

# **Kurnell Planning Proposal: 251, 260R, 278, and 280-282 Captain Cook Drive, Kurnell**

## **Aboriginal Cultural Heritage Assessment**

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Prepared for Urbis Pty Limited

January 2024

# Kurnell Planning Proposal: 251, 260R, 278, and 280-282 Captain Cook Drive, Kurnell

## Aboriginal Cultural Heritage Assessment

Urbis Pty Limited

E230311 RP1

January 2024

Version	Date	Prepared by	Reviewed by	Comments
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Approved by



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30 January 2024

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# Executive summary

This Aboriginal Cultural Heritage Assessment (ACHA) report has been prepared by EMM Consulting Pty Limited (EMM) to accompany a proponent-initiated Planning Proposal (Planning Proposal) in support of the proposed amendment to *State Environmental Planning Policy (Precincts—Central River City) 2021* (SEPP Precincts) and *Sutherland Shire Local Environmental Plan 2015* (SLEP 2015).

The planning proposal aims to translate and amend current land uses zones under the applicable controls to be consistent with the standard instrument local environmental plan zones and enable additional uses to accommodate a diverse range of land uses at 251, 260R, 278, and 280-282 Captain Cook Drive, Kurnell (the project area). The Planning Proposal will establish a new mixed-use community encompassing residential, employment, tourism, education, cultural facilities, ecological regenerative zones and public open space areas.

This report has been prepared to identify the Aboriginal archaeological and cultural values of the project area, assess the impacts of the proposed rezoning on the identified Aboriginal sites and cultural values, and to identify future cultural heritage management requirements, should the proposed rezoning be successful.

## ES1 Aboriginal archaeological and cultural resource

The documentary research and previous archaeological survey (spanning the period from 1980s to the present day) has resulted in the identification of 17 Aboriginal sites (with two duplicate registrations) within the project area. Of these sites, 16 have been impacted in accordance with a 'consent to destroy' issued under the *National Parks and Wildlife Act 1974*. When synthesising the expansive volume of academic material for the project area, there remains only one valid archaeological site – the McCue Midden (52-3-1110) – within the project area, encompassing a broadly 250 m x 120 m area in the north-western corner of Lot 8 DP 586986.

The investigation is unlikely to have identified all sites within parts of the project area (noting high levels of disturbance have occurred in Lot 2 DP 559922 across the current sand mining operations, thus removing potential in this area). As such, predictive modelling has been undertaken to map locations where additional sites may occur. This includes an area of high archaeological potential comprising the curtilage of the McCue midden in Lot 8 DP586986, and one area of moderate archaeological potential, constrained to parts of Lot 2 DP1030269 (Lot 2 North) (with the exception of the horse-riding facilities and a low-lying swampy area). With regards to Lot 2 DP559922 (Lot 2 South), several Aboriginal sites have been recorded and subsequently impacted (destroyed) as a result of previous Consent to Destroy permits, but due to the shifting nature of the dune deposits (which frequently bury and expose sediments), there may be remnants of these sites, predominantly along the boundaries of Lot 2 DP559922 (Lot 2 South), that have not been previously identified or documented.

In addition to the above, an assessment of intangible cultural values for the project area was undertaken. This involved a two-stage approach, including a desktop research report undertaken by Dr Patrick Horton, and (a concentrated attempt) to undertake in-person interviews with key knowledge holders and/or elders, undertaken by Dr Phillip Clarke. Dr Horton's research concluded that, on the basis of the desktop investigation undertaken, there were no items, places or sites of cultural significance within or in the immediate vicinity of the project area, other than the McCue midden which is assessed more wholly through the ACHA (Horton 2023, p.9). Regarding the second stage, despite multiple attempts to facilitate (documented in Section 4.6.3) in-person meetings could not ultimately be undertaken. Despite this, there has been (and continues to be) strong engagement from the local Aboriginal community as the project progresses – both as part of this ACHA report, previous archaeological investigations of the project area (e.g. Mary Dallas Consulting Archaeologists 2002; 2005; EMM 2022), and as part of Yerrabingin's (2023) Connecting with Country framework process (further outlined in Section 4.6.3). While no site-specific cultural values areas have been identified as extant within the project area, nor through the desktop cultural values assessment, nor through the broader consultation undertaken for this ACHA report, several key themes have emerged through this process, and have been incorporated into the overall masterplan. Specifically, while Boat Harbour is located within the project area, on the south-eastern corner, its key value appears to be

archaeological; as such, it can be considered that this value has been removed entirely with the various archaeological mitigation activities in this location in the past decade (see Section 5). Throughout the consultation undertaken for this ACHA report, and in separate consultation undertaken for Yerrabingin's (2023) Connecting with Country activities, there have identified no specific, ongoing community values associated with this site. As such, it is not considered further in this assessment.

## ES2 Potential heritage impact

The master plan has been designed to reduce the impact of the development on the Aboriginal archaeological and cultural values of the project area, by constraining development in some areas containing identified Aboriginal archaeological and/or cultural sites, specifically the identified extent of the McCue midden (#52-3-1110). These parameters were initiated as part of an iterative Aboriginal community consultation process and a "designing with Country" process and have resulted in the designation of open space/regional park and wetland area within that part of Lot 8 containing the McCue midden. There is a single footpath proposed in the master plan that overlaps with the southern portion of the McCue midden, which forms part of the cultural walk aimed at highlighting the long Aboriginal history of the area. Nevertheless, indirect impacts to the midden may potentially occur from footings and/or compression activities (i.e. machinery or light vehicles driving over the ground surface), vegetation clearance and subsequent destabilisation of the dune surface. However, the exact construction methods have not yet been determined, and the fact the midden itself appears to be buried beneath a substantial layer of windblown sand overburden, and there is equally the possibility that impacts to the McCue midden can be avoided as part of the eventual redevelopment. This has been included in the management recommendation below.

The master plan proposes that the midden will be a feature along the cultural trail within the open space areas of the site and provide an opportunity for education and preservation of traditional knowledge and practices. The landscape program will also recreate the endemic vegetation of the area. This will provide educational and tourism opportunities.

Based on a comprehensive review of the environmental context of the site and our understanding of the archaeological and cultural resource, there does not appear to be any significant constraints from an Aboriginal cultural heritage perspective (with the notable exception of the McCue midden, which Urbis have indicated may be largely avoided in the final design stage), and the master plan may proceed as proposed. Importantly, rezoning of the site will not result in direct impacts to Aboriginal cultural heritage, and a considerable proportion of the proposed development stemming from the master plan will occur in areas of low archaeological potential. These are characterised as areas where significant archaeological investigation and archaeological mitigation activities have already occurred, and/or considerable historical disturbance has occurred.

## ES3 Recommendations

With regards to the proposed master plan development of the project area, the following recommendations are made with respect to Aboriginal cultural heritage:

- The assessment identified one extant Aboriginal archaeological site, the McCue midden (#52-3-1110) as well as an area of moderate archaeological potential. The results of this investigation, and the outcomes of the Aboriginal community consultation process, have been used to inform the finalisation of the master plan, to ensure that the potential for impacts to Aboriginal cultural heritage are avoided and/or minimised. To assist Besmaw in Aboriginal cultural heritage management, the project area has been divided into four zones of Aboriginal heritage constraint, and the equivalent management recommendations for each zone is as follows.

- **High risk areas:** It is considered that the McCue midden site is of high cultural and scientific significance, and development activities that impact the midden deposits, must be avoided. With a sensitive project design and low impact construction methodology, there is an opportunity to avoid impacts to the McCue midden, given that it is buried beneath a significant volume of culturally-sterile overburden sand drift. Strategies for the management of the McCue midden need to be developed at the Development Application (DA) phase, and this ACHA should be updated to incorporate a detailed impact assessment and conservation management strategy for the Aboriginal site.
  - **Areas Requiring Further Investigation:** The area of moderate archaeological potential within Lot 2 North forms some constraint to the proposed development. At the Development Application phase, this ACHA should be updated to incorporate a detailed impact assessment that assesses project-specific designs and construction methods for development in Lot 2 North, in accordance with Heritage NSW standards and guidelines. Aboriginal archaeological test excavation may be required in these areas that will be subject to development impact, to ensure that the potential Aboriginal heritage impact of the proposed development is appropriately investigated, assessed and managed into the future.
  - **Areas with Few/No Aboriginal Constraints:** Areas with few Aboriginal constraints propose the lowest risk to the development, and no site-specific design and/or planning recommendations are required. Besmaw should assess each development proposal on a case-by-case basis, and in accordance with relevant Heritage NSW standards and guidelines, including the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*.
- This report constitutes an ACHA with formal Aboriginal community consultation. A copy of the finalised report should be provided to the registered Aboriginal stakeholders and the AHIMS Registrar, for their records.
  - Exploratory works of any kind, including geotechnical testing and other environmental investigations, are not permissible within 50 metres (m) the vicinity of the McCue midden site (where impacts are expected to reach beyond 4 m in depth) without first obtaining an AHIP from Heritage NSW. In other areas, appropriate assessment in accordance with Heritage NSW standards and guidelines should be adopted.
  - Where Aboriginal sites are later identified but would remain unaffected by the proposed development, appropriate management strategies should be developed as part of any ACHA updates at the DA assessment phase. This would ensure their conservation and management into the future as development progresses and visitation increases around them.
  - Should the proposed development be altered and/or revised from the maps and plans presented here, then this report and associated tasks (including Aboriginal consultation) should be re-visited and updated where necessary.
  - Where the heritage consultant changes through the project, suitable hand over should be undertaken to minimise loss or mistranslation of the intent of the information, findings and future steps in heritage management occur.

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# 1 Introduction

## 1.1 Background

In May 2023, the proponent submitted a Scoping Proposal to Sutherland Shire Council (Council) to commence the formal Planning Proposal process, in accordance with the LEP Making Guidelines. The Scoping Proposal provided a comprehensive 'status update,' outlining the concept master plan, the intended development outcome, the proposed planning controls and the environmental considerations which were to be further resolved.

As part of the Scoping Proposal process, Council referred the Scoping Proposal package to the DP, State agencies, and several internal Council teams for review and comment. The advice received from these stakeholders has provided clear directives on the necessary updates and key focus areas within the technical documentation.

Separate to the Scoping Proposal package, extensive and ongoing engagement with relevant State Agencies has occurred since November 2022, with the objective of clarifying and resolving any of the outstanding considerations.

Besmaw has engaged EMM Consulting Pty Limited (EMM) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) report to address the feedback received from the DPE and state agencies and reflects the engagement undertaken to date.

This ACHA report has been prepared by EMM to accompany a proponent initiated Planning Proposal (Planning Proposal) in support of the proposed amendment to *State Environmental Planning Policy (Precincts—Central River City) 2021* (SEPP Precincts) and *Sutherland Shire Local Environmental Plan 2015* (SLEP 2015).

The Planning Proposal aims to translate and amend current land uses zones under the applicable controls to be consistent with the standard instrument local environmental plan zones and enable additional uses to accommodate a diverse range of land uses at 251, 260R, 278, and 280-282 Captain Cook Drive, Kurnell (the project area). The Planning Proposal will establish a new mixed-use community encompassing residential, employment, tourism, education, cultural facilities, ecological regenerative zones and public open space areas.

This report has been prepared to identify the Aboriginal archaeological and cultural values of the project area, assess the impacts of the proposed rezoning on the identified Aboriginal sites and cultural values, and to identify future cultural heritage management requirements should the proposed rezoning be successful.

The principal objectives of this ACHA report are to:

- liaise and consult with key Aboriginal community members and knowledge holders to identify areas and places of cultural value within or in the vicinity of the project area
- compile a review of existing environmental, historical and archaeological information for the project area, by identifying and summarising known and previously recorded Aboriginal heritage places, cultural values areas and landforms of archaeological interest in its immediate surrounds
- determine if any Aboriginal objects, places, cultural values areas, or areas of archaeological potential are present (or are likely to be present) within the project area, as well as areas of existing disturbance, through brief site inspection
- identify the type, nature, and extent of any Aboriginal sites, objects, archaeological deposits, potential archaeological deposits, and cultural values areas within the project area
- assess the archaeological and cultural significance of the project area, including the identification of areas that would require further investigation prior to determining their significance

- assess and identify heritage constraints and opportunities within the current masterplan, assist in the facilitation of the re-zoning and provide precinct specific DCP control recommendations in relation to the conservation of Aboriginal heritage values and any pertinent preliminary management recommendations.

## 1.2 Project area

The project area is located on the Kurnell Peninsula in the Sutherland Shire Local Government Area (LGA) in Sydney's south, in the County of Cumberland and the Parish of Sutherland (Figure 1.1 and Figure 1.2). The project area is situated at the isthmus of the Peninsula, and is abutted by Quibray Bay, part of Botany Bay, to the north, and Bate Bay to the south. Its real property address is known as 251, 260R, 278, and 280-282 Captain Cook Drive, Kurnell. The project area comprises the following lots:

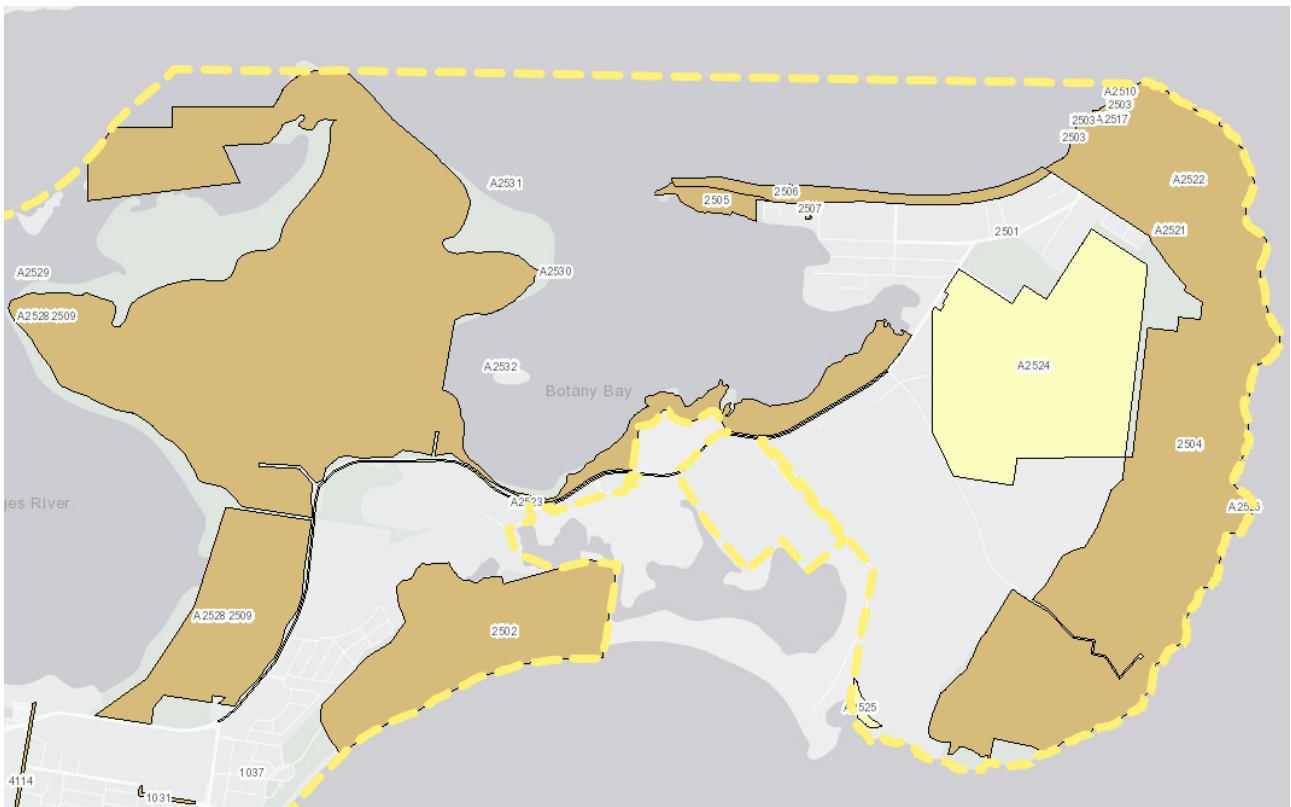
- **Lot 2 DP 559922** – referred to as “Lot 2 South”: south of Captain Cook Drive and bounded by the road on the north, Bate Bay (Greenhills Beach and Boat Harbour) to the south, the Kamay Botany Bay National Park to the south-east, an industrial development to the north-east, the Cronulla State Park on the south-west boundary and a combination of bushland, industrial and sporting facilities to the north-west.
- **Lot 2 DP 1030269** – referred to as “Lot 2 North”: north of Captain Cook Drive and bounded by the road to the south and nature reserves to the north, east and west. This lot has been occupied since 1976 by the Kurnell Boarding Stables and Riding School.
- **Lot 8 DP586986** – referred to as “Lot 8”: an undeveloped lot adjacent to (east) of Lot 2 DP 559922.
- **Lot 9 DP586986** – referred to as “Lot 9”: a small (82 m<sup>2</sup>) fenced and cleared lot along the western boundary of Lot 8 and a neighbouring property, containing a small structure in the south-west corner of the lot.

The total project area is approximately 210.5 hectares in size.

The project area is situated in a sensitive historical and cultural landscape and is adjacent to a number of significant heritage sites which demonstrate a combination of historical and Aboriginal (including prehistoric) values. These include:

- Kamay Botany Bay National Park and Towra Point Reserve (State Heritage Register (SHR) Item #01918)
- Botany Bay National Park (Kurnell Historic Site) (Sutherland Shire LEP 2015 Item #2504)
- Four Wheel Drive Track (Sutherland Shire LEP 2015 Item #A2523)
- Boat Harbour House Sites Group (Sutherland Shire LEP 2015 Item #A2525)
- Cronulla Sand Dune and Wanda Beach Coastal Landscape (SHR Item #01668 and Sutherland Shire LEP 2015 Item #2502).

Importantly, none of the above-mentioned items are found within the project area.



Source: NSW Planning Portal, Digital EPI Viewer

**Plate 1.1** Significant heritage sites within Kurnell Peninsula listed on the Sutherland Shire Local Environmental Plan 2015, centred on the project area



- KEY**
- Study area
  - Existing environment
  - - - Rail line
  - Major road
  - Named watercourse
  - Named waterbody
  - NPWS reserve
- INSET KEY**
- Major road
  - NPWS reserve
  - State forest

Regional setting

Kurnell Planning Proposal  
Aboriginal Cultural Heritage Assessment  
Figure 1.1



\\emmsvr1\EMM2\2023\230311 - Kurnell Planning Proposal - Aboriginal Heritage\GIS\02 - Maps\ACHA\H001 - Regional Setting\_20231113\_04.mxd 14/11/2023

Source: EMM (2023); ABS (2021); DCSSS (2023); ESRI (2023); GA (2009)



\\emmsvr1\EMM2\2023\230311 - Kurnell Planning Proposal - Aboriginal Heritage Assessment\GIS\02 Maps\ACHA\H002\_LocalsSetting\_20231113\_03.mxd 14/11/2023



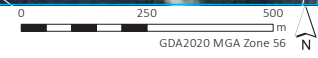
- KEY**
- Study area
  - Existing environment
  - Major road
  - Watercourse/drainage line
  - Cadastral boundary
- INSET KEY**
- Major road
  - NPWS reserve
  - State forest

Local setting

Kurnell Planning Proposal  
Aboriginal Cultural Heritage Assessment  
Figure 1.2



Source: EMM (2023); ABS (2021); DCSSS (2023); ESRI (2023); GA (2009)



### 1.3 Legislative context

This ACHA has been prepared with reference to relevant guidelines, policies and industry requirements, and following consultation with stakeholders, including relevant government agencies and the community. Guidelines and policies referenced are as follows:

- Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (the Code) (DECCW 2010a)
- Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH 2011)
- Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010b).

There are several Commonwealth and state Acts (and associated regulations) that manage and protect Aboriginal cultural heritage. These are summarised in Table 1.1.

**Table 1.1 Commonwealth and State legislation relevant to the project**

Legislation	Description	Relevant to the project?	Details
<b>Commonwealth</b>			
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Recognises sites with universal value on the World Heritage List (WHL). Protects Indigenous heritage places with outstanding heritage value to the nation on the National Heritage List (NHL), and significant heritage value on the Commonwealth Heritage List (CHL).	No	There are no Indigenous heritage places within the project area that are listed on the WHL, NHL, or the CHL.
<i>Native Title Act 1993</i>	Administers rights and interests over lands and waters by Aboriginal people. Provides for negotiation and registration of Indigenous Land Use Agreements (ILUAs). Often used in NSW to identify relevant stakeholders for consultation.	No	The project area is freehold land and cannot be subject to a claim under this Act. A search of the National Native Title Tribunal database was undertaken on 26 May 2023 and found that there are no active applications, claims, determinations or Indigenous Land Use Agreements (registered or notified) within the project area.
<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i>	Preserves and protects areas and objects of particular significance to Aboriginal people that are under threat from injury or desecration.	No	There are no areas or objects within the project area subject to a Declaration under this Act.
<b>State</b>			
<i>Environmental Planning and Assessment Act 1979</i>	Requires environmental impacts, including to Aboriginal heritage, to be considered in land use planning. Provides for the development of environmental planning instruments, including State Environmental Planning Policies and Local Environmental Plans.	Yes	The Planning Proposal seeks to repeal <i>State Environment Planning Policy (Kurnell Peninsula) 1989</i> as it applies to the project area, so that the site can be zoned according to Standard Instrument zones under the <i>Sutherland Shire Local Environment Plan 2015</i> . While the Planning Proposal may ultimately receive approval from DPE, future development would likely require various assessments and/or approvals under this Act.

**Table 1.1 Commonwealth and State legislation relevant to the project**

Legislation	Description	Relevant to the project?	Details
<i>National Parks and Wildlife Act 1974</i>	Provides blanket protection for all Aboriginal objects and declared Aboriginal places. Includes processes and mechanisms for development where Aboriginal objects are present, or where Aboriginal Places are proposed for harm.	Yes	All Aboriginal sites identified in the project area are protected under this Act. Any actions that may harm cultural material would require approval in the form of an Aboriginal Heritage Impact Permit (AHIP) from Heritage NSW.
<i>Aboriginal Land Rights Act 1983</i>	Establishes Local Aboriginal Land Councils (LALCs). Allows transfer of ownership of vacant crown land to a LALC. The Office of the Registrar, <i>Aboriginal Land Rights Act 1983 (ORALRA)</i> , registers Aboriginal land claims and maintains the Register of Aboriginal Owners. Often used in NSW to identify relevant stakeholders for consultation.	No	A request to search the ORALRA Register of Aboriginal Owners was made on 26 May 2023. A response was received on 31 May 2023, indicating that the project area does not appear to have Registered Aboriginal Owners pursuant to Division 3 of the Act.

## 1.4 Limitations

This report is based on existing and publicly available environmental and archaeological information (including AHIMS data) and reports about the project area. The background research did not include any independent verification of the results and interpretations of externally sourced existing reports (except where the ground-truthing was undertaken). The report further makes archaeological predictions based on these existing data and targeted ground-truthing, and which may contain errors depending on the accuracy of these third-party studies and the extent of ground-truthing (constrained to surface) investigations.

This report does not consider historical archaeology and/or built heritage items.

## 1.5 Authorship and acknowledgements

This report was prepared by Georgia Burnett (EMM Senior Archaeologist), Mikhaila Chaplin (EMM Archaeologist) and Courtney Culley (EMM Archaeologist). Cameron Neal (EMM Archaeologist) and Phillipa O'Brien-Pounde (EMM Graduate Archaeologist) undertook the archaeological survey and assisted with the preparation of Section 6 of this report. The report was reviewed by Laressa Barry (EMM Senior Archaeologist and Aboriginal Heritage Team Leader) and Melanie Thomson (EMM Associate Director and Heritage Team Manager).

EMM would like to thank all Registered Aboriginal Parties (RAPs) for their participation and valuable contributions to this assessment, as well as:

- Finn Smith, Sophy Purton, Patrick Jones and Clare Brown, Urbis
- Duncan McComb, Besmaw
- Zoe Sims, Yerrabingin
- Dr Paul Irish, Coast History and Heritage
- Dr Phil Clarke and Dr Patrick Horton, consultant anthropologists.



## 2 Aboriginal community consultation

### 2.1 Key findings

- The assessment adopted the processes and methods outlined in DECCW's *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW, 2010), and supplemented by additional project-specific consultation activities. These included meeting with key local Aboriginal organisations and on-site activities during the assessment.
- The consultation process initially identified 60 Aboriginal stakeholder organisations who may have had an interest in the project. Following notification of these organisations, 12 responded as requesting to be consulted upon the project. These included a number of Dharawal and Darug traditional owners, as well as Aboriginal communities from the broader region interested in cultural heritage management. Overall, over 100 interactions with the registered Aboriginal parties were undertaken over the six-month assessment process.
- On-site investigations included a one-day field survey on 7 September 2023. These included representatives of the Dharawal and Darug traditional owner organisations, including La Perouse Local Aboriginal Land Council (LPLALC) and Wailwan Aboriginal Corporation. A third RAP was invited to participate in the survey but became unavailable at short notice.
- Feedback from the RAPs during the project has been generally positive, with some voicing ongoing concerns about who has the right to speak for Country and participate in on-site archaeological fieldwork. More generally, the Aboriginal community sees the broader socio-economic benefits that can be gleaned for the local Aboriginal community, if the project is approved.

### 2.2 The process

Aboriginal consultation for this project has been undertaken in accordance with procedures set out in the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010). These guidelines identify a five-stage process:

1. Pre-notification – identification of the Aboriginal individuals and/or communities relevant to the project area by contacting several state government agencies.
2. Notification – contacting all Aboriginal individuals and/or communities identified in Stage 1 to determine their interest in being consulted during the project. This includes direct communication and the placement of advertisements in local media seeking further expressions of interest from Aboriginal individuals and/or communities that may have been missed through Stage 1. Those Aboriginal individuals and/or communities that wish to be consulted become a 'registered' Aboriginal party (RAP).
3. Presentation of project information/assessment methodology – briefing RAPs about the project and scope of any Aboriginal heritage assessment and investigations, including any proposed cultural values assessment (if undertaken). This is usually undertaken through written correspondence, but can include meetings, and may undergo several iterations through the project as the nature of the assessment changes (e.g. surface ground-truthing may lead to a requirement for test excavations).
4. Impacts and mitigation strategies – discussion of potential impacts to cultural materials and mitigation options with the RAPs prior to developing the ACHA. This is often undertaken either onsite at the end of any field program and/or as part of Stage 4.

5. Report review – the RAPs are provided an opportunity to review and comment upon the draft ACHA, to contribute input into the overall findings, significance and management of cultural heritage.

The consultation process for this project had two aims:

- to comply with the mandated consultation procedures to obtain input on the ACHA process
- to identify cultural places and intangible values that may be affected by the project.

## 2.3 This project

A complete log of actions and correspondence regarding Aboriginal community consultation is included in Appendix B.1 and summarised in Table 2.1.

Overall, the consultation process identified 60 Aboriginal stakeholders in the region (Appendix B.2). Subsequently, following a notification process, 12 of these registered an interest in the project (Appendix B.3; Table 2.2). These RAPs included a number of Sydney based traditional owner groups, as well as a number of broader Aboriginal community organisations interested in cultural heritage management.

Of the 12 registered parties, two (locally based) organisations participated in the field survey, including La Perouse Local Aboriginal Land Council (LPLALC) and Wailwan Aboriginal Corporation. A third RAP was invited to participate in the survey but became unavailable at short notice.

An invitation was extended to all 12 RAPs, to participate in a cultural values assessment of the project area between August and October 2023. Invitations were also extended to those stakeholders who contributed to and participated in the Designing with Country Framework process that was led by Yerrabingin. Further details on the Cultural Values assessment are provided below in Section 4.6 of this report.

**Table 2.1 Consultation process summary**

Stage	Description	Date initiated	Date completed	Notes
1	Government Agency Pre-Notification	26 May 2023	-	Additional details provided in Appendix B.4.
	Advertisement in <i>St George &amp; Sutherland Shire Leader</i>	21 June 2023	5 July 2023	A tearsheet is provided in Appendix B.4.
	Notification and registration of potential Aboriginal stakeholders	21 June 2023	5 July 2023	Additional details are provided in Appendix B.4.
	Advising Heritage NSW and La Perouse LALC of RAPs	14 July 2023		Additional details are provided in Appendix B.4.
2/3	Presentation of information about the proposed project and gathering information about cultural significance	8 August 2023	5 September 2023	Additional details are provided in Appendix B.5.
	Field survey	7 September 2023		Additional details are provided in Section 6.
4	Review of draft ACHA report	TBC	TBC	Additional details are provided in Appendix B.6.

**Table 2.2** List of registered Aboriginal parties for the project

Organisation	Contact
La Perouse Local Aboriginal Land Council	Chris Ingrey
Yulay Cultural Services	Arika Jalomaki
Guntawang Aboriginal Resources Incorporated	Wendy Morgan
Didge Ngunawal Clan	Lillie Carroll
Kamilaroi Yankuntjatjara Working Group	Phil Khan
Butucarbin Aboriginal Corporation	Jennifer Beale
Wailwan Aboriginal Group	Phil Boney
Ninum Group	Kevin and Marnya Campbell
Gilay Consultants	Carolyn Slater
Thomas Dahlstrom	Thomas Dahlstrom
James Davis	James Davis
Basil Smith	Basil Smith

## 2.4 Aboriginal stakeholders feedback

A draft version of this report, including all background information, results, draft significance assessment and draft management recommendations, was issued to all RAPs on 1 December 2023 accompanied by an email specifying a 28-day timeframe for review. No feedback was received.

## 3 Environmental context

### 3.1 Key findings

- The project area is characterised as a gently undulating sandy plain within a well-resourced isthmus landscape, surrounded by a number of major water bodies and tributaries, including the Pacific Ocean to the south and east along with various bays (e.g. Bate Bay) and beaches for coastal resources. The closest freshwater resource from the project area is Georges River to the north. Kurnell Peninsula has demonstrated to be a focal point of occupation due to the rich resources available along the coastline, with a number of sites identified along its banks elsewhere where fresh and saltwater meet.
- The project area is situated on a gently undulating sandy plain on a variety of Quaternary and Mesozoic / Triassic age geologies. The remnant soil profiles of the project area consist of relatively deep sandy deposits (>200 cm) with charcoal and stone absent from deeper sandy loam deposits. The site has been subject to decades of mining and recreational use of varying intensity, further reducing the potential for buried cultural material across much of the area.
- The previous land use history indicates that significant portions of the project area have been disturbed due to active sand mining, as well as recreational activities such as 4WD and horse riding. This has resulted in vegetation removal and soil destabilization throughout much of the project area.

### 3.2 General

Understanding environmental context assists with predictions of archaeological potential, such as the likelihood of archaeological material being present in the landscape, its spatial distribution, and its preservation. Landscape features were an important factor for the choice of camping and transitory and ceremonial areas used by Aboriginal people. Similarly, these landscape features and historical land-use plays a role in the level of preservation and the integrity of archaeological sites.

A landscape consisting of suitable topography, hydrology, geology, and soils has strong links with natural resources that would have been available to, and sought after, by Aboriginal people. Flora and fauna would have provided food, tools, and ceremony (culturally modified trees); proximity to fresh water was necessary for life and growing crops, as well as gathering fish and eels. Landscape features, such as sandstone overhangs, were useful for shelter; stone artefacts were manufactured from raw stone material that was collected from quarry sites; and stone arrangements relied on the landscape.

### 3.3 Landscape overview

Bioregions are relatively large land areas characterised by broad, landscape-scale natural features and environmental processes that capture large-scale geophysical patterns at an ecosystem scale. Sub-regions delineate significant geomorphic patterns within a bioregion, and are based on finer differences in geology, vegetation, and biophysical attributes.

The project area lies wholly in the Sydney–Newcastle Barriers and Beaches landscape unit, situated within the Pittwater subregion of the Sydney Basin (SYB) Interim Biogeographic Regionalisation for Australia (IBRA) Bioregion of coastal eastern NSW (IBRA7, 2012). The Sydney–Newcastle Barriers and Beaches landscape unit is characterised by coastal sediments developed on sand beaches between rocky headlands backed by sand dunes and intermittently closed and open lagoons typical of the Kurnell Peninsula (Mitchell 2002, p.109). The geology of the region consists of well sorted Quaternary coastal sands with abraded shell fragments inclusions. The main vegetation type across the Kurnell Peninsula was heath (e.g. *Banksia* sp.) along with surrounding abundant wetland and/or mangrove systems.

The existing environment heavily influences the potential types of cultural material that may be present within a project area. For example, geological formations, notably rock outcrops, are essential for rockshelters and associated features (such as art), while exposures of smooth geology observed along creeks and rivers may also be suitable for sites such as grinding grooves. The potentially deep soil profiles along the beaches and bays edge have potential for buried cultural material, such as stone artefacts and shell. However, it should be noted that while the presence of major water courses would have been a key resource for past occupation, they can be subject to significant flooding and scouring. As such, evidence of past occupation may be more likely to survive on elevated areas (e.g. terraces) adjacent to and above these water courses, despite the likelihood that these riverbanks are likely to have been heavily used in the past.

### 3.3.1 Topography

The topographical context is important to identify potential factors relating to past Aboriginal land use patterns. The project area lies within the Kurnell Peninsula and is considered as part of an isthmus (a narrow strip of land with sea on either side forming a link between two larger area of land) connecting the mainland with the Kurnell Peninsula headland. The Pacific Ocean borders the project area to the south and east, with Botany Bay to the north and borders where the Georges River outlet meets Woollooware Bay and Botany Bay to the west and north-west respectively. As beaches are geomorphologically active, the topography is subject to continuous alteration in response to changes in wave energy and tidal dynamics.

Topographically, the project area is located on gently inclined to undulating plains with moderately steep rises of the Kurnell Peninsula. It was part of a transgressive or mobile sand dune system, with peaks of up to 20 m. The local relief in the area is 10–15 m and slope gradients range from 3–36%. Elevation across the landscape typically ranges from 0 to 30 m above sea level (asl) with more extensive high dunes often located on top of the headlands where cliff top dunes can reach up to 90 m asl.

### 3.3.2 Geology

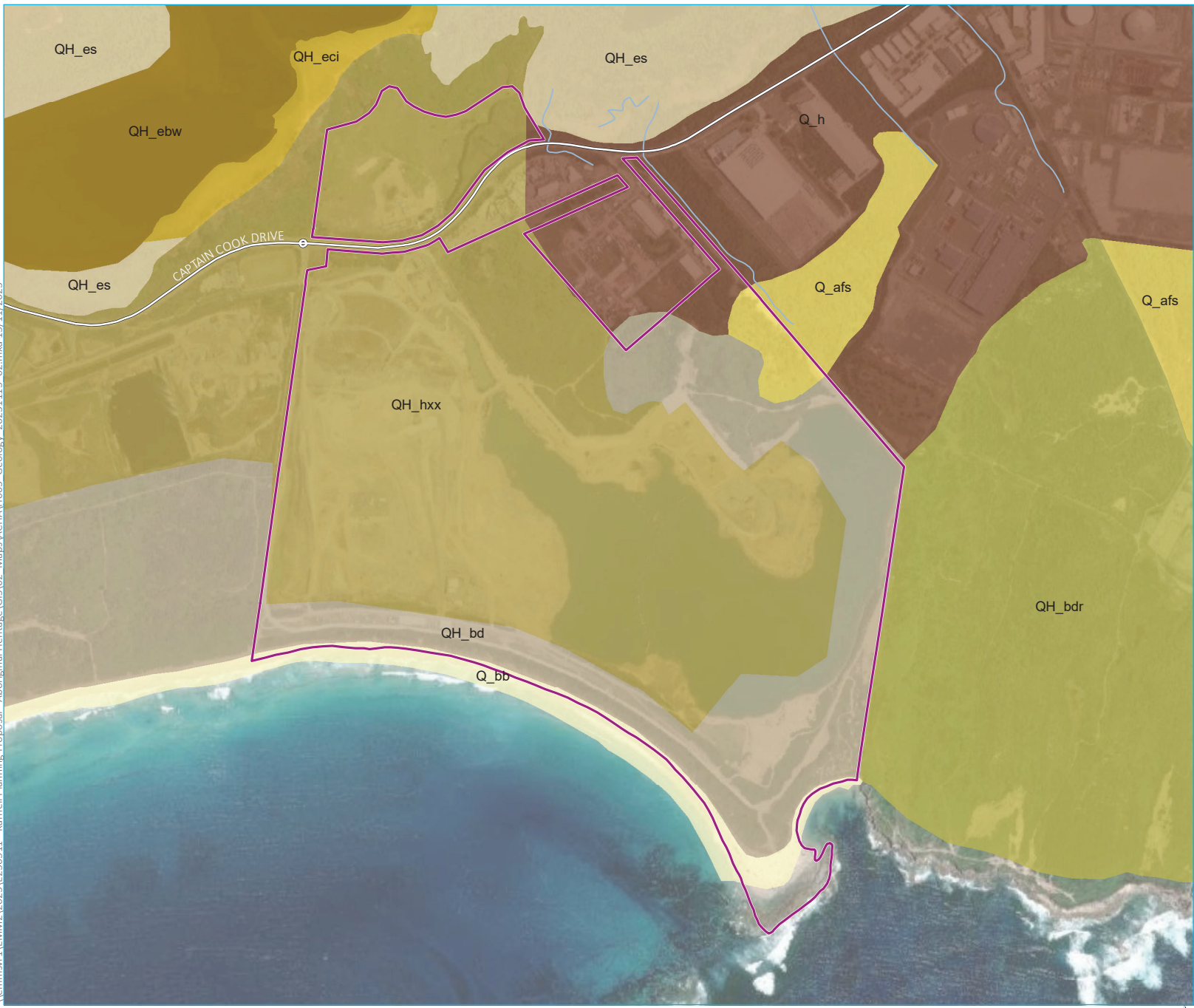
The primary geology of the region comprises Quaternary coastal deposits with few occurrences of Hawkesbury Sandstone, which includes quartz sandstone with minor shale and laminate lenses (Sniffin and Beckett 1995). The underlying layers consist of Holocene aged marine and windblown sands, comprising deposited quartz with fragmented shell inclusions and associated Triassic aged quartz sandstone strata (Geoscience Australia 2021). These are common deposit sequences in the Sydney – Newcastle Barrier and Beaches landscape. The Hawkesbury Sandstone, which underlies the project area were first formed between the Mesozoic and Triassic period which began 252 Mya, it is well known around Sydney and forms much of the coastline. Outcropping Hawkesbury Sandstone bedrock is currently visible at the edge of Boat Harbour where a cliff line forms and extends to the east. Outcropping has occurred from natural and human-made erosion processes. The acknowledgement of naturally occurring shell in highly disturbed areas is important, as there is the potential to confuse machine redeposited shell material with Aboriginal shell midden material.

A summary of the geological units within the project area is provided in Table 3.1. The distribution and extent of the relevant geological units to the project area is mapped and shown in Figure 3.1. We note that the data presented on the map is based on publicly available georeferenced geological data managed by NSW government, and may not reflect the current lay of the land, particularly in relation to the sand mining activities in Lot 2 DP559922 (Lot 2 South).

**Table 3.1**      **Geological units**

Geology	Map unit	Age	Description
Unnamed	Qmd	Quaternary	Marine quartz sand.
Unnamed	Qbd	Quaternary	Medium to fine 'marine' quartz sand and podsols.
Unnamed	Qhbr	Quaternary	Quartz sand, minor shell content, silt, and fine sand.
Unnamed	Qhf	Quaternary	Medium to fine-grained 'marine' sand.
Unnamed	Qhb	Quaternary	Coarse quartz sand, varying amount of shell fragments.
Hawkesbury Sandstone	Rh	Mesozoic – Triassic	Medium to coarse-grained quartz sandstone with minor shale and laminate lenses.

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- KEY**
- Study area
  - Geological rock unit**
  - QH\_bd | Coastal deposits - dune facies
  - QH\_bdr | Coastal deposits - bedrock-mantling dune facies
  - QH\_ebw | Estuarine basin and bay (subaqueous)
  - QH\_eci | Estuarine in-channel bar and beach deposit
  - QH\_es | Estuarine swamp
  - QH\_hxx | Anthropogenic deposits - extensive excavation of Quaternary deposit
  - Q\_afs | Alluvial floodplain deposits - swamp facies
  - Q\_bb | Coastal deposits - beach facies
  - Q\_h | Anthropogenic deposit
  - Existing environment**
  - Major road
  - Watercourse/drainage line

Geology

Kurnell Planning Proposal  
Aboriginal Cultural Heritage Assessment  
Figure 3.1



Source: EMM (2023); DPIE (2023); DCSSS (2023); ESRI (2023)



### 3.3.3 Soil landscape

Soil landscape classifications and their boundaries provide pre-defined areas that are classified by several geographic features, and which are informative for the archaeological investigation. They provide localised information about landform patterns, soils, geology, rock outcrop percentage, land use and vegetation. This information provides another layer to categorise the landscape for building a predictive model, in addition to what a topographic description can provide. Soil landscape information helps to establish knowledge of the underlying geology, can describe the depths of residual and colluvial soils and identify areas characterised by erosion or skeletal soils. It can also provide additional information on exposed bedrock versus areas that may contain a deeper soil profile. This information is used to understand and predict where different types of cultural material may be expected to be found.

The distribution and extent of the relevant soil units to the project area is mapped and shown in Figure 3.1. We note that the data presented on the map is based on publicly available, georeferenced geological data managed by NSW government, and may not reflect the current lay of the land, particularly in relation to the sand mining activities in Lot 2 DP559922 (Lot 2 South).

The project area contains the Wollongong Marine (wg) soil landscape as defined in Mitchell (2002). The Wollongong Marine soils are typically deep (>200 cm) calcareous sands on beaches, siliceous sands on foredunes and isolated humus podzol/podzol intergrade in swales (Figure 3.2). The soil landscape is subject to extreme wind erosion and has very low soil fertility.

The three soil types within the landscape are outlined below:

- wg1 – Loose yellow shelly sand:
  - Loose, pale yellow (10YR 8/6) apedal single-grained sandy with sandy fabric. This material occurs both as topsoil and subsoil. Fragments of shell, pumice and organic material are often found in thin diagonally bedded discontinuous laminations. These sands are saline and alkaline (pH 7.0 to 9.0).
- wg2 – Loose pale brown siliceous sands:
  - Loose, pale brown (10YR 7/4) to dark brown (10YR 5/3) apedal single-grained sand. Pumice and shells are absent from the sediment. These sands are mostly alkaline with pH ranging from 7.0 to 9.0.
- wg3 – Yellowish brown mottled sand:
  - Yellowish brown (10YR 5/3 to 10YR 5/8) mottled apedal single-grained varying to sandy loam with loose sandy fabric. This sand usually occurs as a subsoil in areas with poor drainage with faint orange mottles common with depth. The pH is moderately acidic (pH 5.5 to 7.0). Charcoal and stones are absent with rare roots.

### 3.3.4 Paleo-environmental context

The end of the Last Glacial Maximum (LGM; c. 110,000 years before present [BP] with the peak glacial period around 26,000 BP) coincided with the end of the Pleistocene (2.6 million BP to 11,700 BP). For a large part of the LGM, the main landmass of Australia was connected to Tasmania in the south and New Guinea to the north to create the continent of Sahul. A substantial amount of the earth's water was locked in the ice sheets of Antarctica and the Arctic. While ice sheets covered a significant part of North America, Europe and Asia, Australia (as part of Sahul) was spared the frozen expanses of land but a large proportion of was covered by shifting sand dunes (transitory dunes).

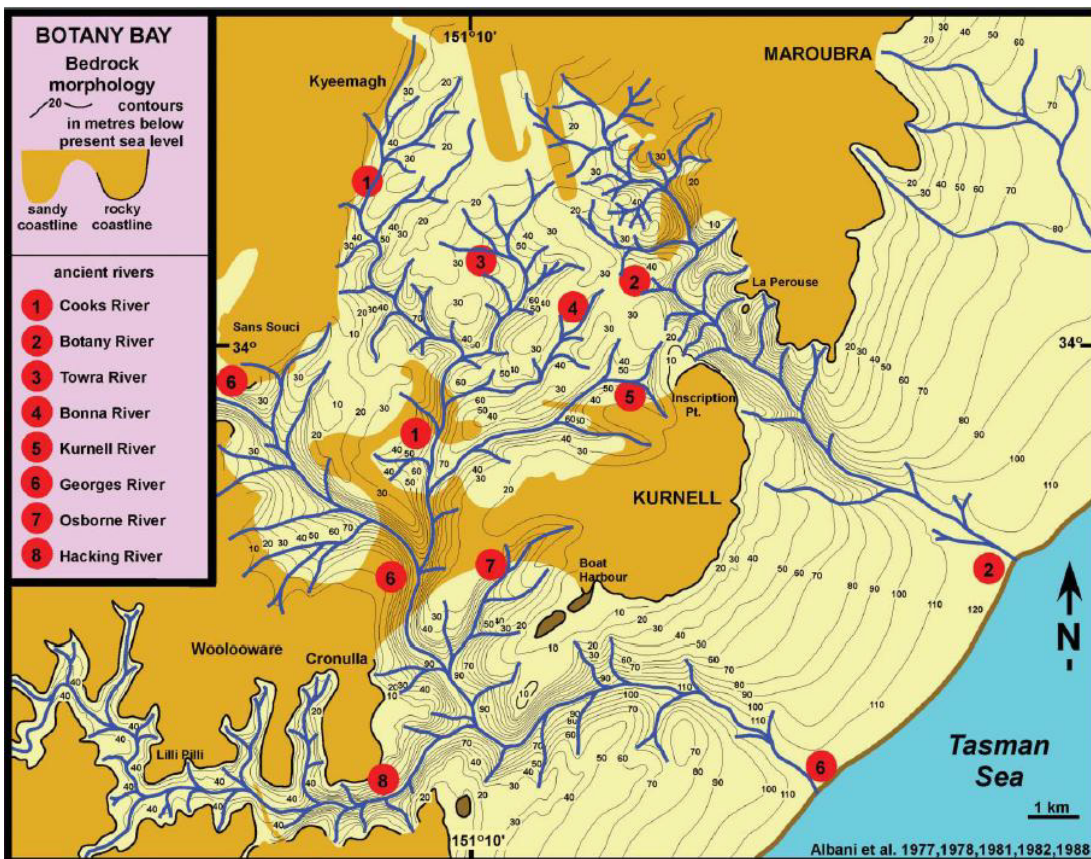


The continental shelf and inner continental slope from Broken Bay to Bate Bay (Northern Beaches to Cronulla) was the subject of geophysical surveys conducted in the 1970s and 1980s to detect deep river channels (palaeochannels) that are now off the coast. The purpose of the study was to establish the eastward extent of the palaeochannels to define the end-Pleistocene coastline of the LGM (Albani et al 2015, p.681).

The geophysical surveys revealed a series of palaeochannels surrounding the project area and a seashore approximately 5 km east of the current shoreline (Albani Rickwood Quilty and Tayton 2015). The sea level at the LGM was estimated to have been approximately 120 m lower than the present day (Albani et al 2015, p.682). At the peak of the LGM, the Kurnell Peninsula was a high point in the landscape and Boat Harbour was situated on a ridge adjacent (dry land) dry land adjacent to the Osborne River to the west and the Georges River to the south-east (refer to Plate 3.1).

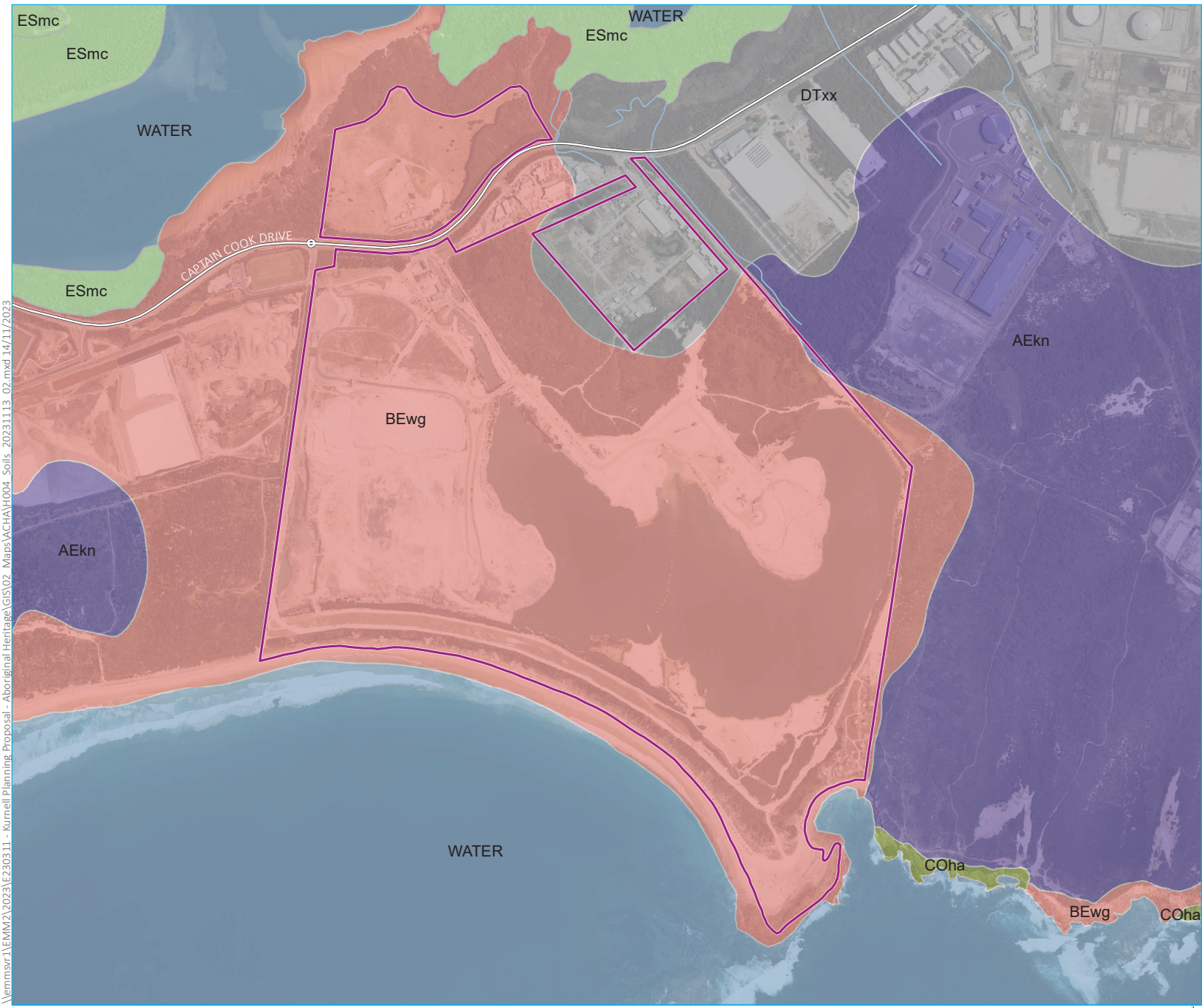
The Kurnell Peninsula is surrounded by a number of palaeochannels, which have been named by the authors for the purposes of the paper. The closest of these is the Osborne River, which started approximately 1.5 km to the north-west of Boat Harbour and flowed to south-west to join the Georges River. To the north and east of the Kurnell Peninsula, the Botany River flowed in a south-easterly direction through Botany Bay with feeders recorded in what is now the runway area of Sydney Airport. The Kurnell River flowed around the peninsula from the north to the west where it joined the Cooks River. In the vicinity of the project area, only the Botany and Georges rivers flowed into the ocean. These ancient river beds are presently overlain by between 70 and 130 m of unconsolidated silt (Albani et al, 2015, p. 682).

The environment would have been drier and dustier than it is today with fewer water sources. The river systems around the project area would have been prized resources in a landscape so distant from the ocean, and in fact the existing environment and the presence of the Osborne River in the LMG indicates that a fresh water spring originated somewhere in the project area.



