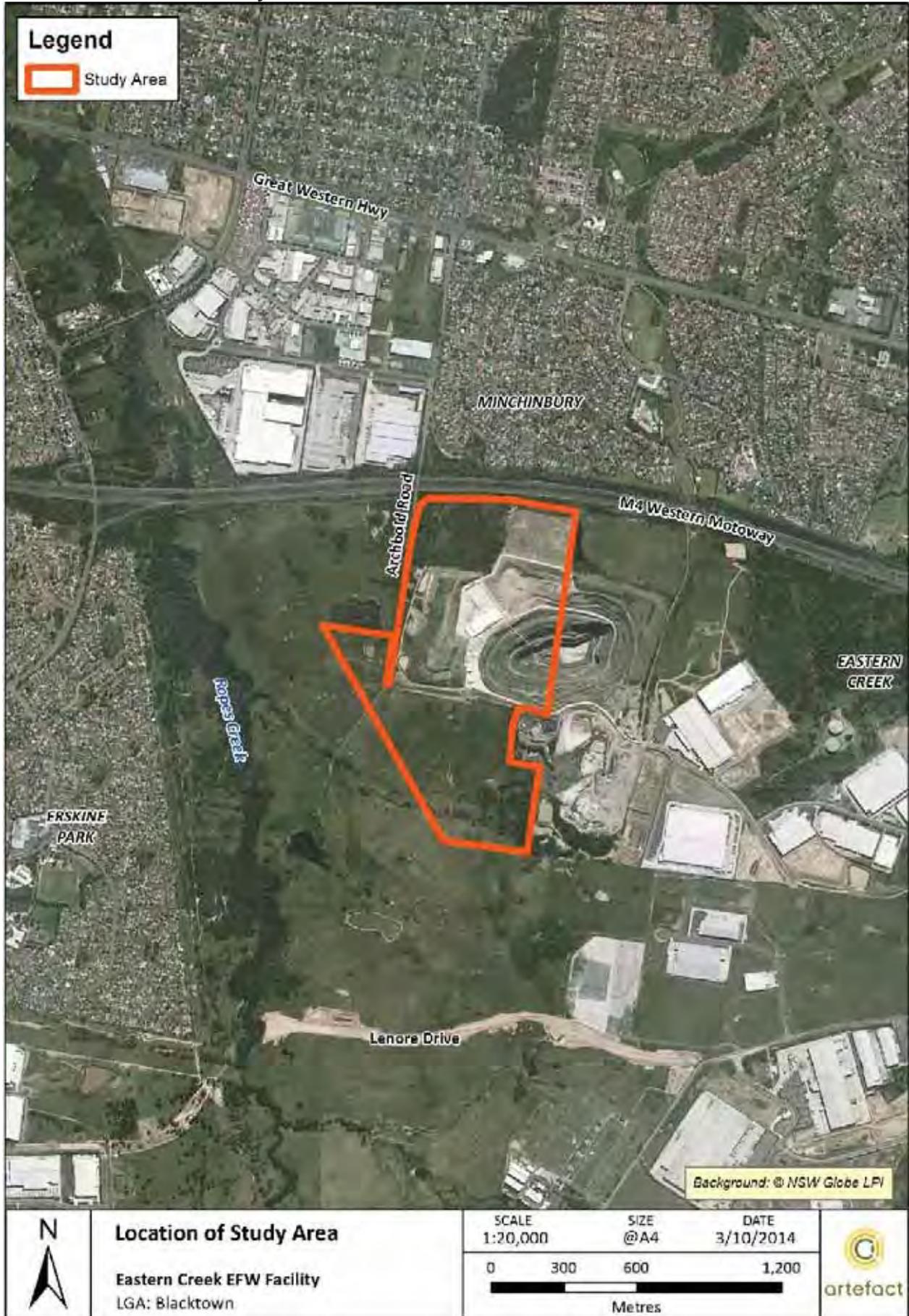
Kind Regards,



Alexander Timms
Heritage Consultant
Artefact Heritage
alex.timms@artefact.net.au
0447 911 127



Figure 1: General location of study area





artefact

8 October 2014

Celestine Everingham and Gordon Morton
Darug Aboriginal Cultural Heritage Assessments
9/6 Chapman Avenue
CHATSWOOD NSW 2067

Dear Celestine,

Re: Energy For Waste Facility, Eastern Creek – Draft archaeological test excavation methodology.

