

Cleary Bros (Bombo) Pty Ltd

ABN: 28 000 157 808



CLEARY BROS

Albion Park Quarry Extraction Area Stage 7 Extension

Aboriginal Cultural Heritage Assessment

Prepared by

Biosis Pty Ltd



August 2021

**Specialist Consultant Studies Compendium
Part 5**

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ABN: 28 000 157 808

Albion Park Quarry Extraction Area Stage 7 Extension

Aboriginal Cultural Heritage Assessment

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Glossary

ACHA	Aboriginal Cultural Heritage Assessment
AHIMS	Aboriginal Heritage Information Management System
AR	Archaeological Report
CBD	Central Business District
DA	Determining Authority
DECCW	Department of Environment, Climate Change and Water
DP	Deposited Plan
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
Heritage NSW	Heritage NSW, Department of Premier and Cabinet (DPC)
ICOMOS	International Council on Monuments and Sites
LALC	Local Aboriginal Land Council
LEP	Local Environmental Plan
LGA	Local Government Area
NNTT	National Native Title Tribunal
NPW Act	<i>National Parks and Wildlife Act 1974</i>
NPWS	National Parks and Wildlife Service
NSW	New South Wales
NTSCORP	Native Title Services Corporation
PAD	Potential Archaeological Deposit
RAPs	Registered Aboriginal Parties
SEARs	Secretary's Environmental Assessment Requirements
Study area	Defined as parts of Lot 1 DP 858245 and Lot 7 DP 3709
SSD	State Significant Development
the Code	<i>Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (DECCW 2010)</i>

Summary

Biosis Pty Ltd was commissioned by Cleary Bros (Bombo) Pty Ltd to undertake an Aboriginal Cultural Heritage Assessment (ACHA) of a proposed extension of the current extraction area within the Albion Park Quarry, New South Wales (NSW) (the study area). The development will be assessed under Part 4, Division 4.7 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as a State Significant Development (SSD).

The study area is located on private land in the locality of Croom, approximately 20 kilometres south of the Wollongong Central Business District (CBD). The study area incorporates parts of Lot 1 DP858245 and Lot 7 DP3709, and is bounded by Stage 5 and Stage 6 of the current extraction area to the west, and by farmland to the north, east and south.

There are 92 Aboriginal cultural heritage sites registered with the Aboriginal Heritage Information Management System (AHIMS) register within the vicinity of the study area. There are no recorded Aboriginal sites located within the study area.

An archaeological survey was conducted on 13 August 2020 by Senior Archaeologist Samantha Keats and Tracey Henry from the Illawarra Local Aboriginal Land Council (LALC). The overall effectiveness of the survey for examining the ground for Aboriginal sites was deemed low. This was attributed to vegetation cover restricting ground surface visibility (GSV) combined with a low amount of exposures. No previously unrecorded Aboriginal cultural heritage sites or areas of (archaeological) sensitivity were identified during the field investigation (see **Appendix 6** of the Archaeological Report).

Consultation

The Aboriginal community was consulted regarding the heritage management of the Project throughout the scoping and assessment process. Consultation has been undertaken as per the process outlined in the DECCW document, *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010a) (consultation requirements) and can be found in **Appendix 1**. The appropriate government bodies were notified and advertisements placed in the *Illawarra Mercury* newspaper (22 April 2020), which resulted in the following Aboriginal organisations registering their interest (**Table 1**):

Table 1 List of registered Aboriginal parties and group contact

No.	Organisation
1	Barraby Cultural Services
2	Clive Freeman
3	Guunamaa Dreaming Sites and Surveying
4	Illawarra Local Aboriginal Land Council
5	James Davis
6	Jesse Carroll Johnson
7	Leanne Tungai
8	Murra Bidgee Mullangari Aboriginal Corporation

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No.	Organisation
9	Three Ducks Dreaming Surveying and Consulting
10	Tungai Tonghi
11	Woronora Plateau Gundungara Elders Council
12	Yerramurra (Murrin Clan/Peoples) and Taste of Tradition Native Aboriginal Corporation
13	Yurrandaali Cultural Services

A search conducted by the Office of the Registrar, *Aboriginal Land Rights Act 1983* (NSW) listed no Aboriginal Owners with land within the study area. A search conducted by the NNTT listed no Registered Native Title Claims or Registered Indigenous Land Use Agreements within the study area. There was one unregistered Claimant Application within the study area, South Coast Peoples (NC2017/008).

Upon registration, the Aboriginal parties were invited to provide their knowledge on the study area and on the proposal provided in the methodology document. Six responses were received and they all agreed with the methodology, however no respondents shared any knowledge about the study area. Responses from the Registered Aboriginal Parties (RAPs) are included in **Appendix 3**.

Tracey Henry from the Illawarra LALC participated in the field survey and did not provide comment on the study area with regard to the proposal. She did however consider the study area to have high cultural value regardless of the lack of Aboriginal sites.

The outcome of the consultation process was that the RAPs considered the study area to have a high level of cultural significance, although that significance was not clearly defined and specific examples were not provided. The results of the consultation process are included in this document.

The recommendations that resulted from the consultation process are provided below.

Management recommendations

Prior to any development impacts occurring within the study area, the following is recommended:

Recommendation 1: No further archaeological assessment is required

No further archaeological work is required in the study area due to the entire study area being assessed as having low archaeological potential.

Recommendation 2: Discovery of unanticipated Aboriginal objects

All Aboriginal objects and Places are protected under the *National Parks and Wildlife Act 1974* (NPW Act). It is an offence to knowingly disturb an Aboriginal site without a consent permit issued by the Heritage NSW, Department of Premier and Cabinet (Heritage NSW). Should any Aboriginal objects be encountered during works associated with this proposal, works must cease in the vicinity and the find should not be moved until assessed by a qualified archaeologist. If the find is determined to be an Aboriginal object the archaeologist will provide further recommendations. These may include notifying the Heritage NSW and Aboriginal stakeholders.

Recommendation 3: Discovery of Aboriginal ancestral remains

Aboriginal ancestral remains may be found in a variety of landscapes in NSW, including middens and sandy or soft sedimentary soils. If any suspected human remains are discovered during any activity you must:

1. Immediately cease all work at that location and not further move or disturb the remains.
2. Notify the NSW Police and Heritage NSW's Environmental Line on 131 555 as soon as practicable and provide details of the remains and their location.
3. Not recommence work at that location unless authorised in writing by Heritage NSW.

Recommendation 4: Continued consultation with the registered Aboriginal stakeholders

As per the consultation requirements, it is recommended that the proponent provides a copy of this final report to the Aboriginal stakeholders and considers all comments received. The proponent should continue to inform these groups about the management of Aboriginal cultural heritage sites within the study area throughout the life of the Project.

1 Introduction

1.1 Project background

Biosis Pty Ltd was commissioned by Cleary Bros (Bombo) Pty Ltd to undertake an Aboriginal Cultural Heritage Assessment (ACHA) of the proposed extension of the current extraction area within the Albion Park Quarry, NSW (the study area). The proposed development within the study area will include the extension of the existing extraction area over an area of approximately 20 hectares. The development will be assessed under Part 4, Division 4.7 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as a State Significant Development (SSD).

This report details the investigation, consultation and assessment of Aboriginal cultural heritage undertaken for the study area. The Archaeological Report (AR) in **Appendix 6** details the findings of the archaeological investigations conducted as part of the ACHA. As required under Section 2.3 of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010a) (the Code), the AR provides evidence about the material traces of Aboriginal land use to support the conclusions and management recommendations in the ACHA.

1.2 Study area

The study area is located on private land in the locality of Croom, approximately 20 kilometres south-southwest of the Wollongong CBD (**Figure 1**). It encompasses 20 hectares of private land.

The study area is within the:

- Shellharbour Local Government Area (LGA).
- Parish of Terragong.
- County of Camden.

The study area is bounded by Stage 5 and Stage 6 of the current extraction area to the west, and by farmland to the north, east and south (**Figure 2**)

1.3 Proposed development

Cleary Bros propose to extend the existing extraction area by applying for a new development consent under Part 4.1 of the EP&A Act. The existing extraction area was approved on 21 February 2006 by the Land and Environment Court (Development Consent 10639/2005) and has been modified in 2009, 2015 and 2017. The proposed extension area will be located beyond the current extraction areas of Stages 5 and 6 into an area identified as Stage 7 (**Figure 3**). The annual production limit of 900,000 tonnes per annum will be maintained and there will be no modifications to the extraction procedures although a new crushing and screening plant would be used on a continuous basis within the extraction area throughout the Project life.

