

Aboriginal and Historical Heritage Assessment of the Illawarra Regional Business Park Site, Albion Park, NSW

8 May 2007

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8 May 2007

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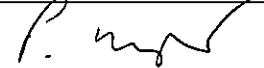
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EXECUTIVE SUMMARY

An assessment was carried out of the site of the proposed Illawarra Regional Business Park to ascertain potential impacts on archaeological heritage and the neighbouring heritage-listed Ravensthorpe property. Approximately one quarter of the usable or undisturbed land for the business park was surveyed. The remainder was under very dense pasture growth that precluded visual inspection. Two archaeological sites were discovered – an Aboriginal stone flake and the original site of Wanalama homestead. No impacts to the fabric of Ravensthorpe or its curtilage will result from the development, although there may be visual and aesthetic impacts. Specific recommendations are summarised as follows:

- A stone flake identified by the survey should be collected by an appropriate Aboriginal representative and professional archaeologist before the onset of works, with prior discussion on an appropriate “keeping place”. Archaeological excavation is recommended to verify whether or not further subsurface evidence is present;
- Consideration should be given to retaining a defined heritage zone around the Moreton Bay fig trees. If this is not feasible then consideration should be given to archaeological excavation and recording to accurately document any extant information of early activity associated with the first homestead;
- Measures adopted in the concept plan are sufficient to mitigate impacts on the vista and aesthetic value of Ravensthorpe if planned buildings do not exceed approximately 7 m in height. If taller buildings are anticipated then consideration should be given to taller plantings (if practicable) or appropriate architectural design to minimise detracting of the view to and from the rear of this property. It is recommended that this be considered as part of the landscape plan;
- Should Aboriginal skeletal remains be found, work must cease and consultation with the Department of Environment and Climate Change, NSW Police, NSW Coroners Office and Aboriginal communities be initiated to come to agreement on the most appropriate course of action. Actions might include either 1) the preservation of the remains *in situ*, or 2) the detailed recording and recovery of the remains by qualified personnel in conjunction with Aboriginal community representatives. The latter should also seek agreement on the subsequent location and/or re-burial of the remains prior to their removal;
- Should Aboriginal objects and/or historical relics be found during development, the relevant authorities should be contacted and the appropriate steps undertaken. These steps may include the detailed documentation, recording and collection of objects/relics prior to continuing development in the immediate location in question; and
- All contractors should be made aware of these Recommendations prior to commencing site works.

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1 INTRODUCTION

HLA-Envirosciences Pty Limited (HLA) has prepared this heritage assessment for Delmo Albion Park Pty Ltd (DAP). DAP has acquired approximately 80 hectares of dairy farmland at 78 Tongarra Road, Albion Park NSW with the intention of rezoning the land for business park use. Under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act), DAP has applied to have the site declared a State Significant Site under the NSW Major Projects State Environmental Planning Policy 2005 (SEPP 2005). As part of the application process DAP is required to have an assessment undertaken of the appropriateness of the intended use of the site within the frame of existing land use controls. A State Significant Site Study is consequently to be prepared for the NSW Minister for Planning. Although the Director-General has not included an Aboriginal heritage assessment as a component of the State Significant Site Study, both Shellharbour Council and the Department of Planning have requested that such an assessment be undertaken.

The aims of the heritage assessment are to identify and record the extent and nature of any archaeological sites within the proposed development area (the study area), including those previously recorded, and the impact on the neighbouring heritage-listed Ravensthorpe property. The steps in the assessment are as follows:

- consultation with relevant local Aboriginal community groups;
- validation of known sites within the study area through field inspection;
- archaeological survey of the study area to locate any additional sites and/or items;
- recommendations for the management of and/or mitigation of development impacts on heritage sites and/or items.

2 PROJECT DESCRIPTION

2.1 General

DAP is seeking approval for the rezoning of a dairy farm of 74 hectares located at Albion Park between Tongarra Road and the Illawarra Highway, in the vicinity of Albion Park Aerodrome (**Figure 1**). The proposal is to rezone the land (Lot 6 DP 1100435, Lot B DP 109816) and develop it into a business park, thereby affording an opportunity for the development of light industry and attendant employment in this part of the Shellharbour region.

2.2 Proposed Development

The concept is for the development of 59 business sites ranging from 2000 square metres to 12,000 square metres in size. This will comprise just over 47 hectares (64%) of the total development area. Another 21.5 hectares (29%) is earmarked for an environmental zone, with special emphasis on maintaining and revegetating land around Frazers Creek and two wetland precincts. The remaining 5 hectares (7%) is flagged for road reserve.

The development will involve a considerable amount of earthworks to accommodate the 59 business park sites and associated infrastructure. The concept plan calls for the land to be levelled and lowered up to approximately 4 m below current extent. Existing farm buildings, including three homesteads, will be demolished. A substantial drainage scheme will be installed to counteract the potential for flooding, of which this area is prone.

3 APPLICABLE POLICY AND LEGISLATION

3.1 Heritage Legislation

Heritage is managed in NSW by the following main pieces of dedicated legislation:

- *NSW National Parks and Wildlife Act 1974*; and
- *NSW Heritage Act 1977*.

The provisions of the *NSW National Parks and Wildlife Act 1974* and *NSW Heritage Act 1977* are summarised below to provide background context to the project within the frame of its development as a Major Project under SEPP 2005. The implications of this project status for heritage management under Part 3A of the *NSW Environmental and Planning Act 1979*, particularly the non-requirement to apply for consents, are set out in **Section 3.2**.

Two Commonwealth Acts - the *Environment Protection & Biodiversity Conservation Act 1999* and the *Aboriginal and Torres Strait Islander Heritage Protection Amendment Act 1987* – also afford levels of management and protection in certain circumstances. However, as no matters of National Environmental Significance or issues of extra-State Indigenous site conservation have been raised in the context of the project, this legislation is not relevant to the discussion presented here.

3.1.1 National Parks and Wildlife Act 1974

The *NSW National Parks and Wildlife Act 1974* (*NPW Act*) provides for the protection of Aboriginal objects (sites, relics and cultural material) and Aboriginal places. Under the *NPW Act* (section 5), an Aboriginal object is defined as; *any deposit, object or material evidence (not being a handicraft for sale) relating to indigenous and non-European habitation of the area that comprises New South Wales, being habitation both prior to and concurrent with the occupation of that area by persons of European extraction, and includes Aboriginal remains*. An Aboriginal place is defined under the Act as an area which has been declared by the Minister administering the *NPW Act* as a place of special significance for Aboriginal culture. It may or may not contain physical Aboriginal objects.

Under section 90 it is an offence to knowingly destroy, deface, damage or desecrate, or cause or permit the destruction, defacement, damage or desecration of, an Aboriginal object or Aboriginal place, without the prior written consent from the Director-General of the Department of Environment and Conservation (DEC – recently renamed the Department of Environment and Climate Change (DECC)). In order to obtain such consent, a section 90 Consent Application must be submitted and approved by the DECC Director-General. In considering whether to issue a section 90 Consent DECC will take into account the:

Significance of the Aboriginal object(s) or place(s) subject to the proposed impacts;

- Effect of the proposed impacts and the mitigation measures proposed;
- Alternatives to the proposed impacts;
- Conservation outcomes that will be achieved if impact is permitted; and
- Outcomes of Aboriginal community consultation in relation to the proposed impact.

It is also an offence, under section 86 of the *NPW Act*, to disturb or excavate land for the purpose of discovering an Aboriginal object, or disturb or move an Aboriginal object on any land, without first obtaining a permit (Preliminary Research Permit, Excavation Permit, Collection Permit or Rock Art Recording Permit) under section 87 of the *NPW Act*. In issuing a section 87 Permit, DEC will take into account the:

- Views of the Aboriginal community about the proposed activity;
- Objectives and justifications for the proposed activity;
- Appropriateness of the methodology to achieve the objectives of the proposed activity; and
- Knowledge, skills, and experience of the nominated person to adequately undertake the proposed activity.

Under section 91 of the *NPW Act*, it is a requirement to notify the DECC Director-General of the location of an Aboriginal object. Identified Aboriginal items and sites are registered with the NSW DECC on the Aboriginal Heritage Information Management System (AHIMS). The *NPW Act* also requires that reasonable precautions are taken and due diligence is exercised to determine whether an action would, or would be likely to, impact on an Aboriginal object or Aboriginal place. Without being able to demonstrate due diligence, a person risks prosecution if Aboriginal objects or Aboriginal places are impacted upon and a Heritage Impact Permit has not been issued.

3.1.2 Heritage Act 1977 (amended 1999)

The NSW *Heritage Act* 1977 (amended 1999) is the main piece of legislation affording protection to historical heritage in the State. The objective of this legislation is to conserve the State's "environmental heritage", including items such as *buildings, works, relics, moveable objects* and *precincts*. The *Heritage Act* affords automatic statutory protection to "relics" that form part of archaeological deposits. Under the *Heritage Act* a relic is defined as any deposit, object or material evidence that *relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and is 50 or more years old*.

The *Heritage Act* does not apply to Aboriginal heritage, which is afforded protection under the *National Parks and Wildlife Act* 1974. However, some aspects of Aboriginal heritage are covered. For example, particular Aboriginal places and items that are formally recognised as being of high cultural value can be listed on the State Heritage Register (see below).

