

Cherrybrook Station Government Land (SSP)

Aboriginal Cultural Heritage
Assessment Report

Report to Landcom

April 2022



 artefact

Artefact Heritage

ABN 73 144 973 526

Suite 56, Jones Bay Wharf

26-32 Pirrama Road

Pymont NSW 2009

Australia

+61 2 9518 8411

office@artefact.net.au

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EXECUTIVE SUMMARY

Overview

This study relates to a proposal to develop land called the 'Cherrybrook Station Government Land State Significant Precinct' (the State Significant Precinct) by Landcom on behalf of the landowner, Sydney Metro. The State Significant Precinct is centred around Cherrybrook Station on the Metro North West Line. The Metro North West Line delivers a direct connection with the strategic centres of Castle Hill, Norwest, Macquarie Park and Chatswood. It covers 7.7 hectares of government-owned land that comprises the Cherrybrook Station, commuter carpark and station access road (Bradfield Parade) and vacant land to the east of the station (referred to as the Developable Government Land) (DGL). It is bound by Castle Hill Road (south), Franklin Road (south east) and Robert Road (north west).

As a State Significant Precinct, the Minister for Planning and Public Spaces (the Minister) has determined that it is of State planning significance and should be investigated for rezoning. This investigation will be carried out in accordance with study requirements issued by the NSW Department of Planning, Industry and Environment (now Department of Planning and Environment (DPE)) in May 2020. These study requirements were prepared in collaboration with Hornsby Shire Council and The Hills Shire Council.

The outcome of the State Significant Precinct process will be new planning controls. This will enable the making of development applications to create a new mixed-use local centre to support Cherrybrook Station and the needs of the local community.

At the same time, DPE is also working with Hornsby Shire and The Hills Shire Councils, as well as other agencies such as Transport for NSW, to undertake a separate planning process for a broader area called the Cherrybrook Precinct. Unlike the State Significant Precinct, the outcome of this process will not be a rezoning. Instead, it will create a Place Strategy that will help set the longer term future for this broader area. Landcom will be consulted as part of this process.

Figure 1 illustrates the site boundaries of the State Significant Precinct and the Cherrybrook Precinct.

Current revision and findings.

Since the last version of this report in 2020, Landcom has provided updated design that requires incorporation to this report and also requires consideration of potential resulting changes that may be required to heritage assessment. These new design changes have been incorporated to this report. The effect of these changes on heritage values of the study area and surrounds is neutral to positive. No Aboriginal sites were recorded in or near the study area, and these values therefore remain unchanged. During consultation for this report, Aboriginal stakeholders indicated that the increasing density of development in the area represented a diminution of their intangible values of landscape. In this regard, the proposed reduction of scale and height of proposed development may be seen as complementary to these sentiments.

Study Requirements

Study Requirements for Cherrybrook Station Government Land were released in May 2020.¹ Requirements for Aboriginal and non-Aboriginal Heritage comprise Section 7 of that document:

7. *Aboriginal and Non-Aboriginal Heritage*

- 7.1. *Provide a desktop study for Indigenous and European Heritage (including previous studies commissioned by Landcom) that identifies and describes the heritage values that exist within and surrounding the site.*
- 7.2. *This should include a desktop review of the possible existence or record of any archaeological material and sites (both Indigenous and European) on or immediately adjacent to the SSP site that may require an archaeological assessment to be undertaken at future development stages.*
- 7.3. *In preparing the Indigenous Heritage Study, the Hornsby Aboriginal and Torres Strait Islander Consultative Committee (HATSICC) should also be consulted. Where Indigenous cultural heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW).*
- 7.4. *In preparing the European heritage study, consultation is also required with the Hornsby Heritage Advisory Committee (HAC).*
- 7.5. *This study where applicable shall provide management recommendations and interpretation opportunities for any indigenous and European heritage and archaeological sites, including development control provisions if required to guide future development of the site to ensure any identified heritage significance is retained and enhanced.*

This report provides an appraisal of existing contextual information, previous heritage investigations and data on known Aboriginal sites from the Aboriginal Heritage Information Management System (AHIMS) of Heritage NSW, Department of Premier and Cabinet (formerly the Office of Environment and Heritage (OEH)).

Previous Aboriginal Heritage reporting

Previous heritage assessment phases for the Cherrybrook Station development project included investigation of a far larger area 'Cherrybrook Precinct', which comprised 135 hectares that included the current study area. These previous reports are:

- *Artefact Heritage 2016a Cherrybrook Station Precinct Planning (CPP) Aboriginal Heritage Assessment.*
- *Artefact Heritage 2016b Cherrybrook Planning Proposal (CPP) Non-Aboriginal (Historic) Assessment.*

In 2017 Artefact Heritage provided summary reporting that extracted information from previous reports relevant to the Cherrybrook Station Government Lands only:

¹ <https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Cherrybrook-Station-Precinct> - accessed 29 June 2020

- *Artefact Heritage 2017 Cherrybrook Planning Proposal, Government Quarter Cherrybrook (Area 1) - Summary of Non-Aboriginal (Historic) and Aboriginal Heritage Assessments.*

Objectives

The objectives of this ACHAR are to meet the Study Requirements, namely;

- To identify potential Aboriginal cultural heritage values in the study area and immediately adjacent areas.
- To promote the consideration of the heritage values of the study area and immediately adjacent locations in the development of revised planning controls under Hornsby LEP 2013, and development controls in a site-specific Design Guide. These heritage values include a holistic evaluation of the setting of the study area and immediate surrounds.
- To ensure that potential archaeological resources identified adjacent to the SSP study area are appropriately managed.
- To promote appropriate heritage interpretation as a consideration in the development of a Masterplan.

Findings

Locations within the study area of this report

- No existing Aboriginal heritage values have been identified in the study area that would require management.
- One registered Aboriginal site, AHIMS site #45-5-2861, is located within the study area. Test excavation by RPS (2014) in the study area identified that the entire extent of AHIMS site #45-6-2861 had been subject to significant soil disturbance, that the site was not considered valid and that earth disturbing works in the location could proceed without further formal heritage assessment. The location of AHIMS site # 45-5-2861 was subsequently destroyed through the construction of Cherrybrook Station as part of the NWRL project (Approval number SSI-5100). The site update card for AHIMS site #45-5-2861 lists the site as 'not a valid site'.
- Aboriginal community consultation carried out during previous phases of reporting identified that the loss of open cultural landscape was significant and that the retention of open spaces in the study area would reflect the past landscape and provide opportunity to celebrate the relationship between the Darug and Awabakal cultural values and traditional land-use activities.
- Since the last version of this report in 2020, Landcom has provided updated design that requires incorporation to this report and also requires consideration of potential resulting changes that may be required to heritage assessment. These new design changes have been incorporated to this report. The effect of these changes on heritage values of the study area and surrounds is neutral. Although there is a proposed increased number of buildings to be developed, nevertheless, the

proposed reduction of scale and height of proposed development may be seen as complementary to the sentiments expressed by Aboriginal people regarding changes to local open landscape.

- Under the *Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW)*, statutory Aboriginal consultation for future phases of the project is not required unless unexpected Aboriginal objects are located. Aboriginal community consultation may form a valuable part of the input into the design process and preparation of a heritage interpretation plan.

Locations immediately adjacent to the study area of this report

- The western part of Lot 10 DP 16975 is immediately adjacent to the study area. The wooded portion of this property does not appear to have been subject to intensive historical soil disturbance and is therefore likely of heightened archaeological potential for Aboriginal archaeological material.

Recommendations and proposed development controls

- In order to mitigate cumulative impacts to the Aboriginal cultural landscape, it is recommended that development in the study area considers conservation of some open spaces. Retaining open spaces would reflect the past landscape and provide opportunity to celebrate the relationship between the Darug and Awabakal cultural values and traditional land-use activities.
- Strategies to emphasise the importance of open spaces to reflect the Aboriginal cultural landscape should be sensitive to the presence and potential cultural landscape value of apparently undeveloped open land immediately adjacent to the study area in Lot 10 DP 16975.
- Acknowledgement of Aboriginal ties to country could be achieved through implementation of heritage interpretation strategies and plans.

Other recommendations

Locations within the study area of this report

- It is recommended that a site impact form, which outlines the information detailed in Section 4.2.2, is submitted to Heritage NSW AHIMS to record that AHIMS site #45-5-2861 has been destroyed.

CONTENTS

Overview	iii
1.0 Introduction.....	1
1.1 Purpose	3
1.2 Proposal.....	3
1.3 Scope of this assessment.....	6
1.4 Planning Pathway	6
1.4.1 Legislative context	7
1.4.2 Commonwealth legislation.....	8
1.5 Authors and contributors	10
2.0 Aboriginal ethnohistorical context.....	11
3.0 Environmental Context.....	13
3.1 Topography.....	13
3.2 Geology and soils	13
3.3 Hydrology.....	13
3.4 Flora and fauna	13
3.5 Historical land use and soil disturbance	14
3.5.1 Development of Cherrybrook Metro Station	14
4.0 Aboriginal archaeological context.....	17
4.1 Preamble	17
4.2 Known Aboriginal archaeological sites.....	17
4.2.1 AHIMS Register search	17
4.2.2 AHIMS site #45-6-2861	18
4.3 Previous Aboriginal archaeological investigations	21
4.4 Predictive model	24
4.4.1 Cumberland Plain predictive model.....	24
4.5 Evaluation – Study Area	24
4.6 Evaluation – Land immediately adjacent to the Study Area.....	24
4.6.1 Map evidence and aerial imaging.....	24
4.6.2 Evidence from site inspection.....	26
4.6.3 Archaeological potential	27
4.6.4 Archaeological and broader heritage potential of Lot 10 DP 16975.....	29
5.0 Aboriginal community consultation	30
5.1 Consultation methodology	30
5.1.1 Previous consultation	30
5.1.2 Previous consultation outcomes.....	30
5.1.3 Current consultation	30

6.0	Analysis of Aboriginal archaeological and cultural information	32
6.1	Identified Aboriginal archaeological and cultural heritage within the study area.....	32
7.0	Recommendations.....	33
8.0	References	35
9.0	Appendix One: RAP Consultation log	37
10.0	Appendix Two Rap consultation records.....	38
11.0	Appendix Three: Hornsby Aboriginal and Torres Strait Islander Advisory Committee response to Achar.....	39

FIGURES

Figure 1: Cherrybrook Precinct and Cherrybrook Station State Significant Precinct. (Source NSW Department of Planning, Industry & Environment)	2
Figure 2: Reference Scheme (source SJB).....	5
Figure 3: Study area in red, Google Earth image dated 11 March 2007	15
Figure 4: Study area in red, Google Earth image dated 12 July 2017	15
Figure 5: Study area in red, Google Earth image dated 17 January 2019.....	16
Figure 6: AHIMS extensive search results	20
Figure 7: Study area in red, Lot 10 DP 16975 in blue. Image dated 1943 (Six Maps)	25
Figure 8: Study area in red, Lot 10 DP 16975 in blue. Image dated 1961 (LPI).....	26
Figure 9: Creek Bank section in Lot 10 DP 16975 (from Artefact Heritage 2016)	27
Figure 10: Archaeological sensitivity mapping from Artefact Heritage 2016. Western part of Lot 10 DP 16975 in light green	28

TABLES

Table 1: Fulfilment of heritage study requirements in this report	6
Table 2: Frequency of registered site types	18
Table 3: Relevant previous archaeological investigations	21
Table 4: Current consultation comments and incorporation.....	31
Table 5: Number of identified Aboriginal archaeological and cultural heritage within the study area ..	32

1.0 INTRODUCTION

This study relates to a proposal to develop land called the 'Cherrybrook Station Government Land State Significant Precinct' (the State Significant Precinct) by Landcom on behalf of the landowner, Sydney Metro. The State Significant Precinct is centred around Cherrybrook Station on the Metro North West Line. The Metro North West Line delivers a direct connection with the strategic centres of Castle Hill, Norwest, Macquarie Park and Chatswood. It covers 7.7 hectares of government-owned land that comprises the Cherrybrook Station, commuter carpark and station access road (Bradfield Parade) and vacant land to the east of the station (referred to as the Developable Government Land) (DGL). It is bound by Castle Hill Road (south), Franklin Road (south east) and Robert Road (north west).

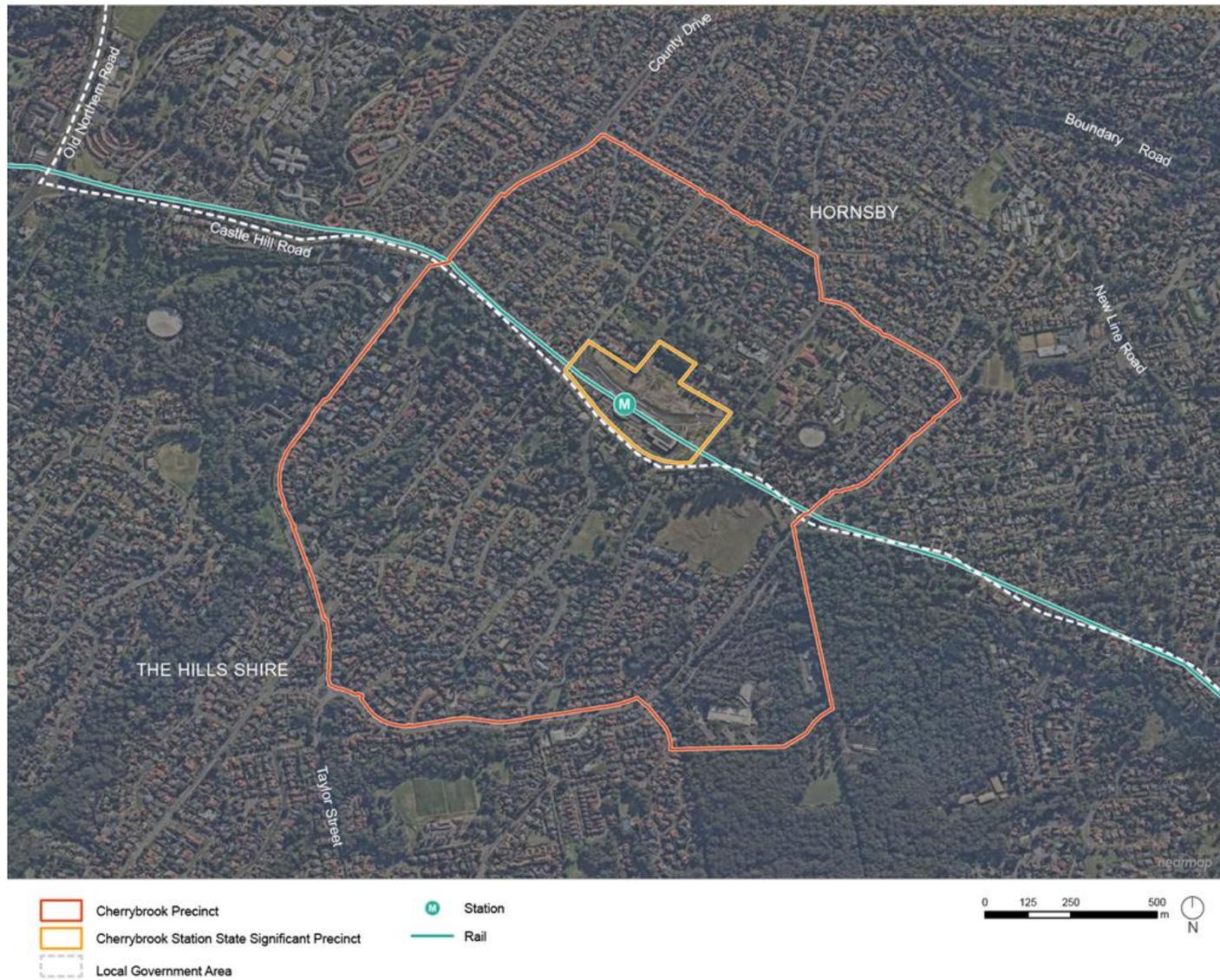
As a State Significant Precinct, the Minister for Planning and Public Spaces (the Minister) has determined that it is of State planning significance and should be investigated for rezoning. This investigation will be carried out in accordance with study requirements issued by the NSW Department of Planning, Industry and Environment (now Department of Planning and Environment (DPE) in May 2020. These study requirements were prepared in collaboration with Hornsby Shire Council and The Hills Shire Council.

The outcome of the State Significant Precinct process will be new planning controls. This will enable the making of development applications to create a new mixed-use local centre to support Cherrybrook Station and the needs of the local community.

At the same time, DPE is also working with Hornsby Shire and The Hills Shire Councils, as well as other agencies such as Transport for NSW, to undertake a separate planning process for a broader area called the Cherrybrook Precinct. Unlike the State Significant Precinct, the outcome of this process will not be a rezoning. Instead, it will create a Place Strategy that will help set the longer term future for this broader area. Landcom will be consulted as part of this process.

Figure 1 illustrates the site boundaries of the State Significant Precinct and the Cherrybrook Precinct.

Figure 1: Cherrybrook Precinct and Cherrybrook Station State Significant Precinct. (Source NSW Department of Planning, Industry & Environment)



1.1 Purpose

The purpose of this study is to address the relevant study requirements for the State Significant Precinct, as issued by DPE. It is part of a larger, overall State Significant Precinct Study. This State Significant Precinct Study undertakes planning investigations for the precinct in order to achieve a number of objectives that are summarised as follows (refer to the State Significant Precinct Study Planning Report for a full list of the study requirements):

- facilitate a mixed-use local centre at Cherrybrook Station that supports the function of the station and the needs of the local community
- deliver public benefit through a mixed use local centre
- deliver transport and movement initiatives and benefits
- demonstrate the suitability of the site for the proposed land uses
- prepare a new planning framework for the site to achieve the above objectives.

1.2 Proposal

The proposed new planning controls for the State Significant Precinct are based on the investigations undertaken as part of the State Significant Precinct Study process. A Reference Scheme has also been prepared to illustrate one way in which the State Significant Precinct may be developed in the future under the proposed new planning controls.

The proposed planning controls comprise amendments to the Hornsby LEP 2013 to accommodate:

- Rezoning of the site for a combination of R4 High Density Residential, B4 Mixed Use and RE1 Public Recreation zoned land;
- Heights of between 18.5m – 22m;
- FSR controls ranging between 1:1 – 1.25:1;
- Inclusion of residential flat buildings as an additional permitted use on the site in the B4 Mixed Use zone;
- Site specific LEP provisions requiring the delivery of a minimum quantity of public open space and a maximum amount of commercial floor space;
- New site-specific Design Guide addressing matters such as open space, landscaping, land use, built form, sustainability and heritage.

The Reference Scheme (refer to Figure 2) seeks to create a vibrant, transit-oriented local centre, which will improve housing choice and affordability and seeks to integrate with Hornsby's bushland character. The Reference Scheme includes the following key components:

- Approximately 33,350m² of residential GFA, with a yield of approximately 390 dwellings across 12 buildings ranging in height from 2 to 5 storeys (when viewed from Bradfield Parade).
- A multi-purpose community hub with a GFA of approximately 1,300m².
- Approximately 3,200m² of retail GFA.
- Over 1 hectare of public open space, comprising:
 - A village square with an area of approximately 1,250m², flanked by active retail and community uses.
 - A community gathering space with an area of approximately 3,250m².

- An environmental space around the pond and Blue Gum High Forest with an area of approximately 8,450m².
- Green corridors and pedestrian through site links, providing opportunities for potential future precinct-wide integration and linkages to the north.

Figure 2: Reference Scheme (source SJB)



1.3 Scope of this assessment

The scope of this Aboriginal heritage assessment includes:

- Results of previous assessment including Aboriginal community consultation
- Results of consultation with the Hornsby Aboriginal and Torres Strait Islander Consultative Committee (HATSICC)
- An extensive search of the AHIMS site register
- Mapping of known Aboriginal heritage sites
- Review of the environmental context of the study area
- Review of background information relevant to the study area
- Review of previous archaeological investigations, both within the study area and from the local area
- Assessment of locations immediately adjacent to the study area using the above listed information.

This Aboriginal heritage assessment includes recommendations and development control provisions regarding:

- Management of Aboriginal cultural heritage values within the study area
- Management of potential Aboriginal cultural heritage values immediately adjacent to the study area.

1.4 Planning Pathway

The proposed rezoning is an SSP, as nominated by the Minister for Planning and Public Spaces (the Minister), and therefore investigation will be undertaken. The SSP rezoning investigation will be carried out in accordance with study requirements issued by the NSW Department of Planning, Industry and Environment (now Department of Planning and Environment (DPE)) in May 2020. This report has been prepared in support of the SSP investigations in accordance with these study requirements. The proposed SSP rezoning and SSP investigation will be assessed and determined by the Minister pursuant to Part 3 of the Environmental Planning and Assessment Act (EP&A Act) 1979). The

Environmental Planning and Assessment Act 1979 (EP&A) establishes the framework for cultural heritage values to be formally assessed in the land use planning and development consent process. The EP&A Act requires that environmental impacts are considered prior to land development; this includes impacts on cultural heritage items and places as well as archaeological sites and deposits.

The Study Requirements for the Precinct relating to heritage are provided below. The manner in which these requirements are met in this study are summarised in Table 1.

Table 1: Fulfilment of heritage study requirements in this report

Requirement	How addressed in this report
7.1 Provide a desktop study for Indigenous and European Heritage (including previous studies commissioned by Landcom) that identifies and describes the heritage values that exist within and surrounding the site.	Sections Two, Three and Four of this report provide summary of previous reporting relating to observed and potential heritage value within and surrounding the site.