Thank you for registering as a stakeholder for the Energy from Waste (EFW), Eastern Creek Project. GML Heritage commenced consultation for this project on behalf of The Next Generation (TNG). Artefact Heritage is continuing this project and will be handling the next stages of the consultation process.

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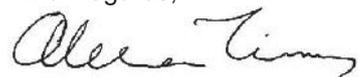
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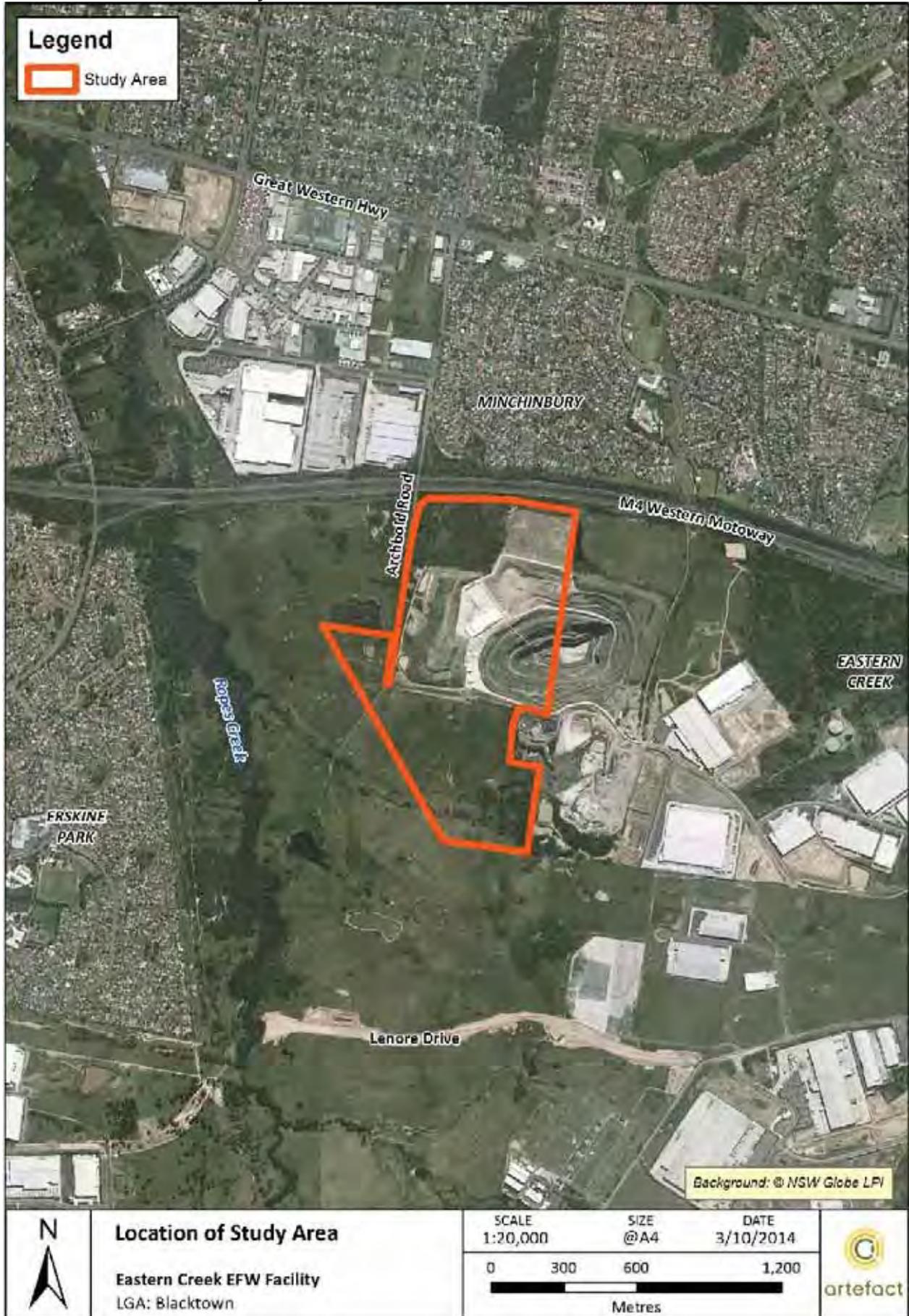
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Alexander Timms
Heritage Consultant
Artefact Heritage
alex.timms@artefact.net.au
0447 911 127



Figure 1: General location of study area





artefact

8 October 2014

Leanne Watson
Darug Custodian Aboriginal Corporation
PO Box 81
WINDSOR
NSW 2756

Dear Leanne,

Re: Energy For Waste Facility, Eastern Creek – Draft archaeological test excavation methodology.