Under sections 139-145 of the *Heritage Act* it is an offence to disturb or excavate any land on which relics have been discovered, or land on which there is reasonable cause to suspect that a relic is likely to be discovered, exposed, moved, damaged or destroyed. The exception is an action in accordance with a gazetted exception or an excavation permit issued by the Heritage Council of New South Wales (a section 140 Permit).

The *Heritage Act* also affords protection to places or items registered on the State Heritage Register for their *historical, scientific, cultural, social, archaeological, architectural, natural* or *aesthetic* values. The Register is maintained by the NSW Heritage Council, which provides advice and recommendations to the Minister for Planning relating to the conservation and management of items of environmental heritage. Places on the State Heritage Register are protected under section 57 of the *Heritage Act*. Under this section it is an offence to demolish, damage, despoil, alter or move heritage items, buildings or places listed on the State Heritage Register, or to excavate any such land for the purpose of exposing or moving a relic without prior approval from the Heritage Council (under a section 60 Permit). This level of protection is also given to places or items that have Interim Heritage Orders, which are given to items under

consideration for listing. Standard Exemptions can be applied for to carry out modification or work on places or items listed on the State Heritage Register.

The Heritage Council also maintains the State Heritage Inventory, which is a database of heritage places of State and Local heritage significance. Those places or items not listed on the State Heritage Register, which is in effect a subset of the Heritage Inventory, can have work or modification under a schedule of General Exceptions (revised in 2006).

Section 170 of the *Heritage Act* requires that heritage items or places managed or owned by government agencies be listed on departmental Conservation and Heritage Registers, to be maintained by the respective agencies.

3.2 SEPP 2005 and Development under the Environmental Planning and Assessment Act

The proposed business park is being assessed under Part 3A of the *EP&A Act 1979*. This Act requires that consideration be given to environmental impacts as part of the land use planning process, including cultural heritage impacts. Under Part 3A a new approvals regime applies to projects that are identified as Major Projects under SEPP 2005. It also applies to those projects which the Minister for Planning believes are required to deliver particular government plans or programs, known as critical infrastructure projects. Section 75B(2) of the *EP&A Act* makes provision for Major Projects to be identified through various means, including by way of a declaration as a listed project in SEPP 2005, or by notice in the Gazette. Under Part 3A the Minister can issue a project approval or a concept approval. Both maintain the need for consultation with the community and relevant State Government agencies, but significantly the requirement for certain other permits and licences is removed.

3.2.1 Implications for Actions under the NPW Act

In respect of Aboriginal heritage, Section 75U (1) (d) of Part 3A of the *EP&A Act* allows development for an approved project (i.e. under SEPP) without the requirement to obtain a permit under section 87 or consent under section 90 of the *NPW Act*. A section 87 permit (also known as a PRP) is a permit issued by DECC for undertaking research into identified Aboriginal objects, while a section 90 consent (also known as a Consent to Destroy or CD) is a permit issued by DECC for the destruction of Aboriginal objects.

Generally both section 87 and section 90 approvals require the preparation of work methodologies such as a research methodology for a section 87 and a work methodology for a section 90, which involves approval or endorsement from DECC and Aboriginal stakeholder communities. These approvals are generally required for projects undertaken under Parts 4 and 5 of the *EP&A Act*.

Under Part 3A of the *EP&A Act* the proponent is required to prepare a Statement of Commitments, in accordance with the Director-General's Environmental Assessment Requirements (EAR). The Statement of Commitments will form part of the overall Project Approval. As such, AMW will be required to fully implement these commitments during and following their proposal. Recommendations of this report should be inserted into the Statement of Commitments.

While sections 87 and 90 of the *NPW Act* do not apply for Major Projects under SEPP 2005, it is recommended that the intent of those sections be retained in the Statement of Commitments.

Accordingly, **Section 6** of this report seeks to acknowledge the relevance and intent of these sections of the *NPW Act* within a Major Projects framework.

3.2.2 Implications for Actions under the Heritage Act

For historical heritage, Section 75U (2) of the *EP&A Act* allows development without the requirement to meet the provisions of section 136 of the *Heritage Act*, which provide protection from ‘harm’ (i.e. demolition, damage, despoilment, movement or alteration) for buildings, works, relics or places, as defined under this Act. This in effect means that the cessation of works and 40 day period for assessment required after the Minister or the Heritage Council of New South Wales declares a heritage item in danger of harm, do not apply. The need to apply for a section 140 excavation permit to mitigate harm to historical archaeological sites in accordance with section 139 of the *Heritage Act* also is not required for approved projects under Part 3A of the *EP&A Act*.

While the necessity for permit application within the framework of sections 136-140 of the *Heritage Act* is not required, it is recommended that the intent of those sections be retained in the Statement of Commitments. **Section 6** of this report seeks to acknowledge the relevance and intent of these sections of the *Heritage Act* within a Major Projects framework.

It is understood that DAP is committed to abiding by the intent of the legislation to ensure impacts on any significant heritage items by the proposed development are as far as possible minimised or mitigated.

4 BACKGROUND

4.1 Aboriginal Community Consultation

Aboriginal community consultation in NSW is usually undertaken using the *Interim Community Consultation Requirements for Applicants* (DEC 2005). However, owing to the special status of this project under SEPP, all the stages of consultation set out in these guidelines are not required. Nevertheless DEP, in seeking to involve relevant Aboriginal groups in the heritage assessment process, expressed a desire to initiate a program of rapid consultation in concert with the heritage survey outlined by this report.

Contact was made by DAP with Veronica Graf (Aboriginal Community Liaison Officer, Shellharbour City Council) and Sharralyn Robinson (Illawarra Local Aboriginal Land Council) to seek advice on the appropriate Aboriginal groups for consultation in regard to the proposed development. The following groups were identified as representing those with a cultural interest in the land:

- Illawarra Local Aboriginal Land Council (ILALC) - contact: Sharralyn Robinson;
- Northern Illawarra Aboriginal Collective (NIAC) - contact: Chris Illert;
- Wodi Wodi Elders Corporation (WEC) – contact: Sheryl Davis;
- Wadi Wadi Coomaditchie United Aboriginal Corporation (WCUAC) – contact: Alan Carriage; and
- Korewal Elouera Jerrungarugh Tribal Elders (KEJTE) - contacts: Reuben and Gwen Brown.

At the time that consultation was initiated ILALC was acting as representative for WCUAC and KEJTE, while NIAC and WEC have opted to remain separate from the Land Council. During the course of consultation WCUAC notified ILALC that their group had opted to renew affiliation with NIAC. Letters were posted to all groups in which the proposed development and heritage survey methodology and timetable were outlined. An invitation was extended to comment on the methodology and to contribute to the heritage assessment. Under the DEC guidelines normally 21 days are allowed for comment on methodology. In this instance, owing to time constraints on the project, 11 business days were given for comment before the start of fieldwork. Copies of the communications can be found in **Appendix A**.

Dates for pre-arranged face to face meetings with the three representative groupings – ILALC, NIAC and WEC – were confirmed for eight business days (ILALC and NIAC) and three business days (WEC) before the onset of fieldwork. The meeting with WEC was originally scheduled for an earlier time to coincide with the week for meetings with the other two groups, but this could not be accommodated. The ILALC and NIAC meetings of 15 March 2007 were attended by Clayton Fredericksen (HLA) and Kate Harris (DAP), for the proponent. Discussion centred on the proposed development and on general Aboriginal heritage issues of the region. On 22 March Kate Harris and Kathy McManus (DAP) met with representatives of WEC to discuss similar issues. No objections were raised to the assessment methodology and no major heritage issues were identified for the proposed development block. Minutes of the three meetings can be found in **Appendix B**.

The DEC draft consultation guidelines state that the number of Aboriginal participants engaged to assist in an archaeological assessment will depend on the “scale and nature” of the project. The guidelines acknowledge that in some situations (as with this project) there will be multiple offers of participation from stakeholder groups, but clearly state that DECC does not require the

engagement of all groups. DAP made a decision to formally engage one of the identified stakeholder groups for participation in this project and offered to remunerate the ILALC, as the statutory body for the region, for the participation of a Sites Officer. NIAC and WEC were informed of this but nevertheless invited to contribute to the assessment on a voluntary basis. All groups were formally offered the opportunity to comment on the draft heritage assessment and consequently will be sent a copy of this draft report.

4.2 Review of Aboriginal Heritage

A desktop review of available information was undertaken to provide a background to the study, and to assess the potential for Aboriginal heritage in the study area. This background study focuses on archaeological projects as cultural knowledge will be addressed in a separate report prepared by the ILALC.

Aboriginal people have lived in the general Illawarra region for at least 20,000 years (Lampert 1971). However, many Pleistocene and early Holocene sites are likely to be now below sea level so the early signature of human occupation is likely to be greatly abbreviated. Most sites discovered by archaeological survey probably date from the mid to late Holocene, the period after the stabilisation of sea levels at approximately today's levels. Surveys of the region have been carried out over many years, beginning with relatively large scale projects in the 1970s (e.g. Bowdler 1970; Lampert 1971) through to more modest targeted work associated with mitigating development impacts (e.g. Sefton 1985; Dallas and Navin 1987; Navin 1990; Steele 2000; Navin Officer 2002; Heritage Concepts 2005). From this information the following site distribution pattern has been predicted for the coast and hinterland (as summarised for the region by Heritage Concepts 2005):

- Artefact scatters: a common site type that is found on level and well-drained land adjacent to sources of fresh water;
- Middens: another common site type found close to estuarine environments or in coastal situations (especially rocky headlands, platforms or dunes);
- Isolated finds: these can occur anywhere in the landscape;
- Sites with shell and artefacts: likely to be found on elevated ground near wetlands or stream channels;
- Scarred trees: these will be found in situations where old growth forest survives; and
- Burials: likely to occur in situations where deep sand or soil is present, or where there is evidence of past occupation (such as middens).