Requirement	How addressed in this report
<p>7.2 This should include a desktop review of the possible existence or record of any archaeological material and sites (both indigenous and European) on or immediately adjacent to the SSP site that may require an archaeological assessment to be undertaken at future development stages.</p>	<p>Section 4.2 of this report reviews known archaeological sites within and in the surrounds of the site. Section 4.6 of this report identifies an area adjacent to the site that will likely require archaeological assessment prior to future development.</p>
<p>7.3 In preparing the Indigenous Heritage Study, the Hornsby Aboriginal and Torres Strait Islander Advisory Committee (HATSICC) should also be consulted. Where Indigenous cultural heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the <u>Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW)</u>.</p>	<p>Section Five of this report documents past consultation carried out and provides for consultation with HATSICC on the present document. If consultation with HATSICC results in the identification of Aboriginal cultural heritage values, then consultation with Aboriginal people will be undertaken and documented in accordance with the <u>Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW)</u>. This report will be updated to incorporate the results of such consultation.</p>
<p>7.4 N/A</p>	<p>N/A</p>
<p>7.5 This study where applicable shall provide management recommendations and interpretation opportunities for any indigenous and European heritage and archaeological sites, including development control provisions if required to guide future development of the site to ensure any identified heritage significance is retained and enhanced.</p>	<p>Section 6.1.1 of this report makes recommendation for protection and enhancement of potential archaeological values in an area adjacent to the site. These recommendations are to be updated with the results of HATSICC and potentially wider Aboriginal consultation.</p>

1.4.1 Legislative context

1.4.1.1 National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (NPW Act) provides statutory protection to all Aboriginal Places and objects. An Aboriginal object is defined by the NPW Act 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 declared by the Minister, under Section 86 of the NPW Act, in recognition of its special significance with respect to Aboriginal culture. However, areas are only gazetted as Aboriginal Places if the Minister is satisfied that sufficient evidence exists to demonstrate that the location was and/or is of special significance to Aboriginal culture. Aboriginal Places gazetted under the NPW Act are listed on the State Heritage Register established under the *Heritage Act 1977*.

The protection provided to Aboriginal objects applies irrespective of the level of their significance or issues of land tenure. Aboriginal objects and places are afforded automatic statutory protection in NSW

whereby it is an offence to knowingly or unknowingly harm or desecrate an Aboriginal object or Aboriginal Place under Section 86 of the NPW Act.

In accordance with Section 89A any person who is aware of the location of an Aboriginal object must in the prescribed manner, notify the Chief Executive within a reasonable time after the person first becomes aware of that object. The prescribed manner is to complete an Aboriginal Heritage Information Management System Site Recording Form (DECCW 2010: 14).

In order to undertake a proposed activity which is likely to involve harm to an Aboriginal Place or object, it is necessary to apply to the Office of Environment and Heritage (OEH) for an Aboriginal Heritage Impact permit (AHIP). AHIPs are issued by OEH under Section 90 of the NPW Act, and permit harm to certain Aboriginal objects or Aboriginal Places.

Permits issued under the NPW Act 1974 are not required for projects that are assessed as State Significant Development or State Significant Infrastructure. Heritage protection for State Significant projects is managed under the *Environmental Planning & Assessment Act 1979 (EPA Act)*.

There are no Aboriginal Places listed within or close to the study area.

There is one registered Aboriginal site (object) in the study area. This is the destroyed site AHIMS site #45-6-2861, discussed in detail in Section 4.2.2.

1.4.1.2 Native Title Act 1994

The *Native Title Act 1994* was introduced to work in conjunction with the Commonwealth *Native Title Act 1993*. Native Title claims, registers and Indigenous Land Use Agreements are administered under the Act.

A search of the Native Title Claims was conducted on the 1 July 2020.

There are no Native Title claims currently registered in the study area.

1.4.1.3 Aboriginal Lands Right Act 1983

The *Aboriginal Land Rights Act 1983* (ALR Act) established Aboriginal Land Councils (at State and Local levels). These bodies have a statutory obligation under the ALR Act to:

- (a) take action to protect the culture and heritage of Aboriginal persons in the council's area, subject to any other law, and
- (b) promote awareness in the community of the culture and heritage of Aboriginal persons in the council's area.

The study area is within the boundaries of the Metropolitan Local Aboriginal Land Council.

1.4.1.4 Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (EP&A) establishes the framework for cultural heritage values to be formally assessed in the land use planning and development consent process. The EP&A Act requires that environmental impacts are considered prior to land development; this includes impacts on cultural heritage items and places as well as archaeological sites and deposits. The Proposal is subject to assessment under Part 5 of the EP&A Act.

1.4.2 Commonwealth legislation

1.4.2.1 Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides a legislative framework for the protection and management of matters of national environmental significance, that

is, flora, fauna, ecological communities and heritage places of national and international importance. Heritage items are protected through their inscription on the World Heritage List (WHL), Commonwealth Heritage List (CHL) or the National Heritage List (NHL).

Under Part 9 of the EPBC Act, approval under the EPBC Act is required for any action occurring within, or outside, a Heritage place that has, will have, or is likely to have a ‘significant impact’ on the heritage values of a World, National or Commonwealth heritage listed property (referred to as a ‘controlled action’ under the Act). A ‘significant impact’ is defined as:

an impact which is important, notable, or of consequence, having regard to its context or intensity. If an action is likely to have a significant impact depends upon the sensitivity, value, and quality of the environment which is impacted, and upon the intensity, duration, magnitude and geographic extent of the impacts.

The EPBC Act stipulates that a person who has proposed an action that will, or is likely to, have a significant impact on a site that is listed on the WHL, NHL or CHL must refer the action to the Minister for Sustainability, Environment, Water, Population and Communities (hereafter the Minister). The Minister will then determine if the action requires approval under the EPBC Act. If approval is required, an environmental assessment would need to be prepared. The Minister would approve or decline the action based on this assessment.

There are no WHL, NHL or CHL listed sites within the study area.

1.4.2.2 Australian Heritage Council Act 2003

The Register of the National Estate (RNE) is an evolving record of Australia’s natural, cultural and Aboriginal heritage places that are worth keeping for the future. The Australian Heritage Commission compiles and maintains the RNE under the *Australian Heritage Council Act 2003*. Places on the RNE that are in Commonwealth areas, or subject to actions by the Australian Government, are protected under the EPBC Act by the same provisions that protect Commonwealth heritage places (see above).

Following amendments to the *Australian Heritage Council Act 2003*, the RNE was frozen on 19 February 2007, meaning no new places can be added, or removed. The RNE is now maintained on a non-statutory basis as a publicly available archive within the Australian Heritage Database and contains over 13,000 places including many places of local or State significance.

There are no sites listed on the RNE within the study area.

1.4.2.3 Aboriginal and Torres Strait Islander Heritage Protection Act 1984

The Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (ATSIHP Act), deals with Aboriginal cultural property (intangible heritage) in a wider sense. Such intangible heritage includes any places, objects and folklore that ‘are of particular significance to Aboriginals in accordance with Aboriginal tradition’. These values are not currently protected under the NPW Act.

There is no cut-off date and the ATSHIP Act may apply to contemporary Aboriginal cultural property as well as ancient sites. The ATSHIP Act takes precedence over state cultural heritage legislation where there is conflict. The Commonwealth Minister who is responsible for administering the ATSIHP Act can make declarations to protect these areas and objects from specific threats of injury or desecration. The responsible Minister may make a declaration under Section 10 of the Commonwealth Act in situations where state or territory laws do not provide adequate protection of intangible heritage.

Where an Aboriginal individual or organisation is concerned that intangible values within the proposal are not being adequately protected they can apply to the Minister for a declaration over a place.

1.5 Authors and contributors

This report was written by Michael Lever (Senior Heritage Consultant). Dr Sandra Wallace (Principal, Director Artefact Heritage) provided management input and review.

2.0 ABORIGINAL ETHNOHISTORICAL CONTEXT

Tribal boundaries in eastern Australia have largely been reconstructed on the basis of surviving linguistic evidence and as such are often only approximate. The language group spoken on the Cumberland Plain is known as Darug (alternatively spelt Dharruk, Daruk, Dharook or Dharug). This term was first recorded in writing by colonists in 1900 by Matthews & Everitt (Mathews & Everitt 1900:265). The traditional boundaries of the Darug people are thought to extend from the mouth of the Hawkesbury River inland to Windsor, Penrith and Campbelltown and then to Mount Victoria (Matthews cited in Attenbrow 2010: 32). The Cherrybrook region would have formed part of a travel corridor, linking the Darug groups of the Cumberland Plain to the Awabakal and Guringai people of the Hunter. The Cherrybrook region is thought to be located within the traditional boundaries of the Bediagal and Darramurragal clans (Attenbrow 2010:23). However, boundaries were fluid and historical accounts of Aboriginal groups are incomplete.

The extent to which these boundaries established on the basis of language groups were reflected in the daily lives of Aboriginal people is also subject to increasing examination. More recent works emphasise the intricate and often wide ranging networks of relationships that saw Aboriginal people travelling often long distances in visiting country to which they had family, spiritual or economic and social obligations and rights (Bennett 2020; Irish 2017). This notion of mobility by consent is not new, having been well described by W. Stanner (1969). At the very least we need to take into account that Aboriginal groups were almost invariably exogamous – marrying only outside their language group. And, that this high rate of intermarriage between groups would in itself indicate high levels of interaction and likely porosity of boundaries between language groups. Yet, ideas of Aboriginal mutual hostility and segregation often better suited the purposes of early observers, who in requesting Aboriginal guides to accompany them into other Country without appropriate ceremony took their guides reluctance to enter as an indicator of inter-group hostility. Notions of discrete, separate Aboriginal groupings based on language were also enthusiastically pursued by anthropologists and archaeologists, who struggling to make sense of the Aboriginal archaeological record, sought means to define and categorise areas that might also correlate to differences in the archaeological assemblage they contained (e.g. Tindale 1974).

Early historical accounts of Aboriginal people are inevitably subject to the writer's bias, however, they do provide some valuable observations of Aboriginal customs and life during the early period of European occupation. Language dialects varied across the Cumberland Plain, although early Europeans recorded observations of interaction and mutual intelligibility between Darug speakers from different regions. Captain Watkin Tench detailed an interaction between two Aboriginal men, one from the coast and one from inland, and noted the range of variability between dialects. Tench observed that though the men conversed on par and understood each other perfectly, many words for common things bore no similarities, yet other words were only slightly different (Tench 1793:122).

Campsites would have provided temporary residences such as bark structures. It is difficult to ascertain whether a campsite existed at a given location, but correlations between stone artefact density and campsites are often assumed. While it would be likely that knapping would have occurred at a location associated with a campsite, it would also be likely that knapping would have occurred during movement across the landscape, as tools were prepared or repaired during hunting and gathering activities.

Archaeological data suggests that artefact sites are the most common Aboriginal site type in the region. Art (pigment or engraved) sites and, areas of PAD and a grinding groove have been recorded in the region surrounding the study area.

There is a growing body of evidence that after European colonisation, Aboriginal people of the Cumberland Plain continued to manufacture tools, sometimes with new materials such as bottle glass

or ceramics. There are a number of sites in the Sydney basin where flaked glass has been recorded, for example at Prospect (Ngara Consulting 2003) and Oran Park (JMCHM 2007).

3.0 ENVIRONMENTAL CONTEXT

The study area is located approximately 22 kilometres from the Sydney CBD and 9 kilometres from the Parramatta CBD. The study area is within the developed immediate surrounds of Cherrybrook Metro Station and is within an established residential area.

3.1 Topography

The study area is positioned on the northern fringes of Cumberland Plain, adjacent the Pittwater subregion, and located within the Sydney Basin. The Cumberland Plain is typically comprised of undulating rolling hills and prominent rises. The local region consists of occasional sandstone outcroppings, gullies, hills, prominent rises and ridgelines. The local area has been identified as having prominent crests and slope lines sloping toward drainage and creek lines. Minor drainage channels associated with tributaries of Darling Mills Creek are located to the south of the study area (AECOM 2015: 2). The Pittwater subregion comprises Triassic Hawkesbury Sandstones and is typified by shallow sandy deposits with outcropping sandstone.

3.2 Geology and soils

The study area is underlain by the Liverpool sub-group Wianamatta Shale formation consisting of Bringelly Shale, Minchinbury Sandstone and Ashfield Shale. The formation is predominately shale with some sandstone bedding (Bryan 1966). The predominant soil landscape within the study area is the Glenorie soil landscape. Glenorie soils occur north of the Parramatta River, on the Hornsby Plateau. Soils are shallow to moderately deep (<100 centimetres) dark brown, friable loam, silt loam or silty clay loam. The Glenorie soil landscape is an erosional landscape characterised by undulating to rolling low hills on Wianamatta Group Ashfield Shale and Bringelly Shale formations (eSPADE 2016). Soil profiles in the study area may show extensive erosion of topsoils with remaining soils classed as A2 to B1 horizon (RPS 2014).

3.3 Hydrology

There are no major permanent water supplies in the study area. Semi-permanent water may have been available from third order streams associated with Excelsior Creek (400 metres to the southwest of the study area), Pyes Creek (400 metres north of the study area) or Berowra Creek (two kilometres to the northeast of the study area). An ephemeral drainage line is present in land immediately north and adjacent to the study area in Lot 10 DP 16975. It has not been possible to date to determine the age, carrying capacity and flow of this waterway.

3.4 Flora and fauna

Prior to European settlement, the Cumberland Plain would have been vegetated with open Cumberland Plain Woodland typical of the Wianamatta Group shale geology. Tree species would have included Forest Red Gum (*E. tereticornis*), and Grey Box (*E. moluccana*), Honey Myrtle (*Melaleuca decora*) and Prickly Leaf Paperbark (*Melaleuca nodosa*) associated with waterlines in the area (Benson & Howell 1990).

Different resources may have been available seasonally, necessitating movement or trade across the landscape (Attenbrow 2010: 78). The fauna of the local region, at the time of contact, is well documented and includes many species still present along the Cumberland lowlands today. The various species included kangaroo, wallaby, wombat, echidna, bandicoots, flying fox, emus, quolls, various native rats and mice, snakes, frogs and lizards. Local Aboriginal people also hunted kangaroo

and wallaby and snared possums to utilise their skins. Plants were likewise an important source of nutrition for Aboriginal peoples with numerous plant species utilised for food, manufacture and medicinal purposes (Attenbrow 2010:41).

3.5 Historical land use and soil disturbance

The lands around the study area were initially part of a 34,539 acre area known as the Government Grounds, which had been reserved by the colonial Government (Carr et al 1997). Government Grounds encompassed much of present day Castle Hill and extended north towards Glenorie and Dural (Jervis 1978). An extensive common of 5,830 acres was also set aside along the track to Castle Hill which led up to the government farm (now part of Old Northern Road).

By 1802, 300 convicts were stationed at Government Grounds to clear the land for agriculture. At the period of peak production in 1807 the farm featured 150 acres of wheat, 16 acres of barley and 212 acres prepared for maize. Despite initial success of the farm severe attacks of rust began to affect the crops and by 1811 the farm became uneconomical to run and was shut down. The remaining lands of Government Grounds remained under the control of the Government but were not in use by the Government (Neil 1992), until after approximately 1815 when the Government decided to release the lands to settlers as Crown Grants.

The first free European settler at Castle Hill was Baron de Clambe, who owned a 114 acre farm within Government Grounds was known as “The Hermitage”. On two separate occasions his house was broken into, once during the minor convict outbreak in 1803 and again in 1804 during the major convict outbreak. This second outbreak, in which 400 convicts faced off against a mixed force of the NSW Corps, would be known as the Battle of Vinegar Hill, the first battle in Colonial Australian history. Following his death in 1804, De Clambe’s land reverted to the Crown (Carr et al 1997).

Following the realisation that the rich loamy soil of the area was particularly suited to the cultivation of fruit trees such as citrus, nectarines and peaches (Jervis 1978), the focus of agriculture in the region switched to orcharding during the early nineteenth century. An early orchardist, Joseph Harrison, ran a 65 acre fruit farm known as “Cherrybrook” which would later pass its name on to the suburb.

During the late nineteenth century and early twentieth century the Castle Hill region retained its rural nature, however, subdivisions increased to make room for more orchards and numerous large estate houses were constructed. ‘Glenhope’ and ‘Dunrath’, located on Castle Hill Road, are two surviving examples of these larger residences. It was not until the mid-late 1970s that most urban development took place. To cope with an increasing population, the Sydney Region Outline Plan of 1968 called for substantial new urban developments to the west of the Elouera Natural Bushland Reserve. In response, land was set aside for the newly created suburb of Cherrybrook in 1975, with the first land being released by 1978. Within 10 years of this approximately 2,400 houses had been built (Rowland 2008), along with the required associated infrastructure such as roads, which were laid out in complex patterns. In some areas, heavy building did not take place until the 1990s. By the turn of the twenty first century though, most of Cherrybrook had been urbanised with the modern suburban blocks that are common in the area today.

3.5.1 Development of Cherrybrook Metro Station

The development of Cherrybrook Metro Station has had significant impact on the soils of the study area and the potential for preservation of in-situ Aboriginal archaeological material. The extent of soil disturbance as evidenced through aerial imaging and noted in previous reporting (Artefact Heritage 2016a) is likely to have completely removed soils with Aboriginal archaeological potential. The extent of excavation for Cherrybrook Metro Station is shown in aerial imaging dated prior to, during and after station construction in Figure 3, Figure 4 and Figure 5.

Figure 3: Study area in red, Google Earth image dated 11 March 2007



Figure 4: Study area in red, Google Earth image dated 12 July 2017



Figure 5: Study area in red, Google Earth image dated 17 January 2019



4.0 ABORIGINAL ARCHAEOLOGICAL CONTEXT

4.1 Preamble

The existing archaeological record is limited to materials and objects that can withstand degradation and decay and is therefore only a very partial record of historical behaviour. Aboriginal occupation covered the whole of the landscape, though the availability of fresh water and resources was a significant factor in repeated and long-term occupation. Certain site types, such as culturally modified trees, are particularly vulnerable to destruction through historical occupation. As a result, more resilient site types, such as stone artefacts, are predominant in the archaeological record. Because of this, the nature and location of registered Aboriginal sites is an imperfect reflection of past Aboriginal occupation. Furthermore, the surviving archaeological record is also a reflection not only of historical land-use, disturbance and post-depositional events, but also reflects the sampling bias of previous archaeological investigations.

The oldest secured dates for Aboriginal occupation of the Sydney area are from over 30,000 years ago at Cranebrook Terrace near Penrith (Attenbrow 2010: 18). Evidence of Aboriginal occupation has been found dated to 50-60,000BP at Lake Mungo in NSW. It is therefore likely that Aboriginal people have lived in the Sydney region for even longer than indicated by the oldest dates known at present.

4.2 Known Aboriginal archaeological sites

4.2.1 AHIMS Register search

The location of Aboriginal sites is considered culturally sensitive information. It is advised that this information, including the AHIMS data appearing on the heritage map for the proposal be removed from this report if it is to enter the public domain.

An extensive search of the AHIMS database was conducted on 29 June 2020 for sites registered within the following coordinates:

GDA 1994 MGA 56	316005E – 319500E 6263722N – 6267100N
Buffer	1 km
Number of sites	25
AHIMS Search ID	432417

A total of 25 registered Aboriginal sites were found within the search area. The distribution of recorded sites within the AHIMS search area is shown in Figure 6. OEH lists 20 standard site features that can be used to describe a site registered with AHIMS, and more than one feature can be used for each site. The frequency of recorded site types is summarised in Table 2.

Please note that there are known errors in the AHIMS data which have occurred when older sites recorded in AGD or older imperial coordinates systems were converted to the GDA coordinate system. These errors generally result in a location error of up to 200 metres. As such, a buffer of at least 200 metres should be incorporated into the AHIMS extensive search.

Table 2: Frequency of registered site types

Site type	Frequency	Percentage (%)
Artefact	10	40
Artefact; PAD	1	4
PAD	1	4
Art (Pigment or Engraved)	8	32
Grinding Groove	2	8
Art (Pigment or Engraved) ; Grinding 1 Groove		4
Artefact; Hearth	1	4
Art (Pigment or Engraved) ; Artefact 1		4
Total	25	100

Of the 25 AHIMS sites registered within the search area, five different site features were recorded. The majority of recorded sites contain Artefacts (n=13) followed in frequency by Art (Pigment or Engraved) (n=10). One registered but destroyed Aboriginal site, AHIMS site #45-6-2861, is located within the study area.

4.2.2 AHIMS site #45-6-2861

AHIMS site #45-6-2861 is located west of Franklin Road and north of Castle Hill Road, within the study area. The site was originally identified by JMcD CHM in 2006 as an open campsite. The site was described as a low density lithic scatter spread across an 80 by 70 metre deposit, approximately 200 metres south of Pyes Creek. The assemblage comprised 5 artefacts of silcrete and tuff material. The original site card notes that the potential for intact archaeological deposits was variable across the site. Deposits in the southwestern portion of the site were noted to be highly disturbed due to the construction and demolition of a residential building and the overall condition of the site was described as poor. JMcD CHM (2006) assessed the site as demonstrating low archaeological potential.

The site was reassessed by GML (2012) as part of investigations for the North West Rail Link (NWRL). GML extended the boundary of the original recording and called the enlarged area of potential NWRL PAD2. GML assessed that NWRL PAD2 demonstrated low-moderate archaeological potential.

Following GML's identification of NWRL PAD2, RPS undertook survey, surface collection, testing and salvage excavation in the Cherrybrook Station Precinct. The surface artefacts originally recorded at AHIMS site #45-6-2861 were no longer present at the site, so were unable to be collected. RPS retrieved five artefacts, from a total of eleven excavated test pits, within NWRL PAD2 (RPS 2014).