Source: Albani et al, 2015, Fig 4, p.686

**Plate 3.1** The projected coastline and palaeochannel system during the Last Glacial Maximum around the project area. Boat Harbour is named (centre)



- KEY**
- Study area
  - Soil landscapes
  - AEkn | Kurnell
  - BEwg | Wollongong
  - COha | Hawksbury
  - DTxx | Disturbed terrain
  - ESmc | Mangrove creek
  - WATER | Water
  - Existing environment
  - Major road
  - Watercourse/drainage line

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Soil landscapes

Kurnell Planning Proposal  
Aboriginal Cultural Heritage Assessment  
Figure 3.2



Source: EMM (2023); DCSSS (2023); DPE (2016); DPIE (2021)



### 3.4 Hydrology

Hydrological features are the most likely indicator of archaeological potential within the project area. Access to water, and the natural resources associated with it, would have influenced the distribution of habitation throughout the area. The Strahler stream order is a hierarchical system that ranks watercourses and maps watersheds, based on the connectivity and hierarchy of contributing tributaries, and is a useful measure for archaeological potential. In general, higher Strahler watercourses are usually more permanent and established, and are a foci of abundant resources due to reliable access to water. While lower order watercourses are more ephemeral, and likely only hold water during or shortly after periods of rain. For purposes of considering Aboriginal cultural heritage, higher densities of material evidence for past occupation are more likely to be identified within proximity of higher order, permanent watercourses due to the more abundant available resources.

The project area is influenced by several hydrological features including coastal, estuarine, and freshwater resources (Figure 3.3). The Pacific Ocean is located directly south and east of the project area whereby Bate Bay, Boat Harbour, and North Cronulla beaches of the Tasman Sea mark the transition from ocean to land.

The Kurnell Peninsula headland to the east of the project area, although highly modified in areas by industrial and residential development, features the remnants of multiple swamps. Notably there is a swamp surrounding the northern half of Boat Harbour Road up to where it connects with Captain Cook Drive.

An estuarine environment occurs to the north of the project area which has formed from the outlet of the Georges River meeting Botany Bay. The estuarine environment north of the project area surrounding Towra Point, Weeney Bay and Quibray Bay is classed as a marine tidal delta (BTM WBM 2013). Woolooware Bay, approximately 2 km west of the project area, is classed as the start of a central mud basin which extends into the Georges River.

A large man-made pond occurs in the centre of the project area south. The pond is caused by aquifer-fed water that is captured by a large void caused by sand mining activities. The aquifer originates in the south-western part of the project area. An overlay of local paleochannels which shows the approximate area of the headwaters of the Osborne River, may suggest that the Osborne River was aquifer-fed to some extent. However, the amount of surface water provided by the spring prior to sand mining is currently unknown.

### 3.5 Flora and fauna

Pre-colonial biodiversity in the project area would have been greater than today and without the impact of widespread vegetation clearance and mining. Native birds, reptiles and mammals would have occupied the landscape while an abundance of freshwater, estuarine and marine species including fish, molluscs (e.g. shellfish, squid and octopus) and arthropods (e.g. crabs) would have been readily available. This would have provided various resources for consumption by Aboriginal people.

The distribution and extent of the mapped vegetation types within the project area is mapped and shown in Figure 3.4. We note that the data presented on the map is based on publicly available geological data managed by NSW government, and may not reflect the current lay of the land, particularly in relation to the sand mining activities in Lot 2 DP559922 (Lot 2 South).

On Kurnell Peninsula, the main plant community was heath, which was a response to dry, well-drained (sandy) and nutrient-poor soils. Heaths supported faunal species such as pygmy possums, honey-eaters and many different species of reptiles. The abundant wetlands to the south and mangroves north of the project area would have provided waterbirds and their eggs, eels and fish as well as plant species for food. Vegetation would have also been used for tools and tool making.

A historical perspective of the landscape is provided by the species list on the *Kamay Botany Bay Botanical Collection Sites*, which are listed on the National Heritage List (NHL). This listing comprises three locations that were explored for botanical samples by Sir Joseph Banks and Dr Daniel Solander in 1770, which are the Kurnell Peninsula and Towra Point on the southern side of Botany Bay and La Perouse on the northern side. While the project area has undergone significant change since the historical period, the plant species that were identified by Banks and Solander, are the species that are likely to have populated the project during the Holocene epoch (c 13 ka). The plants identified in the 1770 expedition were numerous and included many species of acacia, banksia, boronia, grevillea, isopogon and syzygium species.

More recently, the vegetation communities were described by Urwin (1979) and reproduced in Smith et al (1990). In 1979 the project area south was substantially denuded of vegetation, which is likely to be a result of the transgressive dune system, which moved slowly across the landscape, in addition to historical disruption of the ecosystem.

The foredune to the west of Boat Harbour was vegetated with open and closed Acacia scrub (*Acacia longifolia*), which grew on newly stabilised surfaces, and Spinifex. Spinifex was also recorded to the south of Captain Cook Drive. Spinifex herbland and Scaevola was recorded in the heath north-west of Boat Harbour and saltmarsh (*Juncus* sp) was recorded on both sides of Captain Cook Drive (Urwin 1979, p. 33 in Smith et al, 1990, p. 21).

Banksias (*Bankia integrifolia*) and tea tree (*Leptospermum laevigatum*) occurred on Connells Hill, west of the project area and rainforest-type understorey species were recorded along Captain Cook Drive in sheltered moist depressions (Urwin 1973, p.33 in Smith et al, 1990, p. 22).

A report prepared by Planning Workshop (1998) describes the project area as predominantly “terrestrial”, comprising ocean dispersed herbs (*Cakile maritime* and *C edentula*). *Spinifex hirsutus* was the dominant grass on the frontal dune slopes along with pigface (*Carpobrotus glaucescens*) and Marram grass (*Ammophila arenaria*). *Acacia longifolia* was also recorded on the foredunes in 1998 (Planning Workshop 1998, p. 3).

Although it has been noted above that this dunal landscape was transgressive, sediment would have moved slowly as it was held together by the vegetation communities listed here (EMM 2020, p. 13).

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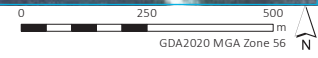
- KEY**
- Study area
  - Strahler stream order
  - ..... 1st order
  - ..... 2nd order
  - Existing environment
  - == Major road
  - Contour (10 m)

Topography and hydrology

Kurnell Planning Proposal  
Aboriginal Cultural Heritage Assessment  
Figure 3.3



Source: EMM (2023); DCSSS (2023); DFSI (2017); DPI (2013)



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- KEY**
- Study area
  - Plant community type
    - (Dry Sclerophyll Forests (Shrub/grass sub-formation)) Clarence Gorges Grey Gum-Ironbark Grassy Forest
    - (Dry Sclerophyll Forests (Shrubby sub-formation)) Coastal Sands Littoral Scrub-Forest
    - (Forested Wetlands) Estuarine Swamp Oak Twig-rush Forest
    - (Freshwater Wetlands) Sydney Creekflat Wetland
    - (Heathlands) Southern Sydney Rockplate Heath
    - (Saline Wetlands) Samphire Saltmarsh
    - (Not native vegetation) Not native vegetation
  - Existing environment
    - Major road
    - Watercourse/drainage line
    - Cadastral boundary

Vegetation

Kurnell Planning Proposal  
Aboriginal Cultural Heritage Assessment  
Figure 3.4



Source: EMM (2023); DCSSS (2023); DPE (2022, 2023)

0 250 500  
m  
GDA2020 MGA Zone 56

## 3.6 Land use and disturbance

Previous land disturbance has a significant impact to the survivability of cultural materials, if present. While there are natural processes that can disturb and/or destroy cultural material, more frequently it is increasing urbanisation over the last 200 years that has resulted in the most significant impacts.

### i [Lot 2 DP559922 \(Lot 2 South\)](#)

Today the topography of Lot 2 South represents a sand dune landscape that has been significantly disturbed through sand extraction and subsequent land reclamation that occurred some time prior to 1998 (but no earlier than 1984), with virgin excavated natural material (VENM) filling the voids created by that mining. The remnant frontal dune at the southern boundary of the project area has been subject to substantial disturbance over the last few decades from storm related wind and ocean movement.

The area where the cabins are situated, in the south-east corner of the project area, and directly north of Boat Harbour have also been affected by development. Disturbance has occurred not only from the construction of these cabins, but also from the laying of services and utilities and the establishment of access tracks, resulting in de-vegetation and destabilisation of the underlying sand.

Further disturbance to the sand dune system at the eastern edge of the project area has occurred due to its use as a four-wheel driving (4WD) track. Although 4WD driving may appear as a superficial impact, it would have potentially significance impacts on Aboriginal midden sites. Repeated driving across Aboriginal midden sites is likely to have disturbed site features by breaking through stratigraphic sequences, distributing component artefacts across the landscape and accelerating site degradation by exposing land to increased erosion.

### ii [Lot 2 DP1030269 \(Lot 2 North\)](#)

In the 1930s, Lot 2 DP1030269 (Lot 2 North) was part of a vast dune system of exposed sand sweeping from Bate Bay to Quibray Bay, with an area of open wetland/swamp that crossed the lot boundary (cut by Captain Cook Drive) into part of Lot 8. By 1972, much of this exposed dune was re-covered in low shrubs and grasses, save for the peninsula of Quibray Bay. Also at this time, the southern portion of the lot along Captain Cook Drive, had been cleared in preparation for the construction of a horse riding and boarding facility. The south section of the lot houses the stable facility and float storage areas and an informal car parking area. Further north, there are day paddocks, a riding arena and jump area. The remainder of the site appears to be relatively flat, and covered in low grasses, with few isolated small shrubs. There is a low-lying, swampy area in the eastern half of Lot 2 North that is heavily vegetated. Historically, this area has been described as both a swamp and mangrove pasture which held plenty of scrub (Holt 1972 p.124).

### iii [Lot 8 DP586986 \(Lot 8\) and Lot 9 DP 586986 \(Lot 9\)](#)

In the 1930s, the western half Lot 8 DP586986 (Lot 8) was part of a sweeping dune system that was undisturbed by activities throughout the surround peninsula, while the eastern half of Lot 8, and all of Lot 9 DP 586986 (Lot 9), were covered in low scrub. By the 1970s, the area to the east of the lot (current Lot 4 DP270389) was converted for industrial activities, and by 1979, Lot 9 had been cleared and developed – presumably, in relation to the industrial use of the adjacent Lot 4. Lot 9 had airport purposes including a navigation beacon which was established. Within Lot 8 at this time, the surrounding low-lying scrub was significantly reduced, however this is not uncommon with changing coastal ecosystems. Of note, sand mining had not commenced in the surrounding parts of the project area by this time; though preparation activities in the north-western corner of Lot 2 were occurring, at least from 1968, and were under full operation by 1998. Remnant coastal vegetation persists in the southern and western parts of this lot (where listed AHIMS 52-3-1110 or McCue Midden is located), and small areas of wetland and associated vegetation remain. The only discernable impacts to Lot 8 in the historical period relate to the presence of low-impact walking trails and cleared fencelines along the site boundary to Lot 2 South.

## 4 Ethnography

### 4.1 Overview

Descriptions of Aboriginal society prior to European contact largely comes from ethno-historic accounts made by Europeans. Therefore, these accounts and observations were made through a lens obscured by a vastly different cultural framework and after massive social disruption due to disease and displacement. The results of these observations are often incorrect, biased and contentious. The following Sections aim to provide some context of how Aboriginal people lived before and after European settlement but focuses on the practices and customs that may have left archaeological traces.

In 1770, Lieutenant James Cook sailed into Botany Bay to establish whether or not the land was *terra nullius* by European standards. Permanent European occupation of the Kurnell Peninsula began in 1815 with a Governor's land grant of 700 acres to Captain James Birnie. In 1861, a total of 4,600 acres extending from Botany Bay to Port Hacking, which comprised all of the Kurnell Peninsula, was purchased by Thomas Holt. In contrast, when Aboriginal people were already living in the Sydney region, Botany Bay was inundated at the peak of the last glacial period around 20,000 years ago (Irish 2014, p.48). It was a swampy sand plain where the Cooks and Georges Rivers met, before flowing through what is now the Kurnell Peninsula (Roy & Crawford 1981).

From around 18,000 years ago, warming global temperatures caused the sea to rise rapidly, impacting coastal Aboriginal life. By around 7,000 years ago, the rising ocean had pushed sand ashore to create the Kurnell Peninsula as the southern shore of the newly formed Botany Bay, with its rich marine resources (Roy & Crawford 1981). For the next 5,000 years the Kurnell Peninsula remained a shifting patchwork of dunes and swamps, while sea levels continued to rise and fall, causing fluctuations in shoreline alignments (Irish 2014, p.14).

### 4.2 Local population

Tindale (1974) used the term 'tribe' with relation to Australian Aboriginal people to describe a group of people that share a common language. In accordance with the research compiled by Tindale, the dominant Aboriginal language group for the project area are the Dharawal people (Tindale 1974, p. 198). The Dharawal language group was noted by Tindale to contain multiple sub-dialects representative of smaller Aboriginal groups known as local descent groups or clans, including Eora to the north of Botany Bay and Gweagal on southern side of Botany Bay (Tindale 1974, p. 193). The Dharawal group boundary is described by Tindale as "...from south side of Botany Bay and Port Hacking to north of Shoalhaven River, inland to Campbelltown and Camden" (Tindale 1974).

The project area is located on the Kurnell peninsula, which is well-documented as the ancestral country of the Dharawal-speaking Gweagal people (e.g. AHD 2004; Bursill, et al. 2007; Yerrabingin 2023, p.13). This group, said to be a 'fire clan' (Bursill, et al. 2007), is primarily associated with the land south of Botany Bay and a large part of the Cronulla (*Kurunalla*) coast (Turbet 1989). The Kurnell peninsula comprises part of Botany Bay, the Dharawal word for which is said to be *kamay* ('fresh water'); its derivative *kamayagal* refers to the people of that area (NPWS 2020:9).

### 4.3 Daily life

Sydney's Aboriginal people had a range of tools and weapons for obtaining food and raw materials, carrying small items, making equipment, and for defensive and offensive purposes. These included fishing and hunting spears, spear-throwers, fishing hooks and lines, stone hatchets, shields, clubs, digging sticks, baskets, net bags and other containers, as well as canoes, animal traps, torches, small adzes and scrapers, awls, stones for pounding and beating plant foods and materials, stone wedges and fire (Attenbrow 2010, p.85).



Aboriginal toolkits indicate that organic materials like wood, bark, shell, bone and fur were integral to subsistence. However, some of these are not likely to have survived to form part of the archaeological record. Although stone tools are rarely mentioned in historical accounts, many of these were made when modern materials, such as iron and glass, would have been preferred over stone. Overall, stone, iron, and glass Aboriginal objects would be the materials most likely to have survived in the archaeological record.

Over the last five thousand years, cutting, incising and drilling implements, wood working tools and ground-edged hatchets all successively found their way into the coastal toolkit, and changed the way Aboriginal people carried out their subsistence activities. Aboriginal people created extensive trade networks to source these tools and raw materials (Irish 2014, p.49)

Paul Irish provides insight into more recent Aboriginal hunting and gathering practices (Irish 2014, p.50):

In the last 1,500 years, coastal Sydney people shifted their preference from inland Sydney river cobbles to locally available quartz for their flaked stone implements, and also began to make tools of bone and shell (Fishing was important to coastal people, as vast middens and engraved fish motifs near waterways attest, but it would have become even more so with the introduction of the burra (shell fish hook) around a thousand years ago (Attenbrow in Lunney et al 2010)). Women fixed these hooks to lines of twine and cast them from their nowies (bark canoes), heralding a gendered division of labour in fishing that affected food gathering as well as cultural and social life more generally (Bowdler 2009). Fish hooks began to be used as personal adornments, along with other shells and fish jaws (Attenbrow 2010:108-9).

Trees were also scarred by bark removal for huts, toe-holds for tree climbing and marking for ceremonies. These may remain in uncleared areas.

Fish sourced from the nearby oceans and rivers formed the primary diet of the Dharawal people. The whale, a dreaming figure for the Dharawal, formed an integral part of their community and beliefs. The connection appears to be the role the whale played in hunting activities, as 'bringers of vast foods' (Ashton et al. 2006). In addition to fish, resources available in woodlands were also exploited including berries, yams, fernroot, banksia flowers, honey at times, as well as several large worms and grubs found in the bark and body of gum trees.

When not camping in open environments, bark huts or rock overhangs would be used for shelter. Collins (1798) documents huts in woodland environments as being simple and made from the bark of a single tree which was then bent in the middle. Whilst huts on the coast would be larger and formed of pieces of bark from several trees put together in the form of an oven with an entrance, and large enough to hold six or eight people (Smith 2004). A fire was always placed just inside of the entrance to the hut where it would jointly keep the interior dry as well as the smoke deterring mosquitos and other insects.

#### 4.4 Burial practices

The two most common ways of disposing of the dead were burial and cremation followed by burial. Burials were often marked by carved trees and mounds and are known to have occurred in the wider region. Such carved trees or tree hollows could only remain in uncleared areas. It is believed that Aboriginal people generally did not camp or travel near known graves (Attenbrow 2010, p.139).

#### 4.5 Post-contact overview

Kurnell is a location of high national significance as the site where colonial settlement of the Australian continent initiated. The Kurnell area, Kamay Botany Bay National Park, and particularly the site of Captain Cook's landing remain of potent symbolic value and significance to Gweagal/Dharawal and other Indigenous people (see for example NPWS 2020; Nugent 2005), including as a site of protest (Nugent 2006).

Karskens (2009 pp. 676-678) described the first encounters of the Europeans and Dharawal people with Cook in 1770 as varied from broken communication attempts to violence. It would appear that the Dharawal mostly tried to avoid or ignore the newcomers. Cook tried and failed with initial contact, including wounding a Dharawal man with his musket. It was not until Commodore Arthur Phillip arrived with the First Fleet years later that encounters would improve somewhat.

Cook made the decision alongside Joseph Banks that the Dharawal people did not inhabit the land as required by the law of England. They believed that the only structure was that of kinship, and that the Dharawal people did not implement any political structure. Likewise, they believed the Dharawal people did not possess art, nor work the land. Furthermore, Cook and Banks decided the Aboriginal people before them were nomadic and due to their tools and scant clothing deemed them savage or uncultured (Karskens 2009, p.710). All these claims we now know are far from the truth, as it is well documented that Australian Aboriginals possess(ed) a complex political structure, intricate art and the idea that a culture different to the west is savage is simply folly.

From the period of early settlement onwards, parts of the Kurnell peninsula became subject to private ownership and alterations to the landscape (Nugent 2005:54-58), and although there are records of some Aboriginal people living and working locally, there was a substantial decline in their occupation of the area (Nugent 2006:47-61). Although some Gweagal and other Indigenous groups or individuals lived at or visited the area periodically (Irish and Ingrey 2013:79), Dharawal archaeologist Les Bursill and colleagues note that:

It is difficult to know fully the fate of the Dharawal people. It is believed diseases that the Aboriginal people had never been exposed to became one of the biggest killers. The early settlers caused dispossession from the land, dispersing the Dharawal people from southern Sydney, thus causing a substantial breakdown of the Dharawal culture (2007:42).

Paul Irish argues that while the period of Aboriginal regrouping in Sydney during the 1790s and early 1800s was one of rapid colonial change, it was also characterised by an overall lack of government policy regarding Aboriginal people (Irish 2014 p, 14). The likelihood of contact interactions involving violence was strongly linked to land use, but peaceful interactions still occurred in the early 1800s, even along the Georges River (Irish 2014, p. 72).

By the 1840s, the coastal Sydney 'tribes' numbered between fifty and one hundred men, women and children, living across a number of settlements. A more precise figure cannot be calculated due to the lack of specific detail in historical records and the high mobility of Aboriginal people, but numbers within this range feature consistently in blanket distributions and other records from this period. In the winter of 1845 for example, there were a dozen Aboriginal people living at Camp Cove, about twenty at Double Bay, around fifty at La Perouse, and others at Kurnell and along the Georges River.

Throughout most of the nineteenth century, Aboriginal settlements rarely contained resident populations of more than ten or twenty people, supplemented on occasion by others arriving on their coastal beats. By contrast, La Perouse rarely contained fewer than thirty or forty residents in the 1880s and 1890s, and sometimes substantially more. Given that the overall Aboriginal population of coastal Sydney had not increased, this meant that most other settlements contained a single family or a few individuals, making their continued existence more vulnerable (Irish 2014, p. 72).

## 4.6 Cultural mapping

### 4.6.1 Rationale and Methods

Cultural mapping is described more fully as cultural resource mapping or cultural landscape mapping, and it refers to an eclectic range of research techniques and scholarly tools that are employed to ‘map’ the tangible and intangible cultural assets of people within the local landscape. It involves the application of a wide variety of techniques and activities, from community-based participatory data collection and management to the use of sophisticated mapping based on Geographic Information Systems (GIS), in order to come to terms with cultural resources for communities and places. Proponents of cultural mapping as cultural inquiry have claimed that:

From this perspective, cultural mapping is regarded as a systematic tool to involve communities in the identification and recording of local cultural assets, with the implication that this knowledge will then be used to inform collective strategies, planning processes, or other initiatives. These assets are both tangible, or quantitative (eg, physical spaces, cultural organizations, public forms of promotion and self-representation, public art, cultural industries, natural and cultural heritage, architecture, people, artifacts, and other material resources) and intangible, or qualitative (eg, values and norms, beliefs and philosophies, language, community narratives, histories and memories, relationships, rituals, traditions, identities, and shared sense of place). Together, these assets help define communities (and help communities define themselves) in terms of cultural identity, vitality, sense of place, and quality of life.

(Duxbury et al. 2015)

To apply these concepts and further understand traditional and contemporary cultural values associated with the area as a whole (including the Project area), a two-phased cultural mapping exercise was initiated by Dr Patrick Horton and Dr Philip Clarke, two highly experienced anthropologists. The first phase included the development of a desktop research report on the cultural values of the Kurnell Peninsula, which was undertaken by Dr Horton. Dr Horton interrogated publicly-available online data and archived library records for ethnographic, historical, archaeological and linguistic records of the Kurnell region, including various search terms relevant to the peninsula, Dharawal culture, language and traditions, and toponyms of apparent Aboriginal origin. This information was collated into a desktop report, which is summarised below and included in Appendix C of this ACHAR.

### 4.6.2 Desktop assessment

Dr Horton surmised that due to the cultural prominence of Kurnell peninsula, the vast majority of records of the area relate to its historical significance as the landing place of Captain James Cook and the subsequent settlement of Australia. Furthermore, he commented that the available ethnographic record for the Kurnell area was sparse, which was understandable considering the emphatically settler-colonial context of arrival and subsequent occupation, and the fact that anthropology and ethnography were relatively nascent disciplines during the time of early settlement (Horton 2023, p.3).

The body of ethnographic literature on Aboriginal cultural life and geography in the vicinity of Kurnell is modest. By way of introduction, ‘Kurnell’ is understood to be derived from a Dharawal word *Kundal*, widely understood to be the Dharawal term for the peninsula (Attenbrow 2009:42). However, a word-list compiled by Frederick McCarthy (1952:13) suggests the (possibly homophonic) term *kunidal* means “place of wild carrot”, and Nugent (2005:55) notes some sources infer that “Kurnell was an Aboriginal corruption of the name Connell”, a settler who owned land on the peninsula during the 1820s.

R. H. Matthews (1899:91-92) documented a traditional narrative on the origin of the Dharawal people in which they are represented as having descended from a totemic whale ancestor. The prevalence of whales depicted in engravings and other artforms in the region further inform understandings that whales (*gawura*), particularly orca whales, were a significant totemic species for the coastally-oriented Dharawal people (Bursill, et al. 2007:10, 23). Robert Fuller and Les Bursill (Bursill and Fuller 2021; Fuller 2020) suggest that a Black Duck tradition was held by Dharawal and other coastal groups in the Sydney basin, and this may have included Dharawal speakers at Kurnell. **No specific sites associated with these traditions have been recorded on the Kurnell peninsula.**

A recent management plan for Kamay Botany Bay National Park (NPWS 2020:18) refers to broad aspects of intangible cultural heritage across the Kurnell peninsula, including:

traditional and continuing Aboriginal knowledge of the landscape and its plants and animals, spiritual (totemic) connections to the landscape, the views of Kurnell and La Perouse across Botany Bay that offer a link to traditional country and personal and community stories, memories and oral traditions.

**Aside from these broad descriptions, there is no specific documentation available of intangible Aboriginal cultural values on the Kurnell peninsula.** This being the case, a large number of sites of archaeological significance have been investigated on the peninsula, continuing to inform understandings of pre-colonial Aboriginal life in the area (see for example Smith, et al. 1990a; 1990b; Mary Dallas Consulting Archaeologists 2005; 2008; JMcD CHM 2008).

Dr Horton's report concluded by highlighting areas of potential cultural significance based on the available literature. Previous researchers such as Mary Nugent (2005) noted that recorded areas of intangible Aboriginal cultural value on the Kurnell Peninsula are overwhelmingly those associated with the site of first contact between settlers and Aboriginal populations, and that other culturally significant places in the area have largely escaped documentation. There are a handful of locations on the peninsula recorded by settlers as having been identified by local Aboriginal people, but these all relate to sites primarily significant to the early settler demographic – for example Sutherland's Grave, the first settler to have died and been buried at Botany Bay, identified by Sally Mettymong (Nugent 2005:87-89) – rather than Aboriginal cultural knowledge. Notable areas identified in the desktop research are described below:

- **Pimelwi Rocks:** This term appears on topographic mapping in reference to an array of rocks off the beach (of Bate Bay), south of the project area. Records of the Sutherland Shire Council (2020:21) indicate that 'Pimelwi' was an alternative spelling of Pemulwuy, a renowned Bidjigal man hailing from the Botany Bay area. Although Pemulwuy was most active in the period between 1790 and his assassination in 1802, the placename Pimelwi did not appear on maps until 1951. It is therefore apparent that this placename is an accretion to honour or remember its namesake.
- **Boat Harbour:** A small, sandy bay nestled between rocky coastline and cliffs, south-east corner of the project area. Records indicate that numerous shell middens have been located at this area (Cridland 1950, cited in Nugent 2005:59; Smith, et al. 1990a; 1990b; EMM 2019; 2022). While this indicates that the bay was at least favoured for collecting, preparing and consuming shellfish, no other cultural significance is documented. As documented in Section 5, many of these archaeological features have been destroyed through approved development processes, and no specific values have been raised with regard to this site though the consultation undertaken for this ACHA (see Section 2), nor in other community consultation activities (see Section 4.6.3).
- **The grave of Cundlemong:** Cundlemong, an Aboriginal man said to be "the last chief of the tribe whose headquarters were at Kurnell" and who died around 1846, was buried somewhere within a few hundred metres of Cook's landing site, but this location is now likely "impossible to determine" (Nugent 2005:97). Numerous Aboriginal burials, middens, artefacts and other sites of archaeological significance are reported to have been uncovered on the peninsula during the 20th century (2005:103-104, 110; see also Smith, et al. 1990a; 1990b).

- **Historical ‘watering place’:** A freshwater stream near the landing place of Captain Cook and a point of first contact where Cook and company filled vessels with drinking water. While this area has contemporary and historical significance for local Aboriginal people, Nugent (2005:37) suggests the stream may also have been of traditional significance to its custodians beyond its use as a freshwater source.
- **Possible ceremony ground:** Records allude to pre-colonial and post-colonial ritual combat as having taken place on the Kurnell peninsula. For instance, Bennelong (a prominent figure in Sydney’s Aboriginal history) is documented as having participated in ritual combat at Kurnell in 1790 (Irish 2017), and the Botany Bay locale is said to have been used by various Aboriginal groups for settling disputes (Nugent 2005). Further detail is not forthcoming, but one could surmise that such ritualised activity may have occurred at a particular consecrated area, i.e. a ceremony ground. No such location is evident in available historical records.
- **Yena Gap:** An area on the eastern coastline of the Kurnell peninsula. Records of the Sutherland Shire Council indicate this term (or a derivative) “is the native name of the well-known shrub or tree, Honeysuckle, growing in abundance, overhanging the place so named and is a favourite among our fishermen” (*Sydney Morning Herald* 1890, cited in Sutherland Shire Council 2020:43).
- **Muru Trail:** A designated walking track within Kamay Botany Bay National Park. According to Bursill et al. (2007:36) *mu*ru is a Dharawal term meaning ‘road’ or ‘path’.
- **Tabbigai Gap:** A prominent gap on the eastern coastline of the Kurnell peninsula. Records of the Sutherland Shire Council indicate this term is derived from the Dharawal name for the topographical feature, documented as ‘Tobagoin’ (*Sydney Morning Herald* 1890, cited in Sutherland Shire Council 2020:30).
- **Marang Parklands:** An area immediately adjacent to the project area (west of Lot 2 South). This name is well-documented as having been nominated for the Parklands by the La Perouse LALC, being a Dharawal term for ‘sandhill’ (see for example Sutherland Shire Council 2020:12).

Dr Horton’s research concluded that, on the basis of the desktop investigation undertaken, there were no items, places or sites of cultural significance within or in the immediate vicinity of the project area, other than those addressed elsewhere in more detail in the ACHA report (Horton 2023, p.9). Specifically, while Boat Harbour is located within the project area, on the south-eastern corner, its key value appears to be archaeological; as such, it can be considered that this value has been removed entirely with the various archaeological mitigation activities in this location in the past decade (see Section 5). Throughout the consultation undertaken for this ACHA report, and in separate consultation undertaken for Yerrabingin’s (2023) Connecting with Country activities (outlined below), there have identified no specific, ongoing community values associated with this site. As such, it is not considered further in this assessment.

#### 4.6.3 Interviews and mapping

The second phase of the cultural mapping exercise was led by Dr Philip Clarke and aimed to undertake in-person interviews with key knowledge holders and/or elders, by capturing the intangible Aboriginal cultural heritage values of the project area and identifying areas of cultural significance relevant to the project.

A project information and methodology letter summarising the proposed cultural values assessment process was distributed to all RAPs on 8 August 2023, offering representatives an opportunity to meet with Dr Clarke on site, to document oral history and areas/features of traditional/contemporary value. A copy of the methodology letter was also distributed to Yerrabingin so that they could forward the correspondence to those community members who participated in the Connecting with Country Framework engagement process, with an invitation to reach out to the EMM project team if they were interested in participating. A wider call was made to the RAPs inviting other Elders and knowledge holders the opportunity to participate in the values mapping.

Despite several attempts to meet with the RAPs and other knowledge holders throughout the course of this ACHA, the overall reception to the cultural values assessment was lukewarm, and only one organisation, the La Perouse Local Aboriginal Council, came forward to express their interest. An initial interview date was set in early September for the day prior to the archaeological survey on 6 September, and then postponed to 29 September. Feedback received from Besmaw was that the Aboriginal community stated they had been consulted extensively already during the project process and didn't feel it was necessary to be involved further due to their satisfaction with the direction and progress of the Masterplan. Besmaw referred to an overall sense of "consultation fatigue", which the project team wished to respect. Ultimately, while initially it was indicated that they could attend, the LALC was ultimately unavailable, and asked for the interviews to be rescheduled to late October. Further attempts were made to contact the LALC through early October and organise interviews on 20, 24 and 27 October, but due to the clashing schedules of several key parties, this in-person meeting could not ultimately be accommodated within the timeframes of this assessment (further details in Chapter 2 and Appendix B).

Despite this, there has been (and continues to be) strong engagement from the local Aboriginal community as the project progresses – both as part of this ACHA and previous archaeological investigations of the project area (e.g. Mary Dallas Consulting Archaeologists 2002; 2005; EMM 2022), and as part of Yerrabingin's (2023) Connecting with Country framework process. While no site-specific cultural values areas have been identified within the project area, several key themes have emerged through this process:

- **Celebrating and connecting with the cultural and natural landscape:** The area has a rich and evolving cultural history that spans thousands of years, and there is an opportunity for community to be actively involved in establishing and maintaining cultural traditions and practices on site. Designated spaces for sharing knowledge and stories, and for teaching children and adults about culture and ecology with native bush gardens containing bush foods, weaving plants and healing plants were keenly supported and advocated for, by community.
- **The significance of water:** The waterways of Kurnell Peninsula and Botany Bay have shaped the lives of Gweagal, Bidjigal, Gadigal, Wangal, and Gaymeygal communities for thousands of years. The region's landscape, including sand dunes, wetlands, mangroves, and waterways have evolved over time, however remnants of Aboriginal activity and occupation remain. These waterways have played diverse roles in land usage and development, evolving from places that facilitated movement of people, as food resources and habitation areas for Aboriginal people prior to colonisation, to industrial centres and refuges for Aboriginal community during the 18th and 19th century. There is an opportunity restore and improve the project area's wetland systems and promote environmental sustainability.
- **Creating meaningful connections between the site and surrounding environment:** Ensuring the regeneration and ongoing care for the land, whilst also providing viable access points across the site was a key discussion point and important to the overall user experience of the site.

## 5 Archaeological context

### 5.1 Key findings

- Regional studies of the wider Kurnell Peninsula suggest that Aboriginal people had inhabited the area by ~7,000 years ago. A charcoal sample from a hearth and artefact scatter at DH1 hint at an older occupation, with a radiocarbon date of  $12,190 \pm 110$  years BP being most probable based on available data (Smith et al 1990).
- Most Aboriginal sites identified within the Sydney Basin date to the Holocene period (~10,000 years ago) with the earliest presence recorded around 35,000 BP. On the basis of stone tool technology, the majority of stone artefact assemblages in the area has been relatively dated to the mid to late-Holocene period with the move to smaller tools. Subsurface deposits are predominantly confined to the A-Horizon or topsoil which is generally less than 30 cm in depth. These sites are often disturbed, and stratification is often absent or unclear. Although limited radiocarbon and geomorphology evidence has been obtained, it has been suggested that artefacts found in B-Horizon subsoils may have been deposited between 10,000 and 13,000 years ago (early Holocene/terminal Pleistocene).
- From the early 1990s, previous studies of the region have almost exclusively been undertaken in relation to environmental assessments for proposed or ongoing developments required under the NPW Act and the EP&A Act. Where available, these studies suggest that past use of the project area was dominated by low to moderate densities of surface shell and/or stone artefactual material. Increasing cultural material has been documented along the southern boundary of the project area.
- Seventeen sites are identified on the AHIMS database within the project area. Of these sites, 16 have been impacted in accordance with a 'consent to destroy' issued under the NPW Act. When synthesising the expansive volume of academic material for the project area, there remains only one valid archaeological site – the McCue Midden (52-3-1110) within the project area.

### 5.2 Regional context

The first peopling of Australia occurred approximately 50,000 years ago (50 ka), and likely consisted of reasonably large groups of technologically advanced hunter-gatherers (Bradshaw et al. 2019, O'Connell et al. 2018). The peopling of the continent was rapid, with sites such as Devil's Lair (WA), Warratyti (SA), and Lake Mungo (NSW) all occupied within a few thousand years of arrival (Bowler et al. 2003, Hamm et al. 2016, Turney et al. 2001). Genomic research has shown that following these initial explorations of the continent, regional populations or nomadic sedentism, was established by ~40 ka (Tobler et al. 2017). These small populations were highly mobile, but remained within a broad spatial geographic area, dictated in general by the nature of resources and water availability. In the case of some of the arid parts of the continent, mobility encompassed thousands of square kms (Gould 1977), while major riverine corridors had near permanent settlements (Pardoe 1995).

In NSW, the earliest evidence of Aboriginal people are human remains recovered from the lunette in Lake Mungo and dating to ~42 ka (Bowler et al. 2003, O'Connell et al. 2018). The presence of red ochre covering the remains represents a society with significant cultural and symbolic complexity (Langley et al. 2011). Near the coastal edge, the earliest populations were found at Cranebrook Terrace, near Penrith (western Sydney). Here, a handful of rudimentary stone tools were found in an alluvial unit, some 8 m below the current surface, and which were dated to ~40–45 ka (Williams et al. 2017). However, it is not until ~35 ka, that regional populations appear to have become established in the Sydney Basin, and which appeared to consist of small bands of people focussed mainly along major river systems, including the Hawkesbury-Nepean River, Georges River, and Hunter River (AAJV 2020, Hughes et al. 2014, Williams et al. 2012, 2014). These rivers formed key ecological refuges that hunter-gatherer groups used to survive major climatic events such as the Last Glacial Maximum ( $21 \pm 3$  ka) – a cool and arid climatic

period. Well-established archaeological models suggest populations experienced a major reduction in size (by as much as 60%), and settlement contraction and abandonment across much of the continent during this time (Veth 1993, Williams 2013), although recent research suggests that the story may be more complex than this (e.g. Tobler et al. 2017).

The terminal Pleistocene and early Holocene (~18–8 ka) was characterised by significant environmental change, notably the rapid inundation of much of the coastal shelf, resulting in the reduction of the continent by ~21% (~2 million km<sup>2</sup>) (Williams et al. 2018), in tandem with improving climatic conditions – the Holocene climatic optimum (Williams et al. 2015a, Williams et al. 2015b). More broadly, these conditions resulted in increasing population growth, expansion of ranging territories, increasing sedentism (longer patch residence time) and the beginnings of low-level food production (e.g. aquaculture), and ultimately the initiation of social and cultural groupings observed in the late Holocene (Williams et al. 2015b). We see a much broader range of archaeological site types occurring, such as the Roonka Flat burial ground on the banks of the Murray River within which some 147 individuals were interred through the Holocene (Pate 1998), and the increasing use of marine resources. Many of the previous refuges were subject to abandonment or a re-structuring of land use (Dortch 1979, Fitzsimmons et al. 2019). These activities suggest the ability to undertake large-scale movements to mitigate environmental distress was becoming increasingly difficult and was addressed through diversification of hunter-gathering behaviours and, at least in part, technological advances, and investment (Williams *et al.* 2015b).

The late Holocene saw significant population increase, with hunter-gatherers reaching their zenith of ~1.2 million at 0.5 ka, a tenfold increase on Pleistocene levels (Williams 2013). Data suggests that the highest populations during this time were in the south-east of Australia. Williams et al. (2015b) suggest that this increase was likely a result of intensification of earlier technological advancements, including hafting-technology, plant and seed processing, and localized landscape management (using fire), allowing climatic downturns to be successfully weathered. These included strong arid El Niño Southern Oscillation (ENSO) conditions between 4–2 ka, and increasingly turbulent climatic conditions during the Medieval Climatic Anomaly (1.3–1 ka) (generally wetter) and Little Ice Age (0.3–0.5 ka) (generally drier) (Williams et al. 2015b). A result of these denser populations was the decreased freedom of movement and the formation of strong classificatory kinship systems, complex cultural and symbolic landscapes based on geographic totemism (the ‘Dreaming’), distinctive graphic art systems, land rights in the form of ritual property, and formalized exchange networks (Williams et al. 2015b).

### 5.3 Local context

Previous investigations of the project area are numerous and date back to the early twentieth century. There are many inconsistencies between reports that can be attributed to the development of recording techniques and to the discipline’s understanding of Aboriginal site types. However, the most significant factor in the variability of recorded sites between reports is the changing nature of the landscape. This highly dynamic landscape has been altered not only by natural processes but modified drastically through sand mining and, to a lesser extent, through recreational use (such as 4WD activities).

Given the length of human occupation within and surrounding the project area, the existence of large middens in the Kurnell Peninsula is anticipated and has been well documented previously. However, reconciling AHIMS sites and mapping is challenging as some sites were recorded more than once, most likely due to shifting sands covering up one part of a midden and exposing another part of the same site.

The following Sections summarise previous archaeological assessments of the Aboriginal context in, and around, the project area.



In an article published in Mankind journal published in July 1931, Rolfe provides an account of the collection of archaeological material undertaken in 1930 in the vicinity of Quibray Bay located to the north of the current project area. Rolfe is listed as a recorder in AHIMS for the 'Quibray Complex' site (AHIMS 52-3-0211). However, due to the sporadic and poorly recorded collection activities undertaken, the content of his article could also relate to a number of recorded midden sites in the area of Quibray Bay as shown on Figure 5.1.

Rolfe (1931, p.36) describes the area as the site of an extensive Aboriginal camping-ground which at the time presented as 'a barren picture with its two miles of mangrove-fringed foreshores and surrounding sandhills'. He provides some insight into the previous environment of the area, noting the presence of several large tree stumps in well preserved condition with large root systems. Some of the stumps he documents as being 'ten feet in circumference and standing over six feet high...with roots in some cases eleven inches thick' (Rolfe 1931, p.36).

Rolfe deduced from the flat ground and exposed root systems that the original land surface was once much higher, and the landforms have deflated as a result of historical disturbances. Shell middens which previously has formed large mounds now appeared scattered across a large area no higher than two to three feet (Rolfe 1931, p.36). He notes, 'in parts where even the old land surface has been blown away, the shell-heaps are surrounded by a dark cocoa-coloured soil' (Rolfe 1931, p.37). Rolfe does not provide a description of the methodology utilised for collection of the archaeological material, nor does he provide a detailed list of the recovered material. Collection activities included surface collection undertaken over a period of time in May of 1930 after rainfall events had exposed more material, as well as excavation (Rolfe 1931, p.37).

Rolfe (1931, p.27) describes the Quibray Bay midden as 'a veritable El dorado', noting that many middens of similar nature had 'long been exhausted of good material'. Shell material identified in the area is noted to be limited to estuarine species including Sydney whelk, mud oyster, Sydney cockle and rock oyster (Rolfe 1931, p.37). Stone tools, predominantly of chert, included several stone axes, flakes, large and small scrapers, hammerstones, anvils and choppers. Rolfe (1931, p.37) notes hundreds of 'point type implements' averaging 32 mm in length were recovered from the area, with 161 points collected in a single afternoon. The excavation at Quibray Bay also uncovered human remains (including a skull), fishhooks, cores and scrapers, which were rare compared to metropolitan middens that were highly disturbed. Rolfe claimed to have matched a cream coloured chert flake to a raw material type recovered from Peery Lake, located in Paroo-Darling National Park, approximately 1,000 km north-west of the project area.

ii [Byrne, D 1986 and 1987a and 1987b, \*Archaeological sites on the Lindum Road Reserve\*, Kurnell: Quibray 1 and Quibray 2](#)

In 1986, Byrne conducted an archaeological survey for Aboriginal sites for Sinclair Knight and Partners on behalf of Monier and Pioneer Concrete. Byrne (1986) identified two sites in proximity to the Lindum Road Reserve, Quibray Bay 1 (AHIMS 52-3-0210) and Quibray Bay 2 (AHIMS 52-3-0209).

Located within sand dune systems proposed for future sand mining, Quibray Bay 1 consisted of small spatially discrete middens and Quibray Bay 2 was an open artefact scatter with a very sparse shell component (Byrne 1986).

Byrne later undertook test excavations of Quibray Bay 1 (Byrne 1987a) and Quibray Bay 2 (Byrne 1987b). Excavations of two small middens identified in collective as Quibray Bay 1 identified distinct differences in their material composition. Whilst one midden (referred to as Mound 5) consisted almost exclusively of cockle and mud oyster, the second midden (Mound 7) contained significant proportions of cockle and mud oyster, as well as Hercules whelk and the remains of large fish. Only two stone artefacts were identified between both middens. The spatial definition and varying deposits of the two middens led Byrne to suggest that the middens represented discrete occupation events, separated by an undetermined period of time, and lasting only a few days each (Byrne 1987a, p.14-178).

Artefact scatter Quibray Bay 2, located within the current project area, was excavated by Byrne in 1987. A total 26 artefacts were identified, with all but one artefact recovered from the ground surface. Artefact types included ten backed artefacts and 16 cores (Byrne 1987b, p.4-12). Silcrete was the dominant material, with lesser representation of quartz, tuff and chert. Flaked bottle glass was also documented, indicating post-contact occupation.

Byrne's analysis of the assemblage led him to interpret the site as low density due to a limited span or single incidence of occupation. The small scatter of stone artefacts, with no association with faunal materials, was assessed as unlikely to contribute significantly to archaeological knowledge of the region and it was recommended impacts by the proposed sand mining development without further archaeological investigation.

iii [Smith, L, Rich, E, and Hesp, P 1990a and 1990b, \*Aboriginal sites on Kurnell Peninsula: A Management Study, Volume 1 and 2\*](#)

On behalf of the NSW National Parks and Wildlife Service and the Australian Heritage Commission, a management study of the known Aboriginal sites on the Kurnell Peninsula was prepared by Smith, Rich and Hesp (1990a; 1990b). The study encompassed an area 8 km long from Cape Solander in the east, to Pelican Point in the west and 4.5 km wide from Sutherland Point in the north to Doughboy Head in the south. It included the Kurnell headland, Kurnell spit, Kurnell isthmus, and Greater Towra peninsula.

The study was completed in three stages including a desktop analysis, field survey and investigation of management options and constraints (Smith, Rich & Hesp 1990a, p.2). Twenty-seven archaeological sites and three previously identified artefact scatters were recorded during the survey. The sites comprised middens (n=10), middens with artefact scatters and/or hearths (n=11), artefact scatters (n=7), hearths (n=1) and one engraving (n=1). One of the hearth and midden sites (BCS 5) was dated at  $1,520 \pm 90$  years BP (SUA 2857). Additionally, a charcoal sample taken from an artefact scatter and hearth site (DH 1), was dated to  $12,190 \pm 110$  years BP (Beta 36920). This date, identifiable with Aboriginal cultural material, was the second oldest recorded open coastal dune site in eastern Australia at the time (after Bass Point).

A wide variety of shellfish and mollusc species were identified in middens throughout the Kurnell Peninsula. Rock platform species dominate most sites along the peninsula in large quantity and diversity. Any present estuarine species were likely to have been obtained in Botany and surrounding bays between 1–4.5 km north from the project area. A small number of ocean or beach shells were found, the most abundant being the bivalve pipi (*Plebidonax deltooides*). The most common shellfish species across all sites are the rock platform dwelling triton (*Charonia* sp.), limpet (e.g. *Patella* sp.), black nerite (*Nerita atramentosa*), turbo (*Turbo* sp.) and the estuarine dwelling cockles (*Anandara* sp.).

The survey found that midden sites tended to be located within 300 m of the coast and west of Doughboy Head, while artefact scatters were more prevalent inland and east of Doughboy Head. Sites with hearths were concentrated between Boat Harbour and Cape Baily. Overall, the area between Boat Harbour and Doughboy Head appears to have been the focus of Aboriginal occupation on the Kurnell Peninsula.

The Green Hill Ridge sites (GH1–3) on Kurnell Isthmus were different. These three sites were dominated by the sand dune dwelling land snail and/or pipi, had a wider variety of estuarine shell species compared to the other Kurnell sites, as well as having more bird, fish and mammal bone. There were no hearths or stone artefacts recorded at the Green Hill sites.

Although artefact scatter estimates ranged from 2 to over 500 between identified sites, only 257 stone artefacts were recorded across 18 sites. Of these, 90% (n=231) of the artefacts were classified as debitage (flakes that had not been retouched, or cores) and were mostly made from quartz (n=64), silcrete (n=52), quartzite (n=44) and chert (n=44). The only naturally occurring stone type in the Kurnell area is quartz. Silcrete, chert and indurated mudstone would have been brought from the Cumberland Plain, over 10 km away, the Woronora Plateau and the coast south of Port Hacking.

The most common cause of disturbance across the site was erosion of the sand dunes most likely from 4WD or trail bike tracks. Other causes of disturbance include sand mining, dumping of rubbish, pipelines, vegetation clearance and replanting.

iv [Dickson, F 1991, Archaeological survey: Sydney destination resort](#)

In 1991, Dr Frank Dickson was engaged by Besmaw to complete an archaeological survey of Lot 2 DP559922 (Lot 2 South), Lot 3 DP225537 and Lot 4 DP712157. Dickson had a comprehensive knowledge of the project area, as between 1967 and 1981, under NPWS Permit number A1846, he collected stone artefacts from sites across the Kurnell Peninsula 'to salvage relics from loss by sand extraction and erosion' (Dickson 1991, p.8). Known as the Dickson Collection, the assemblage comprises all stone material visible on the surface or immediately below a site, salvaged using a 4 mm mesh sieve occasionally nested with a 1.5 mm sieve. While these artefacts have been provenanced, their previous locations and general contexts have not been recorded in detail. These artefacts are now held by the Australian Museum.

Dickson (1991, p.3) notes that when he began archaeological observations in the area of the Kurnell Peninsula:

...not only were Aboriginal sites being uncovered but, in their acutely dry state, were being cut down by wind erosion. Even moderate winds caused rapid removal of black sand from middens, also lowering and scattering the stone of workshop sites. In this erosion, light organic matter, charcoal and ash all vanished leaving the shells, pieces of stone and, very rarely, bone.

Where the acacia scrub has not taken over, erosion is still occurring. This has been aided by unusually wet weather flooding some areas and washing sand out of them. Thus, several small leached midden deposits have been uncovered between May 1989 and the present, but some of them have now completely disappeared as the sand shifted. In early 1990 much land was under water. Since then wind erosion has again been at work.

As a result of his 1991 investigations, Dickson identified the following:

- Pimple Midden (AHIMS 52-3-0722), which he had previously recorded in the 1960s had by 1991 been destroyed. He reports that operations adjacent to a suction dredge pond, which lay in an old tidal channel beside the site, had caused the collapse and submergence of much of the site. The remainder, he suggested, would be washed away in the next major rainstorm.
- B2 (AHIMS 53-2-0702) is noted to have once contained some hundreds of shells, which Dickson observed in 1981. By 1991 only a few scattered shells remained. This site has duplicate registrations on AHIMS due to separate site cards being submitted by Smith et al (1990) who recorded the site as 'Big Middens' (AHIMS 52-3-0725) and later Dickson (1991) following his survey, who recorded the site as B2.
- E1 (AHIMS 53-2-0732) is described as covering a sloping area of approximately 17 m x 9 m. Shell material appears in a single layer with between one and two thousand shells, largely broken oyster shells, lying on or partially embedded in red sand. The remains are not in situ and may represent a lag deposit that Dickson felt that in 'a few years' the remains would have eroded away.
- E2 (AHIMS 53-2-0734) was a midden extended over an area of 50 m x 20 m and by 1991 was reduced to 'no more than two hundred shells out of some thousands scattered over an area of about 2,000 m<sup>2</sup>, largely destroyed by persistent 4WD use.
- E3 (AHIMS 53-2-0734) was a small, single layer midden approximately 6 m x 3 m on brown humic sand. This is an eroded site with no underlying black midden sand.

- W2, W3, W4, W5 and S2 (AHIMS 52-3-0726, 52-3-0727, 52-3-0728, 52-3-0729 and 52-3-0731), described by Dickson as a complex of sites (C1-C10) some of which included stone tool workshops from which he had collected previously. Dickson reported that by 1991 all these sites, stretching east-west across the central part of the property had been destroyed by sand extraction. This complex included site Quibray Bay 2 (AHIMS 52-3-0209) which was excavated by Byrne (1987b) in 1987 prior to destruction.
- BHW (AHIMS 52-3-0724), remnants of which have been identified within the current study area.

Clearance of acacia and lantana completed early in 1991 resulted in the exposure of the BHW midden and enabled its identification by Dickson's study, but also resulted in the destruction of deposits to depths of up to 300 mm or more (Dickson 1991, p.17). Dickson provides the following comment on his impressions of BHW (1991, p.17):

the shells did not seem to have been in well stratified layers but had formed a deposit 150 mm to 250 mm deep and appeared to have had a grey sand amongst and below them with no black sand evident. Much of the grey sand consisted of very finely comminuted shell [reduced to minute particles or fragments] which, in patches, formed very hard concretions.

A sample of shell material from BHW was examined and noted to be dominated by estuarine species, with cockles, rock oysters, mussels and whelks outnumbering reef species such as limpet, winkle, turban and triton (Dickson 1991, p.17). This sample indicated trafficking of food from bayside towards the seaside where the reverse has been observed at other sites in the area.