1.4 Planning approvals

The proposed development will be assessed against Part 4, Division 4.7 of the EP&A Act. Other relevant legislation and planning instruments that will inform this assessment include:

- Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

- *National Parks and Wildlife Act 1974 (NPW Act).*
- *NSW National Parks and Wildlife Amendment Act 2010.*
- *Shellharbour Local Environmental Plan 2013 (LEP).*
- *Shellharbour Development Control Plan.*

1.5 Secretary's Environmental Assessment Requirements

The following tables outline the coverage of the Secretary's Environmental Assessment Requirements (SEARs) and other government agencies for consideration in the Environmental Impact Statement (EIS) and which section they are addressed in this report.

Table 2 Coverage of SEARs in the EIS

Summarised requirements	Section(s)
ABORIGINAL HERITAGE	
An assessment of the potential impacts on Aboriginal heritage (cultural and archaeological), including evidence of appropriate consultation with relevant Aboriginal communities/parties and documentation of the views of these stakeholders regarding the likely impact of the development on their cultural heritage.	Section 6 Appendix 1 Appendix 4 Appendix 5

Table 3 Coverage of issues identified by other government agencies in the EIS

Agency	Summary requirements	Section(s)
ABORIGINAL CULTURAL HERITAGE		
DPIE – Biodiversity & Conservation Division (BCD) 5 September 2019	The EIS must identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the project and document these in the EIS.	Section 5
	Where Aboriginal cultural heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010</i> (DECCW 2010a).	Section 4
	The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the EIS.	Section 5
	The EIS must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to BCD.	Section 6
	The assessment of cultural heritage values must include a surface survey undertaken by a qualified archaeologist in areas with potential for subsurface Aboriginal deposits.	Section 4 in the archaeological report

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Agency	Summary requirements	Section(s)
	The EIS must outline procedures to be followed if Aboriginal objects are found at any stage of the life of the [development/project] to formulate appropriate measures to manage unforeseen impacts.	Section 7
	The EIS must outline procedures to be followed in the event Aboriginal burials or skeletal material is uncovered during construction to formulate appropriate measures to manage the impacts to this material.	Section 7

INDIGENOUS COMMUNITY CONSULTATION

DAWE – Department of Agriculture, Water and Environment 11 March 2021	The NSW assessment process includes a public consultation phase, in which any third parties can comment on the proposed action. Indigenous communities should also be consulted during the assessment process. The Department recommends that the EIS include:	
	a) Identification of all the Aboriginal people that have been consulted on the proposal and the processes used to ensure they understand the proposal and potential impacts (and proposed actions to mitigate impacts on Indigenous heritage values).	Section 4 Appendix 3
	b) Concerns raised by Aboriginal people identified during consultation about the Indigenous heritage values and how they have been addressed.	Section 4
	c) Detail of any MOUs/agreements/plans (including those with confidentiality arrangements) to manage the Indigenous heritage values over the development timeframe.	N/A
	d) Written confirmation from the appropriate Registered Aboriginal Parties, including the Illawarra Local Aboriginal Land Council, that confirms the above points and providing their support or otherwise for the works in relation to the protection of their heritage values and sites.	Section 4 Appendix 3 Appendix 4
	e) Strategies to address the handling and reporting of unforeseen heritage discoveries during works, including Indigenous and non-Indigenous archaeology and unexpected human remains. Heritage monitors should be present on site for all relevant works, including representatives of the Traditional custodians and Aboriginal people with rights or interests in the area, if there is an identified likelihood that Indigenous and non-Indigenous archaeology and unexpected human remains are likely to be encountered.	Section 6

1.6 Restricted and confidential information

Appendix 1 in the Archaeological Report contains Aboriginal Heritage Information Management System (AHIMS) information which is confidential and not to be made public. This is clearly marked on the title page for the Attachment.

1.7 Aboriginal cultural heritage

1.7.1 General description

According to Allen and O'Connell (2003), Aboriginal people have inhabited the Australian continent for the last 50,000 years. New evidence out of the Northern Territory has pushed this date back with the Malakanunja II rock shelter dated at around 65,000 years BP (before present) (Clarkson et al. 2017).

In NSW, according to Bowler et al. (2003), Aboriginal people have occupied the land for over 42,000 years. However, preliminary evidence presented by Biosis (2016) from a subsurface testing program in south-western NSW suggests Aboriginal people may have occupied the semi-arid zone of the region for 50,000 years.

Without being part of the Aboriginal culture and the productions of this culture, it is not possible for non-Aboriginal people to fully understand the meaning of site, objects and places to Aboriginal people – only to move closer towards understanding this meaning with the help of the Aboriginal community. Similarly, definitions of Aboriginal culture and cultural heritage without this involvement constitute outsider interpretations.

With this preface Aboriginal cultural heritage broadly refers to things that relate to Aboriginal culture and hold cultural meaning and significance to Aboriginal people (DECCW 2010a, p.3). There is an understanding in Aboriginal culture that everything is interconnected. In essence Aboriginal cultural heritage can be viewed as potentially encompassing any part of the physical and/or mental landscape, that is, 'Country' (DECCW 2010a, p.iii).

Aboriginal people's interpretation of cultural value is based on their 'traditions, observance, lore, customs, beliefs and history' (DECCW 2010a, p.3). The things associated with Aboriginal cultural heritage are continually and actively being defined by Aboriginal people (DECCW 2010a, p.3). These things can be associated with traditional, historical or contemporary Aboriginal culture (DECCW 2010a, p.3).

1.7.2 Tangible Aboriginal cultural heritage

Three categories of tangible Aboriginal cultural heritage may be defined:

- Things that have been observably modified by Aboriginal people.
- Things that may have been modified by Aboriginal people but no discernible traces of that activity remain.
- Things never physically modified by Aboriginal people (but associated with Dreamtime Ancestors who shaped those things).

1.7.3 Intangible Aboriginal cultural heritage

Examples of intangible Aboriginal cultural heritage would include memories of stories and 'ways of doing', which would include language and ceremonies (DECCW 2010a, p.3).

1.7.4 Statutory

Currently Aboriginal cultural heritage, as statutorily defined by the NPW Act, consists of objects and places which are protected under Part 6 of the Act.

Aboriginal objects are defined as:

any deposit, object or material evidence...relating to the Aboriginal habitation of the area that comprises NSW, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains

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Aboriginal places are defined as a place that is or was of special Aboriginal cultural significance. Places are declared under section 84 of the NPW Act.

1.7.5 Values

Aboriginal cultural heritage is valued by Aboriginal people as it is used to define their identity as both individuals and as part of a group (DECCW 2010a, p.iii). More specifically it is used:

- To provide a:
 - *'Connection and sense of belonging to Country'* (DECCW 2010a, p.iii).
 - Link between the present and the past (DECCW 2010a, p.iii).
- As a learning tool to teach Aboriginal culture to younger Aboriginal generations and the general public (DECCW 2010a, p.3).
- As further evidence of Aboriginal occupation prior to European settlement for people who do not understand the magnitude to which Aboriginal people occupied the continent (DECCW 2010a, p.3).