If this predicted site patterning is accurate then we could expect that any sites in the study area, with its location back from the coast and in close proximity to fresh water, to mainly consist of artefact scatters or isolated artefacts. Middens are unlikely to occur in this area in anything other than sparse scatters, while the absence of old growth forest precludes the possibility of scarred trees. Burials are a possibility however, especially in the alluvium bordering Frazers Creek.

A search of the DECC Aboriginal Heritage Management Systems site database (AHIMS) was carried out on 16 March 2007 for previously recorded sites within the area bounded by grid coordinates AMG 56 E295000-298000 N617200-617500 (Map Sheet Albion Park 9028-1-N, 1:25,000). The selected area and recorded sites are shown in **Figure 1**. Details of the previously recorded sites are set out in **Table 1**.

Table 1: Previously recorded archaeological sites

Site ID	Site Name	Datum	Zone	Easting	Northing	Site Features	Site Type	Recorder
52-5-0227	Macquarie Rivulet 1	AGD	56	296500	6174700	Artefact Scatter	Open Camp Site	McIntyre, Navin, Officer
52-5-0229	Macquarie Rivulet 3	AGD	56	296800	6174800	Artefact Scatter	Open Camp Site	McIntyre, Navin, Officer
52-5-0230	Macquarie Rivulet 4	AGD	56	297200	6174800	Artefact Scatter	Open Camp Site	McIntyre, Navin, Officer
52-5-0479	Larkins Lane Site 9	AGD	56	296240	6174831	Shell Midden		Australian Museum Business services
52-5-0492	WDRA AX 36	GDA	56	295916	6174344	Artefact Scatter		Australian Museum Business services
52-5-0504	WDRA AS 03	GDA	56	295553	6175120	Artefact Scatter		Australian Museum Business services
52-5-0513	WDR AS 10	GDA	56	296380	6174990	Artefact Scatter		Australian Museum Business services

None of the seven previously recorded sites are situated within the current study area, with six being located in the vicinity of Macquarie Rivulet and one on high terrain to the north (**Figure 1**). With the exception of one midden, all sites are artefacts or artefact scatters. This is in accordance with the predicted site pattern, made on 2005 data, of predominantly artefacts distributed in the coastal hinterland, particularly near freshwater sources. What must be kept in mind is that this apparent absence of sites elsewhere may be a product of localised archaeological surveying, in which only small targeted sections of the landscape have been investigated. It is likely further unidentified sites are present in this region.

4.3 Review of Historical Heritage

Europeans began to settle the Illawarra region in 1817 when the Surveyor General – John Oxley – began to mark out formal land allocations. By the mid nineteenth century a township had formed around Shellharbour (so named because of the area's beach gravels which were exported to Sydney for use as aggregate) and much of the land around Lake Illawarra had by this time been cleared of forest. Dairy farming, agriculture (principally wheat and potatoes) and timber getting were by this time major industries of the region.

The study area is land that was part of one of the very early grants – 700 acres (283 ha) granted by Governor Macquarie to Andrew Allen in January 1817 and named “Waterloo” (Gillis 2005: 83). This land was subsequently acquired by Samuel Terry Hughes in the 1850s, who added it to the estate he had inherited from his father, John Terry Hughes. This estate was known as

“Terry’s Meadows” or “Albion Park” (Bayley 1959: 31). By the time Samuel Terry Hughes died in 1865 the Terry’s Meadows estate of 3600 acres (1457 ha) had been divided into 48 farms and sold. Approximately a decade later Samuel Marks acquired one of these farms, of 247 acres (100 ha) and encompassing a portion of the old Waterloo estate. Marks built his homestead – “Wanalama” – on the land, which came to be known as “Marks Villa” (Hynd 2004: 23). James Marks acquired the land and auctioned it to John Russell, who was occupier of the farm in 1882. In 1901 the Johnston family leased the main portion of the original Marks Villa property and in 1916 purchased the land from Russell. Successive generations of the Johnston family have continued to farm the land since that time. This land comprises the present study area.

Significant changes occurred in the 1940s. In 1942 the Australian Government resumed 28 ha of Marks Villa for construction of a wartime airfield. This was an emergency airfield constructed in short time by the Civil Construction Corps. One of its primary functions came to be the training of RAAF pilots for the defence of the Illawarra, and in particular the Port Kembla Steelworks, from anticipated Japanese air raids. Some pilots who trained on the field saw duty in the Battle of Britain (Gillis 2005: 83). This field today serves as Albion Park Aerodrome.

Construction of the airfield required moving two homesteads, including Samuel Marks’ Wanalama (Gillis 2005: 84), and a number of farm buildings two kilometres to the west of the property. These remain today standing at their secondary location (**Plates 1 and 2**). Interestingly, the old homestead is downslope and offset from the anticipated location as local informants recall how the removal vehicle became bogged part way up the access track to the new site. Both homesteads, a third house, and all farm buildings will be demolished for the proposed development.

None of the buildings or historic-period sites in the development area itself are listed on statutory registers. However, an adjacent property contains the heritage-listed villa of “Ravensthorpe” (**Plate 3**). This homestead was constructed around 1893 by a local physician, Dr Bateman, on land that was originally part of the 1817 Waterloo grant (Hynd 2004: 30). It and the adjoining workers’ cottages are listed on the Shellharbour Local Environmental Plan (LEP) (2000), the Shellharbour Rural LEP (2004), the Illawarra Regional Environment Plan, and the NSW State Heritage Inventory. The State Heritage Inventory provides the following description of the property:

Located on the rise at the eastern entrance to Albion Park township is a property containing a substantial residence and two associated workers cottages. The single story residence is of substantial size and is an excellent example of late Victorian architecture (of which there are few examples in the Municipality). To the east of the main residence are two small wooden cottages. One of these cottages (No.52) was built in 1889 and is a good example of the early wooden cottages of the area and one of the last remaining examples of this form of architecture. There are also several large trees on the property that are of similar age to the main residence and off-set the character of the residence.

Description of main house: Large graceful late nineteenth century residence. Victorian Georgian style, with a high pitched hipped and gambrelled roof. Constructed of rendered brick, with a tile roof and decorative brick chimneys. The home is surrounded by a wide skillion verandah, decorated with brackets and glass and timber side-panels. Windows of different sizes, including some very narrow double-hung windows, all with masonry sills. Remnant plantings and layout of period gardens.

Ravensthorpe is ascribed significance on the Inventory in the following terms:

- Historical significance for its “links with the first resident physician in the area, Dr Bateman”;

- Aesthetic significance for its “high degree of unity in scale and design”, “strong relationship with its surroundings”, and its presence as an “excellent example of late Victorian architectural styling”;
- Rarity for its aesthetic rarity “at a local level”; and
- Representativeness of an “architectural style”.

The curtilage of Ravensthorpe as set out in the Shellharbour LEP includes the grounds and adjoining workers’ cottages, being Lots 91-93, DP 1069273, 52-56 Tongarra Road. The proposed development will not directly impact the fabric of Ravensthorpe, the workers’ cottages, or the associated curtilage. There will however be certain visual and aesthetic impacts, as discussed below.

5 FIELD INVESTIGATION

A field survey was conducted over two days. On 15 March 2007 Clayton Fredericksen and Kate Harris visited the property to ascertain the likely visual impact of the business park development on Ravensthorpe. This inspection lasted approximately one hour and involved inspecting and photographing the vista to and from Ravensthorpe, and discussing proposed earthwork along the boundary with the villa, workers' cottages and curtilage.

A second more extensive survey was undertaken on 27 March 2007 by Clayton Fredericksen and Steve Henry (ILALC). The primary aim of this survey was to identify any Aboriginal archaeological or other heritage sites within the study area. This report focuses on the archaeological aspect of Aboriginal heritage with any non-archaeological cultural heritage sites to be addressed in a separate report prepared by the ILALC.

The surveyed landscape consisted of low relief adjacent Frazers Creek (which flows into the Macquarie Rivulet 800m to the north), its associated wetlands, and the Illawarra Highway in the west gently rising to higher land in the vicinity of Tongarra Road to the south and Albion Park Aerodrome to the east (**Figure 2**). The area has an elevation of less than 10m AHD and is subject to inundation, especially in the vicinity of the creek and wetlands.

Soils of the Albion Park region consist of brown to yellow podsols on slopes and soloths on footslopes and drainage areas. These soils are formally classified as of the Fairy Meadow group, comprising shallow to moderately deep (0.5-1m) alluvial loams and siliceous sands on terraces and prairie soils and yellow podsols on drainage lines. The water holding ability of Albion Park soils was demonstrated in the study area which had experienced a recent prolonged heavy rain, resulting in very muddy conditions on virtually all land in the western part of the study area, where relief was relatively low. Most of the study area is underlain by Quaternary alluvium, gravel and beach and dune sand. However, the higher land where existing farm buildings are situated is underlain by Shoalhaven Group siltstone to fine sandstone.

The property at the time of the survey was a functioning dairy farm and the predominant vegetation cover was pasture.