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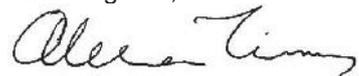
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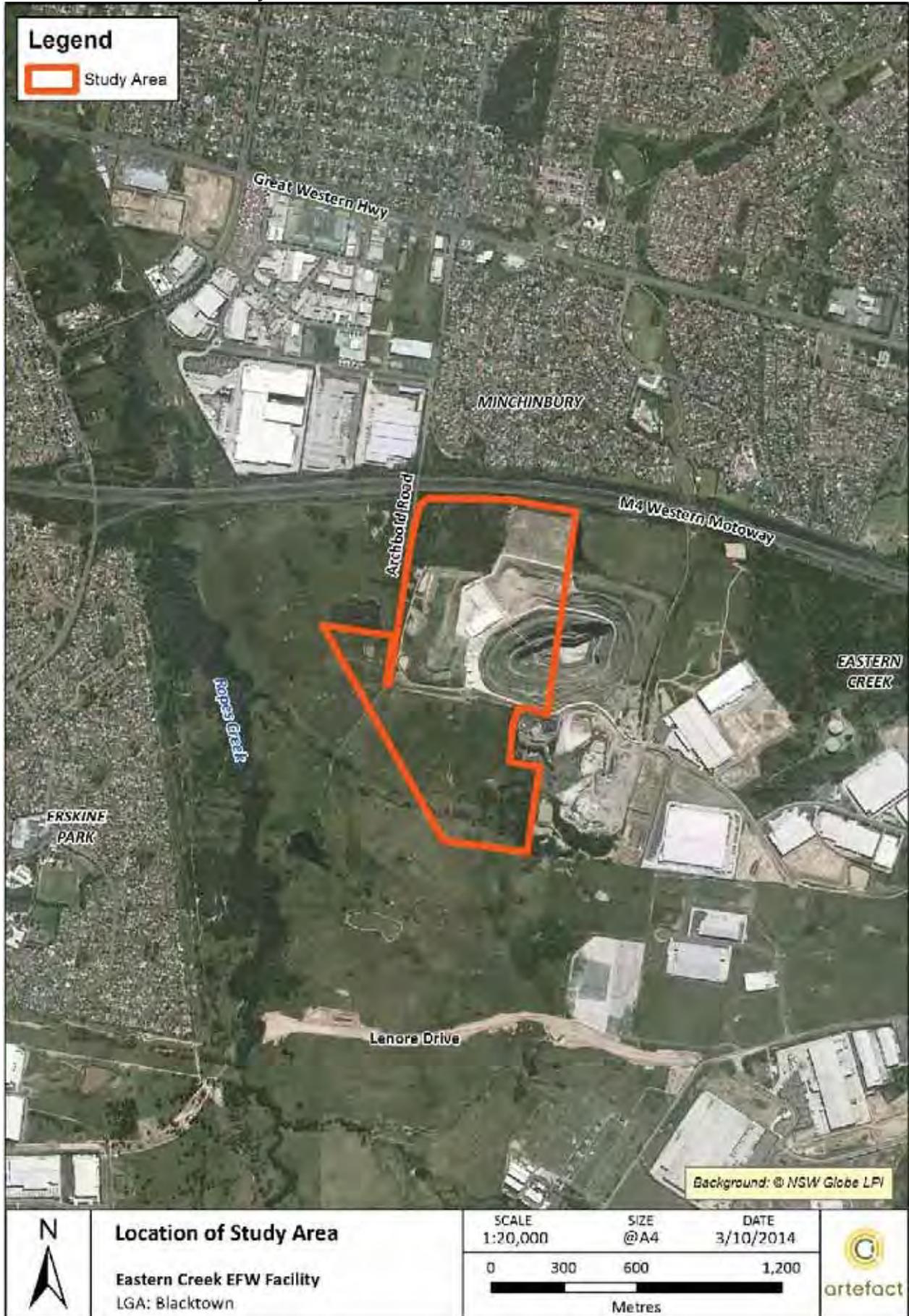
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Alexander Timms
Heritage Consultant
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0447 911 127



Figure 1: General location of study area





artefact

8 October 2014

Des Dyer
Darug Aboriginal Landcare
18a Perigee Close
DOONSIDE NSW 2767

Dear Des,

Re: Energy For Waste Facility, Eastern Creek – Draft archaeological test excavation methodology.