No further investigation of BHW was completed by Dickson, however he did complete sub-surface testing within the Quibray Complex, a cluster of middens located approximately 300 m north-west of BHW nearby Captain Cook Drive. Investigations included an unspecified number of auger holes alongside high density areas, a 250 mm square pit excavated by shovel to a depth of 300 mm, and a 250 x 500 mm pit excavated to 100 mm deep (Dickson 1991, p.25-27).

Augering demonstrated shell deposits occurred between 150 mm and 200 mm, with black sand extending 250 mm below the midden material before grading into brown. The square pit cut through shell deposit at 120 mm below which was black sand to 300 mm. Dickson (1991, p.26) notes the black sands on the peninsula gives an indication of a basal age of approximately 2,000 years. Excavated material was passed through a 1.5 mm aperture sieve and revealed highly fragmented mud oyster shell, inferred to be the result of modern vehicle crushing, with only 26 whole specimens identified, limited to whelk and cockle shell. A sample of the shell was treated with hydrochloric acid, the result of which indicated that much of the shell had been calcined in cooking fires. No other material besides limited amounts of small fish bones were noted.

Dickson assessed Aboriginal sites on the development land as being of low scientific significance of due to their very bad condition including 'the total destruction of more than half the sites left [as a] consequence of human action; sand mining by bulldozer and dredge, transport by heavy trucks and the thoughtless use of recreational vehicles'. Dickson states 'with the reduction of a midden to a single layer scatter of shells, something like 90 per cent of the information originally contained in it has been lost' (1991, p.28).

v [Brayshaw McDonald Consultant Archaeologists Pty Ltd 1991, \*Additional information to Dickson's Archaeological Survey.\*](#)

This report reviews a draft assessment completed by Dr Frank Dickson (*Archaeological Survey: Sydney Destination Resort* 1991) after it was found by the National Parks and Wildlife Service to be deficient, including but not limited to the near absence of Aboriginal community consultation and recommendations for site management.

The report identified significant midden and burial sites throughout the Kurnell Peninsula, including:

- BH1 (52-3-0215), a large, stratified midden with dense in situ deposits of stone artefacts despite disturbance from vehicles
- BH2 (52-3-0216), a heavily disturbed site (over 70%) that originally contained shell fish hooks in all stages of manufacture, bone points, stone artefacts, shellfish and bone
- There are four other midden sites within the Boat Harbour Reserve (52-3-0698, 52-3-0699, 52-3-0700 and 52-3-0371) that are heavily eroded/disturbed
- Quibray 1 (52-3-0211), originally containing human bones, a variety of shellfish remains, stone tool workshop areas, chipped bottle glass, fish hook files and contact material (including buttons and a coin) the site has since been destroyed (per Dickson's 1991 report)
- Tasman Street (52-3-0525), where a burial was disturbed following the construction of a Water Board line (no date given)
- Wanda Beach (52-3-0328, no information provided).

In agreeing with the generalities of Dickson's review of the Aboriginal sites in question and acknowledgment that the majority of sites are severely disturbed and have no potential for archaeological investigation, Ross notes 'discussion of the status of the known sites and their taphonomy and damaged condition is very satisfactory, being well backed up by Dr Dickson's long and close acquaintance with the Aboriginal sites of this area' (1991, p.2).

However, Ross' assessment disagreed with Dickson regarding the archaeological potential of BHW. Ross argued that while BHW exhibited disturbance associated with clearance of vegetation, the site was in better condition than any other site within the development area. As a result of her own inspection of the midden, Ross observed part of BHW had been cut by a bulldozer revealing stratified midden material, indicating that intact midden deposit may be present (1991, p.6). In addition to the variety of shellfish discussed by Dickson, Ross documented the presence of chert, quartzite and quartz artefacts, as well as animal bone including a polished bone point at BHW.

Ross' addendum study endorsed unmitigated impacts to all sites identified by Dickson excluding BHW for which it was recommended archaeological excavation be undertaken. La Perouse LALC representatives concurred with Ross' significance assessment and recommendations.

Sanctioned impacts to all sites excluding BHW were subsequently undertaken under an approved Section 90 permit (520013) granted in December 1991.

vi [Brayshaw McDonald Consultant Archaeologists Pty Ltd 1992, \*Sydney Destination Resort Excavation of Site BHW \[52-3-724\] Bate Bay, Kurnell Peninsula, NSW.\*](#)

In 1992, following the recommendations of Ross, Brayshaw McDonald was engaged to proceed with test excavation of BHW. BHW (AHIMS 52-3-724) is situated on the isthmus of the Kurnell Peninsula at the eastern end of Bate Bay on top of a small dune less than 300 m north-west of Boat Harbour and its associated Aboriginal midden sites. It is 200–300 m from the shores of Bate Bay and the rock platform near Boat Harbour.

Excavation of the midden revealed (Plate 5.5):

- rock oyster and cockle (mangrove and estuarine species), and limpet and nerita (rock platform species) predominated the shellfish assemblage (80–90%)
- the greatest percentage of bone was fish bone, predominantly vertebrae and spines from snapper (*Chrysophrys auratus*), bream (*Mylio* sp.), and to a lesser extent blackfish (*Girella* sp.), whiting (*Sillago ciliata*), wrasse (*Labridae* sp.) and leatherjacket (*Ballistidae* sp.)
- fragment long bone shafts of mammals were present in the assemblage including dog (likely dingo, *Canis lupus dingo*) mouse (*Mus musculus*), rat (*Rattus rattus*), macropod (*Macropodidae* sp.), bandicoot (*Peramelidae* sp.) and seal (*Pinnipedia* sp.)
- three bone shaft fragments (one macropod, two muttonbird, *Puffinus tenuirostris*) appeared to have been worked, possibly to make barbs for fishing spears
- the weight of bone deposit (fish, bird and mammal) decreased with depth
- 881 stone artefacts were counted including three narrow grooved sandstone slabs used for bone shaping and polishing stones, flat ground face sandstones for food preparation by grinding, hammerstones, cores and flakes including a number of backed blades and retouched pieces
- lithic raw material is exotic to the area, apart from quartz pebbles from the local sandstone; other portable material was probably brought into the area from Shoalhaven River and the NSW south coast.

The BHW site is in close proximity to several fish and shellfish resource zones:

- a long sandy beach with long inshore reef exposed and accessible at low tide
- offshore reefs accessible at low tides by canoe
- a rock platformed fringed narrow and shallow embayment which is mostly accessible at low tide. The rock platforms at Boat Harbour form a series of nearly enclosed sandy bottomed areas which could act as natural tidal fish traps or for spear fishing from rock ledges.

Just over 2 km from the site is Botany Bay estuary zone. The shores of the Bay comprise mangrove swamps, rocky points and sandy spits. All these landforms contain shellfish represented in the BHW midden.

The researchers proposed that lithic material was carried in to meet the requirements of each short visit rather than long term habitation. This is also supported by the distribution of shells throughout the deposit, suggesting that the midden site was occupied on an intermittent basis.

The archaeological investigation showed that the site had largely been destroyed by bulldozing. The intact core of the midden extends over approximately 150 square metres (m<sup>2</sup>) of a knoll. In this core area, midden depth is approximately 25 cm. Surrounding this core is an area of approximately 400 m<sup>2</sup>, some of which had been bulldozed. Exploratory probes indicated the depth of the midden to be only half that in the core area. The eastern portion of the knoll had been totally destroyed over the bulldozer track and pushed to the south. Spade probes indicate that this action has disturbed upper midden deposits under the southern slope. It is impossible to determine if this midden extended further north.

The report concluded that no further archaeological excavations were warranted at BHW and an application for Consent to Destroy the remains of the site be sought from the Director of the NSW National Parks and Wildlife Service. All excavated material was deposited with the Australian Museum.

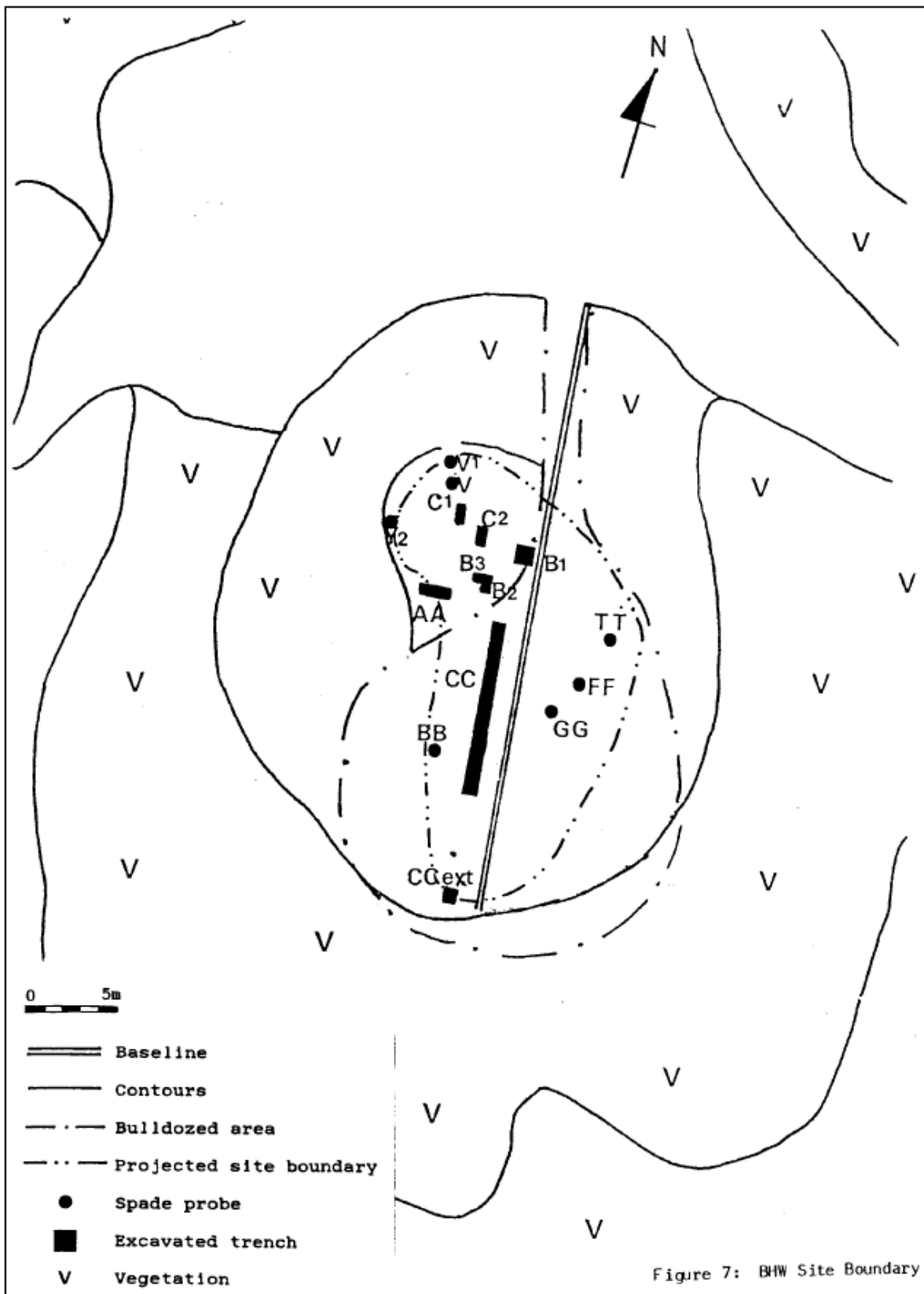


Figure 7: BHW Site Boundary

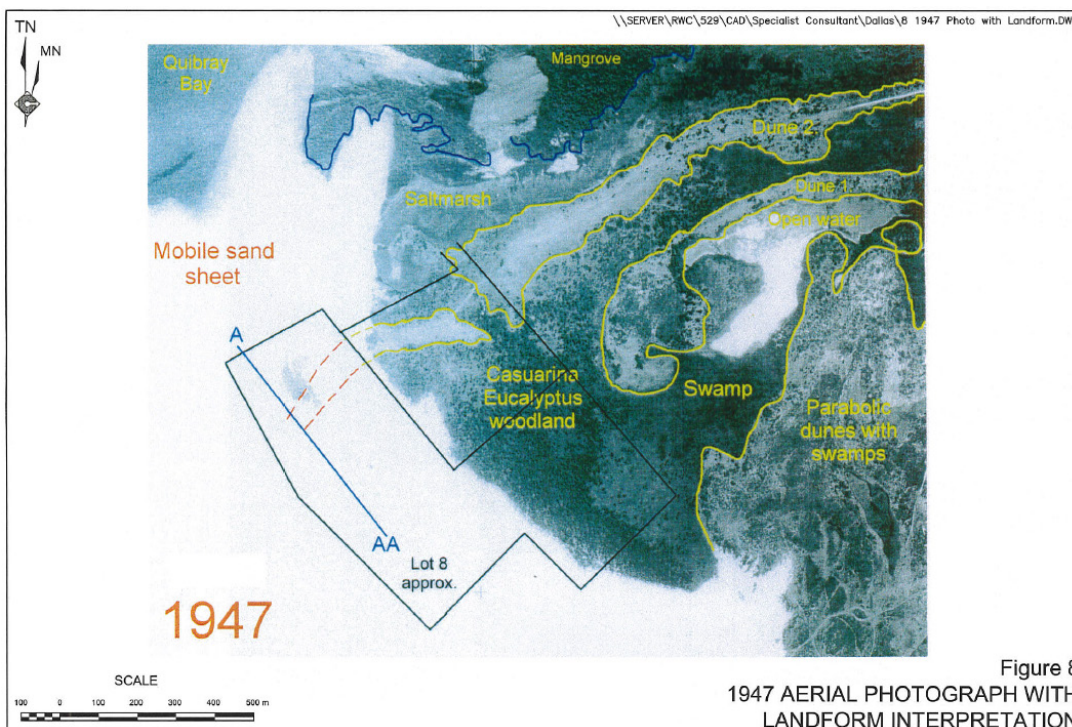
Source: Brayshaw McDonald Consultant Archaeologists, 1992

Plate 5.1 Plan of BHW investigations

In 2001, Mary Dallas Consulting Archaeologists (MDCA) conducted an archaeological assessment of Lot 8 DP586986, encompassing the current project area. A previous archaeological assessment of the area completed in 1995, including geomorphological assessment and subsurface investigations, concluded that the area contained varying degrees of archaeological potential from moderate to low and recommended no further investigation, but advised monitoring (Oakley 1995). Six years after completion of the 1995 assessment, Rocla site manager, Mr Pat McCue, engaged MDCA to complete an assessment after identifying what he believed to be shell middens on the property.

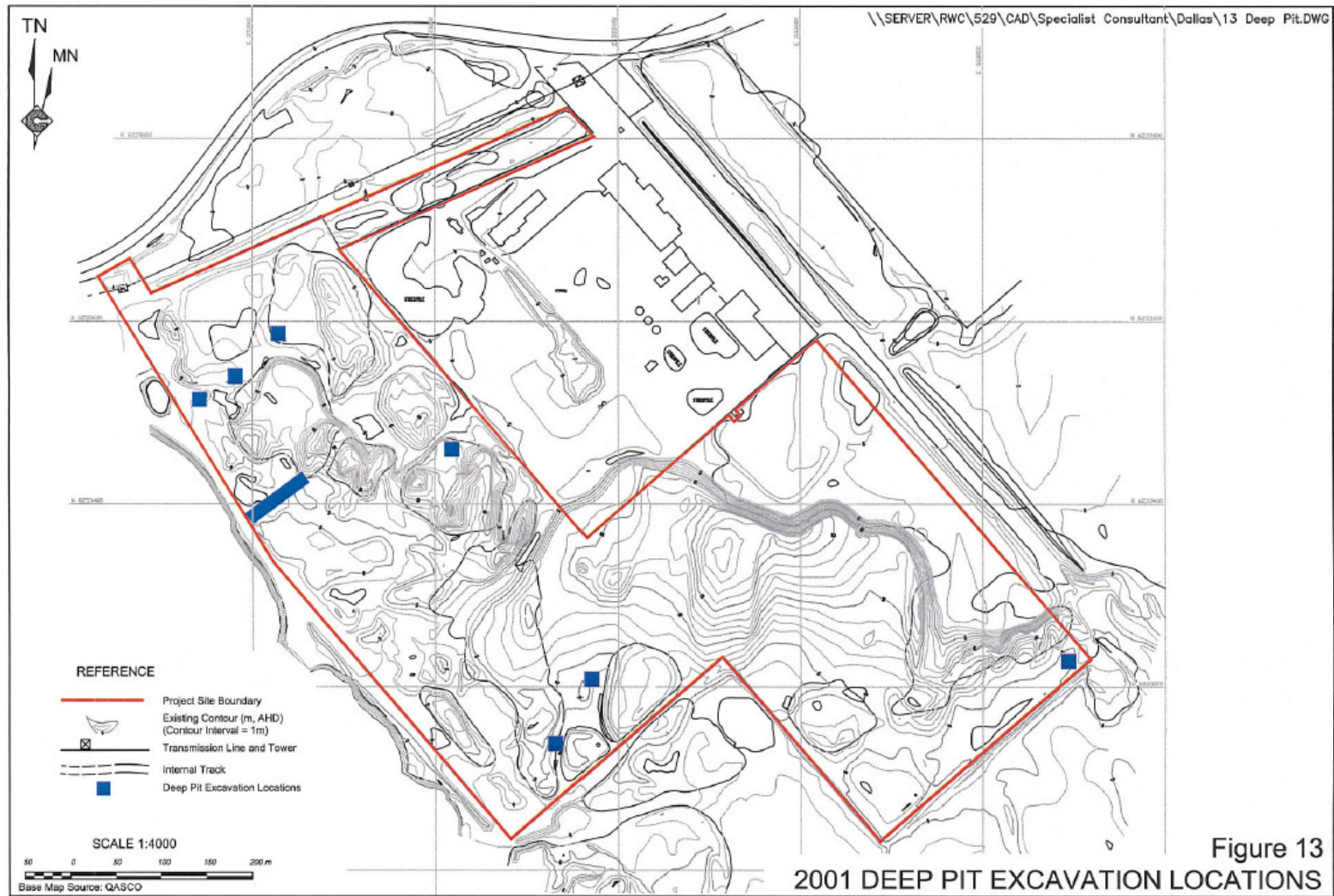
The initial field survey completed in 2001 identified three main exposures and a series of minor exposures containing shell and stone artefacts (primarily in the north-western corner of the Lot), assessed as part of a large continuous Aboriginal midden which was subsequently recorded as ‘McCue Midden’ (AHIMS 52-3-1110) (Plate 5.3). Subsequent deep pit excavations over other parts of Lot 8 were monitored to determine the presence or absence of cultural remains. The pits were excavated up to 5 m deep at a number of locations in the southern and northern parts of the Lot (Plate 5.3), at positions aimed to determine the subsurface profile of the sand deposits, to provide a basis for mapping an initial zone of archaeological sensitivity.

The deep pits determined that an original foreshore of Quibray Bay was present within the northern portion of the Lot and that it was backed (behind dunes) by swamp deposits, thus defining the possible landward extent of the shell midden deposits relative to the original foreshore. Ultimately, the deep pits in the southern end of Lot 8 (Plate 5.3) intersected “black organic sands and sandy peat close to a perched water table beneath a variable thickness of recent yellow sand”, the organic sands of which were found to be culturally sterile. The layer was interpreted as a natural ground surface that had been buried by sand drift since the late nineteenth century. The high organic content of the soil indicated that this was a low lying swampy woodland environment, and the dark coloured sands were typically 30-50 cm thick (MDCA 2002, p.36). The extent of the dune deposits (observed to contain midden material) and surrounding sedge swamp within Lot 8 were visible in a historical aerial photograph of the site from 1947 (Plate 5.2).



**Plate 5.2** Historical aerial photograph of Lot 8 in 1947, annotated with information about the extent of the dune surface and adjacent swampy woodland





Source: MDCA 2004, p.17-76

**Plate 5.3** Areas of Lot 8 (blue squares) subject to initial test excavation

A total of 35 test pits were then mechanically excavated in proximity to the midden exposures, confirming the presence of the former Quibray Bay foreshore to the north of the midden (likely Holocene landscape), and swamp deposits to the south-east. This was undertaken under a NPWS Preliminary Research Permit (#1291), issued in 2001. Further test excavation of 'McCue Midden' was conducted in two stages over a three-week period in 2002 (MDCA 2002, p.38). The methodology included the mechanical removal of 4–5 m of modern overburden sand material, followed by the mechanical excavation of an additional 18 test pits, and manual excavation of three transects. Manual excavation included 14 squares (1 x 1 m) spaced at 20 m intervals. Sand drift overburden was removed and sieved for cultural material, but none was recovered, and lower units were excavated in 10 cm spits. All material was wet sieved through nested 5 mm and 2 mm sieves with all bone, stone and shell retained (MDCA 2002, p.41).

The midden was determined to comprise a series of discreet lenses extending across a total area of 250 m by 120 m (Plate 5.4). The eastern section of the midden contained lenses of midden material up to 20 cm thick, whilst the western portion contained lenses no greater than 10 cm thick (MDCA 2004, p.42). Animal bone collected from the excavation was dominated by large quantities of fish bones, with smaller representations of mammal (seal, dolphin and wallaby) and bird bone (MDCA 2004, p.43). Both ocean and estuarine species of fish, including bream, snapper, leatherjacket, flathead and groper, were represented in the assemblage.

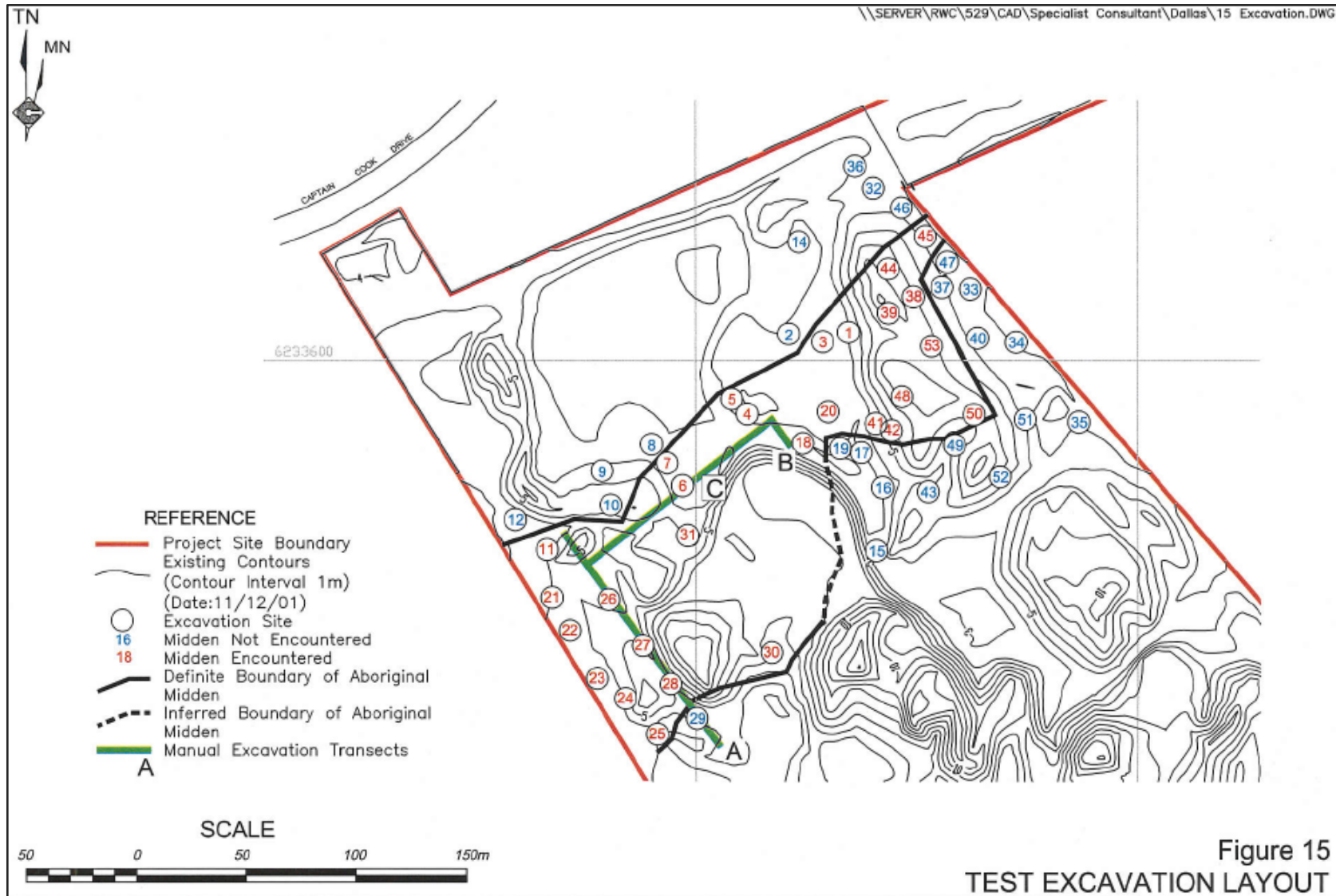
Stone artefacts, largely made from quartz, silcrete and chert, were limited in the midden deposit and consisted primarily of debitage. Only a small number of formal tools were identified including several eloueras and backed blades (MDCA 2002, p.44).

At least 15 shellfish species were identified, representing both ocean and estuarine species, including Sydney cockle, Hercules whelk, mud oyster, Sydney rock oyster, hairy mussel, turban shell, and triton (MDCA 2002, p.44). Some shell pieces with suspected evidence of human modification were observed, however no formed shell tools such as fishhooks were identified (MDCA 2002, p.45).

Six radiocarbon dates were obtained from the excavated deposit, providing dates between  $200 \pm 50$  years before present (BP1) and  $1,840 \pm 40$  BP, representing use of the site for the past 1,500 years (MDCA 2005: 82). Two phases of use of the site were observable, with an earlier phase between 1,800-2,000 years ago and a later phase between 750-900 years ago.

The combined program of sub-surface investigation revealed the extent and nature of an extensive and largely intact Aboriginal coastal campsite with shell midden, which lay on the former foreshore of Quibray Bay. Specifically, this included the location of a buried strip of pre-contact shoreline that exists across the northern portion of Lot 8 Captain Cook Drive. 'McCue Midden' was assessed as being of very high cultural, educational and scientific significance as one of the few undisturbed middens extant in the Sydney region (MDCA 2002, p.49).

Management recommendations sought for complete preservation of the site (52-3-1110) with an appropriate buffer and included the need for a formal Management Plan to be developed. A draft Management Plan was prepared by MDCA for Rocla Limited in c2003, but it is presently unclear whether this Plan has been endorsed, and whether the management recommendations are being enacted. Any future site management should be developed in consultation with the Aboriginal community, especially the La Perouse LALC, and Heritage NSW.



Source: MDCA 2002, p.17-78

**Plate 5.4 Mapped extent of the McCue Midden (#52-3-1110) based on archaeological excavation**

In 2008, Jo McDonald CHM completed an archaeological assessment of 260 Captain Cook Drive Kurnell (Lot 4 DP270389). The project area was situated immediately adjacent to Lot 8 DP586986 (Lot 8), which contained McCue Midden (AHIMS 52-3-1110) investigated by MDCA in 2002.

An initial assessment by JMCD CHM identified that the project area may contain the beach ridges from the former Quibray Bay shoreline and Aboriginal midden material identified by MDCA (2002), and as such defined a 'zone of potential archaeological sensitivity'.

Investigations undertaken within the zone of potential archaeological sensitivity included geotechnical pits as well as two phases of mechanical test excavation in 2003 and 2004. Five of the seven geotechnical pits identified shell deposit at depths between 1.5–2 m, concluded to be a continuation of the McCue Midden. Shell material was encountered in only one of 34 mechanically excavated trenches.

A second test excavation program was undertaken by JMCD CHM in 2008 in two stages including initial mechanical test pitting to detect midden and buried land surfaces. The test pits were followed by manual excavation to investigate any midden or other Aboriginal cultural material located (JMCD CHM 2008, p.19).

A total of 23 mechanical pits were excavated using a 20-tonne excavator with a 1.8 m wide bucket which was used to scrape the sand back 5–10 cm at a time. Mechanical trenches were spaced at 25 m intervals and were generally 5–6 m in length at the surface and 2–5 m in length at the base due to susceptibility to collapsing. Five 1 m x 1 m squares and one 0.5 m x 0.5 m square were manually excavated in 10 cm spits. All excavated deposits were wet sieved on site using nested 5 mm and 3 mm sieves with all bone, stone and shell retained.

The 2008 excavations demonstrated the presence of the beach ridge extending into Lot 4 DP270389 and continuation of midden material associated with the adjacent south-east McCue Midden. Whilst the JMCD CHM project area demonstrated significant disturbance associated with repeated heavy machinery movement across the surface of the beach ridge, the midden itself was noted to be of relatively high integrity.

As per previous investigations of the McCue Midden, the main shell species identified on site included rock oyster, cockle, Hercules whelk, mud oyster and hairy mussel, which occur in both ocean and estuarine environments (JMCD CHM 2008, p.81).

In contrast to previous investigations which had recovered very limited numbers of stone artefacts, the JMCD CHM excavation of the McCue Midden identified a high-density stone artefact knapping floor which was spatially distinct from midden deposits. The artefact assemblage totalled 598 objects including backed artefacts, cores, eloueras, hammer fragments and debitage primarily of a grey silcrete (JMCD CHM 2008, pp. 53, 64).

Radiocarbon dates from the excavation suggested that occupation took place over a 540-year period from 1,550–2,090 BP, which is contemporary with, or slightly older than the previously dated occupation of the McCue Midden (JMCD CHM 2008: 38).

Recommendations included the retention of significant areas of the site (constrained within the south-west portion of Lot 4 DP270389) and identified areas for potential Aboriginal burials to remain intact. Any development within the significant areas would require a s90 Consent to disturb the site and should not be granted without extensive salvage excavation of the midden.

ix [MDCA 2014 and 2018, Aboriginal and Cultural Heritage Assessment Report: 238-258 Captain Cook Drive, Kurnell, NSW, Property Today Pty Ltd](#)

In 2014, an ACHA was completed by MDCA to explore the archaeological potential of the site for a property subdivision under an AHIP (C0000219, issued 19 February 2014) for AHIMS site 52-3-0258. The site was located approximately 700 m north of the project area at the southern side of Captain Cook Drive, 500 m west of the intersection with Sir Joseph Banks Drive on the Kurnell Peninsula (Lot 1 DP225973 and Lot 2 DP1088703). Much of the land had previously been subject to heavy disturbance due to the construction of Abbots factory in the 1960s.

A total of 29 mechanical test trenches were excavated across two areas of sensitivity, with a focus on the northern third of the subject land due to high archaeological sensitivity. Test pits were excavated in spits of approximately 20 cm in depth. A series of 11 squares (either 0.5 m x 0.5 m or 1 m x 1 m) were manually excavated, with ten focused in the area of high sensitivity (northern portion of the lot).

The excavation recovered a total of 80 stone artefacts (n=43 counted as <10 mm in length) with 40 flakes made of mostly quartz (n=21) and chert (n=14), cores (n=3) along with small chips (debitage) and ochre fragments. Shell remains were mainly identified in one test pit (TrC Sq1) in the north-east portion of the site. A total of 3 kg of shell was recovered during excavation, with 98% originating from the midden lens in the forementioned square. Five shellfish species were identified, with Sydney cockle and Hercules whelk being the most common by weight and count.

The report concluded that any surviving cultural material was located around 1 m below the current ground surface and were unlikely to be impacted by further works at the site. Therefore, MDCA recommended that the depths of the archaeological remains should be referenced in future planning for the subdivision and that impacts to areas of low or moderate archaeological potential be avoided. If unavoidable, an AHIP would be required for works to continue. Last, the AHIMS (52-3-0258) record should be amended to reflect the presence of moderate to low archaeological potential at the site.

x [EMM Consulting Pty Ltd \(EMM\) 2019, Aboriginal Cultural Heritage Assessment and Aboriginal Technical Report for 280-282 Captain Cook Drive Kurnell Peninsula](#)

Besmaw Pty Ltd proposed to continue its sand extraction and site rehabilitation activities with Lot 2 DP 559922; and although a number of Aboriginal sites on the lot had previously been investigated and impacted in accordance with Section 90 Permits (Permit ID# 520013 and 520014) in 1991 and 1992, two additional sites remained valid within that site: BH3 and BHW. EMM was engaged to prepare an ACHA and ATR to support an Aboriginal heritage impact permit (AHIP) for proposed impacts to BH3 and BHW.

BHW (#52-3-0724) had been previously salvaged by Brayshaw McDonald Consultant Archaeologists, which included spade probes, controlled archaeological excavation, bulk removal, and sample surface collection. The total area of the excavation equalled to approximately 7.83 m<sup>2</sup>. BH3 (AHIMS 52-3-0698) was identified in 1990 by Smith, Rich and Hesp as part of a management study of the known Aboriginal sites on the Kurnell Peninsula. The site was described as eroding out of a low dune and is sitting on top of a layer of grey sand under a recent layer of white sand, with the depth of the midden estimated at less than 5 cm (Smith, Rich and Hesp 1990a, p. 80). The midden was noted to extend across a total area of 10 m x 5 m, featuring two exposures of approximately 1 m x 1 m and 2 m x 1 m. Eight estuarine and coastal shell species were identified, however no stone artefacts were observed. BH3 is identified as being unlikely to contain in situ material due to 80% of the site being heavily disturbed (Smith, Rich & Hesp 1990b, p. 112).

During survey to inform the archaeological research design, three additional areas of remnant midden material associated with BHW were identified adjacent to existing vehicle tracks during survey. These areas were recorded as BHW Extensions 1, 2 and 3.

The report recommended surface collection of the objects from BHW and BH3, as well as salvage excavation of BH3 as an appropriate measure to mitigate against impacts to the sites resulting from the proposed works. A range of other chronological and geomorphological studies were proposed to develop a greater understanding of the site and its formation processes.

xi [EMM Consulting Pty Ltd \(EMM\) 2022, Archaeological Salvage Report: BH3 \(AHIMS 52-3-0698\) and BHW \(AHIMS 52-3-0724\)](#)

An AHIP (C0005705) was issued by Heritage NSW on 9 March 2020 (Appendix A), for investigation and salvage via excavation and surface collection of BH3 (AHIMS 52-3-0724) and BHW (AHIMS 52-3-0698). Activities completed in accordance with the conditions of the AHIP (C0005705) form the focus of this report.

Utilising data previously collected by Geoprospection as part of preliminary investigations (refer to Section 3.3.4) as well as bulk sediment samples collected during the course of excavation, EMM engaged University of Wollongong geomorphologist Dr Tim Cohen to prepare a geomorphological analysis of the project area (EMM 2022).

The stratigraphy of the project area proved to be as expected based on the previous findings of the locale, coherent and consistent with regards to coastal dune sand accumulation occurring at a time when regional sea levels were 1 to 1.5 m above present. Specifically, while some variation was present across the various stages of excavations, the overall stratigraphy of the site can be summarised into three broad horizons, ranging in elevation between ~4 and 5.25 m AHD (refer to Table 5.1).

**Table 5.1 Stratigraphy and Geomorphology of midden BH3**

Stratigraphic Horizon (oldest to youngest)	Stratigraphic Sub-Units
<p><b>Post-colonial dune:</b> an over-lying friable - loose homogenous very pale brown (10YR 7/3) and grayish brown (10YR 5/2) fine-medium sand with no inclusions and occasional rootlets from surface vegetation. This is the upper unit of the excavated sequence and was intermittently distributed across the project area, with depths ranging from ~10 cm up to ~60 cm (between 4.6–5.25 m AHD). The uneven distribution of this unit and extensive evidence of cross-bedding indicates an aeolian formation, and probably reflects the current active dune system. OSL ages suggest that this dune began forming shortly after the establishment of Sydney in the early 19th century and was likely the result of de-vegetation leading to increased soil profile mobilisation. Movement of these units continues to the present day, with photographs over the last several years showing different dune patterns to those observed during the field program.</p>	<p><b>Sub-Unit 1:</b> upper cross-bedded sands.  <b>Sub-Unit 2:</b> a sand unit overlying the midden which may be some pre-European dune sands [or an earlier generation of post-colonial sands].</p>
<p><b>Midden:</b> above the parent dune material was a midden unit that formed focus of the archaeological investigations. This unit consisted of a thin friable to compact very dark greyish brown (10YR 3/2) coarse sand with frequent shell, stone, and organic inclusions. In some parts of the excavations, this unit had developed into a sapric peat, reflective of wetter locales and probably more extensive past occupation deposits. The organic rich nature of the midden unit has resulted in the leaching of humic material and carbon into the under-lying dune sand and resulted in a darkening of colour to dark grey (10YR 4/1) for 5–15 cm. Due to the highly mobile nature of the units above, the midden unit was variously found at the surface and down to depths ~70 cm below the current surface and was typically &lt;10 cm in thickness. However, it was consistently present between 4.45–4.7 m AHD across the excavation area. Based radiocarbon ages of shell within the midden, this unit dates to a brief use of 0.6 ka, and which is supported by the OSL ages that bracket the midden between ages of 0.12 ka and 1.06 ka</p>	<p><b>Sub-Unit 3:</b> artefact-bearing cultural unit or midden.</p>

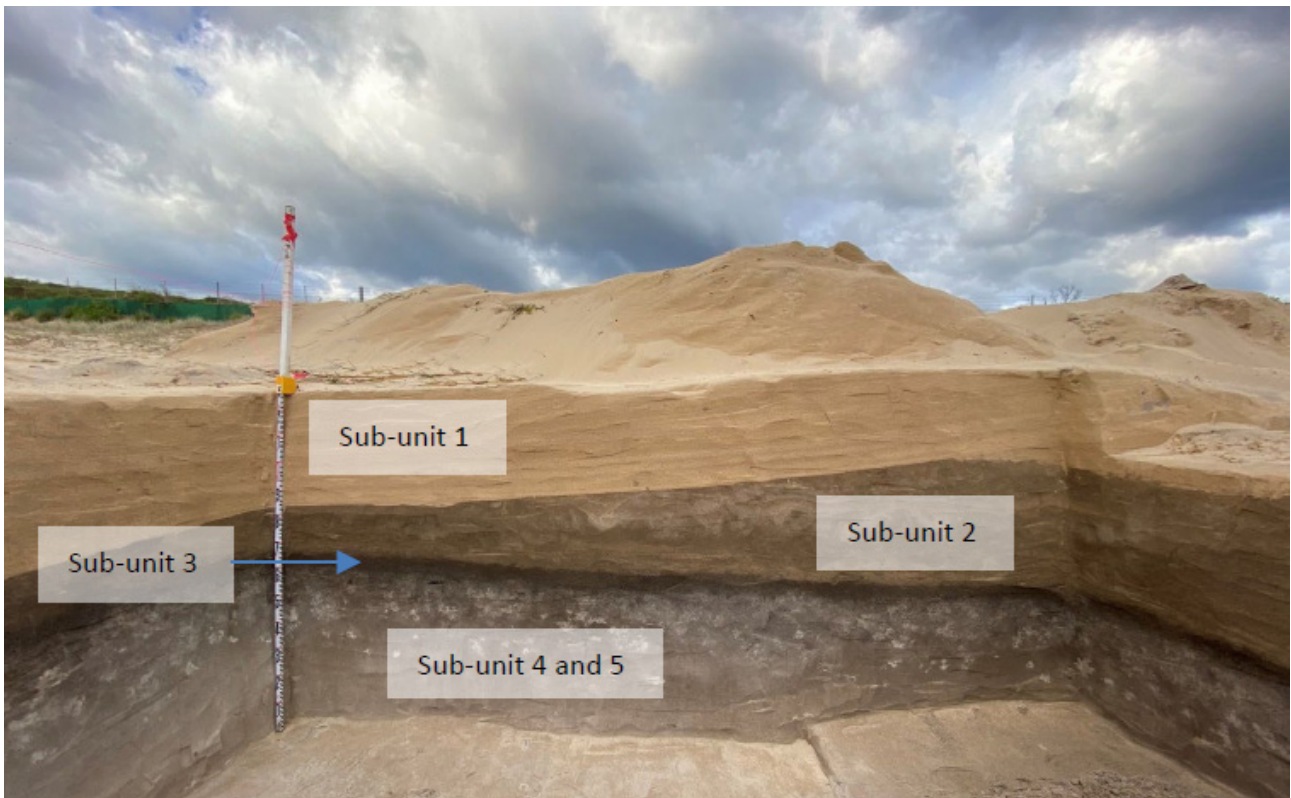
**Table 5.1 Stratigraphy and Geomorphology of midden BH3**

Stratigraphic Horizon (oldest to youngest)	Stratigraphic Sub-Units
<p><b>Dune core:</b> at the base of the sequence generally found at ~50 cm below the current ground surface and extending to depths of &gt;4 m (~4.65–0.65 m AHD), was a friable homogenous light brownish yellow (10 YR 6/4) coarse sand. This unit that contained few inclusions and is considered to reflect the parent material of the dune system that underlies the entire project area. The coarseness of the material suggests that this reflects localised aeolian re-working of the nearby beach environments, following sea-level stabilisation in the late Holocene. Indeed, OSL ages recovered from this unit suggest formation was complete by ~3 ka, with surficial re-working of the dune occurring after this until the formation of the over-lying midden unit. There is some suggestion in the geochemistry that this specific locale may have reflected an inter-swale, or at least wetter part of the dune environment, although this is not visibly evident in the excavations.</p>	<p><b>Sub-Unit 4:</b> organic-stained upper portion of dune core horizon underlying the cross-bedded sands.</p> <p><b>Sub-Unit 5:</b> lower portion of dune core.</p>

Spatially, the dune core horizon was found in the vast majority of the excavations and formed the basal deposits beneath the project area. This could not be validated in the northernmost quadrants, which was characterised by a large, post-colonial dunes, the base of which could not be reached during the excavations. However, based on adjacent test pits, it is expected that the dune core underlies this dune as well. In the case of the midden horizon, this was found to be largely where the field survey had identified as the various BH extensions (EMM 2019; Plate 5.1). The test pit program found the deposit to be ~20 x 20 m in size and centred on the area that was ultimately excavated as part of Stages 2 and 3.

The upper boundary of the midden horizon (Sub-Unit 3) was wavy and irregular. In some areas the midden was separated from the overlying unit by an erosional unconformity, whilst in other areas a gradual boundary separated the dark marker horizon (midden) from the overlying dune sands. This suggests that dune mobilisation had eroded some of the underlying organic marker horizon (e.g. erosion of some of the midden) with the deposition of younger (post-colonial) overlying dune sands. Other locations show a sand unit (Sub-Unit 2) overlying the midden which may well be some pre-European dune sands [or an earlier generation of post-colonial sands).

The project area was historically used in the early 20th century during the Depression for informal residences and utilised as a refuse or ‘tip’ area, and more recently for Besmaw activities. While not evident in the Stage 2 excavations, a number of the test pits contained significant modern disturbance and/or reworking. These were primarily adjacent the access track in the west of the project area and to the north in the vicinity of current modern residential activities. In these locations, the above stratigraphy was not always clear, and often reflected intermixing or truncation of dune core and post-colonial dune horizons, along with other modern debris/material.



Note: The north-eastern portion of the Stage 2 excavations encompassing OA3-10, OA5-10, OA5-20, looking east as presented by EMM, showing the dark midden (sub-unit 3) sandwiched between the under-lying dune core (sub-unit 4 and 5) overlain by younger dune sub-units 1 and 2

**Plate 5.5 BH3 stratigraphic sub-units**



**Plate 5.6 GPR survey transects at Aboriginal midden site BH3**



a BHW (AHIMS 52-3-0724)

BHW (AHIMS 52-3-0724) was initially recorded in 1991 by Dr Frank Dickson as part of an archaeological survey of Lot 2 DP559922 (Lot 2 South) on behalf of Besmaw. Clearance of acacia and lantana resulted in the exposure of the BHW midden and enabled its identification by Dickson's study, but also resulted in the destruction of deposits to depths of up to 300 mm or greater (Dickson 1991, p. 17). A sample of shell material from BHW was examined and noted to be dominated by estuarine species. Dickson assessed Aboriginal sites on the development land as being of low scientific significance because of their very poor condition and did not continue with further investigation.

An addendum study was completed by Brayshaw McDonald Consultant Archaeologists in response to deficiencies of the Dickson (1991) report identified by the NPWS. When inspecting the midden Ross observed part of BHW had been cut by a bulldozer revealing stratified midden material, indicating that intact midden deposit may be present. As a result, the assessment disagreed with Dickson regarding the archaeological potential of BHW and recommended archaeological excavation be undertaken.

In 1992, Brayshaw McDonald (1992) was engaged to proceed with test excavation of BHW under a preliminary research permit. The intent and provisions of the preliminary research permit was to achieve maximum information retrieval with minimum disturbance, however during excavation Brayshaw McDonald found that '...it became increasingly apparent that the amount of [test] excavation planned would come close to fully realising the archaeological research potential of the site' (1992a, p.8). Subsequent to consultation with La Perouse LALC and NPWS it was decided to proceed with the extent of excavation initially planned, in lieu of any future salvage.

The excavation included spade probes, controlled archaeological excavation, bulk removal, and sample surface collection. The total area of the excavation equalled to approximately 7.83 m<sup>2</sup> (excluding the bulk sample the size of which was not specified). The excavation determined that the core area of the site covers approximately 150 m<sup>2</sup>. Midden deposit was at its thickest up to 40 cm, but on average was 15–25 cm thick. No clearly definable cultural stratigraphy was identified (Brayshaw McDonald 1992a, p. 18). A total of 881 artefacts were recovered with silcrete the most common material type. Artefact types identified included flakes and flaked pieces (88%), cores, backed blades and other retouched artefacts and hammerstones/anvils.

A total 81.9 kg of shell was collected which identified 15 species of shellfish from estuarine, mangrove, rock platform and ocean habitats. The dominant species represented included rock oyster, nerita, limpet and cockle. Brayshaw McDonald (1992a, pp. 32-33) calculated that total shell material recovered from excavation of BHW represents one individual's dietary intake for 7.4 days. Extrapolated to the full site extent, the total shell material of BHW would have supported one individual for 871 days or any combination thereof. A total of 2.2 kg of animal bone was examined. The greatest percentage of animal bone from the deposit was fish bone dominated by snapper and bream. Mammal and bird bone, largely comprising broken long bone shafts, were heavily fragmented.

Brayshaw McDonald assessed that avoidance of proposed impacts and preservation of the midden was '...not physically possible, irrespective of the development, because of exposure of the remnant midden to the elements and its highly vulnerable position' (Brayshaw McDonald 1992a, p. 1). Furthermore, the nature and homogeneity of the subsurface deposit wherever investigated, and its apparent similarity with other Boat Harbour middens which are located within designated National Park and therefore protected and managed by National Parks and Wildlife Service management, indicated that preservation of BHW's remnant midden deposit was not warranted on archaeological grounds (Brayshaw McDonald 1992a, p. 1). In providing management recommendations for BHW Brayshaw (1992a, pp. 39, 41) states:

BHW is not in a manageable geographic context. The archaeological research potential of BHW has been realised, the boundary of the site has been established and its content and character determined. No further salvage of site BHW is warranted.

A Section 90 permit (520014) was issued in March 1992 by NPWS for impacts to BHW.

Due to continued erosion of the locale, three areas of remnant midden material associated with BHW have been identified since 1992. These were documented in the EMM (2019) ACHA and recorded as BHW Extensions 1, 2 and 3. These were variously described as follows:

- BHW Extension 1 is an exposure eroding from a dune crest of approximately 70 m x 30 m in size.
- BHW Extension 2 was identified within a vehicle track exposure at the lower slope of a sand dune system across an area of approximately 20 m x 20 m.
- BHW Extension 3 was identified in a vehicle access cutting, approximately 5 m x 5 m, down slope from a sand dune system covered in bitou bush. Midden material included a range of coastal and estuarine shell specimens, stone artefacts, and occasional animal bone.

Due to the extent of previous archaeological excavations (Brayshaw McDonald 1992) and the high level of disturbance evident at the location, EMM concluded that further excavation of BHW was not warranted. However, due to the presence of surface artefacts of scientific and cultural value identified in the vicinity of Extensions 1, 2 and 3, the report recommended a program of surface collection, to be completed with RAPs.

#### **b** BH3 (AHIMS 52-3-0698)

BH3 (AHIMS 52-3-0698) was identified as a potential shell midden by Smith, Rich and Hesp (1990) as part of a synthesis of the known Aboriginal sites on the Kurnell Peninsula.

BH3 was recorded as being within an area of undulating parabolic dunes, which consisted of multiple sand units, including a yellow modern layer overlaying a grey humic sand which overlies a red-brown sand unit (Smith, Rich and Hesp 1990). The site was described as heavily disturbed by several vehicle tracks, eroding out of a dune landform. The thickness of the midden was estimated as less than 5 cm, sandwiched between the grey humic sand unit and overlying modern layer (Smith, Rich and Hesp 1990). The midden was noted to extend across a total area of 10 x 5 m, featuring two exposures of approximately 1 m<sup>2</sup> and 2 m<sup>2</sup>. Eight estuarine and coastal shell species were identified; however, no stone artefacts were observed. BH3 was identified as being unlikely to contain in situ material due to 80% of the site being heavily disturbed (Smith, Rich & Hesp 1990).

Additional material has been exposed in the intervening 28 years of Smith, Rich and Hesp's work, and as a result of EMM's (2022) assessment, the BH3 midden has been reassessed as extending over a greater area, some 60 m x 100 m. The two exposures previously recorded by Smith, Rich and Hesp have now each increased to approximately 120 m<sup>2</sup> (BH3 Extension 1) and 300 m<sup>2</sup> (BH3 Extension 2). Both extension areas featured darker, consolidated sand that has acted to hold parts of the midden together.

In addition to shell material, stone artefacts including cores and blades not previously noted by Smith, Rich and Hesp were identified by EMM (2022). Extensive portions of the area where the BH3 midden was located has been used as a rubbish tip historically associated with the Boat Harbour settlement; and various materials remaining from this use were observed on the ground surface as well as incorporated into deposit at BH3.

## **5.4** Aboriginal Heritage Information Management System search results

Heritage NSW maintains an Aboriginal Heritage Management Information System (AHIMS), a database of known and registered Aboriginal sites in NSW. The search identifies any Aboriginal sites or places registered within the project area and aids archaeological predictions for the project area by showing the frequency and distribution of Aboriginal site types in the broader landscape. EMM conducted a search of the AHIMS database on 30 June 2023, covering an area of approximately 5 km<sup>2</sup> centred on the project area. A discussion of the search results is presented below, and a copy of the AHIMS search results is provided in Appendix D.2.

The AHIMS search identified 114 Aboriginal sites in the search area (Table 5.2 and Figure 5.1). The search area extends across a variety of landforms and geomorphologies, including coastal dunes, floodplain, rolling hills and sandstone formations in the hinterland. Upon review, the specific site location and cultural information pertaining to two sites within the search area has been restricted by the AHIMS Registrar. In July 2023, AHIMS administrators confirmed these sites are not located in or near the project area. One potential archaeological deposit, presumably following testing, has been classified “Not a Site” (see Table 5.2). Sixteen sites (14%) have been destroyed. Of these, sites 52-3-0701 and 52-3-0722 along with 52-3-0702 and 52-3-0725 were registered twice on AHIMS and should both be considered one in the same. No sites have been recorded as partially destroyed. Understanding the number of valid or destroyed sites is important in evaluating cumulative impacts and intergenerational loss of cultural sites, most likely due to nature of Kurnell as an increasingly urbanised area.

Shell middens with undefined artefact sites are the most common site type in the search area (n=43, 37%), with unspecific artefactual sites (n=24, 21%) the next most common. Middens have been frequently recorded in conjunction with other registered sites in the area, particularly burials, hearths, and stone artefacts. A number of rare site types are also documented in the AHIMS search area, including rock engraving/art sites (n=7), burials (n=3) and habitation structures (n=1).