5.1 Survey Methodology

The survey was undertaken on foot with the two investigators – Fredericksen and Henry – walking parallel transects approximately five to eight metres apart. The original intention had been to survey the entire area in a systematic survey grid. However, heavy autumn rain had resulted in dense pasture growth over much of the property and waterlogged conditions in the western portion (**Plates 4, 5 and 6**). This inhibited ground surface visibility. Another limiting factor was the obviously disturbed nature of the landscape around the farm buildings, where extensive earth moving had been undertaken in the course of general farm development (**Plates 7 and 8**). A decision was therefore made to restrict the foot survey to traversable areas where pasture cover was less dense and afforded visibility (particularly fencelines and farm tracks) and along the course of Frazers Creek (**Plate 6**) in the knowledge that previous archaeological work in the general region had located sites along water courses. The survey transect is illustrated in **Figure 2**, which reflects the targeted nature of the survey to:

- Creek banks and wetland perimeters;
- Farm tracks;
- Fencelines;

- The perimeter of the Aerodrome; and
- Any undisturbed areas in proximity to farm buildings.

In total 8550m of transect was walked, representing inspection coverage of approximately 15.4 ha or almost 21% of the entire area. This percentage has not factored in areas where sites cannot be present, such as wetlands, the creek itself, and heavily disturbed land or land under buildings. When these areas (amounting to approximately 15.6 ha or 21% of the study area) are taken into account visual inspection afforded by the survey increases to almost 27% coverage of the land. However, as noted above, visual inspection of many areas was limited by thick grass cover.

The survey method involved using a handheld GPS to mark waypoints along the survey transect, and to record particular features. Details of the transect and landscape features were recorded in a field notebook, and digital photographs taken of features of interest.

Previous surveys have identified flaked stone as a major signature of former Aboriginal use of this landscape. The following characteristics were used in this assessment to discriminate rock that was manufactured into stone tools, or produced as the byproduct of tool manufacture, from naturally occurring rock:

- Flakes: possess all or a combination of the following attributes – percussion bulb, earrillure scar, striking platform, ringcracks (from hammer striking the core).
- Cores: display single or multiple negative flake scars, but with no positive flake scars.
- Retouched flakes: flakes with microflaking (i.e. retouch) along one or more margins. Flaking tends to be more regular than through treadage or most forms of usewear.
- Flaked pieces: pieces that do not possess any of the attributes of cores or flakes but are nevertheless the result of human action, usually the byproduct of tool manufacture or core preparation.

In terms of historical heritage, the survey did not include assessment of impacts to Ravensthorpe as this was undertaken on the 15 March visit, as discussed above. However, the original site of the Wanalama homestead (**Figure 2**) was inspected for remaining surface evidence. The location of this site was determined on information from local informants and by reference to a plan and description in the report prepared by Hynd (2004).

5.2 Results

5.2.1 Aboriginal Heritage

One previously unrecorded site was identified by the survey. This consisted of a silcrete flake approximately 16mm x 20mm in size and possessing a recognisable percussion bulb (**Plate 9**). The flake was found on the side of a 0.5m high embankment on a bend in Frazers Creek (**Figure 2**). Other stone was present nearby, although none could be identified as unequivocally of human origin. Freshwater mussel shell was also in association. The embankment had clearly been formed by dredging Frazers Creek during the recent past, a conclusion subsequently confirmed by the current farmer. A possible interpretation is that the flake and associated material originated from the creek and was redeposited on the creek bank during dredging operations as part of normal farm activity.

Despite a search of this area no further archaeological evidence or potential sites (PADs) were apparent within the area where the flake was discovered. While the ultimate origins of the flake are unknown, a number of scenarios can be presented. One is that the flake originated from a site elsewhere and was washed into Frazers Creek during a flood event, to be subsequently redeposited onto the creek bank by European dredging. An alternative possibility is that there may originally have been an occupation site at this locality, which has been removed or disturbed by farm activity over the last 150 years, and that the flake was deposited into the creek or its environs and then retrieved by dredging work. Whatever the case, the absence of further archaeological evidence points to either a unique occurrence or a landscape heavily modified by natural processes such as flooding or by European farming practices.

No other Aboriginal sites were identified by the survey.

5.2.2 Historical Heritage

The only item of European archaeological heritage detected by the survey was the former site of Wanalama homestead (**Figure 2**). The homestead site is today marked by three large Moreton Bay Fig trees, foundations of a concrete water tank, and a derelict concrete silo (**Plate 10**). Subsurface archaeological remains of the homestead foundations and its associated buildings are possibly present at this locality. Three large Moreton Bay Fig trees remain as testament to nineteenth century occupation. These and their immediate environment will remain undisturbed by the business park development.

The heritage-listed Ravensthorpe property and its curtilage will be impacted by the business park development in terms of aesthetics and vista. While no work will take place at the front of the property, the concept plan calls for the excavation of a 12 m wide batter extending from the rear boundary of Ravensthorpe, and falling from current ground level at the boundary to approximately 4 m below present level. A 1.8 m high chainwire fence will be constructed on the rear boundary to provide a physical demarcation between Ravensthorpe and the business park. Screen planting is planned for the batter, with a line of 3 m high trees along the fenceline and top of the batter and lower vegetation cover on the batter incline itself. Buildings up to 7 m high will be completely screened from view. However, as a maximum building height of 20 m is allowable, potentially 13 m of building wall and roofline could be viewed above the tree screening.

The main view toward Ravensthorpe is from Tongarra Road, which can be regarded as the major vista axis. While no aesthetic or visual impact will occur between Tongarra Road and the homestead itself, the potential construction of buildings to above the level of the planned tree screening at the rear of the property will have an impact. Buildings of this height will be visible from Tongarra Road when looking obliquely at the homestead frontage (refer **Plate 3**). The height of such buildings will also result in their visibility above the rooflines of Ravensthorpe homestead and associated buildings when viewing the property along its main vista axis, from Tongarra Road to the homestead.

The present scene looking out (north) from the rear boundary of Ravensthorpe is one of a collection of farm buildings and equipment (**Plates 11 and 12**). After development the scene will consist of a line of 3 m high trees, screening the business park from the property. Again, however, any buildings constructed higher than 7 m in this area of the business park would potentially protrude above tree screening, and consequently be visible from the rear of the Ravensthorpe property. Buildings constructed to the maximum allowable height will, at certain times of each day, cast a shadow over the rear of the property.

Currently the view to the rear boundary of Ravensthorpe from the development area is one of an access road and miscellaneous material (wood stockpile, shipping container, etc) (**Plates 13**

and 14). Post-development the homestead and associated cottages will be situated at a higher relative level to the surrounding terrain, but will be totally screened by tree planting. Views onto the rear of Ravensthorpe would only be possible from an elevated position from a building constructed to a height above the tree screening.

The proposed development will substantially alter the natural topography of the land where the current farm buildings are located, and consequently alter the aspect of the original Waterloo grant and subsequent land divisions. Concomitant with this change will be the demolition of the still standing farm buildings.

6 SUMMARY AND RECOMMENDATIONS

The following heritage items were identified in or in the vicinity of the study area:

- One Aboriginal archaeological site, consisting of a stone flake possibly redeposited on the bank of Frazers Creek through dredging activity;
- Archaeological evidence at the original site of Wanalama homestead; and
- The heritage-listed Ravensthorpe and associated buildings and curtilage.

The single recorded stone flake has in all likelihood been redeposited and is consequently out of original context. No associated archaeological evidence was apparent. This artefact, on its own, has low scientific value. However, as ground visibility for much of the surface area was low owing to lush pasture growth, recognition must be made of the possibility of further Aboriginal sites within the study area.

The Moreton Bay fig trees on the original site of Wanalama homestead will be retained and consequently no ground disturbance is planned for this immediate area. Additionally, while the potential exists for historical archaeological evidence of nineteenth century homestead activity at the original homestead site, the integrity of this evidence is open to question given the scale of building removal and construction works carried out at and near the site in the early 1940s.

While no impacts to the fabric of Ravensthorpe will be associated with the development, there will be impacts on views to and from the homestead and associated cottages. If building height in this area of the business park exceeds 7 m then any such buildings will be visible above the tree screening when looking out from the rear boundary of Ravensthorpe, while a view into the rear of the property would be afforded from the upper levels of the buildings. Perhaps more significant would be the impact on the vista from Tongarra Road. Buildings exceeding the height of the rear tree screening would be visible above the roofline of Ravensthorpe, presenting a potentially adverse impact on the aesthetic value of this property.

It is recommended that the following should be placed in the Statement of Commitments for the Project Approval for the business park:

- The identified artefact should be collected by an appropriate Aboriginal representative and professional archaeologist before the onset of works. Discussions between the proponent and Aboriginal communities should be undertaken prior to the collection of artefacts to identify an appropriate “keeping place”. Archaeological excavation is recommended for the area in the immediate vicinity of this artefact find to verify whether or not further subsurface evidence is present;
- Consideration should be given to retaining a defined heritage zone around the Moreton Bay fig trees to retain the original site of Wanalama homestead. If this is not feasible then consideration should be given to archaeological excavation and recording to accurately document any extant information of homestead activity;
- Measures adopted in the concept plan are sufficient to mitigate impacts on the vista and aesthetic value of Ravensthorpe if planned buildings do not exceed approximately 7 m in height. If building height along the rear boundary of the Ravensthorpe property exceeds 7 m, then buildings will be visible above the planned tree plantings. If this building height is anticipated then consideration should be given to taller plantings (if practicable) or appropriate architectural design to minimise detracting of the view to and from the rear of this property. It is recommended that this be considered as part of the landscape plan;

- Should Aboriginal skeletal remains be found, work must cease and consultation with the DECC, NSW Police, NSW Coroners Office and Aboriginal communities be initiated to come to agreement on the most appropriate course of action. Actions might include either 1) the preservation of the remains *in situ*, or 2) the detailed recording and recovery of the remains by qualified personnel in conjunction with Aboriginal community representatives. The latter should also seek agreement on the subsequent location and/or re-burial of the remains prior to their removal;
- Should Aboriginal objects and/or historical relics be found during development, the relevant authorities should be contacted and the appropriate steps undertaken. These steps may include the detailed documentation, recording and collection of objects/relics prior to continuing development in the immediate location in question; and
- All contractors should be made aware of these Recommendations prior to commencing site works.