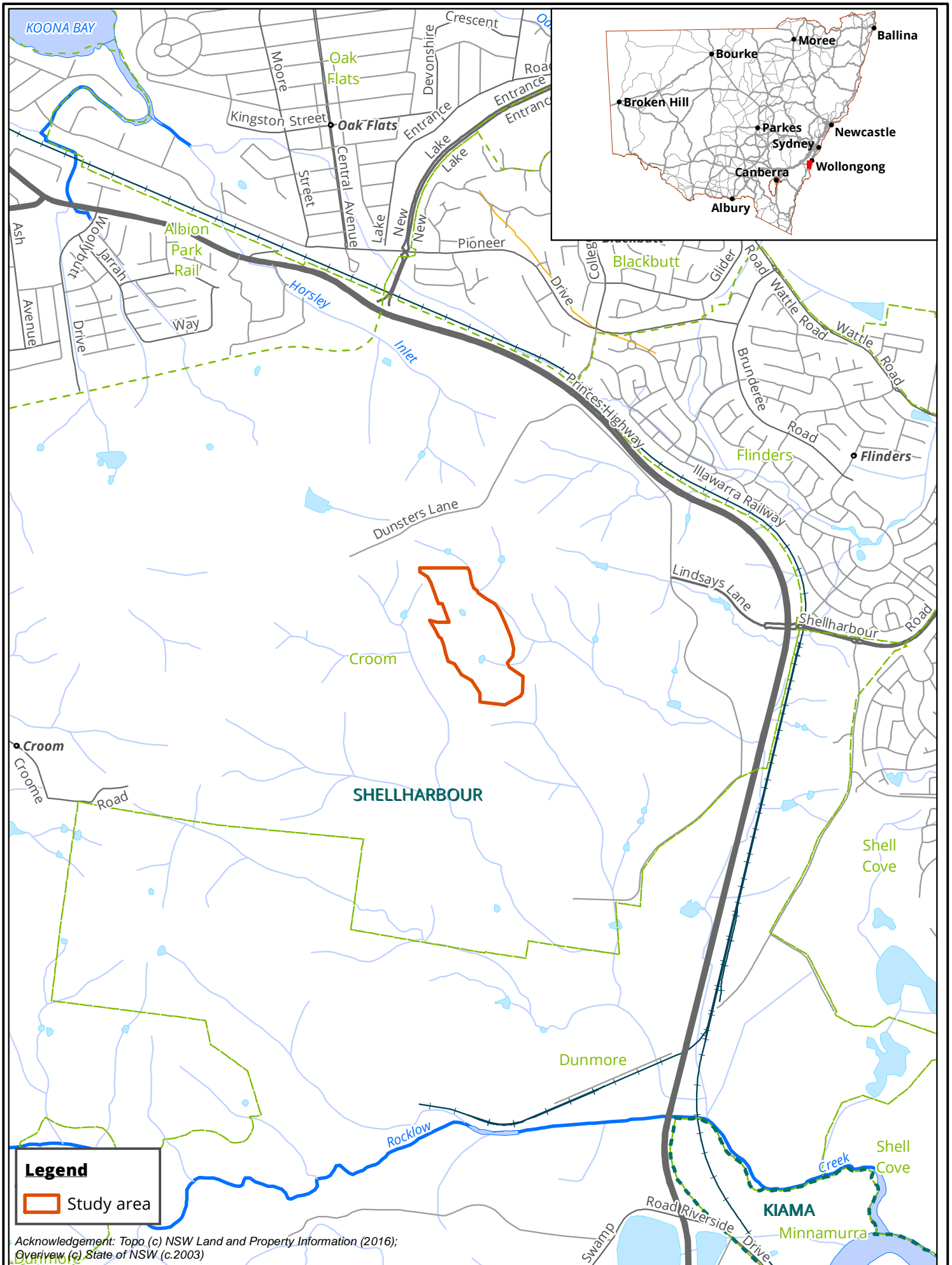
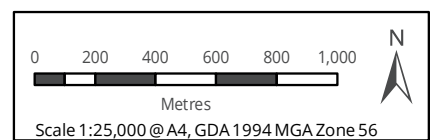


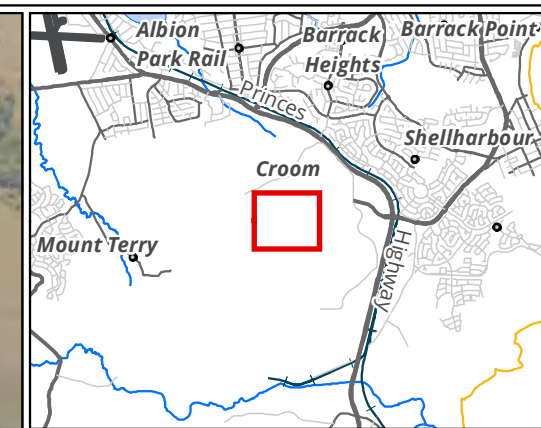
Figure 1 Location of the study area



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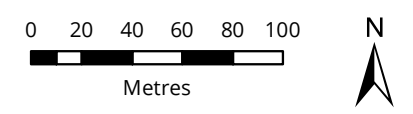




Legend

- Study area
- Lot

Figure 2 Study area detail

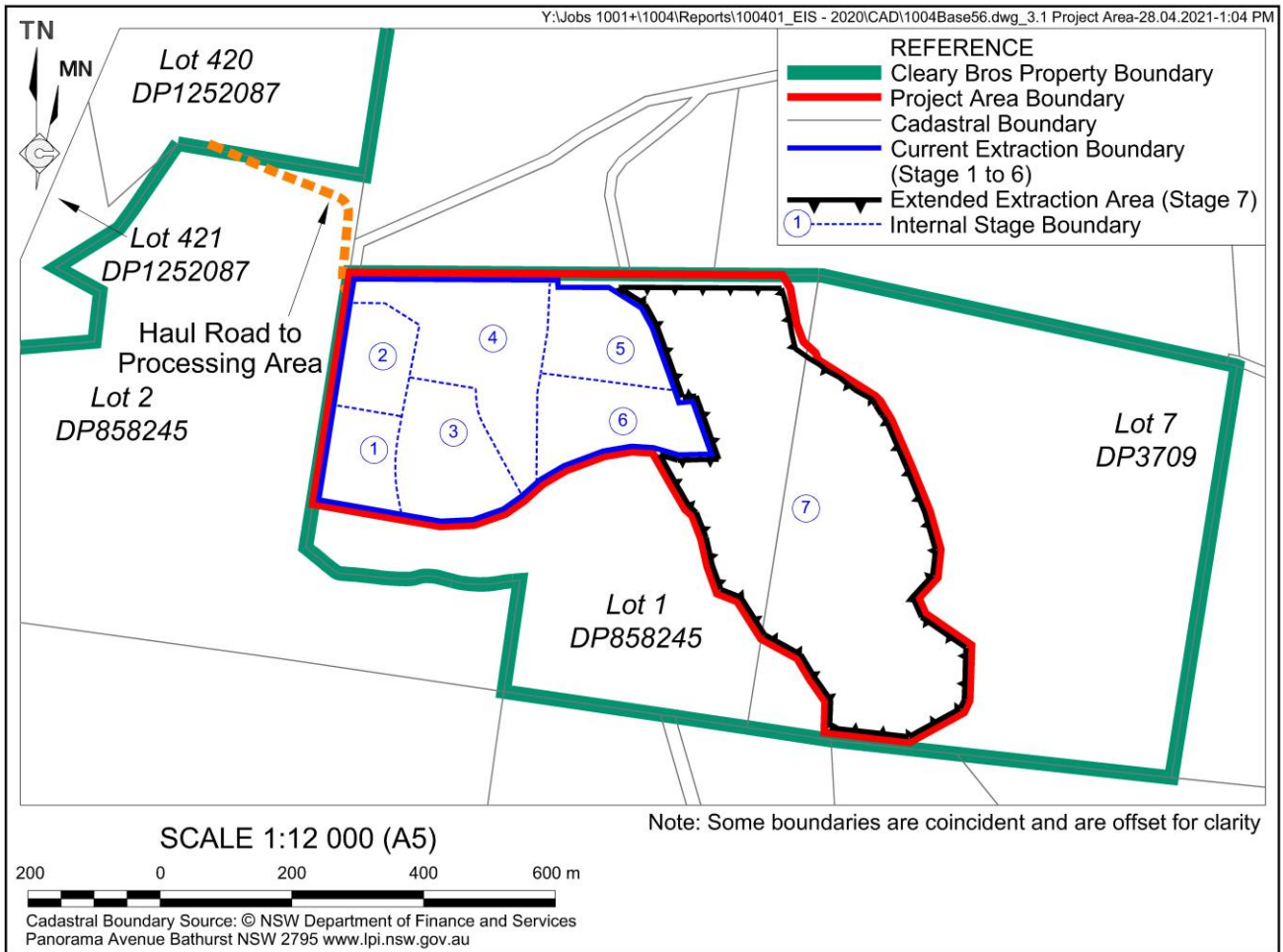


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Figure 3 Proposed development



2 Study area context

This section discusses the study area in regards to its landscape, environmental and Aboriginal cultural heritage context. This section should be read in conjunction with the archaeological report attached in **Appendix 6**. The background research has been undertaken in accordance with the *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010b) (the Code).

2.1 Topography, geology and hydrology

The study area lies within the Coastal Plain physiographic region that is located between the Illawarra Escarpment and the ocean (Hazelton 1992, p.2). It consists of the gentle rises of the Illawarra Coal Measures, rolling to steep low hills of volcanic materials, moderate to steep slopes of Berry Siltstone and undulating Budgong Sandstone and Quaternary alluvium. The Coastal Plain is characterised as a mosaic of foothills, ridges, spurs, hillocks and floodplains with slopes varying from very gently inclined to steep with the occasional low cliff. It is dissected by easterly flowing streams at intervals that become more frequent towards the north (Fuller 1982, p.18). It is widest at the points where the Macquarie Rivulet has entrenched into the Plateau at Macquarie Pass and where other waterways provide the catchment area of Lake Illawarra (Bowman 1971).

The Bumbo Latite Member geological formation is the most frequently occurring formation within the local area and covers the entire study area. The formation belongs to the Gerringong Volcanics and comprises two distinct flows separated by a tuffaceous agglomerate and underlain by a grey tuffaceous sandstone. Bumbo latite topography includes the undulating slopes of the Budgong Sandstone, and the estuarine tidal delta flats (Hazelton 1992, pp.43–45). The landform in the study area consists of a natural amphitheatre with two spurs extending towards the south along its eastern and western boundaries. Steep slopes drop from the spur lines to creeklines that flow south east towards Minnamurra River.

