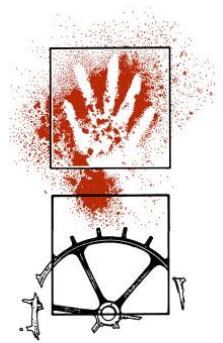




Mundamia Subdivision, Nowra, NSW

Aboriginal Archaeological Assessment

April 2013



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Report Register

The following register documents the development and issue of this document.

Issue No.	Notes/Description	Issue Date
v1	Draft for proponent comment	19 October 2012
v2	Final (following comments)	12 December 2012
v3	Updated to include 2005 Consultation Guidelines	2 April 2013
v4	Updated report	23 April 2013

EXECUTIVE SUMMARY

Set Consultants Pty Ltd has been engaged by Shoalhaven City Council to conduct a cultural heritage assessment of Lot 1 DP1021332 and part Lot 458 DP1063107, George Evans Road, Mundamia.

This report documents the results of a cultural heritage assessment of the project area.

No Aboriginal site has been previously recorded in the vicinity of the current study area.

No Aboriginal sites were recorded during the current study.

There are no areas of predicted Archaeological sensitivity within the study area.

It is recommended:

1. No further archaeological investigations are necessary for the Mundamia residential subdivision project.
2. The protocols for the unanticipated discovery of archaeological material and suspected human remains (presented in Appendix 3) be adopted and complied with during construction activities involving ground surface disturbance and excavation.

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TABLE OF CONTENTS

1. INTRODUCTION	4
1.1 PROJECT DESCRIPTION	4
1.2 STUDY AIMS.....	4
1.3 PROJECT FRAMEWORK.....	4
1.4 THIS REPORT.....	4
1.4.1 Outline.....	4
1.4.2 Copyright.....	4
1.4.3 Restricted Information.....	5
1.4.4 Confidentiality.....	5
2. STUDY METHODOLOGY.....	8
2.1 CONTRIBUTORS	8
2.2 LITERATURE AND DATABASE REVIEW	8
2.3 FIELD METHODOLOGY	8
2.4 RECORDING PARAMETERS.....	8
3. LANDSCAPE CONTEXT	10
4. ABORIGINAL CONSULTATION.....	11
5. ABORIGINAL ARCHAEOLOGICAL CONTEXT.....	12
5.1 ETHNOHISTORY.....	12
5.2 POST-EUROPEAN SETTLEMENT	12
5.3 REGIONAL OVERVIEW.....	13
5.4 THE NOWRA AREA	13
5.5 PREVIOUS ARCHAEOLOGICAL RESEARCH	14
5.6 AHIMS SEARCH RESULTS.....	15
5.7 PREDICTIVE MODEL.....	15
6. RESULTS.....	16
6.1 SUMMARY	16
6.2 SURVEY COVERAGE AND VISIBILITY VARIABLES	16
7. STATUTORY AND POLICY CONTEXT	17
NATIONAL PARKS AND WILDLIFE AMENDMENT BILL 2010	17
NSW HERITAGE ACT 1977 AND HERITAGE AMENDMENT ACTS 1998 & 2009	17
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979.....	18
8. CONCLUSIONS AND RECOMMENDATIONS	20
8.1 CONCLUSIONS	20
8.2 RECOMMENDATIONS.....	20
9. REFERENCES.....	21
APPENDIX 1 CONSULTATION REQUIREMENTS	23
APPENDIX 2 AHIMS REGISTER SEARCH RESULTS.....	37
APPENDIX 3 UNANTICIPATED DISCOVERY PROTOCOLS	39

Figures

Figure 1.1 Location of Lot 1 DP1021332, George Evans Road, Mundamia, NSW	6
Figure 1.2 Planned layout of Mundamia Subdivision (courtesy of SET Consultants).....	7
Figure 3.1 Vegetation within the Mundamia study area.....	10
Figure 3.2 Sandstone bedrock within study area	10



1. INTRODUCTION

1.1 Project Description

Shoalhaven City Council wishes to undertake a residential subdivision of Lot 1 DP1021332 and part Lot 458 DP1063107, George Evans Road, Mundamia (Figure 1.1). The site is located on the western side of Nowra's CBD and immediately north of the University of Wollongong (Shoalhaven Campus). The site is currently unoccupied and consists of a large area (9.495 ha) of severely disturbed land, primarily as the result of previous quarrying activities (soil and sandstone extraction).

This report documents the results of a cultural heritage assessment of the residential subdivision Lot 1 DP1021332 and part Lot 458 DP1063107, George Evans Road, Mundamia, and forms the indigenous heritage component of the Environmental Assessment Report. The report was commissioned by SET Consultants Pty Ltd.

1.2 Study Aims

The study is a cultural heritage assessment.

1.3 Project Framework

The proposed residential subdivision at Lot 1 DP1021332 and part Lot 458 DP1063107 will be assessed under *Part 3A of the EP&A Act*.

1.4 This Report

1.4.1 Outline

This report:

- Describes the proposed works (Section 1);
- Describes the methodology employed in the study (Section 2);
- Describes the environmental setting of the study area (Section 3);
- Provides information relevant to the Aboriginal cultural context of the study area (Section 4);
- Describes the results of the data review, field survey and Aboriginal consultation program conducted in the context of the assessment (Sections 5 and 6);
- Provides the statutory and policy context for the project (Section 7);
- Provides management recommendations based on the results of the investigation (Section 8).

1.4.2 Copyright

Copyright to this report rests with the Shoalhaven City Council except for the following:

- The Navin Officer Heritage Consultants logo and business name (copyright to this rests with Navin Officer Heritage Consultants Pty Ltd);
- Generic content and formatting which is not specific to this project or its results (copyright to this material rests with Navin Officer Heritage Consultants Pty Ltd);
- Descriptive text and data relating to Aboriginal objects which must, by law, be provided to OEH for its purposes and use;



- Information which, under Australian law, can be identified as belonging to Indigenous intellectual property;
- Content which was sourced from and remains part of the public domain

1.4.3 Restricted Information

Information in this report relating to the exact location of Aboriginal sites should not be published or promoted in the public domain.

No information provided by Aboriginal stakeholders in this report has been specifically identified as requiring access restrictions due to its cultural sensitivity.

1.4.4 Confidentiality

No information in this report has been classified as confidential.

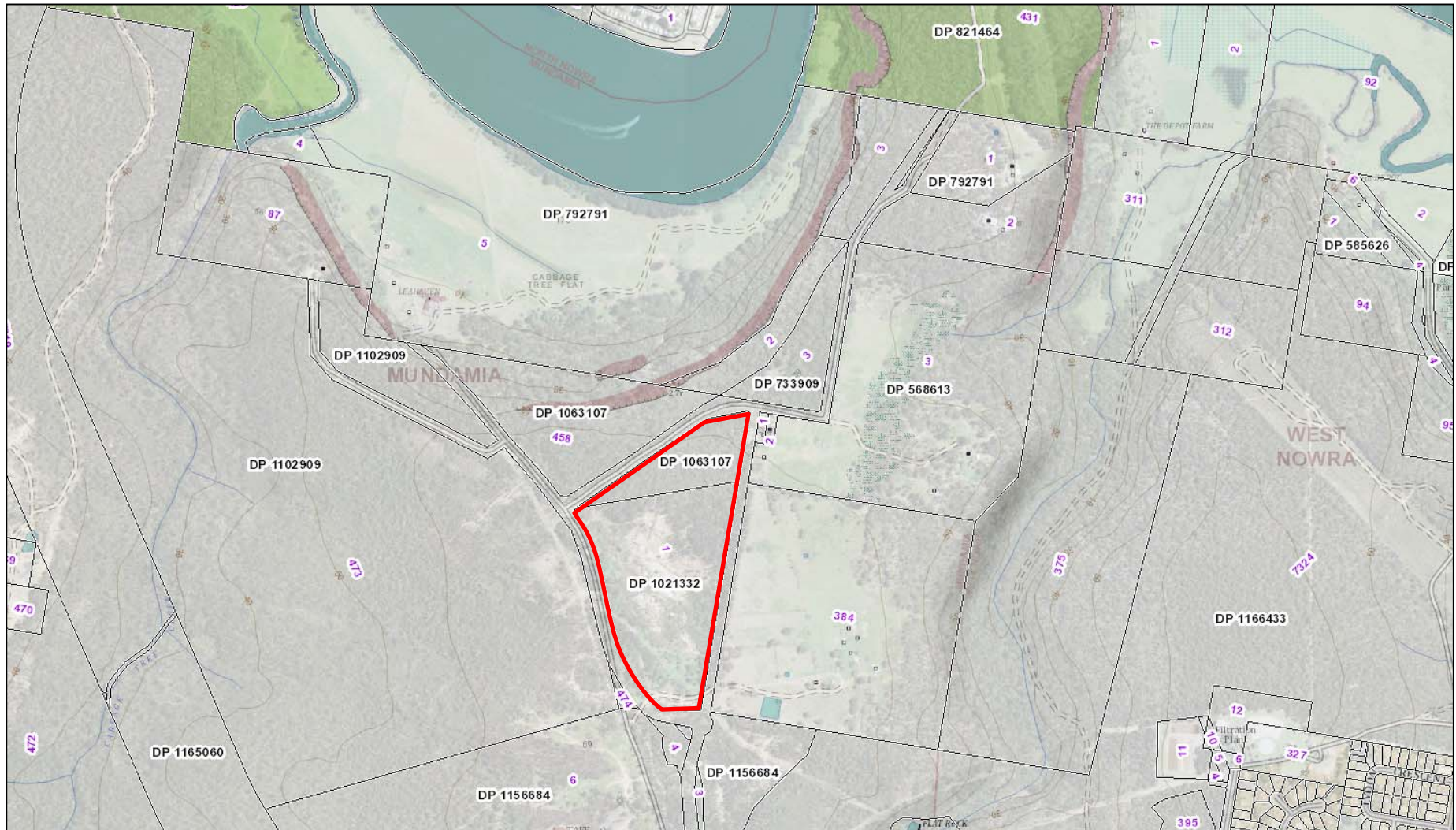


Figure 1.1 Location of Lot 1 DP1021332 and DP1063107, George Evans Road, Mundamia, NSW
(Basemap NSW Land and Property Information)