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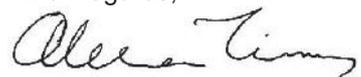
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Alexander Timms
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artefact

8 October 2014

Gordon Workman
Darug Land Observations
PO Box 571
PLUMPTON NSW 2761

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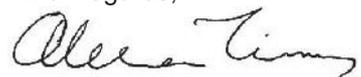
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Artefact Heritage
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artefact

8 October 2014

Steve Randall
Deerubbin Local Aboriginal Land Council
PO Box 40
Penrith NSW 2751

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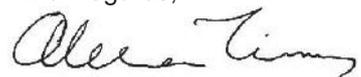
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Kind Regards,



Alexander Timms
Heritage Consultant
Artefact Heritage
alex.timms@artefact.net.au
0447 911 127



Figure 1: General location of study area



Alex Timms

From: Sandra Wallace <sandra.wallace@artefact.net.au>
Sent: Thursday, 9 October 2014 8:01 AM
To: 'Koomurri Ngunawal Aboriginal Corporation'
Cc: alex.timms@artefact.net.au
Subject: RE: EFW Eastern Creek test excavations

Thanks Glen,

We will keep in touch regarding the project and upcoming excavations.

Regards
Sandra

From: Koomurri Ngunawal Aboriginal Corporation [mailto:koomurrinac@hotmail.com]
Sent: Wednesday, 8 October 2014 4:00 PM
To: Sandra Wallace
Subject: RE: EFW Eastern Creek test excavations

Hi Sandra,

I have read the proposed methodology for this project and we at KNAC have no issues with it.

Looking forward to working with your team on this project.

Sincere Regards

Glen
Director/ Contact KNAC

From: sandra.wallace@artefact.net.au
To: koomurriNAC@hotmail.com
CC: alex.timms@artefact.net.au
Subject: EFW Eastern Creek test excavations
Date: Wed, 8 Oct 2014 09:04:12 +1100

Hi Glen,

Please find attached a cover letter and test excavation methodology for the EFW project at Eastern Creek.

Please don't hesitate to contact Alex or myself if you have any queries.

Kind regards
Sandra

Dr Sandra Wallace

Director

ARTEFACT

Telephone: 61 2 90253958 **Direct:** 61 2 93718390 **Mobile:** 0403565086

Address: Level 1 / 716 New South Head Rd Rose Bay NSW 2029 | PO Box 772 Rose Bay NSW 2029

Web: www.artefact.net.au

Cultural Heritage Management | Archaeology | Heritage Interpretation

Notice: This message contains privileged and confidential information intended only for the use of the addressee. If you are not the intended recipient you must not disseminate, copy or take any action in reliance upon it. If you received this in error, please notify us immediately.

Darug Aboriginal Landcare

Uncle Des Dyer



18 a Perigee Close
Doonside
NSW 2767
ABN 71 301 006 047

Alexander Timms
Archaeologist
Artefact
P O Box 772
Rose Bay 2029
NSW

Re: Energy Waste Facility, Eastern Creek :

Dear Ben,

The Darug Aboriginal Landcare/ Uncle Des Dyer have no objections to the proposed area of development.

We agree with the all your **recommendation and methodology**, in your report. The area is very important to the Darug people, as it's a place for food sours.

We would like to see a plan of management be put in place to rebury of artefacts some were close by once the development in completed.

. All land holds specific social, spiritual and cultural values to our organisation. We would like to thank you and look forward to working with you again

Respectfully yours,
Des Dyer
Site Officer
Darug Aboriginal Land Care
Fax (02) 88 14 95 47
Mobile 0408 360 814



artefact

26 February 2015

Des Dyer
Darug Aboriginal Landcare
18a Perigee Close
DOONSIDE NSW 2767

Dear Des Dyer,

Re: Energy For Waste Facility, Eastern Creek – Draft Aboriginal Cultural Heritage Assessment Report

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It is recommended that no further archaeological investigation of Aboriginal site EFW South (45-5-4491) is required prior to impacts. Aboriginal sites Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493) are located outside of the development footprint and will be retained. Impact to these areas should be avoided during proposed works, by designating these areas conservation zones.