Geotechnical investigation by RPS (2014) retrieved soil samples and pit cross-sections which identified that the site area of AHIMS site #45-6-2861 and NWRL PAD2 had been subject to substantial subsurface disturbance, to depths of approximately 50 centimetres (to basal clay). RPS (2014) assessed that AHIMS site #45-6-2861 was no longer extant. It was further assessed that artefacts originally recorded at the site were no longer present, and were unlikely to have been *in situ* during the time of original recording, based on the extent to which the area had been historically disturbed and modified. RPS submitted a site update card to OEH AHIMS, classifying AHIMS site #45-6-2861 as 'not

a valid site'. RPS assessed that this low-density assemblage was typical of background scatter found throughout the local region. No further investigation was recommended.

This entire site extent of AHIMS site #45-6-2861 and NWRL PAD2 has now been impacted by the construction of Cherrybrook Station as part of the NWRL project (Approval number SSI-5100). As such, the site has been destroyed. However, the site is still registered on the OEH AHIMS database as no site card has yet been submitted to classify the site as destroyed.

Figure 6: AHIMS extensive search results



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4.3 Previous Aboriginal archaeological investigations

Table 3: Relevant previous archaeological investigations

Project	Approximate location relative to the study area	Description
Artefact Heritage (2016a) Aboriginal Heritage Assessment for Cherrybrook Station Precinct	Study area and ~95 hectares surrounding	<ul style="list-style-type: none"> • Scope • Assessment of lands including & surrounding the study area, including site inspection with RAPs and Metropolitan and Deerubin Local Aboriginal Land Councils. • Predicted • The most likely site types in the region were likely to be artefact sites. • Open artefacts scatters are likely to be found on slightly sloping to level ground, usually in proximity to watercourses. • Archaeological PADs are likely in landforms where undisturbed soil horizons and intact archaeological material may remain. • Isolated artefacts may occur anywhere throughout the landscape. • Grinding grooves are most common in landforms immediately adjacent creeks, where outcropping sandstone suitable for grinding occurs. • Culturally modified trees may remain wherever old growth (>150-200 years of age) trees are found. • Shelter sites and art/engraving sites are likely to be found where suitable sandstone surfaces and/or overhangs occur. • Found re: current study area • Current study area wholly mechanically excavated to depth through works for Metro Station. • As a result of this excavation, Site 45-6-2861 does not still exist. • Recommended re: current study area: • In order to mitigate impacts to the Aboriginal cultural landscape, it is recommended that development in the study area considers conservation of some open spaces. Retaining open spaces would reflect the past landscape and provide opportunity to celebrate the relationship between the Darug and Awabakal cultural values and traditional land-use activities. • Found re: land adjacent to current study area • The western wooded part of Lot 10 DP 16975 is immediately adjacent to the study area and is a location of elevated archaeological sensitivity.

Project	Approximate location relative to the study area	Description
GML (2012) Aboriginal Heritage Impact Assessment for the North-West Rail Link (NWRL)	Within study area and beyond	<ul style="list-style-type: none"> • GML assessed the alignment of the NWRL, which included the Cherrybrook Station Precinct. The assessment was high level only and did not include detailed background information on the Cherrybrook region. • One previously recorded Aboriginal site was identified in the Cherrybrook Station Precinct, AHIMS site #45-5-2861. The site was originally recorded as having low archaeological potential (JMcd CHM 2006). • GML formulated a general predictive model for the NWRL which included that artefacts were most likely to occur on level to slightly sloping ground, usually in the vicinity of water courses. Archaeological potential would be expected in landforms with undisturbed soil horizons and intact archaeological material. • GML undertook sample survey as part of this assessment. It was assessed that the Cherrybrook station area was largely comprised of disturbed (from residential development) land or undisturbed (but densely vegetated) land. • GML identified NWRL PAD2 as an area of low-moderate potential located approximately at AHIMS site #45-5-2861, but with a slightly greater extent than the boundary of the original site.
RPS (2014) Archaeological Excavations Cherrybrook Station NWRL Aboriginal Cultural Heritage Assessment Report	Within study area	<ul style="list-style-type: none"> • RPS conducted test and sample salvage within the proposed Cherrybrook Station, following on from GML (2012) heritage assessment. RPS excavation targeted AHIMS site #45-5-2861 and the extended site area identified by GML as NWRL PAD2. Total of 11 pits were excavated to depths of 10 - 50cm. Surface collection attempted at AHIMS site #45-5-2861. • Artefacts from original site recording of AHIMS site #45-5-2861 were unable to be relocated for surface collection. • Five artefacts were retrieved from four pits within NWRL PAD2. RPS assessed that these artefacts were not <i>in situ</i> based on extensive disturbance and lack of stratigraphic units identified in the deposits. • Geotechnical investigations within AHIMS site #45-5-2861 identified highly disturbed deposits extending to basal clay. • RPS submitted a site card update to OEH AHIMS classifying AHIMS site #45-5-2861 as 'not a valid site'. The updated site card states that the originally recorded artefacts, now no longer present, were unlikely to have been <i>in situ</i> based on the disturbance identified throughout the area. • Overall, subsurface deposits at AHIMS site #45-5-2861 and NWRL PAD2 were found to be extensively disturbed. No further investigation was recommended by RPS (2014) and AHIMS site #45-5-2861 is now registered on AHIMS as not a valid site. • No site impact recording form has yet been submitted to OEH AHIMS to record that the site has been destroyed as part of the NWRL project (Approval number SSI-5100).
McDonald (1984) Archaeological survey at Cherrybrook Estate, near Dural, NSW	1.5 kilometres north	<ul style="list-style-type: none"> • Survey covered a two kilometre square area and identified nine Aboriginal sites. • Site types identified included six shelters with associated PAD, a shelter with art/engraving, and a shelter with PAD and engraving. • Two shelters were recommended for test pitting and two further sites recommended for further investigation. • Note that the location of this study is within steeper terrain, with more frequent naturally occurring overhangs, than the study area.

Project	Approximate location relative to the study area	Description
McDonald (1985) Excavation at Cherrybrook site #45-6-1649	1.5 kilometres north	<ul style="list-style-type: none"> • This excavation targeted a shelter site with PAD which was identified during the McDonald (1984) investigation. • The shelter was located on the eastern bank of Pyes Creek and comprised a shelter complex of two overhangs. • An estimated total of 232,000 artefacts were retrieved from a total of 4.5 metres of excavated area. Average density was 3,285 artefacts per cubic metre. The maximum density was 19,520 artefacts per cubic metre, with knapping focussed in the drip line of the overhang which formed the shelter. • McDonald recommended that a consent to destroy permit be obtained for the portion of the site which was to be impacted by the proposed works (approximately 23% of the site).
Haglund (1995) Test Excavation of Rock Shelter PAD1/DC1 on Devlins Creek, Pennant Hills - Beecroft	Three kilometres southeast	<ul style="list-style-type: none"> • This excavation targeted a rock shelter site with PAD located on Devlins Creek, which had originally been identified as part of investigations for the M2 motorway. • 602 artefacts were retrieved from two (1x1 metre) pits which had been excavated to a depth of 40-50 centimetres. • Both pits were located approximately in the drip line of the overhang which formed the shelter. • The assemblage predominately comprised quartz, followed by silcrete and chert/mudstone and was technologically attributed to the late Bondian tradition. • Two charcoal samples retrieved from the lower half of the stratigraphic units was dated to AD650-865 and AD 615-770.

4.4 Predictive model

4.4.1 Cumberland Plain predictive model

Previous studies in the Cumberland Plain demonstrate the predominance of recorded Aboriginal sites containing artefacts manufactured from silcrete. Silcrete is one of the main raw material types utilised for artefact manufacture across the Cumberland Plain. Natural sources of usable silcrete are found in areas such as Plumpton Ridge, which is located approximately 15 kilometres west of the study area.

Results of previous studies show that Aboriginal archaeological sites are more likely to occur in proximity to high order watercourses (JMD CHM 2010, AHMS 2015). Flat or gently sloping landforms surrounding waterways are likely to contain high density sites. Surface artefact scatters are most likely to be identified in areas of exposure within these landforms. Exposures along ridge crests may contain isolated artefacts or low density scatters.

Based on information from the OEH AHIMS site register search, previous archaeological investigations in the local area, landscape and regional context, the most likely site types to occur within the study area include:

Artefact sites: Open artefact sites and areas of PAD may occur in areas not subject to high levels of erosion, development and disturbance. Artefacts sites are often found in proximity to watercourses. Stone artefact material is likely to consist predominantly of silcrete.

Art or engraving sites: Would occur where outcropping sandstone with surfaces suitable for painting and engraving remain.

4.5 Evaluation – Study Area

The study area is located within the northern fringe of the Cumberland Plain. To the north of the study area, the terrain continues to rise steeply and outcrops of sandstone suitable for shelter sites are more commonly found. There are no major permanent water supplies in the study area. Historical land use within the study area began with crop production and orcharding. Construction of the residential development began in the 1970's and 1980's, and these were demolished and replaced by Cherrybrook Metro Station by 2019.

The study area has been wholly subject to mechanical excavation and grading and is of nil to very low archaeological potential.

4.6 Evaluation – Land immediately adjacent to the Study Area

4.6.1 Map evidence and aerial imaging

The study area is bounded by Castle Hill Road to the south, Franklin Road to the east and Robert Road to the west. These are long established roads that are almost certain to have removed any in-situ Aboriginal archaeological material during their construction. To the north west, the study area runs closely along the back of residences that face Oliver Way and Cherry Haven Way, and similarly to the north east the study area runs along the perimeter of residences facing Kayla Way and Franklin Road. These locations are likely to have undergone moderate to significant soil disturbance during the grading of previous undulating orchard lands for housing construction.

One area of heightened archaeological potential does immediately adjoin the study area. This is the western portion of Lot 10 DP 16975, which shows on current and historical mapping as a wooded area

which would not appear to have undergone the same historical processes of land clearance as elsewhere in the vicinity.

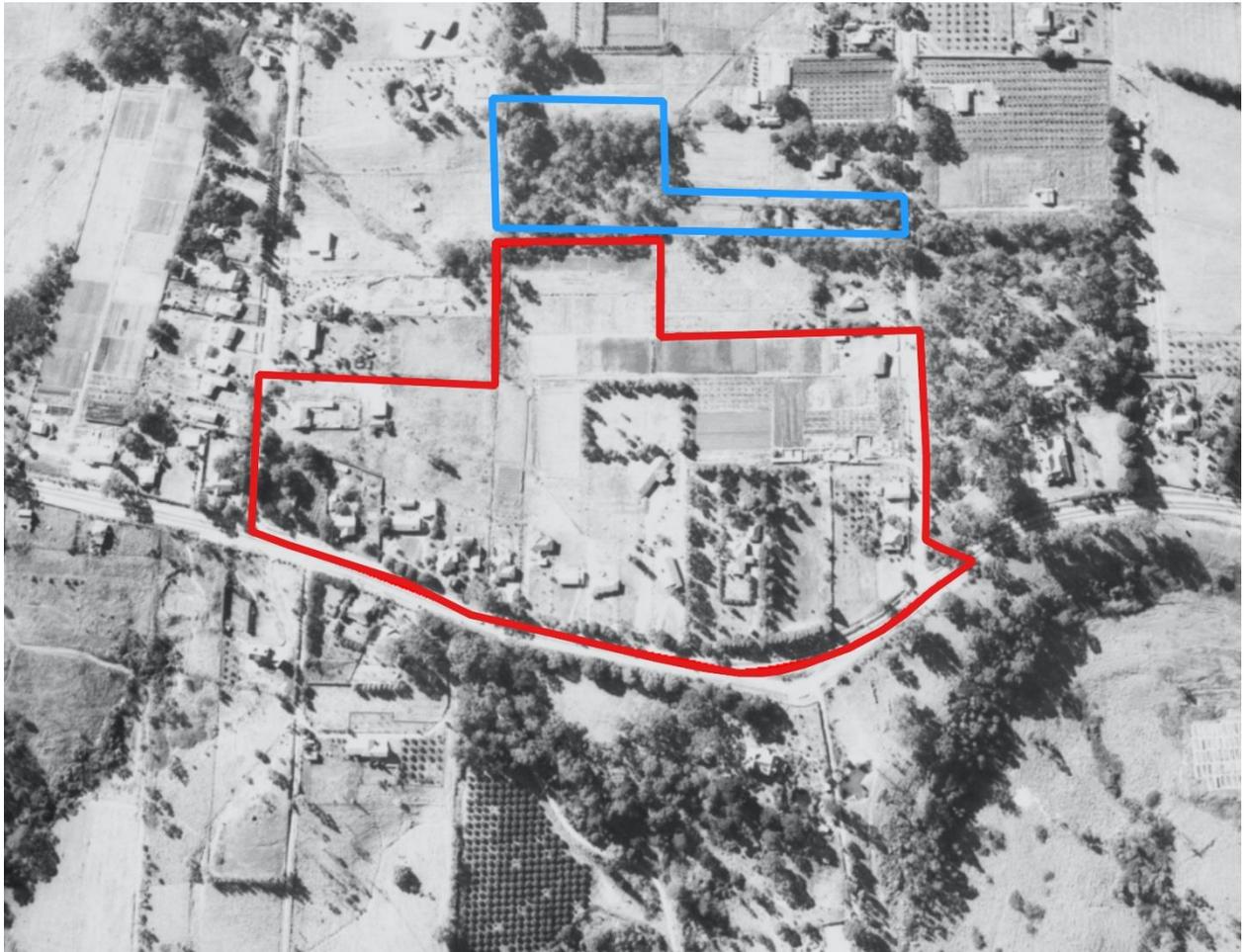
Historical imaging dated to 1943 (Figure 7) shows land north of Castle Hill Road as predominantly open and cleared while land to the south of Castle Hill Road shows evidence of orchards. Lot 10 DP 16975 is visible in this image as predominantly wooded.

Figure 7: Study area in red, Lot 10 DP 16975 in blue. Image dated 1943 (Six Maps)



Aerial imaging dating to 1961 (Figure 8) shows intensified local development – both residential and agricultural. The western portion of Lot 10 DP 16975 remains wooded.

Figure 8: Study area in red, Lot 10 DP 16975 in blue. Image dated 1961 (LPI)



The ongoing wooded and undeveloped nature of Lot 10 DP 16975 is visible in aerial imaging dating from 2003 to 2019 (Google Earth).

As a result of this evidence, Lot 10 DP 16975 was targeted as an area to be inspected during survey with RAPs in the course of assessment for Artefact Heritage 2016.

4.6.2 Evidence from site inspection

The western portion of Lot 10 DP 16975 was inspected during site survey for previous Aboriginal Heritage reporting for the Cherrybrook Precinct, where it is referred to as 'Location D'.² No large old growth trees were noted during inspection of Lot 10 DP 16975, which comprised a gently undulating landform of low rises, intersected by a small drainage channel (Figure 9). Soil exposures in the drainage channel were brown-grey loamy greyish silts above browner clayey soils with no evidence of disturbance, or inclusions of historical or modern materials. This soil description corresponds to the predicted soil profile for the area provided in Section 3.2 of this report. Ground surface visibility was very low (less than 5%) due to the high level of ground cover and leaf litter. No Aboriginal artefacts were identified during survey.

² Artefact Heritage 2016.

Figure 9: Creek Bank section in Lot 10 DP 16975 (from Artefact Heritage 2016)



4.6.3 Archaeological potential

As concluded in Artefact Heritage (2016), and as supported by the findings of the current report, the western portion of Lot 10 DP 16975 is an area of likely heightened archaeological potential immediately adjacent to the study area of this report. The western portion of Lot 10 DP 16975 is shown in light green on the mapping of archaeological potential produced for Artefact Heritage (2016) (Figure 10) (Artefact Heritage 2016 used the term 'archaeological sensitivity' rather than the term 'archaeological potential' used in this report).

Where visible, soil profiles in Lot DP 16975 appeared undisturbed and coherent with modelled soil units for the area. Lot 10 DP 16975 is situated on undulating land surrounding what was at the time of inspection an ephemeral waterway, located approximately 250m north east of a prominent local ridgeline. Although the watercourse in Lot 10 DP 16975 is not of a higher order, the other landscape features listed here combine to closely match the predictive statement in 4.4.1 of this report that would indicate elevated archaeological potential:

Flat or gently sloping landforms surrounding waterways are likely to contain high density sites. Surface artefact scatters are most likely to be identified in areas of exposure within these landforms. Exposures along ridge crests may contain isolated artefacts or low density scatters.

Figure 10: Archaeological sensitivity mapping from Artefact Heritage 2016. Western part of Lot 10 DP 16975 in light green



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4.6.4 Archaeological and broader heritage potential of Lot 10 DP 16975

Land within the western portion of Lot 10 DP 16975 appears to have been subject to only limited or low levels of ground surface disturbance relative to the now highly developed lands that surround it. As such Lot 10 DP 16975 has the potential to constitute a rare and possibly unique repository of a wide range of heritage values. This is not limited to the likelihood of elevated Aboriginal archaeological sensitivity. If it is the case that the landscape, flora and fauna in Lot 10 DP 16975 are at least somewhat representative of conditions prior to colonisation, then Lot 10 DP 16975 may provide insight to the cultural landscape which once locally prevailed.

RAP consultation for Artefact Heritage (2016) identified cumulative impacts to and loss of, cultural landscape, as the primary tangible impact to local Aboriginal material cultural values. The deep Aboriginal connection to Country as expressed in a detailed knowledge, understanding and management of environment is only slowly and relatively recently becoming better documented and understood in the wider community (Gammage 2012; Hallam 1975; Pascoe 2014). The potential significance of the preservation Lot 10 DP 16975 to the living heritage values of local Aboriginal people is therefore likely high.

5.0 ABORIGINAL COMMUNITY CONSULTATION

5.1 Consultation methodology

5.1.1 Previous consultation

Previous assessment (Artefact Heritage 2016a) carried out consultation with Aboriginal community representatives in accordance with direction from The Hills and Hornsby Shire Councils. Both Councils provided a list of key Aboriginal community groups with whom they regularly consulted with on matters of Aboriginal cultural heritage.

The following Aboriginal groups were invited to take part in site survey and provide recommendations regarding the cultural heritage values of the wider precinct that included the current study area:

- Metropolitan Local Aboriginal Land Council (MLALC)
- Deerubbin Local Aboriginal Land Council (DLALC)
- Darug Custodian Aboriginal Corporation (DCAC)
- Darug Aboriginal Cultural Heritage Assessments (DACHA)
- Darug Tribal Aboriginal Corporation (DTAC)
- Bidjigal Reserve Trust (BRT)
- Guringai Tribal Link Aboriginal Corporation (GTLAC)
- Northwest Aboriginal Development Association (NADA)

Representatives from GTLAC and NADA were unable to attend the survey. Representatives of MLALC, DLALC, DCAC, DACHA, DTAC and BRT were in attendance during site survey and provided the below feedback and recommendations.

5.1.2 Previous consultation outcomes

No areas of Aboriginal cultural heritage significance were noted during 2016 survey for the Cherrybrook Station Government Land (referred to as Area 1 in Artefact Heritage 2016a). The study area was already a cleared and graded construction zone by the time survey took place and onsite survey was not considered warranted. Feedback was provided that cumulative impacts to the once open cultural landscape were a primary concern and a main source of heritage value loss, and that retention of open space in the development would contribute towards mitigating this loss. The current reference scheme (Figure 2) indicates that a substantial proportion of the study area will be preserved as open area. In particular open space will be preserved in the ecological open space and the natural water feature, both situated adjacent to the neighbouring remnant High Blue Gum forest.

5.1.3 Current consultation

5.1.3.1 HATSICC

Consultation has been carried out for this report with HATSICC in accordance with item 7.3 of the Study Requirements. HATSICC did not identify any specific Aboriginal archaeological values within the study area. HATSICC noted that Aboriginal cultural values were not limited to artefacts or objects, and that therefore wider Aboriginal community consultation should be carried out in assessment of the study area. It was considered that this identification of wider cultural values associated with the study area was sufficient to trigger formal Aboriginal community consultation as required by item 7.3 of the Study Requirements.

5.1.3.2 Aboriginal community consultation

In accordance with step 4.1.2 of DECCW 2010, on 25 September 2020 emails were sent to agencies to identify Aboriginal groups or individuals known to have connection to the study area. On the same date, in accordance with step 4.1.3 of DECCW 2010 an advertisement was placed in the *Hills to Hawkesbury Community News* local newspaper issuing an invitation for Aboriginal groups and individuals to register an interest in consultation for the project.

This ACHAR was provided to RAPs on 27 October 2020 together with an explanatory letter setting out the reason for consultation as in accordance with conditions of SEARS that had been triggered by consultation with HATSICC. The 28-day consultation period for RAP review of this ACHAR concluded on Friday 20 November 2020. On Monday 23 November 2020, all RAPs were called by Artefact Heritage to ensure that RAPs had concluded their review of the ACHAR, and that no RAP comments were outstanding.

A log of all consultation correspondence is provided in Appendix One of this report. Specific consultation comments and the manner in which they have been incorporated to this report are listed in Table 4: Current consultation comments and incorporation below.