The study area is located within a spur and upper slope landform pattern associated with second order creek line that flows south-east towards Rocklow Creek and the Minnamurra River.

Stream order is recognised as a factor which assists in the development of predictive modelling within NSW (Jo McDonald Cultural Heritage Management 2008). Predictive models, which have been developed for the region, have a tendency to favour higher order streams as having a high potential for campsites as these types of streams would have been more likely to provide a stable source of water and by extension, other resources which would have been used by Aboriginal groups. The stream order system used for this assessment was originally developed by Strahler (1952). It functions by adding two streams of equal order at their confluence to form a higher order stream. As stream order increases, so does the likelihood that the stream would be a perennial source of water.

Hydrology within the study area includes a number of water sources. A first order non-perennial water course is located within the south eastern portion of the study area. It is a tributary of a second order non-perennial water course that transects the north eastern portion of the study area. A confluence of this water source into two first order, non-perennial water courses can also be seen in the north eastern portion of the study area.

2.2 Soil landscapes

Soil landscape mapping for this area was conducted by Hazelton (1992) and was accessed via the NSW Government's eSpade online portal. The area covered by the Stage 7 extension is wholly mapped as the Bombo Soil Landscape. Key features of the Bombo Soil Landscape are in **Table 4**.

Table 4 Bombo soil landscape characteristics (Hazelton 1992)

Feature	Description
Landscape description and geology	Rolling low hills with benched slopes on Bombo Latite
Typical topography	Slope gradients 15 to 25% with narrow crests and long, convex ridges. Moderately-inclined to steeply-inclined slopes with narrow incised drainage lines and occasional springs.
Soils	Shallow, structured loams associated with rock outcrop and steep slopes. Krasnozems and Red/brown Podzolic Soils (Red and Brown Ferrosols) occur in all other areas.
Soil characteristics	<ul style="list-style-type: none"> • Highly organic topsoils. • Moderate fertility. • Potential sodicity/dispersion. • Low wet bearing strength (topsoils). • Acidic soils (localised). • High reactivity (shrink/swell potential) (localised).
Landscape characteristics	<ul style="list-style-type: none"> • Localised steep slopes. • Localised mass movement (slumping) hazard. • Localised rockfall hazard. • Rock outcropping.
Land capability	<ul style="list-style-type: none"> • High to severe limitations for cultivation. • Low to moderate limitations for grazing. • Inferred Land Capability Class III to VI.

The Bombo soil landscape is an erosional soil landscape, which are characterised as having a high to very high erodibility rating and would therefore be susceptible to frequent soil movement and result in poor preservation of archaeological material at shallow depths but would potentially lead to exposures of any deeper archaeological deposits where topsoil has eroded away. Site surveys have shown locally deep soil profiles up to 140 centimetres that assists the preservation of subsurface archaeological deposits, particularly in areas of low disturbance (Biosis 2019).

2.3 Climate and rainfall

Climate data from Albion Park (Shellharbour Airport) (station number 068241) recorded the highest average annual temperature to be 22.6 degrees Celsius and the lowest average annual temperature to be 11.6 degrees Celsius. Average of 893 millimetres of rainfall per year was also recorded (*Summary statistics Albion Park (Shellharbour Airport) 2020*).

2.4 Landscape resources

The wider Illawarra region includes distinct ecological zones, from tall forest and rainforests to frontal dunes closer to the coastline. Closer to the study area, sclerophyll forest would have been common, and is still present in patches today, along with remnant rainforest growth (Navin Officer 2002, p.13). Each ecological zone hosts a different array of floral and faunal species, many of which would have been utilised according to seasonal availability. Aboriginal inhabitants of the region would have had access to a wide range of avian, terrestrial and aquatic fauna and repeated firing of the vegetation would have opened up the foliage allowing ease of access through and between different resource zones.

The study area was extensively cleared during the nineteenth century when it was developed for dairying, with some remnant stands of closed forest and open-tall forest, much of which has re-appeared as re-growth. The Bombo landscape typically supports Cabbage Tree Palm *Livistona australis*, Bastard Rosewood *Dysoxylum fraserianum*, Red Cedar *Toona ciliata*, White Cedar *Thuja occidentalis*, Brush Cherry *Syzygium paniculatum*, Moreton Bay Fig *Ficus macrophylla*, Turpentine *Syncarpia glomulifera*, Grey Ironbark *Eucalyptus paniculata*, and Sydney Blue Gum *E. saligna* (Hazelton 1992, pp.40–44).

Plant resources were used in a variety of ways. Fibres were twisted into string, which was used for many purposes, including the weaving of nets, baskets and fishing lines. String was also used for personal adornment. Bark was used in the provision of shelter; a large sheet of bark being propped against a stick to form a gunyah (Attenbrow 2002).

Fauna species likely present within the study area include Eastern Spinebill *Acanthorhynchus tenuirostris*, Common Myna *Acridotheres tristis*, Short Beaked Echidna *Tachyglossus aculeatus*, Common Ringtailed Possum *Pseudocheirus peregrinus*, Common Wombat *Vombatus ursinus*, and Swamp Wallaby *Wallabia bicolor* (Atlas of Living Australia 2019).

As well as being important food sources, animal products were also used for tool making and fashioning a myriad of utilitarian and ceremonial items. For example, tail sinews are known to have been used to make fastening cord, while 'bone points', which would have functioned as awls or piercers. Animals such as Brush-tailed Possums were highly prized for their fur, with possum skin cloaks worn fastened over one shoulder and under the other. Kangaroo teeth were incorporated into decorative items, such as head bands (Attenbrow 2002).

2.5 European land use history

The study area is situated within a 1,850 acre portion of land granted to D'Arcy Wentworth on the 9 January, 1821. Wentworth was a medical practitioner from County Armagh, Ireland, who arrived in the Colonies on 28 June 1791 as a convict, but soon after was moved to Norfolk Island for his medical skills, becoming superintendent of convicts on the island. Wentworth returned in February 1796 and was appointed as an assistant surgeon of the colony in April, and continued to work in medicine in Sydney, Parramatta and Norfolk Island until he was made principal surgeon of the Civil Medical Department in 1809 (J. J. Auchmuty 1967).

D'Arcy Wentworth went on to acquire 13,050 acres in Illawarra, which became the Peterborough Estate, of which the study area formed a part. Upon his death in 1827, D'Arcy Wentworth's lands partitioned into five portions and distributed among his children Martha (Reddall), Sophia (Towns), Catherine (Bassett/Darley), Mary Ann (Addison/Hollings) and Robert (Gillis 2009). The study area is located within the land inherited by Catherine, who married Benjamin Darley in 1847, and later William Bassett in 1867 (Bayley 1959). The study area was part of a lease to the Dunster family from around 1859, which became a prominent dairying family in the Shellharbour district over time.

In March 1906, Samuel Hercules McDonald, a farmer from Albion Park, acquired Lot 6 from Walter Dunster. Samuel McDonald became a prominent community member, being elected to the Shellharbour Municipal Council in 1928, 1934 and 1948, and was one of the original signatories on the petition to establish the Shellharbour Municipal Council. McDonald also campaigned for the area containing the Belmont Estate to be called Indigo Range; this name appears on several late-19th and early 20th-century maps.

It is believed the main house at Belmont was built around this time, being a weatherboard dwelling constructed in a Victorian and Edwardian style with a hipped corrugated iron roof with gables, a bullnose verandah, decorative valance and finial chimneys. There are also a series of stone walls, which are believed to date to c.1912 (Hynd 2004). Samuel Hercules McDonald leased Lot 6 to John McDonald and Richard McDonald, farmers from Albion Park, in February 1930, which expired in October 1937. In the same year, the property was transferred to Mary Jane McDonald, wife of Samuel Hercules McDonald.

Life at Belmont at this time is described by Gertrude Russell (née McDonald) as part of an oral history of her life. The dairy cows were milked by hand, and prior to electricity arriving at the outlying farms, they used kerosene lamps. Gertrude's father would take the milk from the Belmont dairy and other neighbouring farms to the Illawarra Dairy Co-operative at Albion Park using an old army truck. The farm also produced crops including corn, cut and spread out by hand to feed the dairy cows (Shellharbour Museum n.d.). During the 1930s and 1940s, there was a downturn in the Illawarra dairy industry, with an estimated 2,000 dairy cows sent out of the Shellharbour district by August 1940. In April 1956, Lot 6 was acquired by the government from John Henry Bell McDonald and Samuel Richard McDonald. As part of this, a Crown plan was prepared which records not only structures and fence lines, but also the vegetation, geology, topography and the agricultural use different parts of the study area had been subjected to at this date.