If you would like to comment on the draft ACHAR, please forward your comments to me by **26 March 2015** at the following address:

Alexander Timms
Artefact Heritage
Level 4, Building B, 35 Saunders Street
Pymont NSW 2009
Email: alex.timms@artefact.net.au
Phone: 02 9518 8411

At the completion of the review period for the draft version of the ACHAR, the document will be finalised and incorporated into the EIS for the project

Kind Regards,

Alexander Timms
Heritage Consultant
Artefact Heritage



artefact

26 February 2015

Leanne Watson
Darug Custodian Aboriginal Corporation
PO Box 81
WINDSOR NSW 2756

Dear Leanne Watson,

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Alexander Timms
Artefact Heritage
Level 4, Building B, 35 Saunders Street
Pymont NSW 2009
Email: alex.timms@artefact.net.au
Phone: 02 9518 8411

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Kind Regards,

Alexander Timms
Heritage Consultant
Artefact Heritage



artefact

26 February 2015

Gordon Workman
Darug Land Observations
PO Box 571
PLUMPTON NSW 2761

Dear Gordon Workman,

Re: Energy For Waste Facility, Eastern Creek – Draft Aboriginal Cultural Heritage Assessment Report

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26 February 2015

Scott Franks
Tocomwall
PO Box 76
CARINGBAH NSW 1495

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26 February 2015

Celestine Everingham and Gordon Morton
Darug Aboriginal Cultural Heritage Assessments
9/6 Chapman Avenue
CHATSWOOD NSW 2067

Dear Celestine Everingham and Gordon Morton,

Re: Energy For Waste Facility, Eastern Creek – Draft Aboriginal Cultural Heritage Assessment Report

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26 February 2015

Glen Freeman
Koomurri Ngunawal Aboriginal Corporation
PO Box 356
DOONSIDE NSW 2767

Dear Glen Freeman,

Re: Energy For Waste Facility, Eastern Creek – Draft Aboriginal Cultural Heritage Assessment Report

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26 February 2015

Patricia Hampton
HSB Heritage Consultants
62 Ropes Crossing Boulevard
ROPES CROSSING NSW 2760

Dear Patricia Hampton,

Re: Energy For Waste Facility, Eastern Creek – Draft Aboriginal Cultural Heritage Assessment Report

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Heritage Consultant
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26 February 2015

Kerrie Slater
Wurrumay Consultants
89 Pyramid Street
EMU PLAINS NSW 2750

Dear Kerrie Slater,

Re: Energy For Waste Facility, Eastern Creek – Draft Aboriginal Cultural Heritage Assessment Report

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Des Dyer
Darug Aboriginal Landcare
18a Perigee Close
DOONSIDE NSW 2767

Dear Des Dyer,

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26 February 2015

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Darug Tribal Aboriginal Corporation
PO Box 441
BLACKTOWN NSW 2148

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Steve Randall
Deerubbin Local Aboriginal Land Council
PO Box 40
PENRITH NSW 2751

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26 February 2015

Pollowan Phillip Khan
Kamilaroi-Yankuntjatjara Working Group
78 Forbes Street
EMU PLAINS NSW 2750

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26 February 2015

Cherie Carroll Turrise
Gunjee Wong Cultural Heritage Aboriginal Corporation
1 Bellevue Place
PORTLAND NSW 2847

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26 February 2015

Leanne Watson
Darug Custodian Aboriginal Corporation
PO Box 81
WINDSOR NSW 2756

Dear Leanne Watson,

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Artefact Heritage
Level 4, Building B, 35 Saunders Street
Pymont NSW 2009
Email: alex.timms@artefact.net.au
Phone: 02 9518 8411

At the completion of the review period for the draft version of the ACHAR, the document will be finalised and incorporated into the EIS for the project

Kind Regards,

Alexander Timms
Heritage Consultant
Artefact Heritage



artefact

26 February 2015

Cherie Carroll Turrise
Gunjeewong Cultural Heritage Aboriginal Corporation
1 Bellevue Place
PORTLAND NSW 2847

Dear Cherie Carroll Turrise,

Re: Energy For Waste Facility, Eastern Creek – Draft Aboriginal Cultural Heritage Assessment Report

Thank you for registering as a stakeholder for the Energy from Waste (EFW), Eastern Creek Project. GML Heritage commenced consultation for this project on behalf of The Next Generation (TNG). Artefact Heritage is continuing this project and will be handling the final stages of the consultation process.

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It is recommended that no further archaeological investigation of Aboriginal site EFW South (45-5-4491) is required prior to impacts. Aboriginal sites Archbold Road 1 (45-5-4492) and Archbold Road 2 (45-5-4493) are located outside of the development footprint and will be retained. Impact to these areas should be avoided during proposed works, by designating these areas conservation zones.