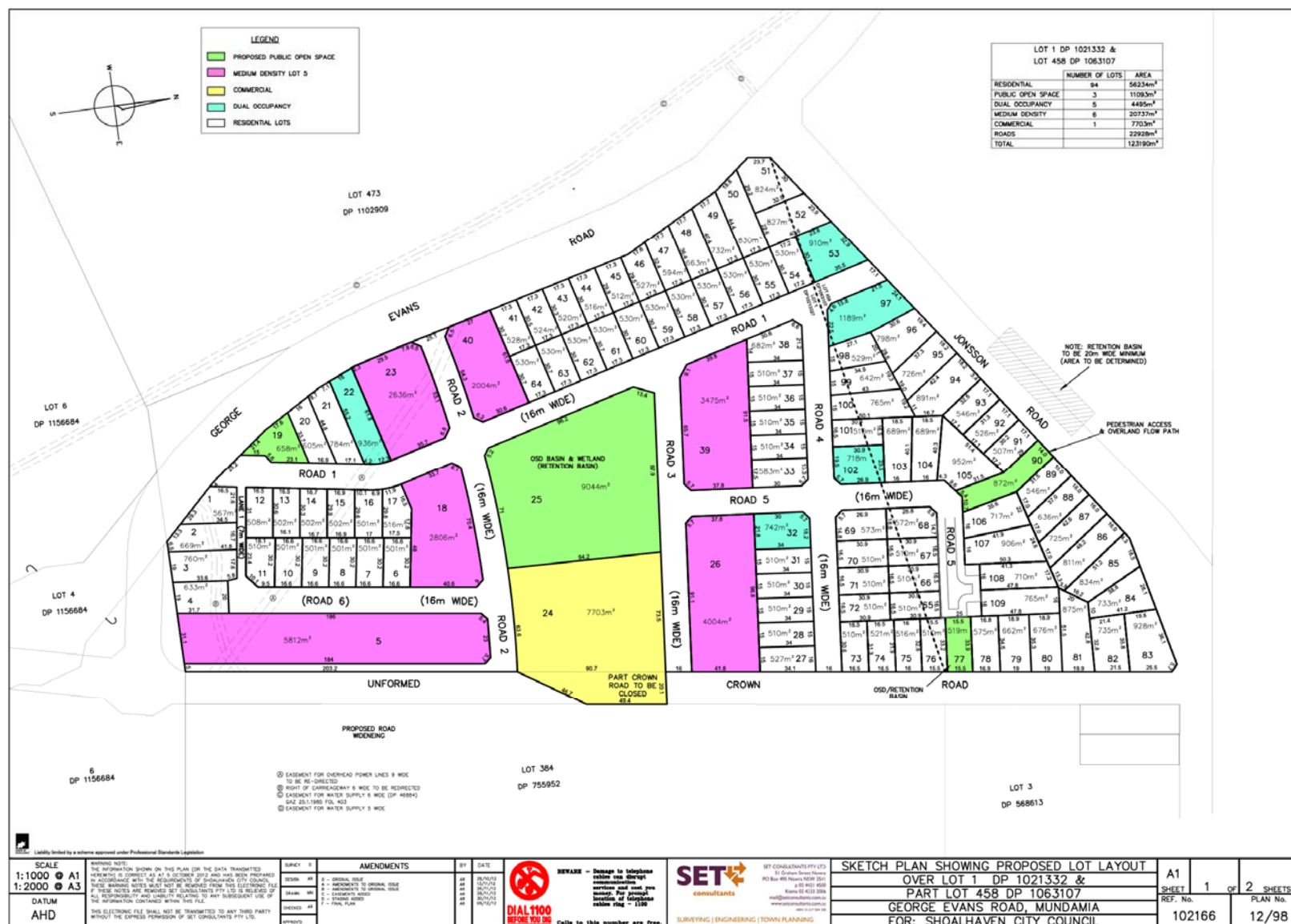


Figure 1.2 Planned layout of Mundamia Subdivision (courtesy of SET Consultants)



2. STUDY METHODOLOGY

2.1 Contributors

Archaeologists Adrian Cressey (BA Hons) and Tom Knight undertook the field survey for the project. This report was written by Julie Broszniowski and edited by Nicola Hayes

2.2 Literature and Database Review

A range of archaeological and historical data was reviewed for the Lot 1 DP1021332 and part Lot 458 DP1063107 study area and its surrounds. This literature and data review was used to determine if known Aboriginal sites were located within the area under investigation, to facilitate site prediction on the basis of known regional and local site patterns, and to place the area within an archaeological and heritage management context. The review of documentary sources included heritage registers and schedules, local histories, and archaeological reports.

Aboriginal literature sources included the Aboriginal Heritage Information Management System (AHIMS) maintained by the NSW Office of Environment and Heritage (OEH) and associated files and catalogue of archaeological reports

2.3 Field Methodology

The archaeological field survey was undertaken over one day in October 2012 by archaeologists Adrian Cressey and Tom Knight.

Field survey involved inspecting the areas of predicted disturbance were to occur where access could be gained on foot.

2.4 Recording Parameters

The archaeological survey aimed at identifying material evidence of Aboriginal occupation as revealed by surface artefacts and areas of archaeological potential unassociated with surface artefacts. Potential recordings fall into two broad categories: sites and potential archaeological deposits.

Sites

A site is defined as any material evidence of past Aboriginal activity that remains within a context or place which can be reliably related to that activity.

Most Aboriginal sites are identified by the presence of three main categories of artefacts: stone or shell artefacts situated on or in a sedimentary matrix, marks located on or in rock surfaces, and scars on trees.

Frequently encountered site types within southeastern Australia include stone artefact occurrences - including isolated finds and open artefact scatters, coastal and freshwater middens, rock shelter sites - including occupation deposit and/or rock art, grinding groove sites and scarred trees.

Stone Artefact Occurrences

Stone artefact occurrences are the most commonly recorded site type in Australia. They may consist of single artefacts - described as isolated finds; or as a distribution of more than one artefact - often described as an artefact scatter or 'open camp site' when recording surface artefacts, or as a subsurface artefact distribution when dealing with an archaeological deposit.



Where artefact incidence is very low, either in terms of areal distribution (artefacts per square metre) or density (artefacts per cubic metre), then the differentiation of the recording from background artefacts counts or *background scatter* may be an issue.

Isolated finds

An isolated find is a single stone artefact, not located within a rock shelter, and which occurs without any associated evidence of Aboriginal occupation within a radius of 60 metres. Isolated finds may be indicative of:

- Random loss or deliberate discard of a single artefact;
- The remnant of a now dispersed and disturbed artefact scatter; and
- An otherwise obscured or sub-surface artefact scatter.

Except in the case of the latter, isolated finds may be considered to be constituent components of the *background scatter* present within any particular landform.

The distance used to define an isolated artefact varies according to the survey objectives, the incidence of ground surface exposure, the extent of ground surface disturbance, and estimates of *background scatter* or *background discard* densities. In the absence of baseline information relating to background scatter densities, the defining distance for an isolated find must be based on methodological and visibility considerations. Given the varied incidence of ground surface exposure and deposit disturbance within the study area, and the lack of background baseline data, the specification of 60 metres is considered to be an effective parameter for surface survey methodologies. This distance provides a balance between detecting fine scale patterns of Aboriginal occupation and avoiding environmental biases caused by ground disturbance or high ground surface exposure rates. The 60 metre parameter has provided an effective separation of low density artefact occurrences in similar southeast Australian topographies outside of semi-arid landscapes.

Background scatter

Background scatter is a term used generally by archaeologists to refer to artefacts which cannot be usefully related to a place or focus of past activity (except for the net accumulation of single artefact losses).

There is no single concept for background discard or 'scatter', and therefore no agreed definition. The definitions in current use are based on the postulated nature of prehistoric activity, and often they are phrased in general terms and do not include quantitative criteria. Commonly agreed is that background discard occurs in the absence of 'focused' activity involving the production or discard of stone artefacts in a particular location. An example of unfocused activity is occasional isolated discard of artefacts during travel along a route or pathway. Examples of 'focused activity' are camping, knapping and heat-treating stone, cooking in a hearth, and processing food with stone tools. In practical terms, over a period of thousands of years an accumulation of 'unfocused' discard may result in an archaeological concentration that may be identified as a 'site'. Definitions of background discard comprising only qualitative criteria do not specify the numbers (numerical flux) or 'density' of artefacts required to discriminate site areas from background discard.