The Belmont Estate was occupied by R.J. Carpenter in 1961, with the pasture lands within the Belmont Estate were leased to the Dunster family, who owned the neighbouring property, The Hill (Hynd 2004). In 1985, Doris Lucy Cody acquired the property from the Crown. A further subdivision took place between this purchase and 1996, but it has not been possible to obtain the plan for this change. The most recent subdivision took place in 1996, which established the property's current configuration. Cleary Bros acquired the Belmont Estate from the McDonald family in 1991. Lorna Brown, the daughter of Samuel Hercules McDonald, continued to live on the property until 2003.

3 Aboriginal cultural heritage context

3.1 Ethnohistory

Despite a proliferation of known Aboriginal sites there is considerable ongoing debate about the nature, territory and range of pre-contact Aboriginal language groups in the greater Sydney region. These debates have arisen largely due to the lack of ethnographic and linguistic information recorded at the time of European contact. By the time colonial diarists, missionaries and proto-anthropologists began making detailed records of Aboriginal people in the late 19th Century; pre-European Indigenous groups had been broken up and reconfigured by European settlement activity. The following information relating to Aboriginal people on the Illawarra is based on such early detailed records.

The Illawarra region is the traditional land of the Wodi Wodi, a group of people who spoke a variant of the Dharawal language (Wesson 2009). Tindale (1974) found that the Wodi Wodi occupied an area which extended from Stanwell Park in the north, to the northern bank of the Shoalhaven River in the south, and west as far as Picton, Moss Vale and Marulan. In keeping with his view that natural topographic boundaries were likely to coincide with cultural ones, Tindale considered the Shoalhaven River to form the boundary between the Wodi Wodi and the Wandandian people to the south. The areas inhabited by each of the groups are considered to be indicative only and would have changed through time and possibly also depending on circumstances (i.e. availability and distribution of resources).

Analysis of middens in the region has provided dates of occupation dating back 6000 to 7000 years on the coast and at Lake Illawarra, and it is accepted that Aboriginal occupation of the south coast dates to around 20,000 years ago (AMBS 2006, pp. 33). Ethnographic evidence considered by Sefton (1988, pp.22–29) indicates population mobility on the Woronora Plateau with frequent contact between the neighbouring Gandangarra, Cobrakall (Liverpool and Cabramatta) and Wodi Wodi (Illawarra).

A variety of studies of the language groupings that made up the greater Sydney region have been summarised by Attenbrow (2010). The study area is in the vicinity of three language groups, Dharawal, Gundungurra and the hinterland Darug. Attenbrow (2010, p.34) suggests:

- The Gundungurra covered “the southern rim of the Cumberland Plain west of the Georges River, as well as the southern Blue Mountains”.
- The Dharawal covered “the south side of Botany Bay, extending as far as the Shoalhaven River; from the coast to the Georges River and Appin, possibly as far as Camden.
- The hinterland Darug covered the area “from Appin in the south to the Hawkesbury River in the north; west of the Georges River, Parramatta, the Lane Cove River and Berowra Creek”.

The areas inhabited by each of the groups are considered to be indicative only and would have changed through time and possibly also depending on circumstances (i.e. availability and distribution of resources). Interactions between different types of social groupings would have varied with seasons and resource availability. It has been noted that interactions between the groups inhabiting the many resource zones of the Sydney Basin (coastal and inland) would have varied but were continuous. This is reflected in the relatively homogenous observable cultural features such as art motifs, technology and resource use (McDonald 1992).

Since the arrival of European settlers the movement of Aboriginal hunter-gatherers began to be increasingly restricted. European expansion was swift and soon there had been considerable loss of land to agriculture. This led to violence and conflict between Europeans and Aboriginal people as both groups sought to compete

for the same resources. At the same time diseases such as small pox were having a devastating effect on the Aboriginal population. Death, starvation and disease were some of the disrupting factors that led to a reorganisation of the social practices of Aboriginal communities after European contact. The formation of new social groups and alliances were made as Aboriginal people sought to retain some semblance of their previous lifestyle.

3.2 Aboriginal heritage located in the study area

The archaeological assessment of the study area identified that no Aboriginal sites have been identified within the study area.

3.3 Interpretation of past Aboriginal land use

Ethno-historical information regarding the study area indicates that the region was intensively occupied by the Wodi Wodi of the Dharawal language group before European occupation. Traditional stories tell of the arrival of the Wodi Wodi to Lake Illawarra, bringing with them the Dharawal or cabbage tree palm from which their language is named. The proximity of the study area to a rich resource zone suggests that the area was a preferable location for Aboriginal people. Tangible evidence of this occupation is reflected by the many sites recorded in the area with the majority of them being shell middens and artefacts.

There are 92 Aboriginal sites registered on the AHIMS database within six kilometres of the study area, and consist of either artefacts, open camp sites, middens or potential archaeological deposits (PAD). The frequency of open camp sites and middens suggest intense use of a wide range of coastal and river resources and habitats. Indeed, archaeological research within 10 kilometres of the study area has identified Aboriginal stone tools, PADs and shell middens in proximity to creek lines (Robert Paton Archaeological Studies 1998, Artefact Heritage 2015, Biosis Pty Ltd 2017b) and dune systems (Bonhomme 1985, Silcox 1990, Navin Officer Heritage Consultants Pty Ltd 2000).

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Figure 4 AHIMS sites within the vicinity of the study area

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4 Aboriginal community consultation

Consultation with the Aboriginal community has been undertaken in compliance with the consultation requirements as detailed below. A consultation log of all communications with RAPs is provided in **Appendix 1**.

4.1 Stage 1: Notification of project proposal and registration of interest

4.1.1 Identification of relevant Aboriginal stakeholders

In accordance with the consultation guidelines, Biosis Pty Ltd notified the following bodies regarding the proposal:

- Wollongong City Council.
- Heritage NSW.
- NSW Native Title Services Corporation Limited (NTSCORP Limited).
- Office of the Registrar, Aboriginal Land Rights Act 1983 of Aboriginal Owners.
- National Native Title Tribunal (NNTT).
- South East Local Land Services.
- Illawarra Local Aboriginal Land Council (ILALC).

A list of known Aboriginal stakeholders in the Illawarra was provided by Heritage NSW (a copy of this response is provided in **Appendix 2** and include:

- Badu (Murrin Clan/Peoples)
- Barraby Cultural Services
- Bellambi Indigenous Corporation
Gandangarra Traditional Owners
- Bilinga (Murrin Clan/Peoples)
- Gary Caines
- Darryl Caines
- Coomaditchie United Aboriginal
Corporation
- Cullendulla (Murrin Clan/Peoples)
- Darug Land Observations
- James Davis
- Dharug (Murrin Clan/Peoples)
- Duncan Falk Consultancy
- La Perouse Botany Bay Corporation
- Minnamunnung
- Munyunga (Murrin Clan/Peoples)
- Mura Indigenous Corporation (icn:8991)
- Murramarang (Murrin Clan/Peoples)
- Murra Bidgee Mullangari Aboriginal
Corporation
- Murrumbul (Murrin Clan/Peoples)
- NIAC
- Nundagurri (Murrin Clan/Peoples)
- Pemulwuy (Murrin Clan/Peoples)
- Norma Simms
- South Coast NSW Aboriginal Elders

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- Eora Heritage Group
- Ken Foster
- Clive Freeman
- Gadhu Dreaming
- Raymond Garbutt
- Goobah Development Pty Ltd (Murrin Clan/Peoples)
- Gumaraa
- Gundungurra Tribal Technical Services
- Gunyuu (Murrin Clan/Peoples)
- Guunamaa Dreaming Sites and Surveying
- Illawarra Aboriginal Corporation
- Illawarra Local Aboriginal Land Council
- Jerringong (Murrin Clan/Peoples)
- Karrial (Murrin Clan/Peoples)
- Korewal Elouera Jerrungurah Tribal Elders Council
- Kulila Site Consultants & Koori Site Management
- South West Rocks Corporation
- Three Ducks Dreaming Surveying and Consulting
- Thoorga Nura
- Tungai Tonghi
- Leanne Tungai
- The Wadi Wadi Coomaditchie Aboriginal Corporation (correspondence via NIAC)
- Walbunja (Murrin Clan/Peoples)
- Walgalu (Murrin Clan/Peoples)
- Warra Bingi Nunda Gurri
- Wingikara (Murrin Clan/Peoples)
- The Wodi Wodi Elders Corporation
- Woronora Plateau Gundungara Elders Council
- Wullung (Murrin Clan/Peoples)
- Yerramurra (Murrin Clan/Peoples) and Taste of Tradition Native Aboriginal Corporation
- Yurrandaali Cultural Services

A search conducted by the Office of the Registrar, *Aboriginal Land Rights Act 1983* (NSW) listed no Aboriginal Owners with land within the study area. A search conducted by the NNTT listed no Registered Native Title Claims or Registered Indigenous Land Use Agreements within the study area. There was one unregistered Claimant Application within the study area, South Coast Peoples (NC2017/008).