Several site types are represented, some in combination with each other, including burials, shell middens, habitation structures, Aboriginal resource and gathering sites, artefact sites, rock engravings, hearths, and potential archaeological deposits (PADs). Registered Aboriginal sites returned in the AHIMS search tend to cluster on the beaches and escarpments of the Kurnell Peninsula. This pattern likely reflects certain spatial biases that concentrated the pattern of identified sites in the locations of compliance-based archaeological assessments, which focus on new developments. The primary concentration of Aboriginal sites occurs between ~280–1,400 m south-east of the project area and are associated with the foreshore of the Kurnell Peninsula, which correlates with the high density of coastal shell midden sites present in the AHIMS search.

**Table 5.2 AHIMS search results**

AHIMS site type	Number of sites		% of Total	
	Category total	Subcategory total	Category total	Subcategory total
Aboriginal resource and gathering	2		1.80	
<i>with habitation structure and shell midden</i>		1		0.80
<i>with shell midden</i>		1		0.80
Art (pigment or engraved)	7		6.10	
<i>rock engraving</i>		4		3.50
<i>with habitation structure</i>		1		0.80
Artefact	36		31.60	
<i>isolated artefact</i>		1		0.80
<i>low density (&lt;20) artefact scatter</i>		1		0.80
<i>with shell midden</i>		8		7.00
<i>with PAD and shell midden</i>		2		1.80
<i>unspecified artefact site</i>		24		21.10
Burial	3		2.60	
<i>with unspecified artefact and shell midden</i>		1		0.80

**Table 5.2 AHIMS search results**

AHIMS site type	Number of sites		% of Total	
	Category total	Subcategory total	Category total	Subcategory total
Habitation structure	1		0.80	
<i>with shell midden</i>		1		0.80
Potential archaeological deposit (PAD)	6		5.30	
<i>with unspecified artefact and shell midden</i>		1		0.80
Shell midden	56		49.10	
<i>with unspecified artefact</i>		43		37.70
<i>with unspecified artefact and burial</i>		1		0.80
<i>with unspecified artefact and hearth</i>		1		0.80
Destroyed site		16		
Not a site	1		0.80	
Restricted site	2		1.80	
<b>Total</b>	<b>114</b>	<b>-</b>	<b>100%</b>	<b>-</b>

A total of 17 Aboriginal sites (with two duplicate registrations) are recorded within the project area (Figure 5.1). Of these sites, 16 have been impacted in accordance with a ‘consent to destroy’ issued under the NPW Act. When synthesising the expansive volume of academic material for the project area, there remains only one valid archaeological site – the McCue Midden (52-3-1110) – within the project area.

**Table 5.3 AHIMS sites within the project area.**

AHIMS ID	Site name	Description
52-3-0209	Cronulla Beach; Quibray Bay 2	No longer valid. Consent to destroy #520013.
52-3-0211	Quibray Complex	No longer valid. Consent to destroy #520013.
52-3-0698	Boat Harbour 3, BH3	No longer valid. Consent to destroy #C0005706.
52-3-0701	Besmaw 1, B1	No longer valid. Consent to destroy #520013.
52-3-0702	B2 (Duplicate of 52-3-0725)	No longer valid. Consent to destroy #520013.
52-3-0722	Pimple Midden	No longer valid. Consent to destroy #520013.
52-3-0723	BH Track	No longer valid. Consent to destroy #520013.
52-3-0724	BHW Kurnell Peninsula	No longer valid. Consent to destroy #520014 and #C0005706.
52-3-0725	Big Midden (Duplicate of 52-3-0702)	No longer valid. Consent to destroy #520013.
52-3-0727	W3	No longer valid. Consent to destroy #520013.
52-3-0728	W4	No longer valid. Consent to destroy #520013.
52-3-0729	W5	No longer valid. Consent to destroy #520013.

**Table 5.3** AHIMS sites within the project area.

AHIMS ID	Site name	Description
52-3-0731	S2	No longer valid. Consent to destroy #520013.
52-3-0732	E1	No longer valid. Consent to destroy #520013.
52-3-0733	E2	No longer valid. Consent to destroy #520013.
52-3-0734	E3	No longer valid. Consent to destroy #520013.
52-3-1110	McCue Midden	Has been subject to some archaeological investigation (NPWS Preliminary Research Permit #1291) but remains largely intact and is a valid site.

\\lemmsvr1\EMM2\2023\2023\2023\11 - Kurnell Planning Proposal - Aboriginal Heritage\GIS02\_Maps\ACHA\008\_AHIMS\_2023\1114\_06.mxd 15/11/2023



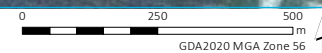
- KEY**
- Study area
  - McCue midden site extent
  - AHIMS Site**
  - Valid within study area
  - Outside project area
  - ⊗ Destroyed
  - ⊗ Duplicate destroyed
  - Existing environment**
  - - Rail line
  - == Major road
  - Watercourse/drainage line

AHIMS sites

Kurnell Planning Proposal  
Aboriginal Cultural Heritage Assessment  
Figure 5.1



Source: EMM (2023); DCSSS (2023); OEH (2023)



## 5.5 Other database searches

Table 5.4 documents the results of other heritage searches within the project area.

**Table 5.4 Register search for the project area**

Register	Listing
National Heritage List (NHL)	No listings within the project area
Commonwealth Heritage List (CHL)	No listings within the project area
State Heritage Register (SHR)	No listings within the project area
Aboriginal Places register	No listings within the project area
SEPP Kurnell Peninsula 1989	No listings within the project area
Section 170 Registers	No listings within the project area
Sutherland LEP 2015 (Schedule 5)	No listings within the project area
Sutherland DCP, 2015	No listings within the project area
Register of the National Estate (RNE) (non-statutory)	No listings within the project area

Registered heritage items within 5 km of the project areas are listed in Table 5.5.

**Table 5.5 Register search abutting the project area**

Register	Listing	Listing name	Distance from project area
National Heritage List (NHL)	106162	Kamay Botany Bay Botanical Collection Sites	2.5 km north-east
Commonwealth Heritage List (CHL)	-	-	-
State Heritage Register (SHR)	01668	Cronulla Sand Dune and Wanda Beach Coastal landscape	Adjacent west
	01918	Kamay Botany Bay National Park (North and South) and Towra Point Nature Reserve	2.5 km north-east
Aboriginal Places register	-	-	-
SEPP Kurnell Peninsula 1989	L010-R	Towra Point Nature Reserve and Quibray Bay	2.5 km north-east
	A103	Pelican Point	4.5 km north-west
	A015	Site of abandoned oyster depot	
	A016	Site of abandoned oyster lease	
	A028	Four-wheel drive track	
	A097	Boat Harbour house sites group	>1 km east
Section 170 Registers	-	-	-
Sutherland LEP 2015 (Schedule 5)	2502	Cronulla Sand Dune and Wanda Beach Coastal Landscape	~1.5 km west

**Table 5.5 Register search abutting the project area**

Register	Listing	Listing name	Distance from project area
	2509 & A2528	Towra Point Nature Reserve and Quibray Bay	~3 km north
	A2523	Four-wheel drive track	
	A2525	Boat Harbour house sites group	>1 km east
Sutherland DCP, 2015	-	-	-
Register of the National Estate (RNE) (non-statutory)	100713	Kurnell Sand Dune	Encompassing the project area
	16223)	Towra Point Aquatic Reserve (Nature	~3 km north
	3337	Kurnell Peninsula Towra Point Area (Collection)	~3 km north

## 5.6 Predictive model

### 5.6.1 Synthesis of the background materials

The landscape of the project area within the Kurnell Peninsula is characterised by sand dunes beside ocean beaches which change to become a rocky cliff line to the east of Boat Harbour. To the north and west, there are a series of wetlands and tidal delta bays associated with the George’s River outlet into Botany Bay. Previous investigations utilising carbon dating of shell middens and hearths, have established that occupation in the area dates to between 12,000 to 2,500 years BP.

This landscape information has important archaeological implications, as some landscape features are more likely to have been associated with Aboriginal activities than others. Some of these past activities are traceable through the archaeological evidence left behind, but this is dependent on how favourable the environmental conditions have been to preserve the remains.

An important type of Aboriginal cultural site within the Kurnell Peninsula landscape are shell middens. A midden is “...a cultural deposit of which the principal visible constituent is shell” (Waselkov 1987 in Bowdler 2006:316). Unlike natural shell beds, middens include cultural deposits such as charcoal, hearth stones, mammal, fish and bird remains, worked shell (for example fish hooks) and bone, and stone artefacts. They contain shells of edible species and sizes. Middens preserve large quantities and variety of dietary remains and therefore have the potential to answer questions about past subsistence, food procurement, resource management and through various dating techniques, answer questions surrounding time scales.

The main food species in the middens were from the nearby estuarine and mangrove flats to the north, and to a lesser extent, from the rock platforms on the ocean side to the south. In some cases, this meant that shellfish had been carried from up to 2 km away rather than sourced from the rock platforms nearby. This indicates that the area to the south near the coast, was a more desirable camp site. It is also likely that these camp sites, as indicated by the middens, were the result of short visits rather than long term habitation. This is supported by the distribution of shells and the types of lithic material, exotic to the area, which had been brought in (Brayshaw et al 1992).



Historical land use and disturbance of the site is a main factor in the survival of certain archaeological sites. Sand extraction, land fill, swamp drainage, industrial development and power, sewer and road infrastructure development as well as four-wheel drive tracks have contributed to the depletion of the archaeological cultural resource. The present distribution of sites represents a severely depleted and largely disturbed sample of the original Aboriginal occupation (MDCA 2002; EMM 2022). Those sites that do exist will be partially disrupted but may have deeper intact deposits that include stratigraphy.

### 5.6.2 Basis for the predictive model

A predictive model of Aboriginal site location has been devised based on the data presented in the preceding sections. In summary the model has been developed through the analysis of:

- landscape features and disturbance in the project area and its surrounds
- pre-colonial period ecological conditions
- ethno-historical information about Aboriginal life and material culture
- the type and distribution of Aboriginal sites described in previous reports and AHIMS data.

### 5.6.3 Predictive model

A predictive model based on the data collected from previous investigations, the LGM and existing environment and the level of historical impacts that have occurred on the site, are summarised in Table 5.6.

It should be noted that a large number of sites would have been destroyed prior to the NPW Act that requires controlled, recorded removal. However, while intact sites will be few and far between, previous investigations have shown that there is a high potential for Aboriginal cultural material to be present, predominantly within middens, albeit moderately to highly disturbed. An example of this is the McCue midden in Lot 8 DP586986 (Lot 8).

**Table 5.6 Predictive model results**

Site type	Predictions
Open artefact sites and isolated finds	Apart from quartz, lithic material is exotic to the area and was brought in from elsewhere. Stone artefact scatters as well as stone artefacts in association with middens are common in the area. Stone artefacts may occur in moderately disturbed contexts.
Modified trees	Modified trees (either carved or scarred) are highly unlikely to be identified across the project area due to the high level of disturbance, and the nature of the remnant vegetation in the area which is characterised by scrub and spinifex – specimens not suitable for cultural modification and scarring/carving.
Grinding grooves and grind stones	It is unlikely that grinding grooves occur at the site as there are no suitable rock outcrops in close proximity to the project area. However, portable grindstones could be present within shell midden deposits, as these items could have been imported and have been identified in shell middens in the past.
Hearths	The extent of sand mining is likely to have removed or destroyed archaeological traces of this site type.
Burials	Human remains have been identified in Kurnell; however, Dixson’s 1989 study on burials believed that the area was generally unsuitable for burials.
Stone arrangements	The level of land use and disturbance in the project area is likely to have destroyed archaeological evidence of this site type.

**Table 5.6**      **Predictive model results**

Site type	Predictions
Rock engravings	These are highly unlikely to occur in the project area because flat, outcropping sandstone does not occur in the project area.
Middens	Middens are an important Aboriginal cultural site type in the Kurnell peninsula. Middens contain a large variety of marine shell, bone, stone artefacts and worked bone and shell. Middens are the main site type identified in the project area but are only likely to occur as sites of poor integrity in moderately disturbed contexts within the project area. The exception to this is the McCue midden in Lot 8, which has high integrity.
Rock shelters	No rock shelters have been identified in the region and it is unlikely that any will be found in the project area as the landscape does not have suitable rock outcrops with a sheer relief, and thus such overhangs are unlikely to be present.
Quarries (stone or ochre)	There are no known stone or ochre quarries in the region, and it is unlikely that any will be found in the project area as the landscape does not have suitable geology.

## 6 Field investigations

### 6.1 Key findings

- Archaeological survey across the project area was completed by EMM archaeologists and representatives from two of the RAPs (a third had been organised but became unavailable the day prior). The field survey was completed over one day (7 September 2023) and aimed to re-identify AHIMS 52-3-1110 (McCue Midden), to assess previously unsurveyed areas within the project area, and to ascertain the condition of AHIMS 52-3-0698 (BH3), which has been destroyed by mitigation activities.
- The field survey comprised opportunistic linear pedestrian transects in three Survey Units across the project area and equated to a total of approximately 200 ha of land being inspected. Visibility and coverage varied between Survey Units, with Survey Unit 1 (Lot 2 DP 559922; Lot 2 South) featuring high visibility and exposure, but poor visibility and exposure in Survey Unit 2 (Lot 8 DP 586986 and Lot 9 DP586986) and Survey Unit 3 (Lot 2 DP 1030269; Lot 2 North) resulting in relatively poor effective coverage due to the presence of dense vegetation and grass cover.
- Impenetrable vegetation in Survey Unit 2 prevented re-inspection of AHIMS 52-3-1110 and resulted in poor effective survey coverage; this site is still considered extant in lieu of visual inspection, because it is buried under a considerable overburden of modern sand material. The registered location of AHIMS 52-3-0698 was inspected and notable volumes of fragmented shell material was observed. This site has been subject to previous mitigation activities (i.e. salvage works) which have removed the site, and BH3 is considered to be destroyed; the shell material observed is therefore not associated with an Aboriginal site. The survey did not record any previously undocumented Aboriginal sites in Survey Unit 3, and observed a likely artificial upper soil layer under which may lie a remnant natural soil profile. No previously unrecorded Aboriginal sites were encountered throughout the project area.
- Survey Unit 1 was found to be highly disturbed across large areas due to intensive mining activities, with some areas of archaeological potential remaining in the south-west portion of the Survey Unit. Disturbance was comparatively lower in Survey Unit 3, and some level of archaeological potential is considered to be present there. Lastly, due to impenetrable vegetation, much of Survey Unit 2 was unable to be surveyed, however due to known sites within and around the project area, Lot 8 DP586986 (Lot 8) is considered to retain archaeological potential.

### 6.2 Archaeological survey

#### 6.2.1 Approach and methods

EMM conducted an archaeological field survey of the project area with the assistance of Aboriginal representatives from RAPs over one day (7 September 2023). The survey was directed by Cameron Neal (EMM Archaeologist), with assistance from Philippa O'Brien-Pounde (EMM Graduate Archaeologist). Representatives from two RAPs participated in the survey, including LaPerouse Local Aboriginal Land Council (LPLALC) and Wailwan Aboriginal Corporation (see Table 6.1). A third RAP was organised for participation in the survey but became unavailable at short notice.

The primary aims of the survey were to:

- identify Aboriginal archaeological sites and/or Aboriginal places within the survey area and assess their significance with the assistance of RAP representatives
- re-identify any previously registered AHIMS archaeological sites and/or Aboriginal places within the survey area and assess their significance with the assistance of RAP representatives

- characterise the landscape to aid predictions of archaeological potential
- identify sites or areas that would require further investigation if planned for development as part of the project
- identify sites or areas to be avoided by development, where possible
- identify areas with minor or negligible Aboriginal cultural heritage values that are most suitable for development.

The archaeological survey and data collection methods followed Section 2.2 of the *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010). To ensure full coverage of the proposed areas of (potential) impact were suitably surveyed, the survey targeted the disturbance footprint; and each transect aligned with discrete landforms where feasible. Each survey participant was spaced approximately 10 m apart for each transect. Ultimately this allowed for allowing survey of areas ~20–50 m in width. Due to poor visibility across the entire project area the assessment calculations assume that each participant could identify and inspect exposures within 5–10 m either side of them. Notwithstanding, this calculation does not account for more obtrusive site types such as grinding grooves and culturally modified trees which are observable from a much greater distance.

The survey team targeted ground exposures along transects, outcropping bedrock, and other features where cultural material was predicted to occur. It must, however, be noted that archaeological surveys are inherently limited by ground surface visibility conditions and therefore are considered to only *sample* the landscape. The archaeological survey did not aim to cover the entire ground surface within the project area, but rather to characterise the archaeological landscape through accessible portions of the project area. It must be noted that Lot 2 DP559922 (Lot 2 South; Survey Unit 1) and Lot 2 DP1030269 (Lot 2 North; Survey Unit 3) had been surveyed multiple times in the recent past, and large portions were inaccessible due to dense vegetation cover and/or ongoing mining activity. Likewise, the field team was asked to keep clear of active equestrian activities occurring in Lot 2 DP1030296. Therefore, an emphasis was placed on surveying Lot 8 586986 (Survey Unit 2) (which had not been included in previous EMM assessments) and on re-identifying previously recorded Aboriginal sites where possible.

The effectiveness of the survey is determined through recording and analysing survey coverage data. It is evaluated for its effectiveness in identifying the distribution of Aboriginal objects across the landscape, and considering the potential for archaeological deposits. The percentage of the ground surface exposed in each landform and the visible ground surface within exposures (as ground exposures are often obscured by vegetation, gravels, etc.) influences the survey results. For example, an archaeologically sensitive landform surface that is highly exposed by erosion is likely to reveal Aboriginal objects, whereas a similar landform that is thickly grassed will obscure surface artefacts if they are present. Overall, calculation of effective survey coverage is used to estimate not only how much area was physically surveyed, but also how favourable the survey conditions were for the identification of Aboriginal sites.

Site recording was completed in accordance with the *Code of Practise for the Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010). Site locations and their details were recorded with mobile phones using site recording forms created by EMM on the Survey123 application for ArcGIS (Esri© software). The mobile phones had a location accuracy of up to ±3 m which is similar to hand-held non-differential GPS units (~5 m). The Survey123 forms allowed for a site's location, details and representative photographs to be linked together, which avoided potential post-fieldwork issues around data integrity.

Survey transects were recorded as tracks on GPS units and detailed information about each transect recorded on a separate Survey123 form created by EMM. The Survey123 form allowed for survey transects starting points, details and representative photographs to be recorded. The course of survey transects were recorded as tracks on hand-held non-differential GPS units which were linked to the Survey123 forms.

**Table 6.1 Registered Aboriginal Party representatives present during the survey**

Organisation	Representatives
La Perouse Local Aboriginal Land Council	Steve Ella
Wailwan Aboriginal Corporation	Phil Boney

### 6.2.2 Results

Overall, the survey comprised three separate survey units (corresponding to Lot 2 DP1030269, Lot 2 DP559922 (Lot 2 South), and Lot 8 DP586986/ Lot 9 DP586986), with transects encompassing ~200 ha of observation across the project area (Figure 6.1). The transects were opportunistically placed and were on average <200 m in length. As noted in Section 6.2.1 above, large parts of the project area were not accessed due to either ongoing mining activities (which have completely removed archaeological potential across most of Survey Unit 1) and/or dense vegetation cover. These factors served to constrain access in Lot 2 DP559922 and Lot 8 DP586986. The Boat Harbour Cabins area was not surveyed extensively as it has been subject to moderate and high levels of disturbance due to access tracks, construction of cabins, vehicle use and foot traffic (see Figure 6.1). Across the project area exposure averaged ~26%, visibility averaged ~21% and effective coverage ~9.25%. The relatively high levels of average exposure and visibility result from large areas of exposed ground surface observed on the beach and along access tracks (mostly in Survey Unit 1); the actual levels of exposure and visibility were much lower in Survey Unit 2, which featured impenetrable vegetation causing a low level of effective survey coverage there. A summary of each transect is provided in Figure 6.2 and a full photographic catalogue is provided in Appendix C.

Topographically, the project area is dominated by active beaches, beach foredunes, low hills and some grassy flats above mangrove swamps (Plate 6.1 to Plate 6.9). The terrain was mostly flat, with gentle to moderate slopes present at beach dune landforms and on the eastern edge of Survey Unit 1. Impenetrable vegetation was present at time of survey in Survey Unit 2, and the survey in this Lot was focused mainly on the vehicle access tracks running along its northern and northern/central boundaries (see Figure 6.1, Plate 6.5 and Plate 6.8). Terrain in Survey Unit 3 was more level with frequent micro-undulations present, considered likely to indicate extensive reworking and/or importation of fill material. Swampy wetland areas were encountered on the eastern edges of Survey Unit 3 and Survey Unit 2; based on historical aerial imagery, it appears that both of these swampy areas are of natural origin, with perhaps some modification occurring throughout the 20th century.

Levels of ground disturbance varied across the project area. Almost the entirety of Survey Unit 1 has been disturbed by mining activities which have stripped the upper soil units in which cultural material may be expected to occur (Plate 6.6). The remaining parts of this lot not subject to mining disturbance comprise either active beach zones, foredunes undergoing vegetation remediation, Boat Harbour cabins, or sandy vehicle access tracks. The foredune zone may contain some level of archaeological potential as disturbance appeared lower in these areas; however, due to impenetrable vegetation cover, this could not be visually confirmed. Disturbance in Survey Unit 3 was less intensive, as an equestrian centre remains the main land use activity there. Buildings and fields associated with the equestrian centre were found to be highly disturbed; however, the outer paddocks appeared to be less disturbed (Plate 6.9). Although small undulations in the ground surface suggest some level of imported fill and/or reworking of the soil profile, it could not be ascertained during the survey whether any remnant soil profiles had been retained. Previous studies have suggested fill material was imported during the establishment of the equestrian centre, and this activity left the underlying natural soil profile relatively undisturbed (see Section 5.3).

The field investigation did not identify any new Aboriginal sites. The location of previously recorded site AHIMS 52-3-0698 (BH3) was re-inspected, and an effort was made to re-identify 52-3-1110 (McCue Midden). BH3 is considered no longer extant following mitigation activities, and the McCue Midden could not be re-identified due to heavy vegetation cover (see Section 6.2.3 below). However, as noted above in Section 5.3, the McCue midden is buried under 4–5 m of modern sand drift overburden. No evidence of significant disturbance was identified within Lot 8 which would necessitate a re-evaluation of the archaeological potential of the site, and the McCue midden site is considered to be preserved in situ, beneath this drift sand, that has ultimately been stabilised by vegetation cover.

**Table 6.2** Survey effective coverage summary

Lot/DP	Survey Unit	Area (m <sup>2</sup> )	Landform	Exposure (%)	Visibility (%)	Effective Coverage (sq m)	Effective Coverage (%)	Aboriginal sites identified
Lot 2 DP559922 (Lot 2 South)	1	223,939	Active beach; foredune; backplain	50	50	55,985	25	0
Lot 8 DP586986 and Lot 9 DP 586986	2	343,908	Backplain; swamp	25	10	8,598	2.5	0
Lot 2 DP1030269	3	159,652	Backplain; swamp	5	5	399	0.25	0
<i>Average</i>				<i>26.70</i>	<i>21.70</i>	<i>21,661</i>	<i>9.25</i>	
<b>Total</b>						<b>64,982</b>	<b>27.75</b>	<b>0</b>



**Plate 6.1** View west showing active beach and foredune in Survey Unit 1



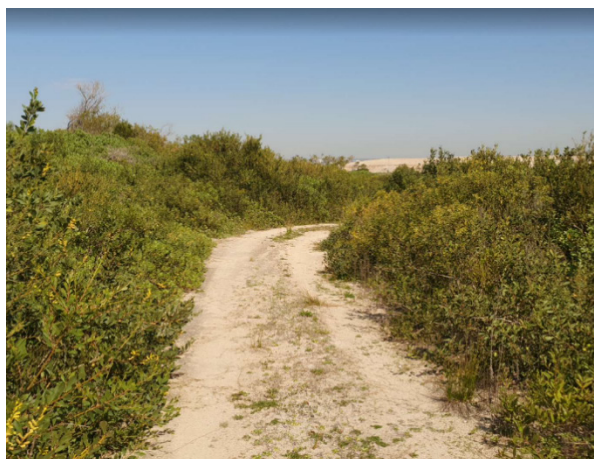
**Plate 6.2** View south-west showing low hills in Survey Unit 2



**Plate 6.3** View north-west showing grassy flats in Survey Unit 3



**Plate 6.4** View east showing thick, impenetrable vegetation cover in Survey Unit 2



**Plate 6.5** View west showing exposed vehicle access track in Survey Unit 2



**Plate 6.6** View north showing evidence of intensive mining activity



**Plate 6.7** View east showing Boat Harbour cabins



**Plate 6.8** View north-west showing access track in Survey Unit 1



**Plate 6.9** View south showing slightly undulating grassy paddock in Survey Unit 3

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### 6.2.3 Identified Aboriginal sites

Registered AHIMS sites 52-3-0698 (BH3) and 52-3-1130 (McCue Midden) were targeted for re-inspection during the survey (Figure 6.2). Both sites were middens containing shell as well as stone and faunal material. The registered location of BH3 is situated north of the Boat Harbour Cabin area and is no longer extant following previous mitigation activities (i.e. salvage excavation). A notable volume of shell material was observed at the BH3 site; however, it was highly fragmented and is no longer in a consolidated state (Plate 6.10 to Plate 6.13). More importantly, this site is functionally considered to be destroyed following previous mitigation activities. The McCue Midden is registered as being present near the northern end of Survey Unit 2; this site was attempted to be re-identified, however vegetation encountered during the survey was impenetrable, and this site could not be re-inspected, because it is buried under a 4–5 m thick overburden of modern sand drift material (Plate 6.13). In the absence visual confirmation, this site is considered to be extant, and further stabilisation of the overlying sand has occurred as the sedge swampy woodland environment regenerates across the site. No previously undocumented sites were observed in the project area.



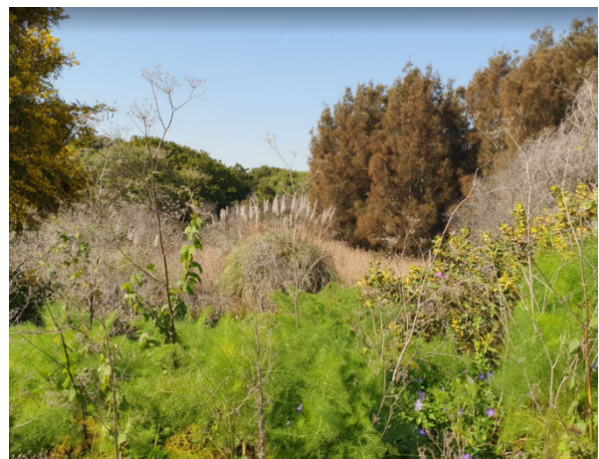
**Plate 6.10** View east showing overview of the registered location of the BH3 midden



**Plate 6.11** Detail of ground surface showing remnant shell material at the BH3 midden

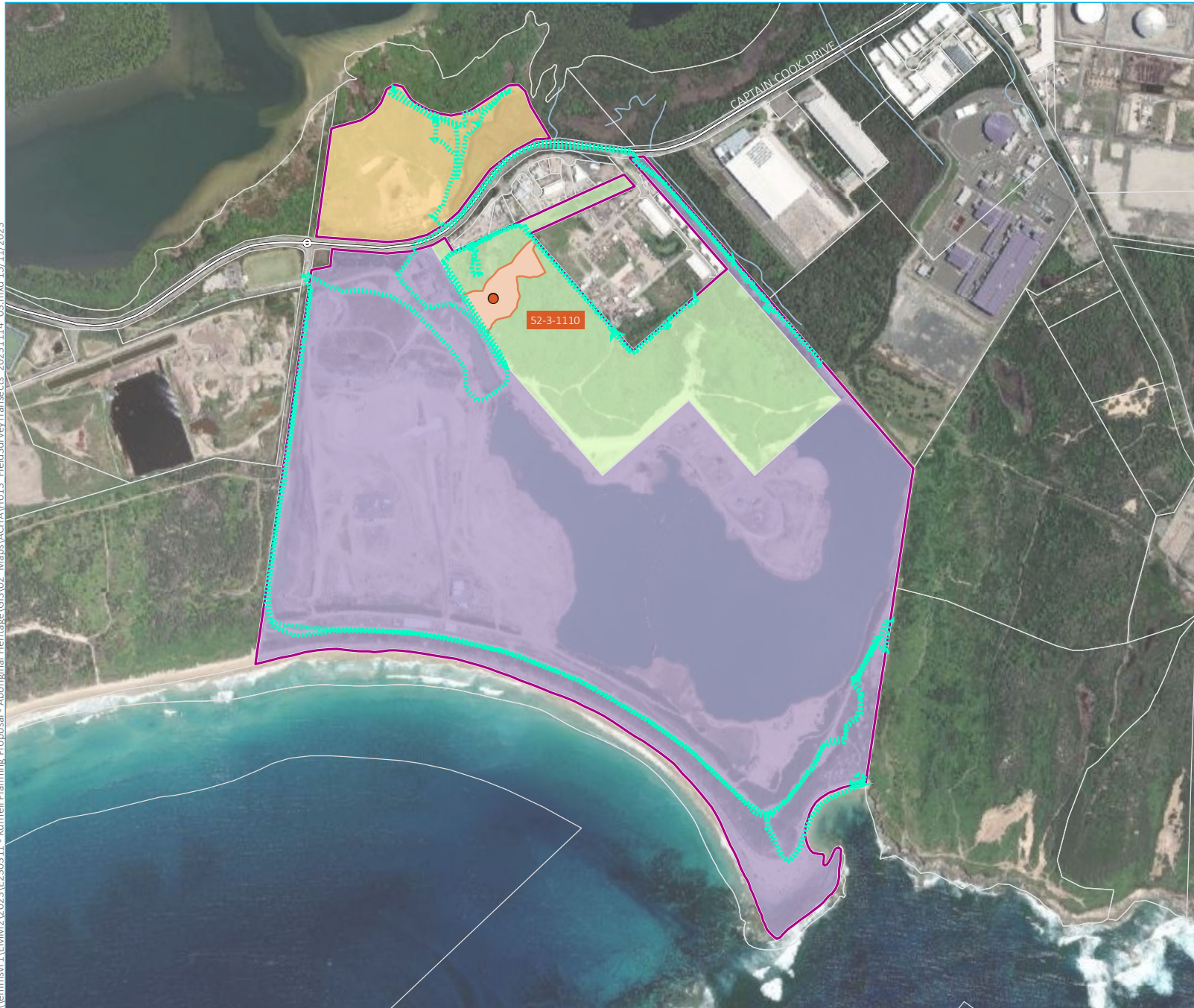


**Plate 6.12** View east showing remnant shell material at the BH3 midden



**Plate 6.13** View south showing impenetrable vegetation in the vicinity of the McCue midden

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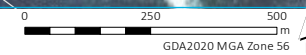
- KEY**
- Study area
  - Site extent
  - Survey unit 1
  - Survey unit 2
  - Survey unit 3
  - Survey transect
  - AHIMS site
  - Existing environment
  - Major road
  - Watercourse/drainage line
  - Cadastral boundary

Field survey transect

Kurnell Planning Proposal  
Aboriginal Cultural Heritage Assessment  
Figure 6.1



Source: EMM (2023); DCSSS (2023); DPE (2022); ESRI (2023)



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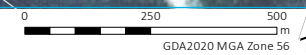
- KEY**
- Study area
  - Site extent
  - Survey unit 1
  - Survey unit 2
  - Survey unit 3
  - AHIMS Site
  - Existing environment
  - Major road
  - Watercourse/drainage line
  - Cadastral boundary

Field survey results

Kurnell Planning Proposal  
Aboriginal Cultural Heritage Assessment  
Figure 6.2



Source: EMM (2023); DCSSS (2023); DPE (2022); ESRI (2023)



## 7 The archaeological and cultural resource

### 7.1 Key findings

- The assessment undertook an archaeological site inspection to explore and document the Aboriginal objects, sites and places within the project area, and to align them within the regional context. Despite not being able to reidentify the existing AHIMS sites within the project area (52-3-1110), the findings were found to largely conform with the regional models, which demonstrate the importance of shell middens to people in the past.
- The desktop analysis and site inspection resulted in the overlap of results presented in Sections 5.3 and 6.2. When combining and ratifying these findings, there is one identified site (McCue Midden, 52-3-1110), and one area of moderate archaeological potential distributed across the project area.

### 7.2 Results and synthesis

Past studies and previously documented Aboriginal heritage show that cultural materials within the regional context is generally characterised by midden and stone artefact sites, with the latter as low density (<20) distributions. While other site types, such as burials are present in the surrounding region, they will only be present where there are intact subsurface deposits and given the large proportion of wind erosion and mining operations in the region they are considered to occur in low quantities. The available evidence suggests that most of the archaeological sites documented, and their cultural materials, almost exclusively exhibit late Holocene characteristics (<5,000 years ago) and have been shown to extend into the contact period. Although the potential for sites of great antiquity is known in the broader region, these are typically constrained to the deep sand body alluvial units, which are only known to be present in the vicinity of Wollombi Brook to date.

These Aboriginal sites - notably midden and stone artefact sites - are observed in all contexts, disturbed and undisturbed in the region, but are usually focussed on areas of elevation (particularly lower slopes on dunes) with a low gradient, near the coastline (<200 m) but outside of inundation zones, and occasionally on hilly reliefs. Much of the project area is situated on the lower slopes surrounding past dune ecosystems and as such encompasses various landforms that align with this regional model. These environments would have been a valuable resource for past Aboriginal activity and occupation, and the presence of cultural material would be expected. Previous investigations across the general locale have validated this model with substantive cultural materials (now destroyed) found along the Kurnell foreshore, forming the south-eastern border of the project area. It must be cautioned however that the findings of these investigations are based on extrapolated values of artefacts (shell, stone and bone) from excavated test pits; and often the expansion of these test pits to explore subsurface deposits does not actually result in a linear increase in artefact values.

Both desktop analysis and ground-truthing did, however, indicate that past disturbance can have a significant impact to cultural materials. This includes both natural processes, such as alluvial/aeolian erosion, and human impacts including recreational and mining activities, which would have the potential to destroy and/or relocate cultural materials. Desktop information presented in Sections 3 to 5 demonstrate that the project area has been subject to a range of these activities, including sand mining, access tracks, water modifications (particularly the introduction of the aquifer fed dredge pond), fence-lines, construction, various earthworks, and a range of other ancillary activities.

A program of ground-truthing was undertaken as part of this assessment, including an archaeological site inspection of the project area. The aim of the survey was to identify the previously recorded archaeological sites where possible (notably the McCue Midden) as well as validate the regional models specific to the project area, identify any previously undocumented cultural sites, places and/or material. The field survey was unable to re-identify the McCue midden, which is not particularly surprising given that the site is covered by an overburden of modern sand material, and dense vegetation. Furthermore, the inspection did not identify any new Aboriginal

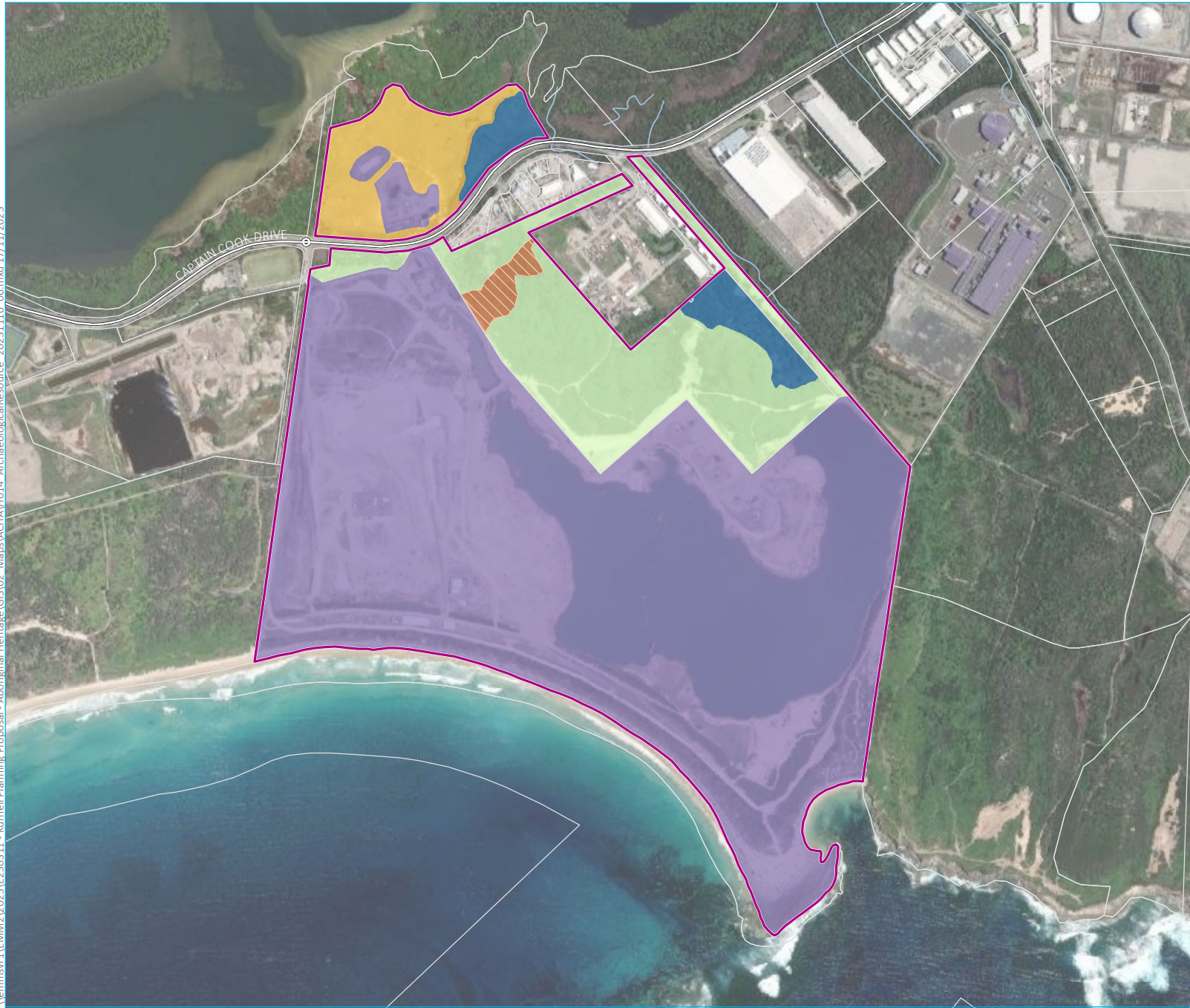
sites within the project area. Given that the majority of the registered Aboriginal AHIMS sites within the project area have been previously destroyed and subject to authorised impacts from Heritage NSW, the low numbers of shell and stone artefacts across the project area was expected.

When combining and assessing the information above, the project area can be considered to encompass the following Aboriginal sites, areas of archaeological potential, places and/or objects (Figure 7.1):

- **One valid archaeological site (McCue Midden, 52-3-1110):** which is located in the north-west portion of Lot 8 DP586986. The documented site extent, which was developed by MDCA following a comprehensive (but highly localised) program of archaeological test excavation, encompasses an area of approximately 250 m x 120 m. The management recommendations for this site recommended the development of an appropriate buffer around the midden, to protect it from indirect or inadvertent impacts. To date, this has not been completed and should be developed in consultation with the local Aboriginal community (notable the La Perouse LALC), and Heritage NSW.
- **An area of moderate archaeological potential:** constrained to a large proportion of Lot 2 DP1030269 (Lot 2 North) that excludes the horse riding facilities and a low-lying swampy area. With regards to Lot 2 DP1030269, this area overlooks Quibray Bay, and previous research suggests that the area may contain cultural material, albeit in a low density. The site may be covered with an overburden of modern drift sand, but to date this area appears to have been poorly investigated, or that any prior investigation (e.g. Rolfe 1931) has been poorly documented.

No site-specific cultural values have been identified for the project area to date. At a general level, the Aboriginal community has highlighted the importance of water and wetland ecosystems and of restoring and enhancing the natural and cultural landscape, especially with regard to the McCue midden site.

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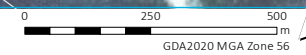
- KEY**
- Study area
  - Site extent
  - Aboriginal archaeological sensitivity
    - High potential
    - Moderate potential
    - Low potential
    - Nil to very low potential
  - Existing environment
    - Swamp/wetland
  - Existing environment
    - Major road
    - Watercourse/drainage line
    - Cadastral boundary

Archaeological resource

Kurnell Planning Proposal  
Aboriginal Cultural Heritage Assessment  
Figure 7.1



Source: EMM (2023); DCSSS (2023); DPE (2022); ESRI (2023)



## 8 Preliminary significance assessment

### 8.1 General

All Aboriginal objects in NSW are protected under the *National Parks and Wildlife Act 1974* (NPW Act). It is recognised that the impact or destruction of sites may be necessary to allow other activities or developments to occur. In order for the consent authority to make informed decisions on such matters, an important element of cultural resource management is determining the significance of cultural heritage places and objects to understand what may be lost, and how best it can be avoided or mitigated. However, it is highlighted that something can be of little or no significance and still be protected under the NPW Act.

Cultural significance is outlined in Article 1.2 of the *Burra Charter* - the best practise document for managing cultural heritage – as ‘aesthetic, historic, scientific, social or spiritual value for past, present or future generations’ (Australia ICOMOS 2013). These values are reiterated in the NSW guidelines, which determines cultural significance of a place can be assessed by identifying the values that are present across the subject area and assessing what is important and why (OEH 2011). In assessing the scientific significance of sites, aspects such as rarity and representativeness and the integrity must be considered. Generally speaking, a site or object that is rare will have a heightened significance, although a site that is suitable of conservation as ‘representative’ of its type will also be significant. Conversely an extremely rare site may no longer be significant if its integrity has been sufficiently compromised.

The criteria adopted for this report are defined in Table 8.1. The management implications of these sites’ significance are discussed in subsequent sections.

**Table 8.1** A summary of criteria used to assess the cultural significance (OEH 2011, 8–10)

Criterion	Definition
<b>Social value</b> —Does the place have a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons?	Social (or cultural) value refers to the spiritual, traditional, historical or contemporary associations and attachments the place or area has for Aboriginal people. Social or cultural value is how people express their connection with a place and the meaning that place has for them.  Social or cultural value can only be identified through consultation with Aboriginal people.
<b>Historic value</b> —Is the place important to the cultural or natural history of the local area and/or region and/or state?	Historic value refers to the association of a place with a historically important person, event, phase or activity. Historic places do not always have physical evidence of their historical importance (such as structures, planted vegetation or landscape modifications). They may have ‘shared’ historic values with other (non-Aboriginal) communities.
<b>Scientific (archaeological) value</b> —Does the place have potential to yield information that will contribute to an understanding of the cultural or natural history of the local area and/or region and/or state?	Scientific (archaeological) value refers to the importance of a landscape, area, place or object because of its rarity, representativeness and the extent to which it may contribute to further understanding and information.  Information about scientific values is gathered through archaeological investigation undertaken in this report.
<b>Aesthetic value</b> —Is the place important in demonstrating aesthetic characteristics in the local, regional, and/or State environment?	Aesthetic value refers to the sensory, scenic, architectural and creative aspects of the place. It is often linked with social value, and can consider form, scale, colour, texture and material of the fabric or landscape, and the smell and sounds associated with the place and its use. This value is only relevant to archaeological sites on only rare occasions, such as rockshelters that contain art, or culturally modified trees in prominent positions, etc.

Assessment of scientific (archaeological) significance considers the following:

- **Research potential:** the potential of a site to contribute to the present understanding of society and the human past. This is commonly linked to rarity, representativeness, site integrity, research themes and the potential extent of data retrievable for further analysis and interpretation. The research potential of archaeological sites is often only realised through archaeological investigation methods. A site with high research potential would be able to provide information about the past that is not obtainable from any other source, or supplements written and oral sources.
- **Rarity and representativeness:** the frequency of a site type and how the sites relate to the wider archaeological record. The significance may be due to sites being uncommon because of the related activity that created them, or preservation, or they are uncommon now because of ongoing site destruction through development and change. Sites with high representative value would typically need to be a pivotal example of its type that demonstrates the key characteristics of a site.
- **Integrity:** the level of disturbance or intactness of a site and how this may affect research potential. For example, artefacts identified in heavily cultivated areas would be unsuited to addressing research questions of site structure, but it may still be useful to characterise the artefact types and raw materials used in the region.
- **Educational value:** the potential of a site to be used as an educational tool. This usually includes sites with easily identifiable and accessible characteristics that are good representative examples. Sites with high educational value can have aesthetically distinctive or iconic qualities.

## 8.2 Statement of significance

The project area currently encompasses one previously recorded Aboriginal site (McCue Midden, 52-3-1110) as well as an area of high archaeological potential, one area of moderate archaeological potential and two areas of low archaeological potential (see Section 7 and Figure 7.1 for details).

Previous assessments and excavation programs highlighted that McCue Midden was of very high cultural, educational and scientific significance as it was once one of the few undisturbed middens extant in the Sydney region. The site has largely been excavated (MDCA 2002, 2004 and JMCD 2008), dated (between 18,00 and 750 BP MCDA 2002 and 2,090 and 1,550 BP JMCD 2008) and analysed. The site contains a range of cultural evidence that includes information about past gathering, fishing, hunting, tool manufacture and domestic maintenance behaviour associated with a favoured campsite location, situated on land sited between foreshore and mangrove-swamp environments. The Aboriginal community consider this site to be rare and an important remnant of the original cultural landscape, a site previously thought unlikely to have survived along the Kurnell peninsula in such pristine condition, and therefore worthy of preservation and conservation (MDCA 2004, p.47). The archaeological evidence demonstrates the locality was subject to repeated visitation and use for a diverse range of purposes, and it is considered from an archaeological perspective that the site could be purposively used to provide an educative focus in the context of future redevelopment (MDCA 2004, p.48).

No sites were identified to have any historical significance; that is, no known associations to any historical figures, events or activities. Despite being presently unidentifiable due to thick vegetation cover, the McCue midden holds some level of aesthetic significance as it is a largely intact (last documented in 2007) midden deposit on the original foreshore of Quibray Bay.

No site-specific cultural values have been identified for the project area to date. At a general level, the Aboriginal community has highlighted the importance of water and wetland ecosystems and of restoring and enhancing the natural and cultural landscape, especially with regard to the McCue midden site.



## 9 Preliminary impact assessment

### 9.1 Key findings

- The master plan has been designed to reduce the impact of the development on the Aboriginal archaeological and cultural values of the project area, by constraining development in some areas containing identified Aboriginal archaeological and/or cultural sites, specifically the identified extent of the McCue midden.
- There is a cultural trail proposed in the master plan that overlaps with the southern portion of the McCue midden, but the exact construction methods have not yet been determined. It is noted that there is a considerable overburden of modern drift sand overlying the midden (4–5 m in depth), and with a sensitive project design and low impact construction methodology there is an opportunity to avoid impacts to the McCue midden. The design of the cultural trail is proposed to feature the midden which would be used as an educational opportunity.
- An area of moderate archaeological potential (within Lot 2 DP1030269) associated with the foreshores of Quibray Bay, has been identified in the project area and has the potential to be partially impacted by the development.
- Rezoning of the site will not result in direct impacts to Aboriginal cultural heritage, and a considerable proportion of the proposed development stemming from the master plan will occur in areas of nil and low archaeological potential. There does not appear to be any significant constraints from an Aboriginal cultural heritage perspective, and the development presents unique opportunities to celebrate Aboriginal cultural heritage, particularly with respect to the McCue midden. The master plan should proceed on cultural heritage grounds, subject to further detailed impact assessment, in accordance with the recommendations and management strategy outlined in Section 10 below.

### 9.2 Proposed master plan

A master plan has been developed for the site, to demonstrate the likely development that would occur if the Planning Proposal was endorsed. The current master plan for the project area is illustrated in Plate 9.1 below.

It divides the project area into four precincts, known as the Town Centre (north and south) precincts, Bate Bay (north and south) precincts, the Boat Harbour precinct, and the Quibray Bay precinct. Within each precinct, there are designated residential, townhouse and seniors living lots, as well as retail lots, tourism, cultural and educational facilities.

The master plan also includes areas of designated open space, regional, district and local parks, and wetland areas, as well as regeneration and conservation areas. The precincts are linked by one major road (Main Street) and several internal roads and residential boulevards, and it is proposed that there will be two underground public car parks along the Bate Bay development boundary.

A key feature of the master plan is the development of an “Arrival Precinct” for orientation, gathering and learning (Plate 9.3). It includes provision for learning spaces, natural play areas, a cultural trail, and a cultural pavilion with a midden site experience area.

A series of interconnected footpaths are also proposed throughout the site, to create meaningful connections between the site and surrounding environment.



Plate 9.1 Proposed master plan of the project area (Group GSA, 26/10/2023)

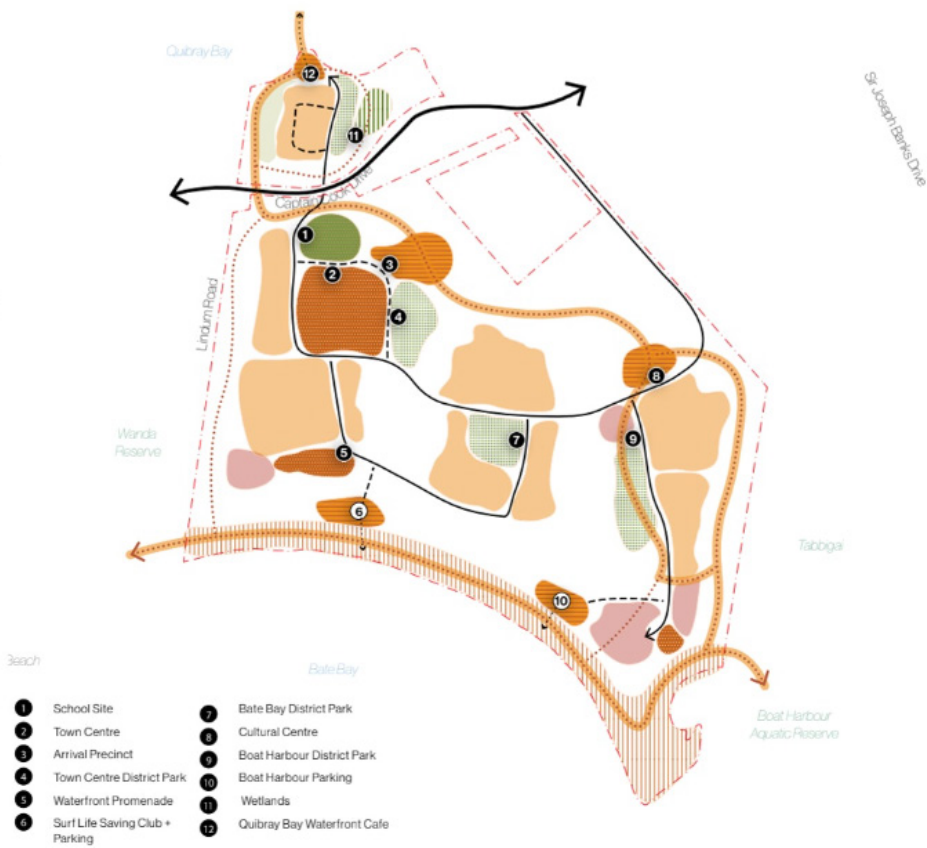


Plate 9.2 Detail from the “Place”, from the master plan (Group GSA, 28/11/2023)



Plate 9.3 Detail of the “Country”, from the master plan (Group GSA, 28/11/2023)

### 9.3 Potential Aboriginal heritage impacts

The master plan has been designed to reduce the impact of the development on the Aboriginal archaeological and cultural values of the project area, wherever possible but also specifically the identified extent of the McCue midden (#52-3-1110), by constraining *significant* development in some areas containing identified Aboriginal archaeological and/or cultural sites. These parameters were initiated as part of an iterative Aboriginal community consultation process and a “Connecting with Country” process, and have resulted in the designation of a cultural trail and educational and culturally immersive space within that part of Lot 8 containing the McCue midden. This cultural trail overlaps with the southern portion of the McCue midden, but the exact construction methods have not yet been determined. It is noted that there is a considerable overburden of modern drift sand overlying the midden (4–5 m in depth), and that – with a sensitive project design and low impact construction methodology – there is an opportunity to avoid impacts to the McCue midden. The development may also provide the Aboriginal community with opportunities to undertake heritage interpretation, development of narratives and visual representation of Aboriginal values, and stories for the project area, and there are several cultural facilities proposed as part of the master plan. The design of the proposed cultural trail is to feature the midden which will provide an educational and tourism opportunity. These outcomes would improve understanding and public outreach of cultural heritage to the broader community into the future, and provide socio-economic opportunities for the Aboriginal community.