Artefact scatters

Artefacts situated within an open context are classed as an open artefact scatter (or 'open camp site') when two or more occur no more than 60 metres away from any other constituent artefact. The 60 metre specification relates back to the definition of an isolated find (*Refer above*). The use of the term *scatter* is intended only to be descriptive of the current archaeological evidence and does not infer the original human behaviour which formed the site. The term *open camp site* has been used extensively in the past to describe open artefact scatters. This was based on ethnographic modelling suggesting that most artefact occurrences resulted from activities at camp sites. However, in order to separate the description from the interpretation of field evidence, the terms *artefact scatter*, *artefact distribution* or *artefact occurrence* are now more extensively used. The latter two options can also be used to categorise artefacts occurring in sub-surface contexts.



3. LANDSCAPE CONTEXT

The study area is located on the eastern side of George Evans Road, west of Nowra's CBD and north of the University of Wollongong. The lot is irregular in shape and has a total area of 9.495 ha.

The site is currently unoccupied and consists of a large area of severely disturbed land, primarily as the result of previous quarrying activities (soil and sandstone extraction). The surrounding area comprises crown land, the University of Wollongong Shoalhaven campus, rural residential properties and unoccupied freehold rural properties.

The vegetation on the site includes dry sclerophyll woodlands and open-forests with healthy understoreys, shrublands, paperbark forests, and moist taller forests (Figure 3.1). Much of the area has been disturbed primarily by quarrying and clearing for agricultural and rural residential land uses. There is also evidence of selective logging and disturbance associated with utility easements. The main vegetation is Scribbly Gum - Bloodwood Woodland around the outer edges of the area previously affected by the quarrying operation and in the north western corner. The native vegetation regeneration in the disturbed area is limited and comprises a combination of exotic grass and sandstone outcrops.

The site lies at an altitude of approximately 40-60 m Australian Height Datum (AHD) and forms part of a sandstone plateau (Figure 3.2). The site is generally level to very gentle sloping land, however, there are some steeper down slopes (approximately 3° - 5°) located around the edge of the area previously affected by the quarrying operation. The land overall generally slopes in a north westerly direction. The closest water source is the Shoalhaven River, north of the study area.



Figure 3.1 Vegetation within the Mundamia study area

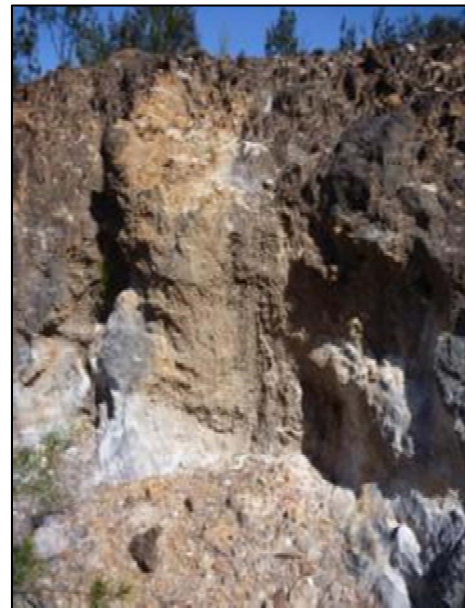


Figure 3.2 Sandstone bedrock within study area



4. ABORIGINAL CONSULTATION

The Director-General's Environmental Assessment Requirements (DGRs) for the Environmental Assessment (EA) of the project application states that the current assessment must address the consultation requirements outlined in the *Interim Community Consultation Requirements for Applicants (DEC 2005)*.

Stage 1 of the consultation requirements commenced 2 April 2013. Letters were sent out to the following groups requesting an expression of interest for the proposed Mundamia subdivision (attachment 1):

- Nowra Local Aboriginal Land Council;
- Office of the Registrar;
- National Native Title Tribunal;
- Shoalhaven City Council; and
- Office of Environment and Heritage.

Closing date for expressions of interest is 16 April 2013.

An advertisement was placed in the Public Notices section of the South Coast Register on 10 April 2013. Closing date for expressions of interest was 24 April 2013.

Following advice received from OEH, letters were sent to:

- Nowra Local Aboriginal Land Council;
- Walbunja Aboriginal Corporation;
- Yuin Traditional Owner Mr Mongta;
- South East Coast Gado Elders Aboriginal Corporation;
- Jerrinja Consultants Pty Ltd;
- Jerrinja Local Aboriginal Land Council; and
- Shoalhaven Elders and Friends Organisation.

The closing date for expressions of interest was 7 May 2013.



5. ABORIGINAL ARCHAEOLOGICAL CONTEXT

5.1 Ethnohistory

According to Tindale's compilation of tribal boundary data, Nowra is located on the boundary between two tribes, the Wandandian to the south and the Wodi Wodi to the north (Tindale 1974). This boundary also marks a language difference, with the Wodi Wodi speaking Dharawal and the Wandandian speaking Dhurga. Both the Dharawal and Dhurga languages form part of the Yuin linguistic group which extends southward from Sydney to almost the Victorian border (Schmidt 1919).

Based on the accuracy of surviving records, it is impossible to be precise about the placement and nature of linguistic boundaries.

Contrary to Tindale's river boundary, ethnographers have tended to describe the Aborigines and linguistics of the lower Shoalhaven in terms of one district and one dialect (Capell 1963:S36; Dixon in Eades 1976:4). It seems more probable that the tribal boundary on the coastal plain was further south and concomitant with linguistic evidence, adjacent to Jervis Bay.

A boundary in this region would roughly be equivalent with the Shoalhaven-Jervis Bay watershed (Officer 1991).

Ethnographic and historical references recognised a single cultural character in the lower Shoalhaven district. There is no mention of differences amongst the 'Shoalhaven Aborigines' according to which bank of the river they came from. Howitt refers to the language of the Shoalhaven area as Gurungada (Howitt: 1883, 1904). In all references, the Shoalhaven tribes are apparently treated collectively.

In a compilation of more recent oral traditions amongst the South Coast Koori, J.E. Mathews records that there is now no recollection of 'Wandandian' as a tribal name. Locations for different local 'tribes' are remembered as: the Coolangatta, the south bank of the Shoalhaven River, Huskisson (Bilong), Wreck Bay, and St Georges Basin (Mathews c1960). These appear to parallel the locations of the later, post-European contact Aboriginal camps that formed following the European incursion into Wandandian land.

5.2 Post-European Settlement

Aboriginal people of the region were first brought into contact with European settlers in 1791 when the crew of a longboat from the wrecked *Sydney Cove* walked overland from their landing near Cape Howe (Jack 1998:8). The first official visit to the region was paid by a landing party from the *Lady Nelson* in 1801, though farming and timber getting were not pursued for another few decades, and settlement of the area did not commence until the 1830s (Bayley 1983: 30).

Aboriginal camps were severely affected as the Shoalhaven region was settled by European selectors during the 1830s. Some were recruited by the Europeans to assist with exploration and find appropriate land for settlement. By the middle of the 19th century many of the local Aboriginal families found employment on the growing European estates, while some became employed with local sawmills or as general hands and domestic servants (Jack 1998: 9). As the European townships and surrounding estates continued to grow the local Aboriginal families were increasingly removed from their traditional lands and lifestyle.

Four Aboriginal reserves were established in the region during the two decades proceeding the turn of the twentieth century. The first was at Wreck Bay in 1881, followed by another at Kangaroo Valley in 1890, the third at Seven Mile Reserve, near Nowra, in 1899, and finally at Roseby Park south of the Crookhaven estuary in 1901. The establishment of these reserves, and the missionary settlement at Bomaderry to the north saw the disintegration of the traditional way of life for the region's Aboriginal people (Jack 1998: 10).



5.3 Regional Overview

The south coast of New South Wales has been the subject of extensive archaeological research over the last thirty years, much of it concentrated along the coastline and estuaries. This includes excavations of Aboriginal sites, mainly shell middens and rock shelters, and detailed and systematic regional surveys.

The majority of archaeological sites located in this region date to within the last 6,000 years, when the sea levels stabilised to approximately the present level (the Holocene Stillstand). Sites older than 6,000 are rare, as most of them would have been submerged by elevated sea levels. Two coastal sites, Bass Point and Burrill Lake, provide evidence for Pleistocene Aboriginal occupation dating to 17,000 and 20,000 BP (Before Present) respectively. Prior to the rise in sea levels these sites would have been located some 14 km inland.

The Nowra/Jervis Bay area has been the subject of numerous systematic archaeological surveys, the majority of which have been carried out on a commercial contract basis. Fewer studies have been conducted within an academic research framework. Hundreds of Aboriginal archaeological sites have been located in the region and archaeological research has determined that Aboriginal occupation of the region extends back at least 3000 years (Barz 1977; Collier 1975; Lampert 1971; Paton & MacFarlane 1989). However this association may well be much longer, as Pleistocene sites may yet be located in the area.

Most of the recorded sites in the Nowra/Jervis Bay region are the result of exploitation of the marine and nearshore environments. The hinterland areas still remain comparatively unsurveyed and the distribution of archaeological sites in these areas is still not fully understood. The picture of Aboriginal utilisation and occupation of the south coast hinterland areas is constantly being revised and refined as archaeological methods improve and more archaeological data becomes available for the area.