4.1.2 Public notice

In accordance with the consultation guidelines, a public notification was placed in the following newspaper:

- *Illawarra Mercury* (22 April 2020).

The advertisement invited Aboriginal people who hold cultural knowledge about the study area to register their interest in a process of community consultation to provide assistance in determining the significance of Aboriginal object(s) and/or places in the vicinity of the study area. A copy of the public notice is provided in **Appendix 2**.

4.1.3 Registration of Aboriginal parties

Aboriginal groups identified in Section 4.1.1 were sent a letter inviting them to register their interest in a process of community consultation to provide assistance in determining the significance of Aboriginal

object(s) and/or places in the vicinity of the study area. In response to the letters and public notice, a total of 13 groups registered their interest in the Project. Responses to registration from Aboriginal parties are provided in **Appendix 3**. A full list of Aboriginal parties who registered for consultation is provided below:

No.	Organisation
1	Barraby Cultural Services
2	Clive Freeman
3	Guunamaa Dreaming Sites and Surveying
4	Illawarra Local Aboriginal Land Council
5	James Davis
6	Jesse Carroll Johnson
7	Leanne Tungai
8	Murra Bidgee Mullangari Aboriginal Corporation
9	Three Ducks Dreaming Surveying and Consulting
10	Tungai Tonghi
11	Woronora Plateau Gundungara Elders Council
12	Yerramurra (Murrin Clan/Peoples) and Taste of Tradition Native Aboriginal Corporation
13	Yurrandaali Cultural Services

4.2 Stage 2: Presentation of information about the proposed project

On 10 June 2020, Biosis provided RAPs with details about the proposed development works (project information pack). A copy of the Project information pack is provided in **Appendix 3**.

4.3 Stage 3: Gathering information about cultural significance

4.3.1 Archaeological assessment methodology information pack

On 10 June 2020, Biosis provided each RAP with a copy of the project methodology pack outlining the proposed ACHA process and methodology for this Project. RAPs were given 28 days to review and prepare feedback on the proposed methodology. A copy of the project methodology pack is provided in **Appendix 4**.

Yurrandaali Cultural Services, Barraby Cultural Services, Yerramurra, Murra Bidgee Mullangari and Guunamaa Dreaming all agreed and supported the methodology

4.3.2 Information gathered during fieldwork

Tracey Henry from the Illawarra LALC participated in the field survey and did not provide comment on the study area with regard to the Project. She did however consider the study area to have high cultural value regardless of the lack of Aboriginal sites.

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4.4 Stage 4: Review of draft ACHA report

Following completion of the draft ACHA report, it was provided to RAPs on 24 September 2020 for review and comment. RAPs were given 28 days to provide comments and two responses were received as detailed below. Comments on the draft report are provided in **Appendix 5**.

Comments were received from Tungai Tongi who agreed with the recommendations of the draft ACHA, and Leanne Tungai who acknowledged receipt of the draft ACHA. Due to a mistake, the Illawarra LALC were not sent the draft report. This was sent to the LALC on the 27 October 2020 and they were given 28 days to provide comments; however, no response was received.

5 Aboriginal cultural significance assessment

The two main values addressed when assessing the significance of Aboriginal sites are cultural values to the Aboriginal community and archaeological (scientific) values. This report will assess the cultural values of Aboriginal sites in the study area. Details of the scientific significance assessment of Aboriginal sites in the study area are provided in **Appendix 6**.

5.1 Introduction to the assessment process

Heritage assessment criteria in NSW fall broadly within the significance values outlined in the Australia International Council on Monuments and Sites (ICOMOS) *Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* (Australia ICOMOS 2013) (the Burra Charter). This approach to heritage has been adopted by cultural heritage managers and government agencies as the set of guidelines for best practice heritage management in Australia. These values are provided as background and include:

- **Historical significance** (evolution and association) refers to historic values and encompasses the history of aesthetics, science and society, and therefore to a large extent underlies all of the terms set out in this section. A place may have historic value because it has influenced, or has been influenced by, a historic figure, event, phase or activity. It may also have historic value as the site of an important event. For any given place the significance will be greater where evidence of the association or event survives *in situ*, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment.
- **Aesthetic significance** (Scenic/architectural qualities, creative accomplishment) refers to the sensory, scenic, architectural and creative aspects of the place. It is often closely linked with social values and may include consideration of form, scale, colour, texture, and material of the fabric or landscape, and the smell and sounds associated with the place and its use.
- **Social significance** (contemporary community esteem) refers to the spiritual, traditional, historical or contemporary associations and attachment that the place or area has for the present-day community. Places of social significance have associations with contemporary community identity. These places can have associations with tragic or warmly remembered experiences, periods or events. Communities can experience a sense of loss should a place of social significance be damaged or destroyed. These aspects of heritage significance can only be determined through consultative processes with local communities.
- **Scientific significance** (Archaeological, industrial, educational, research potential and scientific significance values) refers to the importance of a landscape, area, place or object because of its archaeological and/or other technical aspects. Assessment of scientific value is often based on the likely research potential of the area, place or object and will consider the importance of the data involved, its rarity, quality or representativeness, and the degree to which it may contribute further substantial information.

The cultural and archaeological significance of Aboriginal and historic sites and places is assessed on the basis of the significance values outlined above. As well as the Burra Charter significance values guidelines, various government agencies have developed formal criteria and guidelines that have application when assessing the significance of heritage places within NSW. Of primary interest are guidelines prepared by the Australian

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Government, Heritage NSW, and the NSW Department of Planning, Industry and Environment. The relevant sections of these guidelines are presented below.

These guidelines state that an area may contain evidence and associations which demonstrate one or any combination of the Burra Charter significance values outlined above in reference to Aboriginal heritage. Reference to each of the values should be made when evaluating archaeological and cultural significance for Aboriginal sites and places.

In addition to the previously outlined heritage values, the EES *Guidelines to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011) also specify the importance of considering cultural landscapes when determining and assessing Aboriginal heritage values. The principle behind a cultural landscape is that 'the significance of individual features is derived from their inter-relatedness within the cultural landscape'. This means that sites or places cannot be 'assessed in isolation' but must be considered as parts of the wider cultural landscape. Hence the site or place will possibly have values derived from its association with other sites and places. By investigating the associations between sites, places, and (for example) natural resources in the cultural landscape the stories behind the features can be told. The context of the cultural landscape can unlock 'better understanding of the cultural meaning and importance' of sites and places.

Although other values may be considered – such as educational or tourism values – the two principal values that are likely to be addressed in consideration of Aboriginal sites and places are the cultural/social significance to Aboriginal people and their archaeological or scientific significance to archaeologists and the Aboriginal community. The determinations of archaeological and cultural significance for sites and places should then be expressed as statements of significance that preface a concise discussion of the contributing factors to Aboriginal cultural heritage significance.

5.2 Cultural (social significance) values

Cultural or social significance refers to the spiritual, traditional, historical and/or contemporary associations and values attached to a place or objects by Aboriginal people. Aboriginal cultural heritage is broadly valued by Aboriginal people as it is used to define their identity as both individuals and as part of a group (DECCW 2010a, p.iii). More specifically it provides:

- A 'connection and sense of belonging to Country' (DECCW 2010a, p.iii).
- A link between the present and the past (DECCW 2010a, p.3).
- A learning tool to teach Aboriginal culture to younger Aboriginal generations and the general public (DECCW 2010 p.3).
- Further evidence of Aboriginal occupation prior to European settlement for people who do not understand the magnitude to which Aboriginal people occupied the continent (DECCW 2010a, p.3).

It is acknowledged that Aboriginal people are the primary determiners of the cultural significance of Aboriginal cultural heritage. During consultation the following information was provided by RAPs in regards to the cultural values of the study area.

- Tracey Henry from the Illawarra LALC participated in the field survey and did not provide comment on the study area with regard to the proposal. She did however consider the study area to have high cultural value regardless of the lack of Aboriginal sites.

5.3 Historic values

Historic significance refers to associations a place or object may have with a historically important person, event, phase or activity to the Aboriginal and other communities. The study area is not known to have any historic associations.

5.4 Archaeological (scientific significance) values

An archaeological scientific assessment was undertaken for the study area and is presented in detail as part of the attached Archaeological Report (**Appendix 6**).