Table 4: Current consultation comments and incorporation

	Consultation comment summary	How incorporated / addressed in this report
Mr Phil Khan, Kamilaroi Yankuntjatjara Working Group	Agrees with findings of ACHAR	Incorporated to this table, and consultation log
Mr Rodney Gunther, Waawaar Awaa Aboriginal Corporation	Agrees with findings of ACHAR and proposed lodgement of update to status of AHIMS site #45-6-2861	Incorporated to this table, and consultation log. Update to status of AHIMS site #45-6-2861 included in report recommendations
Ms Selina Timothy, Metropolitan LALC	Agrees with findings of the ACHAR	Incorporated to this table, and consultation log

6.0 ANALYSIS OF ABORIGINAL ARCHAEOLOGICAL AND CULTURAL INFORMATION

6.1 Identified Aboriginal archaeological and cultural heritage within the study area

Table 5 summarises the known Aboriginal archaeological and cultural heritage values within the study area.

Table 5: Number of identified Aboriginal archaeological and cultural heritage within the study area

Archaeological sites	Areas of archaeological sensitivity	Identified areas of cultural heritage value
1 (Destroyed)	0	0

One destroyed archaeological site, AHIMS site #45-5-2861, is located within the study area. AHIMS site #45-5-2861 has been destroyed as part of the NWRL project (Approval number SSI-5100).

7.0 RECOMMENDATIONS

Findings

Locations within the study area of this report

- No existing Aboriginal heritage values have been identified in the study area that would require management.
- One registered Aboriginal site, AHIMS site #45-5-2861, is located within the study area. Test excavation by RPS (2014) in the study area identified that the entire extent of AHIMS site #45-6-2861 had been subject to significant soil disturbance, that the site was not considered valid and that earth disturbing works in the location could proceed without further formal heritage assessment. The location of AHIMS site # 45-5-2861 was subsequently destroyed through the construction of Cherrybrook Station as part of the NWRL project (Approval number SSI-5100). The site update card for AHIMS site #45-5-2861 lists the site as 'not a valid site'.
- Aboriginal community consultation carried out during previous phases of reporting identified that the loss of open cultural landscape was significant and that the retention of open spaces in the study area would reflect the past landscape and provide opportunity to celebrate the relationship between the Darug and Awabakal cultural values and traditional land-use activities.
- Since the last version of this report in 2020, Landcom has provided updated design that requires incorporation to this report and also requires consideration of potential resulting changes that may be required to heritage assessment. These new design changes have been incorporated to this report. The effect of these changes on heritage values of the study area and surrounds is neutral. Although there is a proposed increased number of buildings to be developed, nevertheless, the proposed reduction of scale and height of proposed development may be seen as complementary to the sentiments expressed by Aboriginal people regarding changes to local open landscape.
- Under the *Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW)*, statutory Aboriginal consultation for future phases of the project is not required unless unexpected Aboriginal objects are located. Aboriginal community consultation may form a valuable part of the input into the design process and preparation of a heritage interpretation plan.

Locations immediately adjacent to the study area of this report

- The western part of Lot 10 DP 16975 is immediately adjacent to the study area. The wooded portion of this property does not appear to have been subject to intensive historical soil disturbance and is therefore likely of heightened archaeological potential for Aboriginal archaeological material.

Recommendations and proposed development controls

- In order to mitigate cumulative impacts to the Aboriginal cultural landscape, it is recommended that development in the study area considers conservation of some open spaces. Retaining open spaces

would reflect the past landscape and provide opportunity to celebrate the relationship between the Darug and Awabakal cultural values and traditional land-use activities.

- Strategies to emphasise the importance of open spaces to reflect the Aboriginal cultural landscape should be sensitive to the presence and potential cultural landscape value of apparently undeveloped open land immediately adjacent to the study area in Lot 10 DP 16975.
- Acknowledgement of Aboriginal ties to country could be achieved through implementation of heritage interpretation strategies and plans.

Other recommendations

Locations within the study area of this report

- It is recommended that a site impact form, which outlines the information detailed in Section 4.2.2, is submitted to Heritage NSW AHIMS to record that AHIMS site #45-5-2861 has been destroyed.

8.0 REFERENCES

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9.0 APPENDIX ONE: RAP CONSULTATION LOG

10.0 APPENDIX TWO RAP CONSULTATION RECORDS

11.0 APPENDIX THREE: HORNSBY ABORIGINAL AND TORRES STRAIT ISLANDER ADVISORY COMMITTEE RESPONSE TO ACHAR



artefact

Artefact Heritage

ABN 73 144 973 526
Level 4, Building B
35 Saunders Street
Pyrmont NSW 2009
Australia

+61 2 9518 8411
office@artefact.net.au
www.artefact.net.au

9.0 APPENDIX ONE: RAP CONSULTATION LOG

CONTACT (TO)	Organisation	CONTACTED BY (FROM)		METHOD	DATE	COMMENT/RESPONSE
4.1.2 – AGENCY LETTERS						
	Hornsby Shire Council	Brye Marshall	Artefact	Email	24/09/2020	
	Metro LALC	Brye Marshall	Artefact	Email	24/09/2020	
	National Native Title Tribunal	Brye Marshall	Artefact	Email	24/09/2020	
	NTS Corp	Brye Marshall	Artefact	Email	24/09/2020	
	Heritage NSW, Department of Premier and Cabinet (mis-labelled OEH)	Brye Marshall	Artefact	Email	24/09/2020	
	Office of the Registrar	Brye Marshall	Artefact	Email	24/09/2020	
Isabel Wheeler	Artefact	Barry Gunther	Heritage NSW	Email	29/09/2020	Provided DPC RAP list for the Hills LGA
Isabel Wheeler	Artefact		National Native Title Tribunal	Email	24/09/2020	Provided Geospatial search form to be completed
	National Native Title Tribunal	Isabel Wheeler	Artefact	Email		
Isabel Wheeler	Artefact		National Native Title Tribunal	Email	1/10/2020	Provided results of Geospatial form
4.1.3 – ADVERT						
4.1.3 – IDENTIFICATION OF POTENTIAL ABORIGINAL PARTIES						
Isabel Wheeler	Artefact	Karen Isaacs		Phone	02/10/2020	Phoned to let us know there isn't much Aboriginal representation, and is happy to help with knowledge of the area
Karen Isaacs		Isabel Wheeler	Artefact	Email	02/10/2020	Thanked her for making contact, asked if she would like to be registered as a RAP
Lee Field	Barraby Cultural Services	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Bo Field	Yurrandaali Cultural Services	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register

Steve Randall	Deerubbin Local Aboriginal Land Council	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Nathan Moran	Metro LALC	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Justine Coplin	Darug Custodian Aboriginal Corporation	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Jamie and Anna Workman	Darug Land Observations	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Mark Dyer	Darug Aboriginal Land Care	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Carolyn Hickey	A1 Indigenous Services	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Marilyn Carroll-Johnson	Corroboree Aboriginal Corporation	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Phil Khan	Kamilaroi Yankuntjatjara Working Group	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Kerrie and Vicky Slater	Wurrumay	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Scott Franks	Tocomwall	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Amanda Hickey	Amanda Hickey Cultural Services	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Stephen Fields	Dhinawan Culture & Heritage	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Pemulwuy	Pemulwuy CHTS	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Ronald Stewart	Walgalu	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Shane Carriage	Thauaira	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register

Andrew Bond	Dharug	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Wendy Smith	Gulaga	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Seli Storer	Baimanga	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Corey Smith	Callendulla	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Roxanne Smith	Murramarang	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Darren Duncan	DJMD Consultancy	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Jennifer Beale	Butucarbin Aboriginal Corporation	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Lillie Caroll	Didge Ngunawal Clan	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Paul Boyd	Didge Ngunawal Clan	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Steven Johnson	Ginninderra Aboriginal Corporation	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Krystle Carroll	Ginninderra Aboriginal Corporation	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Philip Boney	Wailwan Aboriginal Group	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Jody Kulakowski	Barking Owl Corporation	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Arkia Jalomaki	Yulay Cultural Services	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register

John Carriage	Thoorga Nura	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Paul Hand	Darug Boorooberongal Elders Aboriginal Corporation	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Ralph and Nola Hampton	B.H. Heritage Consultants	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Kaarina Slater	Ngambaa Cultural Connections	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Caine Carroll	Goodradigbee Cultural Heritage Aboriginal Corporation	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Phillip Carroll	Mura Indigenous Corporation	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Jamie Eastwood	Aragung Aboriginal Cultural Heritage Site Assessment	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register
Rodney Gunther	Waawaar Awaa Aboriginal Corporation	Isabel Wheeler	Artefact	Email	9/10/2020	Provided an invitation to register

4.1.6 – REGISTERED ABORIGINAL PARTIES

Isabel Wheeler	Artefact	Danny Franks	Tocomwall	Email	9/10/2020	Registered an interest
Isabel Wheeler	Artefact	Carolyn Hickey	A1	Email	11/10/2020	Registered an interest
Isabel Wheeler	Artefact	Rodney Gunther	Waawaar Awaa Aboriginal Corporation	Email	13/10/2020	Registered an interest
Isabel Wheeler	Artefact	Phil Khan	Kamilaroi Yankuntjatjara Working Group	Email	13/10/2020	Registered an interest
Isabel Wheeler	Artefact	Selina Timothy	Metro LALC	Email	13/10/2020	Registered an interest
Isabel Wheeler	Artefact	Lee Field	Barraby	Email	14/10/2020	Registered an interest
Isabel Wheeler	Artefact	Bo Field	Yurrandaali CS	Email	14/10/2020	Registered an interest
Isabel Wheeler	Artefact	Ralph Hampton	B.H. Heritage Consultants	Email	21/10/2020	Registered an interest
Isabel Wheeler	Artefact	Arika Jalomaki	Yulay	Email	22/10/2020	Registered an interest

Isabel Wheeler	Artefact	Krystle Carroll-Elliott	Ginninderra Aboriginal Corporation	Email	22/10/2020	Registered an interest
Isabel Wheeler	Artefact	Marilyn Carroll-Johnson	Corroboree	Email	24/10/2020	Registered an interest Note – does not want details disclosed to LALC
Isabel Wheeler	Artefact	Cherie Carroll Turrise	Gunjeewong	Email	25/10/2020	Registered an interest Note – does not want details disclosed to LALC
4.3.1 – PROPOSED ASSESSMENT METHODOLOGY AND ACHAR						
Carolyn Hickey	A1	Isabel Wheeler	Artefact	Email	27/10/2020	Provided letter regarding assessment process and completed ACHAR - Incorrect email, bounced back
Lee Field	Barraby	Isabel Wheeler	Artefact	Email	27/10/2020	Provided letter regarding assessment process and completed ACHAR
Phil Kahn	Kamilaroi Yankuntjatjara	Isabel Wheeler	Artefact	Email	27/10/2020	Provided letter regarding assessment process and completed ACHAR
Ralph Hampton	B.H Heritage	Isabel Wheeler	Artefact	Email	27/10/2020	Provided letter regarding assessment process and completed ACHAR
Selina Timothy	Metro LALC	Isabel Wheeler	Artefact	Email	27/10/2020	Provided letter regarding assessment process and completed ACHAR
Danny Franks	Tocomwall	Isabel Wheeler	Artefact	Email	27/10/2020	Provided letter regarding assessment process and completed ACHAR
Rodney Gunther	Waawaar Awaa	Isabel Wheeler	Artefact	Email	27/10/2020	Provided letter regarding assessment process and

						completed ACHAR
Arika Jalomaki	Yulay	Isabel Wheeler	Artefact	Email	27/10/2020	Provided letter regarding assessment process and completed ACHAR
Bo Field	Yurrandaali CS	Isabel Wheeler	Artefact	Email	27/10/2020	Provided letter regarding assessment process and completed ACHAR
Krystle Carroll-Elliot	Ginninderra	Isabel Wheeler	Artefact	Email	27/10/2020	Provided letter regarding assessment process and completed ACHAR
Cherie Carroll-Turrisse	Gunjeewong	Isabel Wheeler	Artefact	Email	27/10/2020	Provided letter regarding assessment process and completed ACHAR
Marilyn Carroll-Johnson	Corroboree	Isabel Wheeler	Artefact	Email	27/10/2020	Provided letter regarding assessment process and completed ACHAR
Carolyn Hickey	A1	Isabel Wheeler	Artefact	Email	27/10/2020	Provided letter regarding assessment process and completed ACHAR
RESPONSES TO METHODOLOGY AND ACHAR						
Isabel Wheeler	Artefact	Phil Khan	KYWG	Email	13/11/2020	Supports the recommendations
Cherie Carroll Turrisse	Gunjeewong	Isabel Wheeler	Artefact	Phone	23/11/2020	Phone call to request comment on ACHAR. Supports the report, requests any artefacts be treated with sensitivity
Marilyn Carroll-Johnson	Corroboree	Isabel Wheeler	Artefact	Phone	23/11/2020	Phone call to request comment on ACHAR. Call discontinued, unable to reconnect
Carolyn Hickey	A1	Isabel Wheeler	Artefact	Phone	23/11/2020	Phone call to request comment on ACHAR. Left voicemail.

Lee Field	Barraby Cultural Services	Isabel Wheeler	Artefact	Phone	23/11/2020	Phone call to request comment on ACHAR. Does not wish to make a comment.
Selina Timothy	Metro LALC	Isabel Wheeler	Artefact	Phone	23/11/2020	Phone call to request comment on ACHAR. Left message with LALC.
Ralph Hampton	B.H. Heritage	Isabel Wheeler	Artefact	Phone	23/11/2020	Phone call to request comment on ACHAR. Will review email and contact with comment in the next two days.
Rodney Gunther	Waawaar Awa Aboriginal Corp	Isabel Wheeler	Artefact	Phone	23/11/2020	Phone call to request comment on ACHAR. Will review email and respond by COB 24/11/2020.
Arika Jalomaki	Yulay CS	Isabel Wheeler	Artefact	Phone	23/11/2020	Phone call to request comment on ACHAR. Did not participate in fieldwork therefore does not wish to make a comment.
Krystle Carroll	Ginninderra	Isabel Wheeler	Artefact	Phone	23/11/2020	Phone call to request comment on ACHAR. Left voicemail.
Bo Field	Yurrandaali CS	Isabel Wheeler	Artefact	Phone	23/11/2020	Phone call to request comment on ACHAR. Does not recall receiving the email.
Bo Field	Yurrandaali	Isabel Wheeler	Artefact	Email	23/11/2020	Provided another copy of ACHAR and methodology letter. Requested comments within two days.
Danny Franks	Tocomwall	Michael Lever	Artefact	Email	23/11/2020	Does not wish to make a comment
Michael Lever	Artefact	Selina Timothy	MLALC	Phone	24/11/2020	Will review the ACHAR and respond with comments by end of week if necessary
Isabel Wheeler	Artefact	Selina Timothy	MLALC	Email	1/12/2020	Supports ACHAR, wishes to be involved if

						any further works on site
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10.0 APPENDIX TWO: RAP CONSULTATION RECORDS

10.1 Request for Agency Information



artefact

24 September 2020

Hornsby Shire Council
PO Box 37
Hornsby NSW
Via email: [hsc@hornsby@nsw.gov.au](mailto:hsc@hornsby.nsw.gov.au)

Dear Sir or Madam

Cherrybrook Station Government Land State Significant Precinct, Aboriginal Cultural Heritage Assessment –Section 4.1.2 Identification of potential interested parties

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (Precinct). The purpose of the ACHAR is to address the Study Requirements for Cherrybrook Station Government Land and to assist the proponent in the preparation of planning provisions for the proposed rezoning of the Precinct.

The proponent's contact details are:

Adam Turnbull
Development Director
Landcom
PO Box 237
Parramatta NSW 2124

We are inviting registrations of interest in the project from Aboriginal groups and individuals who hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places in the locality.

Please register your interest in the project by end of day **Friday 9 October 2020** by contacting:

Isabel Wheeler
Artefact Heritage
Suite 56 Jones Bay Wharf
Pyrmont NSW 2009
02 9518 8411
Isabel.wheeler@artefact.net.au

Kind regards,

Brye Marshall

Figure 1: Study Area





artefact

24 September 2020

Metropolitan Local Aboriginal Land Council
PO Box 1103
Strawberry Hills NSW
Via email: metrolalc@metrolalc.org.au

Dear Sir or Madam

Cherrybrook Station Government Land State Significant Precinct, Aboriginal Cultural Heritage Assessment –Section 4.1.2 Identification of potential interested parties

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (Precinct). The purpose of the ACHAR is to address the Study Requirements for Cherrybrook Station Government Land and to assist the proponent in the preparation of planning provisions for the proposed rezoning of the Precinct.

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Please register your interest in the project by end of day **Friday 9 October 2020** by contacting:

Isabel Wheeler
Artefact Heritage
Suite 56 Jones Bay Wharf
Pyrmont NSW 2009
02 9518 8411
Isabel.wheeler@artefact.net.au

Kind regards,

Brye Marshall

Figure 1: Study Area





artefact

24 September 2020

National Native Title Tribunal
GPO Box 9973
Sydney NSW 2001

Via email: GeospatialSearch@NNTT.gov.au

Dear Sir or Madam

Cherrybrook Station Government Land State Significant Precinct, Aboriginal Cultural Heritage Assessment –Section 4.1.2 Identification of potential interested parties

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (Precinct). The purpose of the ACHAR is to address the Study Requirements for Cherrybrook Station Government Land and to assist the proponent in the preparation of planning provisions for the proposed rezoning of the Precinct.

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Artefact Heritage
Suite 56 Jones Bay Wharf
Pyrmont NSW 2009
02 9518 8411
Isabel.wheeler@artefact.net.au

Kind regards,

Brye Marshall

Figure 1: Study Area





artefact

24 September 2020

NTSCORP
PO Box 2105
Strawberry Hills NSW
Via email: information@ntscorp.com.au

Dear Sir or Madam

Cherrybrook Station Government Land State Significant Precinct, Aboriginal Cultural Heritage Assessment –Section 4.1.2 Identification of potential interested parties

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (Precinct). The purpose of the ACHAR is to address the Study Requirements for Cherrybrook Station Government Land and to assist the proponent in the preparation of planning provisions for the proposed rezoning of the Precinct.

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Adam Turnbull
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Pyrmont NSW 2009
02 9518 8411
Isabel.wheeler@artefact.net.au

Kind regards,

Brye Marshall

Figure 1: Study Area





artefact

24 September 2020

Office of Environment and Heritage NSW
Lock Bag 5022
Parramatta NSW
Via email: HERITAGEMailbox@environment.nsw.gov.au

Dear Sir or Madam

Cherrybrook Station Government Land State Significant Precinct, Aboriginal Cultural Heritage Assessment –Section 4.1.2 Identification of potential interested parties

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (Precinct). The purpose of the ACHAR is to address the Study Requirements for Cherrybrook Station Government Land and to assist the proponent in the preparation of planning provisions for the proposed rezoning of the Precinct.

The proponent's contact details are:

Adam Turnbull
Development Director
Landcom
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Parramatta NSW 2124

We are inviting registrations of interest in the project from Aboriginal groups and individuals who hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places in the locality.

Please register your interest in the project by end of day **Friday 9 October 2020** by contacting:

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Artefact Heritage
Suite 56 Jones Bay Wharf
Pyrmont NSW 2009
02 9518 8411
Isabel.wheeler@artefact.net.au

Kind regards,

Brye Marshall

Figure 1: Study Area





artefact

24 September 2020

Office of the Registrar

PO Box 12

Glebe NSW

Via email: adminofficer@oralra.nsw.gov.au

Dear Sir or Madam

Cherrybrook Station Government Land State Significant Precinct, Aboriginal Cultural Heritage Assessment –Section 4.1.2 Identification of potential interested parties

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (Precinct). The purpose of the ACHAR is to address the Study Requirements for Cherrybrook Station Government Land and to assist the proponent in the preparation of planning provisions for the proposed rezoning of the Precinct.

The proponent's contact details are:

Adam Turnbull
Development Director
Landcom
PO Box 237
Parramatta NSW 2124

We are inviting registrations of interest in the project from Aboriginal groups and individuals who hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places in the locality.

Please register your interest in the project by end of day **Friday 9 October 2020** by contacting:

Isabel Wheeler
Artefact Heritage
Suite 56 Jones Bay Wharf
Pyrmont NSW 2009
02 9518 8411
Isabel.wheeler@artefact.net.au

Kind regards,

Brye Marshall

Figure 1: Study Area



10.2 Agency Responses

Isabel Wheeler

From: Barry Gunther <Barry.Gunther@environment.nsw.gov.au>
Sent: Monday, 28 September 2020 11:55 AM
To: Isabel Wheeler
Subject: DPC RAP list for Cherrybrook Station.
Attachments: Cherrybrook Station RAP list Requests with subclause 60C (2).docx; 19111_Agency Letter_10100924_OEH.pdf; DPC RAP list - The Hills Local Government Area.docx

Hi Isabel,

Please find attached the request for the DPC RAP list for Cherrybrook Station.

regards

Barry Gunther, Aboriginal Heritage Planner Officer
Heritage NSW, Community Engagement, Department of Premier and Cabinet
Level 6, 10 Valentine Ave, Parramatta | Locked Bag 5020 Parramatta 2124
T: 02 9995 6830 | barry.gunther@environmnt.nsw.gov.au

Please lodge all Applications to Heritagemailbox@environment.nsw.gov.au

I acknowledge and respect the traditional custodians and ancestors of the lands I work across.



Heritage NSW and coronavirus (COVID-19)

Heritage NSW has taken steps to protect the safety, health and wellbeing of our staff, communities and customers. Whilst our offices remain open, we have put in place flexible working arrangements for our teams across NSW and continue to adapt our working arrangements as necessary. Face-to-face meetings and field work/site visits with our customers are subject to rules on gatherings and social distancing measures. We thank you for your patience and understanding at this time.