5.4 The Nowra Area

Archaeological investigations in the area include test excavation and analysis (Lampert 1971a, Steele 1987), academic research (Bindon 1976, Corkill 1986, Officer 1991), and consulting projects undertaken as a result of proposed developments or exposed sites (eg. Attenbrow 1981; Colley 1988; Donlan 1991; Navin 1991; Paton 1992; Williams and Barber 1993, 1995a, 1995b; Kuskie, Navin and Officer 1995; Officer 1999; Navin Officer Heritage Consultants 2005a and 2005b, 2006, 2007, Hardy 2005).

In the late 1960's R.J. Lampert excavated several test pits in a sandstone rockshelter situated on Bomaderry Creek, within one kilometre of the Shoalhaven River, in order to ascertain the type of resources utilised in the Nowra region (Lampert 1971a). The excavation and analysis remains exploratory, however Lampert concluded that the deposit was rich in the remains of land mammals and flaked stone. There were no fish remains and only a few estuarine shells. The site appeared to represent a solely inland type, with the occupants concentrating on terrestrial forest resources.

Bindon (1976) recorded seven rock art sites in the Nowra region in the mid 1970's. In 1989, Officer relocated and recorded in detail nine of the twelve known art sites in the Nowra region, as part of research into the rock art of southeastern NSW (Officer 1991). Several of these art sites are located along the Shoalhaven River.

No Aboriginal sites were located in the survey of a water pipeline from Burrier Road across the Shoalhaven River, to approximately one kilometre north of the river. This surveyed easement is located approximately one kilometre east of the Eastern Gas Pipeline Revision 5.1 route (Attenbrow 1981).

The Shoalhaven deltaic deposits and Holocene embayment were included in a predictive model for archaeological sites by Corkill (1986). Limited survey work provided tentative confirmation that sites would be located on remnant landscape features associated with Holocene embayment infill.

The remains of an Aboriginal burial, site 52-5-0258, located in the bank of the Shoalhaven River, upstream of Nowra, were inspected by Donlan in 1991 (Donlan 1991).



Navin (1991a) surveyed the North Nowra-Bomaderry Creek link road and three bridge alignments, locating two shelters with cultural deposits on the southern bank of Bomaderry Creek. Mussel shell and chert flakes and blades were observed in the shelters.

Paton (1992) located five artefact scatters (OFC1-5) and three isolated artefacts during the survey of a Telecom optical fibre cable route from Nowra to the ACT. The cable route parallels the Nerriga Road from Nulla Nulla Hill east to HMAS Albatross, with some deviations near Boolijah Creek, the Endrick River and Nerriga. There is no data provided in the report to indicate areas surveyed or percentage of easement surveyed, however Paton notes that all of the sites and isolated artefacts were found along ridgelines and creeks (1992:19). Paton also reports that his survey results are comparable with the results of Boot's (1993) survey along the Nerriga Road.

In 1995 Williams and Barber carried out limited subsurface testing in the proposed easement of an Optus Communications fibre optic cable in two areas adjacent to Tapitallee Creek, near Nowra. One low density site was located north of the creek (site TCN - two artefacts) and one south of the creek (site TCS - seven artefacts), on small elevated areas on alluvial terraces (Williams and Barber 1995:9).

Kuskie, Navin and Officer (1995) conducted an archaeological survey of the Eastern Gas Pipeline (EGP) route from Longford in Victoria to Wilton NSW in 1995.

Following a change in the EGP route to the extant easement, additional surveys by others were undertaken (no report available). Two sites were recorded within or in relative proximity to the new EGP alignment just north and south of its crossing of Yalwal Road.

Officer (1999) completed a review of sites for the upgrade of the Nerriga to Nowra via Sassafras Road corridor. Nine identified Aboriginal heritage places were found to be directly impacted, either wholly or partially, along the proposed upgraded road alignment. These consisted of, six isolated finds, two artefact scatters and one reported grinding groove site.

In December 2000, Navin Officer Heritage Consultants (2000) conducted a survey of a section of Main Road 92 between RANAS Albatross and Hames Road, south of Nowra. A possible scarred tree (YVR1) was located during the survey.

Navin Officer Heritage Consultants (2005a and 2005b) conducted a survey of a 6.5 km section of the Princes Highway from Warra Warra Road to Jervis Bay Road. An isolated artefact (site 52-5-0285) and area of archaeological potential (PC PAD 1) were identified during the survey.

Navin Officer Heritage Consultants (2006) undertook an Aboriginal archaeological assessment of the proposed Bamarang Gas Power Station development. The project included a transmission line easement extending to the north of the power station site and a proposed gas pipeline easement connecting to the existing Eastern Gas Pipeline. Two Aboriginal sites and one possible historic Aboriginal/European site were identified during the field survey. These comprise an artefact scatter with associated potential archaeological deposit (BG1), an isolated artefact (BG2), and a tree with a series of foot-hold scars of possible historic Aboriginal origin (BG3). Excluding the identified sites and the associated potential archaeological deposit, the archaeological sensitivity of the remainder of the study area was considered to be low.

5.5 Previous Archaeological Research

South East Archaeology Pty Ltd undertook (2008) a Preliminary Heritage Assessment for the Mundamia investigation area in 2008.

No significant sites were identified, furthermore, South East Archaeology Pty Ltd concluded that the areas of the site in which the A unit soil has been totally removed (area previously quarried), has negligible potential for any Aboriginal heritage evidence to survive.



5.6 AHIMS Search Results

No Aboriginal recordings are listed on the OEH AHIMS for the area around Lot 1 DP1021332 and part Lot 458 DP1063107 George Evans Road Mundamia study area.

A copy of the AHIMS search is provided in Appendix 2.

5.7 Predictive Model

The absence of significant sites during the 2008 Preliminary Heritage Assessment by South East Archaeology Pty Ltd and the absence of records in the OEH AHIMS for the area around Lot 1 DP1021332 and part Lot 458 DP1063107 George Evans Road Mundamia suggest a low possibility of finding Aboriginal sites in the study area.



6. RESULTS

6.1 Summary

- No Aboriginal sites have been previously recorded in the area and in the vicinity of the area.
- No Aboriginal sites were recorded during the current study.
- There are no areas of predicted archaeological sensitivity within the study area.

6.2 Survey Coverage and Visibility Variables

The effectiveness of archaeological field survey is to a large degree related to the obtrusiveness of the sites being looked for and the incidence and quality of ground surface visibility. Visibility variables were estimated for all areas of comprehensive survey within the study area. These estimates provide a measure with which to gauge the effectiveness of the survey and level of sampling conducted. They can also be used to gauge the number and type of sites that may not have been detected by the survey.

Ground surface visibility is a measure of the bare ground visible to the archaeologist during the survey. There are two main variables used to assess ground surface visibility, the frequency of exposure encountered by the surveyor and the quality of visibility within those exposures. The predominant factors affecting the quality of ground surface visibility within an exposure are the extent of vegetation and ground litter, the depth and origin of exposure, the extent of recent sedimentary deposition, and the level of visual interference from surface gravels. Two variables of ground surface visibility were estimated during the survey:

- A percentage estimate of the total area of ground inspected which contained useable exposures of bare ground; and
- A percentage estimate of the average levels of ground surface visibility within those exposures. This is a net estimate and accounts for all impacting visual and physical variables including the archaeological potential of the sediment or rock exposed.

The obtrusiveness of different site types is also an important factor in assessing the impact of visibility levels. For example artefacts made from locally occurring rock such as quartz may be more difficult to detect under usual field survey conditions than rock types that are foreign to the area. The impact of natural gravels on artefact detection was taken into account in the visibility variables estimates outlined above.

Visibility was low over the study area because of the highly disturbed nature of the site by quarrying and clearing for agricultural and rural residential land uses.



7. STATUTORY AND POLICY CONTEXT¹

National Parks and Wildlife Amendment Bill 2010

The National Parks and Wildlife Amendment Bill 2010 (also known as the Omnibus Bill), was implemented on 1 October 2010 to amend the *National Parks and Wildlife Act 1974* (NPW Act). Existing offences relating to Aboriginal objects and places were replaced with new offences, including a strict liability offence, along with offence exemptions and defences.

Part 6 of the NPW Act provides specific protection for Aboriginal objects and declared Aboriginal places by establishing offences of harm. Harm is defined to mean destroying, defacing, damaging or moving an object from the land. There are a number of defences and exemptions to the offence of harming an Aboriginal object or place. One of the defences is that the harm was carried out under an Aboriginal Heritage Impact Permit (AHIP).

In practice, archaeologists use a methodology that groups 'Aboriginal objects' into various site classifications according to the nature, occurrence and exposure of archaeological material evidence. The archaeological definition of a site may vary according to survey objectives; however a site is not recognised or defined as a legal entity in the Act.

It should be noted that even single and isolated artefacts are protected as Aboriginal objects under the Act.

In 2010 the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* was adopted by clause 3A of the National Parks and Wildlife Regulation 2009 (NPW Regulation). The code allows for the subsurface test excavation of Aboriginal objects without the need for an AHIP. The code establishes the requirements for undertaking test excavation without an AHIP and establishes the requirements that must be followed when carrying out archaeological investigation in NSW where an application for an AHIP is likely to be made.