7 REFERENCES

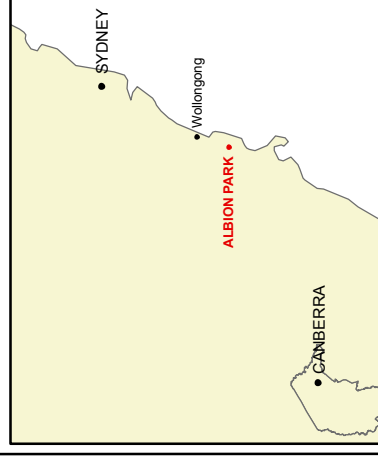
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Figures

PROJECT ID	S3014701
DATE CREATED	30 March 2007
DRAWN BY	EJW
LAST MODIFIED	EJW 10 April 2007
APPROVED	

Legend

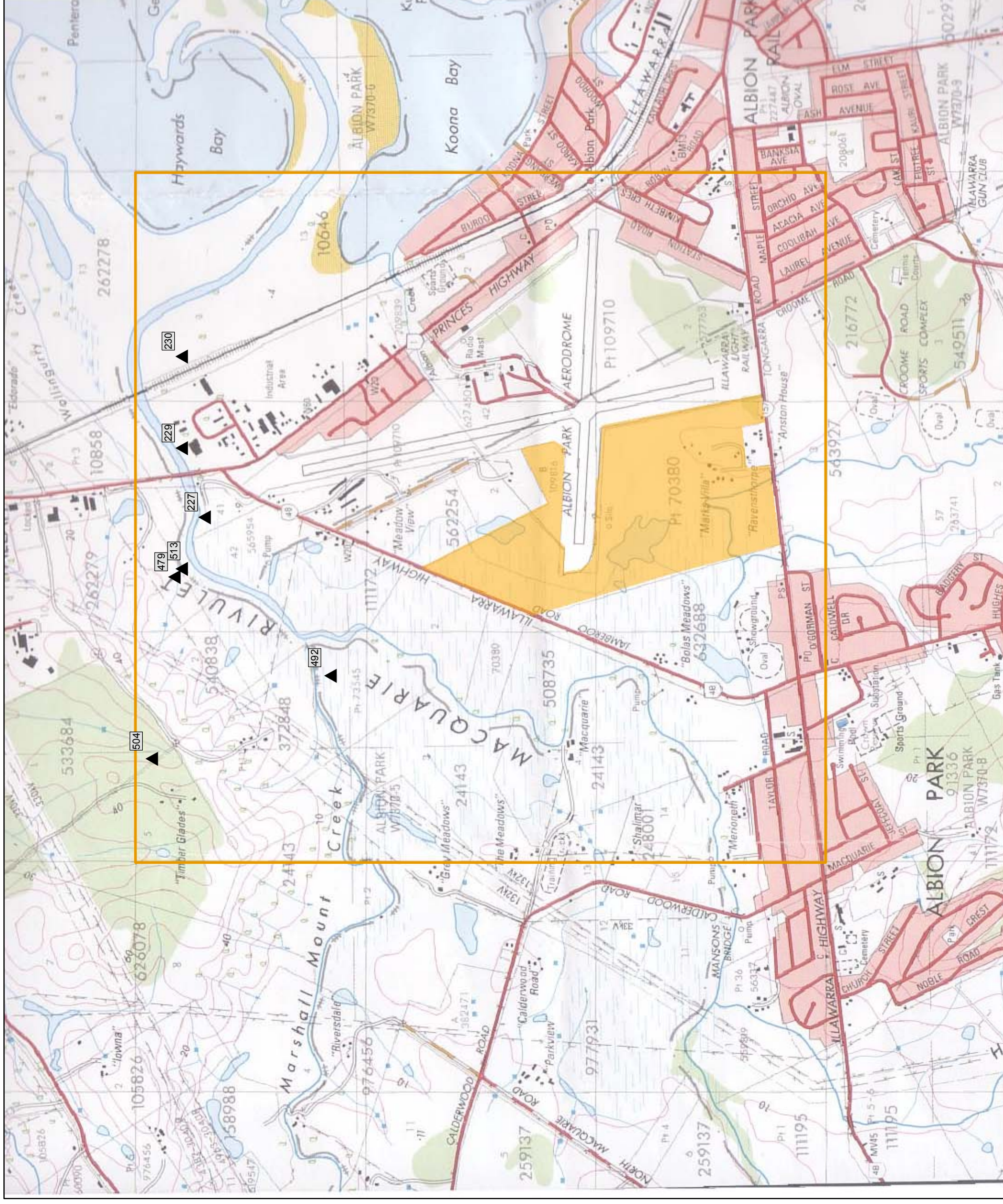
 Area analysed for previously recorded archaeological sites
 Area inspected by the archaeological survey
 Previously Recorded Sites

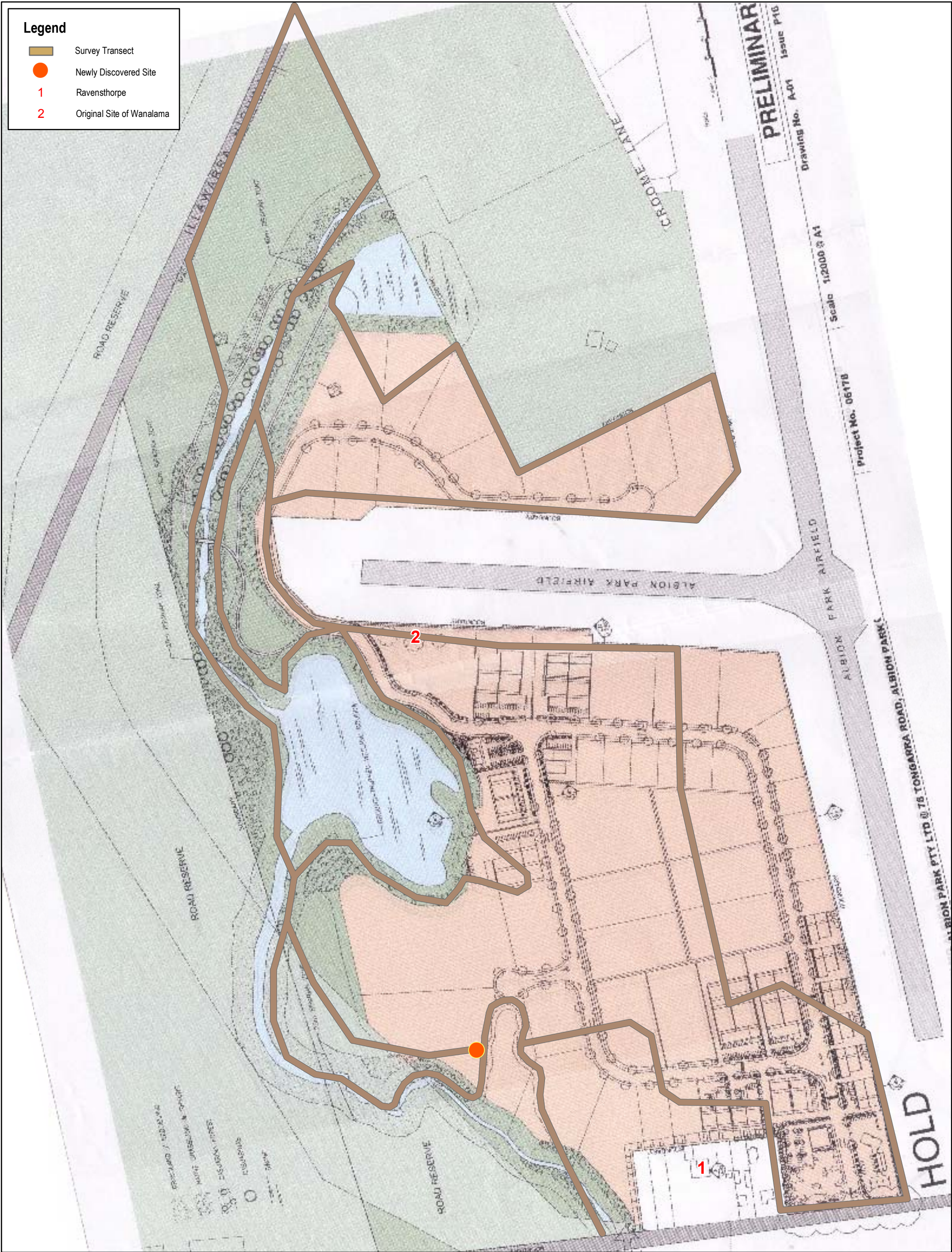


**LOCATION OF STUDY &
PREVIOUSLY RECORDED
ARCHAEOLOGICAL SITES**
AMW Corporation Pty Ltd
Albion Park Aboriginal
Heritage Assessment
Albion Park, NSW