This email is intended for the addressee(s) named and may contain confidential and/or privileged information. If you are not the intended recipient, please notify the sender and then delete it immediately. Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL



Our reference: DOC20/795656

Isabel Wheeler
Artefact Heritage
Suite 56 Jones Bay Wharf
Pyrmont NSW 2009

Dear Isabel,

Thank you for your letter dated 24 September 2020 to Heritage within NSW the Department of Premier and Cabinet (DPC) regarding obtaining a list of the Aboriginal stakeholders that may have an interest for an Aboriginal Cultural Heritage Assessment for the Cherrybrook Station NSW.

Before making an application for the issue of an Aboriginal Heritage Impact Permit, the applicant must carry out an Aboriginal community consultation process in accordance with the *National Parks and Wildlife Regulation 2019* and completed to the stage described in subclause 60C.

Please find attached the list of Aboriginal stakeholders known to Heritage NSW that may have an interest in the project. Heritage NSW's list of regional stakeholders is a list of groups, organisations or individuals who may hold cultural knowledge relevant to a proposal in a region. You should contact the stakeholders who have indicated an interest in the Local Government Area (LGA) relevant to your project. Contact details are correct as at the time of registration. Consultation with Aboriginal people should not be confused with employment. Inclusion on the Heritage NSW's list is not an automatic right to employment. It is the decision of a proponent on who they choose to engage to deliver services based on a range of considerations including skills, relevant experience, and WHS considerations. To be clear, the proponent is under no obligation to employ Aboriginal people registered for consultation.

Further, receipt of this information does not remove the requirement of a proponent/consultant to advertise in local print media and contact other bodies seeking interested Aboriginal parties. Consultation with Aboriginal stakeholders must be in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* which can be found on the Heritage NSW public website by accessing the following link:

<https://www.heritage.nsw.gov.au/assets/Uploads/files/Aboriginal-Cultural-Heritage-Consultation-Requirements-for-Proponents.pdf>

If you wish to discuss any of the above matters further please email heritagemailbox@environment.nsw.gov.au

Please note that subclause 60C (4) of the NPW Reg 2019 requires that the notification of potential stakeholders by letter and newspaper **must include the name and contact details of the proponent**. Any consultation undertaken that does not comply with the consultation requirements may not be considered sufficient to support an application for an AHIP. In this case Heritage NSW may require a new consultation process be undertaken in accordance with the consultation requirements before issuing an AHIP.

Yours sincerely

A handwritten signature in black ink that reads "Barry Gunther". The signature is written in a cursive style with a prominent flourish at the end.

Barry Gunther
Aboriginal Heritage Planning Officer
Aboriginal Cultural Heritage Regulation - South
Heritage NSW

LIST OF ABORIGINAL STAKEHOLDERS FOR THE DEPARTMENT of PREMIER and CABINET (DPC) SOUTHERN REGION HELD BY DPC FOR THE PURPOSES OF THE OEH ABORIGINAL CULTURAL HERITAGE CONSULTATION REQUIREMENTS FOR PROPONENTS 2010

These lists are provided to proponents in accordance with section 4.1.2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (the "Consultation Requirements") which commenced on 12 April 2010.

The consultation process involves getting the views of, and information from, Aboriginal people and reporting on these. It is not to be confused with other field assessment processes involved in preparing a proposal and an application. Consultation does not include the employment of Aboriginal people to assist in field assessment and/or site monitoring. Aboriginal people may provide services to proponents through a contractual arrangement however, this is separate from consultation. The proponent is not obliged to employ those Aboriginal people registered for consultation. Consultation as per these requirements will continue irrespective of potential or actual employment opportunities for Aboriginal people.

A copy of the Consultation Requirements can be found on the OEH website at:

<http://www.environment.nsw.gov.au/resources/cultureheritage/commconsultation/09781ACHconsultreq.pdf>.

Under the Consultation Requirements; a proponent is required to provide Aboriginal people who may hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places as relevant to the proposed project area, with an opportunity to be involved in consultation. Section 3.3.1 of the Consultation Requirements states that Aboriginal people who can provide this information are, based on Aboriginal lore and custom, the traditional owners or custodians of the land that is the subject of the proposed project.

The Consultation Requirements also state that:

Traditional owners or custodians with appropriate cultural heritage knowledge to inform decision making who seek to register their interest as an Aboriginal party are those people who:

- *continue to maintain a deep respect for their ancestral belief system, traditional lore and custom*
- *recognise their responsibilities and obligations to protect and conserve their culture and heritage and care for their traditional lands or Country*
- *have the trust of their community, knowledge and understanding of their culture, and permission to speak about it.*

Please note: the placement of an organisation's name on any OEH Aboriginal stakeholder list for the Consultation Requirements does not override a proponent's requirement to also advertise in the local newspaper and to seek from other sources the names of any other Aboriginal people who may hold cultural knowledge as required under clause 80C of the [National Parks and Wildlife Regulation 2009](#).

How to use this list

- 1. Contact the organisations/individuals who have indicated an interest in the relevant LGA/s and invite them to register an interest in your project**

Do not reproduce the attached list in publicly available reports and other documents. Your report should only contain the names of the organisations and individuals who you have invited to register an interest in your project and those who have registered as stakeholders for your project.

Last updated 22 September 2020

The Hills Local Government Area

Organisation/ Individual	Contact Name	Email Address/ Fax / Phone	Postal Address	Additional information
Barraby Cultural Services	Lee Field (Manager)	0431 314 892 barrabyculturalservices@gmail.com	10B Elphin Street, Tahmoor NSW 2573	
Yurrandaali Cultural Services	Bo Field (Manager)	0403 048 263 yurrandaali_cs@hotmail.com	6 Macgibbon Parade, Old Erowal Bay NSW 2540	
Deerubbin Local Aboriginal Land Council	Kevin Cavanagh	(02) 4724 5600 F: (02) 4722 9713 srandall@deerubbin.org.au Reception@deerubbin.org.au	Level 1, Suite 3 /291-295 High Street, Penrith NSW 2750 PO Box 40, Penrith NSW 2751	
Metropolitan Local Aboriginal Land Council	Nathan Moran	(02) 83949666 officeadmin@metrolalc.org.au	PO Box 1103 Strawberry Hills NSW 2016	
Darug Custodian Aboriginal Corporation	Justine Coplin	0414 962 766 justinecoplin@optusnet.com.au	PO Box 81, Windsor NSW 2756	
Darug Aboriginal Cultural Heritage Assessments	Gordon Morton	02 9410 3665 or 0422 865 831	Unit 9, 6 Chapman Avenue, Chatswood, NSW 2067	
Darug Land Observations	Jamie Workman and Anna Workman	0418 494 951 0413 687 279 daruglandobservations@gmail.com	PO Box 173, Ulladulla, NSW 2539	
Darug Aboriginal Land Care	Mark Dyer	0428 714 242 markdyer2009@live.com.au	PO Box 405 Donnside 2767 NSW	
A1 Indigenous Services	Carolyn Hickey	0411 650 057 cazadirect@live.com	10 Marie Pitt Place Glenmore Park 2745 NSW.	

Eric Keidge	Eric Keidge	04311 66423	11 Olsson Close Hornsby Heights NSW 2077	
Corroboree Aboriginal Corporation	Marilyn Carroll-Johnson	0415911159 corroboreecorp@bigpond.com	PO Box 3340, Rouse Hill, NSW 2155	
Kamilaroi Yankuntjatjara Working Group	Phil Khan	0434 545 982 philipkhan.acn@live.com.au	78 Forbes Street, Emu Plains, NSW 2750	
Wurrumay Pty Ltd	Kerrie Slater and Vicky Slater	0421077521 wurrumay@hotmail.com	89 Pyramid street, Emu Plains NSW 2750 PO Box 414 Emu Plains NSW 2750	
Tocomwall	Scott Franks	0404 171 544	PO Box 76, Caringbah NSW 1495	
Amanda Hickey Cultural Services	Amanda Hickey	0434 480 588 amandahickey@live.com.au	57 Gough st emu plains 2750	
Dhinawan Culture & Heritage Pty Ltd	Stephen Fields	0411232285 dhinawan.ch@gmail.com		
Pemulwuy CHTS	Pemulwuy Johnson	0425 066 100 pemulwuyd@gmail.com	14 Top Place, Mt Annan	
Walgalu	Ronald Stewart	walgaluchts@gmail.com		
Thauaira	Shane Carriage	thauairchts@gmail.com		
Dharug	Andrew Bond	dharugchts@gmail.com		
Gulaga	Wendy Smith	gulagachts@gmail.com		

Biamanga	Seli Storer	biamangachts@gmail.com		
Callendulla	Corey Smith	cullendullachts@gmail.com		
Murramarang	Roxanne Smith	murramarangchts@gmail.com		
DJMD Consultancy	Darren Duncan	0410 510 397 darrenjohnduncan@gmail.com		
Butucarbin Aboriginal Corporation	Jennifer Beale	(02)9832 7167 butuheritage@gmail.com	PO Box E18, Emerton, NSW 2770	
Didge Ngunawal Clan	Lillie Carroll Paul Boyd	0426 823 944 didgengunawalclan@yahoo.com.au	33 Carlyle Crescent Cambridge Gardens NSW 2747	
Ginninderra Aboriginal Corporation	Steven Johnson and Krystle Carroll	0406991221 Ginninderra.corp@gmail.com	PO BOX 3143 Grose Vale NSW 2754	
Wailwan Aboriginal Group	Philip Boney	0436 483 210 waarlan12@outlook.com		
Barking Owl Aboriginal Corporation	Mrs Jody Kulakowski (Director)	0426 242 015 barkingowlcorp@gmail.com	2-65/69 Wehlow St. Mt Druitt	
Yulay Cultural Services	Arika Jalomaki (Manager)	0411 048 794 yulayculturalservices@gmail.com	15 Rowley Place, Airds NSW 2560	
Thoorga Nura	John Carriage (Chief Executive Officer)	0401 641 299 thoorganura@gmail.com	50B Hilltop Crescent, Surf Beach, 2536, NSW	
Darug Boorooberongal Elders Aboriginal Corporation	Paul Hand (chairperson)	0456786738 paulhand1967@gmail.com	PO.Box 14 Doonside NSW 2767	
B.H. Heritage Consultants	Ralph Hampton Nola Hampton	0435 785 138 0401 662 531 hamptonralph46@gmail.com	184 Captain Cook Drive Willmot 2770 NSW	

		kinghampton@77gmail.com	95 Mount Ettalong Road Umina Beach 2257 NSW	
Ngambaa Cultural Connections	Kaarina Slater	0417861882 ngambaaculturalconnections@hotmail.com	6 Natchez Crescent, Greenfield Park NSW 2167	
Goodradigbee Cultural & Heritage Aboriginal Corporation,	Caine Carroll	0410974236 goodradigbee1@outlook.com	<u>1 Morilla Road, East Kurrajong NSW 2758</u>	
Mura Indigenous Corporation,	Phillip Carroll	0448824188 mura.indigenous@bigpond.com	<u>11 Nargal Street Flinders NSW 2529</u>	
Aragung Aboriginal Cultural Heritage Site Assessments	Jamie Eastwood	0427793334 0298323732 James.eastwood@y7mail.com	<u>33 Bulolo Drive Whalan NSW 2770</u>	
Waawaar Awaab Aboriginal Corporation	Rodney Gunther	0410580962 Waawaar.awaab@gmail.com	15 Bungonia Street Prestons NSW 2170	

Isabel Wheeler

From: Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>
Sent: Thursday, 1 October 2020 7:08 PM
To: Isabel Wheeler
Subject: RE: SR20/996 - Notification of Project Proposal & Registration of Interest -SR20/996

UNCLASSIFIED

Native title search – NSW Parcels– Lot 35 on DP1253104
Your ref: *Cherrybrook Station* - **Our ref:** SR20/996

Dear Isabel Wheeler,

Thank you for your search request received on 30 September 2020 in relation to the above area, please find your results below.

Please note: The following parcel listed in your correspondence was not found on the National Native Title Tribunal's records as 01 October 2020 : *Lot 35 on DP1253104*. We have however provided results for *Lot 34 on DP1253104*.

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)

Cadastral Data as at: 01/07/2020

Parcel ID	Feature Area SqKm	Tenure	NNTT file number	Name	Category	Pe
34//DP1253104	0.0013	FREEHOLD	No overlap			

These items not found in NNTT Cadastral data:

Parcel ID
35//DP1253104

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 on the free call number 1800 640 501.

Regards,

Geospatial Searches

National Native Title Tribunal | Perth

Email: GeospatialSearch@nntt.gov.au | www.nntt.gov.au

From: Isabel Wheeler <isabel.wheeler@artefact.net.au>

Sent: Thursday, 1 October 2020 7:37 AM

To: Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>

Subject: RE: SR20/996 - Notification of Project Proposal & Registration of Interest -SR20/996

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

Hi,

Please find attached a detailed map of the search area for the search request detailed below, as well as a kmz file.

Thanks for your help.

Kind regards,

Isabel Wheeler

Graduate Heritage Consultant

ARTEFACT

Cultural Heritage Management | Archaeology | Heritage Interpretation

Telephone: 61 2 9518 8411 **Mobile:** 0401 262 400

Address: Suite 56, Jones Bay Wharf, 26-32 Pirrama Rd, Pyrmont NSW 2009

Web: www.artefact.net.au

 We acknowledge the Traditional Custodians of Country in which we live and work, and pay our respects to them, their culture and their Elders past, present and emerging

Notice: This message contains privileged and confidential information intended only for the use of the addressee. If you are not the intended recipient you must not disseminate, copy or take any action in reliance upon it. If you received this in error, please notify us immediately.

From: Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>
Sent: Wednesday, 30 September 2020 6:02 PM
To: Isabel Wheeler <isabel.wheeler@artefact.net.au>
Cc: Michael Lever <michael.lever@artefact.net.au>; Brye Marshall <brye.marshall@artefact.net.au>
Subject: RE: SR20/996 - Notification of Project Proposal & Registration of Interest -SR20/996

UNCLASSIFIED

Native title search – NSW Parcels– Multiple
Your ref: *Cherrybrook Station* - **Our ref:** SR20/996

Dear Isabel Wheeler,

Thank you for your search request received on 30 September 2020 in relation to the above area, please find your results below.

Please note: The following parcel listed in your correspondence was not found on the National Native Title Tribunal’s records as 30August 2020 : *Lot 35 on DP1253104*. To enable us to complete the search appropriately and adequately please provide us with additional details e.g. **DETAILED** map, plan or shape file.

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)

Cadastral Data as at: 01/07/2020

Parcel ID	Feature Area SqKm	Tenure	NNTT file number	Name	Category	Pe
30//DP1253104	0.0160	FREEHOLD	No overlap			
31//DP1253104	0.0070	FREEHOLD	No overlap			
32//DP1253104	0.0067	FREEHOLD	No overlap			
33//DP1253104	0.0329	FREEHOLD	No overlap			

These items not found in NNTT Cadastral data:

Parcel ID
35//DP1253104

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.

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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 on the free call number 1800 640 501.

Regards,

Geospatial Searches

National Native Title Tribunal | Perth

Email: GeospatialSearch@nntt.gov.au | www.nntt.gov.au

From: Isabel Wheeler <isabel.wheeler@artefact.net.au>

Sent: Wednesday, 30 September 2020 6:56 AM

To: Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>; Brye Marshall <brye.marshall@artefact.net.au>

Cc: Michael Lever <michael.lever@artefact.net.au>

Subject: SR20/996 - RE: Notification of Project Proposal & Registration of Interest

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

Good morning,

Please find attached a geospatial search form regarding the Cherrybrook Station Government Land State Significant Precinct project.

Kind regards,

Isabel Wheeler
Graduate Heritage Consultant

ARTEFACT
Cultural Heritage Management | Archaeology | Heritage Interpretation

Telephone: 61 2 9518 8411 **Mobile:** 0401 262 400
Address: Suite 56, Jones Bay Wharf, 26-32 Pirrama Rd, Pyrmont NSW 2009

Web: www.artefact.net.au

 We acknowledge the Traditional Custodians of Country in which we live and work, and pay our respects to them, their culture and their Elders past, present and emerging

Notice: This message contains privileged and confidential information intended only for the use of the addressee. If you are not the intended recipient you must not disseminate, copy or take any action in reliance upon it. If you received this in error, please notify us immediately.

From: Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>
Sent: Thursday, 24 September 2020 4:13 PM
To: Brye Marshall <brye.marshall@artefact.net.au>
Cc: Michael Lever <michael.lever@artefact.net.au>; Isabel Wheeler <isabel.wheeler@artefact.net.au>
Subject: RE: Notification of Project Proposal & Registration of Interest

UNCLASSIFIED

Native title search – NSW

Your ref: *Cherrybrook Station*- **Our ref:** *N/A*

Dear Brye Marshall,

Thank you for your search request received on 24 September 2020.

To enable us to complete the search appropriately and adequately, please fill out the attached search form and return to us via GeospatialSearch@NNTT.gov.au

Cultural Heritage Searches in NSW

The National Native Title Tribunal (the Tribunal) has undertaken steps to remove itself from the formal list of sources for information about indigenous groups in development areas. The existence or otherwise of native title is quite separate to any matters relating to Aboriginal cultural heritage. Information on native title claims, native title determinations and Indigenous Land Use Agreements is available on the Tribunal's website.

Interested parties are invited to use Native Title Vision (NTV) the Tribunal's online mapping system to discover native title matters in their area of interest. Access to NTV is available at

<http://www.nntt.gov.au/assistance/Geospatial/Pages/NTV.aspx>

Training and self-help documents are available on the NTV web page under "Training and help documents". For additional assistance or general advice on NTV please contact GeospatialSearch@NNTT.gov.au

Additional information can be extracted from the Registers available at

<http://www.nntt.gov.au/searchRegApps/Pages/default.aspx>

If you have any further queries, please do not hesitate to contact us on the free call number 1800 640 501.

Regards,

Geospatial Searches

National Native Title Tribunal | Perth

Email: GeospatialSearch@nntt.gov.au | www.nntt.gov.au

From: Brye Marshall <brye.marshall@artefact.net.au>
Sent: Thursday, 24 September 2020 1:51 PM
To: Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>

Cc: Michael Lever <michael.lever@artefact.net.au>; Isabel Wheeler <isabel.wheeler@artefact.net.au>

Subject: Notification of Project Proposal & Registration of Interest

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,

Artefact Heritage on behalf of Landcom is undertaking archaeological investigations of the Cherrybrook Station Government Land State Significant Precinct project.

We are now commencing Aboriginal consultation for the above project, please find attached the Agency consultation letter regarding step 4.1.2 of the consultation process.

- *Notification of project proposal and registration of interest of the Aboriginal cultural heritage consultation requirements for proponents 2010.*

Kind Regards,

Brye Marshall
Heritage Consultant

ARTEFACT
Cultural Heritage Management | Archaeology | Heritage Interpretation

Telephone: 61 2 9518 8411 **Mobile:** 0437 160 479
Address: Suite 56, Jones Bay Wharf, 26-32 Pirrama Rd, Pyrmont NSW 2009
Web: www.artefact.net.au

 We acknowledge the Traditional Custodians of Country in which we live and work, and pay our respects to them, their culture and their Elders past, present and emerging

04 November 2020

By email: isabel.wheeler@artefact.net.au

Isabel Wheeler
Artefact
Suite 56, Jones Bay Wharf, 26-32 Pirrama Road
PYRMONY NSW 2009

Dear Isabel,

Request - Search for Registered Aboriginal Owners

We refer to your email dated 24 September 2020 seeking the identification of Aboriginal organisations and people who may have an interest in the proposed rezoning of the Cherrybrook Station Government Land State Significant Precinct.

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

We suggest you contact the Metropolitan Local Aboriginal Land Council on (02) 8394 9666 or via email nmoran@metrolalc.org.au as they may wish to participate.

Yours sincerely



Rachel Rewiri
Project Officer
Office of the Registrar, Aboriginal Land Rights Act 1983

Brye Marshall
ARTEFACT
Suite 56 Jones Bay Wharf, 26-32 Pirrama Rd
PYRMONT NSW 2009
brye.marshall@artefact.net.au

RE: Request for information on Aboriginal stakeholders for an Aboriginal cultural heritage assessment for the proposed Cherrybrook Station Precinct Upgrade, Cherrybrook, NSW

Dear Penny,

Thank you for your letter of 24 September 2020 about Aboriginal cultural heritage consultation for proposed the proposed Cherrybrook Station Precinct Upgrade, Cherrybrook, NSW within the Hornsby local government area. I appreciate the opportunity to provide input.

Please find enclosed a list of known Aboriginal parties for the Hornsby local government area (Attachment 1) that we consider likely to have an interest in the proposal. Note this is not an exhaustive list of all interested Aboriginal parties. Receipt of this list does not remove the requirement for a proponent/consultant to advertise the proposal in the local print media and contact other bodies and community groups seeking interested Aboriginal parties, in accordance with the '*Aboriginal cultural heritage consultation requirements for proponents 2010*' (the CRs).

We would also like to take this opportunity to remind the proponent and consultant to:

- Ensure that consultation is fair, equitable and transparent. If the Aboriginal parties express concern or are opposed to parts of or the entire project, we expect that evidence will be provided to demonstrate the efforts made to find common ground between the opponents and the proponent.

If you have any questions about this advice, please do not hesitate to contact me via paul.houston@environment.nsw.gov.au or 02 68835361.

Yours sincerely

A handwritten signature in black ink, appearing to read "Paul Houston", with a stylized flourish at the end.