Additional amendments that commenced on 1 October 2010 include the introduction of new processes for Aboriginal Heritage Impact Permit (AHIP) applications, consultation guidelines to support the Aboriginal Heritage Impact Permits (AHIP) application process, and mechanical provisions such as the transfer and variations of conditions of AHIPs.

NSW Heritage Act 1977 and Heritage Amendment Acts 1998 & 2009

The purpose of these Acts is to ensure that the heritage of New South Wales is adequately identified and conserved. In practice the Acts have focused on items and places of non-indigenous heritage to avoid overlap with the NP&W Act, which has primary responsibilities for nature conservation and the protection of Aboriginal relics and places in NSW.

The *Heritage Amendment Act 1998* came into effect in April 1999. The Act instigated changes to the NSW heritage system, which were the result of a substantial review begun in 1992. A central feature of the amendments was the clarification and strengthening of shared responsibility for heritage management between local government authorities, responsible for items of local significance, and the NSW Heritage Council. The Council retained its consent powers for alterations to heritage items of State significance.

The *Heritage Amendment Act 2009* came into effect in October 2009. The Act includes greater fairness and rigour in the heritage listing process while retaining key elements of the current system, including local and State listings, and the Heritage Council.

¹ The following information is provided as a guide only. Readers are advised to seek qualified legal advice relative to legislative matters.



One of the changes to the former Heritage Act has been the move from the arbitrary 50 year age-based definition for archaeology, to one based on significance where relics have to demonstrate local or State significance.

Under the *Heritage Act 1977* a 'relic' had been defined as any deposit which related to the European settlement of NSW and was 50 years old or more. This broad definition captured too many items – many of which would not generally be considered part of the State's archaeological heritage. This approach brings archaeological heritage management more consistently within the management of other heritage items, which is based on an assessment of significance. The previous definition of archaeological relic encompassed a significant number of items over 50 years of age that had no heritage value.

The Heritage Act is concerned with all aspects of conservation ranging from the most basic protection against damage and demolition, to restoration and enhancement. It recognises two levels of heritage significance – State and Local significance across a broad range of values.

Some key provisions of the Act are:

- The establishment and functions of the Heritage Council (Part 2);
- Interim heritage orders (Part 3), the State Heritage Register (Part 3A);
- Heritage Agreements (Part 3B);
- Environmental planning instruments (Part 5);
- The protection of archaeological deposits and relics (Part 6); and
- The establishment of Heritage and Conservation Registers for state government owned and managed items (Part 7).

Generally this Act provides protection to items that have been identified, assessed and listed on various registers including State government section 170 registers, local government Local Environmental Plans and the State Heritage Register. The Interim Heritage Order provisions allow the minister or his delegates (local government may have delegated authority) to provide emergency protection to threatened places which have not been previously identified.

In addition, the Act includes provisions which relate to the definition and protection of relics.

Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) and its regulations, schedules and associated guidelines require that environmental impacts are considered in land use planning and decision making. Environmental impacts include cultural heritage assessment. The Act was reformed by the *Environmental Planning and Assessment Amendment (Infrastructure and other Planning Reform) Act 2005*.

The Part 5 assessment system was created as part of the EP&A Act. The purpose of the Part 5 system is to ensure public authorities fully consider environmental issues before they undertake or approve activities that don't require development consent. As such, it has commonly been used to assess activities such as roads, railways, dredging and forestry works which don't require consent. If these activities are judged by the relevant public authority to significantly affect the environment, then an environmental impact statement will need to be prepared and considered by this authority.

Changes to the EP&A Act which commenced on 1 October 2011 means that some activities under the Part 5 assessment system will be determined by the Minister for Planning and Infrastructure, following an assessment by the Department.



Part 3A of the EP&A Act

Part 3A of the Act was an amendment which established a separate streamlined and integrated development assessment and approvals regime for major State government infrastructure projects, development that was previously classified as State Significant development, and other projects, plans or programs declared by the Minister for Planning.

Part 3A (Section 75U) removed the stop-the-clock provisions and the need for single-issue approvals under eight other Acts, including the *National Parks and Wildlife Act* 1974 and the *Heritage Act* 1977. Environmental planning instruments such as the heritage provisions within REP and LEPs, (other than State environmental planning policies) do not apply to projects approved under Part 3A (Section 75R, paragraph 3).

New South Wales' Parliament passed a Bill in June 2011 that repealed Part 3A of the Environmental Planning and Assessment Act 1979 and replaced it with an alternative system for assessing projects of state significance.

Transitional arrangements were announced which covered projects which were lodged under Part 3A. (These transitional arrangements are found in the *State Environmental Planning Policy (Major Development) Amendment 2011* (Major Development SEPP), published on 13 May 2011).

Project applications for residential, commercial or retail projects and coastal subdivision development for which Director General's environmental assessment requirements (DGRs) had been issued on or before 8 April 2011, remained as Part 3A applications, unless the DGRs were issued more than two years before 8 April 2011 and the proponent had not lodged an environmental assessment by 8 April 2011. The Project remains a project to which Part 3A applies.



8. CONCLUSIONS AND RECOMMENDATIONS

8.1 Conclusions

This report describes a cultural heritage assessment for the Mundamia residential subdivision at Lot 1 DP1021332 and part Lot 458 DP1063107.

No new Aboriginal sites or area of predicted Archaeological sensitivity were identified in the study area during the survey.

8.2 Recommendations

It is recommended that:

1. No further archaeological investigations are necessary for the Mundamia residential subdivision project.
2. The protocols for the unanticipated discovery of archaeological material and suspected human remains (presented in Appendix 3) be adopted and complied with during construction activities involving ground surface disturbance and excavation.



9. REFERENCES

- Attenbrow, V. 1981 Northern Shoalhaven Water Supply Water Trunk Mains and Reservoir Sites. Report to Shoalhaven City Council.
- Barber, M. and D. Williams 1993 Optus Sydney Melbourne Fibre Optic Cable Archaeological Survey.
- Barz, R. K. B. 1977 Some Theoretical and Practical Aspects of Midden Sampling as Applied to a Site at St Georges Basin, ACT. Unpublished BA (Hons) thesis, Australian National University.
- Bayley, W. A. 1983 Shoalhaven History of the Shire of Shoalhaven. South Coast Printers , port Kembla, NSW.
- Bindon, P. 1976 *The Devil's Hands. A survey of the painted shelters of the Shoalhaven River Basin.* Unpublished B.A. Hons thesis, Dept. of Prehistory and Anthropology, Australian National University, Canberra.
- Capell, A. 1963 *Linguistic Survey of Australia.* Prepared for the Australian Institute of Aboriginal Studies, Canberra.
- Colley, S. 1988 An Archaeological Survey along the Proposed Route of a 33kV Transmission Line at Nowra, NSW. Report to Illawarra Electricity.
- Collier, M. 1975 Cemetery Point: analysis and economic interpretation of a midden. Unpublished B.A. (Hons) thesis, Australian National University.
- Corkill, T. 1986 Gaining Ground: A predictive model for Holocene infill areas on the south coast of New South Wales. B.A. (Hons) thesis, Dept. Anthropology, University of Sydney.
- Donlan, D. 1991 The Shoalhaven River Skull: Report on study of Aboriginal skull found along the banks of the Shoalhaven River, NSW. Report to NSW NPWS.
- Eades, D. K. 1976 The Dharrawal and Dhurga Languages of the New South Wales Coast. *Australian Aboriginal Studies, Research and Regional Studies no.8*, Australian Institute of Aboriginal Studies, Canberra.
- Hardy, V. 2005 Proposed Gas Turbine Power Station at Bamarang, Nowra NSW. Indigenous & Non-Indigenous Archaeological & Heritage Assessment. Report by Cultural Heritage Connections Pty Ltd to Parsons Brinckerhoff.
- Howitt, A.W. 1883 On Some Australian Beliefs. *Journal Anthropological Institute* 13:185-198.
- Howitt, A.W. 1904 *The Native Tribes of South-East Australia.* Macmillan & Co. London.
- Kuskie, P., K. Navin & K. Officer 1995 An Aboriginal Archaeological and Anthropological Assessment of the Proposed Eastern Gas Pipeline Between Longford, Victoria and Wilton, New South Wales. Report to the Eastern Gas Pipeline Project.
- Kuskie, P.J. 2008 *Mundamia Investigation Area, West Nowra: Aboriginal Heritage Assessment.* Report to Malbec Properties Pty Limited.
- Lampert, R. 1971 Burrill Lake and Currarong. Coastal Sites in Southern NSW. *Archaeology and Physical Anthropology in Oceania* 9: 226-235.
- Mathews, J.E. c1960 Unpublished Manuscript: pMs 85, Australian Institute of Aboriginal Studies, Canberra