**Plate 9.4** Overlay of McCue midden site extent with respect to the proposed master plan

While large parts of the project area have been subject to extensive archaeological investigation and archaeological mitigation (notably, there are 16 documented Aboriginal archaeological sites for which Consent to Destroy permits have been issued), it is unlikely that investigation has resulted in the identification of all Aboriginal sites and objects, notably within those portions of Lot 2 North that have moderate archaeological potential. This is due to the nature of the archaeological resource of the project area, which tends towards buried cultural materials that may not be evident through survey. Lot 2 North may be covered with an overburden of modern drift sand, but to date this area appears to have been poorly investigated, or that any prior investigation (e.g. Rolfe 1931) has been poorly documented.

No site-specific cultural values were documented as part of this assessment.

Importantly, rezoning of the site will not result in direct impacts to Aboriginal cultural heritage, and a considerable proportion of the proposed development stemming from the master plan will occur in areas of nil and low archaeological potential. These are characterised as areas where significant archaeological investigation and archaeological mitigation activities have already occurred (such as the salvage of BH3 [#52-3-0698], etc.), and/or considerable historical disturbance has occurred, or environmental conditions are such that Aboriginal occupation was highly unlikely to have occurred.

## 10 Management strategy

Based on a comprehensive review of the environmental context of the site and our understanding of the archaeological and cultural resource, there does not appear to be any significant constraints to the master plan from an Aboriginal cultural heritage perspective, and the development presents unique opportunities to celebrate Aboriginal cultural heritage, particularly with respect to the McCue midden. The rezoning proposal may proceed on cultural heritage grounds, subject to further detailed impact assessment, in accordance with the recommendations and management strategy outlined below.

A detailed assessment of the potential impact to the McCue midden and area of moderate archaeological potential would require further archaeological investigation in some cases, and will also require a detailed understanding of the location, extent and nature of the proposed works, and the degree to which any Aboriginal cultural material may be affected. Feedback from the local Aboriginal community through the consultation process suggests that the social and cultural impact of the development needs appropriate management, with further assessment and consultation with the Aboriginal community.

Conservation is the key principle for management of the potential Aboriginal heritage resource likely to be impacted by the proposed works. In general, this will require avoidance of works in and around the locations of the extant McCue midden site, as well as avoidance and/or minimisation of ground disturbance in areas of moderate and high archaeological potential identified in Figure 7.1 above.

To assist Besmaw and future developers in Aboriginal cultural heritage management, the project area has been divided into three areas of Aboriginal heritage constraint:

- **High risk Areas:** areas within the project area that have identified Aboriginal sites of cultural and/or archaeological value. This encompasses the McCue midden site within the north-western corner of Lot 8.
- **Areas Requiring Further Investigation:** areas within the project area that are currently poorly assessed (primarily due to accessibility and vegetation growth) or where shifting dune surfaces may uncover previously unidentified sites or new expressions of previously identified sites, and where there is potential for further cultural material to be identified, but less risk of highly intact sites of high cultural and/or scientific value to be present.
- **Areas with Few/No Aboriginal Constraints:** areas within the project area that have been subject to significant ground surface disturbance in the historic period, or where environmental conditions would not have been conducive to cultural occupation, and therefore cultural material is considered of low risk to be present.

The high risk areas identified in this study comprise the McCue midden site, and it likely forms the most significant constraint to the proposed development. While there are legislative processes that allow for harm and/or destruction of all Aboriginal cultural heritage, we believe it to be highly unlikely that any development impacts to the midden deposit would be supported by Heritage NSW and/or Registered Aboriginal Parties; and as such their destruction is unlikely to be permissible. With a sensitive project design and low impact construction methodology there is an opportunity to avoid impacts to the McCue midden, given that it is buried beneath a significant volume of culturally-sterile overburden sand drift (4-5 m). Strategies for the management of the McCue midden need to be developed at the Development Application (DA) phase, and this ACHA should be updated to incorporate a detailed impact assessment and conservation management strategy for the Aboriginal site. This must be undertaken in consultation with the Registered Aboriginal Parties, and may require approval from Heritage NSW, through the granting of an Aboriginal Heritage Impact Permit (AHIP), or equivalent document.

The areas requiring further assessment (corresponding to the area of moderate archaeological potential) also form some constraint to the proposed development. Where development impact must occur within high-risk areas or areas requiring further assessment, this ACHA should be updated to incorporate a detailed impact assessment that assesses project-specific designs and construction methods, in accordance with Heritage NSW standards and guidelines, prior to development approvals. Besmaw should ensure adequate consultation with the local Aboriginal knowledge holders to ensure cultural values are given due consideration in development and planning decision making, especially with regards to the majority of Lot 2 North and the McCue Midden where archaeological value may remain. Further assessment in these areas may reveal additional Aboriginal sites, and which may require re-classification as 'high risk' zones above. Equally, these areas upon further assessment may not contain such sites and could be reclassified into areas with few constraints.

The exact nature and extent of the impact on these areas requiring further assessment is unclear at this stage, as there may have been limited surface and subsurface investigation to date, or has been poorly documented (e.g. Rolfe 1931). For this reason, there may be a need to incorporate a program of archaeological test excavation into the overall project schedule within Lot 2 North, as part of the development application and assessment phase, and prior to the granting of any specific development consent. Wherever possible, this archaeological program should closely mirror the impact footprint of the proposed development in Lot 2 North at an appropriate scale to be able to determine the extent, nature and significance of any areas of subsurface deposit, where present. In order to do this, excavation must be undertaken in accordance with the methodology outlined in the *Code of Practice for archaeological investigation of Aboriginal objects in New South Wales* (DECCW 2010). For excavations within 50 m of a midden site, Heritage NSW has mandated that it would not be possible to implement the Code of Practice methodology, and any required test excavation in these areas must therefore be undertaken under an Aboriginal Heritage Impact Permit (AHIP) for test excavations. It may be found once such assessment is undertaken that the sub-surface components of these areas are smaller or discontinuous and provide a more accurate picture for future planning and development. Depending on the findings, and if required, partial impact with appropriate mitigation measures may be required.

Areas with few Aboriginal constraints propose the lowest risk to the development, and it is anticipated that no site-specific design and/or planning recommendations are required. Besmaw should, however, assess each development application proposal in accordance with Heritage NSW standards and guidelines to ensure Aboriginal heritage is suitably managed in these areas, which at the very least should include some form of due diligence assessment.

## 10.1 Recommendations

With regards to the proposed master plan development of the project area, the following recommendations are made with respect to Aboriginal cultural heritage:

- The assessment identified one extant Aboriginal archaeological site, the McCue midden (#52-3-1110) as well as an area of moderate archaeological potential. The results of this investigation, and the outcomes of the Aboriginal community consultation process, have been used to inform the finalisation of the master plan, to ensure that the potential for impacts to Aboriginal cultural heritage are avoided and/or minimised. To assist Besmaw in Aboriginal cultural heritage management, the project area has been divided into four zones of Aboriginal heritage constraint, and the equivalent management recommendations for each zone is as follows.

- **High risk areas:** It is considered that the McCue midden site is of high cultural and scientific significance, and development activities that impact the midden deposits, must be avoided. With a sensitive project design and low impact construction methodology, there is an opportunity to avoid impacts to the McCue midden, given that it is buried beneath a significant volume of culturally-sterile overburden sand drift. Strategies for the management of the McCue midden need to be developed at the DA phase, and this ACHA should be updated to incorporate a detailed impact assessment and conservation management strategy for the Aboriginal site.
  - **Areas Requiring Further Investigation:** The area of moderate archaeological potential within Lot 2 North forms some constraint to the proposed development. At the Development Application phase, this ACHA should be updated to incorporate a detailed impact assessment that assesses project-specific designs and construction methods for development in Lot 2 North, in accordance with Heritage NSW standards and guidelines. Aboriginal archaeological test excavation may be required in these areas that will be subject to development impact, to ensure that the potential Aboriginal heritage impact of the proposed development is appropriately investigated, assessed and managed into the future.
  - **Areas with Few/No Aboriginal Constraints:** Areas with few Aboriginal constraints propose the lowest risk to the development, and no site-specific design and/or planning recommendations are required. Besmaw should assess each development proposal on a case-by-case basis, and in accordance with relevant Heritage NSW standards and guidelines, including the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*.
- This report constitutes an ACHA with formal Aboriginal community consultation. A copy of the finalised report should be provided to the registered Aboriginal stakeholders and the AHIMS Registrar, for their records.
  - Exploratory works of any kind, including geotechnical testing and other environmental investigations, are not permissible within 50 m the vicinity of the McCue midden site (where impacts are expected to reach beyond 4 m in depth) without first obtaining an AHIP from Heritage NSW. In other areas, appropriate assessment in accordance with Heritage NSW standards and guidelines should be adopted.
  - Where Aboriginal sites are later identified but would remain unaffected by the proposed development, appropriate management strategies should be developed as part of any ACHA updates at the DA assessment phase. This would ensure their conservation and management into the future as development progresses and visitation increases around them.
  - Should the proposed development be altered and/or revised from the maps and plans presented here, then this report and associated tasks (including Aboriginal consultation) should be re-visited and updated where necessary.
  - Where the heritage consultant changes through the project, suitable hand over should be undertaken to minimise loss or mistranslation of the intent of the information, findings and future steps in heritage management occur.

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# Abbreviations

AHD	Australian Height Datum
ACHA/ACHAR	Aboriginal cultural heritage assessment report
AHIMS	Aboriginal Heritage Information Management System
asl	above sea level
BP	years before present
cm	centimetres
DEC	Department of Environment and Conservation, now Heritage NSW
DECCW	Department of Environment Climate Change and Water, now Heritage NSW
DPC	Department of Premier and Cabinet
DPE	Department of Planning and Environment
DPIE	Department of Planning, Industry and Environment, now DPE
EIS	Environmental Impact Statement
EMM	EMM Consulting Pty Ltd
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
GIS	geographical information system
GPS	global positioning system
ha	hectare
ICOMOS	International Council on Monuments and Sites
ka	thousand years
km	kilometres
LALC	Local Aboriginal Land Council
LEP	Local Environmental Plan
LGA	Local Government Area
LGM	Last Glacial Maximum
m	metres
m <sup>2</sup>	square metres
mm	millimetres
n	Number
OEH	Office of Environment and Heritage, now Heritage NSW
PAD	Potential archaeological deposit
RAP	Registered Aboriginal Party
SEARs	Secretary's Environmental Assessment Requirements
VENM	virgin excavated natural material

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# Appendix A

## Legislative context

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## A.1 Commonwealth

### A.1.1 *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*

The *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* preserves and protect areas (especially sacred or intangible sites) and places of particular significance to Aboriginal people from damage or destruction. Steps necessary for the protection of a threatened place are outlined in a gazetted Ministerial Declaration (Sections 9 and 10); and which can result in a cessation of any development activity.

In addition, the Act also protects objects by Declaration, notably Aboriginal skeletal remains (Section 12). This can be applied at a State level where a State is unwilling or unable to provide such protection.

### A.1.2 *Environment Protection and Biodiversity Conservation Act 1999*

The *Environment Protection and Biodiversity Conservation Act 1999* provides for protection of natural and cultural heritage places. The Act establishes a National Heritage List (NHL) and a Commonwealth Heritage List (CHL) upon which places of natural or cultural significance can be listed. Sites at a national level and can be in public or private ownership. The CHL is limited to places owned by the Commonwealth, and most frequently encompass Department of Defence sites. Sites and places listed on the NHL are considered to be of State and local heritage value, even if they are not listed or documented as such at a State level.

The values of sites and places on the NHL/CHL are protected under the EPBC Act. The Act requires that the Minister administering the Act assess any action which has, will have, or is likely to have, a significant impact on the heritage values. Where relevant, a referral is made to the relevant Commonwealth Department, and either approval, approval with controls, or rejection of the proposed action is determined.

### A.1.3 *Native Title Act 1993*

The *Native Title Act 1993* provides recognition and protection for native title. The Act establishes the managing body, National Native Title Tribunal, who administers native title claims to rights and interests over lands and waters by Aboriginal people. It also administers the future act processes that allow proponents to identify and manage potential native title issues for a given activity on a site where a claim has yet to be made or finalised.

In addition, the Act provides for Indigenous Land Use Agreements (ILUA), which is an agreement between a native title group and others about the use and management of land and waters. ILUAs were introduced as a result of amendments to the Act in 1998. They allow people to negotiate flexible and bipartisan agreements to suit their particular circumstances often circumventing lengthy timeframes associated with the native title process. An ILUA can be negotiated over areas where native title has, or has not yet, been determined. They can be part of a broader determination or settled separately.

## A.2 State

### A.2.1 *Environmental Planning and Assessment Act 1979*

The *Environmental Planning and Assessment Act 1979* (EP&A Act) is the over-arching Act that dictates the nature of assessment and management of the environment during a development project, and within which heritage forms a component. requires that environmental and heritage impacts are considered by consent authorities prior to granting development approvals.

The Act has two main approval pathways within which heritage needs to be considered. Generally for smaller scale (either financially or spatially), Parts 4 (Division 4.1) and 5 (Division 5.1) of the Act are implemented. Part 4 requires that a proponent submits a Development Application (DA) to local council for a given development, and within this document a consideration of Aboriginal and historical heritage is required. The specific nature of the assessment is usually determined at a pre-DA meeting with the council, and in relation to the relevant heritage Acts. Where Aboriginal heritage is identified as an issue, the DA may become Integrated Development, whereby the State government is also required to review and provide comments on the DA prior to its issue. Part 5 of the Act is a similar process, but only relates to approvals developed and issued by State government departments. Each State government department has their own internal approach to considering environmental issues, but ultimately must develop a Review of Environmental Factors (REF), which is comparable to a DA, and which requires consideration and management of heritage. Similarly where heritage is identified as an issue, liaison with relevant State consent authorities and approvals under other Acts may still be required.

The other approval pathway relates to State Significant Development and/or Infrastructure (Parts 4.7 and 5.2, respectively). These processes require an Environmental Impact Statement (EIS) to be developed for a project and assessed currently by the Department of Planning, Industry and Environment. Importantly, the SSD and SSI processes turns off a number of pieces of other legislation, including parts of the *National Parks and Wildlife Act 1974*. In the case of Aboriginal heritage, both the assessment and approval for harm are dictated by the Secretary's Environmental Assessment Requirements (SEARs) outlining the contents and scope of the EIS, and the Project Approval that dictates controls on how a development should proceed.

### A.2.2 *National Parks and Wildlife Act 1974*

The *National Parks and Wildlife Act 1974* (NPW Act) provides protection for Aboriginal objects and places across NSW:

- An Aboriginal object is defined as: "Any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains".
- An Aboriginal place is "any place declared to be an Aboriginal place under section 84". This is a very specific piece of legislation that provides process and management of Aboriginal sites of cultural, but not necessarily scientific, values. They are commonly, but not always associated with intangible values.
- Any place declared to be an Aboriginal place by the Minister for the Environment, under section 84 of the Act, is also protected.

It is an offence to disturb Aboriginal objects or places without an Aboriginal Heritage Impact Permit (AHIP), which is outlined in Section 90 of the Act. Currently, such permits can be sought from the Chief Executive of the NSW Department of Premier and Cabinet (DPC), with the recent relocation of the Office of Environment and Heritage.

To obtain an AHIP, certain assessment and documentation (outlined in this report) must be provided to DPC for their consideration. Once satisfied, they may endorse an AHIP to harm cultural heritage either conditionally or unconditionally. They can also refuse an application as outlined in Section 90C of the Act, and which can be appealed in accordance with Section 90L.

### A.2.3 *Aboriginal Land Rights Act 1983*

The *Aboriginal Land Rights Act 1983* provides process and protocols for the transfer of vacant Crown land ownership to a Local Aboriginal Land Council, where the land is not for an essential purpose or for residential land. These lands are then managed and maintained by the Local Aboriginal Land Council (LALC).

For the purposes of this report, the Act is primarily important to inform relevant Aboriginal communities for consultation; and where Crown land forms part of the development area may require additional liaison with the LALC as a potential, or existing, landowner.



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# Appendix B

## Aboriginal community consultation

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## B.1 Consultation log and communications record

**Aboriginal Consultation Requirements for Proponents (DECCW 2010)\***
**ABORIGINAL COMMUNICATIONS LOG**

Project Name: Kurnell Planning Proposal

Project #: E230311

DATE	OUTGOING / INCOMING	ORGANISATION	CONTACT MADE BY	CONTACT TO	CONTACT TYPE	COMMENTS
<b>AGENCY REQUESTS</b>						
26-May-23	Outgoing	Heritage NSW	Mikhaila Chaplin (EMM)	Heritage NSW	Email	Sought information on the Aboriginal communities in the region
26-May-23	Outgoing	La Perouse Local Aboriginal Land Council	Mikhaila Chaplin (EMM)	La Perouse Local Aboriginal Land Council	Email	Sought information on the Aboriginal communities in the region
26-May-23	Outgoing	Greater Sydney Local Land Services	Mikhaila Chaplin (EMM)	Greater Sydney Local Land Services	Email	Sought information on the Aboriginal communities in the region
26-May-23	Outgoing	Native Title Tribunal	Mikhaila Chaplin (EMM)	Native Title Tribunal	Email	Sought information on the Aboriginal communities in the region
26-May-23	Outgoing	Office of the Registrar, Aboriginal Land Rights Act	Mikhaila Chaplin (EMM)	Office of the Registrar, Aboriginal Land Rights Act	Email	Sought information on the Aboriginal communities in the region
26-May-23	Outgoing	Sutherland Shire Council	Mikhaila Chaplin (EMM)	Sutherland Shire Council	Email	Sought information on the Aboriginal communities in the region
26-May-23	Outgoing	Native Title Services	Mikhaila Chaplin (EMM)	Native Title Services	Email	Sought information on the Aboriginal communities in the region
29-May-23	Outgoing	Sutherland Shire Council	Mikhaila Chaplin (EMM)	Sutherland Shire Council	Email	Resending as first email from Friday bounced.
29-May-23	Outgoing	La Perouse Local Aboriginal Land Council	Mikhaila Chaplin (EMM)	La Perouse Local Aboriginal Land Council	Email	Resending as first email from Friday bounced.
1-Jun-23	Incoming	Heritage NSW	Barry Gunther (HSNW)	Mikhaila Chaplin (EMM)	Email	A list of individuals and groups recommended
1-Jun-23	Incoming	Sutherland Shire Council (SSC)	Laura Featherstone (SSC)	Mikhaila Chaplin (EMM)	Phone	To confirm a list is on the way and SSC received our email.
8-Jun-23	Incoming	Sutherland Shire Council (SSC)	Laura Featherstone (SSC)	Mikhaila Chaplin (EMM)	Email	A list of individuals and groups council recommended
<b>STAGE 1- INVITATION TO REGISTER INTEREST</b>						
21-Jun-23	Outgoing	A1 Indigenous Services	Megan Sheppard Brennand	Carolyn Hickey	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Aragung Aboriginal Cultural Heritage Site Assessments	Megan Sheppard Brennand	Jamie Eastwood	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	B.H. Heritage Consultants	Megan Sheppard Brennand	Ralph Hampton / Nola Hampton	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Badu (Murrin Clan/Peoples)	Megan Sheppard Brennand	Karia Lea Bond	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Barking Owl Aboriginal Corporation	Megan Sheppard Brennand	Mrs Jody Kulakowski (Director)	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Barraby Cultural Services	Megan Sheppard Brennand	Lee Field (Manager)	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Biamanga (Murrin Clan/Peoples)	Megan Sheppard Brennand	Seli Storer	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Bilinga (Murrin Clan/Peoples)	Megan Sheppard Brennand	Simaleene Carriage	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Butucarbin Aboriginal Corporation	Megan Sheppard Brennand	Jennifer Beale	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Clive Freeman	Megan Sheppard Brennand	Clive Freeman	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Cullendulla (Murrin Clan/Peoples)	Megan Sheppard Brennand	Corey Smith	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Darug Boorooberong Elders Aboriginal Corporation	Megan Sheppard Brennand	Paul Hand (chairperson)	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Darug Land Observations	Megan Sheppard Brennand	Jamie Workman; Anna Workman; Anna O'Hara	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Dharug (Murrin Clan/Peoples)	Megan Sheppard Brennand	Andrew Bond	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Dharug Ngurra Aboriginal Corporation	Megan Sheppard Brennand	Dirk Schmitt	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Didge Ngunawal Clan	Megan Sheppard Brennand	Lillie Carroll ; Paul Boyd	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Galamaay Cultural Consultants (GCC)	Megan Sheppard Brennand	Robert Slater	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Garrara Aboriginal Corporation	Megan Sheppard Brennand	Raymond Ingrej	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Gilay Consultants	Megan Sheppard Brennand	Carol Slater	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Ginninderra Aboriginal Corporation	Megan Sheppard Brennand	Steven Johnson; Krystle Carroll	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Goobah Development PTY LTD (Murrin Clan/Peoples)	Megan Sheppard Brennand	Basil Smith	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Goodradigbee Cultural & Heritage Aboriginal Corporation	Megan Sheppard Brennand	Caine Carroll	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Gulaga	Megan Sheppard Brennand	Wendy Smith	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Gunjewong Cultural Heritage Aboriginal Corporation	Megan Sheppard Brennand	Shayne Dickson	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Guntawang Aboriginal Resources Incorporated	Megan Sheppard Brennand	Wendy Morgan	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Gunya Aboriginal Cultural Heritage Services PTY LTD	Megan Sheppard Brennand	Adam Gunther	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Gunya (Murrin Clan/Peoples)	Megan Sheppard Brennand	Kylie Ann Bell	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	James Davis	Megan Sheppard Brennand	James Davis	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Jerringong (Murrin Clan/Peoples)	Megan Sheppard Brennand	Joanne Anne Stewart	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Kamilaroi Yankuntjatjara Working Group	Megan Sheppard Brennand	Phil Khan	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Ken Foster	Megan Sheppard Brennand	Ken Foster	Post	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	La Perouse Botany Bay Corporation	Megan Sheppard Brennand	Yvonne Simms	Post	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	La Perouse Local Aboriginal Land Council	Megan Sheppard Brennand	Chris Ingrej	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Matthew and Andrew Coe	Megan Sheppard Brennand	Matthew Coe; Andrew Coe	Post	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Minnamunnung	Megan Sheppard Brennand	Aaron Broad	Post	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Munyunga (Murrin Clan/Peoples)	Megan Sheppard Brennand	Kaya Dawn Bell	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Mura Indigenous Corporation (icn:8991)	Megan Sheppard Brennand	Phillip Carroll	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Murramarang (Murrin Clan/Peoples)	Megan Sheppard Brennand	Roxanne Smith	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Murrumbul (Murrin Clan/Peoples)	Megan Sheppard Brennand	Mark Henry	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Ngambaa Cultural Connections	Megan Sheppard Brennand	Kaarina Slater	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Norma Simms	Megan Sheppard Brennand	Norma Simms	Post	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Nundagurri (Murrin Clan/Peoples)	Megan Sheppard Brennand	Newton Carriage	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Pemulwuy (Murrin Clan/Peoples)	Megan Sheppard Brennand	Pemulwuy Johnson	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Thauira	Megan Sheppard Brennand	Shane Carriage	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Thomas Dahlstrom Offers ACH value by using 3D Laser and Drone technology	Megan Sheppard Brennand	Thomas Dahlstrom	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Thoorga Nura	Megan Sheppard Brennand	John Carriage (Chief Executive Officer)	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Tocomwall Pty Ltd	Megan Sheppard Brennand	Scott Franks	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Waawaar Awaab Aboriginal Corporation	Megan Sheppard Brennand	Rodney Gunther Barry Gunther	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Wailwan Aboriginal Group	Megan Sheppard Brennand	Philip Boney	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Walbunga (Murrin Clan/Peoples)	Megan Sheppard Brennand	Hika Te Kowhai	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Walgalu (Murrin Clan/Peoples)	Megan Sheppard Brennand	Ronald Stewart	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Wingikara (Murrin Clan/Peoples)	Megan Sheppard Brennand	Hayley Bell	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Wori Woollywa	Megan Sheppard Brennand	Daniel Chalker	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Wullung (Murrin Clan/Peoples)	Megan Sheppard Brennand	Lee-Roy James Boota	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Wurrumay Pty Ltd	Megan Sheppard Brennand	Kerrie Slater; Vicky Slater	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Yerramurra (Murrin Clan/Peoples) and Taste of Tradition Native Aboriginal Corporation	Megan Sheppard Brennand	Robert Parson	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Yulay Cultural Services	Megan Sheppard Brennand	Arika Jalomaki (Manager)	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	Yurrandaali	Megan Sheppard Brennand	Bo Field (Manager)	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	RAW Cultural Healing	Megan Sheppard Brennand	Raymond Weatherall	Email	Inquired about registering for the project. Requested responses by 5 July 2023

21-Jun-23	Outgoing	Ninum	Megan Sheppard Brennand	Kevin Campbell , Marnya Donovan	Email	Inquired about registering for the project. Requested responses by 5 July 2023
21-Jun-23	Outgoing	St George & Sutherland Shire Leader	Megan Sheppard Brennand	Megan Sheppard Brennand	Email	Posted advertisement in St George & Sutherland Shire Leader for expressions of interest
21-Jun-23	Incoming	Yulay Cultural Services	Arika Jalomaki	Megan Sheppard Brennand	Email	Registered for the project
21-Jun-23	Incoming	Guntawang Aboriginal Resources Incorporated	Wendy Morgan	Megan Sheppard Brennand	Email	Registered for the project
21-Jun-23	Incoming	Guntawang Aboriginal Resources Incorporated	Wendy Morgan	Megan Sheppard Brennand	Email	Expressed an interest in the fieldwork and provided details for site officer Brad Maybury
21-Jun-23	Incoming	Didge Ngunawal Clan	Lillie Carroll	Megan Sheppard Brennand	Email	Registered for the project
21-Jun-23	Incoming	Kamilaroi Yankuntjatjara Working Group	Phil Khan	Megan Sheppard Brennand	Email	Registered for the project
21-Jun-23	Incoming	Butucarbin Aboriginal Corporation	Jennifer Beale	Megan Sheppard Brennand	Email	Registered for the project
22-Jun-23	Incoming	Wailwan Aboriginal Group	Phil Boney	Georgia Burnett	In person	Registered for the project
23-Jun-23	Incoming	Ninum Group	Kevin and Marnya Campbell	Megan Sheppard Brennand	Email	Registered for the project
23-Jun-23	Incoming	Gilay Consultants	Carolyn Slater	Megan Sheppard Brennand	Email	Registered for the project
28-Jun-23	Incoming	Thomas Dahlstrom	Thomas Dahlstrom	Megan Sheppard Brennand	Email	Registered for the project
28-Jun-23	Incoming	Thomas Dahlstrom	Thomas Dahlstrom	Megan Sheppard Brennand	Email	Request to keep his details discreet from all LALCs
30-Jun-23	Incoming	James Davis	James Davis	Megan Sheppard Brennand	Email	Registered for the project
30-Jun-23	Incoming	James Davis	James Davis	Megan Sheppard Brennand	Email	Request to keep his registration details private and not to be redistributed
2-Jul-23	Incoming	Ninum Group	Kevin and Marnya Campbell	Megan Sheppard Brennand	Email	Enquired if we had received his registration for the project
3-Jul-23	Incoming	Basil Smith	Basil Smith	Megan Sheppard Brennand	Email	Registered for the project
4-Jul-23	Outgoing	Ninum Group	Megan Sheppard Brennand	Kevin Campbell , Marnya Donovan	Email	Informed Kevin that we had registered Ninum group for the project
5-Jul-23	Outgoing	Graham Avery – Natural Areas Aboriginal Heritage Officer, Sutherland Shire Council	Mikhaila Chaplin (EMM)	Graham Avery	Email	Inquired about registering for the project.
5-Jul-23	Outgoing	Gamay Rangers	Mikhaila Chaplin (EMM)	Gamay Rangers	Email	Inquired about registering for the project as recommended by Sutherland Shire Council
5-Jul-23	Outgoing	Kurranulla Aboriginal Corporation	Mikhaila Chaplin (EMM)	Kurranulla Aboriginal Corporation	Email	Inquired about registering for the project as recommended by Sutherland Shire Council
5-Jul-23	Outgoing	Gandangara Local Aboriginal Land Council	Mikhaila Chaplin (EMM)	Gandangara Local Aboriginal Land Council	Email	Inquired about registering for the project as recommended by Sutherland Shire Council
5-Jul-23	Outgoing	Koori interagency Meeting members	Mikhaila Chaplin (EMM)	Koori Interagency Meeting members	Email	Inquired about registering for the project as recommended by Sutherland Shire Council
<b>STAGE 1 - PROVISION OF RAP LIST TO HNSW/LALC</b>						
14-Jul-23	Outgoing	La Perouse Local Aboriginal Land Council	Rohani Dutch (EMM)	La Perouse Local Aboriginal Land Council	Email	Provided list of Aboriginal organisations registered for the project
14-Jul-23	Outgoing	Heritage NSW	Rohani Dutch (EMM)	Heritage NSW	Email	Provided list of Aboriginal organisations registered for the project
<b>STAGE 2/3 - PRESENTATION OF INFORMATION AND PROPOSED ASSESSMENT METHODS</b>						
8-Aug-23	Outgoing	All RAPs	Mikhaila Chaplin (EMM)	All RAPs	Email	Methodology letter sent to all RAPs
11-Aug-23	Incoming	Basil Smith	Basil Smith	Mikhaila Chaplin (EMM)	Email	Confirmed support of methodology
<b>Cultural Values Mapping</b>						
8-Aug-23	Outgoing	Urbis	Mikhaila Chaplin	Finn Smith	Email	EMM communicated they are exploring the possibility of conducting the CVM meeting the day after the site inspection on Wed 6 September.
4-Sep-23	Outgoing	Urbis	Georgia Burnett	Finn Smith	Email	EMM contacted Urbis and stated Phillip Clarke (anthropologist) is unable to attend the proposed CVM date on 6 Sept due to medical reasons but proposed the 27 September. Later changed to 29 Sept.
12-Sep-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Email	Expression of interest invitation email regarding attending upcoming CVM meeting with Phil Clark 29 Sept
14-Sep-23	Outgoing	Yerrabingin	Mikhaila Chaplin	Zoe Sims	Phone	Updated Zoe that we have been given her contact details and asked whether they are happy to pass on the CVM meeting invitation for 29 Sept to their 13 community member contacts. We were not allowed to be given the 13 community member contacts.
14-Sep-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up on expression of interest in attending upcoming CVM meeting with Phil Clark 29 Sept. They said they will look into it.
14-Sep-23	Outgoing	Yerrabingin	Mikhaila Chaplin	Zoe Sims	Email	Email with the CVM meeting details and expression of interest in attending on 29 Sept to be passed onto 13 community members.
18-Sep-23	Outgoing	Butucarbin Aboriginal Corporation	Mikhaila Chaplin	Jennifer Beale	Email	Expression of interest invitation email regarding attending upcoming CVM meeting with Phil Clark 29 Sept. No response.
18-Sep-23	Outgoing	Wailwan Aboriginal Group	Mikhaila Chaplin	Phil Boney	Email	Expression of interest invitation email regarding attending upcoming CVM meeting with Phil Clark 29 Sept. No response.
18-Sep-23	Outgoing	Yerrabingin	Mikhaila Chaplin	Zoe	Email	Expression of interest to 13 community members in attending upcoming CVM meeting with Phil Clark 29 Sept. No response
19-Sep-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up on expression of interest in attending upcoming CVM meeting with Phil Clark 29 Sept. No answer. Voicemail left.
19-Sep-23	Outgoing	LPLALC	LPLALC	Mikhaila Chaplin	Email	CEO expressed interest in participating in a small group including himself, one of their Cultural Heritage Officers and Gamay Rangers when he returns from leave from 16 Oct.
19-Sep-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up on expression of interest in attending upcoming CVM meeting with Phil Clark 29 Sept. No answer. Voicemail left.
19-Sep-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up on availability when CEO returns. LALC mentioned getting in contact with EMM when they hear back from CEO.
20-Sep-23	Outgoing	Butucarbin Aboriginal Corporation	Mikhaila Chaplin	Jennifer Beale	Phone	Follow up on email sent 19 Sept regarding CVM meeting. No response.
20-Sep-23	Outgoing	Wailwan Aboriginal Group	Mikhaila Chaplin	Phil Boney	Phone	Follow up on email sent 19 Sept regarding CVM meeting. No response.
22-Sep-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up on availability when CEO returns.
25-Sep-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	The LALC expressed they would like to wait until the CEO returns from leave instead of EMM meeting with the Gamay Rangers and one of their Cultural Heritage Officers whilst the CEO is on leave. EMM stated the CVM meeting originally planned for 29 Sept will have to be cancelled due to no other interest from the community and the LALC not being available at the original date.
25-Sep-23	Outgoing	Urbis	Mikhaila Chaplin	Finn Smith	Phone	EMM expressed despite best efforts, the CVM will have to be postponed until sometime on the week of 16 Oct when the CEO returns. Urbis mentioned they will follow up the client's availability for that time.
9-Oct-23	Ongoing	Urbis	Mikhaila Chaplin	Finn Smith	Email	Mikhaila suggests the virtual meeting if difficult in having all parties available/Phillip Clarke availability to fly in.
9-Oct-23	Incoming	Urbis	Finn Smirth	Mikhaila Chaplin	Email	Finn preferred the CVM meeting to be in person rather than virtual.
10-Oct-23	Outgoing	Dr Phillip Clarke	Mikhaila Chaplin	Dr Phillip Clarke	Phone/Email	Check in again on Phillip's availability. Unavailable on the week of 16 Oct. Availability for the week of the 23 Oct.
10-Oct-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up with LALC on availability in week of 23 Oct when CEO returns. No answer
10-Oct-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up with LALC on availability when CEO returns. It was mentioned that they won't know for sure until he is back in office on 16 Oct but tentatively mentioned potential availability on either 23 or 24 Oct.

10-Oct-23	Outgoing	Urbis	Finn Smith	Mikhaila Chaplin	Email	Urbis sent through the client's availability to propose to the LALC for rescheduling the CVM meeting, Monday 16 Oct 11am -2:30pm.
11-Oct-23	Outgoing	Yerrabingin	Mikhaila Chaplin	Zoe Sims	Email	Requesting proposal of new date (23 Oct or 24 Oct) to be sent to 15 community members
11-Oct-23	Outgoing	Yerrabingin	Zoe Sims	Mikhaila Chaplin	Email	Confirmation that the updated proposed dates for the meeting were sent to the 15 community members.
13-Oct-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Email	Proposed new date of 24 Oct for CEO and Phil Clarke to meet for CVM.
13-Oct-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up phone call regarding if the 24 Oct could be locked in for the CVM meeting. No answer
17-Oct-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up phone call regarding if the 24 Oct could be locked in for the CVM meeting. No answer
17-Oct-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up phone call regarding if the 24 Oct could be locked in for the CVM meeting. LALC mentioned they will ask CEO and confirm.
17-Oct-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up phone call regarding CVM meeting. Confirmation the LALC can't do Tuesday 24, EMM proposed new date of Friday 27. LALC said they will follow up if the new date could work.
17-Oct-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up phone call regarding CVM meeting. No answer
17-Oct-23	Outgoing	LPLALC	LPLALC	Mikhaila Chaplin	Email	Confirmation the LALC can meet with Phil Clarke in person on Friday 20 Oct at 10:30am.
17-Oct-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Email	EMM asks the LALC to confirm if they mean availability for 27 Oct as discussed over the phone.
18-Oct-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up phone call regarding CVM meeting. Miscommunication with the dates 20 and 27 Oct.
18-Oct-23	Outgoing	LPLALC	LPLALC	Mikhaila Chaplin	Email	Confirmation the LALC are only available on 20 Oct.
18-Oct-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up phone call regarding CVM meeting. Phil Clarke is not available on 20 Oct and there was a misunderstanding regarding the dates. LALC were checking their availability for 27 Oct,
18-Oct-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up phone call regarding CVM meeting. No answer
19-Oct-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up phone call regarding CVM meeting. LALC still checking availability.
19-Oct-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up phone call regarding CVM meeting.No answer.
20-Oct-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Phone	Follow up phone call regarding CVM meeting. No answer
24-Oct-23	Outgoing	LPLALC	Mikhaila Chaplin	LPLALC	Email	Cancelling CVM meeting due to a combination of a lack of availability and interest.
24-Oct-23	Outgoing	Yerrabingin	Mikhaila Chaplin	Zoe Sims	Email	Contact Yerrabingin as per client's request to explore possibilities of an interview with Yerrabingin and anthropologist Phil Clarke to inform the CVM report.
24-Oct-23	Outgoing	Phillip Clark	Mikhaila Chaplin	Phillip Clark	Phone	Anthropologist Phillip Clark's no longer available until December.
25-Oct-23	Outgoing	Yerrabingin	Mikhaila Chaplin	Zoe Sims	Phone	To discuss email sent on 24 Oct. No answer.
25-Oct-23	Outgoing	Yerrabingin	Mikhaila Chaplin	Zoe Sims	Phone	To discuss email sent on 24 Oct. Yerrabingin mentioned that the feedback from community has been they don't understand why another round of meetings are happening for the same project when they already did it for CwC workshops in April. Zoe recommended chatting with colleague Jordan.
25-Oct-23	Outgoing	Yerrabingin	Zoe Sims	Mikhaila Chaplin	Email	Zoe shared Jordan's contact information.
26-Oct-23	Outgoing	Urbis	Georgia Burnett	Finn Smith	Email	Summary email of EMM's efforts two options moving forward regarding the CVM. In summary this results in a two staged approach: 1. EMM incorporates and updates the ethnographic section, largely drawing from the section in the preliminary ACHA, which will be included in the draft ACHA that goes to the RAPS. This can include any relevant documented information from the CwC reports you have provided. During the review period, Dr Clarke will review and potentially add to this section before the ACHA is finalised in mid-Dec. This would not result in a separate CVM report, but would be akin to the desktop assessment that forms a large part of such an assessment, and would capture documented values. 2. Optional – Dr Clarke and Yerrabingin rep meet in early December to discuss how the CwC findings may be relevant to the anthropological study, and can incorporate this into a separate report which include a desktop assessment and results for their conversation. This would only work if the discussion is fruitful, and would be sensitive to slippage if it results in the need for more input and the resulting report would need to be finalised with the participants.(Yerrabingin)
30-Oct-23	Outgoing	Urbis	Georgia Burnett	Finn Smith	Email	Follow up on our email sent 26 Oct on how Urbis would like us to proceed regarding the CVM.
30-Oct-23	Incoming	Urbis	Sophy Purton	Georgia Burnett	Email	Client agreed with option 1 - hiring anthropologist Patrick Horton to update ethnographic section.
<b>STAGE 4 - DRAFT ACHA REVIEW</b>						
1/Dec/23	Outgoing	All RAPS	Phillipa O'Brien-Poude	Various	Email	Distributed draft ACHA for review and requested feedback by 5 January 2024.
2/Jan/24	Outgoing	All RAPS	Phillipa O'Brien-Poude	Various	Email	Sent a reminder to RAPS that the ACHA review period closes on 5 January 2024.
19/Jan/24	Incoming	Kamilaroi Yankuntjatjara Working Group	Phil Khan	Phillipa O'Brien-Poude	Email	Agreed and support the recommendations proposed in the draft ACHA for the Kurnell Planning Proposal project.

## B.2 List of identified Aboriginal stakeholders in the region

<b>Organisation</b>	<b>Name - First</b>
A1 Indigenous Services	Carolyn Hickey
Aragung Aboriginal Cultural Heritage Site Assessments	Jamie Eastwood
B.H. Heritage Consultants	Ralph Hampton ; Nola Hampton
Badu (Murrin Clan/Peoples)	Karia Lea Bond
Barking Owl Aboriginal Corporation	Mrs Jody Kulakowski (Director)
Barraby Cultural Services	Lee Field (Manager)
Biamanga (Murrin Clan/Peoples)	Seli Storer
Bilinga (Murrin Clan/Peoples)	Simalene Carriage
Butucarbin Aboriginal Corporation	Jennifer Beale
Clive Freeman	Clive Freeman
Cullendulla (Murrin Clan/Peoples)	Corey Smith
Darug Boorooberongal Elders Aboriginal Corporation	Paul Hand (chairperson)
Darug Land Observations	Jamie Workman; Anna Workman; Anna O'Hara
<i>Dharug (Murrin Clan/Peoples)</i>	Andrew Bond
Dharug Ngurra Aboriginal Corporation	Dirk Schmitt
Didge Ngunawal Clan	Lillie Carroll ; Paul Boyd
Galamaay Cultural Consultants (GCC)	Robert Slater
Garrara Aboriginal Corporation	Raymond Ingrey
Gilay Consultants	Carol Slater
<i>Ginninderra Aboriginal Corporation</i>	Steven Johnson; Krystle Carroll
Goobah Development PTY LTD (Murrin Clan/Peoples)	Basil Smith
Goodradigbee Cultural & Heritage Aboriginal Corporation	Caine Carroll
Gulaga	Wendy Smith
Gunjeewong Cultural Heritage Aboriginal Corporation	Shayne Dickson
<i>Guntawang Aboriginal Resources Incorporated</i>	Wendy Morgan
Gunya Aboriginal Cultural Heritage Services PTY LTD	Adam Gunther
Gunyuu (Murrin Clan/Peoples)	Kylie Ann Bell
James Davis	James Davis
Jerringong (Murrin Clan/Peoples)	Joanne Anne Stewart
Kamilaroi Yankuntjatjara Working Group	Phil Khan

Ken Foster	Ken Foster
La Perouse Botany Bay Corporation	Yvonne Simms
La Perouse Local Aboriginal Land Council	Chris Ingrey
Matthew and Andrew Coe	Matthew Coe; Andrew Coe
Minnamunnung	Aaron Broad
Munyunga (Murrin Clan/Peoples)	Kaya Dawn Bell
Mura Indigenous Corporation (icn:8991)	Phillip Carroll
Murramarang (Murrin Clan/Peoples)	Roxanne Smith
Murrumbul (Murrin Clan/Peoples)	Mark Henry
Ngambaa Cultural Connections	Kaarina Slater
Norma Simms	Norma Simms
Nundagurri (Murrin Clan/Peoples)	Newton Carriage
Pemulwuy (Murrin Clan/Peoples)	Pemulwuy Johnson
Thauaira	Shane Carriage
Thomas Dahlstrom Offers ACH value by using 3D Laser and Drone technology	Thomas Dahlstrom
Thoorga Nura	John Carriage (Chief Executive Officer)
Tocomwall Pty Ltd	Scott Franks
Waawaar Awaa Aboriginal Corporation	Rodney Gunther Barry Gunther
Wailwan Aboriginal Group	Philip Boney
Walbunja (Murrin Clan/Peoples)	Hika Te Kowhai
Walgalu (Murrin Clan/Peoples)	Ronald Stewart
Wingikara (Murrin Clan/Peoples)	Hayley Bell
Wori Woilywa	Daniel Chalker
<i>Wullung (Murrin Clan/Peoples)</i>	Lee-Roy James Boota
Wurrumay Pty Ltd	Kerrie Slater; Vicky Slater
Yerramurra (Murrin Clan/Peoples) and Taste of Tradition Native Aboriginal Corporation	Robert Parson
Yulay Cultural Services	Arika Jalomaki (Manager)
Yurrandaali	Bo Field (Manager)
RAW Cultural Healing	Raymond Weatherall
Ninum	Kevin Campbell , Marnya Donovan



### B.3 List of registered Aboriginal parties following notification

<b>Registration Order</b>	<b>Registration Date</b>	<b>Organisation/Person</b>	<b>Name</b>
<b>1</b>	17-Jul-23	La Perouse Local Aboriginal Lands Council	Chris Ingrey
<b>2</b>	21-Jun-23	Yulay Cultural Services	Arika Jalomaki
<b>3</b>	21-Jun-23	Guntawang Aboriginal Resources Incorporated	Wendy Morgan
<b>4</b>	21-Jun-23	Didge Ngunawal Clan	Lillie Carroll
<b>5</b>	21-Jun-23	Kamilaroi Yankuntjatjara Working Group	Phil Khan
<b>6</b>	21-Jun-23	Butucarbin Aboriginal Corporation	Jennifer Beale
<b>7</b>	22-Jun-23	Wailwan Aboriginal Group	Phil Boney
<b>8</b>	23-Jun-23	Ninum Group	Kevin and Marnya Campbell
<b>9</b>	23-Jun-23	Gilay Consultants	Carolyn Slater
<b>10</b>	28-Jun-23	Thomas Dahlstrom	Thomas Dahlstrom
<b>11</b>	30-Jun-23	James Davis	James Davis
<b>12</b>	3-Jul-23	Basil Smith	Basil Smith

## B.4 Stage 1 – Notification and registration

This section contains the following documents:

- government agency requests and responses
- public media notifications
- Aboriginal party invitation to register for the project
- Aboriginal party registrations of interest
- notification to Heritage NSW (formerly DPIE) and the La Perouse LALC of registered parties.

## Mikhaila Chaplin

---

**From:** Mikhaila Chaplin  
**Sent:** Friday, 26 May 2023 9:59 AM  
**Cc:** Georgia Burnett  
**Subject:** Kurnell Planning Proposal - Aboriginal cultural heritage assessment - Request for information on local Aboriginal stakeholders  
**Attachments:** E230311\_AgencyRequest\_v3.pdf

Dear Sir/Madam,

EMM Consulting Pty Ltd has been engaged by Urbis, on behalf of Besmaw Pty Limited to undertake an Aboriginal cultural heritage assessment (ACHA) of a proposed rezoning of the 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986). Following advice from DPE, the proponent is pursuing a Planning Proposal process and will be developing a new master plan for the overarching subject site. EMM has been engaged to develop an Aboriginal Cultural Heritage Assessment (ACHA) that responds to comments from Heritage NSW on an earlier assessment.

In accordance with the Heritage NSW guidelines, we seek information from your organisation on Aboriginal individuals and/or organisations that you are aware of in the region that may have an interest in the project and wish to be consulted. I attach a letter to this e-mail providing further information.

Thanks again

Mikhaila

### Mikhaila Chaplin

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



**SYDNEY | Ground floor, 20 Chandos Street, St Leonards NSW 2065**

**T** 02 9493 9500

**M** 0401 932 307

[www.emmconsulting.com.au](http://www.emmconsulting.com.au)

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Our reference: Doc23/467293

Mikhaila Chaplin  
Archaeologist  
Ground floor 20 Chandos Street  
St Leonards NSW 2065

1/6/2023

Dear Mikhaila,

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

**Subject: 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).**

Thank you for your correspondence dated 26 May 2023 to Heritage NSW (Department of Planning and Environment) regarding the above project.

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

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

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

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

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

applicants should make a note of any group they are unable to contact as part of their consultation record.

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

Yours sincerely



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

**Attachment A:**

Registered Aboriginal Interests DPE Aboriginal Stakeholders List for the **Sutherland Shire** Local Government Area.

## Natalie Addison

---

**From:** LLS GS Service Mailbox <gs.service@lls.nsw.gov.au>  
**Sent:** Monday, 29 May 2023 1:00 PM  
**To:** Mikhaila Chaplin  
**Subject:** Re: Kurnell Planning Proposal - Aboriginal cultural heritage assessment - Request for information on local Aboriginal stakeholders

CAUTION: This email originated outside of the Organisation.

Dear Mikhaila

Thank you for your recent letter seeking assistance to identify Aboriginal stakeholder organisations and persons who may hold an interest in Country at the project area designated in your correspondence.

Greater Sydney Local Land Services (GS LLS) acknowledges that Local Land Services (formerly as Catchment Management Authorities) has been listed in Section 4.1.3.(g) of the Aboriginal Cultural Heritage Consultation requirements for proponents 2010, to support Part 6, of the NSW National Parks and Wildlife Act 1974 as a source of information to obtain the 'names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places'.

GS LLS understands and respects the significant role and values that tangible and intangible Aboriginal Cultural Heritage holds for First Nations/Aboriginal people with Country. GS LLS also partners with many First Nations communities on Caring for Country projects that aim to protect and enhance those tangible and intangible values in Country including Aboriginal Cultural Heritage. GS LLS considers Aboriginal Cultural Heritage matters in relation to its role in land management and considers cultural heritage issues in the context of Natural Resource Management.

However, GS LLS feels that it is not a primary source of contact for First Nations (Aboriginal) communities or persons that may inform or provide comment on development or planning issues.

GS LLS strongly recommends you contact Heritage NSW to seek their advice on all-inclusive contact lists of persons and organisations who 'speak for Country' and that may assist with your investigation.

Regards

Customer Service Team

Local Land Services | Greater Sydney

**Department of Regional NSW**

**Telephone 02 4724 2100**

Level 4, 2-6 Station Street Penrith  
PO Box 4515 WESTFIELD PENRITH

**Office Hours:** 8.30am - 4.30pm

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



**Department of Regional NSW**

You can also get in touch with us is through our [online enquiry form](#)

How would you rate our service today?



Your opinion is valuable and will help us improve our service

Greater Sydney Local Land Services acknowledges we operate in and deliver services throughout Country of First Nations people in the Greater Sydney Region.  
We recognise and respect Elders and cultural knowledge holders, past and present, while acknowledging the unique and diverse enduring cultures and histories of all First Nations people.  
Always was and always will be Aboriginal land.

---

**From:** Mikhaila Chaplin <mchaplin@emmconsulting.com.au>  
**Sent:** Friday, 26 May 2023 9:58 AM  
**Cc:** Georgia Burnett <gburnett@emmconsulting.com.au>  
**Subject:** Kurnell Planning Proposal - Aboriginal cultural heritage assessment - Request for information on local Aboriginal stakeholders

Dear Sir/Madam,

EMM Consulting Pty Ltd has been engaged by Urbis, on behalf of Besmaw Pty Limited to undertake an Aboriginal cultural heritage assessment (ACHA) of a proposed rezoning of the 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986). Following advice from DPE, the proponent is pursuing a Planning Proposal process and will be developing a new master plan for the overarching subject site. EMM has been engaged to develop an Aboriginal Cultural Heritage Assessment (ACHA) that responds to comments from Heritage NSW on an earlier assessment.

In accordance with the Heritage NSW guidelines, we seek information from your organisation on Aboriginal individuals and/or organisations that you are aware of in the region that may have an interest in the project and wish to be consulted. I attach a letter to this e-mail providing further information.

Thanks again

Mikhaila

**Mikhaila Chaplin**

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



**SYDNEY | Ground floor, 20 Chandos Street, St Leonards NSW 2065**

**T** 02 9493 9500

**M** 0401 932 307

[www.emmconsulting.com.au](http://www.emmconsulting.com.au)

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## Natalie Addison

---

**From:** La Perouse Admin <Admin@laperouse.org.au>  
**Sent:** Monday, 29 May 2023 10:10 AM  
**To:** Mikhaila Chaplin  
**Cc:** Georgia Burnett  
**Subject:** RE: Kurnell Planning Proposal - Aboriginal cultural heritage assessment - Request for information on local Aboriginal stakeholders  
**Attachments:** LPLALC Aboriginal Heritage Service Request Form and Pricing.pdf

CAUTION: This email originated outside of the Organisation.