5.5 Aesthetic values

The study area is a typical example of a natural amphitheatre with a spur that extends towards the south in its natural context. Steep slopes drop from the spur lines to creeklines that flow south east towards Minnamurra River. The landscape of the study area is closely linked with Aboriginal cultural values and provides a context for Aboriginal sites that gives a strong sense of place. The Illawarra Aboriginal community strongly identifies with the landscape of the study area.

5.6 Statement of significance

5.6.1 Statement of significance for Part Lot 1 DP 858245 and Lot 7 DP 3709

The study area has been subject to disturbances created by the initial extensive vegetation clearance, construction of residential buildings and associated outbuildings, construction of dams and cut and fill actions associated with the levelling of paddocks. Historical sources also suggest that the study area was used for crops as well as livestock grazing. The soil landscape present within the study area is an erosional soil landscape, which would therefore be susceptible to frequent soil movement, resulting in poor preservation of archaeological material at shallow depths. The study area has been assessed as having low subsurface archaeological potential due to the exposed areas of bedrock and limited soil development. Furthermore, the steep nature of the spur line slopes and the distance to a first order watercourse indicates that the potential for Aboriginal sites to occur in the study area is low. The study area has low historical value and the scientific significance has been assessed as low. However, the study area has moderate aesthetic and high cultural value.

Table 5 Significance assessment criteria

Site name	Criteria	Ranking
Part Lot 1 DP 858245 and Lot 7 DP 3709	Cultural – discussions with the local Aboriginal communities reflect that the site is high in value.	High
	Historical – the site is not connected to any historical event or personage.	Low
	Scientific – the site possesses some archaeological values.	Low
	Aesthetic – the site is located within a spur and upper slope landform pattern. It has been impacted by the vegetation clearing and construction of buildings and dams.	Moderate

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The significance of sites was assessed in accordance with the following criteria:

- Requirements of the Code.
- The Burra Charter.
- *Guide to Investigating and Reporting on Aboriginal Heritage.*

The combined use of these guidelines is widely considered to represent the best practice for assessments of Aboriginal cultural heritage. The identification and assessment of cultural heritage values includes the four values of the Burra Charter: social, historical, scientific and aesthetic values. The resultant statement of significance has been constructed for the study area based on the significance ranking criteria assessed in **Table 5.**

6 Development limitations and mitigation measures

Within the study area, there are no recorded Aboriginal sites that may be subject to harm. As previously outlined, the Project would involve the extension of the existing extraction areas of Stages 5 and 6 into an area identified as Stage 7.

6.1 Predicted physical impacts

The proposed extension to the current extraction area will consist of drill and blasting of extraction areas, stockpiling of material, and transportation of material by heavy machinery. During the initial stages of extraction, a proportion of the topsoil and subsoil and weathered rock will be pushed up to form an amenity barrier with the remainder incorporated in the rehabilitated landform for Stages 1 to 4 of the existing extraction area.

However, the study area has been subject to disturbances created by the initial extensive vegetation clearance, construction of residential buildings and associated outbuildings, construction of dams and cut and fill actions associated with levelling activities. Historical sources confirm that the study area was used for crops as well as livestock grazing. Therefore, the study area has been assessed as having low subsurface archaeological potential due to the exposed areas of bedrock and limited soil development. Likewise, the steep nature of the spur line slopes and the distance to a first order creek indicate that the potential for Aboriginal sites to occur in the study area is low. Therefore, the proposed works will not impact on Aboriginal heritage values.

6.2 Management and mitigation measures

Ideally, heritage management involves conservation of sites through the preservation and conservation of fabric and context within a framework of 'doing as much as necessary, as little as possible' (Marquis-Kyle & Walker 1994, p.13). In cases where conservation is not practical, several options for management are available. For sites, management often involves the salvage of features or artefacts, retrieval of information through excavation or collection (especially where impact cannot be avoided) and interpretation.

Avoidance of impact to archaeological and cultural heritage sites through design of the development is the primary mitigation and management strategy, and should be implemented where practicable. Biosis has undertaken background research and a survey of the study area as part of the ACHA to identify and characterise any potential Aboriginal heritage constraints within the study area.

No Aboriginal sites or areas of potential archaeological deposit were identified within the study area during the survey. As a result, the study area has been assessed with low archaeological potential to contain Aboriginal sites. No further archaeological investigation is recommended in the study area and it is recommended that the unexpected finds protocols set out in Recommendations 2 and 3 are followed in order to mitigate potential impacts to unexpected Aboriginal sites, if present.

7 Recommendations

The recommendations below respond specifically to the wishes of the RAPs. Recommendations regarding the archaeological value of the site, and the subsequent management of Aboriginal cultural heritage is provided in the archaeological report (**Appendix 6**).

Recommendation 1: No further archaeological assessment is required

No further archaeological work is required in the study area due to the entire study area being assessed as having low archaeological potential.

Recommendation 2: Discovery of unanticipated Aboriginal objects

All Aboriginal objects and Places are protected under the NPW Act. It is an offence to knowingly disturb an Aboriginal site without a consent permit issued by the Heritage NSW. Should any Aboriginal objects be encountered during works associated with this proposal, works must cease in the vicinity and the find should not be moved until assessed by a qualified archaeologist. If the find is determined to be an Aboriginal object the archaeologist will provide further recommendations. These may include notifying the Heritage NSW and Aboriginal stakeholders.

Recommendation 3: Discovery of Aboriginal ancestral remains

Aboriginal ancestral remains may be found in a variety of landscapes in NSW, including middens and sandy or soft sedimentary soils. If any suspected human remains are discovered during any activity you must:

1. Immediately cease all work at that location and not further move or disturb the remains.
2. Notify the NSW Police and Heritage NSW's Environmental Line on 131 555 as soon as practicable and provide details of the remains and their location.
3. Not recommence work at that location unless authorised in writing by Heritage NSW.

Recommendation 4: Continued consultation with the registered Aboriginal stakeholders

As per the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010b), it is recommended that the proponent provides a copy of this final report to the Aboriginal stakeholders and considers all comments received. The proponent should continue to inform these groups about the management of Aboriginal cultural heritage sites within the study area throughout the life of the Project.

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Appendices

Appendix 1 Consultation log

Stage 1 – Notification of project proposal and registration of interest

Step 1: Identification of Aboriginal people/parties with an interest in the proposed study area

Organisation contacted	Date and type of contact	Date and type of response	Response details
Shellharbour City Council (SCC)	20/4/2020 – email	–	–
Heritage NSW	20/4/2020 – email	6/5/2020 – email	Provided list of Aboriginal stakeholders
NSW Native Title Services Corporation Limited (NTSCORP Limited)	20/4/2020 – email	–	–
Office of the Registrar, Aboriginal Land Rights Act 1983 of Aboriginal Owners	20/4/2020 – email	–	–
National Native Title Tribunal (NNTT)	20/4/2020 – email	15/6/2020 – email	Stated that there are no Indigenous Land Use Agreements, Scheduled or Registered Native Title Claims or Determined Claims over Lot 1 DP1002951
South East Local Land Services	20/4/2020 – email	–	–
Illawarra Local Aboriginal Land Council (ILALC)	20/4/2020 – email	5/5/2020 – phone	Registered an interest

Step 2: Public advertisement

The public notice was published in the Illawarra Mercury on the 22 April 2020. A copy of the advertisement is provided in **Appendix 2**.

Step 3: Registration of interest

The registration period ran from the 12 May to 26 May 2020. Leeway was given to Aboriginal parties/groups who provided responses shortly after the close of this period and they have been registered as Aboriginal parties for consultation.