- Navin, K. 1991 Archaeological Investigation of Proposed Currumbene Creek Crossing and Associated Road Routes from Woollamia to Callala Beach, Jervis Bay, NSW. Report to Mitchell McCotter & Associates Pty Ltd.
- Navin Officer Heritage Consultants 2000 Proposed Upgrading of Main Road 92 between RANAS Albatross and Hames Road, South Nowra, NSW. Report to Maunsell McIntyre Pty Ltd.
- Navin Officer Heritage Consultants 2005a Princess Highway Improvements, Warra Warra Road to Jervis Bay Road South of Nowra, NSW; Aboriginal Cultural Heritage Assessment. Report to RTA Environmental Technology.
- Navin Officer Heritage Consultants 2005b Princess Highway Improvements, Warra Warra Road to Jervis Bay Road South of Nowra, NSW; Aboriginal Cultural Heritage Assessment. Addendum Report to RTA Environmental Technology.
- Navin Officer Heritage Consultants 2006 Gas Power Facility and Associated Infrastructure at Bamarang, Nowra NSW, Environmental Assessment Aboriginal Cultural Heritage Report to GHD.
- Navin Officer Heritage Consultants 2007 South Coast Correctional Centre, Nowra - Cultural Heritage Assessment. Report to BBC Consulting Planners for the Department of Commerce
- Officer, K. 1991 South East Region Rock Art Conservation Project. Volumes 1 and 2. Report to the NSW NPWS.
- Officer, K. 1999 Proposed Upgrading of the Nowra to Nerriga Road Review of Potential Cultural Heritage Impacts. Report to Maunsell Pty Ltd.
- Paton, R. & I. MacFarlane 1989 An Excavation of Abraham's Bosom Rock Shelter 1 near Currarong, Jervis Bay, NSW. Report to NSW NPWS and the NSW Dept. of Lands.
- Paton, R. 1992 An Archaeological Investigation of Telecom's NSW South Coast to ACT Optical Fibre Cable Route. Report to Dames & Moore Pty Ltd.
- Schmidt, W. 1919 *Die Gliederung der Australischen sprachen...* Mechitharisten-Buch, Wein.
- Steele, D. 1987 *Intra-site Refuse Disposal and Australian Rock Shelters*. Unpublished BA Honours Thesis, University of Sydney.
- Tindale, N. B. 1974 *Aboriginal Tribes of Australia*. Australian National University Press, Canberra.

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APPENDIX 1

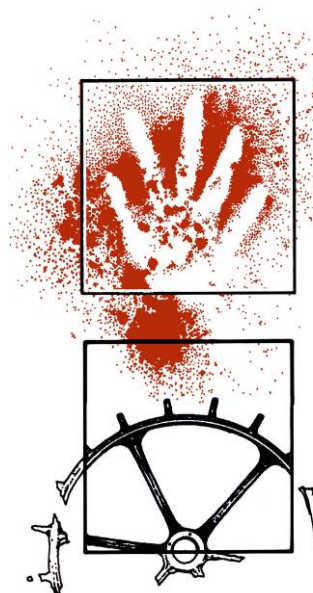
CONSULTATION REQUIREMENTS



2 April 2013

General Manager
Shoalhaven City Council
PO BOX 42
Nowra NSW 2541

raft



**Navin
Officer**
*heritage
consultants
pty ltd*
abn: 28 092 901 605

Dear Sir/Madam,

Re: Mundamia Subdivision, Nowra, NSW

Navin Officer Heritage Consultants Pty Ltd has been commissioned by Set Consultants to prepare a *Due Diligence* assessment for the proposed Mundamia subdivision. The assessment will include Aboriginal cultural heritage values.

As required by the Department of Environment and Conservation's *Interim Guidelines for Aboriginal Community Consultation* (2005) I am writing to inform you of this proposal and to invite your registration as an interested group.

This is a part 3a project and as such consultation is required in fulfilment of the Director General's Requirements (DGRs).

The closing date for this registration of interest is Tuesday 16th April 2013.

Please respond in writing to:

The Secretary
Navin Officer Heritage Consultants Pty Ltd
4/71 Leichhardt Street
KINGSTON ACT 2604

or by fax to; (02) 6282 9415

We look forward to working with the City Council on this project.

Yours faithfully,

D Lewis Cook

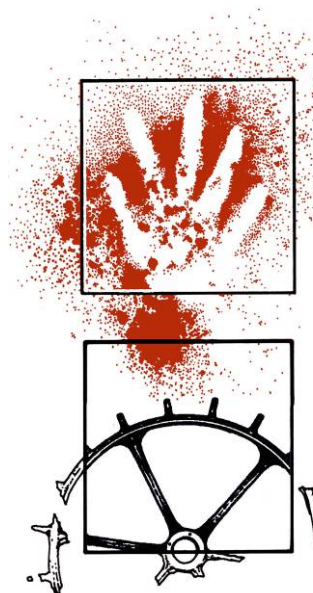
(Ms) Deirdre Lewis-Cook



2 April 2013

The Registrar
Office of the Registrar
Aboriginal Land Rights Act 1983 (NSW)
Minumurra House
13 Mansfield Street
GLEBE NSW 2037

raft



**Navin
Officer**
*heritage
consultants
pty ltd*
abn: 28 092 901 605

Dear Sir/Madam,

Re: Mundamia Subdivision, Nowra, NSW

Navin Officer Heritage Consultants Pty Ltd has been commissioned by Set Consultants to prepare a *Due Diligence* assessment for the proposed Mundamia subdivision. The assessment will include Aboriginal cultural heritage values.

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Please respond in writing to:

The Secretary
Navin Officer Heritage Consultants Pty Ltd
4/71 Leichhardt Street
KINGSTON ACT 2604

or by fax to; (02) 6282 9415

We look forward to working with the Office of the Registrar on this project.

Yours faithfully,

D Lewis Cook

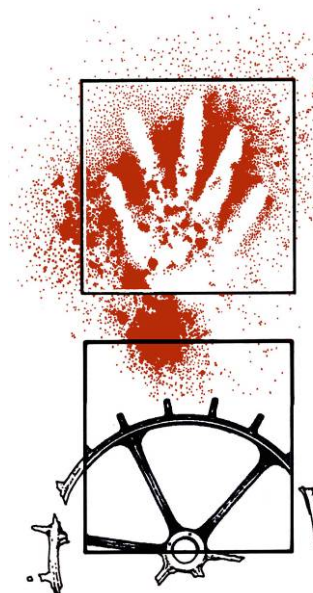
(Ms) Deirdre Lewis-Cook



2 April 2013

The Secretary
National Native Title Tribunal
PO BOX 9973
Sydney NSW 2001

raft



**Navin
Officer**
*heritage
consultants
pty ltd*
abn: 28 092 901 605

Dear Sir/Madam,

Re: Mundamia Subdivision, Nowra, NSW

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Please respond in writing to:

The Secretary
Navin Officer Heritage Consultants Pty Ltd
4/71 Leichhardt Street
KINGSTON ACT 2604

or by fax to; (02) 6282 9415

We look forward to working with NNTT on this project.

Yours faithfully,

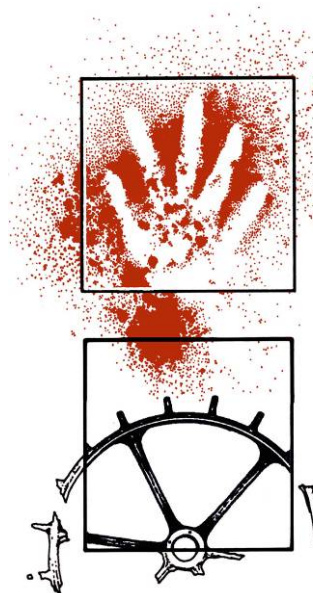
D Lewis Cook

(Ms) Deirdre Lewis-Cook



2 April 2013

The Secretary
Nowra Local Aboriginal Land Council
59 Belinda Street
Bomaderry NSW 2541



**Navin
Officer**
*heritage
consultants
pty ltd*
abn: 28 092 901 605

Dear Sir/Madam,

Re: Mundamia Subdivision, Nowra, NSW

Navin Officer Heritage Consultants Pty Ltd has been commissioned by Set Consultants to prepare a *Due Diligence* assessment for the proposed Mundamia subdivision. The assessment will include Aboriginal cultural heritage values.

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The closing date for this registration of interest is Tuesday 16th April 2013.

Please respond in writing to:

The Secretary
Navin Officer Heritage Consultants Pty Ltd
4/71 Leichhardt Street
KINGSTON ACT 2604

or by fax to; (02) 6282 9415

We look forward to working with the Land Council on this project.

Yours faithfully,

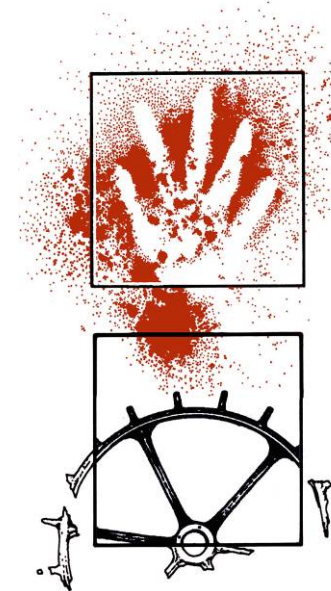
D Lewis Cook

(Ms) Deirdre Lewis-Cook



2 April 2013

The Secretary
Office of Environment and Heritage
PO BOX A290
Sydney South NSW 1232



raft

**Navin
Officer**

*heritage
consultants
pty ltd*

abn: 28 092 901 605

Dear Sir/Madam,

Re: Mundamia Subdivision, Nowra, NSW

Navin Officer Heritage Consultants Pty Ltd has been commissioned by Set Consultants to prepare a *Due Diligence* assessment for the proposed Mundamia subdivision. The assessment will include Aboriginal cultural heritage values.