---

Good morning Mikhaila

Thank you for your email.

Please find attached the booking documents and fee schedule for the La Perouse Local Aboriginal Land Council's Aboriginal Heritage Services.

Once you have completed the booking form and submitted it back to the Lands Councils we can then proceed with booking in one of our Site Officers to attend the requested property.

Regards,  
Toni Musgrave

### Administration/Finance

La Perouse Local Aboriginal Land Council  
1 Elaroo Avenue  
La Perouse NSW 2036

**Email:** [tmusgrave@laperouse.org.au](mailto:tmusgrave@laperouse.org.au)

**Phone:** (02) 9311 4282

**Mail:** PO Box 365 Matraville NSW 2036

**Website:** <http://laperouse.org.au/>



*I acknowledge the Traditional Custodians of the land I work and live and pay my respect to the Elders both past and present.*

---

**From:** Mikhaila Chaplin <mchaplin@emmconsulting.com.au>  
**Sent:** Monday, 29 May 2023 9:59 AM  
**Cc:** Georgia Burnett <gburnett@emmconsulting.com.au>  
**Subject:** Kurnell Planning Proposal - Aboriginal cultural heritage assessment - Request for information on local Aboriginal stakeholders

Dear Sir/Madam,

EMM Consulting Pty Ltd has been engaged by Urbis, on behalf of Besmaw Pty Limited to undertake an Aboriginal cultural heritage assessment (ACHA) of a proposed rezoning of the 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986). Following advice from DPE, the proponent is pursuing a Planning Proposal process and will be developing a new master plan for the overarching subject site. EMM has been engaged to develop an Aboriginal Cultural Heritage Assessment (ACHA) that responds to comments from Heritage NSW on an earlier assessment.

In accordance with the Heritage NSW guidelines, we seek information from your organisation on Aboriginal individuals and/or organisations that you are aware of in the region that may have an interest in the project and wish to be consulted. I attach a letter to this e-mail providing further information.

Thanks again

Mikhaila

**Mikhaila Chaplin**

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



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# LA PEROUSE



LOCAL ABORIGINAL LAND COUNCIL

## Aboriginal Heritage Service Request

Company Name			
Site Address			
Contact Name		Phone	
Email Address			
Date/s required		Time on site	
Number of LPLALC Site Officers Required			

Meeting Place: (include directions/map if required)


Site Information: (purpose of the monitoring visit) (how long will the visit go for)


Tasks to perform:

- Excavation                       Heritage Inspection                       Wet Sieving
- Heritage induction
- Other (please specify) \_\_\_\_\_

**Do you require an a response letter to your Aboriginal Heritage Report or Heritage Induction Confirmation: (please circle) YES / NO**

### Invoice Details:

Company			
Contact Name		Phone	
Email Address		ABN	
Postal Address			

**Please read and accept our schedule of fees provided below.**

Please email completed form to admin@laperouse.org.au

## **ABORIGINAL HERITAGE SERVICE PRICING SCHEDULE**

*Aboriginal Heritage Service Pricing – all prices in the schedule are GST inclusive.*

<b>Half Day Site Attendance and Survey – 4 hours and under</b>	\$450.00 (report not included)
<b>Full Day Site Attendance and Survey – Between 4 hours and 7 hours</b>	\$900.00 (report not included)
<b>Saturday/Night Shift</b>	\$1,150.00 per shift (report not included)
<b>Sunday Shift</b>	\$1,350.00 per shift (report not included)
<b>Aboriginal Heritage Induction</b>	\$500.00 (Heritage Induction report included)
<b>Aboriginal Heritage Report</b>	\$250.00

**Please note that all costs incurred while travelling to and from the survey site will be on-charged to the client at a rate of \$0.78 per kilometre plus toll fees etc.**

**Please sign below to confirm that you accept fees in the above schedule**

**Name:** \_\_\_\_\_

**Sign:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## Natalie Addison

---

**From:** Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>  
**Sent:** Friday, 26 May 2023 4:09 PM  
**To:** Mikhaila Chaplin  
**Cc:** Georgia Burnett  
**Subject:** RE: SR23/857 - Kurnell Planning Proposal - Aboriginal cultural heritage assessment - Request for information on local Aboriginal stakeholders - SR23/857 [SEC=OFFICIAL]

CAUTION: This email originated outside of the Organisation.

---

### OFFICIAL

**Your ref:** E230311    **Our ref:** SR23/857

Dear Mikhaila Chaplin ,

Thank you for your search request, please find your results below.

#### Search Results

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

- Schedule of Native Title Determination Applications
- Register of Native Title Claims
- Native Title Determinations
- Indigenous Land Use Agreements (Registered and notified)

#### Results for overlapping native title matters in NSW:

Feature ID	Tenure	Cadastre Data As At	Feature Area SqKm	Overlapping Native Title Feature			
2//DP1030269	FREEHOLD	4/05/2023	0.1597	NNTT File Number	Name	Category	% Selected Feature

				<a href="#">No overlap</a>			0.00%
2//DP559922	FREEHOLD	4/05/2023	1.5977	<b>NNTT File Number</b>	<b>Name</b>	<b>Category</b>	<b>% Selected Feature</b>
				<a href="#">No overlap</a>			0.00%
8//DP586986	FREEHOLD	4/05/2023	0.3438	<b>NNTT File Number</b>	<b>Name</b>	<b>Category</b>	<b>% Selected Feature</b>
				<a href="#">No overlap</a>			0.00%

For more information about the Tribunal’s registers or to search the registers yourself and obtain copies of relevant register extracts, please visit our [website](#).

Information on native title claims and freehold land can also be found on the Tribunal’s website here: [Native title claims and freehold land](#).

**Please note:** There may be a delay between a native title determination application being lodged in the Federal Court and its transfer to the Tribunal. As a result, some native title determination applications recently filed with the Federal Court may not appear on the Tribunal’s databases.

The search results are based on analysis against external boundaries of applications only. Native title applications commonly contain exclusions clauses which remove areas from within the external boundary. To determine whether the areas described are in fact subject to claim, you need to refer to the “Area covered by claim” section of the relevant Register Extract or Schedule Extract and any maps attached.

**Search results and the existence of native title**

Please note that the enclosed information from the Register of Native Title Claims and/or the Schedule of Applications is **not** confirmation of the existence of native title in this area. This cannot be confirmed until the Federal Court makes a determination that native title does or does not exist in relation to the area. Such determinations are registered on the National Native Title Register.

**The Tribunal accepts no liability for reliance placed on enclosed information**

The enclosed information has been provided in good faith. Use of this information is at your sole risk. The National Native Title Tribunal makes no representation, either express or implied, as to the accuracy or suitability of the information enclosed for any particular purpose and accepts no liability for use of the information or reliance placed on it.

If you have any further queries, please do not hesitate to contact us via [GeospatialSearch@NNTT.gov.au](mailto:GeospatialSearch@NNTT.gov.au)

Regards,

**Geospatial Searches**

**National Native Title Tribunal | Perth**

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

---

**From:** Mikhaila Chaplin <mchaplin@emmconsulting.com.au>

**Sent:** Friday, 26 May 2023 8:19 AM

**Cc:** Georgia Burnett <gburnett@emmconsulting.com.au>

**Subject:** SR23/857 - Kurnell Planning Proposal - Aboriginal cultural heritage assessment - Request for information on local Aboriginal stakeholders

Caution: This is an external email. DO NOT click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,

EMM Consulting Pty Ltd has been engaged by Urbis, on behalf of Besmaw Pty Limited to undertake an Aboriginal cultural heritage assessment (ACHA) of a proposed rezoning of the 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986). Following advice from DPE, the proponent is pursuing a Planning Proposal process and will be developing a new master plan for the overarching subject site. EMM has been engaged to develop an Aboriginal Cultural Heritage Assessment (ACHA) that responds to comments from Heritage NSW on an earlier assessment.

In accordance with the Heritage NSW guidelines, we seek information from your organisation on Aboriginal individuals and/or organisations that you are aware of in the region that may have an interest in the project and wish to be consulted. I attach a letter to this e-mail providing further information.

Thanks again

Mikhaila

**Mikhaila Chaplin**

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



**SYDNEY | Ground floor, 20 Chandos Street, St Leonards NSW 2065**

**T** 02 9493 9500

**M** 0401 932 307

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## Natalie Addison

---

**From:** Brendan Smith <brendan.smith167@oralra.nsw.gov.au>  
**Sent:** Thursday, 1 June 2023 11:23 AM  
**To:** Mikhaila Chaplin  
**Cc:** Georgia Burnett  
**Subject:** RE: Kurnell Planning Proposal - Aboriginal cultural heritage assessment - Request for information on local Aboriginal stakeholders  
**Attachments:** 20230531 AO Search ACHA proposed rezoning of 251, 278 + 280-282 Captain Cook Dr, Kurnell, NSW\_EMM\_La Per LALC FINAL.pdf

CAUTION: This email originated outside of the Organisation.

---

OFFICIAL

Dear Mikhaila,

Please find attached the response from the Office of the Registrar, ALRA to your email and letter of 26 May 2023 regarding the proposed rezoning of the 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW.

If you have any further questions, please respond by return email.

Kind regards and best wishes,

Brendan

### **Brendan Smith**

Senior Project Officer, Aboriginal Owners  
Office of the Registrar, Aboriginal Land Rights Act 1983

#### **Premier and Cabinet**

**T** (02) 8575 1160 **M** 0439 454 485 **E** [brendan.smith167@oralra.nsw.gov.au](mailto:brendan.smith167@oralra.nsw.gov.au)  
[www.oralra.nsw.gov.au](http://www.oralra.nsw.gov.au)

PO Box 787  
PARRAMATTA NSW 2124  
**Working days** Monday to Friday, 9:00 am – 5:00 pm



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

The Office of the Registrar stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to supporting the return of land to Aboriginal people as compensation for past dispossession; and to support self-determination through participation and representation in the land council network.

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---

**From:** Mikhaila Chaplin <[mchaplin@emmconsulting.com.au](mailto:mchaplin@emmconsulting.com.au)>  
**Sent:** Friday, 26 May 2023 10:26 AM  
**Cc:** Georgia Burnett <[gburnett@emmconsulting.com.au](mailto:gburnett@emmconsulting.com.au)>  
**Subject:** Kurnell Planning Proposal - Aboriginal cultural heritage assessment - Request for information on local Aboriginal stakeholders

Dear Sir/Madam,

EMM Consulting Pty Ltd has been engaged by Urbis, on behalf of Besmaw Pty Limited to undertake an Aboriginal cultural heritage assessment (ACHA) of a proposed rezoning of the 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986). Following advice from DPE, the proponent is pursuing a Planning Proposal process and will be developing a new master plan for the overarching subject site. EMM has been engaged to develop an Aboriginal Cultural Heritage Assessment (ACHA) that responds to comments from Heritage NSW on an earlier assessment.

In accordance with the Heritage NSW guidelines, we seek information from your organisation on Aboriginal individuals and/or organisations that you are aware of in the region that may have an interest in the project and wish to be consulted. I attach a letter to this e-mail providing further information.

Thanks again

Mikhaila

**Mikhaila Chaplin**

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



**SYDNEY | Ground floor, 20 Chandos Street, St Leonards NSW 2065**

**T** 02 9493 9500

**M** 0401 932 307

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31 May 2023

By email: [mchaplin@emmconsulting.com.au](mailto:mchaplin@emmconsulting.com.au)>

Mikhaila Chaplin  
Archaeologist  
EMM Consulting Pty Ltd  
Ground Floor, 20 Chandos St  
ST LEONARDS NSW 2065

Dear Mikhaila,

**Aboriginal Cultural Heritage Assessment – proposed rezoning of 251, 278 and 280-282  
Captain Cook Drive, Kurnell, NSW Macquarie Street East Precinct – Stage 1 Public  
Domain Works Project: request for list of potential Aboriginal stakeholders**

We refer to your email to this Office, dated 26 May 2023, requesting contact information (for registration) from Aboriginal organisations, stakeholders and/or people who may have cultural knowledge relevant to the proposed rezoning of 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986), as part of an Aboriginal Cultural Heritage Assessment (ACHA) and AHIP.

Under Section 170 of the *Aboriginal Land Rights Act* 1983 (NSW), the Office of the Registrar is required to maintain the Register of Aboriginal Owners (RAO) for New South Wales. A search of the RAO has shown that there are currently no Registered Aboriginal Owners in the project area.

The proposed development and study area falls within the boundaries of La Perouse Local Aboriginal Land Council. We suggest you contact La Perouse LALC (contact details provided below), as they may wish to participate or contribute.

Yours sincerely



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

La Perouse Local Aboriginal Land Council  
PO Box 365  
MATRAVILLE NSW 2036  
Ph: (02) 9311 4282  
Email: [admin@laperouse.org.au](mailto:admin@laperouse.org.au)

## Natalie Addison

---

**From:** Laura Featherstone <LFeatherstone@ssc.nsw.gov.au>  
**Sent:** Thursday, 8 June 2023 2:49 PM  
**To:** Mikhaila Chaplin  
**Subject:** RE: RN2023-048769 SSC Besmaw Enquiry

CAUTION: This email originated outside of the Organisation.

---

Hi Mikhaila,

Apologies for the delay in responding. I have enquired with a number of individuals within Council and here is a list of individuals and groups that may be of assistance. The list may not be exhaustive (it includes some that may or may not have interest or knowledge of the site and surrounds) and these individuals and groups may have other suggestions as well for input.

- Graham Avery – Natural Areas Aboriginal Heritage Officer, Sutherland Shire Council [GAvery@ssc.nsw.gov.au](mailto:GAvery@ssc.nsw.gov.au)
- La Perouse Local Aboriginal Land Council
- Gamay Rangers [rangers@laperouse.org.au](mailto:rangers@laperouse.org.au)
- Kurranulla Aboriginal Corporation [manager@kurranulla.org.au](mailto:manager@kurranulla.org.au)
- Koori Interagency Meeting members [shanelle@kurranulla.org.au](mailto:shanelle@kurranulla.org.au)  
[sskisouthernsydneykooiinteragency@kurranulla.org.au](mailto:sskisouthernsydneykooiinteragency@kurranulla.org.au)
- National Parks and Wildlife Service
- Gandangara Local Aboriginal Land Council [Reception@glalc.org.au](mailto:Reception@glalc.org.au)
- Native Title Corporation (Redfern) [information@ntscorp.com.au](mailto:information@ntscorp.com.au)
- Office of the Registrar Aboriginal Land Rights Act 1983 [adminofficer@oralra.nsw.gov.au](mailto:adminofficer@oralra.nsw.gov.au) (Aboriginal owners)

We would also recommend consulting with Council's Aboriginal and Torres Strait Islander Advisory Sub-Committee.

Kind regards,

### Laura Featherstone

Sutherland Shire Council | Strategic Planner | Strategic Planning  
T 02 9710 0716

[sutherlandshire.nsw.gov.au](http://sutherlandshire.nsw.gov.au)



We acknowledge the Dharawal people as the Traditional Custodians of the land within Sutherland Shire. We pay respect to the Elders and their families, past, present and emerging, and through them, to all Aboriginal and Torres Strait Islander peoples.



---

**From:** Mikhaila Chaplin <mchaplin@emmconsulting.com.au>  
**Sent:** Thursday, June 1, 2023 9:54 AM

**To:** Laura Featherstone <LFeatherstone@ssc.nsw.gov.au>  
**Subject:** RE: RN2023-048769 SSC Besmaw Enquiry

Hi Laura,

Thank you for letting us know and we appreciate your help on this

Have a great day and talk soon.

Mikhaila

**Mikhaila Chaplin**

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



**SYDNEY | Ground floor, 20 Chandos Street, St Leonards NSW 2065**

**T** 02 9493 9500

**M** 0456 298 625

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---

**From:** Laura Featherstone <LFeatherstone@ssc.nsw.gov.au>

**Sent:** Thursday, June 1, 2023 9:50 AM

**To:** Mikhaila Chaplin <mchaplin@emmconsulting.com.au>

**Subject:** RN2023-048769 SSC Besmaw Enquiry

**CAUTION:** This email originated outside of the Organisation.

Good morning Mikhaila,

Thank you for your email and letter in relation to the information on relevant Aboriginal individuals and/or communities Council is aware of in the region who may hold cultural knowledge/information in relation to the site and vicinity for Besmaw's future planning proposal. I just wanted to touch base and let you know that I've reached out to a few relevant people in Council and will get back to you as soon as possible.

Kind regards,

**Laura Featherstone**

Sutherland Shire Council | Strategic Planner | Strategic Planning

T 02 9710 0716

[sutherlandshire.nsw.gov.au](http://sutherlandshire.nsw.gov.au)

**SUTHERLANDSHIRE**





We acknowledge the Dharawal people as the Traditional Custodians of the land within Sutherland Shire. We pay respect to the Elders and their families, past, present and emerging, and through them, to all Aboriginal and Torres Strait Islander peoples.



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## Mikhaila Chaplin

---

**From:** Mikhaila Chaplin  
**Sent:** Wednesday, 5 July 2023 5:55 PM  
**Subject:** Kurnell Planning Proposal - Invitation to register for consultation  
**Attachments:** E230311\_Notification\_v3.pdf; G002\_LocalSetting\_20230522\_01.pdf

Hello,

EMM Consulting Pty Limited have been engaged by Urbis, on behalf of Besmaw Pty Limited, to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for the Kurnell Planning Proposal project involving the proposed rezoning of 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).

You or your organisation have been identified as a potential stakeholder in the area by Sutherland Shire Council, and in accordance with Heritage NSW consultation guidelines, we are seeking registrations of interest in the project (please see the attached document).

If you'd like to be involved in the project, please provide a registration of interest at your earliest convenience. The methodology letter is set to be sent out by the end of this week to registered parties.

Kind Regards,

Mikhaila

### Mikhaila Chaplin

Archaeologist | Bushfire, Ecology, Heritage and Spatial Solutions



**T** 02 9493 9500  
**M** 0456 298 625  
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### General Notices

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Annual school enrolment is currently 1062.  
General enquiries and requests for a Tender information Package should be referred to:  
Rick Coleman  
Principal  
Richard.coleman@det.nsw.edu.au  
**02 9521 2805**  
Tenders must be sent electronically and noted in the subject line "Confidential - School Uniform Tender" and sent to:  
The Principal  
Richard.coleman@det.nsw.edu.au  
Tenders close at 4pm on 12.7.23  
Mandatory Criteria: All employees must hold a current working with children check.

### Public Notices

**Invitation for Registrations of Interest**  
**Aboriginal Cultural Heritage Assessment**  
**Kurnell Planning Proposal, Sutherland Shire LGA**  
Besmaw Pty Ltd are investigating the future development options for the site at 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW, in the Sutherland Shire LGA. Following advice from DPE, the proponent will be developing a new master plan for the site to facilitate potential redevelopment opportunities.  
The proponent contact is: Duncan McComb, CEO Besmaw Pty Limited, Email: [dmccomb@besmaw.com.au](mailto:dmccomb@besmaw.com.au).

EMM, on behalf of Besmaw, invites Aboriginal individuals and organisations who hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places in the area, and who wish to be involved in the consultation process undertaken as part of the assessment, to register their interests.

The purpose of Aboriginal community consultation is to assist Besmaw in:  
1) assessing the Aboriginal heritage values of the area; 2) to assist NSW Government in the assessment of Aboriginal heritage reports prepared for this project; and 3) to support any future applications or approvals for the project sought under the NSW *Environmental Planning and Assessment Act 1979* and/or the NSW *National Parks and Wildlife Act 1974*.

Registrations of interest are to be provided by no later than **5 July 2023** to:

**Georgia Burnett**  
E: [gburnett@emmconsulting.com.au](mailto:gburnett@emmconsulting.com.au)  
A: **EMM Consulting Pty Ltd, 20 Chandos Street, St Leonards, NSW 2065**  
T: **02 9493 9500.**

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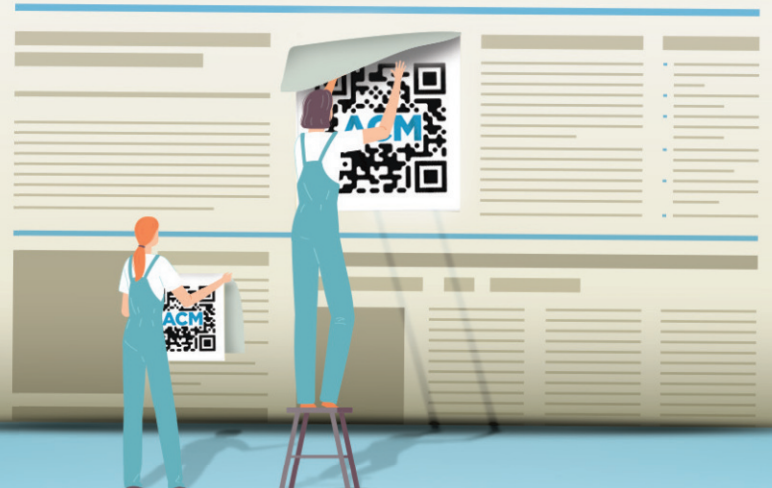
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## Megan Sheppard Brennand

---

**From:** Arika J <yulayculturalservices@gmail.com>  
**Sent:** Wednesday, 21 June 2023 2:28 PM  
**To:** Megan Sheppard Brennand  
**Subject:** Re: Kurnell Planning Proposal - Invitation to register for consultation

CAUTION: This email originated outside of the Organisation.

---

Dear Megan,

Yulay cultural service's would like to register our interest and be involved in all aspects of the project.

Kind regards,

Arika Jalomaki  
0481 251 385

On Wed, 21 Jun 2023 at 2:23 pm, Megan Sheppard Brennand <[msheppardbrennand@emmconsulting.com.au](mailto:msheppardbrennand@emmconsulting.com.au)> wrote:

Dear all,

EMM Consulting Pty Limited has been engaged by Urbis, on behalf of Besmaw Pty Limited (Besmaw), to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for the proposed rezoning of 251, 278 and [280-282 Captain Cook Drive, Kurnell, NSW \(Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986\)](#).

You or your organisation has been identified as a potential stakeholder in the area, and in accordance with Heritage NSW consultation guidelines, we are seeking registrations of interest in the project (please see attached document).

If you'd like to be involved in the project, please provide a registration of interest by no later than COB **Wednesday 5 July 2023**.

Kind regards,

Megan

**Megan Sheppard Brennand**  
Senior archaeologist



# EMMM

T 02 9493 9500

M 0407 656 226

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--

Arika Jalomaki

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## Megan Sheppard Brennand

---

**From:** Wendy Morgan <Wenlissa01@hotmail.com>  
**Sent:** Wednesday, 21 June 2023 2:29 PM  
**To:** Megan Sheppard Brennand  
**Subject:** RE: Kurnell Planning Proposal - Invitation to register for consultation

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---

Hi Megan

Guntawang Aboriginal Resources Inc would like to express an interest in the ACHA for the proposed rezoning of 251,279 and 280-282 Captain Cook Drive Kurnell, NSW.

We have an experienced Aboriginal Sites Officer who would benefit your project.

We look forward to working with you.

Kind regards

Wendy Morgan  
CEO GARI  
0414 964 657

---

**From:** Megan Sheppard Brennand <mshppardbrennand@emmconsulting.com.au>  
**Sent:** Wednesday, June 21, 2023 2:24 PM  
**To:** Georgia Burnett <gburnett@emmconsulting.com.au>  
**Cc:** Mikhaila Chaplin <mchaplin@emmconsulting.com.au>  
**Subject:** Kurnell Planning Proposal - Invitation to register for consultation

Dear all,

EMM Consulting Pty Limited has been engaged by Urbis, on behalf of Besmaw Pty Limited (Besmaw), to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for the proposed rezoning of 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).

You or your organisation has been identified as a potential stakeholder in the area, and in accordance with Heritage NSW consultation guidelines, we are seeking registrations of interest in the project (please see attached document).

If you'd like to be involved in the project, please provide a registration of interest by no later than COB **Wednesday 5 July 2023**.

Kind regards,  
Megan

**Megan Sheppard Brennand**  
Senior archaeologist



**T** 02 9493 9500  
**M** 0407 656 226  
**LI** [Connect on LinkedIn](#)  
[emmconsulting.com.au](http://emmconsulting.com.au)

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## Megan Sheppard Brennand

---

**From:** Wendy Morgan <Wenlissa01@hotmail.com>  
**Sent:** Wednesday, 21 June 2023 2:35 PM  
**To:** Megan Sheppard Brennand  
**Subject:** RE: Kurnell Planning Proposal - Invitation to register for consultation

CAUTION: This email originated outside of the Organisation.

---

Hi Megan,

Guntawang is interested in any field work or excavation work that is involved with this project. Our sites officer Brad Maybury has years of experience he has worked with numerous archaeologist on similar projects. Brad is knowledgeable about aboriginal artefacts and is able to identify land scapes where our ancestors would have camped or had ceremonies on the land.

Brad can be contacted on 0414 964 657  
Email: [wenlissa01@hotmail.com](mailto:wenlissa01@hotmail.com)

Kind regards

Wendy Morgan

---

**From:** Megan Sheppard Brennand <mshppardbrennand@emmconsulting.com.au>  
**Sent:** Wednesday, June 21, 2023 2:24 PM  
**To:** Georgia Burnett <gburnett@emmconsulting.com.au>  
**Cc:** Mikhaila Chaplin <mchaplin@emmconsulting.com.au>  
**Subject:** Kurnell Planning Proposal - Invitation to register for consultation

Dear all,

EMM Consulting Pty Limited has been engaged by Urbis, on behalf of Besmaw Pty Limited (Besmaw), to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for the proposed rezoning of 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).

You or your organisation has been identified as a potential stakeholder in the area, and in accordance with Heritage NSW consultation guidelines, we are seeking registrations of interest in the project (please see attached document).

If you'd like to be involved in the project, please provide a registration of interest by no later than COB **Wednesday 5 July 2023**.

Kind regards,  
Megan

**Megan Sheppard Brennand**  
Senior archaeologist



**T** 02 9493 9500  
**M** 0407 656 226  
**LI** [Connect on LinkedIn](#)  
[emmconsulting.com.au](http://emmconsulting.com.au)

**SYDNEY | Gamaraigal Country, Ground floor, 20 Chandos Street, St Leonards NSW 2065**

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## Megan Sheppard Brennand

---

**From:** lilly carroll <didgengunawalclan@yahoo.com.au>  
**Sent:** Wednesday, 21 June 2023 4:53 PM  
**To:** Megan Sheppard Brennand; Georgia Burnett  
**Cc:** Mikhaila Chaplin  
**Subject:** Re: Kurnell Planning Proposal - Invitation to register for consultation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

CAUTION: This email originated outside of the Organisation.

---

Hi Megan

DNC would like to register an interest into the Kurnell planning proposal project

Kind regards  
Paul Boyd & .Lilly Carroll  
Directors DNC  
0426823944

[Sent from Yahoo Mail for iPhone](#)

On Wednesday, June 21, 2023, 2:23 pm, Megan Sheppard Brennand <mshppardbrennand@emmconsulting.com.au> wrote:

Dear all,

EMM Consulting Pty Limited has been engaged by Urbis, on behalf of Besmaw Pty Limited (Besmaw), to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for the proposed rezoning of 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).

You or your organisation has been identified as a potential stakeholder in the area, and in accordance with Heritage NSW consultation guidelines, we are seeking registrations of interest in the project (please see attached document).

If you'd like to be involved in the project, please provide a registration of interest by no later than COB **Wednesday 5 July 2023**.



Kind regards,

Megan

## Megan Sheppard Brennand

Senior archaeologist



**T** 02 9493 9500

**M** 0407 656 226

**LI** [Connect on LinkedIn](#)

[emmconsulting.com.au](http://emmconsulting.com.au)

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## Megan Sheppard Brennand

---

**From:** Phil Khan <philipkhan.acn@live.com.au>  
**Sent:** Wednesday, 21 June 2023 6:01 PM  
**To:** Megan Sheppard Brennand  
**Subject:** RE: Kurnell Planning Proposal - Invitation to register for consultation  
**Attachments:** Public liability 2023 to 2024.pdf; lcare 2023.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

CAUTION: This email originated outside of the Organisation.

---

Hi Megan,

Thank you for informing us that **EMM Consulting** will be involved in an Aboriginal Cultural Heritage Assessment at **rezoning of 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).**

& that you are inviting Aboriginal organisations to register, if they wish too be involved in the community consultation process.

As a senior Aboriginal person for the past 50yrs, I actively participate in the protection of the Aboriginal Cultural Heritage throughout the Sydney Basin, & particularly throughout Western Sydney, on behalf of Kamilaroi Yankuntjatjara Working Group I wish to provide to you my organisation's registration of interest.

I wish to be involved & participate in all levels of consultation/project involvement. I wish to attend all meetings, participate in available field work & receive a copy of the report.

I have attached a copy of Kamilaroi Yankuntjatjara Working group's Public Liability Insurance & Workers Compensation certificate.

Our Rates - \$112.50 p/h, \$450 half day & \$900 full day (Exc. GST)

Our RAPS have up to 15yrs Cultural Heritage experience in – field work which involves manual excavation (digging), sieving, identifying artefacts, setting up transits, setting up equipment, packing equipment, site surveys & attending meetings.

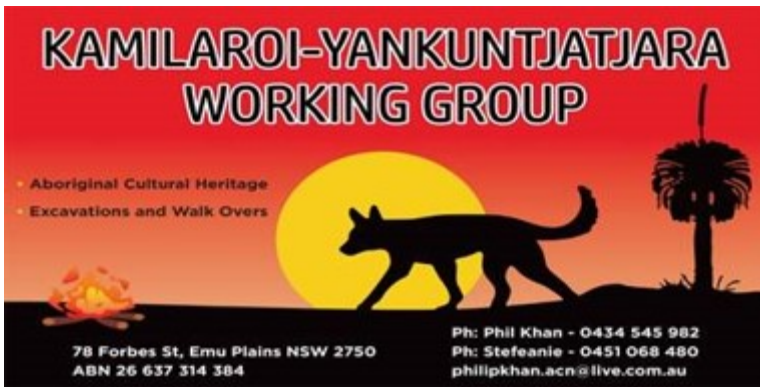
Should you wish me to provide further information, please do not hesitate to contact me on 0434545982 or Stefeanie on 0451068480.

Kind Regards

Phil Khan - Director

Ph: 0434545982

Email: [philipkhan.acn@live.com.au](mailto:philipkhan.acn@live.com.au)



Sent from [Mail](#) for Windows 10

**From:** [Megan Sheppard Brennand](#)

**Sent:** Wednesday, 21 June 2023 2:24 PM

**To:** [Georgia Burnett](#)

**Cc:** [Mikhaila Chaplin](#)

**Subject:** Kurnell Planning Proposal - Invitation to register for consultation

Dear all,

EMM Consulting Pty Limited has been engaged by Urbis, on behalf of Besmaw Pty Limited (Besmaw), to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for the proposed rezoning of 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).

You or your organisation has been identified as a potential stakeholder in the area, and in accordance with Heritage NSW consultation guidelines, we are seeking registrations of interest in the project (please see attached document).

If you'd like to be involved in the project, please provide a registration of interest by no later than COB **Wednesday 5 July 2023**.

Kind regards,  
Megan

**Megan Sheppard Brennand**

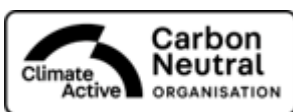
Senior archaeologist



**T** 02 9493 9500  
**M** 0407 656 226  
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## Megan Sheppard Brennand

---

**From:** Butucarbin Heritage <butuheritage@gmail.com>  
**Sent:** Wednesday, 21 June 2023 8:52 PM  
**To:** Megan Sheppard Brennand  
**Subject:** Re: Kurnell Planning Proposal - Invitation to register for consultation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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---

Dear Megan,  
On behalf of Butucarbin, I would like to register interest in this project.

Kind regards,  
Jenny

On Wed, Jun 21, 2023 at 2:23 PM Megan Sheppard Brennand <[msheppardbrennand@emmconsulting.com.au](mailto:msheppardbrennand@emmconsulting.com.au)> wrote:

Dear all,

EMM Consulting Pty Limited has been engaged by Urbis, on behalf of Besmaw Pty Limited (Besmaw), to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for the proposed rezoning of 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).

You or your organisation has been identified as a potential stakeholder in the area, and in accordance with Heritage NSW consultation guidelines, we are seeking registrations of interest in the project (please see attached document).

If you'd like to be involved in the project, please provide a registration of interest by no later than COB **Wednesday 5 July 2023**.

Kind regards,

Megan

**Megan Sheppard Brennand**  
Senior archaeologist



T 02 9493 9500

M 0407 656 226

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--

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

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## Mikhaila Chaplin

---

**From:** Megan Sheppard Brennand  
**Sent:** Monday, 26 June 2023 12:17 PM  
**To:** Mikhaila Chaplin  
**Subject:** FW: Kurnell Planning Proposal - Invitation to register for consultation

### Megan Sheppard Brennand

Senior archaeologist

*Note: My work days are Monday to Thursday*

**T** 02 9493 9500

**M** 0407 656 226

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---

**From:** kevin campbell <ninum\_group@outlook.com>  
**Sent:** Friday, June 23, 2023 1:08 PM  
**To:** Megan Sheppard Brennand <mshppardbrennand@emmconsulting.com.au>  
**Subject:** Re: Kurnell Planning Proposal - Invitation to register for consultation

CAUTION: This email originated outside of the Organisation.

i would like to express my interest in this project please contact or email me for anymore information.

0403421264

kind regards  
Kevin & Marnya

---

**From:** Megan Sheppard Brennand <[mshppardbrennand@emmconsulting.com.au](mailto:mshppardbrennand@emmconsulting.com.au)>  
**Sent:** Wednesday, June 21, 2023 2:23 PM  
**To:** Georgia Burnett <[gburnett@emmconsulting.com.au](mailto:gburnett@emmconsulting.com.au)>  
**Cc:** Mikhaila Chaplin <[mchaplin@emmconsulting.com.au](mailto:mchaplin@emmconsulting.com.au)>  
**Subject:** Kurnell Planning Proposal - Invitation to register for consultation

Dear all,

EMM Consulting Pty Limited has been engaged by Urbis, on behalf of Besmaw Pty Limited (Besmaw), to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for the proposed rezoning of 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).

You or your organisation has been identified as a potential stakeholder in the area, and in accordance with Heritage NSW consultation guidelines, we are seeking registrations of interest in the project (please see attached document).

If you'd like to be involved in the project, please provide a registration of interest by no later than COB **Wednesday 5 July 2023**.

Kind regards,  
Megan

**Megan Sheppard Brennand**

Senior archaeologist



**T** 02 9493 9500  
**M** 0407 656 226  
**LI** [Connect on LinkedIn](#)  
[emmconsulting.com.au](http://emmconsulting.com.au)

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## Mikhaila Chaplin

---

**From:** Megan Sheppard Brennand  
**Sent:** Monday, 26 June 2023 12:18 PM  
**To:** Mikhaila Chaplin  
**Subject:** FW: Kurnell Planning Proposal - Invitation to register for consultation  
**Attachments:** image001.png

### Megan Sheppard Brennand

Senior archaeologist

*Note: My work days are Monday to Thursday*

**T** 02 9493 9500

**M** 0407 656 226

[www.emmconsulting.com.au](http://www.emmconsulting.com.au)

---

**From:** carolyn slater <cal.slater61@gmail.com>  
**Sent:** Friday, June 23, 2023 4:09 PM  
**To:** Megan Sheppard Brennand <mshppardbrennand@emmconsulting.com.au>  
**Subject:** Re: Kurnell Planning Proposal - Invitation to register for consultation

CAUTION: This email originated outside of the Organisation.

Hi Megan

Gilay Consultants would like to register their interest and be involved and consulted in the above project please.

Thank you

Carolyn Slater Manager  
Gilay Consultants [cal.slater61@gmail.com](mailto:cal.slater61@gmail.com)  
0478 583 565

On Wed, 21 June 2023, 2:23 pm Megan Sheppard Brennand, <[mshppardbrennand@emmconsulting.com.au](mailto:mshppardbrennand@emmconsulting.com.au)> wrote:

Dear all,

EMM Consulting Pty Limited has been engaged by Urbis, on behalf of Besmaw Pty Limited (Besmaw), to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for the proposed rezoning of 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).

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Kind regards,

Megan

### Megan Sheppard Brennand

Senior archaeologist

T 02 9493 9500

M 0407 656 226

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## Mikhaila Chaplin

---

**From:** Megan Sheppard Brennand  
**Sent:** Wednesday, 28 June 2023 1:54 PM  
**To:** Mikhaila Chaplin  
**Subject:** FW: Kurnell Planning Proposal - Invitation to register for consultation

### Megan Sheppard Brennand

Senior archaeologist

*Note: My work days are Monday to Thursday*

**T** 02 9493 9500

**M** 0407 656 226

[www.emmconsulting.com.au](http://www.emmconsulting.com.au)

---

**From:** Thomas Dahlstrom <gamila\_roi@yahoo.com.au>  
**Sent:** Wednesday, June 28, 2023 1:07 PM  
**To:** Megan Sheppard Brennand <mshppardbrennand@emmconsulting.com.au>  
**Subject:** Re: Kurnell Planning Proposal - Invitation to register for consultation

CAUTION: This email originated outside of the Organisation.

Hi Megan

Thank you for the invitation. I would like to register an interest on this project as a RAP. Can you please keep my details discrete from any LALC's until the voice referendum is done, it's causing a lot of politics within the Aboriginal Community space and I feel more comfortable with my request if that's ok with you. I have no issue with with my details being shared with Heritge NSW.

Kind regards

Thomas Dahlstrom  
Cultural Heritage Consultant

On 21 Jun 2023, at 2:23 pm, Megan Sheppard Brennand <[mshppardbrennand@emmconsulting.com.au](mailto:mshppardbrennand@emmconsulting.com.au)> wrote:

Dear all,

EMM Consulting Pty Limited has been engaged by Urbis, on behalf of Besmaw Pty Limited (Besmaw), to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for the proposed rezoning of 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).

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If you'd like to be involved in the project, please provide a registration of interest by no later than COB **Wednesday 5 July 2023**.

Kind regards,  
Megan

**Megan Sheppard Brennand**

Senior archaeologist

<image001.png>

<image002.png>

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**M** 0407 656 226  
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<image003.png>

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<E230311\_Notification\_v2.pdf>  
<G002\_LocalSetting\_20230522\_02.pdf>

## Mikhaila Chaplin

---

**From:** Megan Sheppard Brennand  
**Sent:** Tuesday, 4 July 2023 11:56 AM  
**To:** Mikhaila Chaplin  
**Subject:** FW: Kurnell Planning Proposal - Invitation to register for consultation  
**Attachments:** Work Bio.pdf

### Megan Sheppard Brennand

Senior archaeologist

*Note: My work days are Monday to Thursday*

**T** 02 9493 9500

**M** 0407 656 226

[www.emmconsulting.com.au](http://www.emmconsulting.com.au)

---

**From:** James Davis <jvdcorp@hotmail.com>  
**Sent:** Friday, June 30, 2023 3:11 PM  
**To:** Megan Sheppard Brennand <mshppardbrennand@emmconsulting.com.au>  
**Subject:** Re: Kurnell Planning Proposal - Invitation to register for consultation

CAUTION: This email originated outside of the Organisation.

---

Afternoon Megan

As a registered native title claimant and knowledge holder for The South Coast People (contact NTSCORP) could you please register me for consultation and any proposed fieldwork for the proposed rezoning of 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986). Being a Traditional Owner I have strong connections to the Wodi Wodi Dharawal community. As such, I provide information about the work that is happening on Country and also employment when available for those that belong to Country, not to those who do not belong to Country. Unfortunately, many Aboriginal Lands Councils are not being run by those that belong to Country, but those from other Country. This has become an issue of contention within the Aboriginal community. Additionally, our community only recognises those that grow up among community, but unfortunately work sites are often made up of individuals that are not known by community but claim to belong. This situation can create tensions on site.

I have ancestral connections through my grandmother's (Muriel Davis nee Bell) to the Illawarra, La Perouse, and Georges River areas via the Bell, Walker, and Amatto families who all lived and gathered resources along the Illawarra Coast, the Georges River, Port Jackson, and La Pa areas.

Please find attached a summary of my experience listed on my Work Bio.

I understand my name and organisation details will be shared with outside sources but I would appreciate this attachment with my personal details and any cultural knowledge provided NOT being shared with sources outside of EMM. I respectfully ask EMM to understand that any cultural information provided from other applicants must come from applicants given permission to speak for Country by elders within the community that belong to Country.

Feel free to contact me via email or via telephone.

James Davis

Wodi Wodi Dharawal/Yuin Traditional Owner

---

**From:** Megan Sheppard Brennand <[mshppardbrennand@emmconsulting.com.au](mailto:mshppardbrennand@emmconsulting.com.au)>

**Sent:** Wednesday, 21 June 2023 2:23 PM

**To:** Georgia Burnett <[gburnett@emmconsulting.com.au](mailto:gburnett@emmconsulting.com.au)>

**Cc:** Mikhaila Chaplin <[mchaplin@emmconsulting.com.au](mailto:mchaplin@emmconsulting.com.au)>

**Subject:** Kurnell Planning Proposal - Invitation to register for consultation

Dear all,

EMM Consulting Pty Limited has been engaged by Urbis, on behalf of Besmaw Pty Limited (Besmaw), to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for the proposed rezoning of 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).

You or your organisation has been identified as a potential stakeholder in the area, and in accordance with Heritage NSW consultation guidelines, we are seeking registrations of interest in the project (please see attached document).

If you'd like to be involved in the project, please provide a registration of interest by no later than COB **Wednesday 5 July 2023**.

Kind regards,  
Megan

**Megan Sheppard Brennand**

Senior archaeologist



**T** 02 9493 9500  
**M** 0407 656 226  
**LI** [Connect on LinkedIn](#)  
[emmconsulting.com.au](http://emmconsulting.com.au)

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## Mikhaila Chaplin

---

**From:** Chris Ingrey <CIngrey@laperouse.org.au>  
**Sent:** Monday, 17 July 2023 11:34 AM  
**To:** Mikhaila Chaplin  
**Cc:** Rohani Dutch  
**Subject:** RE: Kurnell Planning Proposal - Aboriginal cultural heritage assessment - Aboriginal consultation

CAUTION: This email originated outside of the Organisation.

---

Hi Mikhaila

I am well and hope you are too.

Thank you for registering us and apologies for not sending through the registration in time.

Regards,

Chris Ingrey  
**Chief Executive Officer**  
**La Perouse Local Aboriginal Land Council**

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---

**From:** Mikhaila Chaplin <mchaplin@emmconsulting.com.au>  
**Sent:** Monday, 17 July 2023 11:32 AM  
**To:** Chris Ingrey <CIngrey@laperouse.org.au>  
**Cc:** Rohani Dutch <rdutch@emmconsulting.com.au>  
**Subject:** RE: Kurnell Planning Proposal - Aboriginal cultural heritage assessment - Aboriginal consultation

Hi Chris,

Hope you've been well.

We didn't receive an official email registration but wanted to automatically register the La Perouse Local Aboriginal Land Council to the project if you are happy with for us to do so.

Kind Regards,

Mikhaila

**Mikhaila Chaplin**  
Archaeologist | Bushfire, Ecology, Heritage and Spatial Solutions



**SYDNEY | Gamaraigal Country, Ground floor, 20 Chandos Street, St Leonards NSW 2065**



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---

**From:** Chris Ingrey <[CIngrey@laperouse.org.au](mailto:CIngrey@laperouse.org.au)>  
**Sent:** Monday, July 17, 2023 9:52 AM  
**To:** Rohani Dutch <[rdutch@emmconsulting.com.au](mailto:rdutch@emmconsulting.com.au)>  
**Cc:** Mikhaila Chaplin <[mchaplin@emmconsulting.com.au](mailto:mchaplin@emmconsulting.com.au)>  
**Subject:** FW: Kurnell Planning Proposal - Aboriginal cultural heritage assessment - Aboriginal consultation

**CAUTION: This email originated outside of the Organisation.**

---

Hi Rohani

Can you let me know if the La Perouse Local Aboriginal Land Council is registered to participate as a RAP?

Regards,

Chris Ingrey  
**Chief Executive Officer**  
**La Perouse Local Aboriginal Land Council**

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---

**From:** La Perouse Admin <[Admin@laperouse.org.au](mailto:Admin@laperouse.org.au)>  
**Sent:** Monday, 17 July 2023 9:13 AM  
**To:** Chris Ingrey <[CIngrey@laperouse.org.au](mailto:CIngrey@laperouse.org.au)>  
**Subject:** FW: Kurnell Planning Proposal - Aboriginal cultural heritage assessment - Aboriginal consultation

Regards,  
Toni Musgrave

**Administration/Finance**

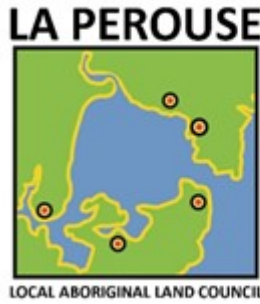
La Perouse Local Aboriginal Land Council  
1 Elaroo Avenue  
La Perouse NSW 2036

**Email:** [tmusgrave@laperouse.org.au](mailto:tmusgrave@laperouse.org.au)

**Phone:** (02) 9311 4282

**Mail:** PO Box 365 Matraville NSW 2036

**Website:** <http://laperouse.org.au/>



*I acknowledge the Traditional Custodians of the land I work and live and pay my respect to the Elders both past and present.*

---

**From:** Rohani Dutch <[rdutch@emmconsulting.com.au](mailto:rdutch@emmconsulting.com.au)>  
**Sent:** Friday, 14 July 2023 11:41 AM  
**To:** La Perouse Admin <[Admin@laperouse.org.au](mailto:Admin@laperouse.org.au)>  
**Cc:** Mikhaila Chaplin <[mchaplin@emmconsulting.com.au](mailto:mchaplin@emmconsulting.com.au)>  
**Subject:** Kurnell Planning Proposal - Aboriginal cultural heritage assessment - Aboriginal consultation

Good Morning,

EMM Consulting Pty Limited has been engaged by Urbis, on behalf of Besmaw Pty Limited (Besmaw), to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for the proposed rezoning of 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).

We have now undertaken the notification phase of the Aboriginal consultation process for this project. In accordance with Heritage NSW guidelines, please find a list below of the Aboriginal organisations that have registered for the project, and who we will be consulting with for the remainder of the ACHA process.

Attached is the newspaper advert and notification letter sent to each of the identified Aboriginal individuals/organisations to advise them of the project.

Organisation/Individual

Yulay Cultural Services
Guntawang Aboriginal Resources Incorporated
Didge Ngunawal Clan
Kamilaroi Yankuntjatjara Working Group
Butucarbin Aboriginal Corporation
Ninum Group
Gilay Consultants

Kind regards,

Rohani

## Rohani Dutch

Graduate Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



T 02 9493 9500

M 0459 353 013

 Connect with us

**SYDNEY | Gamaraigal Country, Ground floor, 20 Chandos Street, St Leonards NSW 2065**



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## Mikhaila Chaplin

---

**From:** Basil Smith <bunjil.smith@gmail.com>  
**Sent:** Friday, 11 August 2023 1:20 PM  
**To:** Mikhaila Chaplin  
**Subject:** Re: Kurnell Planning Proposal - Project information and assessment methods

CAUTION: This email originated outside of the Organisation.

This is to confirm that we support the proposed assessment methods for the above project and wish to be kept informed on any further developments also all correspondence should be sent to this email address please.

On Tue, Aug 8, 2023 at 4:47 PM Mikhaila Chaplin <[mchaplin@emmconsulting.com.au](mailto:mchaplin@emmconsulting.com.au)> wrote:

Hi all,

Thank you for registering your interest in the Aboriginal Cultural Heritage Assessment (ACHA) currently being undertaken for the Kurnell Planning Proposal rezoning project, located at located at 251,278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).

Attached to this email is a letter which outlines the proposed assessment methods for the ACHA. The letter includes information about the project itself, as well as our proposed methods for undertaking a survey within the project area. We would appreciate if you could please review the letter and let me know your thoughts or comments, if any. We would also be happy for you to share any cultural information about the study area and its cultural value to you, if you have not already done so.

Your response would be greatly appreciated, and please feel free to send any information or feedback to me via email, post or phone. As outlined in the letter, if you could provide any comments by **Tuesday 5 September 2022**, that would be ideal. We will begin setting up arrangements for the on site activities likely in early September.

Any questions, please let me know.

Kind Regards,

Mikhaila

### Mikhaila Chaplin

Archaeologist | Bushfire, Ecology, Heritage and Spatial Solutions



**T** 02 9493 9500

**M** 0456 298 625

[LI Connect on LinkedIn](#)

[emmconsulting.com.au](http://emmconsulting.com.au)

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## Mikhaila Chaplin

---

**From:** Mikhaila Chaplin  
**Sent:** Wednesday, 5 July 2023 5:55 PM  
**Subject:** Kurnell Planning Proposal - Invitation to register for consultation  
**Attachments:** E230311\_Notification\_v3.pdf; G002\_LocalSetting\_20230522\_01.pdf

Hello,

EMM Consulting Pty Limited have been engaged by Urbis, on behalf of Besmaw Pty Limited, to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for the Kurnell Planning Proposal project involving the proposed rezoning of 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).

You or your organisation have been identified as a potential stakeholder in the area by Sutherland Shire Council, and in accordance with Heritage NSW consultation guidelines, we are seeking registrations of interest in the project (please see the attached document).

If you'd like to be involved in the project, please provide a registration of interest at your earliest convenience. The methodology letter is set to be sent out by the end of this week to registered parties.

Kind Regards,

Mikhaila

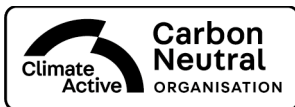
### Mikhaila Chaplin

Archaeologist | Bushfire, Ecology, Heritage and Spatial Solutions



**T** 02 9493 9500  
**M** 0456 298 625  
**LI** [Connect on LinkedIn](#)  
[emmconsulting.com.au](http://emmconsulting.com.au)

**SYDNEY | Gamarraigal Country, Ground floor, 20 Chandos Street, St Leonards NSW 2065**



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## Mikhaila Chaplin

---

**From:** Rohani Dutch  
**Sent:** Friday, 14 July 2023 11:37 AM  
**To:** heritagemailbox@environment.nsw.gov.au  
**Cc:** Mikhaila Chaplin  
**Subject:** Kurnell Planning Proposal - Aboriginal cultural heritage assessment - Aboriginal consultation  
**Attachments:** E230311\_Notification\_v2.pdf; 053\_LSU\_A\_21062023.PDF

Good Morning,

EMM Consulting Pty Limited has been engaged by Urbis, on behalf of Besmaw Pty Limited (Besmaw), to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for the proposed rezoning of 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).

We have now undertaken the notification phase of the Aboriginal consultation process for this project. In accordance with Heritage NSW guidelines, please find a list below of the Aboriginal organisations that have registered for the project, and who we will be consulting with for the remainder of the ACHA process.

Attached is the newspaper advert and notification letter sent to each of the identified Aboriginal individuals/organisations to advise them of the project.

### Organisation/Individual

Yulay Cultural Services
Guntawang Aboriginal Resources Incorporated
Didge Ngunawal Clan
Kamilaroi Yankuntjatjara Working Group
Butucarbin Aboriginal Corporation
Ninum Group
Gilay Consultants


Kind regards,

Rohani

### Rohani Dutch

Graduate Archaeologist  
Bushfire, Ecology, Heritage and Spatial Solutions



T 02 9493 9500  
M 0459 353 013  
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## Mikhaila Chaplin

---

**From:** Rohani Dutch  
**Sent:** Friday, 14 July 2023 11:41 AM  
**To:** La Perouse Admin  
**Cc:** Mikhaila Chaplin  
**Subject:** Kurnell Planning Proposal - Aboriginal cultural heritage assessment - Aboriginal consultation  
**Attachments:** E230311\_Notification\_v2.pdf; 053\_LSU\_A\_21062023.PDF

Good Morning,

EMM Consulting Pty Limited has been engaged by Urbis, on behalf of Besmaw Pty Limited (Besmaw), to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for the proposed rezoning of 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).