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26 February 2015

Patricia Hampton
HSB Heritage Consultants
62 Ropes Crossing Boulevard
ROPES CROSSING NSW 2760

Dear Patricia Hampton,

Re: Energy For Waste Facility, Eastern Creek – Draft Aboriginal Cultural Heritage Assessment Report

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26 February 2015

Pollowan Phillip Khan
Kamilaroi-Yankuntjatjara Working Group
78 Forbes Street
EMU PLAINS NSW 2750

Dear Pollowan Phillip Khan,

Re: Energy For Waste Facility, Eastern Creek – Draft Aboriginal Cultural Heritage Assessment Report

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26 February 2015

Scott Franks
Tocomwall
PO Box 76
CARINGBAH NSW 1495

Dear Scott Franks,

Re: Energy For Waste Facility, Eastern Creek – Draft Aboriginal Cultural Heritage Assessment Report

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26 February 2015

Kerrie Slater
Wurrumay Consultants
89 Pyramid Street
EMU PLAINS NSW 2750

Dear Kerrie Slater,

Re: Energy For Waste Facility, Eastern Creek – Draft Aboriginal Cultural Heritage Assessment Report

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Alexander Timms
Heritage Consultant
Artefact Heritage



artefact

26 February 2015

Celestine Everingham and Gordon Morton
Darug Aboriginal Cultural Heritage Assessments
9/6 Chapman Avenue
CHATSWOOD NSW 2067

Dear Celestine Everingham and Gordon Morton,

Re: Energy For Waste Facility, Eastern Creek – Draft Aboriginal Cultural Heritage Assessment Report

Thank you for registering as a stakeholder for the Energy from Waste (EFW), Eastern Creek Project. GML Heritage commenced consultation for this project on behalf of The Next Generation (TNG). Artefact Heritage is continuing this project and will be handling the final stages of the consultation process.

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Kind Regards,

Alexander Timms
Heritage Consultant
Artefact Heritage

Darug Aboriginal Landcare

Uncle Des Dyer



18 a Perigee Close
Doonside
NSW 2767
ABN 71 301 006 0

Alexander Timms
Artefact Heritage
Level 4, Building B,
35 Saunders Street
Pyrmont 2009
NSW

Re: Energy Waste, Eastern Creek

Dear Alexander,

The Darug Aboriginal Landcare/ Uncle Des Dyer have no objections to the proposed area of development.

We agree with the all your **recommendation and methodology**, in your report. The area is very important to the Darug people, as it's a place for food sours.

We would like to see a plan of management be put in place to rebury of artefacts some were close by once the development in completed.

. All land holds specific social, spiritual and cultural values to our organisation. We would like to thank you and look forward to working with you again

Respectfully yours,
Des Dyer
Site Officer
Darug Aboriginal Land Care
Fax (02) 88 14 95 47
Mobile 0408 360 814



DARUG CUSTODIAN
ABORIGINAL
CORPORATION

PO BOX 81 WINDSOR 2756
PHONE: 0245775181 FAX: 0245775098
MOBILE: 0415770163 Leanne Watson
0414962766 Justine Coplin
EMAIL: mulgokiwi@bigpond.com / justinecoplin@optusnet.com.au

Attention: artefacts

Subject: DRAFT Aboriginal Cultural Heritage Assessment Report

Dear Alex

Our group is a non- profit organisation that has been active for over forty years in Western Sydney, we are a Darug community group with over three hundred members. The main aim in our constitution is the care of Darug sites, places, wildlife and to promote our culture and provide education on the Darug history.

Our groups founding members lived in the Eastern Creek area for many years, this is an area that our group has knowledge and connection to. This is a Darug landscape with evidence of continued occupation throughout the landscape. The Darug history and sites in this area have been closed off due to private land tenure for many years, only a small percentage has been previously accessible during development assessments at land holders discretion.

The surrounding sites in this area are highly significant, We have received and reviewed the DRAFT Aboriginal Cultural Heritage Assessment Report, the report is inclusive and the assessment is thorough with a good documentation of findings. We support the findings and recommendation within this report.

During the assessment our group is concerned with the amount of groups consulted from out of the area and also personal profit groups, this area has traditional owners with knowledge all other groups that would like to be consulted should receive documentation but not employment.

Please contact us with all further enquiries on the above contacts.

Regards

Justine Coplin