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Please respond in writing to:

The Secretary
Navin Officer Heritage Consultants Pty Ltd
4/71 Leichhardt Street
KINGSTON ACT 2604

or by fax to; (02) 6282 9415

We look forward to working with OEH on this project.

Yours faithfully,

D Lewis Cook

(Ms) Deirdre Lewis-Cook



Wednesday April 10, 2013

[Classifieds](#) | [Notices](#)

classifieds

[ACCOMMODATION WANTED / VACANT](#) | [ANNOUNCEMENTS](#) | [AUTO](#) | [BUY, SELL AND EXCHANGE](#) | [GENERAL SERVICES](#) | [JOBS](#) | [MISCELLANEOUS](#) | [PROPERTY](#) | [PUBLIC NOTICES AND BUSINESS OPPORTUNITIES](#)

Results - Displaying Classifieds 1 to 20 of 23

ABORIGINAL HERITAGE ASSESSMENT

Navin Officer Heritage Consultants Pty Ltd has been commissioned by Set Consultants to prepare a Due Diligence assessment in order to fulfil the Director General Requirements (DGRs) for the proposed Mundamia Subdivision project.

We are implementing the NSW Office of Environment and Heritage 2005 Interim Community Consultation Requirements for Applicants for this project. We invite Aboriginal people who hold cultural knowledge relevant to determining the cultural significance of objects and places in the Mundamia area, NSW, to register an interest in a process of community consultation.

Please forward expressions of interest to:

The Secretary
Navin Officer Heritage Consultants Pty Ltd
4/71 Leichhardt Street
Kingston ACT 2604

or

DLewis-Cook@nohc.com.au

The closing date for this registration of interest is 24 April 2013.

PUBLIC NOTICES AND BUSINESS OPPORTUNITIES : PUBLIC NOTICES
10/04/2013 South Coast Register

As of 4th April 2013 Terry and Sharon Allen will not accept any further responsibility regarding Southland Conveyancing Services. All future dealings will be with the new owner, Joanne Hall. We take this opportunity to thank all of our past clients for their valued support and we wish Joanne all the best for the future.

PUBLIC NOTICES AND BUSINESS OPPORTUNITIES : PUBLIC NOTICES
10/04/2013 South Coast Register

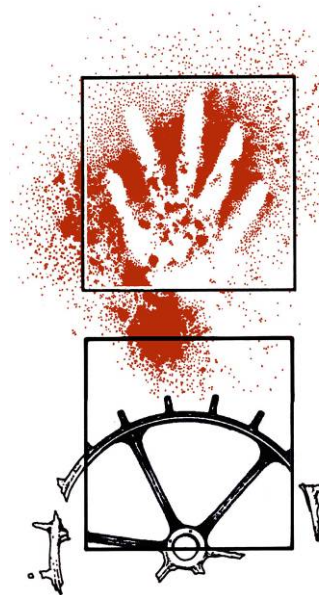
CASH HOUSIE

@ BOMADERRY BOWLING CLUB
in our newly renovated Function Room!
Every Tuesday starting April 30thh
from 11.00am-2.00pm



23rd April 2013

The Secretary
Jerrinja Local Aboriginal Land Council
PO Box 167
Culburra Beach, NSW, 2540



Draft

**Navin
Officer**

*heritage
consultants
pty ltd*

abn: 28 092 901 605

Dear Sir/Madam,

Re: Mundamia subdivision, Mundamia, NSW

Navin Officer Heritage Consultants Pty Ltd has been commissioned by Set Consultants to prepare a cultural heritage assessment for the proposed Mundamia subdivision. The assessment will include Aboriginal cultural heritage values.

As required by the Department of Environment and Conservation's *Interim Guidelines for Aboriginal Community Consultation* (2005) I am writing to inform you of this proposal and to invite your registration as an interested group.

This is a part 3a project and as such consultation is required in fulfilment of the Director General's Requirements (DGRs).

The closing date for this registration of interest is Tuesday 7th May 2013.

Please respond in writing to:

The Secretary
Navin Officer Heritage Consultants Pty Ltd
4/71 Leichhardt Street
KINGSTON ACT 2604

or by fax to; (02) 6282 9415

Yours faithfully,

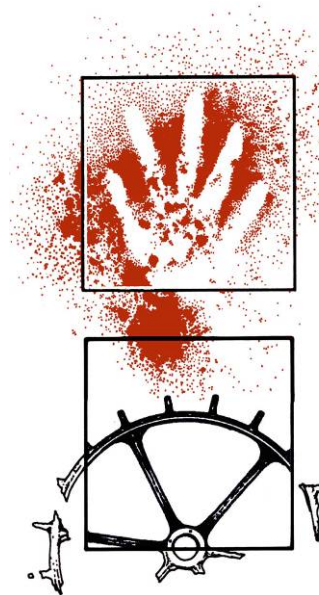
D Lewis Cook

(Ms) Deirdre Lewis-Cook



23rd April 2013

Mr Graham Connolly
Jerrinja Consultants Pty Ltd
PO BOX 5009
Nowra DC, NSW, 2541



Draft

**Navin
Officer**

*heritage
consultants
pty ltd*

abn: 28 092 901 605

Dear Mr Connolly,

Re: Mundamia subdivision, Mundamia, NSW

Navin Officer Heritage Consultants Pty Ltd has been commissioned by Set Consultants to prepare a cultural heritage assessment for the proposed Mundamia subdivision. The assessment will include Aboriginal cultural heritage values.

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Please respond in writing to:

The Secretary
Navin Officer Heritage Consultants Pty Ltd
4/71 Leichhardt Street
KINGSTON ACT 2604

or by fax to; (02) 6282 9415

Yours faithfully,

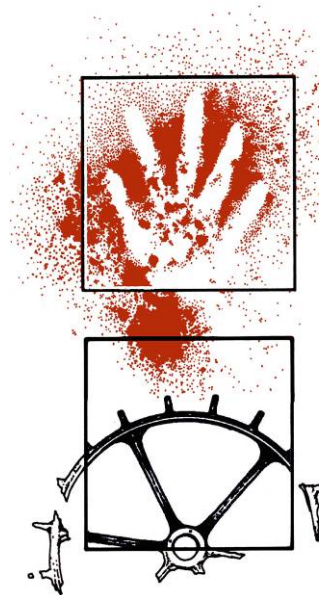
D Lewis Cook

(Ms) Deirdre Lewis-Cook



23rd April 2013

The Secretary
South East Coast Gado Elders Aboriginal Corporation
PO Box 219
Moruya, NSW, 2537



Draft

**Navin
Officer**

*heritage
consultants
pty ltd*

abn: 28 092 901 605

Dear Sir/Madam,

Re: Mundamia subdivision, Mundamia, NSW

Navin Officer Heritage Consultants Pty Ltd has been commissioned by Set Consultants to prepare a cultural heritage assessment for the proposed Mundamia subdivision. The assessment will include Aboriginal cultural heritage values.

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The closing date for this registration of interest is Tuesday 7th May 2013.

Please respond in writing to:

The Secretary
Navin Officer Heritage Consultants Pty Ltd
4/71 Leichhardt Street
KINGSTON ACT 2604

or by fax to; (02) 6282 9415

Yours faithfully,

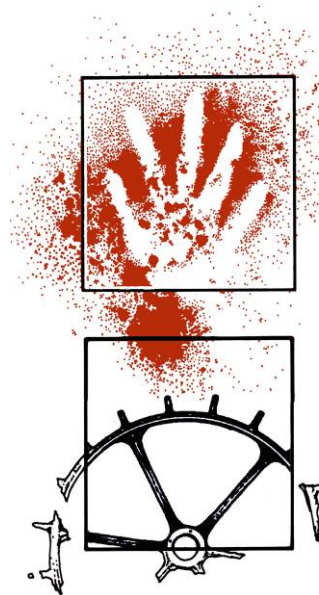
D Lewis Cook

(Ms) Deirdre Lewis-Cook



23rd April 2013

Mr Lionel P Mongta
Yuin Traditional Owner
PO Box 143
Bodalla, NSW, 2545



Draft

**Navin
Officer**

*heritage
consultants
pty ltd*

abn: 28 092 901 605

Dear Mr Mongta,

Re: Mundamia subdivision, Mundamia, NSW

Navin Officer Heritage Consultants Pty Ltd has been commissioned by Set Consultants to prepare a cultural heritage assessment for the proposed Mundamia subdivision. The assessment will include Aboriginal cultural heritage values.