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Gilay Consultants

Kind regards,

Rohani

### Rohani Dutch

Graduate Archaeologist  
Bushfire, Ecology, Heritage and Spatial Solutions



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## B.5 Stages 2 and 3 – presentation of information and gathering cultural information

This section contains the following documents:

- project information and assessment methodology letter.

8 August 2023

Ground floor, 20 Chandos Street  
St Leonards NSW 2065  
PO Box 21  
St Leonards NSW 1590

T 02 9493 9500

E [info@emmconsulting.com.au](mailto:info@emmconsulting.com.au)

[www.emmconsulting.com.au](http://www.emmconsulting.com.au)

**Re: Kurnell Planning Proposal – Aboriginal stakeholder consultation – Proposed assessment methods**

---

## 1 Introduction

Dear Sir/Madam,

Thank you for your ongoing involvement in the Kurnell Planning Proposal rezoning project, located at 251, 278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986) (see Figure 1.1) (hereafter referred to as 'the project area'). EMM Consulting Pty Limited (EMM) has been commissioned by Urbis, on behalf of Besmaw Pty Limited (Besmaw) to undertake an Aboriginal Cultural Heritage Assessment (ACHA). The proponent is pursuing a Planning Proposal process and will be developing a new masterplan for the overarching subject site. The project is being assessed as a Planning Proposal and requires an ACHA to be undertaken.

This document is provided in accordance with sections 4.2 and 4.3 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010), which sets out the Aboriginal consultation requirements for the project.

The aims of this letter are to:

- provide an overview of the project and how it will be assessed;
- provide background on the project and some of the initial investigations to date;
- establish the purpose and aims of the Aboriginal consultation process;
- seek information about any Aboriginal cultural heritage values associated with the project and how they may affect, inform or refine the project and/or assessment methods;
- seek information on any cultural activities (such as fishing and hunting) that has historically and/or is actively being undertaken in the project area;
- identify any culturally appropriate protocols that registered parties wish to be adopted during the information gathering process (eg protocols during field survey, or handling of culturally sensitive information); and
- present a draft of the intended assessment methods for your review and comment.

We welcome your feedback at your earliest convenience. We will be consulting with the registered Aboriginal parties for the duration of the ACHA. However, for the purposes of this initial stage and in accordance with the Heritage NSW guidelines, we request any written response on the information and process below by **5 September 2023**.

For reference, the proponent contact is: Duncan McComb, CEO Besmaw (T: 02 9923 1944; E: [dmccomb@besmaw.com.au](mailto:dmccomb@besmaw.com.au))

EMM is working on the proponent's behalf, and all queries should be directed through EMM. Feedback can be provided to Mikhaila Chaplin (A: Ground floor, 20 Chandos Street, St Leonards, NSW 2065; T:02 9493 9500; E: [mchaplin@emmconsulting.com.au](mailto:mchaplin@emmconsulting.com.au)).



- KEY**
- Study area
  - Existing environment
  - - Rail line
  - == Major road
  - Named watercourse
  - Named waterbody
  - NPWS reserve
- INSET KEY**
- Major road
  - NPWS reserve
  - State forest

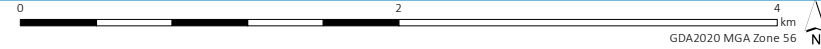
Regional setting

Kurnell Planning Proposal  
Aboriginal Cultural Heritage Assessment  
Figure 1.1



\\emmsvr1\EMM2\2023\E230311 - Kurnell Planning Proposal - Aboriginal Heritage\GIS\02\_Maps\ACHA\H001\_RegionalSetting\_20230717\_03.mxd 17/07/2023

Source: EMM (2023); ABS (2021); DCSSS (2023); ESRI (2023); GA (2009)



## 2 Project information

### 2.1 Project overview

Besmaw is proposing to develop a master plan for the area with the aim of transforming the site into a sustainable mixed use destination which delivers economic, environmental and social benefits consistent with the unique qualities of the location. In summary, the Planning Proposal aims to enable the development of approximately 550,000 square meters of Gross Floor Area (GFA) across a variety of commercial, tourist accommodation, and residential uses. Additionally, it includes approximately 1,700,000 square meters of regional and local open space and green linkages embellishments. These activities will take place on the site following the rehabilitation and remediation process, of the existing sand mine operation.

EMM is undertaking an extensive investigation of the Aboriginal heritage and archaeological values of the project area through its development of an ACHA, including consultation with and participation of Aboriginal stakeholders in accordance with Heritage NSW guidelines.

### 2.2 Archaeological context

#### 2.2.1 Previously documented sites within the study area

A search of the Aboriginal Heritage Management System (AHIMS) database carried out by EMM on 30 June 2023 identified 112 recorded Aboriginal sites within an area of 5 km<sup>2</sup> centred on the study area. Several site types are represented, some in combination with each other, including burials, shell middens, habitation structures, Aboriginal resource and gathering sites, artefact scatters, shells, rock engravings, hearths, rock shelters and potential archaeological deposits (PADs). Shell midden and undefined artefact sites are the most common site type in the search area (n=45, 40%), with artefactual sites (n=23, 21%) and shell sites (n=11, 10%). Middens have been frequently recorded in conjunction with other registered sites in the area, particularly burials, hearths, rock shelters and artefactual sites. A number of rare site types are also documented in the AHIMS search area, including burials, habitation structures, hearths, rock engraving and art sites.

Seventeen previously registered Aboriginal sites are registered within the study area including 14 shell midden and undefined artefact sites (AHIMS #52-3-0209, #52-3-0727, #52-3-0728, #52-3-0729, #52-3-0211, #52-3-0722, #52-3-0701, #52-3-0734, #52-3-0733, #52-3-0732, #52-3-0723, #52-3-0725, #52-3-0724, #52-3-0698), one shell, PAD and undefined artefact site (AHIMS #52-3-1110) and two undefined artefact sites (AHIMS #52-3-0730 and #52-3-0731). No previously documented Aboriginal sites are located in Lot 2 DP1030269.

Of these 17 sites, 11 have been destroyed as a result of previously authorised impacts and are no longer extant within the study area; four sites (AHIMS #52-3-0211, #52-3-1110, #52-3-0730 and #52-3-0731) remain extant. Notably, AHIMS #52-3-0211, #52-3-0730, and #52-3-0731 are located within areas of the active sand mine and have likely been destroyed as a result of previously authorised impacts, but have not been updated on the database. This results in AHIMS #52-3-1110 as the only remaining extant site within the project area; this site is discussed below in Section 2.2.3.

#### 2.2.2 Previous assessments within Lot 2 DP559922 and Lot 2 DP1030269

In late 2017, Besmaw, the landowner of Lot 2 DP559922 (280-282 Captain Cook Drive) and Lot 2 DP1030269 (251 Captain Cook Drive), initiated a Department of Planning, Industry and Environment (DPIE) led process to review and amend State Environmental Planning Policy (Kurnell Peninsula) 1989 (SEPP Kurnell Peninsula) as it applies to the site. In relation to this, Besmaw engaged EMM to prepare a preliminary Aboriginal archaeological assessment to address the DPIE scope of works relating to the Aboriginal cultural heritage values the site and to develop appropriate management measures. A site survey was undertaken as part of

this assessment, which identified areas requiring further investigation/ management within these two parcels of land, and concluded the following (EMM 2020):

- Due to sand mining activities within Lot 2 DP559922, a majority of this parcel has been subject to high disturbance and therefore is of lower archaeological potential.
- Further investigation is required along the southern boundary of Lot 2 DP559922 and the entirety of Lot 2 DP1030269.
- Lot 2 DP1030269 was previously subject to activities requiring imported fill across the landscape and as such, further investigation may involve test excavation of this area to determine what remains underneath.
- An AHIP was required for an area in the south eastern corner of Lot 2 DP559922 (completed between 2019 and 2020) covering registered AHIMS sites such as Boat Harbour 3 (BH3) (AHIMS # 52-3-0698), BHW Kurnell Peninsula Extension 1 (AHIMS #52-3-0734), BHW Kurnell Peninsula Extension 2 (AHIMS #52-3-0724) and BHW Kurnell Peninsula Extension 3 (AHIMS #52-3-0698).
- Further investigation of an area in the south eastern corner of Lot 2 DP559922, where the Boat Harbour Cabins are currently located, will be required and have been subject to moderate levels of disturbance.
- Common site types identified within the study area and surrounding landscape included shell middens, artefact sites and burials.
- A number of previously registered AHIMS sites are marked in incorrect locations on AHIMS and have been corrected by EMM.

Following this, EMM completed an Aboriginal Cultural Heritage Assessment (ACHA), which included field survey, test excavations and salvage excavation (the later activities under AHIP C0005705) between 2019 and 2020 for Urbis on behalf of Besmaw. These assessments and activities were undertaken to facilitate the continuation of sand extraction and rehabilitation activities within the approved operating sand quarry area in Lot 2 DP559922; no further assessment of Lot 2 DP1030269 was undertaken at this time.

Under provisions dictated by AHIP C0005705, EMM excavated and documented the midden BH3 (AHIMS #52-3-0698) and remnants of previously salvaged midden BHW (AHIMS #52-3-0724) located in the south eastern corner of Lot 2 DP559922. Key findings from this excavation include the following (EMM 2020):

- Archaeological excavations involved 22 1m<sup>2</sup> test pits with excavations ranging between 25 and 125 cm below surface and recovered dense stone, shell, and faunal cultural material.
- Stage 2 excavation recovered 2,987 stone artefacts, including a bone point tool; over 40,000 shells and/or shell fragments, largely (76%) *Nerita atramentosa* (Black Nerita) and *Scutellastra peronii* (Peron's Limpet); and 1,094 bone and faunal remains, predominantly fish (43%) but also mammal (20%) and bird (8%).
- The cultural material discovered demonstrates the exploitation of nearby rocky platforms and environments at Boat Harbour, Doughboy Head, and north Cronulla beach over a 500-year period; radiocarbon dating of shell samples taken from the site recovered dates between 980 and 500 years BP.

### 2.2.3 Previous assessments within Lot 8 DP 586986

The McCue Midden (AHIMS #52-3-1110) was identified in the late 1990s, and is located within the north western corner of Lot 8 DP 586986. An Aboriginal Heritage Assessment was prepared by Mary Dallas Consulting Archaeologists (MDCA) in 2002, in relation to a proposal to expand the adjacent sand mine (then operated by Rocla). This included test excavations of the midden, which resulted in the following key findings (MDCA 2002).



- An initial 35 test pits in close proximity to the McCue Midden revealed the former Quibray Bay foreshore located north of the McCue Midden with swamp deposits located to the south.
- Archaeological excavations included an additional 18 test pits at 20m intervals which uncovered the extent of the McCue Midden (250 m x 120 m) through mechanical and manual excavation across three transects which recovered stone, shell, and faunal cultural material.
- Radiocarbon dates and the cultural material recorded display evidence of site use over the past 1500 years, with radiocarbon samples returning dates of 200 + 50 years BP with an earlier phase of 1,840 – 40 BP.

The assessment concluded the McCue Midden was of very high cultural, educational, and scientific significance as one of the few undisturbed middens within the Sydney region.

#### 2.2.4 Conclusions

Based on the information above, preliminary archaeological predictions for the study area include:

- Shell midden and artefactual sites are the most likely site types to occur in the study area due to their prevalence in the local area and are likely to be present anywhere in the study area.
- Other rare site types such as burials, hearths and Aboriginal resource and gathering sites may be present. Rock engraving and art sites may be present where suitable geological outcropping is present.

However, previous land disturbance has a significant impact to the survivability of cultural materials if present. While there are natural processes that can disturb and/or destroy cultural material, more frequently it is increasing urbanisation over the last 200 years that has resulted in the most significant impacts. Previous disturbance has been extensive across the study area, and has been related to sand quarrying, vehicular movement across the site, construction of the Boat Harbour cabins, and the establishment of a horse-riding school and boarding stables currently located in the western half of Lot 2 DP1030269. Notably, majority of Lot 2 DP559922 has been subject to sand extraction down to the water table. These disturbances have likely impacted the potential of archaeology across the study area.

\\lemmsvr1\EMM2\2023\20230311 - Kurnell Planning Proposal - Aboriginal Heritage\GIS\02\_Maps\ACHA\H002\_LocalSetting\_20230727\_02.mxd 27/07/2023



KEY

- Study area
- Existing environment
- Major road
- Watercourse/drainage line
- Cadastral boundary

INSET KEY

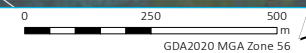
- Major road
- NPWS reserve
- State forest

Local setting

Kurnell Planning Proposal  
Aboriginal Cultural Heritage Assessment  
Figure 1.2



Source: EMM (2023); ABS (2021); DCSSS (2023); ESRI (2023); GA (2009)



### 3 Aboriginal stakeholders

The Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010) has been completed in order to identify RAPs. The roles, functions and responsibilities of all stakeholders involved in the consultation process are outlined in Table 3.1. Information and feedback relevant to this project assessment we are currently requesting from RAPs (further detailed in Section 7 of this letter).

**Table 3.1 Roles and responsibilities**

RAPs	Provide cultural perspectives, views, knowledge, and advice to EMM. Indicate areas of cultural significance. Provide Aboriginal sites representatives for archaeological fieldwork (if desired and suitably qualified and insured). Have an awareness and understanding of the commercial environment and constraints in which the proponent operates. Demonstrate awareness and understanding of the opportunities to provide input into the ACHA and management recommendations. Identify, raise, and discuss cultural concerns, perspectives and assessment requirements (if any).
EMM (on behalf of Besmaw)	Undertake the ACHA, including coordinating and directing the fieldwork. Facilitate the Aboriginal consultation process. Consider the cultural perspectives, views, knowledge, and advice of the RAPs in assessing cultural significance and developing management measures. Provide clear management measures that comply with relevant legislation, guidelines, and significance.
All stakeholders	Mutual respect (each person has the right to have a say and be heard). Communicate in a professional manner.

### 4 Methods

EMM would undertake the ACHA in accordance with the following guidelines:

- *Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW* (the Code) (DECCW 2010a);
- *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (DECCW 2010b); and
- *Aboriginal Consultation Requirements for Proponents 2010* (DECCW 2010c).

The purpose of the assessment is to identify and manage the Aboriginal cultural heritage sites and values of all areas that will be affected by the project. In summary, this will involve:

- consultation with the Aboriginal stakeholders to identify socio-cultural values of the project area and places of special significance that should be considered;
- a search of the AHIMS register for records of previously registered Aboriginal sites;
- a review of past Aboriginal heritage reports covering the project area;
- environmental landscape analysis to identify past Aboriginal resources and suitable occupation areas;

- synthesis of background research to develop a predictive model of Aboriginal site location;
- field investigation to validate the findings of the desktop assessment and identify any previously undocumented cultural material. This would include surface inspection and may extend to test excavations of areas of archaeological interest if required;
- an assessment of significance for Aboriginal cultural heritage values in the project area (with input from the registered Aboriginal stakeholders);
- where required, an impact assessment of how the project will affect Aboriginal cultural heritage values in the project area; and,
- development of management recommendations based on the results of the assessment and input from registered Aboriginal stakeholders during the consultation process and particularly from the draft ACHA review period.

#### 4.1 Archaeological survey

EMM proposes to conduct a targeted archaeological field survey of the project area with the support of RAP representatives. Given a significant part of the subject area is an active quarry (Lot 2 DP559922), survey would be limited to the periphery of this site. Survey would be primarily targeted on Lot 8 DP 586986, which was not included or surveyed as part the primarily assessment. Lot 2 DP1030269 was previously surveyed as part of the preliminary assessment. It is anticipated that the survey will take one day.

The primary aims of this survey will be to:

- identify Aboriginal sites or potential Aboriginal places with the assistance of Aboriginal knowledge holders;
- characterise the landscape to aid predictions of surface and sub-surface archaeological potential;
- identify areas that should be avoided by project construction where possible; and
- identify area with minor or no heritage constraints that are suitable for development.

Survey of this project area would be undertaken to identify any extant Aboriginal objects or sites. Surface investigation will consist of the survey team evenly spaced walking transects across the entire project area, as well as areas of investigation for potential road and access upgrades.

The project area will be divided into landform units for survey. The intensity of survey (i.e. spacing of survey members) in each landform unit will be guided by the archaeological sensitivity and level of ground exposure in each landform unit.

The survey will be undertaken in accordance with Requirements 5 to 10 of the Code of Practice. In summary, the Code of Practice requires the following general methodology:

- pedestrian survey;
- survey and recording according to landform element units and/or other changes in landscape characteristics;
- recording of beginning and end points of transects or the boundaries of survey units, and the spacing between survey personnel;

- recording of landform, soil information, land surface, vegetation conditions, visibility and exposure, and survey coverage;
- recording of any identified Aboriginal sites identified according to Requirements 6-8, and recording of any identified Aboriginal objects in accordance with Requirements 18-24 of the Code of Practice;
- if any Aboriginal objects and/or sites are identified in the course of the survey, site cards will be completed and submitted to the AHIMS registrar; and
- in the event of Aboriginal heritage being identified within the project footprint, undertake discussions on site as to the potential further investigation and/or management of these finds.

Aboriginal objects and/or landforms of interest would be mapped and documented using hand-held GPS, photographs, sketches and/or written description.

Where possible, a focus of the survey will be to discuss intangible values associated with the site, such as connection to other cultural places, stories, view-lines, contemporary values, etc.

## 4.2 Cultural values mapping report

The ACHA will include a cultural mapping component led by experienced anthropologist Dr Phillip Clarke. Cultural mapping will support the ACHA by capturing the intangible Aboriginal cultural heritage values of the study area and identifying areas of cultural significance relevant to the project. Its findings will assist in assessing whether areas of intangible cultural significance will be impacted by the project. The cultural values mapping component of the ACHA will include:

- a review of existing anthropological and ethno-botanical literature in the region to provide context and allow verification of oral history;
- undertaking an on-site investigation by Dr Phillip Clarke with key Aboriginal knowledge-holders and/or Elders (identified by RAPs/local Aboriginal community) to capture oral history and areas/features of traditional/contemporary value;
- development of a cultural values mapping report that presents the findings of the tasks above, and provides a map of cultural values and any flora and fauna requiring further consideration. This report would form an appendix to the Aboriginal cultural heritage assessment.

## 4.3 Archaeological test excavation (TBD)

If test excavations are required to further characterise the archaeological resource, they would be implemented shortly following the survey, in accordance with the Code of Practice. Specifically, they would include the following activities:

- all test excavation pits would be spatially located using a differential GPS device, which would also provide elevation data;
- manual excavation of 0.25m<sup>2</sup> test pits in a systematic grid across areas of archaeological interest within the impact footprint. The spatial resolution of the grid would be dependent on on-ground conditions, but would likely have test pits between 10-50 m apart (if the test excavations were to be undertaken at 20 m spacing this would involve approximately sixty test pits across the study area following the current disturbance mapping);
- excavation would use hand tools. Excavation of the first unit would be in 5 cm spits, with subsequent excavation allowed in 10 cm spits or according to stratigraphy (whichever is smallest) depending on the results of the first unit. Manual excavation would continue to either: i) the base of the cultural

deposits; ii) to the depth of the underlying geology; or iii) to the maximum depth possible via hand excavation (likely ~ 80 cm).

- sieving of all manually excavated material through a 5 mm sieve;
- reduced levels of the top and bottom of the test pit would be documented using a dumpy level against a known elevation. Other levels may be taken as required;
- soil profiles would be recorded in accordance with the Code of Practice, including scaled drawings, photographs, and written descriptions;
- soil samples may be collected for description, sedimentological and chronological analysis where such analysis is considered likely to contribute significant information; and excavation procedures and protocols may be modified at the discretion of the Excavation Director, in consultation with the Aboriginal stakeholders and the proponent as the conditions in the field and nature of the excavations develop. This includes the movement of test pits to avoid existing built structures, buried services and disturbances not identified during the desktop phase.

#### 4.4 Timeframes

The following indicative timeframes would apply:

- Distribution of this document to registered Aboriginal stakeholders: Early August 2023
- Survey of the project area: Early September 2023
- distribution of the draft ACHA report to registered Aboriginal parties - registered Aboriginal party input into recommendations and review of draft ACHA report: TBC, October 2023
- Report finalisation and submission of AHIP application (if required): TBC, October- November 2023

## 5 What we need from you

In addition to the archaeological evidence described above, Aboriginal heritage incorporates a wide range of values such as stories, traditions and cultural practices. EMM welcomes advice from the Aboriginal community about cultural values (which might include archaeological sites or other types of values) relevant to the project area and its surrounds. EMM is relying on the Aboriginal community for advice on nonarchaeological and intangible Aboriginal values for the project area. We are happy to discuss any information which you are willing to share and will respect confidentiality where requested.

EMM would appreciate your feedback on the above methodology proposed for the investigation and assessment of the project area. In responding, please also consider the following questions:

- Are there any other knowledge-holders or traditional owner groups we should be contacting to obtain cultural information on this area?
- Are there any protocols in relation to community interaction and/or cultural heritage that you would like adopted during the project?
- Are you aware of any Aboriginal objects, places, sites or stories of cultural significance and/or importance that you are aware of within the project area? If so, please advise us how you wish them to be managed with during the project.
- Are you aware of any past or current fishing and hunting activities within the project area? Do you have any views on how these should be managed into the future?

- Is the information you are providing sensitive, gender specific, etc? If so, how would you like the information you provide to EMM to be managed? Noting that some documentation for the ACHA process will be required.
- Do you require any further information prior to EMM proceeding with the project?
- In your response, can you please also clearly identify who you would like EMM to talk to within your organisation, and provide contact details for these individuals. Please also ensure your preferred method of communication (eg telephone call, e-mail, letter etc) is highlighted for subsequent stages of the project.

## 6 Closing

We look forward to receiving any response your organisation wishes to make about the proposed method by **5 September 2023**. Your response will be documented and considered in the assessment. Most importantly, your cultural information is also welcome within this timeframe; but it can also be submitted up until the completion of the draft ACHA.

Please feel free to contact me with any questions.

Yours sincerely



**Mikhaila Chaplin**  
Archaeologist

[mchaplin@emmconsulting.com.au](mailto:mchaplin@emmconsulting.com.au)

## Mikhaila Chaplin

---

**From:** Mikhaila Chaplin  
**Sent:** Tuesday, 8 August 2023 4:47 PM  
**Cc:** Georgia Burnett; Laessa Barry  
**Subject:** Kurnell Planning Proposal - Project information and assessment methods  
**Attachments:** E230311\_KurnellPP\_Methodology\_v4.0.pdf

Hi all,

Thank you for registering your interest in the Aboriginal Cultural Heritage Assessment (ACHA) currently being undertaken for the Kurnell Planning Proposal rezoning project, located at located at 251,278 and 280-282 Captain Cook Drive, Kurnell, NSW (Lot 2 DP 1030269, Lot 2 DP 559922, and Lot 8 DP 586986).

Attached to this email is a letter which outlines the proposed assessment methods for the ACHA. The letter includes information about the project itself, as well as our proposed methods for undertaking a survey within the project area. We would appreciate if you could please review the letter and let me know your thoughts or comments, if any. We would also be happy for you to share any cultural information about the study area and its cultural value to you, if you have not already done so.

Your response would be greatly appreciated, and please feel free to send any information or feedback to me via email, post or phone. As outlined in the letter, if you could provide any comments by **Tuesday 5 September 2022**, that would be ideal. We will begin setting up arrangements for the on site activities likely in early September.

Any questions, please let me know.

Kind Regards,

Mikhaila

### Mikhaila Chaplin

Archaeologist | Bushfire, Ecology, Heritage and Spatial Solutions



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## B.6 Stage 4 – Aboriginal feedback of the draft ACHA

- No written feedback was received. Please see distribution email below.

## Kurnell Planning Proposal - Draft ACHA for review and comments

Phillipa O'Brien-Pounde <pobrienpounde@emmconsulting.com.au>

Fri 2023-12-01 11:09 AM

Cc:Laressa Barry <lbarry@emmconsulting.com.au>;Georgia Burnett <gburnett@emmconsulting.com.au>;Mikhaila Chaplin <mchaplin@emmconsulting.com.au>

Bcc:cingrey@laperouse.org.au <cingrey@laperouse.org.au>;yulayculturalservices@gmail.com <yulayculturalservices@gmail.com>;Wenlissa01@hotmail.com <Wenlissa01@hotmail.com>;didgengunawalclan@yahoo.com.au <didgengunawalclan@yahoo.com.au>;philipkhan.acn@live.com.au <philipkhan.acn@live.com.au>;butuheritage@gmail.com <butuheritage@gmail.com>;waarlan12@outlook.com <waarlan12@outlook.com>;ninum\_group@outlook.com <ninum\_group@outlook.com>;cal.slater61@gmail.com <cal.slater61@gmail.com>;gamila\_roi@yahoo.com.au <gamila\_roi@yahoo.com.au>;jvdcorp@hotmail.com <jvdcorp@hotmail.com>;bunjil.smith@gmail.com <bunjil.smith@gmail.com>

Hi all,

Thank you for your involvement to date for the Aboriginal cultural heritage assessment for the Kurnell planning proposal. I am happy to provide you with the opportunity to read and review our ACHA, which is linked below. As you know, the proposal aims to establish a new mixed-use community involving residential, employment, tourism, education, cultural facilities, ecological regenerative zones and public open spaces. This report has been prepared to identify the Aboriginal archaeological and cultural values of the project area, assesses the impacts of the proposed rezoning on the identified Aboriginal sites and cultural values, and to identify future cultural heritage management requirements should the proposed rezoning be successful.

The draft report can be downloaded from the following link:  [E230311\\_Kurnell ACHA\\_v1.pdf](#)

Please let me know if you trouble accessing that link.

I invite you to please have a look through the report and provide any feedback, thoughts or input on the proposed recommendations. EMM would greatly appreciate any feedback, and we ask that you please aim to get back to me by COB Friday 5 January 2024; this date provides some extra time due to the holidays.

If you have any problems downloading or accessing the report, or want to chat about the report further, please feel free to email or call to discuss (contact details below); Laressa Barry is also across the details of this project and is available on 0432 830 813 or lbarry@emmconsulting.com.au.

Also, if you require a printed copy posted to you, please let myself or Laressa know (and provide postal information) and we can arrange this for you.

Happy to discuss.

Cheers,  
Phillipa

**Phillipa O'Brien-Pounde**

Graduate Archaeologist



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## Re: Kurnell Planning Proposal - Draft ACHA for review and comments

Phillipa O'Brien-Poude <pobrienpoude@emmconsulting.com.au>

Tue 2024-01-02 8:00 AM

Cc:Laressa Barry <lbarry@emmconsulting.com.au>;Georgia Burnett <gburnett@emmconsulting.com.au>;Mikhaila Chaplin <mchaplin@emmconsulting.com.au>

Bcc:cingrey@laperouse.org.au <cingrey@laperouse.org.au>;yulayculturalservices@gmail.com <yulayculturalservices@gmail.com>;Wenlissa01@hotmail.com <Wenlissa01@hotmail.com>;didgengunawalclan@yahoo.com.au <didgengunawalclan@yahoo.com.au>;philipkhan.acn@live.com.au <philipkhan.acn@live.com.au>;butuheritage@gmail.com <butuheritage@gmail.com>;waarlan12@outlook.com <waarlan12@outlook.com>;ninum\_group@outlook.com <ninum\_group@outlook.com>;cal.slater61@gmail.com <cal.slater61@gmail.com>;gamila\_roi@yahoo.com.au <gamila\_roi@yahoo.com.au>;jvdcorp@hotmail.com <jvdcorp@hotmail.com>;bunjil.smith@gmail.com <bunjil.smith@gmail.com>

Hi all,

This is just a friendly reminder that the review period for the Kurnell Planning Proposal – ACHA ends this week on **Friday 05 January 2024**. If you wish to provide any comments or input please do so by this date.

Thanks again,

Phillipa

### Phillipa O'Brien-Poude

Graduate Archaeologist

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M 0434 441 477

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---

**From:** Phillipa O'Brien-Poude

**Sent:** Friday, December 1, 2023 11:09 AM

**Cc:** Laressa Barry <lbarry@emmconsulting.com.au>; Georgia Burnett <gburnett@emmconsulting.com.au>; Mikhaila Chaplin <mchaplin@emmconsulting.com.au>

**Subject:** Kurnell Planning Proposal - Draft ACHA for review and comments

Hi all,

Thank you for your involvement to date for the Aboriginal cultural heritage assessment for the Kurnell planning proposal. I am happy to provide you with the opportunity to read and review our ACHA, which is linked below. As you know, the proposal aims to establish a new mixed-use community involving residential, employment, tourism, education, cultural facilities, ecological regenerative zones and public open spaces. This report has been prepared to identify the Aboriginal archaeological and cultural values of the project area, assesses the impacts of the proposed rezoning on the identified Aboriginal sites and cultural values, and to identify future cultural heritage management requirements should the proposed rezoning be successful.

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Also, if you require a printed copy posted to you, please let myself or Laressa know (and provide postal information) and we can arrange this for you.

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Cheers,  
Phillipa

### Phillipa O'Brien-Pounde

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Please note, no written feedback was received during the comment period.

---

# Appendix C

Aboriginal cultural values on Kurnell Peninsula: A  
desktop research report

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# Aboriginal cultural values on the Kurnell Peninsula: A desktop research report

Dr Patrick Horton  
Consultant anthropologist

Sydney, November 2023



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## **Executive summary**

This report covers a desktop research investigation into potential Aboriginal cultural heritage values at an area on Captain Cook Drive, Kurnell NSW, being Lot 2 DP1030269; Lot 2 DP559922; Lot 8 DP586986; and Lot 9 DP586986.

I have examined a wide range of resources, including historical, ethnographic and archaeological records, and publicly-available government and due diligence reports relevant to the subject land, as well as the broader cultural terrain.

It is a finding of this desktop report that there are no records of intangible Aboriginal cultural heritage values within or in the immediate vicinity of the project area.

## Introduction

This report is a response to a request from EMM Consulting Pty Limited (EMM) to conduct desktop research into Aboriginal cultural values within several adjacent properties on the Kurnell peninsula along Captain Cook Drive. It will inform EMM's Aboriginal Cultural Heritage Assessment (ACHA) for the Kurnell Planning Proposal project, and is to be read in conjunction with that report. The project area is comprised of Lot 2 DP1030269; Lot 2 DP559922; Lot 8 DP586986; and Lot 9 DP586986 on Captain Cook Drive, Kurnell NSW.

The scope of this report is to carry out desktop research to understand any traditional and contemporary Aboriginal cultural values which may be relevant to the study area. The report compiles that research, which I have undertaken in line with my training and experience as an anthropologist in both applied and academic contexts. As the scope is limited to a desktop investigation, this research has primarily involved: searching web and library databases for ethnographic, historical, archaeological and linguistic records of the Kurnell region, including various search terms relevant to the peninsula, Dharawal culture, language and traditions, and toponyms of apparent Aboriginal origin; collating notes; and preparing this report.

I have not attempted to carry out field research or consultations with relevant Aboriginal traditional owners, custodians or knowledge holders, as this desktop report is necessarily limited to the availability of written records. Due to the cultural prominence of the Kurnell peninsula, the vast majority of records of the area relate to its historical significance as the landing place of Captain James Cook and the subsequent settlement of Australia. I would also comment that the available ethnographic record for the Kurnell area is sparse. This is understandable considering the emphatically settler-colonial context of arrival and subsequent occupation, and the fact that anthropology and ethnography were relatively nascent disciplines during the time of early settlement.

I also note the absence of research or recommendations relating to the McCue Midden in this report. Although this archaeological site is located within the project area, I understand related matters are being addressed in the body of EMM's ACHA report.

The first section of this report contains a brief overview of the cultural context of the project area. This is followed by a summary of areas of potential cultural significance within the subject land, near to subject land and in the broader Kurnell/Botany Bay area. The very brief conclusion summarises the findings of this desktop research, which has found that there are no documented areas, places or sites of traditional or contemporary Aboriginal cultural value relevant to the project area.

## Overview of cultural context

The investigation area is located on the Kurnell peninsula, which is well-documented as the ancestral country of the Dharawal-speaking Gweagal people (eg. AHD 2004; Bursill, et al. 2007). This group, said to be a 'fire clan' (Bursill, et al. 2007), is primarily associated with the land south of Botany Bay and a large part of the Cronulla (*Kurunalla*) coast (Turbet 1989).

The Kurnell peninsula comprises part of Botany Bay, the Dharawal word for which is said to be *kamay* ('fresh water'); its derivative *kamayagal* refers to the people of that area (NPWS 2020:9).<sup>1</sup>



Figure 1. Dharawal country, featuring the Kurnell peninsula on Gweagal country (image sourced from Bursill, et al. 2007:9).

Kurnell is a location of high national significance as the site where colonial settlement of the Australian continent initiated. I do not intend to replicate these prolifically cited historical events here, but note that the Kurnell area, Kamay Botany Bay National Park, and particularly the site of Captain Cook's landing remain of potent symbolic value and significance to Gweagal/Dharawal and other Indigenous people (see for example NPWS 2020; Nugent 2005), including as a site of protest (Nugent 2006). From the period of early settlement onwards parts of the Kurnell peninsula became subject to private ownership and alterations to the landscape (Nugent 2005:54-58), and although there are records of some Aboriginal people living and working locally, there was a substantial decline in their occupation of the area (Nugent 2006:47-61). Although some Gweagal and other Indigenous groups or individuals lived at or visited the area periodically (Irish and Ingrey 2013:79), Dharawal archaeologist Les Bursill and colleagues note that:

It is difficult to know fully the fate of the Dharawal people. It is believed diseases that the Aboriginal people had never been exposed to became one of the biggest killers. The early settlers caused dispossession from the land, dispersing the Dharawal

---

<sup>1</sup> It could also be the case that *Kamay* is an abridgement or derivation of *Kai'eemah*, which according to Frances Bodkin and Gawaian Bodkin Andrews (2012) is the toponym for the Georges River, a tidal watercourse draining into Botany Bay.

people from southern Sydney, thus causing a substantial breakdown of the Dharawal culture (2007:42).

Those authors conclude that by the 1810s, during an escalating period of state-sanctioned genocidal violence, “nearly all three thousand Dharawal speaking people had now been killed or driven off their land” (2007:45). Despite this, Dharawal people maintain connections with the Kurnell area (Bursill, et al. 2007; Irish and Ingrey 2013; Nugent 2005). It is also relevant to this study to note that the landscape (cultural, topographic, economic, demographic) of the Kurnell peninsula has been altered dramatically since it was first settled (see for example Nugent 2005; Smith, et al. 1990a; 1990b).

The body of ethnographic literature on Aboriginal cultural life and geography in the vicinity of Kurnell is modest. By way of introduction, ‘Kurnell’ is understood to be derived from a Dharawal word *Kundal*, widely understood to be the Dharawal term for the peninsula (Attenbrow 2009:42). However, a word-list compiled by Frederick McCarthy (1952:13) suggests the (possibly homophonic) term *kunidal* means “place of wild carrot”, and Nugent (2005:55) notes some sources infer that “Kurnell was an Aboriginal corruption of the name Connell”, a settler who owned land on the peninsula during the 1820s.

R. H. Matthews (1899:91-92) documented a traditional narrative on the origin of the Dharawal people in which they are represented as having descended from a totemic whale ancestor. The prevalence of whales depicted in engravings and other artforms in the region further inform understandings that whales (*gawura*), particularly orca whales, were a significant totemic species for the coastally-oriented Dharawal people (Bursill, et al. 2007:10, 23). Robert Fuller and Les Bursill (Bursill and Fuller 2021; Fuller 2020) suggest that a Black Duck tradition was held by Dharawal and other coastal groups in the Sydney basin, and this may have included Dharawal speakers at Kurnell. No specific sites associated with these traditions have been recorded on the Kurnell peninsula.

A recent management plan for Kamay Botany Bay National Park (NPWS 2020:18) refers to broad aspects of intangible cultural heritage across the Kurnell peninsula, including:  
traditional and continuing Aboriginal knowledge of the landscape and its plants and animals, spiritual (totemic) connections to the landscape, the views of Kurnell and La Perouse across Botany Bay that offer a link to traditional country and personal and community stories, memories and oral traditions.

Aside from these broad descriptions, there is no specific documentation available of intangible Aboriginal cultural values on the Kurnell peninsula. This being the case, a large number of sites of archaeological significance have been investigated on the peninsula, continuing to inform understandings of pre-colonial Aboriginal life in the area (see for example Smith, et al. 1990a; 1990b). For example, during a recent archaeological investigation of a midden adjacent to the project area, Paul Irish (2018:5) found that Aboriginal people occupying Kurnell made and used stone tools including spear points, and “collected cockles and whelks from the nearby mangroves, plus the odd oyster, and ate them at the site”.

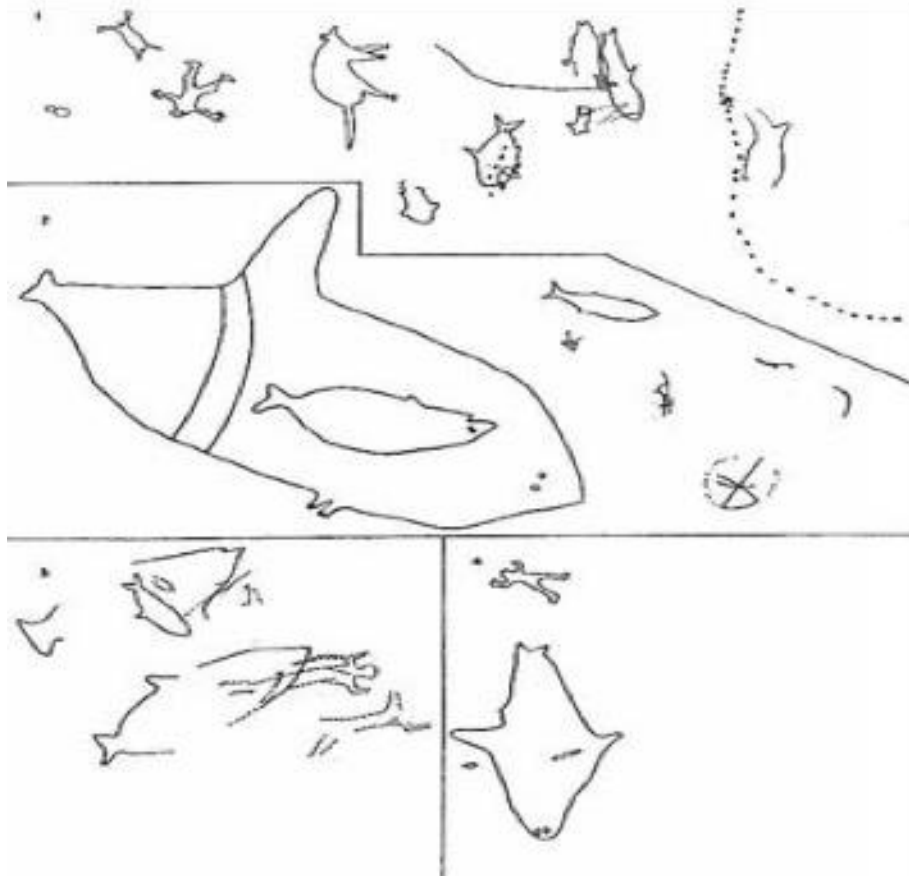


Figure 2. Depictions of engravings on the La Perouse headland, opposite the Kurnell peninsula, featuring whales and other significant species (sourced from Jill Sheppard Consultants 2009, cited in NPWS 2020:21).

Of peripheral relevance to this exercise, but generally relevant to the cultural landscape of the Kurnell peninsula, is a traditional narrative local to the Georges River, Botany Bay and Cronulla areas published by Frances Bodkin and Gawaian Bodkin Andrews (2012). Summarily, the narrative climaxes with waves crashing into and permanently flooding the area now known as Botany Bay. Patrick Nunn & Nicholas Reid (2016) suggest this account contains particles of oral history documenting the inundation of coastal landscapes during the postglacial rise of continental sea levels. One could also infer this traditional narrative also relates broadly to the creation of the Kurnell peninsula.

## Areas of potential cultural significance

This section captures material which may be relevant to the study from the available literature. Mary Nugent (2005) notes that recorded areas of intangible Aboriginal cultural value on the Kurnell Peninsula are overwhelmingly those associated with the site of first contact between settlers and Aboriginal populations, and that other culturally significant places in the area have largely escaped documentation. There are a handful of locations on the peninsula recorded by settlers as having been identified by local Aboriginal people, but these all relate to sites primarily significant to the early settler demographic – for example Sutherland’s Grave, the first settler to have died and been buried at Botany Bay, identified by

Sally Mettymong (Nugent 2005:87-89) – rather than Aboriginal cultural knowledge (see also Attenbrow 2009).

A brief note on Aboriginal toponyms. In many parts of Australia, Indigenous terms and placenames have been appropriated (historically) or reasserted (more recently) in the naming or re-naming of cities, towns and topographic features. Quite often Aboriginal toponyms contain or refer to phenomena of particular cultural (rather than linguistic) significance, for example locations named or celebrated in ceremonial activity and song. The vast majority of primary material about Aboriginal placenames in the Sydney catchment is sourced from historical records dating from early settlement in 1788 until 1899 (Attenbrow 2009:13-19). In preparing this section I have considered various toponyms of apparent Aboriginal origin in the Kurnell area, as well as other areas which could be surmised to be of significance to Aboriginal individuals and groups, in relation to various historical and other records.

### Potential areas within the project area

#### Boat Harbour

A small, sandy bay nestled between rocky coastline and cliffs on the southern edge of the project area. Parts of the Boat Harbour shoreline are included in the subject land. Records indicate that numerous shell middens of varying condition have been located in the vicinity of this bay (Cridland 1950, cited in Nugent 2005:59; Smith, et al. 1990a; 1990b), suggesting that the bay was at least favoured for collecting, preparing and consuming shellfish and occupation. As noted in the ACHA, however, known archaeological materials have been removed from the area through various archaeological mitigation programs. No other specific cultural values are documented at this location. That being said, there is a possibility that extant cultural or spiritual associations may be held by contemporary traditional owners and custodians in relation to this site of former ancestral occupation and archaeological significance. However, no specific values have been identified by the community to date (including as part of the consultation undertaken for the associated ACHA), and no consultation was undertaken to inform this desktop values assessment. Therefore, this remains speculation.

### Potential areas near the project area

#### Pimelwi Rocks

This term appears on topographic mapping in reference to an array of rocks off the beach immediately south of the project area. Records of the Sutherland Shire Council (2020:21) indicate that 'Pimelwi' was an alternative spelling of Pemulwuy, a renowned Bidjigal man hailing from the Botany Bay area. Although Pemulwuy was most active in the period between 1790 and his assassination in 1802, the placename Pimelwi did not appear on maps until 1951 (ibid.). It is therefore apparent that this placename is an accretion to honour or remember its namesake.

### Potential areas afield of the project area

#### The grave of Cundlemong

Cundlemong, an Aboriginal man said to be "the last chief of the tribe whose headquarters were at Kurnell" and who died around 1846, was buried somewhere within a few hundred

metres of Cook's landing site, but this location is now likely "impossible to determine" (Nugent 2005:97). Numerous Aboriginal burials, middens, artefacts and other sites of archaeological significance are reported to have been uncovered on the peninsula during the 20<sup>th</sup> century (2005:103-104, 110; see also Smith, et al. 1990a; 1990b).

#### Historical 'watering place'

A freshwater stream near the landing place of Captain Cook and a point of first contact where Cook and company filled vessels with drinking water. While this area has contemporary and historical significance for local Aboriginal people, Nugent (2005:37) suggests the stream may also have been of traditional significance to its custodians beyond its use as a freshwater source.

#### Possible ceremony ground

Records allude to pre-colonial and post-colonial ritual combat as having taken place on the Kurnell peninsula. For instance, Bennelong (a prominent figure in Sydney's Aboriginal history) is documented as having participated in ritual combat at Kurnell in 1790 (Irish 2017), and the Botany Bay locale is said to have been used by various Aboriginal groups for settling disputes (Nugent 2005). Further detail is not forthcoming, but one could surmise that such ritualised activity may have occurred at a particular consecrated area, i.e. a ceremony ground. No such location is evident in available historical records.

#### Yena Gap

An area on the eastern coastline of the Kurnell peninsula. Records of the Sutherland Shire Council indicate this term (or a derivative) "is the native name of the well-known shrub or tree, Honeysuckle, growing in abundance, overhanging the place so named and is a favourite among our fishermen" (SMH 1890, cited in SSC 2020:43).

#### Muru Trail

A designated walking track within Kamay Botany Bay National Park. According to Bursill et al. (2007:36) *mur* is a Dharawal term meaning 'road' or 'path'.

#### Tabbigai Gap

A prominent gap on the eastern coastline of the Kurnell peninsula. Records of the Sutherland Shire Council indicate this term is derived from the Dharawal name for the topographical feature, documented as 'Tobago'in' (SMH 1890, cited in SSC 2020:30).

#### Marang Parklands

An area immediately adjacent to the project area. This name is well-documented as having been nominated for the Parklands by the La Perouse LALC, being a Dharawal term for 'sandhill' (see for example SSC 2020:12). As the site of a former waste depot, this area was the subject of substantial works and disturbance prior to its (presently ongoing) rehabilitation. Marang Parklands has been included in this review as a locality with a name of Aboriginal origin; there is no indication that this area holds any further cultural significance.

#### Gunnamatta

The contemporary name of a bay within Port Hacking, well to the south of the project area. Les Bursill notes that this Dharawal placename “originally referred to the whole area from present day Kurnell to Bass and Flinders Point” (attributed to Pauline Curby, n.d., cited in Bursill 2017:46). If that description is correct, all or part of the project area would have been included in the Gunnamatta area.

#### Area on opposite side of Botany Bay

Mahroot, an Aboriginal man from Botany Bay who gave evidence at government inquiry in 1845, identified an area on the northern side of Botany Bay which Irish & Ingreys (2013:85) suggest may have been culturally significant according to local Aboriginal tradition. This area is now the site of the Botany Bay container port (ibid.).

Other areas, including the Towra Point Keeping Place, the Dharawal Resting Place, and the Meeting Place between Captain Cook and Aboriginal occupiers of the peninsula, would also have cultural and historic significance to Gweagal/Dharawal people and other Indigenous individuals and groups.

## Conclusion

This report has addressed various aspects of tangible and intangible cultural heritage values relevant to the Kurnell area. It is a finding that there are no documented items, places or sites of cultural significance within or in the immediate vicinity of the project area, other than those addressed elsewhere in more detail in the ACHA report.

Specifically, while Boat Harbour is located within the project area, on the south eastern corner, its key value appears to be archaeological; as such, it can be considered that this value has been reduced, or removed entirely, with the various archaeological mitigation activities in this location in the past decade. No documentation sourced for this assessment, nor consultation undertaken for the ACHA assessment more broadly, have identified specific, ongoing community values associated with this site.

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—

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—

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SSC

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# Appendix D

## Archaeological background

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## D.1 Site definitions and recording methods used for this assessment

### D.1.1 Aboriginal sites

In the AHIMS database, Aboriginal sites are defined in several ways. At the simplest level, sites are recorded as ‘closed’ or ‘open’. Closed sites are associated with rockshelters and include other evidence of Aboriginal occupation that may be present, such as areas where subsurface Aboriginal objects may occur within the shelter (‘potential archaeological deposit’ (PAD)), faunal remains, and art on the shelter walls (paintings/engravings). Open sites are broadly defined and encompass all other types of Aboriginal site features that are located in areas where there is no rockshelter. The most common open site features found generally include artefacts, grinding grooves, art, culturally modified trees, and shell deposits (middens) (OEH 2012). The presence or absence of stone artefacts is often a defining factor in site identification, with almost every site likely to have at least some associated artefacts, as discard or loss of this most ubiquitous and practically indestructible marker of past Aboriginal visitation.

Any one site (or group of linked sites described as a ‘complex’) can contain several different site features. For example, a shelter may have art on the walls, artefacts on the floor surface or outside the shelter, and be predicted to contain faunal remains and further artefacts in the accumulated deposit inside.

A description of terms used to describe different site features known to occur in the vicinity of the project area is provided in Table D.1 and use definitions provided by OEH and those adopted by EMM in their field investigations to ensure consistency in recording. Similarly, there may be places of contemporary significance to Aboriginal people in the region and that will require consultation with this community to identify.

**Table D.1 Site definitions and recording**

Site feature	Definition and recording methods
Aboriginal ceremony and Dreaming	Previously referred to as mythological sites these are spiritual/story places where no physical evidence of previous use of the place may occur, e.g. natural unmodified landscape features, ceremonial or spiritual areas, men’s/women’s sites, dreaming (creation) tracks, marriage places etc.
Artefact site (open stone artefact site)	Objects such as stone tools, and associated flaked material, spears, manuports, grindstones, discarded stone flakes, modified glass or shell demonstrating evidence of use of the area by Aboriginal people. Open stone artefact sites were defined by the presence of one (isolated find) or more (artefact scatter) stone artefacts visible on the ground surface. The boundaries of a site are limited to the spatial extent of the visible stone artefacts. The mapped site points and/or ‘site areas’ do not represent the areas of potential archaeological deposit (PAD) that also apply to some sites (refer to the term ‘PAD’ below). Open stone artefact sites were recorded by marking each artefact location or each cluster of artefacts within a 5 m radius as a separate waypoint in the GPS. Site boundaries were allocated by drawing a line around the cluster waypoints for each site using ArcGIS software. Stone artefacts more than 50 m apart were recorded as separate sites. EMM acknowledges that the 50 m rule applied here is an arbitrary distinction for site boundaries and is used mainly for efficiencies in site management and to establish consistency in site recording methods
Burials	A traditional or contemporary (post-contact) burial of an Aboriginal person, which may occur outside designated cemeteries and may not be marked, e.g. in caves, marked by stone cairns, in sand areas, along creek banks etc.
Fish trap	A modified area on watercourses where fish were trapped for short-term storage and gathering.
Grinding grooves	Grinding grooves were defined as an area of outcropping bedrock containing evidence of one or more grinding grooves where ground-stone hatchets or other grinding practices (i.e. seed grinding) were implemented.