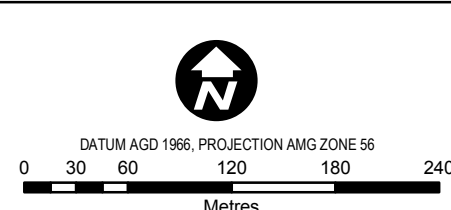


Figure





**STUDY AREA SHOWING ARCHAEOLOGICAL
SURVEY TRANSECT AND RECORDED SITE**
"Proposed lots, roads and plantings depicted within the development zone are indicative only"
AMW Corporation Pty Ltd
Albion Park Aboriginal Heritage Assessment
Albion Park, NSW



FIGURE

2



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Plates



Plate 1: Existing farm buildings looking north from rear boundary of Ravensthorpe



Plate 2: Farm homestead in mid distance (looking north)



Plate 3: Ravensthorpe from Tongarra Road



Plate 4: Example of grass cover present over much of the investigated area



Plate 5: Conditions after prolonged rain (note fig trees on original site of Wanalama)



Plate 6: Section of Frazers Creek looking north



Plate 7: Disturbed land in southeast sector of the study area



Plate 8: Disturbed land in southeast sector of the study area



Plate 9: Stone flake discovered on bank of Frazers Creek



Plate 10: Concrete silo at original site of Wanalama



Plate 11: View from rear boundary of Ravensthorpe looking north



Plate 12: View from near rear boundary of Ravensthorpe looking north



Plate 13: View toward rear boundary of Ravensthorpe



Plate 14: View toward rear boundary of Ravensthorpe



Appendix A: Communication with Aboriginal groups

Ms Sharralyn Robinson
Coordinator
Illawarra Aboriginal Land Council
37-39 Princes Highway
Dapto NSW

Dear Sharralyn,

RE: Illawarra Regional Business Park, Aboriginal Heritage Assessment

I'm following up your phone discussion with Sarah Taylor last week, in relation to the proposed development by our organization at Albion Park. We appreciate your time and the advice you have already provided in relation to the project and look forward to meeting with you next week.

As advised by Sarah, Delmo Albion Park have recently acquired an 80 hectare parcel of rural land surrounding the Albion Park airport with the intention of rezoning the land for light industrial use. Delmo Albion Park Pty Ltd have applied for the site to be declared a State Significant Site under the provisions of SEPP Major Projects with the NSW Government and as such the heritage assessment process is discretionary. However, Delmo Albion Pty Ltd is wishing to engage in consultation with the relevant groups and undertake a heritage assessment and have recently engaged HLA-Envirosciences to undertake an Aboriginal heritage assessment of the site

We present here a synthesis of the methodology suggested for the heritage assessment for your information and welcome any comments you may have

1. Consultation with appropriate Aboriginal traditional owner groups to determine their response to the proposed development and any cultural heritage issues that may arise.
2. Review of DEC AHIMS database and LEP to determine the presence of formally recorded Aboriginal sites in the development area.
3. Overlaying previously recorded sites onto a plan of the study area to determine the pattern of site distribution. This will be used to assist in determining areas of high archaeological significance, including particular landform types.
4. Site inspection. This will be undertaken by one HLA archaeologist with a nominated representative of Aboriginal traditional owner groups. It is proposed that the site inspection will be undertaken over a period of 5 days, although this may be less depending on the number of sites identified. The presence or absence of archaeological materials and terrain features will be documented using a specially designed recording form. Levels of site disturbance will be recorded. It is proposed to adopt a systematic survey strategy based on linear transects (where this is feasible) and landform units.
5. Recording sites. It is anticipated that a major archaeological site type will be stone artefact scatters or finds. Standard recording techniques will be used for identifying stone artefacts into stone type and artefact type (edge ground implements, flakes, proximal flakes, medial flakes, distal flakes, cores, angular fragments, retouched tools). Basic measurements of

length, width and thickness will be taken of intact pieces. This process will allow archaeologists to determine whether the sites present are tool manufacturing sites, or sites where tools were used and perhaps reworked into other tools. If other forms of Aboriginal heritage are identified (middens, rock art, etc) these will be recorded using standard techniques for such sites. The location of all sites will be recorded by handheld GPS coordinates and sketch plan. All sites will be photographed and, where they are large or complex, a site plan will be drafted.

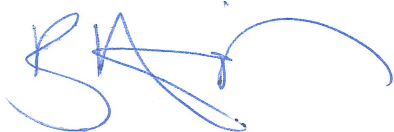
6. An assessment of archaeological sensitivity will be developed for the study area, based on the distribution of sites and landform features.
7. Recommendations will be made on measures to mitigate any proposed impacts on heritage sites, including options on alternatives to modification for especially sensitive or culturally significant sites.
8. A draft report will be produced outlining the sites identified, including their location and type. This will be made available to Aboriginal traditional owner groups for their comment before finalisation into a finished report.

Attending the meeting next week will be myself and our archaeological consultant, Clayton Frederickson. As arranged, we will meet you at your offices at 37-39 Princes Highway Dapto at 3pm on Thursday 15 March.

We look forward to meeting with you on Thursday and should you have any queries in the meantime please don't hesitate to contact the undersigned.

Yours sincerely,

DELMO ALBION PARK PTY LTD



KATE HARRIS

Development Manager

Direct Line: 02 9240 1038

Direct Fax: 02 9240 1099

Mobile: 0413 278 168

Email: kharris@amw.com.au

Mr Chris Illis
Northern Illawarra Aboriginal Collective
Unit 2, House 3, Birch Crescent
East Corrimal NSW

Dear Chris,

RE: Illawarra Regional Business Park, Aboriginal Heritage Assessment

I'm following up your phone discussion with Sarah Taylor last week, in relation to the proposed development by our organization at Albion Park. We appreciate your time and the advice you have already provided in relation to the project and look forward to meeting with you next week.

As advised by Sarah, Delmo Albion Park have recently acquired an 80 hectare parcel of rural land surrounding the Albion Park airport with the intention of rezoning the land for light industrial use. Delmo Albion Park Pty Ltd have applied for the site to be declared a State Significant Site under the provisions of SEPP Major Projects with the NSW Government and as such the heritage assessment process is discretionary. However, Delmo Albion Pty Ltd is wishing to engage in consultation with the relevant groups and undertake a heritage assessment and have recently engaged HLA-Envirosciences to undertake an Aboriginal heritage assessment of the site

We present here a synthesis of the methodology suggested for the heritage assessment for your information and welcome any comments you may have

1. Consultation with appropriate Aboriginal traditional owner groups to determine their response to the proposed development and any cultural heritage issues that may arise.
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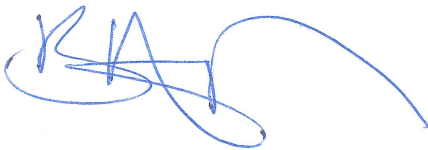
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8. A draft report will be produced outlining the sites identified, including their location and type. This will be made available to Aboriginal traditional owner groups for their comment before finalisation into a finished report.

Attending the meeting next week will be myself and our archaeological consultant, Clayton Frederickson. As arranged, we will meet you at Unit 2, House 3, Birch Crescent at 11am on Thursday 15 March.

We look forward to meeting with you on Thursday and should you have any queries in the meantime please don't hesitate to contact the undersigned.

Yours sincerely,

DELMO ALBION PARK PTY LTD



KATE HARRIS
Development Manager

Direct Line: 02 9240 1038
Direct Fax: 02 9240 1099
Mobile: 0413 278 168
Email: kharris@amw.com.au

Ms. Cheryl Davis
Wodi Wodi Elders Corporation
c/o 9 O'Donnell Drive
Fig Tree NSW 2525

Dear Cheryl,

Re: Illawarra Regional Business Park, Aboriginal Heritage Assessment

I'm following up on your phone discussion with Clayton Frederickson today, in relation to the proposed development by our organization at Albion Park. We appreciate your time and the advice you have already provided in relation to the project and look forward to meeting with you later this week.

As advised by Clayton, Delmo Albion Park Pty Ltd have recently acquired an 80 hectare parcel of rural land surrounding the Albion Park airport with the intention of rezoning the land for light industrial use. Delmo Albion Park Pty Ltd have applied for the site to be declared a State Significant Site under the provisions of SEPP Major Projects with the NSW Government and as such the heritage assessment process is discretionary. However, Delmo Albion Park Pty Ltd is wishing to engage in consultation with the relevant groups and undertake a heritage assessment and have recently engaged HLA-Envirosciences to undertake an Aboriginal heritage assessment of the site.

We present here a synthesis of the methodology suggested for the heritage assessment for your information and welcome any comments you may have

1. Consultation with appropriate Aboriginal traditional owner groups to determine their response to the proposed development and any cultural heritage issues that may arise
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pieces. This process will allow archaeologists to determine whether the sites present are tool manufacturing sites, or sites where tools were used and perhaps reworked into other tools. If other forms of Aboriginal heritage are identified (middens, rock art, etc) these will be recorded using standard techniques for such sites. The location of all sites will be recorded by handheld GPS coordinates and sketch plan. All sites will be photographed and, where they are large or complex, a site plan will be drafted.

6. An assessment of archaeological sensitivity will be developed for the study area, based on the distribution of sites and landform features.
7. Recommendations will be made on measures to mitigate any proposed impacts on heritage sites, including options on alternatives to modification for especially sensitive or culturally significant sites.
8. A draft report will be produced outlining the sites identified, including their location and type. This will be made available to Aboriginal traditional owner groups for their comment before finalisation into a finished report.