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Please respond in writing to:

The Secretary
Navin Officer Heritage Consultants Pty Ltd
4/71 Leichhardt Street
KINGSTON ACT 2604

or by fax to; (02) 6282 9415

Yours faithfully,

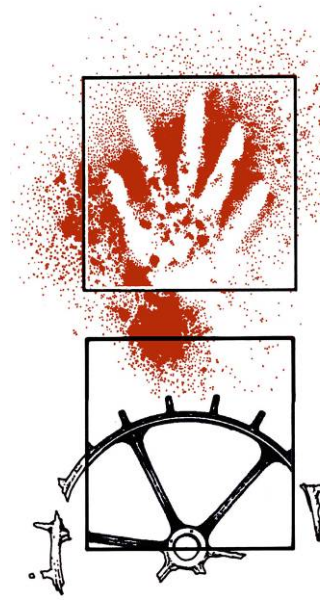
D Lewis Cook

(Ms) Deirdre Lewis-Cook



23rd April 2013

The Secretary
Walbunja Aboriginal Corporation
11 Jeffrey Place
Moruya, NSW, 2537



Draft

**Navin
Officer**

*heritage
consultants
pty ltd*

abn: 28 092 901 605

Dear Sir/Madam,

Re: Mundamia subdivision, Mundamia, NSW

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The Secretary
Navin Officer Heritage Consultants Pty Ltd
4/71 Leichhardt Street
KINGSTON ACT 2604

or by fax to; (02) 6282 9415

Yours faithfully,

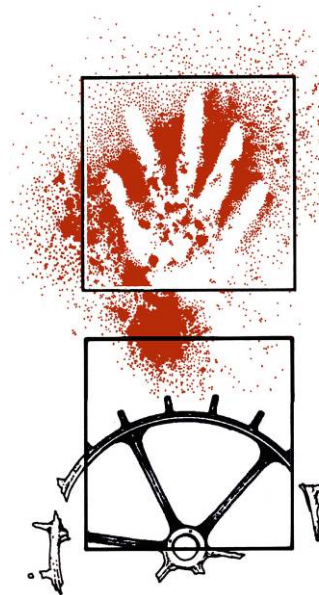
D Lewis Cook

(Ms) Deirdre Lewis-Cook



23rd April 2013

The Secretary
Nowra Local Aboriginal Land Council
PO Box 528
Nowra, NSW, 2541



Draft

**Navin
Officer**

*heritage
consultants
pty ltd*

abn: 28 092 901 605

Dear Sir/Madam,

Re: Mundamia subdivision, Mundamia, NSW

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The Secretary
Navin Officer Heritage Consultants Pty Ltd
4/71 Leichhardt Street
KINGSTON ACT 2604

or by fax to; (02) 6282 9415

Yours faithfully,

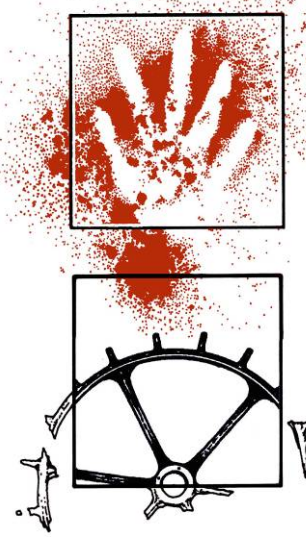
D Lewis Cook

(Ms) Deirdre Lewis-Cook



23rd April 2013

Mr Wellington
Shoalhaven Elders and Friends Organisation
9 Ernest Street
Nowra, NSW, 2541



Draft

**Navin
Officer**

*heritage
consultants
pty ltd*

abn: 28 092 901 605

Dear Mr Wellington,

Re: Mundamia subdivision, Mundamia, NSW

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Please respond in writing to:

The Secretary
Navin Officer Heritage Consultants Pty Ltd
4/71 Leichhardt Street
KINGSTON ACT 2604

or by fax to; (02) 6282 9415

Yours faithfully,

D Lewis Cook

(Ms) Deirdre Lewis-Cook



APPENDIX 2

AHIMS REGISTER SEARCH RESULTS



AHIMS Web Services (AWS) Search Result

Your Ref Number : Mundamia

Client Service ID : 81968

Date: 04 October 2012

Navin Officer Heritage Consultants Pty Ltd
4/71 Leichhardt Street
Kingston Australian Capital Territory 2604
Attention: Christine Gant Thompson
Email: cgant-thompson@nch.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 1, DP:DP1021332 with a Buffer of 50 meters, conducted by Christine Gant Thompson on 04 October 2012

A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

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

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

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

Important information about your AHIMS search

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

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APPENDIX 3

UNANTICIPATED DISCOVERY PROTOCOLS



Protocol to follow if Aboriginal object(s) or historical relics (other than human remains) are encountered and no AHIP has been approved

In the event that object(s) which are suspected of being Aboriginal object(s) or relic(s) are encountered during development works, then the following protocol will be followed:

1. Cease any further excavation or ground disturbance, in the area of the find(s);
 - a. The discoverer of the find(s) will notify machinery operators in the immediate vicinity of the find(s) so that work can be temporarily halted; and
 - b. The site supervisor and the Principal will be informed of the find(s).
2. Do not remove any find(s) or unnecessarily disturb the area of the find(s);
3. Ensure that the area of the find(s) is adequately marked as a no-go area for machinery or further disturbance, and that the potential for accidental impact is avoided;
4. Note the location and nature of the finds, and report the find to:
 - a. Relevant project personnel responsible for project and construction direction and management, and
 - b. Report the find to the Office of Environment and Heritage (OEH).
5. Where feasible, ensure that any excavation remains open so that the finds can be recorded and verified. An excavation may be backfilled if this is necessary to comply with work safety requirements, and where this action has been approved by the OEH. An excavation that remains open should only be left unattended if it is safe and adequate protective fencing is installed around it.
6. Following consultation with the relevant statutory authority (OEH), and, where advised, any other relevant stakeholder groups, the significance of the finds should be assessed and an appropriate management strategy followed. Depending on project resources and the nature of the find(s), this process may require input from a consulting heritage specialist.
7. Development works in the area of the find(s) may re-commence, if and when outlined by the management strategy, developed in consultation with, and approved by the relevant statutory authority.
8. If human skeletal material is encountered, the protocol for the discovery of human remains should be followed (refer attached).



Protocol to follow in the event of the discovery of suspected human remains

The following protocol will be actioned if suspected human material is revealed during development activities or excavations:

1. All works must halt in the immediate area of the find(s) and any further disturbance to the area of the find(s) prevented.
 - c. The discoverer of the find(s) will notify machinery operators in the immediate vicinity of the find(s) so that work can be halted; and
 - d. The site supervisor and the Principal/Project manager will be informed of the find(s).
2. If there is substantial doubt regarding a human origin for the remains, then consider if it is possible to gain a qualified opinion within a short period of time. If feasible, gain a qualified opinion (this can circumvent proceeding further along the protocol for remains which are not human). If conducted, this opinion must be gained without further disturbance to the find(s) or the immediate area of the find(s). (Be aware that the site may be considered a crime scene that retains forensic evidence). If a quick opinion cannot be gained, or the identification is positive, then proceed to the next step.
3. Immediately notify the following of the discovery:
 - a. The local Police (this is required by law);
 - b. A OEH archaeologist or Aboriginal Heritage Officer from the Southern Branch , Queanbeyan OEH;
 - c. Representative(s) from the Local Aboriginal Land Council; and
 - d. The project archaeologist (if not already notified).
4. Co-operate and be advised by the Police and/or coroner with regard to further actions and requirements concerning the find area. If required, facilitate the definitive identification of the material by a qualified person (if not already completed).
5. In the event that the Police or coroner instigate an investigation, construction works are not to resume in the designated area until approval in writing is gained from the NSW Police.
6. In the event that the Police and/or Coroner advise that they do not have a continuing or statutory role in the management of the finds then proceed with the following steps:
7. If the finds are not human in origin but are considered to be archaeological material relating to Aboriginal occupation then proceed with Protocol for the discovery of Aboriginal objects (other than human remains).
8. If the finds are Aboriginal or probably Aboriginal in origin:
 - a. Ascertain the requirements of OEH, the Heritage Branch, the Project Manager, and the views of the AFG, and the project archaeologist.
 - b. Based on the above, determine and conduct an appropriate course of action. Possible strategies could include one or more of the following:
 - i. Avoiding further disturbance to the find and conserving the remains *in situ*;
 - ii. Conducting archaeological salvage of the finds following receipt of any required statutory approvals;



- iii. Scientific description (including excavation where necessary), and possibly also analysis of the remains prior to reburial;
 - iv. Recovering samples for dating and other analyses; and/or
 - v. Subsequent reburial at another place and in an appropriate manner determined by the AFG.
- 9. If the finds are non-Aboriginal in origin:
 - c. Ascertain the requirements of the Heritage Branch, Project Manager, and the views of any relevant community stakeholders and the project archaeologist.
 - a. Based on the above, determine and conduct an appropriate course of action. Possible strategies could include one or more of the following:
 - a. Avoiding further disturbance to the find and conserving the remains *in situ*;
 - b. Conducting archaeological salvage of the finds following receipt of any required statutory approvals;
 - c. Scientific description (including excavation where necessary), and possibly also analysis of the remains prior to reburial;
 - d. Recovering samples for dating and other analyses; and/or
 - e. Subsequent reburial at another place and in an appropriate manner determined in consultation with the Heritage Office and other relevant stakeholders.
- 10. Construction related works in the area of the remains (designated area) may not resume until the proponent receives written approval in writing from the relevant statutory authority: from the Police or Coroner in the event of an investigation, from OEH in the case of Aboriginal remains outside of the jurisdiction of the Police or Coroner, and from the Heritage Branch in the case of non-Aboriginal remains outside of the jurisdiction of the Police or Coroner.