**Table D.1 Site definitions and recording**

Site feature	Definition and recording methods
Habitation structure	Structures constructed by Aboriginal people for short- or long-term shelter. More temporary structures are commonly preserved away from the NSW coastline, may include historic camps of contemporary significance. Smaller structures may make use of natural materials such as branches, logs and bark sheets or manufactured materials such as corrugated iron to form shelters. Archaeological remains of a former structure such as chimney/fireplace, raised earth building platform, excavated pits, rubble mounds etc.
Modified tree (carved or scarred)	<p>Trees which show the marks of modification as a result of cutting of bark from the trunk for use in the production of shields, canoes, boomerangs, burials shrouds, for medicinal purposes, foot holds etc., or alternately intentional carving of the heartwood of the tree to form a permanent marker to indicate ceremonial use/significance of a nearby area, again these carvings may also act as territorial or burial markers.</p> <p>Modified trees (either carved or scarred) can be difficult to identify. Scars commonly occur on trees through natural processes such a branch tears, insect damage, storm and fire damage and faunal damage. Scars can also occur from mechanical damage from vehicles or farming equipment.</p> <p>The attributes of potential scarred trees were discussed during the survey amongst archaeologists and RAPs before it was decided if a scar would be recorded or not. A precautionary approach was adopted, whereby some of the more ambiguous examples were recorded anyway. The assessment of scar trees was made from the experience of the survey team and the guideline <i>Aboriginal scarred trees in New South Wales: a field manual</i> (DEC 2005). In some of the more ambiguous examples, it cannot be verified whether some scars recorded during the survey are of natural or Aboriginal origin. In such instances, an expert evaluation by a scar tree expert (arborist or other) would be required to determine the status of certain trees.</p>
Potential archaeological deposit (PAD)	<p>An area where Aboriginal objects may occur below the ground surface.</p> <p>The term ‘potential archaeological deposit’ was first applied in Sydney regional archaeology in the 1980s, and referred to rockshelters that were large enough and contained enough accumulated deposit to allow archaeologists to predict that subsurface cultural material was likely to be present. Since then the term has come to include open sites where the same prediction can be made.</p> <p>EMM has defined PADs as the predicted extent of concentrated subsurface Aboriginal objects in a particular area. PADs are not technically Aboriginal sites until, and if, subsurface Aboriginal objects are identified, which is typically established through archaeological test excavation. PAD areas have been assigned to landforms that are distinguishable from the surrounding landscape (e.g. elevated areas with good outlook overlooking watercourses) as being likely to retain higher artefact densities than the assumed ‘background scatter’ of archaeological material in the broader landscape.</p> <p>The identification of PADs associated with Aboriginal open camp sites was partly based on observations in the field and discussions with RAPs, but also related to the predictive model. Although PAD was attributed to areas for a variety of reasons, the main qualifiers were:</p> <p>The presence of surface artefacts or other Aboriginal objects. Ground surface visibility as part of the archaeological survey effort was typically considered high enough in each PAD area to identify at least one or more surface artefacts thereby indicating likelihood of subsurface potential. Notwithstanding, finding no visible surface artefacts in an area would not disqualify an area from being attributed with PAD.</p> <p>Level to gently inclined ground (&lt;10%) indicating suitable camping or activity areas.</p> <p>Contours that distinguish the landforms with PAD from the surrounding landscape (e.g. spur crest, hill crest or knoll). Landform boundaries were also interpreted through observations in the field. Notably, rocky crest landforms that were protected from intensive cultivation were often attributed with PAD.</p> <p>Proximity to water: typically up to 100 m from 1st and 2nd order streams and up to 200 m from 3rd order streams and above. Elevated landforms at the confluence of higher order streams were also more likely to be attributed with PAD.</p> <p>EMM acknowledges that all PAD areas have been historically cleared of native vegetation and some have been subject to pasture improvements such as ploughing. As such, the term PAD does not assume high subsurface integrity; instead it is a prediction of potential subsurface artefact concentrations.</p> <p>All stone quarry sites are predicted to have PAD. The assumption is that in most cases the visible surface material at quarries is represented by larger artefacts (such as cores) and that smaller material (e.g. flakes) is likely to be buried.</p>

**Table D.1 Site definitions and recording**

Site feature	Definition and recording methods
Restricted	Site information contained in the Aboriginal Heritage Information Management System is available only to certain authorised groups of people, as requested by the Aboriginal community. Detailed information may not be available in search reports.
Shell	An accumulation or deposit of shellfish from beach, estuarine, lacustrine or riverine species resulting from Aboriginal gathering or consumption. Usually found in deposits previously referred to as shell middens. Must be found in association with other objects like stone tools, fish bones, charcoal, fireplaces/hearths, and burials. Will vary greatly in size and composition.
Stone quarry	<p>Usually a source of good quality stone which is quarried and used for the production of stone tools.</p> <p>Stone quarries represent where Aboriginal people gathered raw stone materials for stone tools and/or manufactured stone tools from the adjacent source material. Quarry sites are found at rock outcrops where the material was of suitable quality to have been used to manufacture stone tools. Stone quarries were defined by the presence of outcropping stone material with nearby evidence of the same material type used in the stone tool manufacture process. This was most commonly indicated by large stone cores or stone flakes distributed amongst the same naturally outcropping material.</p> <p>EMM acknowledges that the 'open stone artefact' site type shares some of the same characteristics as 'stone quarries', such as the presence of stone artefacts. However, they have been distinguished from each other because quarries can not only represent open camping activities, but also a fixed location where Aboriginal people needed to visit to extract a resource. In contrast, the location of typical open camp sites were not fixed, but chosen by Aboriginal people for their favourable conditions.</p>

## D.2 AHIMS search results

EMM Consulting - St Leonards - Individual users

Date: 30 June 2023

Ground Level, Suite 01 20 Chandos Street  
 St Leonards New South Wales 2065

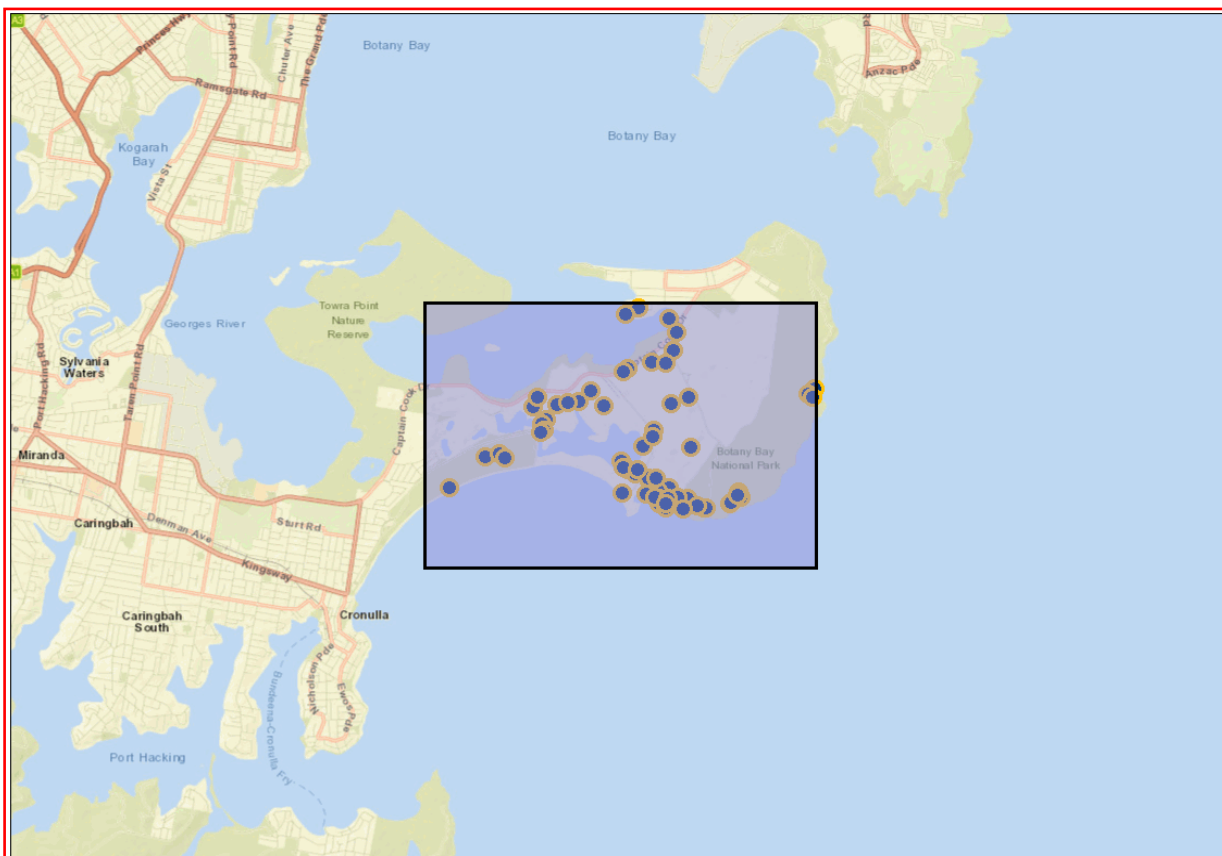
Attention: Mikhaila Chaplin

Email: mchaplin@emmconsulting.com.au

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lat, Long From : -34.0481, 151.1668 - Lat, Long To : -34.0126, 151.2286, conducted by Mikhaila Chaplin on 30 June 2023.**

**The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.**



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

	<b>64 Aboriginal sites are recorded in or near the above location.</b>
	<b>0 Aboriginal places have been declared in or near the above location. *</b>



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

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

### **Important information about your AHIMS search**

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

### D.3 AHIMS site cards for sites within the project area



# National Parks and Wildlife Service

Box 1967, Hurstville NSW 2220. Tel: (02) 585 6444  
Standard Site Recording Form Revised 5/88



52-3-0209

1:250,000 map sheet: WOLLONGONG NPWS Code 5.2

AMG Grid reference 332460 mE 6233030 mN  
Full reference - please include leading digits  
25K 25K  
5/8 25K

Scale of map used for grid reference  25K, 50K (preferred)  100K  250K  
Please use largest scale available

Scale of map used for grid reference  25K, 50K, 100K map name: PORT HACKING

HEAD OFFICE USE ONLY:

NPWS Site no: 52-3-209

Site types: Midden

Accessioned by: AG Date: 10/10/01

Data entered by: \_\_\_\_\_ Date: \_\_\_\_\_

Owner/Manager: BESMAN PTY LTD

Address: 26 RIDGEST NTH SYDNEY

Site name: W1 Locality/property name: KURNELL PENINSULA

NPWS District: METRO SOUTH Region: CENTRAL

Reason for investigation  
PROPOSED DEVELOPMENT

Portion no: DP 55922

Parish: SUTHERLAND

**SITE DESTROYED**

Photos taken? YES

How many attached? 1

How to get to the site (refer to permanent features, give best approach to site eg. from above, below, along cliff. (Draw diagram on separate sheet.) ROAD ON PROPERTY VIA PIONEER GATE, CAPT Cook DRIVE

NO ACCESS WITHOUT SPECIFIC PERMISSION OF BESMAN PTY LTD

Other sites in locality? YES Site Types include: MIDDENS WORKSHOPS

Are sites in NPWS Register?

Have artefacts been removed from site? NOT KNOWN When? \_\_\_\_\_  
By whom? \_\_\_\_\_ Deposited where? \_\_\_\_\_

Is site important to local Aborigines? \_\_\_\_\_  
Give contact(s) name(s) + address(es) NOT KNOWN

Contacted for this recording? REFER BIG MIDDENS FORM  
(Attach additional information separately) If not, why not?

Verbal/written reference sources (including full title of accompanying report). NPWS Report Catalogue #  
ARCHAEOLOGICAL SURVEY: SYDNEY DESTINATION RESORT C 2005

Checklist: surface visibility, damage/disturbance/ threat to site  
Condition of site: BAD **CONSENT TO DESTROY**  
**ISSUED** 520013

Recommendations for management & protection (attach separate sheet if necessary):

Site recorded by: F.P. DICKSON  
Address/institution: 38 TREVELLYAN ST  
CRONULLA.

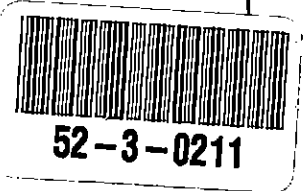
Date: JULY 1991





# National Parks and Wildlife Service

Box 1967, Hurstville NSW 2220. Tel: (02) 585 6444  
Standard Site Recording Form Revised 5/88



1:250,000 map sheet: WOLLONGONG NPWS Code 52

AMG Grid reference 332440 mE 6233210 mN  
Full reference - please include leading digits  
25K 25K 5/8.1 25K

Scale of map used for grid reference  25K, 50K (preferred)  100K  250K  
Please use largest scale available

25K, 50K, 100K map name: PORT HARKING

HEAD OFFICE USE ONLY:  
NPWS Site no: 52-3-211  
Site types:  
Accessioned by: \_\_\_\_\_ Date: \_\_\_\_\_  
Data entered by: \_\_\_\_\_ Date: \_\_\_\_\_  
Owner/Manager: BEBIMMU PTY LTD  
Address: 26 RIDGE ST NTH SYDNEY

Site name: DUI BRAY COMPLEX Locality/property name: KURNELL PENINSULA

NPWS District: METRO SOUTH Region: CENTRAL

Reason for investigation  
PROPOSED DEVELOPMENT

Portion no: DP559922  
Parish: SOTHERLAND

Photos taken? YES  
How many attached? 3

How to get to the site (refer to permanent features, give best approach to site eg. from above, below, along cliff.  
(Draw diagram on separate sheet.) ROAD ON PROPERTY VIA PIONEER GATE CAPT COOK DRIVE

Other sites in locality? YES NEAR BY Site Types include: MIDDENS  
Are sites in NPWS Register?

Have artefacts been removed from site? NOT KNOWN When? \_\_\_\_\_  
By whom? \_\_\_\_\_ Deposited where? \_\_\_\_\_

Is site important to local Aborigines? \_\_\_\_\_  
Give contact(s) name(s) + address(es) NOT KNOWN  
Contacted for this recording? REFER TO BIF MIDDENS FORM  
(Attach additional information separately) If not, why not? \_\_\_\_\_

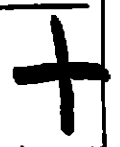
Verbal/written reference sources (including full title of accompanying report).  
ARCHAEOLOGICAL SURVEY: SYDNEY DESTINATION RESORT.  
TEST EXCAVATION AND ASSEMBLAGE ANALYSIS AT DUI BRAY NO. 2. BYRNE 1987  
NPWS Report Catalogue # C-2045  
C-1307  
C-270

Checklist: surface visibility, damage/disturbance/ threat to site  
Condition of site: VERY BAD

CONSENT TO DESTROY  
ISSUED 520013

Recommendations for management & protection (attach separate sheet if necessary):

Site recorded by: FP DICKSON Date: JULY 1987  
Address/institution: 39 TREVELLYAN ST  
CRONULLA  
D. BYRNE - SEE ABOVE JAN 1987.





# National Parks and Wildlife Service

Box 1967, Hurstville NSW 2220. Tel: (02) 585 6444  
Standard Site Recording Form Revised 5/88



52-3-0698

1:250,000 map sheet: Wollengong NPWS Code 52

AMG Grid reference 333950 mE 6232150 mN  
Full reference - please include leading digits  
250K 250K  
25K 5/6 25K

Scale of map used for grid reference  25K, 50K (preferred)  100K  250K  
Please use largest scale available

1:25K, 50K, 100K map name: Port Hacking 929-4-N

HEAD OFFICE USE ONLY:

NPWS Site no: 52-3-698

Site types: 3

Accessioned by: BJ Date: 18.9.90

Data entered by: BJ Date: 18.9.90

Owner/Manager: Besmau Pty Ltd

Address: 26 Ridge St  
North Sydney  
02 9231944

Site name: BH 3 Locality/property name: Boat Harbour

NPWS District: Sydney Region: Central

Reason for investigation  
Kurnell Site Management Study

Portion no.  
Parish: Sutherland Shire

Photos taken? Yes  
How many attached? with report

How to get to the site (refer to permanent features, give best approach to site eg. from above, below, along cliff.  
(Draw diagram on separate sheet.)  
Site is located on the track between Besmau + Boat Harbour. The site is about 100m north of the Cottages on Boat Harbour - see sketch.

Other sites in locality? Yes Site Types include: Middens

Are sites in NPWS Register? 52-3-215+6, BH4 + BH5

Have artefacts been removed from site? No When?   
By whom?  Deposited where?

Is site important to local Aborigines? La Perouse LALC  
Give contact(s) name(s) + address(es)

Contacted for this recording?  
(Attach additional information separately) If not, why not? Not available

Verbal/written reference sources (including full title of accompanying report).  
Rich, Smith, Hesp 1989 Aboriginal Sites on Kurnell Peninsula: Management Study.

NPWS Report Catalogue #  
C-1816  
C-1607

Checklist: surface visibility, damage/disturbance/threat to site  
Condition of site: 80% of site heavily disturbed.

Recommendations for management & protection (attach separate sheet if necessary):

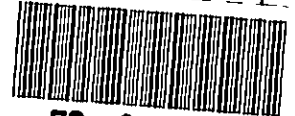
Site recorded by: Smith + Rich  
Address/institution: 26 Brooklyn St  
Tempe NSW 2044

Date: 14.8.89



# National Parks and Wildlife Service

Box 1967, Hurstville NSW 2220. Tel: (02) 585 6444  
Standard Site Recording Form Revised 5/88



52-3-0701

1:250,000 map sheet: Wollongong NPWS Code 1521

AMG Grid reference 333950 mE 6232850 mN  
Full reference - please include leading digits  
25K 25K 5/6 25K

Scale of map used for grid reference  25K, 50K (preferred)  100K  250K  
Please use largest scale available

1:25K, 50K, 100K map name: Port Hacking 9129-4-N

HEAD OFFICE USE ONLY:

NPWS Site no: 52-3-701

Site types: Midden 3

Accessioned by: BJ Date: 18.9.90

Data entered by: BJ Date: 18.9.90

Owner/Manager: Besman Pty Ltd

Address: 26 Ridge St North Sydney  
ph: 02 9231944

Site name: B1 Locality/property name: Besman

NPWS District: Sydney Region: Central

Reason for investigation Kurnell sites Management Study.

Portion no:  
Parish: Sutherland Shire

Photos taken? No.  
How many attached?

How to get to the site (refer to permanent features, give best approach to site eg. from above, below, along cliff. (Draw diagram on separate sheet.)

From Captain Cooks Drive follow 4WD track through industrial area at Birriemere. This track is the access route to the Boat Harbour Cottages. Follow track SE for 1.1km midden shell exposed on track eroding end of small dune in midden area.

Other sites in locality? Yes Site Types include: Midden, hearth, artefacts!

Are sites in NPWS Register? B2

Have artefacts been removed from site? No. When? Deposited where?  
By whom?

Is site important to local Aborigines? La Parouse local Aboriginal Land Council  
Give contact(s) name(s) + address(es)

Contacted for this recording? Not Available for this recording  
(Attach additional information separately) If not, why not?

Verbal/written reference sources (including full title of accompanying report):  
Rich, Smith, Hesp 1989 Aboriginal sites on Kurnell Peninsula: Management Study NPWS Report Catalogue # C-1816 C-1607

Checklist: surface visibility, damage/disturbance/ threat to site  
Condition of site: See attached

Recommendations for management & protection (attach separate sheet if necessary):  
Detailed recording of site. If threatened site should be test excavated to help site assessment. Site in a position to exploit 3 resource zones. This site is the most distant midden recorded on Kurnell Pen. from the coast + may be quite old.

Site recorded by: Smith + Rich Date: 17.8.89  
Address/Institution: 26 Brooklyn St Tempe NSW 2044



[X] New recording

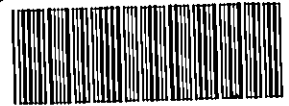
[ ] Additional Info



# National Parks and Wildlife Service

Box 1967, Hurstville NSW 2220. Tel: (02) 585 6444

Standard Site Recording Form Revised 5/88



52-3-0722

1:250,000 map sheet: WOLLONGONG NPWS Code 152

AMG Grid reference 333870 mE 6232620 mN  
Full reference - please include leading digits  
25K 25K 25K 25K 5/8 25K

Scale of map used for grid reference  25K, 50K (preferred)  100K  250K  
Please use largest scale available

125K 50K, 100K map name: PORT HARKINE

### HEAD OFFICE USE ONLY:

NPWS Site no: 52-3-722

Site types: 3 midden

Accessioned by: [Signature] Date: 6-10-91

Data entered by: \_\_\_\_\_ Date: \_\_\_\_\_

Owner/Manager: BESMAW PTY LTD

Address: 26 RIDGEST NTH SYDNEY

Site name: PIMPLE MIDDEN RELICS

Locality/property name: KORRELL PENINSULA

NPWS District: METRO SOUTH

Region: CENTRAL

Reason for investigation

PROPOSED DEVELOPMENT



Portion no: DP 559922

Parish: SUTHERLAND

Photos taken?

How many attached?

How to get to the site (refer to permanent features, give best approach to site eg. from above, below, along cliff. (Draw diagram on separate sheet.)

ROAD ON PROPERTY VIA PIONEER BATE, CAPT COOK DRIVE

NO ACCESS WITHOUT SPECIFIC PERMISSION OF BESMAW PTY LTD

Other sites in locality? YES

Site Types include: MIDDLEB WORKSHOPS

Are sites in NPWS Register?

Have artefacts been removed from site? YES

When? 1968 - 1972

By whom? DICKSON

Deposited where? MACQUARIE U., FOR AUS MUS

Is site important to local Aborigines?

NOT KNOWN

Give contact(s) name(s) + address(es)

Contacted for this recording?

REFER BIG MIDDEN FORM

(Attach additional information separately) If not, why not?

Verbal/written reference sources (including full title of accompanying report).

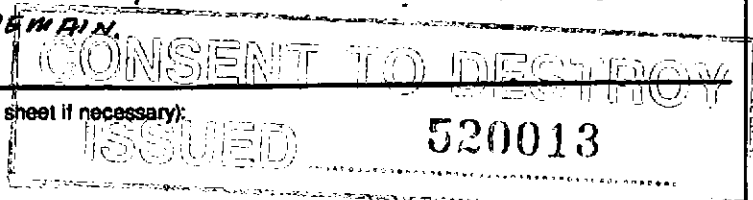
NPWS Report Catalogue #

ARCHAEOLOGICAL REPORT: SYDNEY DESTINATION RESORT

C-2045 C-270

Checklist: surface visibility, damage/disturbance/ threat to site

Condition of site: MIDDEN TOTALLY DESTROYED. ONLY FEW SCATTERED TRACES REMAIN.



Recommendations for management & protection (attach separate sheet if necessary):

Site recorded by: F.P. DICKSON  
Address/institution: 38 REVELLYAN ST CRONULLA

Date: MAY 1968  
REPORT 1991





# National Parks and Wildlife Service

Box 1967, Hurstville NSW 2220. Tel: (02) 585 6444  
Standard Site Recording Form Revised 5/88



52-3-0723

1:250,000 map sheet: WOLLONGONG NPWS Code 52

AMG Grid reference 333880 mE 6232500 mN  
Full reference - please include leading digits  
25K 25K 5/8 25K

Scale of map used for grid reference  25K, 50K (preferred)  100K  250K  
Please use largest scale available

1:25K, 50K, 100K map name: PORT HACKING

**HEAD OFFICE USE ONLY:**

NPWS Site no: 52-3-723

Site types: 3 middens

Accessioned by: AT Date: 10/10/01

Data entered by: \_\_\_\_\_ Date: \_\_\_\_\_

Owner/Manager: BESMAN PTY LTD

Address: 26 RIDGEST NTH SYDNEY

Site name: BATRACK Locality/property name: KURNELL PENINSULA

NPWS District: METRO SOUTH Region: CENTRAL

Reason for investigation

PROPOSED DEVELOPMENT

Portion no: DP 559922

Parish: SUTHERLAND

Photos taken?

How many attached?

How to get to the site (refer to permanent features, give best approach to site eg. from above, below, along cliff. (Draw diagram on separate sheet.)

ROAD ACROSS PROPERTY VIA PIONEER GATE, CAPT. COOK DRIVE.

NO ACCESS WITHOUT SPECIFIC PERMISSION OF BESMAN PTY LTD

Other sites in locality?  YES

Site Types include: MIDDENS, WORKSHOPS

Are sites in NPWS Register?

Have artefacts been removed from site? NOT KNOWN When?

By whom? Deposited where?

Is site important to local Aborigines? NOT KNOWN

Give contact(s) name(s) + address(es)

REFER BIG MIDDENS FORM

Contacted for this recording?

(Attach additional information separately) If not, why not?

Verbal/written reference sources (including full title of accompanying report.)

ARCHAEOLOGICAL SURVEY: SYDNEY DESTINATION RESORT

NPWS Report Catalogue #

C-2045  
C-270

Checklist:  
surface visibility,  
damage/disturbance/  
threat to site

Condition of site: RUINED

Recommendations for management & protection (attach separate sheet if necessary)

**CONSENT TO DESTROY**  
**ISSUED** 520013

Site recorded by: F. P. DICKSON  
Address/institution: 38 TR EVELLYAN ST  
CRONULLA

Date:

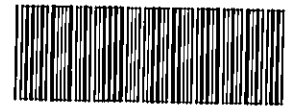






# National Parks and Wildlife Service

Box 1967, Hurstville NSW 2220. Tel: (02) 585 6444  
Standard Site Recording Form Revised 5/88



52-3-0724

1:250,000 map sheet: WOLLONGONG NPWS Code 5,2

AMG Grid reference 333650 mE 6232150 mN  
Full reference - please include leading digits  
25K 25K 5/8 25K

Scale of map used for grid reference [ ] 25K, 50K (preferred) [ ] 100K [ ] 250K  
Please use largest scale available

25K, 50K, 100K map name: PORT HACKING

### HEAD OFFICE USE ONLY:

NPWS Site no: 52-3-724

Site types: 3 middens

Accessioned by: [Signature] Date: 10/10/91

Data entered by: \_\_\_\_\_ Date: \_\_\_\_\_

Owner/Manager: BESMAW PTY LTD

Address: 26 RIDGEST NTH SYDNEY

Site name: BHW

Locality/property name: KURNELL PENINSULA

NPWS District: METRO SOUTH

Region: CENTRAL

Reason for investigation

PROPOSED DEVELOPMENT 520014

Portion no: DP559922

Parish: SUTHERLAND

Photos taken? YES

How many attached? 2

**SITE DESTROYED**

How to get to the site (refer to permanent features - give best approach to site eg. from above, below, along cliff. (Draw diagram on separate sheet.)

ROAD AND TRACK ON PROPERTY, FROM CAPT COOK DRIVE VIA PIONEER GATE.

NO ACCESS WITHOUT SPECIFIC PERMISSION OF BESMAW PTY LTD

Other sites in locality? YES

Site Types include: MIDDENS, WORKSHOPS

Are sites in NPWS Register?

Have artefacts been removed from site? NOT KNOWN When?

By whom? \_\_\_\_\_ Deposited where? \_\_\_\_\_

Is site important to local Aborigines? NOT KNOWN.

Give contact(s) name(s) + address(es)

Contacted for this recording? SEE BIG MIDDENS FORM

(Attach additional information separately) If not, why not?

Verbal/written reference sources (including full title of accompanying report).

ARCHAEOLOGICAL SURVEY: SYDNEY DESTINATION RESORT

NPWS Report Catalogue #

C-2045  
C-270

Checklist: surface visibility, damage/disturbance/ threat to site

Condition of site: MOSTLY UNDER DENSE SCRUB. PART UNCOVERED HAS BEEN THERE BY RUINED.

Recommendations for management & protection (attach separate sheet if necessary):

Site recorded by: F. P. DICKSON  
Address/institution: 38 TREVELLYAN ST  
CAONULLA.

Date: JULY 1991





# National Parks and Wildlife Service

Box 1967, Hurstville NSW 2220. Tel: (02) 585 6444  
Standard Site Recording Form Revised 5/88



52-3-0725

1:250,000 map sheet: WOLLONGONG NPWS Code 52

AMG Grid reference 333730 mE 6232250 mN  
Full reference - please include leading digits

Scale of map used for grid reference  25K, 50K (preferred)  100K  250K  
Please use largest scale available

1:25K, 50K, 100K map name: 25K PORT HACKING

**HEAD OFFICE USE ONLY:**

NPWS Site no: 52-3-725

Site types: Midden 3

Accessioned by: [Signature] Date: 19/10/91

Data entered by: \_\_\_\_\_ Date: \_\_\_\_\_

Owner/Manager: BESMAW PTY LTD

Address: 26 RIDGE ST NTH. SYDNEY

Site name: BIG MIDDENS Locality/property name: KURNELL PENINSULA

NPWS District: METRO SOUTH Region: CENTRAL

Reason for investigation  
PROPOSED DEVELOPMENT

Portion no: DP 559922  
Parish: SUTHERLAND

Photos taken?  
How many attached?

How to get to the site (refer to permanent features, give best approach to site eg. from above, below, along cliff. (Draw diagram on separate sheet.)  
SITE IN ACCESSIBLE: DENSE ACACIA SCRUB. APPROACHABLE VIA ROAD AND TRACK ON PROPERTY. PIONEER GATE, CAPT COOK DRIVE. NO ACCESS WITHOUT SPECIFIC PERMISSION OF BESMAW PTY LTD.

Other sites in locality? YES, BOAT HARBOUR. Site Types include: MIDDENS, WORKSHOPS  
Are sites in NPWS Register?

Have artefacts been removed from site? YES When? 1900 ONWARDS. MINED FOR SHELL.  
By whom? SHELL MINERS, MANY COLLECTORS Deposited where? STONE ARTEFACTS, PILLION COLL. - MACQUARIE ISL.

Is site important to local Aborigines? NOT KNOWN  
Give contact(s) name(s) + address(es)

Contacted for this recording? K. FOSTER, ABORIGINAL REP FAILED TO APPEAR AFTER REPEATED REQUESTS.  
(Attach additional information separately) If not, why not?

Verbal/written reference sources (including full title of accompanying report).  
ARCHAEOLOGICAL SURVEY: SYDNEY DESTINATION RESORT.

NPWS Report Catalogue #

C-2045

Checklist:  
surface visibility,  
damage/disturbance/  
threat to site

Condition of site: RUINED AND NOW COVERED BY DENSE SCRUB

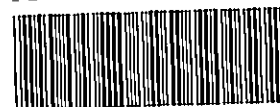
Recommendations for management & protection (attach separate sheet if necessary)

**CONSENT TO DESTROY**  
**ISSUED** 520013

Site recorded by: F. P. DICKSON  
Address/institution: 39 TREVELLYAN ST CRONULLA

Date: 1968 (MAP IN POSSESSION OF NPWS)





# National Parks and Wildlife Service

Box 1967, Hurstville NSW 2220. Tel: (02) 585 6444  
Standard Site Recording Form Revised 5/88

52-3-0727

also see 52-3-209

1:250,000 map sheet: WOLLONGONG NPWS Code 5.2

AMG Grid reference 332480 mE 6233070 mN  
Full reference - please include leading digits  
25K 25K 5/8 25K

Scale of map used for grid reference  25K, 50K (preferred)  100K  250K  
Please use largest scale available

1:25K 50K, 100K map name: PORT HACKING

**HEAD OFFICE USE ONLY:**

NPWS Site no: 52-3-0727

Site types: Midden 3

Accessioned by: AS Date: 10/10/91

Data entered by: \_\_\_\_\_ Date: \_\_\_\_\_

Owner/Manager: BESMAW PTY LTD

Address: 26 RIDGEST NTH SYDNEY

Site name: W3

Locality/property name: KURNELL PENINSULA

NPWS District: METRO SOUTH

Region: CENTRAL

Reason for investigation

PROPOSED DEVELOPMENT

Portion no: DP 559922

Parish: SUTHERLAND

[ SITE - AS ]

Photos taken? YES

How many attached? 1

How to get to the site (refer to permanent features, give best approach to site eg. from above, below, along cliff. (Draw diagram on separate sheet.)

ROAD ON PROPERTY VIA PIONEER GATE CAPT COOK DRIVE

NO ACCESS WITHOUT SPECIFIC PERMISSION OF BESMAW PTY LTD

Other sites in locality? YES

Site Types include: MIDDENS WORKSOPS

Are sites in NPWS Register?

Have artefacts been removed from site? NOT KNOWN When?

By whom?

Deposited where?

Is site important to local Aborigines?

NOT KNOWN

Give contact(s) name(s) + address(es)

REFER BIG MIDDENS FORM

Contacted for this recording?

(Attach additional information separately) If not, why not?

Verbal/written reference sources (including full title of accompanying report).

ARCHAEOLOGICAL SURVEY: SYDNEY DESTINATION RESORT

NPWS Report Catalogue #

C-2045

Checklist: surface visibility, damage/disturbance/ threat to site

Condition of site: VERY BAD

Recommendations for management & protection (attach separate sheet if necessary)

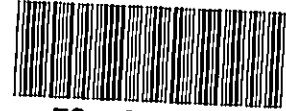
CONSENT TO DESTROY  
ISSUED 520013

Site recorded by: FR DICKSON  
Address/institution: 58 TREVELLYAN ST  
CRONULLA

Date: JULY 1991



[X] New recording



52-3-0728



# National Parks and Wildlife Service

Box 1967, Hurstville NSW 2220. Tel: (02) 585 6444  
Standard Site Recording Form Revised 5/88

also see 52-3-209

1:250,000 map sheet: WOLLONGONG NPWS Code 15,2

AMG Grid reference 332470 mE 6233080 mN  
Full reference - please include leading digits

Scale of map used for grid reference  25K, 50K (preferred)  100K  250K  
Please use largest scale available

Scale of map used for grid reference  1:25K, 50K, 100K map name: PORT HARKING

**HEAD OFFICE USE ONLY:**  
NPWS Site no: 52-3-728  
Site types: Midden 3  
Accessioned by: AT Date: 10/10/91  
Data entered by: \_\_\_\_\_ Date: \_\_\_\_\_  
Owner/Manager: BESMAN PTY LTD  
Address: 21 RIDGE ST NTHSYDNEY

Site name: W4 Locality/property name: KURNELL PENINSULA  
NPWS District: METRO SOUTH Region: CENTRAL

Reason for investigation  
PROPOSED DEVELOPMENT

Portion no: DP 559922  
Parish: SUTHERLAND  
Photos taken?  
How many attached?

How to get to the site (refer to permanent features, give best approach to site eg. from above, below, along cliff. (Draw diagram on separate sheet.)  
ROAD ON PROPERTY VIA PIONEER GATE, CAPT COOK DRIVE  
NO ACCESS WITHOUT SPECIFIC PERMISSION OF BESMAN PTY LTD

Other sites in locality? YES Site Types include: MIDDENS WORKSHOP  
Are sites in NPWS Register?

Have artefacts been removed from site? NOT KNOWN When?  
By whom? Deposited where?

Is site important to local Aborigines? NOT KNOWN  
Give contact(s) name(s) + address(es)  
Contacted for this recording? REFER BIG MIDDEN FORM  
(Attach additional information separately) If not, why not?

Verbal/written reference sources (including full title of accompanying report).  
ARCAEOLOGICAL SURVEY REPORT: SYDNEY DESTINATION RESORT  
NPWS Report Catalogue # C-245

Checklist: surface visibility, damage/disturbance/threat to site  
Condition of site: VERY BAD

Recommendations for management & protection (attach separate sheet if necessary).  
**CONSENT TO DESTROY**  
**ISSUED**  
**520013**  
**52001**

Site recorded by: RP DICKSON Date: JULY 1991  
Address/institution: 38 TRUVELLYAN ST  
CRONULLA



[ / ] New recording



52-3-0729



# National Parks and Wildlife Service

Box 1967, Hurstville NSW 2220. Tel: (02) 585 6444  
Standard Site Recording Form Revised 5/88

also see 52-3-209

1:250,000 map sheet: WOLLONGONG NPWS Code 5.2

AMG Grid reference 332470 mE 6233160 mN  
Full reference - please include leading digits  
Scale of map used for grid reference  25K, 50K (preferred)  100K  250K

Scale of map used for grid reference  25K, 50K (preferred)  100K  250K  
Please use largest scale available

1:25K, 50K, 100K map name: PORT HACKING

HEAD OFFICE USE ONLY:  
NPWS Site no: 52-3-729  
Site types: Midden 3  
Accessioned by: AT Date: 10/10/91  
Data entered by: \_\_\_\_\_ Date: \_\_\_\_\_  
Owner/Manager: BESMAW PTY LTD  
Address: 26 RIDGE ST NTA SYDNEY

Site name: W5 Locality/property name: KURNELL PENINSULA  
NPWS District: METRO SOUTH Region: CENTRAL

Reason for investigation  
PROPOSED DEVELOPMENT

Portion no: DP55922  
Parish: SUTHERLAND  
Photos taken? YES  
How many attached? 1

How to get to the site (refer to permanent features, give best approach to site eg. from above, below, along cliff. (Draw diagram on separate sheet.)  
ROAD ON PROPERTY VIA PIONEER GATE CAPTLOOK DRIVE

Other sites in locality? YES Site Types include: MIDDENS, WORKSHOPS  
Are sites in NPWS Register?

Have artefacts been removed from site? NOT KNOWN When? \_\_\_\_\_  
By whom? \_\_\_\_\_ Deposited where? \_\_\_\_\_

Is site important to local Aborigines? NOT KNOWN  
Give contact(s) name(s) + address(es) REFER TO BIG MIDDENS FORM  
Contacted for this recording? REFER TO BIG MIDDENS FORM  
(Attach additional information separately) If not, why not?

Verbal/written reference sources (including full title of accompanying report):  
ARCHAEOLOGICAL SURVEY: SYDNEY DESTINATION RESORT NPWS Report Catalogue # C-2065

Checklist: surface visibility, damage/disturbance/ threat to site  
Condition of site: VERY BAD

Recommendations for management & protection (attach separate sheet if necessary):  
**CONSENT TO DESTROY ISSUED 520013**

Site recorded by: R.P. DICKSON Date: JULY 1991  
Address/institution: 38 TR EVELLYN ST CROMULLA



New recording



52-3-0730



# National Parks and Wildlife Service

Box 1967, Hurstville NSW 2220. Tel: (02) 585 6444  
Standard Site Recording Form Revised 5/88

also see 52-3-209

1:250,000 map sheet: WOLLONGONG NPWS Code 152

AMG Grid reference 332420 mE 6233040 mN  
Full reference - please include leading digits

Scale of map used for grid reference [  ] 25K, 50K (preferred) [  ] 100K [  ] 250K  
Please use largest scale available

1:25K, 50K, 100K map name: PORT HACKING

Site name: SI  
NPWS District: METRO SOUTH

Locality/property name: KURNELL PENINSULA  
Region: CENTRAL

HEAD OFFICE USE ONLY:  
NPWS Site no: 52-3-730  
Site types: open camp site 2  
Accessioned by: AS Date: 10/10/91  
Data entered by: \_\_\_\_\_ Date: \_\_\_\_\_  
Owner/Manager: BESMA PTY LTD  
Address: 26 RIDGEST NTH SYDNEY

Reason for investigation  
PROPOSED DEVELOPMENT

Portion no: DP559922  
Parish: SUTHERLAND

Photos taken? Y  
How many attached? 1

How to get to the site (refer to permanent features, give best approach to site eg. from above, below, along cliff. (Draw diagram on separate sheet.)  
ROAD ON PROPERTY, VIA PIONEER GATE, CAPT COOK DRIVE

NO ACCESS WITHOUT SPECIFIC PERMISSION OF BESMA PTY LTD

Other sites in locality? YES Site Types include: MIDDENS, WORKSHOPS  
Are sites in NPWS Register?

Have artefacts been removed from site? YES When? 1918-1975  
By whom? RP. DICKSON Deposited where? ACQUARIE U FOR AUS. MVS.

Is site important to local Aborigines? NOT KNOWN  
Give contact(s) name(s) + address(es)

Contacted for this recording? REFER FORM FOR BIG MIDDENS  
(Attach additional information separately) If not, why not?

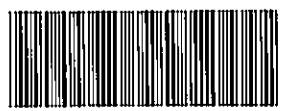
Verbal/written reference sources (including full title of accompanying report).  
ARCHAEOLOGICAL SURVEY: SYDNEY DESTINATION REPORT NPWS Report Catalogue # C-2045

Checklist: surface visibility, damage/disturbance/threat to site  
Condition of site: VERY BAD  
**CONSENT TO DESTROY**  
**ISSUED 520013**

Recommendations for management & protection (attach separate sheet if necessary):

Site recorded by: FP DICKSON Date: JULY 1991  
Address/institution: 8 TABVELLYAN ST  
CARDULLA

[ ✓ ] New recording



# National Parks and Wildlife Service

52-3-0731

Box 1967, Hurstville NSW 2220. Tel: (02) 585 6444  
Standard Site Recording Form Revised 5/88

also see 52-3-209

1:250,000 map sheet: WOLLONGONG NPWS Code 52

AMG Grid reference 332500 mE 6233060 mN  
Full reference - please include leading digits

Scale of map used for grid reference  25K, 50K (preferred)  100K  250K  
Please use largest scale available

1:25K, 50K, 100K map name: PORT HARKING

### HEAD OFFICE USE ONLY:

NPWS Site no: 52-3-731

Site types: open 2

Accessioned by: [Signature] Date: 10/10/91

Data entered by: \_\_\_\_\_ Date: \_\_\_\_\_

Owner/Manager: BESMAW PTY LTD

Address: 26 RIDGE ST NTR SYDNEY

Site name: 62 Locality/property name: KURNELL PENINSULA

NPWS District: METRO SOUTH Region: CENTRAL

Reason for investigation  
PROPOSED DEVELOPMENT

Portion no: DP559922  
Parish: SUTHERLAND

**SITE DESTROYED**  
Photos taken?  
How many attached?

How to get to the site (refer to permanent features, give best approach to site eg. from above, below, along cliff. (Draw diagram on separate sheet.)  
ROAD ON PROPERTY, VIA PIONEER GATE, CAPT COOK DRIVE.  
NO ACCESS WITHOUT SPECIFIC PERMISSION OF BESMAW PTY LTD

Other sites in locality? YES Site Types include: MIDDENS, WORKSHOPS  
Are sites in NPWS Register?

Have artefacts been removed from site? NOT KNOWN When?  
By whom? Deposited where?

Is site important to local Aborigines? NOT KNOWN  
Give contact(s) name(s) + address(es)

Contacted for this recording? REFER TO BIG MIDDENS FORM  
(Attach additional information separately) If not, why not?

Verbal/written reference sources (including full title of accompanying report):  
ARCHAEOLOGICAL SURVEY: SYDNEY DESTINATION RESORT NPWS Report Catalogue # C-2045

Checklist: surface visibility, damage/disturbance/threat to site  
Condition of site: VERY BAD

Recommendations for management & protection (attach separate sheet if necessary):  
**CONSENT TO DESTROY**  
**ISSUED 520013**

Site recorded by: RADICKSON Date: JULY 1991  
Address/institution: 39 TREVELLYAN ST  
CRONULLA



[X] New recording



52-3-0732



# National Parks and Wildlife Service

Box 1967, Hurstville NSW 2220. Tel: (02) 585 6444  
Standard Site Recording Form Revised 5/88

also see 52-3-702  
for more information

1:250,000 map sheet: WOLLONGONG NPWS Code 52

AMG Grid reference 333210 mE 6232540 mN  
Full reference - please include leading digits  
Scale of map used for grid reference  25K, 50K (preferred)  100K  250K  
Please use largest scale available

### HEAD OFFICE USE ONLY:

NPWS Site no: 52-3-732

Site types: Midden 3

Accessioned by: AT Date: 10/10/91

Data entered by: \_\_\_\_\_ Date: \_\_\_\_\_

Owner/Manager: BESMAW PTY LTD

Address: 26 RIDGE ST

125K, 50K, 100K map name: PORT HACKING

Site name: E1 Locality/property name: KURNELL PENINSULA

NPWS District: METRO SOUTH Region: CENTRAL

Reason for investigation  
PROPOSED DEVELOPMENT

Portion no: DP 55922  
Parish: SUTHERLAND

Photos taken? YES  
How many attached? 1

How to get to the site (refer to permanent features, give best approach to site eg. from above, below, along cliff. (Draw diagram on separate sheet.)  
ROAD ON PROPERTY VIA PIONEER GATE, CAPTLOCK DRIVE  
NO ACCESS WITHOUT SPECIFIC PERMISSION OF BESMAW PTY LTD

Other sites in locality? YES Site Types include: MIDDENS, WORKSHOPS  
Are sites in NPWS Register?

Have artefacts been removed from site? NOT KNOWN When? \_\_\_\_\_  
By whom? \_\_\_\_\_ Deposited where? \_\_\_\_\_

Is site important to local Aborigines? NOT KNOWN  
Give contact(s) name(s) + address(es)

CONSENT TO DESTROY  
ISSUED 520013

Contacted for this recording? REFER "BIG MIDDEN" FORM.  
(Attach additional information separately) If not, why not?

Verbal/written reference sources (including full title of accompanying report):  
ARCHAEOLOGICAL SURVEY REPORT: SYDNEY DESTINATION RESORT NPWS Report Catalogue # C-2045

Checklist: surface visibility, damage/disturbance/ threat to site  
Condition of site: VERY BADLY DAMAGED NPWS Report Catalogue # C-1816  
C-1807

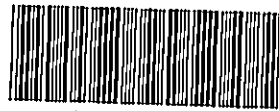
Recommendations for management & protection (attach separate sheet if necessary):  
COVER SITE WITH SAND AND GRASS IT.

Site recorded by: F.P. DICKSON  
Address/institution: 38 TREVELLYAN ST  
CRONULLA

Date: JULY 1991







New recording



# National Parks and Wildlife Service

52-3-0733

Box 1967, Hurstville NSW 2220. Tel: (02) 585 6444  
Standard Site Recording Form Revised 5/88

also see 52-3-702 for more information

1:250,000 map sheet: WOLLONGONG NPWS Code 5.21

AMG Grid reference 333660 mE 6232530 mN  
Full reference - please include leading digits

Scale of map used for grid reference  25K, 50K (preferred)  100K  250K  
Please use largest scale available

Scale of map used for grid reference  1:25K, 50K, 100K map name: PORT JACKSON

**HEAD OFFICE USE ONLY:**  
NPWS Site no: 52-3-733  
Site types: Midden 3  
Accessioned by: AJ Date: 10/1/91  
Data entered by: \_\_\_\_\_ Date: \_\_\_\_\_  
Owner/Manager: BESMAN PTY LTD  
Address: 26 RIDGE ST. NTH SYDNEY

Site name: E2 Locality/property name: KURNELL PENINSULA  
NPWS District: METRO SOUTH Region: CENTRAL

Reason for investigation  
PROPOSED DEVELOPMENT.

Portion no: PP5599 22  
Parish: SUTHERLAND  
Photos taken? YES  
How many attached? 1

How to get to the site (refer to permanent features, give best approach to site eg. from above, below, along cliff.  
(Draw diagram on separate sheet.) ROAD ON PROPERTY VIA RIDGER GATE, CAPT COOK DRIVE.

NO ACCESS WITHOUT SPECIFIC PERMISSION OF BESMAN PTY LTD

Other sites in locality? YES Site Types include: MIDDENS, WORKSHOPS.  
Are sites in NPWS Register?

Have artefacts been removed from site? NOT KNOWN. When? \_\_\_\_\_  
By whom? \_\_\_\_\_ Deposited where? \_\_\_\_\_

Is site important to local Aborigines? NOT KNOWN  
Give contact(s) name(s) + address(es) \_\_\_\_\_  
Contacted for this recording? REFER TO MIDDEN FORM  
(Attach additional information separately) If not, why not?

**CONSENT TO DESTROY  
ISSUED  
520013**

Verbal/written reference sources (including full title of accompanying report).  
ARCHAEOLOGICAL SURVEY REPORT: SYDNEY DESTINATION RESORT. NPWS Report Catalogue # C-2045

Checklist: surface visibility, damage/disturbance/ threat to site  
Condition of site: RUINED. C-1816  
C-1607  
C-270

Recommendations for management & protection (attach separate sheet if necessary):

Site recorded by: F. P. DICKSON Date: JULY 1991 - submitted  
Address/Institution: 39 TREVELLYAN ST RECORDED 1985  
CRONULLA





New recording



# National Parks and Wildlife Service

Box 1967, Hurstville NSW 2220. Tel: (02) 585 6444  
Standard Site Recording Form Revised 5/88

52-3-0734

also see 52-3-702  
for more information

1:250,000 map sheet:

WOLLONGONG

NPWS Code

152

HEAD OFFICE USE ONLY:

NPWS Site no: 52-3-734

Site types: Midden 3

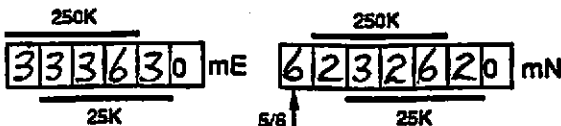
Accessioned by: *As* Date: 10/10/01

Data entered by: \_\_\_\_\_ Date: \_\_\_\_\_

Owner/Manager: BESMAW PTY LTD

Address: 26 RIDGEST IVTH SYDNEY

AMG Grid reference



Full reference - please include leading digits

Scale of map used for grid reference  25K, 50K  100K  250K  
Please use largest scale available

1:25K, 50K, 100K map name: PORT HACKING

Site name: E3

Locality/property name: KURNELL PENINSULA

NPWS District: METRO SOUTH

Region: CENTRAL

Reason for investigation

PROMISED DEVELOPMENT

SITE DESTROYED

Portion no: DP 55922

Parish: SUTHERLAND

Photos taken? *Y*

How many attached? 1

How to get to the site (refer to permanent features, give best approach to site eg. from above, below, along cliff.  
(Draw diagram on separate sheet.)

ROAD ON PROPERTY. VIA PIONEER GATE, CAPT COOK DRIVE

NO ACCESS WITHOUT SPECIFIC PERMISSION OF BESMAW PTY LTD

Other sites in locality? *YES*

Site Types include: MIDDENS WORKSHOPS

Are sites in NPWS Register?

Have artefacts been removed from site? *NOT KNOWN* When?

By whom? Deposited where?

Is site important to local Aborigines? *NOT KNOWN*

Give contact(s) name(s) + address(es)

Contacted for this recording? *REFER TO BIG MIDDEN FORM*

(Attach additional information separately) If not, why not?

Verbal/written reference sources (including full title of accompanying report).

ARCHAEOLOGICAL SURVEY: SYDNEY DESTINATION RESORT

NPWS Report

Catalogue #

C-1816

C-2045

C-1607

C-290

Checklist:  
surface visibility,  
damage/disturbance/  
threat to site

Condition of site: *RUINED*

Recommendations for management & protection (attach separate sheet if necessary):

CONSENT TO DESTROY  
ISSUED 520013

Site recorded by: F.P. DICKSON

Address/institution:  
39 TREVELLYAN ST  
CRONULLA

Date: JULY 1991 - submitted  
recorded 1985



This site update form was produced by Paul Irish of Mary Dallas Consulting Archaeologists (MDCA) in December 2007, based upon an Aboriginal Heritage Planning study undertaken by MDCA for Sutherland Shire Council of all lands within Sutherland Shire (generally excluding National Park estate). The study has been documented in the following reports:

- MDCA 2002. *Sutherland Shire Council Aboriginal Cultural Heritage Study* (Report to Sutherland Shire Council )
- MDCA 2004. *Georges River Aboriginal Heritage Study* (Report to Sutherland Shire Council).

It involved a review of all existing AHIMS site records within the study area, going back to original survey reports and associated plans, examining all site cards, groundtruthing some sites and examining the original Aboriginal Sites Register imperial scale maps. This was then plotted on council GIS and, where possible, amalgamated with property information to produce a database which is summarised below. In general, most coordinates were previously incorrect and have been revised and are MORE accurate but not necessarily completely exact (as most sites have not been visited). The coordinates have been updated in AHIMS but no other information has been. This additional record should therefore be seen as the most updated information for this site as of 2004. The study reports should be consulted for additional information.

<b>Site Name</b>	McCue Midden
<b>AHIMS #</b>	52-3-1110
<b>Map Zone</b>	56
<b>Datum</b>	AGD
<b>Revised EASTING</b>	332896
<b>Revised NORTHING</b>	6233310
<b>Site Type</b>	Midden
<b>Land Owner</b>	Private
<b>Address</b>	278 Captain Cook Drive
<b>Lot/DP</b>	8 DP586986
<b>Extra Location Information</b>	Lot 8 DP586986
<b>Original AHIMS Easting</b>	333000
<b>Original AHIMS Northing</b>	6233500
<b>Condition of Site</b>	Good. Some areas largely intact, others may be destroyed or damaged
<b>Visited for Heritage Study?</b>	No
<b>Description/Comments</b>	
<b>Published Pictures</b>	
<b>References</b>	Mary Dallas Consulting Archaeologists (forthcoming)
<b>AHIMS Report Numbers</b>	
<b>Site Recorder</b>	
<b>Date of First Recording</b>	2001
<b>NPWS Estate?</b>	outside
<b>1:25,000 Mapsheet</b>	PORT HACKING
<b>Aboriginal Land Council</b>	LA PEROUSE
<b>NPWS District</b>	Central
<b>Suburb</b>	

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