Paul Houston
Aboriginal Heritage Planning Officer
Aboriginal Cultural Heritage Regulation - Northern
Heritage NSW
Department of Premier and Cabinet
23 October 2020

ATTACHMENT A

Table 1: List of Aboriginal stakeholder groups within the Hornsby - that may have an interest in the project; provided as per the “OEH Aboriginal cultural heritage requirement for proponents 2010”.

Organisation/ Individual	Contact Name	Email Address/ Fax / Phone	Postal Address	Additional information
Guringai Tribal Link Aboriginal Corporation	Tracey Howie	0404 182 049 tracey@guringai.com.au	PO Box 4061 Wyongah NSW 2259	
Metropolitan Local Aboriginal Land Council	Nathan Moran	(02) 83949666 officeadmin@metrolalc.org.au	PO Box 1103 Strawberry Hills NSW 2016	
Darug Aboriginal Cultural Heritage Assessments	Gordon Morton	02 9410 3665 or 0422 865 831	Unit 9, 6 Chapman Avenue, Chatswood, NSW 2067	
Darug Land Observations	Jamie Workman and Anna Workman	0418 494 951 0413 687 279 daruglandobservations@gmail.com	PO Box 173, Ulladulla, NSW 2539	
A1 Indigenous Services	Carolyn Hickey	0411 650 057 cazadirect@live.com	10 Marie Pitt Place Glenmore Park 2745 NSW	
Eric Keidge	Eric Keidge	04311 66423	11 Olsson Close Hornsby Heights NSW 2077	
Kamilaroi Yankuntjatjara Working Group	Phil Khan	0434 545 982 philipkhan.acn@live.com.au	78 Forbes Street, Emu Plains, NSW 2750	
Tocomwall	Scott Franks	0404 171 544	PO Box 76, Caringbah NSW 1495	
Amanda Hickey Cultural Services	Amanda Hickey	0434 480 588 amandahickey@live.com.au	57 Gough st emu plains 2750	
Dhinawan Culture & Heritage Pty Ltd	Stephen Fields	0411232285 dhinawan.ch@gmail.com		
Gunyuu	Kylie Ann Bell	gunyuuchts@gmail.com		
Walbunja	Hika Te Kowhai	0402 730 612 walbunja@gmail.com		
Badu	Karia Lea Bond	0476 381 207	11 Jeffery Place, Moruya, NSW	

			2537	
Goobah Developments	Basil Smith	0405 995 725	66 Grantham Road, Batehaven NSW, 2536	
Wullung	Lee-Roy James Boota	0403 703 942	54 Blackwood Street, Gerringong, NSW, 2534	
Yerramurra	Robert Parson	yerramurra@gmail.com		
Nundagurri	Newton Carriage	nundagurri@gmail.com		
Murrumbul	Mark Henry	murrumbul@gmail.com		
Jerringong	Joanne Anne Stewart	0422 800 184 jerringong@gmail.com		
Pemulwuy CHTS	Pemulwuy Johnson	0425 066 100 pemulwuyd@gmail.com	14 Top Place, Mt Annan	
Bilinga	Simalene Carriage	bilingachts@gmail.com		
Munyunga	Kaya Dawn Bell	munyungachts@gmail.com		
Wingikara	Hayley Bell	wingikarachts@gmail.com		
Minnamunning	Aaron Broad	0402 526 888	1 Waratah Avenue, Albion Park Rail NSW 2527	
Walgalu	Ronald Stewart	walgaluchts@gmail.com		
Thauaira	Shane Carriage	thauairachts@gmail.com		
Dharug	Andrew Bond	dharugchts@gmail.com		
Gulaga	Wendy Smith	gulagachts@gmail.com		
Biamanga	Seli Storer	biamangachts@gmail.com		
Callendulla	Corey Smith	cullendullachts@gmail.com		
Murramarang	Roxanne Smith	murramarangchts@gmail.com		
DJMD Consultancy	Darren Duncan	0410 510 397 darrenjohnduncan@gmail.com		
Butucarbin Aboriginal Corporation	Jennifer Beale	(02)9832 7167 butuheritage@gmail.com	. PO Box E18, Emerton, NSW 2770	

Didge Ngunawal Clan	Lillie Carroll Paul Boyd	0426 823 944 didgengunawalclan@yahoo.com.au	33 Carlyle Crescent Cambridge Gardens NSW 2747	
Ginninderra Aboriginal Corporation	Steven Johnson and Krystle Carroll	0406991221 Ginninderra.corp@gmail.com	PO BOX 3143 Grose Vale NSW 2754	
Wailwan Aboriginal Group	Philip Boney	0436 483 210 waarlan12@outlook.com		
Barking Owl Aboriginal Corporation	Mrs Jody Kulakowski (Director)	0426 242 015 barkingowlcorp@gmail.com	2-65/69 Wehlow St. Mt Druitt	
Thoorga Nura	John Carriage (Chief Executive Officer)	0401 641 299 thoorganura@gmail.com	50B Hilltop Crescent, Surf Beach, 2536, NSW	
Darug Boorooberongal Elders Aboriginal Corporation	Paul Hand (chairperson)	0456786738 paulhand1967@gmail.com	PO.Box 14 Doonside NSW 2767	
B.H. Heritage Consultants	Ralph Hampton Nola Hampton	0435 785 138 0401 662 531 hamptonralph46@gmail.com kinghampton@77gmail.com	184 Captain Cook Drive Willmot 2770 NSW	95 Mount Ettalong Road Umina Beach 2257 NSW
Ngambaa Cultural Connections	Kaarina Slater	0417861882 ngambaaculturalconnections@hotmail.com	6 Natchez Crescent, Greenfield Park NSW 2167	
Goodradigbee Cultural & Heritage Aboriginal Corporation,	Caine Carroll	0410974236 goodradigbee1@outlook.com	<u>1 Morilla Road, East Kurrajong NSW 2758</u>	
Mura Indigenous Corporation,	Phillip Carroll	0448824188 mura.indigenous@bigpond.com	<u>11 Nargal Street Flinders NSW 2529</u>	
Aragung Aboriginal Cultural Heritage Site Assessments	Jamie Eastwood	0427793334 0298323732 James.eastwood@y7mail.com	<u>33 Bulolo Drive Whalan NSW 2770</u>	
Waawaar Awaab Aboriginal Corporation	Rodney Gunther	0410580962 Waawaar.awaa@gmail.com	15 Bungonia Street Prestons NSW 2170	
Clive Freeman	Clive Freeman	Mob:0437721481 Home Number: 02-44421117 clive.freeman@y7mail.com	6 Dhugan Close Wreck Bay Aboriginal Community JBT 2540	
Wori Woilywa	Daniel Chalker	woriwoilywa@gmail.com 0409006216	261 Mockingbird Rd Pheasants Nest NSW 2574	

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10.3 Invitation to Register Interest



artefact
Barraby Cultural Services
Lee Field
10B Elphin Street Tahmoor NSW 2573

Via: barrabyculturalservices@gmail.com

Dear Lee,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land. It is bound by Castle Hill Road to the south, Franklin Road to the northwest.

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The contact details for the proponent are:

Adam Turnbull
Development Director
Landcom
PO Box 237, Parramatta, NSW 2124

Landcom wishes to consult with any Aboriginal persons or organisations that hold cultural knowledge relevant to determining the significance of Aboriginal objects, places and/or cultural heritage values in the Cherrybrook area. The purpose of the community consultation is to assist the proponent in the preparation of an ACHAR.

If you hold cultural knowledge of the Cherrybrook area, we invite you to register your interest in the process of community consultation. Please forward your registration of interest in writing **before 23 October 2020** to:

Isabel Wheeler
Artefact Heritage
Suite 56, Jones Bay Wharf,
26-32 Pirrama Road,
Pyrmont NSW 2009

or email: isabel.wheeler@artefact.net.au

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If you require any additional information, please do not hesitate to contact me.

Kind Regards,



Isabel Wheeler
Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Figure 1: Location of the study area



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artefact

Yurrandaali Cultural Services
Bo Field
6 Macgibbon Parade
Old Erowal Bay NSW 2540

Via: yurrandaali_cs@hotmail.com

Dear Bo,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land. It is bound by Castle Hill Road to the south, Franklin Road to the northwest.

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9/10/2020

artefact

Deerubbin Local Aboriginal Land Council
Kevin Cavanagh
Level 1, Suite 3 /291-295 High Street
Penrith NSW 2750

Via: srandall@deerubbin.org.au

Dear Kevin,

Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land. It is bound by Castle Hill Road to the south, Franklin Road to the northwest.

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9/10/2020

artefact

Metropolitan Local Aboriginal Land Council
Nathan Moran
PO Box 1103
Strawberry Hills NSW 2016

Via: officeadmin@metrolalc.org.au

Dear Nathan,

Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land. It is bound by Castle Hill Road to the south, Franklin Road to the northwest.

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Kind Regards,



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Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Figure 1: Location of the study area





9/10/2020

artefact

Darug Custodian Aboriginal Corporation
Justine Coplin
PO Box 81
Windsor NSW 2756

Via: justinecoplin@optusnet.com.au

Dear Justine,

Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

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Kind Regards,



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Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Figure 1: Location of the study area



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arteifact

Darug Land Observations
Jamie and Anna Workman
PO Box 173
Ulladulla, NSW 2539

Via: daruglandobservations@gmail.com

Dear Jamie and Anna,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

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Figure 1: Location of the study area



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9/10/2020

artefact

Darug Aboriginal Land Care
Mark Dyer
PO Box 405
Donnside NSW 2767

Via: markdyer2009@live.com.au

Dear Mark,

Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

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Figure 1: Location of the study area



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9/10/2020

artefact

A1 Indigenous Services
Carolyn Hickey
10 Marie Pitt Place
Glenmore Park 2745 NSW

Via: cazadirect@live.com

Dear Carolyn,

Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land. It is bound by Castle Hill Road to the south, Franklin Road to the northwest.

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Figure 1: Location of the study area



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artefact

Corroboree Aboriginal Corporation
Marilyn Carroll-Johnson
PO Box 3340
Rouse Hill, NSW 2155

Via: corroboreecorp@bigpond.com

Dear Marilyn,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

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9/10/2020

artefact

Kamilaroi Yankuntjatjara Working Group
Phil Khan
78 Forbes Street
Emu Plains, NSW 2750

Via: philipkhan.acn@live.com.au

Dear Phil,

Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

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artefact

Wurrumay Pty Ltd
Kerrie and Vicky Slater
89 Pyramid street
Emu Plains NSW 2750

Via: wurrumay@hotmail.com

Dear Kerrie and Vicky,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

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Adam Turnbull
Development Director
Landcom
PO Box 237, Parramatta, NSW 2124

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or email: isabel.wheeler@artefact.net.au

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Kind Regards,



Isabel Wheeler
Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Figure 1: Location of the study area



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artefact

Tocomwall
Scott Franks
PO Box 76
Caringbah NSW 1495

Via: scott@tocomwall.com.au

Dear Scott,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

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9/10/2020

artefact

Amanda Hickey Cultural Services
Amanda Hickey
57 Gough st
Emu Plains NSW 2750

Via: amandahickey@live.com.au

Dear Amanda,

Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land. It is bound by Castle Hill Road to the south, Franklin Road to the northwest.

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artefact
Dhinawan Culture & Heritage Pty Ltd
Stephen Fields

Via: dhinawan.ch@gmail.com

Dear Stephen,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land. It is bound by Castle Hill Road to the south, Franklin Road to the northwest.

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9/10/2020

artefact

Pemulwuy CHTS
Pemulwuy Johnson
14 Top Place
Mt Annan, NSW

Via: pemulwuyd@gmail.com

Dear Pemulwuy,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

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arteffect
Walgalu
Ronald Stewart

Via: walgaluchts@gmail.com

Dear Ronald,

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Registration of Interest**

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9/10/2020
artefact
Thauaira
Shane Carriage

Via: thauairachts@gmail.com

Dear Shane,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

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isabel.wheeler@artefact.net.au
02 9518 8411

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arteffect
Dharug
Andrew Bond

Via: dharugchts@gmail.com

Dear Andrew,

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Registration of Interest**

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arteifact
Gulaga
Wendy Smith

Via: gulagachts@gmail.com

Dear Wendy,

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arteffect
Biamanga
Seli Storer

Via: biamangachts@gmail.com

Dear Seli,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
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artefact
Callendulla
Corey Smith

Via: cullendullachts@gmail.com

Dear Corey,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
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artefact
Murramarang
Roxanne Smith

Via: murramarangchts@gmail.com

Dear Roxanne,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

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Adam Turnbull
Development Director
Landcom
PO Box 237, Parramatta, NSW 2124

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Isabel Wheeler
Artefact Heritage
Suite 56, Jones Bay Wharf,
26-32 Pirrama Road,
Pymont NSW 2009

or email: isabel.wheeler@artefact.net.au

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Kind Regards,



Isabel Wheeler
Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Figure 1: Location of the study area



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artefact
DJMD Consultancy
Darren Duncan

Via: darrenjohnduncan@gmail.com

Dear Darren,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

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artefact

Butucarbin Aboriginal Corporation
Jennifer Beale
PO Box E18
Emerton, NSW 2770

Via: butuheritage@gmail.com

Dear Jennifer,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

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artefact
Didge Ngunawal Clan
Lillie Carroll
33 Carlyle Crescent
Cambridge Gardens NSW 2747

Via: didgengunawalclan@yahoo.com.au

Dear Lillie,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

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artefact
Didge Ngunawal Clan
Paul Boyd
33 Carlyle Crescent
Cambridge Gardens NSW 2747

Via: didgengunawalclan@yahoo.com.au

Dear Paul,

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Registration of Interest**

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Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Figure 1: Location of the study area





arteifact

Ginninderra Aboriginal Corporation
Steven Johnson
PO BOX 3143
Grose Vale NSW 2754

Via: Ginninderra.corp@gmail.com

Dear Steven,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

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isabel.wheeler@artefact.net.au
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artefact
Ginninderra Aboriginal Corporation
Krystle Carroll
PO BOX 3143
Grose Vale NSW 2754

Via: Ginninderra.corp@gmail.com

Dear Krystle,

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Registration of Interest**

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9/10/2020
artefact
Wailwan Aboriginal Group
Philip Boney

Via: waarlan12@outlook.com

Dear Philip,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

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arteifact

Barking Owl Aboriginal Corporation
Jody Kulakowski
2-65/69 Wehlow St
Mt Druitt, NSW

Via: barkingowlcorp@gmail.com

Dear Jody,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
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artefact
Yulay Cultural Services
Arika Jalomaki
15 Rowley Place
Airds NSW 2560

Via: yulayculturalservices@gmail.com

Dear Arika,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
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artefact

Thoorga Nura
John Carriage
50B Hilltop Crescent
Surf Beach, 2536, NSW

Via: thoorganura@gmail.com

Dear John,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
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9/10/2020

artefact

Darug Boorooberongal Elders Aboriginal Corporation
Paul Hand
PO Box 14
Doonside NSW 2767

Via: paulhand1967@gmail.com

Dear Paul,

Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land. It is bound by Castle Hill Road to the south, Franklin Road to the northwest.

As a State Significant Precinct, the Minister for Planning and Public Spaces has determined that it is of State planning significance and should be investigated for re-zoning. The purpose of the ACHAR is to address the Study Requirements for Cherrybrook Station Government Land and to assist the proponent in the preparation of planning provisions for the proposed rezoning of the Precinct.

The contact details for the proponent are:

Adam Turnbull
Development Director
Landcom
PO Box 237, Parramatta, NSW 2124

Landcom wishes to consult with any Aboriginal persons or organisations that hold cultural knowledge relevant to determining the significance of Aboriginal objects, places and/or cultural heritage values in the Cherrybrook area. The purpose of the community consultation is to assist the proponent in the preparation of an ACHAR.

If you hold cultural knowledge of the Cherrybrook area, we invite you to register your interest in the process of community consultation. Please forward your registration of interest in writing **before 23 October 2020** to:

Isabel Wheeler
Artefact Heritage
Suite 56, Jones Bay Wharf,
26-32 Pirrama Road,
Pymont NSW 2009

or email: isabel.wheeler@artefact.net.au

Please be advised that, in accordance with the consultation requirements, if you are registering an interest in the project your contact details will be forwarded to Heritage NSW, Department of Premier

and Cabinet and Metropolitan Local Aboriginal Land Council, unless you specify that you do not wish your contact details to be released.

As part of your registration of interest, I would appreciate it if you could address the following points:

- Name and contact details of the organisation registering.
- An outline of the connection of the organisation to the Cherrybrook area.
- If you would like to be involved in any fieldwork (if required), details of rates and insurances (Public Liability and Workers Compensation or equivalent).

If you require any additional information, please do not hesitate to contact me.

Kind Regards,



Isabel Wheeler
Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Figure 1: Location of the study area



Document Path: D:\GIS\GIS_Mapping\19111_Cherrybrook\MXD\19111_Cherrybrook_Studyarea_20200924.mxd



arteffect

B.H. Heritage Consultants
Ralph and Nola Hampton
184 Captain Cook Drive
Willmot 2770 NSW

Via: hamptonralph46@gmail.com

Dear Ralph and Nola,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land. It is bound by Castle Hill Road to the south, Franklin Road to the northwest.

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Kind Regards,



Isabel Wheeler
Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Figure 1: Location of the study area





arteifact

Ngambaa Cultural Connections
Kaarina Slater
6 Natchez Crescent
Greenfield Park NSW 2167

Via: ngambaaculturalconnections@hotmail.com

Dear Kaarina,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

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If you require any additional information, please do not hesitate to contact me.

Kind Regards,



Isabel Wheeler
Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Figure 1: Location of the study area



Document Path: D:\GIS\GIS_Mapping\19111_Cherrybrook\MXD\19111_Cherrybrook_Studyarea_20200924.mxd



9/10/2020

artefact

Goodradigbee Cultural & Heritage Aboriginal Corporation,
Caine Carroll
1 Morilla Road
East Kurrajong NSW 2758

Via: goodradigbee1@outlook.com

Dear Caine,

Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land. It is bound by Castle Hill Road to the south, Franklin Road to the northwest.

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Kind Regards,



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Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

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arteifact

Mura Indigenous Corporation
Phillip Carroll
11 Nargal Street
Flinders NSW 2529

Via: mura.indigenous@bigpond.com

Dear Phillip,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

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Artefact Heritage
Suite 56, Jones Bay Wharf,
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Pymont NSW 2009

or email: isabel.wheeler@arteifact.net.au

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If you require any additional information, please do not hesitate to contact me.

Kind Regards,



Isabel Wheeler
Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Figure 1: Location of the study area





9/10/2020

artefact

Aragung Aboriginal Cultural Heritage Site Assessments
Jamie Eastwood
33 Bulolo Drive
Whalan NSW 2770

Via: James.eastwood@y7mail.com

Dear Jamie,

Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

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Kind Regards,



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Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Figure 1: Location of the study area



Document Path: D:\GIS\GIS_Mapping\19111_Cherrybrook\MXD\19111_Cherrybrook_Studyarea_20200924.mxd



arteifact

Waawaar Awaab Aboriginal Corporation
Rodney Gunther
15 Bungonia Street
Prestons NSW 2170

Via: Waawaar.awaa@gmail.com

Dear Rodney,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

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If you require any additional information, please do not hesitate to contact me.

Kind Regards,



Isabel Wheeler
Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Figure 1: Location of the study area



Isabel Wheeler

From: Isabel Wheeler
Sent: Friday, 2 October 2020 4:24 PM
To: 'kisaacs@oakhill.nsw.edu.au'
Subject: Cherrybrook Station Government Land State Significance Precinct project - Identification of interested Aboriginal parties

Dear Karen,

Thank you for contacting Artefact Heritage regarding the Cherrybrook Station Government Land State Significant Precinct project. At this stage we are identifying people who would like to be involved in consulting on the project.

Would you like me to add you to the list of Registered Aboriginal Parties?

If you know of any other people who might like to be involved, please forward them our details and ask them to contact us. We can only add people to our consultation list if we have direct contact with them.

Enjoy your weekend!

Kind regards,

Isabel Wheeler
Graduate Heritage Consultant

ARTEFACT

Cultural Heritage Management | Archaeology | Heritage Interpretation

Telephone: 61 2 9518 8411 **Mobile:** 0401 262 400
Address: Suite 56, Jones Bay Wharf, 26-32 Pirrama Rd, Pyrmont NSW 2009
Web: www.artefact.net.au

 *We acknowledge the Traditional Custodians of Country in which we live and work, and pay our respects to them, their culture and their Elders past, present and emerging*

Notice: This message contains privileged and confidential information intended only for the use of the addressee. If you are not the intended recipient you must not disseminate, copy or take any action in reliance upon it. If you received this in error, please notify us immediately.

10.4 Stakeholder Registration of Interest

Isabel Wheeler

From: Microsoft Outlook
To: mura.indigenous@bigpond.com
Sent: Friday, 9 October 2020 2:42 PM
Subject: Undeliverable: Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest



Your message to mura.indigenous@bigpond.com couldn't be delivered.

[mura.indigenous](mailto:mura.indigenous@bigpond.com) wasn't found at bigpond.com.

isabel.wheeler	Office 365	mura.indigenous
Action Required		Recipient
Unknown To address		

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.1 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft](#).

Isabel Wheeler

From: philip khan <philipkhan.acn@live.com.au>
Sent: Tuesday, 13 October 2020 8:31 AM
To: Isabel Wheeler
Subject: RE: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest
Attachments: Public Liability Kamilaroi 2020 to 2021 20million cover.pdf; Workers Comp Insurance for Kamilaroi Yankuntjatjara Working Group Pty Ltd.pdf

Hi Isabel,

Thank you for informing us that **Artefact** will be involved in an Aboriginal Cultural Heritage Assessment at **Cherrybrook Station Government Land State Significant Precinct** &, that you are inviting Aboriginal organisations to register, if they wish too be involved in the community consultation process.