Organisation contacted	Date and type of contact	Date and type of response	Response details
Badu (Murrin Clan/Peoples)	12/5/2020 – email	–	–
Barraby Cultural Services	12/5/2020 – email	12/5/2020 – email	Registered an interest
Bellambi Indigenous	12/5/2020 – email	–	–

Organisation contacted	Date and type of contact	Date and type of response	Response details
Corporation Gandangarra Traditional Owners			
Bilinga (Murrin Clan/Peoples)	12/5/2020 – email	–	–
Gary Caines	12/5/2020 – email	–	–
Darryl Caines	12/5/2020 – email	–	–
Coomaditchie United Aboriginal Corporation	12/5/2020 – email	–	–
Cullendulla (Murrin Clan/Peoples)	12/5/2020 – email	–	–
Anna O'Hara	12/5/2020 – email	–	–
James Davis	12/5/2020 – email	26/5/2020 – email	Registered an interest
Dharug (Murrin Clan/Peoples)	12/5/2020 – email	–	–
Duncan Falk Consultancy	12/5/2020 – email	–	–
Eora Heritage Group	12/5/2020 – email	–	–
Ken Foster	12/5/2020 – post	–	–
Clive Freeman	12/5/2020 – email	12/5/2020 – phone	Registered an interest
Gadhu Dreaming	12/5/2020 – email	–	–
Raymond Garbutt	12/5/2020 – post	–	–
Goobah Development Pty Ltd (Murrin Clan/Peoples)	12/5/2020 – email	–	–
Gumaraa	12/5/2020 – email	–	–
Gundungurra Tribal Technical Services	12/5/2020 – email	–	–
Gunyuu (Murrin Clan/Peoples)	12/5/2020 – email	–	–
Guunamaa Dreaming Sites and Surveying	12/5/2020 – email	12/5/2020 – email	Registered an interest
Illawarra Aboriginal Corporation	12/5/2020 – post	–	–
Illawarra Local Aboriginal Land Council	12/5/2020 – email	5/5/2020 – phone	Registered an interest
Jerringong (Murrin Clan/Peoples)	12/5/2020 – email	–	–

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Organisation contacted	Date and type of contact	Date and type of response	Response details
Jesse Carroll Johnson	-	12/5/2020 – email	Registered an interest
Karrial (Murrin Clan/Peoples)	12/5/2020 – email	-	-
Korewal Elouera Jerrungurah Tribal Elders Council	12/5/2020 – post	-	-
Kulila Site Consultants & Koori Site Management	12/5/2020 – email	-	-
La Perouse Botany Bay Corporation	12/5/2020 – post	-	-
Minnamunning	12/5/2020 – email	-	-
Munyunga (Murrin Clan/Peoples)	12/5/2020 – email	-	-
Mura Indigenous Corporation (icn:8991)	12/5/2020 – email	-	-
Murramarang (Murrin Clan/Peoples)	12/5/2020 – email	-	-
Murra Bidgee Mullangari Aboriginal Corporation	12/5/2020 – email	12/5/2020 – email	Registered an interest
Murrumbul (Murrin Clan/Peoples)	12/5/2020 – email	-	-
NIAC	12/5/2020 – post	-	-
Nundagurri (Murrin Clan/Peoples)	12/5/2020 – email	-	-
Pemulwuy (Murrin Clan/Peoples)	12/5/2020 – email	-	-
Norma Simms	12/5/2020 – email	-	-
South Coast NSW Aboriginal Elders	12/5/2020 – email	-	-
South West Rocks Corporation	12/5/2020 – post	-	-
Three Ducks Dreaming Surveying and Consulting	12/5/2020 – email	12/5/2020 – email	Registered an interest
Thoorga Nura	12/5/2020 – email	-	-
Tungai Tonghi	12/5/2020 – email	12/5/2020 – email	Registered an interest
Leanna Tungai	12/5/2020 – email	12/5/2020 – email	Registered an interest

Organisation contacted	Date and type of contact	Date and type of response	Response details
The Wadi Wadi Coomaditchie Aboriginal Corporation (correspondence via NIAC)	12/5/2020 – email	–	–
Walbunga (Murrin Clan/Peoples)	12/5/2020 – email	–	–
Walgalu (Murrin Clan/Peoples)	12/5/2020 – email	–	–
Warra Bingi Nunda Gurri	12/5/2020 – email	–	–
Wingikara (Murrin Clan/Peoples)	12/5/2020 – email	–	–
The Wodi Wodi Elders Corporation	12/5/2020 – post	–	–
Woronora Plateau Gundungara Elders Council	12/5/2020 – email	24/5/2020 – email	Registered an interest
Wullung (Murrin Clan/Peoples)	12/5/2020 – email	–	–
Yerramurra (Murrin Clan/Peoples) and Taste of Tradition Native Aboriginal Corporation	12/5/2020 – email	12/5/2020 – email	Registered an interest
Yurrandaali Cultural Services	12/5/2020 – email	12/5/2020 – email	Registered an interest

Stage 2 – Presentation of information about the proposed project

Step 1: Provision of project information pack

A copy of the information pack is provided in **Appendix 3** and a copy of the covering email is provided following.

No.	Organisation contacted	Date and type of contact	Date and type of response	Response details
1	Barraby Cultural Services	10/6/2020 – email	15/6/2020 – email	Supports the methodology
2	Clive Freeman	10/6/2020 – email		
3	Guunamaa Dreaming Sites and Surveying	10/6/2020 – email	10/6/2020 – email	Supports the methodology
4	Illawarra Local Aboriginal Land Council	10/6/2020 – email	–	–

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No.	Organisation contacted	Date and type of contact	Date and type of response	Response details
5	James Davis	10/6/2020 – email	–	–
6	Jesse Carroll Johnson	10/6/2020 – email	–	–
7	Leanna Tungai	10/6/2020 – email	–	–
8	Murra Bidgee Mullangari Aboriginal Corporation	10/6/2020 – email	10/6/2020 – email	Supports the methodology
9	Three Ducks Dreaming Surveying and Consulting	10/6/2020 – email	–	–
10	Tungai Tonghi	10/6/2020 – email	15/6/2020 – email	Expression of interest
11	Woronora Plateau Gundungara Elders Council	10/6/2020 – email	–	–
12	Yerramurra (Murrin Clan/Peoples) and Taste of Tradition Native Aboriginal Corporation	10/6/2020 – email	10/6/2020 – email	Supports the methodology
13	Yurrandaali Cultural Services	10/6/2020 – email	15/6/2020 – email	Supports the methodology

Stage 3 – Gathering information about cultural significance

Step 1: Provision of project methodology pack

A copy of the methodology pack is provided in **Appendix 4** and a copy of the covering email is provided following.

No.	Organisation contacted	Date and type of contact	Date and type of response	Response details
1	Barraby Cultural Services	10/6/2020 – email	15/6/2020 – email	Supports the methodology
2	Clive Freeman	10/6/2020 – email		
3	Guunamaa Dreaming Sites and Surveying	10/6/2020 – email	10/6/2020 – email	Supports the methodology
4	Illawarra Local Aboriginal Land Council	10/6/2020 – email	–	–
5	James Davis	10/6/2020 – email	–	–
6	Jesse Carroll Johnson	10/6/2020 – email	–	–
7	Leanna Tungai	10/6/2020 – email	–	–
8	Murra Bidgee Mullangari Aboriginal Corporation	10/6/2020 – email	10/6/2020 – email	Supports the methodology
9	Three Ducks Dreaming	10/6/2020 – email	–	–

No.	Organisation contacted	Date and type of contact	Date and type of response	Response details
	Surveying and Consulting			
10	Tungai Tonghi	10/6/2020 – email	15/6/2020 – email	Expression of interest
11	Woronora Plateau Gundungara Elders Council	10/6/2020 – email	–	–
12	Yerramurra (Murrin Clan/Peoples) and Taste of Tradition Native Aboriginal Corporation	10/6/2020 – email	10/6/2020 – email	Supports the methodology
13	Yurrandaali Cultural Services	10/6/2020 – email	15/6/2020 – email	Supports the methodology

Step 2: Field survey

Organisation contacted	Date and type of contact	Date and type of response	Response details
Illawarra Local Aboriginal Land Council	9/8/2020 – phone	12/8/2020 – email	Tracey Henry available for survey

Stage 4 – Review of draft report

Step 1: Provision of draft report for review

No.	Organisation contacted	Date and type of contact	Date and type of response	Response details
1	Barraby Cultural Services	24/9/2020 – email	–	–
2	Clive Freeman	24/9/2020 – email	–	–
3	Guunamaa Dreaming Sites and Surveying	24/9/2020 – email	–	–
4	Illawarra Local Aboriginal Land Council	27/10/2020 – email	–	–
5	James Davis	24/9/2020 – email	–	–
6	Jesse Carroll Johnson	24/9/2020 – email	–	–
7	Leanna Tungai	24/9/2020 – email	24/9/2020 – email	Acknowledged receipt of the ACHA
8	Murra Bidgee Mullangari Aboriginal Corporation	24/9/2020 – email	–	–
9	Three Ducks Dreaming Surveying and Consulting	24/9/2020 – email	–	–
10	Tungai Tonghi	24/9/2020 – email	24/9/2020 – email	Agreed with the ACHA
11	Woronora Plateau	24/9/2020 – email	–	–

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No.	Organisation contacted	Date and type of contact	Date and type of response	Response details
	Gundungara Elders Council			
12	Yerramurra (Murrin Clan/Peoples) and Taste of Tradition Native Aboriginal Corporation	24/9/2020 – email	–	–
13	Yurrandaali Cultural Services	24/9/2020 – email	–	–

Appendix 2 Stage 1: Notification of project proposal and registration of interest

REDACTED

Appendix 3 Stage 2: Presentation of information about the proposed project

REDACTED

Appendix 4 Stage 3: Gathering information about cultural significance

REDACTED

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Appendix 5 Stage 4: Review of draft cultural heritage assessment report

REDACTED

Appendix 6 Archaeological report