As advised the field work will commence on site on Monday 26th March 2007. I will be able to advise the exact time that the work will commence on Thursday. Delmo Albion Park Pty Ltd have elected to appoint a paid representative from the Illawarra Local Aboriginal Land Council to undertake the field work and prepare the reports. We welcome any other interested parties, including the Northern Illawarra Aboriginal Collective and the Wodi Wodi Elders Corporation, to attend the site inspection. If representatives from the Wodi Wodi Elders Corporation would like to attend the site inspection please provide the details of the nominated representatives as well as insurance and work cover details to myself on Thursday.

As discussed I will meet you on Thursday 22nd March to discuss the site and the proposal further in person at 9 O'Donnell Drive, Figtree, at 2pm.

I look forward to meeting with you on Thursday and should you have any queries in the meantime please don't hesitate to contact the undersigned.

Yours sincerely,
DELMO ALBION PARK PTY LTD



KATE HARRIS
Development Manager

Direct Line: 02 9240 1038
Direct Fax: 02 9240 1099
Mobile: 0413 278 168
Email: kharris@amw.com.au

cc: Clayton Frederickson, HLA-Envirosciences Pty Ltd
Veronica Graf, Shellharbour City Council

23rd March 2007

Mr & Mrs Reuben and Gwen Brown
Korewal Elouera Jerrungarugh Tribal Elders
86 Hertford Street
BERKLEY NSW 2540

Dear Mr & Mrs Brown,

Re: Illawarra Regional Business Park, Aboriginal Heritage Assessment

I'm writing to you in relation to the proposed development by our organization, Delmo Albion Park Pty Ltd at Albion Park. Delmo Albion Park Pty Ltd have recently acquired an 80 hectare parcel of rural land surrounding the Albion Park airport with the intention of rezoning the land for business park use. Delmo Albion Park Pty Ltd intends to develop a business park on the site with the capability to employ over 1,600 people on site upon completion. It is anticipated that there will also be significant employment generated during the construction of the site.

Delmo Albion Park Pty Ltd have applied for the site to be declared a State Significant Site under the provisions of SEPP Major Projects with the NSW Government and as such the heritage assessment process is discretionary. However, Delmo Albion Park Pty Ltd is wishing to engage in consultation with the relevant groups and undertake a heritage assessment and have recently engaged HLA-Envirosciences to undertake an Aboriginal heritage assessment of the site.

We have held meetings with the Illawarra Local Aboriginal Land Council (ILALC) and appointed one site officer from ILALC to undertake the paid field work and provide the required reports.

We present here a synthesis of the methodology suggested for the heritage assessment for your information and welcome any comments you may have

1. Consultation with appropriate Aboriginal traditional owner groups to determine their response to the proposed development and any cultural heritage issues that may arise
2. Review of DEC AHIMS database and LEP to determine the presence of formally recorded Aboriginal sites in the development area
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4. Site inspection. This will be undertaken by one HLA archaeologist with one nominated representative of Aboriginal traditional owner groups. It is proposed that the site inspection will be undertaken over a period of 4 days, although this may be less depending on the number of sites identified. The presence or absence of archaeological materials and terrain features will be documented using a specially designed recording form. Levels of site disturbance will be recorded. It is proposed to adopt a systematic survey strategy based on linear transects (where this is feasible) and landform units
5. Recording sites. It is anticipated that a major archaeological site type will be stone artefact scatters or finds. Standard recording techniques will be used for identifying stone artefacts into stone type

and artefact type (edge ground implements, flakes, proximal flakes, medial flakes, distal flakes, cores, angular fragments, retouched tools). Basic measurements of length, width and thickness will be taken of intact pieces. This process will allow archaeologists to determine whether the sites present are tool manufacturing sites, or sites where tools were used and perhaps reworked into other tools. If other forms of Aboriginal heritage are identified (middens, rock art, etc) these will be recorded using standard techniques for such sites. The location of all sites will be recorded by handheld GPS coordinates and sketch plan. All sites will be photographed and, where they are large or complex, a site plan will be drafted.

6. An assessment of archaeological sensitivity will be developed for the study area, based on the distribution of sites and landform features.
7. Recommendations will be made on measures to mitigate any proposed impacts on heritage sites, including options on alternatives to modification for especially sensitive or culturally significant sites.
8. A draft report will be produced outlining the sites identified, including their location and type. This will be made available to Aboriginal traditional owner groups for their comment before finalisation into a finished report.

The field work will commence on site on Tuesday 27th March 2007 at 9am. Delmo Albion Park Pty Ltd have elected to appoint a paid representative from the Illawarra Local Aboriginal Land Council to undertake the field work and prepare the reports. We welcome any other interested parties to attend the site inspection however please note that participation would be on a voluntary basis. If representatives from the Korewal Elouera Jerrungarugh Tribal Elders would like to attend the site inspection please provide the details of the nominated representatives as well as insurance and work cover details to the undersigned.

We would be pleased to meet with you in person to discuss the proposal further, if you would like a face to face meeting please contact the undersigned to arrange a suitable time and date.

Should you have any queries in the meantime please don't hesitate to contact the undersigned.

Yours sincerely,

DELMO ALBION PARK PTY LTD



KATE HARRIS

Development Manager

Direct Line: 02 9240 1038

Direct Fax: 02 9240 1099

Mobile: 0413 278 168

Email: kharris@amw.com.au

cc: Clayton Frederickson, HLA-Envirosciences Pty Ltd
Veronica Graf, Shellharbour City Council
Sharralyn Robinson, ILALC

21 March 2007

Mr Chris Illert
Northern Illawarra Aboriginal Collective
Unit 2, House 3, Birch Crescent
East Corrimal NSW 2518

Dear Chris,

RE: Illawarra Regional Business Park, Aboriginal Heritage Assessment

Following the meeting held on Thursday 15th March 2007 between Kate Harris of Delmo Albion Park Pty Ltd and Clayton Fredericksen of HLA-Envirosciences, and Chris Illert, Daniella Illert, Yvonne Simms, Jenny and Phoebe of Northern Illawarra Aboriginal Collective (NIAC), I am writing to thank you for your time in speaking with us.

We confirm that, Delmo Albion Park will be commencing the site field work for Aboriginal Heritage Assessment as soon as possible and the archaeological survey is planned to commence on site, 78 Tongarra Road Albion Park, on Monday 26th March 2007. At this stage it is envisaged that the survey will be completed within 5 days.

Following discussions with a number of community groups in the Illawarra region, the Illawarra Local Aboriginal Land Council (ILALC), has been appointed to facilitate the Aboriginal Heritage Assessment and complete the required reports. We are however extending a formal invitation to all consulted parties, to participate if they wish in a heritage assessment including the site inspection. As paid employment will only be offered to one site officer nominated by the ILALC, any other parties wishing to participate in the site inspection can do so on an voluntary unpaid basis.

If NIAC wish to send representatives to the site inspection please send a letter prior to Monday 26 March confirming who the nominated representatives are, as well as copies of NIAC's insurances.

A copy of the draft report of the assessment will be made available for comment to NIAC and other community groups.

Should you have any queries please don't hesitate to contact either the undersigned on 02 9240 1038, or Clayton Fredericksen on 02 6260 7411.

Yours sincerely,

DELMO ALBION PARK PTY LTD

A handwritten signature in black ink, appearing to read 'K. Harris', followed by a period.

KATE HARRIS

Development Manager

cc. Clayton Fredrickson – HLA
Sharralyn Robinson - ILALC
Veronica Graf - Shellharbour Council

A S H E M O R G A N P R O P E R T Y

Level 32, 126 Phillip Street Sydney NSW 2000
Telephone 02 9240 1000 Facsimile 02 9240 1099 www.amw.com.au

21 March 2007

Ms Sheryl Davis
Wodi Wodi Elders Corporation
c/o 9 O'Donnell Drive
Figtree NSW 2525

Dear Sheryl,

RE: Illawarra Regional Business Park, Aboriginal Heritage Assessment

Following the meeting held on Thursday 22nd March 2007 between Kate Harris and Kathy McManus of Delmo Albion Park Pty Ltd and yourself and Kim from Wodi Wodie Elders Corporation I am writing to thank you for your time in speaking with us.

We confirm that, Delmo Albion Park Pty Ltd will be commencing the site field work for Aboriginal Heritage Assessment as soon as possible and the archaeological survey is planned to commence on site, 78 Tongarra Road Albion Park, on Tuesday 27th March 2007. At this stage it is envisaged that the survey will be completed within 4 days.

Following discussions with a number of community groups in the Illawarra region, the Illawarra Local Aboriginal Land Council (ILALC), has been appointed to facilitate the Aboriginal Heritage Assessment and complete the required reports. We are however extending a formal invitation to all consulted parties, to participate if they wish in a heritage assessment including the site inspection. As paid employment will only be offered to one site officer nominated by the ILALC, any other parties wishing to participate in the site inspection can do so on an voluntary unpaid basis.

Should the Wodi Wodi Elders Corporation wish to send representatives to the site inspection please send a letter prior to Tuesday 27th March confirming who the nominated representatives are, as well as copies of Wodi Wodi's insurances.

A copy of the draft report of the assessment will be made available for comment to Wodi Wodi Elders Corporation and other community groups.