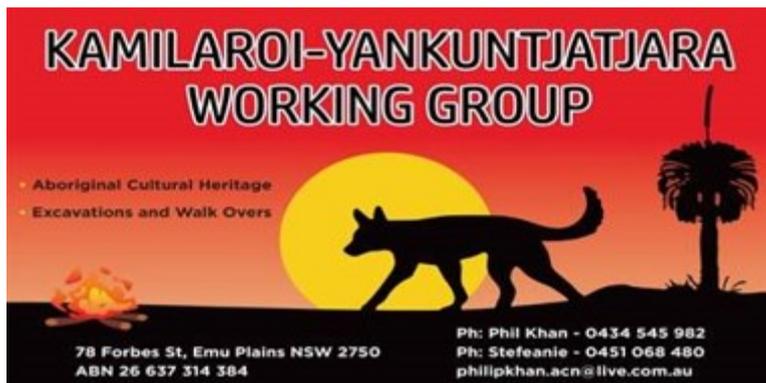
As a senior Aboriginal person for the past 40yrs, I actively participate in the protection of the Aboriginal Cultural Heritage throughout the Sydney Basin, & particularly throughout Western Sydney, on behalf of Kamilaroi Yankuntjatjara Working Group I wish to provide to you my organisation's registration 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.

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



Sent from [Mail](#) for Windows 10

From: [Isabel Wheeler](#)
Sent: Friday, 9 October 2020 2:41 PM
To: philipkhan.acn@live.com.au
Subject: Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

9/10/2020

Isabel Wheeler

From: Lee Field <barrabyculturalservices@gmail.com>
Sent: Wednesday, 14 October 2020 10:40 AM
To: Isabel Wheeler
Subject: Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest
Attachments: BARRABY AAMI Mobile Business Insurance Policy Schedule SPD013627709.pdf;
Workers Insurance Certificate of Currency.pdf

Dear Isabel,

I on behalf of Barraby Cultural Services would like to register our organisations interest in this project. We hold a cultural connection to the Cherrybrook area and are accepted within the local Aboriginal community. We wish to be involved and be able to provide input and knowledge in the future of this project. Our rates are as follows:

\$119 p/hr

Please see our insurances attached, should you require any more information please contact me via reply e-mail.

Kind Regards,
Lee Field

On 9 Oct 2020, at 2:40 pm, Isabel Wheeler <isabel.wheeler@artefact.net.au> wrote:

9/10/2020

Barraby Cultural Services
Lee Field
10B Elphin Street Tahmoor NSW 2573

Via: barrabyculturalservices@gmail.com

Dear Lee,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

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PO Box 237, Parramatta, NSW 2124

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If you require any additional information, please do not hesitate to contact me.

Kind Regards,

<image001.png>

Isabel Wheeler
Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Figure 1: Location of the study area

<image002.jpg>

Isabel Wheeler

From: Carolyn .H <cazadirect@live.com>
Sent: Sunday, 11 October 2020 4:00 PM
To: Isabel Wheeler
Subject: Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest
Attachments: A1.PL2021.pdf; A1.WC2021.pdf



INDIGENOUS SERVICES PTY LTD

Contact: Carolyn Hickey
M: 0411650057
E: Cazadirect@live.com
A: 10 Marie Pitt Place, Glenmore Park, NSW 2745
ACN: 639 868 876
ABN: 31 639 868 876

Hi Isabel

I would like to register for consultation and field work, I am a traditional owner and I hold cultural knowledge relevant to determining the cultural significance of any Aboriginal objects and values that exist within the project area.

Rates.

\$100.00 + GST Charged by the hour (Minimum of 4 hours) + Insurances are attached

Kind Regards,
Carolyn Hickey



From: Isabel Wheeler <isabel.wheeler@artefact.net.au>
Sent: Friday, 9 October 2020 2:41 PM
To: cazadirect@live.com <cazadirect@live.com>
Subject: Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

9/10/2020

Isabel Wheeler

From: Ralph Hampton <hamptonralph46@gmail.com>
Sent: Wednesday, 21 October 2020 1:04 PM
To: Isabel Wheeler
Subject: Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest
Attachments: image001.png

MY name is Ralph Hampton I would like to register for this project

On Fri., 9 Oct. 2020, 2:41 pm Isabel Wheeler, <isabel.wheeler@artefact.net.au> wrote:

9/10/2020

B.H. Heritage Consultants
Ralph and Nola Hampton
184 Captain Cook Drive
Willmot 2770 NSW

Via: hamptonralph46@gmail.com

Dear Ralph and Nola,

Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

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Landcom
PO Box 237, Parramatta, NSW 2124

Landcom wishes to consult with any Aboriginal persons or organisations that hold cultural knowledge relevant to determining the significance of Aboriginal objects, places and/or cultural heritage values in the Cherrybrook area. The purpose of the community consultation is to assist the proponent in the preparation of an ACHAR.

If you hold cultural knowledge of the Cherrybrook area, we invite you to register your interest in the process of community consultation. Please forward your registration of interest in writing **before 23 October 2020** to:

Isabel Wheeler
Artefact Heritage
Suite 56, Jones Bay Wharf,
26-32 Pirrama Road,
Pyrmont NSW 2009

or email: isabel.wheeler@artefact.net.au

Please be advised that, in accordance with the consultation requirements, if you are registering an interest in the project your contact details will be forwarded to Heritage NSW, Department of Premier and Cabinet and Metropolitan Local Aboriginal Land Council, unless you specify that you do not wish your contact details to be released.

As part of your registration of interest, I would appreciate it if you could address the following points:

- Name and contact details of the organisation registering.
- An outline of the connection of the organisation to the Cherrybrook area.
- If you would like to be involved in any fieldwork (if required), details of rates and insurances (Public Liability and Workers Compensation or equivalent).

If you require any additional information, please do not hesitate to contact me.

Kind Regards,



Isabel Wheeler
Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Isabel Wheeler

From: Cherie Carroll Turrise <gunjeewong@yahoo.com.au>
Sent: Sunday, 25 October 2020 10:12 AM
To: Isabel Wheeler
Subject: Re: Expression of interest Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3

Gunjeewong Aboriginal Cultural Heritage
1 Bellevue Place Portland NSW 2847
Mob: [0438 428 805](tel:0438428805)
Email: gunjeewong@yahoo.com.au

20 September 2020

Dear Isabel

Re: Expression of interest Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3

Please register our corporation for full process on this project. We are aboriginal people. We are all Aboriginal Cultural Heritage Site Officers. We have our history & stories passed down by our Elders. We have assisted in surveys, salvage & consulting in with archaeologists over a vast number of years. We are experienced in the field of identifying artefacts, Including our learned history and knowledge passed down by our Elders. We appreciate the opportunity to be part of protecting and preserving our Aboriginal heritage. We are very proud of our heritage passed to us by our Elders and our Ancestors. We are therefore pleased with being a part of this research and provide our experience in cultural heritage input.

The potential to contain evidence of Aboriginal of actual occupation on the specific project area and provide cultural links to our past ancestors is of great value and significance. Our organisation has a current public liability insurance policy and OHS compliant and all members hold white cards and all the required safety gear.

All our members are Aboriginal and very experienced in the identification of Aboriginal artefacts and we have consulted with numerous Archeologists in surveys including excavation/fieldwork. We are very passionate about land and conservation matters to which some of members are currently studying cultural heritage. We hold strong links to our our ancestors, our culture and our heritage.

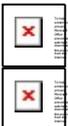
Please note we do not want our details forwarded to LALC, please do not release our correspondence nor any details.

Please update Email: gunjeewong@yahoo.com.au

and phone number Mob: 0438 428 805. Please forward a copy of project to my postal address: 15 Burton Road PORTLAND NSW 2847 and to this email. Please remove any other phone numbers and emails as per ORIC website & OEH. My details have also been updated with all the relevant requirements.

Cheers

Cherie (Carroll) Turrise - Director
Gunjeewong Cultural Heritage Corporation
Heritage Preservation
1 Bellevue Place
PORTLAND NSW 2847
Mob: 0438 428 805
Email: gunjeewong@yahoo.com.au



Isabel Wheeler

From: Ginninderra Aboriginal Corporation <ginninderra.corp@gmail.com>
Sent: Thursday, 22 October 2020 1:42 PM
To: Isabel Wheeler
Subject: Fwd: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

Hi Isabel,

Thank you for your email.

Please register Ginninderra Aboriginal Corporation for the above mentioned project. We have several site officers with connections to the area, and as such would like to be involved in all aspects of the project.

All of our site officers have their white cards/insurances, and have extensive experience in surveys, excavations, sieving and recording of archaeological information.

We prefer to be contacted by email on ginninderra.corp@gmail.com. The postal address for Ginninderra AC is [Po box 3143 Grose Vale NSW 2753](#).

I myself will be the contact, and my mobile number is [0451016224](tel:0451016224).

I have attached copies of our insurances to this email.

Please let me know if there is anything else you require.

Krystle :)

Krystle Elliott
Ginninderra Aboriginal Corporation
PO box 3143
Grose Vale NSW 2753

issue date
06/01/2020

print date
06/01/2020

Dear Krystle

statement of coverage

The following policy of insurance covers the full amount of the employer's liability under the Workers Compensation Act 1987(NSW).

valid until

31/01/2021

policy number

188268501

legal name

Ginninderra Aboriginal Corporation

trading name

abn

acn

industry classification number (WIC)

782200 Surveying Services

number of workers*

1

wages/units*

\$10,180.00

- * Number of workers includes contractors/deemed workers
- * Total wages/units estimated for the current period

important information

Principals relying on this certificate should ensure it is accompanied by a statement under section 175B of the Workers Compensation Act 1987 (NSW). Principals should also check and satisfy themselves that the information is correct and ensure that the proper workers compensation insurance is in place, ie. compare the number of employees on site to the average number of employees estimated; ensure that the wages are reasonable to cover the labour component of the work being performed; and confirm that the description of the industry/industries noted is appropriate. A principal contractor may become liable for any outstanding premium of the sub-contractor if the principal has failed to obtain a statement or has accepted a statement where there was reason to believe it was false.

Yours faithfully,



Jason McLaughlin
General Manager, Workers Compensation - Underwriting
icare workers insurance



Your Confirmation of Insurance

Policy Number

109XN29574COM

Type of Policy

Small Business Advantage Pack

Policy

Insured	Ginninderra Aboriginal Corporation
----------------	------------------------------------

Period of Insurance

Effective date	13 January 2020
-----------------------	-----------------

Expiry date	4pm on 13 January 2021
--------------------	------------------------

Registered for GST?	No
----------------------------	----

Insurer	Allianz Australia Insurance Limited
----------------	-------------------------------------

ABN 15 000 122 850

AFS Licence No. 234708

Kind regards,

Krystle Carroll-Elliott

Ginninderra Aboriginal Corporation

M: [0451016224](tel:0451016224)

E: Ginninderra.corp@gmail.com

 *We acknowledge the Traditional Custodians of Country in which we live and work, and pay our respects to them, their culture and their Elders past, present and future*

Begin forwarded message:

From: Isabel Wheeler <isabel.wheeler@artefact.net.au>

Date: 9 October 2020 at 2:41:32 pm AEDT

To: "Ginninderra.corp@gmail.com" <Ginninderra.corp@gmail.com>

**Subject: Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

9/10/2020

Ginninderra Aboriginal Corporation
Krystle Carroll
PO BOX 3143
Grose Vale NSW 2754

Via: Ginninderra.corp@gmail.com

Dear Krystle,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land. It is bound by Castle Hill Road to the south, Franklin Road to the northwest.

As a State Significant Precinct, the Minister for Planning and Public Spaces has determined that it is of State planning significance and should be investigated for re-zoning. The purpose of the ACHAR

is to address the Study Requirements for Cherrybrook Station Government Land and to assist the proponent in the preparation of planning provisions for the proposed rezoning of the Precinct.

The contact details for the proponent are:

Adam Turnbull
Development Director
Landcom
PO Box 237, Parramatta, NSW 2124

Landcom wishes to consult with any Aboriginal persons or organisations that hold cultural knowledge relevant to determining the significance of Aboriginal objects, places and/or cultural heritage values in the Cherrybrook area. The purpose of the community consultation is to assist the proponent in the preparation of an ACHAR.

If you hold cultural knowledge of the Cherrybrook area, we invite you to register your interest in the process of community consultation. Please forward your registration of interest in writing **before 23 October 2020** to:

Isabel Wheeler
Artefact Heritage
Suite 56, Jones Bay Wharf,
26-32 Pirrama Road,
Pyrmont NSW 2009

or email: isabel.wheeler@artefact.net.au

Please be advised that, in accordance with the consultation requirements, if you are registering an interest in the project your contact details will be forwarded to Heritage NSW, Department of Premier and Cabinet and Metropolitan Local Aboriginal Land Council, unless you specify that you do not wish your contact details to be released.

As part of your registration of interest, I would appreciate it if you could address the following points:

- Name and contact details of the organisation registering.
- An outline of the connection of the organisation to the Cherrybrook area.
- If you would like to be involved in any fieldwork (if required), details of rates and insurances (Public Liability and Workers Compensation or equivalent).

If you require any additional information, please do not hesitate to contact me.

Kind Regards,



Isabel Wheeler
Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Isabel Wheeler

From: Rodney Gunther <waawaar.awaa@gmail.com>
Sent: Tuesday, 13 October 2020 8:27 AM
To: Isabel Wheeler
Subject: Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest
Attachments: Certificate of Currency.pdf; Workers Insurance Certificate of Currency.pdf

Hi Isabella,

Please register Waawaar Awaab Aboriginal Corporation for the Cherrybrook Station project.

Waawaar Awaab Aboriginal Corporation wish to be included in any fieldwork activities.

Attached are relevant insurances for any proposed fieldwork.

regards

Rodney Gunther

Director

Waawaar Awaab Aboriginal Corporation

On Fri, Oct 9, 2020 at 2:41 PM Isabel Wheeler <isabel.wheeler@artefact.net.au> wrote:

9/10/2020

Waawaar Awaab Aboriginal Corporation
Rodney Gunther
15 Bungonia Street
Prestons NSW 2170

Via: Waawaar.awaa@gmail.com

Dear Rodney,

Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land. It is bound by Castle Hill Road to the south, Franklin Road to the northwest.

As a State Significant Precinct, the Minister for Planning and Public Spaces has determined that it is of State planning significance and should be investigated for re-zoning. The purpose of the ACHAR is to address the Study Requirements for Cherrybrook Station Government Land and to assist the proponent in the preparation of planning provisions for the proposed rezoning of the Precinct.

The contact details for the proponent are:

Adam Turnbull
Development Director
Landcom
PO Box 237, Parramatta, NSW 2124

Landcom wishes to consult with any Aboriginal persons or organisations that hold cultural knowledge relevant to determining the significance of Aboriginal objects, places and/or cultural heritage values in the Cherrybrook area. The purpose of the community consultation is to assist the proponent in the preparation of an ACHAR.

If you hold cultural knowledge of the Cherrybrook area, we invite you to register your interest in the process of community consultation. Please forward your registration of interest in writing **before 23 October 2020** to:

Isabel Wheeler
Artefact Heritage
Suite 56, Jones Bay Wharf,
26-32 Pirrama Road,
Pyrmont NSW 2009

or email: isabel.wheeler@artefact.net.au

Please be advised that, in accordance with the consultation requirements, if you are registering an interest in the project your contact details will be forwarded to Heritage NSW, Department of Premier and Cabinet and Metropolitan Local Aboriginal Land Council, unless you specify that you do not wish your contact details to be released.

As part of your registration of interest, I would appreciate it if you could address the following points:

- Name and contact details of the organisation registering.
- An outline of the connection of the organisation to the Cherrybrook area.
- If you would like to be involved in any fieldwork (if required), details of rates and insurances (Public Liability and Workers Compensation or equivalent).

If you require any additional information, please do not hesitate to contact me.

Kind Regards,



Isabel Wheeler
Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Figure 1: Location of the study area

Isabel Wheeler

From: Corroboree Aboriginal Corporation <corroboreecorp@bigpond.com>
Sent: Saturday, 24 October 2020 11:39 PM
To: Isabel Wheeler
Cc: Marilyn Carroll-Johnson
Subject: Re: expression of interest Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

Dear Isabel

Re: Expression of interest Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3

Please register Corroboree Aboriginal Corporation. We are registering in a full capacity. We are aboriginal people, who are culturally aware. We have the necessary ability, awareness, experience, skills, insight and the knowledge to identify artefacts on field work. And as Aboriginal People we connect thru the land, thru our ancestors and our heritage. Therefore we are able participate on all levels. We have worked with many archaeologists across a broad landscape. We have consulted with your company on previous projects. We have all the relevant insurances and safety gear. We are all fit and adapt to a vast landscape.

Contact is preferred via email: corroboreecorp@bigpond.com. The contact number, email and contact person is also listed in the signature.

Please do not disclose any of our details to LALC nor publish our correspondence for LALC to peruse. Please only note our corporation details i.e. our name and only for registration purposes. As noted our details are not to be passed on/disclosed to LALC. We understand your need for confirmation of our corporations name on your lists for registered stakeholders, in that we have responded for inclusion, to participate on all levels. The use of our name as registered party, is fine, however non-disclosure of our actual correspondence, please. Just our name and contact details as registered stakeholders for your records and proponents. Thanks.

Kind regards

Marilyn Carroll-Johnson

Director

Corroboree Aboriginal Corporation

Mob: [0415911159](tel:0415911159)

Ph: [0288244324](tel:0288244324)

E: corroboreecorp@bigpond.com

Address: [PO Box 3340](#)

[ROUSE HILL NSW 2155](#)

On 9 Oct 2020, at 2:41 pm, Isabel Wheeler <isabel.wheeler@artefact.net.au> wrote:

Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest



Metropolitan Local Aboriginal Land Council
36-38 George Street Redfern NSW 2016
PO Box 1103 Strawberry Hills NSW 2012
Telephone: (02) 8394 9666 Fax: (02) 8394 9733
Email: bookings@metrolalc.org.au

Monday 12th October 2020

Isabel Wheeler
Artefact Heritage
Suite 56, Jones Bay Wharf,
26-32 Pirrama Road,
Pyrmont NSW 2009

Dear Isabel

RE: Registration of interest for Metropolitan LALC for Aboriginal community consultation for Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest.

Thank you for your email to the Metropolitan Local Aboriginal Land Council (“**MLALC**”) regarding the : Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest of an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land. It is bound by Castle Hill Road to the south, Franklin Road to the northwest.

MLALC as a Local Aboriginal Land Council established under NSW Aboriginal Land Rights Act 1983 is the legislated Aboriginal representative body for all Aboriginal people and the Cultural authority for protection & preservation of Aboriginal Culture & Heritage within its prescribed boundaries that includes Sydney CDB, Sydney Harbour, South to Georges River, East of Bankstown and Parramatta, and covers to Hawkesbury River in the north and to Macdonald River in the North West. Please refer to MLALC website for further details on MLALC boundaries.

MLALC on the above basis respectfully requests to be formally registering as a Aboriginal Stakeholder for the proposed project, in order to become a registered Aboriginal party and participate in consultations regarding the significance and management of Aboriginal objects or places that may be impacted by the proposed project.

Consultation with Land Councils

The NSW Office of Environment and Heritage (“**OEH**”) *Aboriginal Cultural Heritage Consultation requirements for proponents 2010* (the **Consultation Requirements**) apply to all projects requiring an Aboriginal Heritage Impact Permit (AHIP), commencing after the 12 April 2010.

Permits are required where a development or project may impact on an Aboriginal place or Aboriginal objects, including objects which may not yet be identified and recorded on OEH’s Aboriginal Heritage Information Management System (“**AHIMS**”).

MLALC is under the impression that the OEH *Consultation Requirements*, proponents seeking a permit are required to contact the relevant LALC/s so that relevant ‘cultural knowledge holders’ can be identified (see section 4.1.2). Where a project crosses more than one LALC boundary, all relevant LALCs must be notified.

Please note: In addition to notice to LALCs, the *Consultation Requirements* specifically require proponents to identify whether there are any Native Title holders or Aboriginal Owners registered on the Register of Aboriginal Owners. Where these groups exist, proponents are required to contact these groups directly.

LALCs are the prescribed Aboriginal body whose role is the protection, preservation and promotion of Aboriginal cultural knowledge, sites and areas.

The responsibility of LALCs for the protection and promotion of Aboriginal cultural heritage within our boundaries is recognised by the *Aboriginal Land Rights Act 1983* (NSW). A copy of the boundaries for LALCs in NSW is available from www.alc.org.au.

As the elected representative bodies for all Aboriginal people in NSW, LALCs are also responsible for representing the Aboriginal community, including in relation to culture and heritage matters. The representative role of the LALC extends beyond its membership, to represent the interests of the entire Aboriginal community within a boundary area.

As a result of the culture and heritage role performed and decades of representations of the Aboriginal community on cultural heritage issues, MLALC hold considerable cultural knowledge relevant to the significance of Aboriginal objects and places within the area.

In addition, MLALC also hold cultural knowledge & experience as a result of:

- The LALC's membership, which often includes Traditional Owners or other Aboriginal persons with specific knowledge about particular areas passed on through the generations;
- A history of more than 35 years of providing specialised cultural services and advice to the Government, proponents and the community; and
- Registration of over 4,000 Aboriginal Cultural sites within our boundaries
- LALCs commitment to work with and respect the Traditional Owners of an area. LALCs are often nominated by Elders groups, Traditional Owners or Native Title claimants to speak on their behalf.

And confirming the nominated MLALC representative for this project is Ms Selina Timothy.