Should you have any queries please don't hesitate to contact either the undersigned on 02 9240 1038, or Clayton Fredericksen on 02 6260 7411.

Yours sincerely,
DELMO ALBION PARK PTY LTD



KATE HARRIS
Development Manager

cc. Clayton Fredrickson - HLA
Sharralyn Robinson - ILALC
Veronica Graf - Shellharbour City Council

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Appendix B: Minutes of meetings with Aboriginal groups

MINUTES

Project: Illawarra Regional Business Park
Meeting: Aboriginal Heritage Community Consultation
Date: Thursday 15th March 2007
Venue: 37 – 39 Princes Highway Dapto

Attendees:

Kate Harris	Delmo Albion Park Pty Ltd
Clayton Fredrickson	HLA-Envirosciences Pty Ltd
Sharralyn Robinson	Illawarra Local Aboriginal Land Council
Veronica Graff	Shellharbour City Council

Concept Plan

KH outlined details of the current concept plan for the site with reference to the development areas

- The total site area purchased is approximately 80 hectares and is currently zoned rural and used for agricultural purposes
- Approximately 47 hectares of the site will be developed into a business park, predominantly with light industrial use
- The remainder of the site will be zoned with an environmental use. The creeks and wetlands in the non developed area will be revegetated and handed back to Council to be used as public open space. Council will undertake the maintenance and upkeep of the non developed area, the cost of this will be covered by the individual lot owners who will have a positive covenant on their titles for the upkeep of the area
- The developer intends to undertake all the services works to the site and then sell lots to individual purchasers to construct the buildings. Each lot will be sold with a set of building guidelines to ensure conformity.

Illawarra Local Aboriginal Land Council (ILALC)

Sharralyn Robinson outlined the work of ILALC and noted the following

- ILALC is the statutory body for the region and represents all the Aboriginal groups in the area with the exception of NIAC and the Wodi Wodi Elders Corporation who are both independent bodies
- Noted that NIAC is viewed within the local community as one group
- Noted that KEJ is represented by the Land Council
- Noted that Wadi Wadi Coomaditchie Corporation is not a member of NIAC but rather a separate group
- ILALC advised that Delmo Albion Park Pty Ltd consult with both NIAC and Wodi Wodi separately as they are not members of ILALC
- ILALC advised Delmo Albion Park Pty Ltd to send a letter to both KEJ and Wadi Wadi outlining the proposed process
- ILALC advised that they have a rotating system of site officers to attend site inspections to ensure all groups have equal representation

- ILALC noted that they have a mandate to promote employment for their members where ever possible and further noted that they had many trained members who held green cards who would be interested in working at the site

The Proposed Development

- ILALC noted that they thought the proposed development would be beneficial to the local community and that they were in principle happy with the proposed plan
- ILALC advised that if Delmo elected to appoint a site officer from one of the independent groups it could be expected that each of the independent groups, as well as the groups covered by ILALC, would expect to have the same representation for the site inspection. This could potentially lead to five different groups requesting representation at the site inspection
- Delmo advised that all interested parties would be invited to attend the site inspection however Delmo intended that one party would be paid for the field work, as per the DEC draft guidelines
- ILALC advised that following the site inspections, consensus on the findings would need to be agreed between all groups to allow the recommendations of the report to be accurate
- Veronica Graff advised Shellharbour City Council convened a Traditional Land Owners Working Group that met regularly to discuss issues relevant to traditional land owners. Delmo proposed that a presentation be made to that group at the next meeting if deemed appropriate or necessary.
- ILALC noted that the main consideration for any group for the site inspection should be the preservation of cultural significance
- It was agreed that ILALC would send Delmo confirmation of their proposed fees to undertake the work

MINUTES

Project: Illawarra Regional Business Park
Meeting: Aboriginal Heritage Community Consultation
Date: Thursday 15th March 2007
Venue: Unit 2, House 3, Birch Crescent

Attendees:

Kate Harris	Delmo Albion Park Pty Ltd
Clayton Fredrickson	HLA-Envirosciences Pty Ltd
Chris Illert	Northern Illawarra Aboriginal Collective
Daniella Illert	Northern Illawarra Aboriginal Collective
Yvonne Simms	Northern Illawarra Aboriginal Collective
Jenny	Northern Illawarra Aboriginal Collective
Phoebe	Northern Illawarra Aboriginal Collective

Concept Plan

KH outlined details of the current concept plan for the site with reference to the development areas

- The total site area purchased is approximately 80 hectares and is currently zoned rural and used for agricultural purposes
- Approximately 47 hectares of the site will be developed into a business park, predominantly with light industrial use
- The remainder of the site will be zoned with an environmental use. The creeks and wetlands in the non developed area will be revegetated and handed back to Council to be used as public open space. Council will undertake the maintenance and upkeep of the non developed area, the cost of this will be covered by the individual lot owners who will have a positive covenant on their titles for the upkeep of the area
- The developer intends to undertake all the services works to the site and then sell lots to individual purchasers to construct the buildings. Each lot will be sold with a set of building guidelines to ensure conformity.

Northern Illawarra Aboriginal Collective (NIAC)

Chris Illert outlined the work of NIAC and noted the following

- NIAC is an independently registered business that does not receive any government funding. NIAC has \$20m in insurances and workcover and most of their workers have green cards
- NIAC has been operational for approximately 30 years

- NIAC has extensive experience in land care and regeneration projects as well as experience in the field work. NIAC generally provides paid workers to undertake the field work and Daniella also attends site inspections free of charge. NIAC provides a PDF copy of the report from the fieldwork
- NIAC are able to establish the history of the site from the Elders. NIAC noted that there is significant history in the area, particularly around the word 'Tongarra'

The Proposed Development

- NIAC noted that they thought the proposed development would be beneficial to the local community and that they were in principle happy with the proposed plan
- Yvonne noted that traditional archaeologists are often not familiar with Aboriginal culture and the history of the land. Further noted that she had inspected the site previously and there were no scarred trees and there were unlikely to be any registered or significant sites
- It was noted that traditionally the dead were buried close to creeks and there was a possibility that some skeletons would be discovered. NIAC noted that if skeletons or bones were discovered their preference would be not to touch or remove the skeletons but rather leave them in the ground and use planting to mark the area as significant
- It was noted that it would be more likely to find some stone artifacts and tool making sites which would need to be listed on a register and relocated to safe storage
- NIAC noted that they would like some traditional Aboriginal elements to be incorporated into the development, such as the use of Aboriginal words for street names. Delmo Albion Park Pty Ltd agreed that this could be considered

MINUTES

Project: Illawarra Regional Business Park
Meeting: Aboriginal Heritage Community Consultation – Wodi Wodi Elders Corporation
Date: Thursday 22nd March 2007
Venue: 9 O'Connell Drive, Figtree

Attendees:

Kate Harris	Delmo Albion Park Pty Ltd
Kathy McManus	Delmo Albion Park Pty Ltd
Sheryl Davis	Wodi Wodi Elders Corporation
Kim	Wodi Wodi Elders Corporation

Concept Plan

KH outlined details of the current concept plan for the site with reference to the development areas

- The total site area purchased is approximately 80 hectares and is currently zoned rural and used for agricultural purposes
- Approximately 47 hectares of the site will be developed into a business park, predominantly with light industrial use
- The remainder of the site will be zoned with an environmental use. The creeks and wetlands in the non developed area will be revegetated and handed back to Council to be used as public open space. Council will undertake the maintenance and upkeep of the non developed area, the cost of this will be covered by the individual lot owners who will have a positive covenant on their titles for the upkeep of the area
- The developer intends to undertake all the services works to the site and then sell lots to individual purchasers to construct the buildings. Each lot will be sold with a set of building guidelines to ensure conformity.

Wodi Wodi Elders Corporation (WVEC)

Sheryl Davis outlined the work of WVEC and noted the following

- WVEC do not attend the Shellharbour Traditional Land Owners group as there is too much fighting amongst the groups
- WVEC are a traditional land owner in relation to the site and have genealogy that proves their blood lines to the area

The Proposed Development

- WVEC noted that they thought the proposed development would be beneficial to the local community and that they were in principle happy with the proposed plan
- It was agreed that the draft DEC guidelines call for one paid representative to be in attendance for the site inspection. Delmo Albion Park advised that all interested parties are invited to attend the site inspection however Delmo has appointed the Land Council as the paid representative and any other groups wishing

to do participate would need to do so on a voluntary basis. WWEC advised that they would like to have their own representative at the site inspection however will not be willing to participate unless paid to do so

- WWEC expressed concern at the appointment of the Land Council and noted they have a tendency to sweep issues under the carpet and will provide a positive outcome in exchange for money. WWEC particularly expressed a concern that Land Council site officers are not always traditional land owners and as such their interest in site preservation is diminished
- WWEC requested that any artefacts that are retrieved are not left with the Land Council or Shellharbour Council but rather put aside in a protected place until they could be reinstated on site. Delmo queried what would be an acceptable protected place for WWEC. WWEC advised they would confirm this once the site inspection was completed
- Delmo advised that the reports prepared following the site inspection would be made available to all interested parties to comment on. WWEC advised that commenting would be difficult given that they would not be sending a sites officer to the inspection however would still like to review the report prior to finalising. Delmo confirmed this would occur
- WWEC advised they would place a telephone call to Dr Clayton Frederickson of HLA-Envirosciences, being Delmo's appointed consultant, to further discuss the specifics of the site inspection
- Delmo advised that if there were any further queries from WWEC they were welcome to contact Kate Harris at any time