Should you need or require any further information & or clarification on this letter please speak with Ms Timothy.

Yours In Unity,



Nathan Moran
CEO MLALC

Isabel Wheeler

From: Danny Franks <danny@tocomwall.com.au>
Sent: Friday, 9 October 2020 3:52 PM
To: Isabel Wheeler
Subject: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest

Dear Isabel,

Tocomwall Wishes to register our interest for this project.

regards,

Danny Franks

Cultural Heritage Manager
Tocomwall Pty Ltd
M: 0415226725



Breach of Confidentiality

This email and any files transmitted with it are confidential and intended solely for the use of the individual to whom they are addressed. If you have received this email in error please notify the sender. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. *Although the company has taken reasonable precautions to ensure no viruses are present in this email, the company cannot accept responsibility for any loss or damage arising from the use of this email or attachments.*

Isabel Wheeler

From: Arika Jalomaki <yulayculturalservices@gmail.com>
Sent: Thursday, 22 October 2020 11:07 AM
To: Isabel Wheeler
Subject: Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest
Attachments: IMG_0700.jpeg; IMG_0699.jpeg

Dear Isabel,

Yulay Cultural service's would like to register our interest in the above project and be considered for upcoming field work.

Contact details are as follows:

Yulay Cultural service's

Arika Jalomaki

0481 251 385

28 Poplar Street North St Mary's 2760

Please find attached a copy of our insurance's.

Kind regards,

Arika

Arika Jalomaki
ARIKA JALOMAKI
15 Rowley Place
AIRDS NSW 2560

Dear Arika

statement of coverage

The following policy of insurance covers the full amount of the employer's liability under the *Workers Compensation Act 1987(NSW)*

policy number

177237801

legal name

ARIKA JA

trading name

YULAY CULTURAL SERVICES

abn

20 192 216 560

industry classification number (WIC)

782920 Technical Services nec

NU
W

* Number of workers includes contractors/leased workers

17 March 2020

Company Secretary
Arika Jalomaki
15 Rowley Pl
ARDS NSW 2560

We've renewed your insurance policy

Dear Arika Jalomaki,

Thank you for renewing your Small Business Advantage Pack insurance.

As you've selected to pay your monthly premium payment of \$26.54 by bank debit, we're simply confirming that your policy has been renewed and is effective from 18 March 2020.

Please check the details

We want to be sure that you know exactly what you are covered for. So please read the Product Disclosure Statement (PDS) and any applicable Supplementary PDS(s), the policy schedule and any other policy document we tell you forms part of your policy as these set out the terms and conditions of your new policy. If you need another copy of these documents, please call us.

Any questions?

Please call our Contact Centre on 1300 494 259 between 8am - 7.30pm AEST/AEDT Monday - Friday. We also offer a range of other insurance products - ask us for details. We'll be happy to help you.

Kind regards,



On Fri, 9 Oct 2020 at 2:41 pm, Isabel Wheeler <isabel.wheeler@artefact.net.au> wrote:

9/10/2020

Yulay Cultural Services
Arika Jalomaki

Isabel Wheeler

From: Bo Field <yurrandaali_cs@hotmail.com>
Sent: Wednesday, 14 October 2020 10:50 AM
To: Isabel Wheeler
Subject: Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest
Attachments: YURRANDAALI AAMI Mobile Business Insurance Certificate of Currency SPD013721882.pdf; yurrandaali workers comp.png

Dear Isabel,

Yurrandaali Pty Ltd would like to register for this project and be consulted on future updates. We hold connection to country and are accepted within the local Aboriginal community. We would like to be included in fieldwork in required. Our rates are: \$119 p/hr, please see our attached insurances

Regards,

Bo Field - Manager
Yurrandaali
0403 048 263 | yurrandaali_cs@hotmail.com

From: Isabel Wheeler <isabel.wheeler@artefact.net.au>
Sent: Friday, 9 October 2020 2:40 PM
To: yurrandaali_cs@hotmail.com <yurrandaali_cs@hotmail.com>
Subject: Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

9/10/2020

Yurrandaali Cultural Services
Bo Field
6 Macgibbon Parade
Old Erowal Bay NSW 2540

Via: yurrandaali_cs@hotmail.com

Dear Bo,

Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3 Registration of Interest

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land. It is bound by Castle Hill Road to the south, Franklin Road to the northwest.

As a State Significant Precinct, the Minister for Planning and Public Spaces has determined that it is of State planning significance and should be investigated for re-zoning. The purpose of the ACHAR is to address the Study

Requirements for Cherrybrook Station Government Land and to assist the proponent in the preparation of planning provisions for the proposed rezoning of the Precinct.

The contact details for the proponent are:

Adam Turnbull
Development Director
Landcom
PO Box 237, Parramatta, NSW 2124

Landcom wishes to consult with any Aboriginal persons or organisations that hold cultural knowledge relevant to determining the significance of Aboriginal objects, places and/or cultural heritage values in the Cherrybrook area. The purpose of the community consultation is to assist the proponent in the preparation of an ACHAR.

If you hold cultural knowledge of the Cherrybrook area, we invite you to register your interest in the process of community consultation. Please forward your registration of interest in writing **before 23 October 2020** to:

Isabel Wheeler
Artefact Heritage
Suite 56, Jones Bay Wharf,
26-32 Pirrama Road,
Pyrmont NSW 2009

or email: isabel.wheeler@artefact.net.au

Please be advised that, in accordance with the consultation requirements, if you are registering an interest in the project your contact details will be forwarded to Heritage NSW, Department of Premier and Cabinet and Metropolitan Local Aboriginal Land Council, unless you specify that you do not wish your contact details to be released.

As part of your registration of interest, I would appreciate it if you could address the following points:

- Name and contact details of the organisation registering.
- An outline of the connection of the organisation to the Cherrybrook area.
- If you would like to be involved in any fieldwork (if required), details of rates and insurances (Public Liability and Workers Compensation or equivalent).

If you require any additional information, please do not hesitate to contact me.

Kind Regards,



Isabel Wheeler
Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

10.5 Advertisement

CHERRYBROOK STATION GOVERNMENT LAND STATE SIGNIFICANT PRECINCT, ABORIGINAL CULTURAL HERITAGE ASSESSMENT – INVITATION TO REGISTER AN INTEREST

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (Precinct). The purpose of the ACHAR is to address the Study Requirements for Cherrybrook Station Government Land and to assist the proponent in the preparation of planning provisions for the proposed rezoning of the Precinct.

The proponent's contact details are: Adam Turnbull, Development Director
Landcom, PO Box 237, Parramatta NSW 2124.

We are inviting registrations of interest in the project from Aboriginal groups and individuals who hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places in the locality.

**Please register your interest in the project by end of day
Friday 9 October 2020 by contacting:**

**ISABEL WHEELER, Artefact Heritage
Suite 56 Jones Bay Wharf Pyrmont NSW 2009
02 9518 8411
Isabel.wheeler@artefact.net.au**

10.6 Heritage NSW, DPC and LALC Notification of Registered Parties



artefact

29 October 2020

Heritage NSW, Department of Premier and Cabinet
via email: HERITAGEmailbox@environment.nsw.gov.au

Re: Step 4.1.6 – Aboriginal Cultural Heritage Assessment for Cherrybrook Station Government Land State Significant Precinct

Artefact Heritage, on behalf of Landcom, is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to the Developable Government Land. It is bound by Castle Hill Road to the south, and Franklin Road to the northwest.

As a State Significant Precinct, the Minister for Planning and Public Spaces has determined that it is of State planning significance and should be investigated for re-zoning. The purpose of the ACHAR is to address the Study Requirements for Cherrybrook Station Government Land and to assist the proponent in the preparation of planning provisions for the proposed rezoning of the Precinct.

In accordance with Section 4.1.6 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find below a list of Registered Stakeholders for the project.

The 12 registered Aboriginal stakeholders include:

- A1 Indigenous Services – Carolyn Hickey
- Barraby Cultural Services – Lee Field
- Kamilaroi-Yankuntjajara Working Group – Phil Khan
- B.H. Heritage Consultants – Ralph Hampton
- Metropolitan Local Aboriginal Land Council – Selina Timothy
- Tocomwall – Danny Franks
- Waawaar Awaa Aboriginal Corporation – Rodney Gunther
- Yulay Cultural Services – Arika Jalomaki
- Yurrandaali Cultural Services – Bo Field
- Ginninderra Aboriginal Corporation – Krystle Carroll
- Gunjeewong Aboriginal Cultural Heritage – Cherie (Carroll) Turrise
- Corroboree Aboriginal Corporation – Marilyn Carroll-Johnson

Also included is a copy of the published Step 4.1.3 advertisement providing an invitation to register interest in the project. The advertisement was published in the Hills to Hawkesbury on 25 September 2020 with the closing date for response 9 October 2020.

A copy of the registration of interest letter, sent on 9 October 2020 to all stakeholders identified during Step 4.1.2 of the consultation process, is also included below.

If you would like to discuss any of these details, or have any comments, please do not hesitate to contact me.

Yours sincerely,



Isabel Wheeler
Heritage Consultant
Artefact Heritage

Isabel.wheeler@artefact.net.au

02 9518 8411

CHERRYBROOK STATION GOVERNMENT LAND STATE SIGNIFICANT PRECINCT, ABORIGINAL CULTURAL HERITAGE ASSESSMENT – INVITATION TO REGISTER AN INTEREST

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (Precinct). The purpose of the ACHAR is to address the Study Requirements for Cherrybrook Station Government Land and to assist the proponent in the preparation of planning provisions for the proposed rezoning of the Precinct.

The proponent's contact details are: Adam Turnbull, Development Director
Landcom, PO Box 237, Parramatta NSW 2124.

We are inviting registrations of interest in the project from Aboriginal groups and individuals who hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places in the locality.

**Please register your interest in the project by end of day
Friday 9 October 2020 by contacting:**

**ISABEL WHEELER, Artefact Heritage
Suite 56 Jones Bay Wharf Pyrmont NSW 2009
02 9518 8411
Isabel.wheeler@artefact.net.au**



artefact

09/10/2020

Darug Aboriginal Cultural Heritage Assessments
Gordon Morton

Dear Gordon,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land. It is bound by Castle Hill Road to the south, Franklin Road to the northwest.

As a State Significant Precinct, the Minister for Planning and Public Spaces has determined that it is of State planning significance and should be investigated for re-zoning. The purpose of the ACHAR is to address the Study Requirements for Cherrybrook Station Government Land and to assist the proponent in the preparation of planning provisions for the proposed rezoning of the Precinct.

The contact details for the proponent are:

Adam Turnbull
Development Director
Landcom
PO Box 237, Parramatta, NSW 2124

Landcom wishes to consult with any Aboriginal persons or organisations that hold cultural knowledge relevant to determining the significance of Aboriginal objects, places and/or cultural heritage values in the Cherrybrook area. The purpose of the community consultation is to assist the proponent in the preparation of an ACHAR.

If you hold cultural knowledge of the Cherrybrook area, we invite you to register your interest in the process of community consultation. Please forward your registration of interest in writing **before 23 October 2020** to:

Isabel Wheeler
Artefact Heritage
Suite 56, Jones Bay Wharf,
26-32 Pirrama Road,
Pyrmont NSW 2009

or email: isabel.wheeler@artefact.net.au

Please be advised that, in accordance with the consultation requirements, if you are registering an interest in the project your contact details will be forwarded to Heritage NSW, Department of Premier and Cabinet and Metropolitan Local Aboriginal Land Council, unless you specify that you do not wish your contact details to be released.

As part of your registration of interest, I would appreciate it if you could address the following points:

- Name and contact details of the organisation registering.
- An outline of the connection of the organisation to the Cherrybrook area.
- If you would like to be involved in any fieldwork (if required), details of rates and insurances (Public Liability and Workers Compensation or equivalent).

If you require any additional information, please do not hesitate to contact me.

Kind Regards,



Isabel Wheeler
Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Figure 1: Location of the study area



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artefact

29 October 2020

Metro Local Aboriginal Land Council
via email: culturalheritage@matrolalc.org.au

Re: Step 4.1.6 – Aboriginal Cultural Heritage Assessment for Cherrybrook Station Government Land State Significant Precinct

Artefact Heritage, on behalf of Landcom, is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to the Developable Government Land. It is bound by Castle Hill Road to the south, and Franklin Road to the northwest.

As a State Significant Precinct, the Minister for Planning and Public Spaces has determined that it is of State planning significance and should be investigated for re-zoning. The purpose of the ACHAR is to address the Study Requirements for Cherrybrook Station Government Land and to assist the proponent in the preparation of planning provisions for the proposed rezoning of the Precinct.

In accordance with Section 4.1.6 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find below a list of Registered Stakeholders for the project.

The 12 registered Aboriginal stakeholders include:

- A1 Indigenous Services – Carolyn Hickey
- Barraby Cultural Services – Lee Field
- Kamilaroi-Yankuntjatjara Working Group – Phil Khan
- B.H. Heritage Consultants – Ralph Hampton
- Metropolitan Local Aboriginal Land Council – Selina Timothy
- Tocomwall – Danny Franks
- Waawaar Awaab Aboriginal Corporation – Rodney Gunther
- Yulay Cultural Services – Arika Jalomaki
- Yurrandaali Cultural Services – Bo Field
- Ginninderra Aboriginal Corporation – Krystle Carroll
- Gunjeewong Aboriginal Cultural Heritage – Cherie (Carroll) Turrise
- Corroboree Aboriginal Corporation – Marilyn Carroll-Johnson

Also included is a copy of the published Step 4.1.3 advertisement providing an invitation to register interest in the project. The advertisement was published in the Hills to Hawkesbury on 25 September 2020 with the closing date for response 9 October 2020.

A copy of the registration of interest letter, sent on 9 October 2020 to all stakeholders identified during Step 4.1.2 of the consultation process, is also included below.

If you would like to discuss any of these details, or have any comments, please do not hesitate to contact me.

Yours sincerely,



Isabel Wheeler
Heritage Consultant
Artefact Heritage

Isabel.wheeler@artefact.net.au

02 9518 8411

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On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (Precinct). The purpose of the ACHAR is to address the Study Requirements for Cherrybrook Station Government Land and to assist the proponent in the preparation of planning provisions for the proposed rezoning of the Precinct.

The proponent's contact details are: Adam Turnbull, Development Director
Landcom, PO Box 237, Parramatta NSW 2124.

We are inviting registrations of interest in the project from Aboriginal groups and individuals who hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places in the locality.

**Please register your interest in the project by end of day
Friday 9 October 2020 by contacting:**

**ISABEL WHEELER, Artefact Heritage
Suite 56 Jones Bay Wharf Pyrmont NSW 2009
02 9518 8411
Isabel.wheeler@artefact.net.au**



artefact

09/10/2020

Darug Aboriginal Cultural Heritage Assessments
Gordon Morton

Dear Gordon,

**Re: Cherrybrook Station Government Land State Significant Precinct – Section 4.1.3
Registration of Interest**

On behalf of Landcom, Artefact Heritage is preparing an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Cherrybrook Station Government Land State Significant Precinct (the Precinct). The Precinct is centred around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government-owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land. It is bound by Castle Hill Road to the south, Franklin Road to the northwest.

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The contact details for the proponent are:

Adam Turnbull
Development Director
Landcom
PO Box 237, Parramatta, NSW 2124

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If you hold cultural knowledge of the Cherrybrook area, we invite you to register your interest in the process of community consultation. Please forward your registration of interest in writing **before 23 October 2020** to:

Isabel Wheeler
Artefact Heritage
Suite 56, Jones Bay Wharf,
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Pyrmont NSW 2009

or email: isabel.wheeler@artefact.net.au

Please be advised that, in accordance with the consultation requirements, if you are registering an interest in the project your contact details will be forwarded to Heritage NSW, Department of Premier and Cabinet and Metropolitan Local Aboriginal Land Council, unless you specify that you do not wish your contact details to be released.

As part of your registration of interest, I would appreciate it if you could address the following points:

- Name and contact details of the organisation registering.
- An outline of the connection of the organisation to the Cherrybrook area.
- If you would like to be involved in any fieldwork (if required), details of rates and insurances (Public Liability and Workers Compensation or equivalent).

If you require any additional information, please do not hesitate to contact me.

Kind Regards,



Isabel Wheeler
Heritage Consultant
Artefact Heritage
isabel.wheeler@artefact.net.au
02 9518 8411

Figure 1: Location of the study area



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10.7 Request for Comment on Methodology and ACHAR



artefact

27 October 2020

Ginninderra Aboriginal Corporation
Krystle Carroll
PO Box 3143
Grose Vale, NSW

Dear Krystle,

Assessment methodology

Thank you for registering your interest as a Registered Aboriginal Party for consultation related to the Cherrybrook Station Government Land, State Significant Precinct (the study area).

At this point in the consultation proceedings we would usually provide you with the methodology to be applied in assessing the Aboriginal cultural heritage significance of the study area, in keeping with step 4.3.1 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW). The current case is somewhat different, and this letter explains how our approach differs from the usual and why this is so.

Existing reporting

In 2016 Artefact Heritage provided an Aboriginal Heritage Assessment for a far larger precinct that included the current study area. ¹ At the time that this 2016 report was carried out the study area at the Cherrybrook Station Government Land, State Significant Precinct had already been comprehensively graded and excavated during activities to construct the Cherrybrook Metro Station. The only previously identified Aboriginal archaeological (artefact) site within it, had been destroyed under permits obtained by the North-West Rail Link. The 2016 Aboriginal Heritage Assessment therefore recommended that no further Aboriginal archaeological values were likely to be present in the Cherrybrook Metro Station.

New Project area and reporting

The NSW Department of Planning, Industry, and environment (DPIE) is working with Hornsby Shire and The Hills Shire Councils, as well as other agencies such as Transport for NSW, to undertake a

• ¹ Artefact Heritage 2016 *Cherrybrook Station Precinct Planning (CPP) Aboriginal Heritage Assessment*.

planning process for a large area called the Cherrybrook Precinct. The outcome of this process will be a Structure Plan that will help set the longer term future for this broader area.

The focus of this study is only the government land immediately surrounding the Cherrybrook Metro Station, which has been determined as of State planning significance and is being investigated for rezoning. The current study area that Artefact Heritage are seeking consultation on is only the lands which had previously been determined as having been comprehensively graded and excavated. We have drafted an Archaeological Cultural Heritage Assessment Report (ACHAR) which reflects our previous assessment of this location.

As a State Significant Precinct, our ACHAR must comply with study requirements that were issued by the Minister of Planning in May 2020.

Ministers study requirements

Item 7.3 of these requirements reads as follows

7.3 In preparing the Indigenous Heritage Study, the Hornsby Aboriginal and Torres Strait Islander Advisory Committee (HATSICC) should also be consulted. Where Indigenous cultural heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW).

In August 2020 we provided our draft ACHAR to HATSICC, and in September 2020 HATSICC provided detailed response. Although HATSICC did not identify specific cultural heritage values within the study area as they are defined in the *National Parks and Wildlife Act NSW 1974 (NPW)*, nevertheless HATSICC did convey that Aboriginal cultural values and connection to place are not limited to specific objects or artefacts and that wider community consultation should be carried out to establish cultural values associated with the study area.

Based on views expressed by HATSICC regarding the Aboriginal cultural heritage values of the site, we will undertake comprehensive consultation with Aboriginal stakeholders in accordance with the 'Aboriginal cultural heritage consultation requirements for proponents 2010' (DECCW) and the National Parks and Wildlife Regulation 2019. This consultation will also comply with 7.3 of the Cherrybrook Study Requirements issued by DPIE, which states that:

7.3 In preparing the Indigenous Heritage Study, the Hornsby Aboriginal and Torres Strait Islander Consultative Committee (HATSICC) should also be consulted. Where Indigenous cultural heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW)

Draft ACHAR

Attached to this email please find our draft ACHAR for the study area. If you have any comments or would like to discuss its content, please either return email, mail, or contact me on the number below.

Timing

Cherrybrook Station Government Land State Significant Precinct:
Aboriginal Cultural Heritage Assessment

If you could please provide comment on this letter document by Friday 20 November. It would be greatly appreciated if you could provide comment on the attached ACHAR by the same date.

Kind Regards,

A handwritten signature in blue ink, appearing to read 'Michael Lever', written over a light blue horizontal line.

Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995

Figure 1 Map of study area



Document Path: D:\GIS\GIS_Mapping\19111_Cherrybrook\MXD\19111_Cherrybrook_Studyarea_20200924.mxd



artefact

27 October 2020

A1 Indigenous Services
Carolyn Hickey
10 Marie Pitt Place
Glenmore Park, NSW

Dear Carolyn,

Assessment methodology

Thank you for registering your interest as a Registered Aboriginal Party for consultation related to the Cherrybrook Station Government Land, State Significant Precinct (the study area).

At this point in the consultation proceedings we would usually provide you with the methodology to be applied in assessing the Aboriginal cultural heritage significance of the study area, in keeping with step 4.3.1 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW). The current case is somewhat different, and this letter explains how our approach differs from the usual and why this is so.

Existing reporting

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New Project area and reporting

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• ¹ Artefact Heritage 2016 *Cherrybrook Station Precinct Planning (CPP) Aboriginal Heritage Assessment*.

planning process for a large area called the Cherrybrook Precinct. The outcome of this process will be a Structure Plan that will help set the longer term future for this broader area.

The focus of this study is only the government land immediately surrounding the Cherrybrook Metro Station, which has been determined as of State planning significance and is being investigated for rezoning. The current study area that Artefact Heritage are seeking consultation on is only the lands which had previously been determined as having been comprehensively graded and excavated. We have drafted an Archaeological Cultural Heritage Assessment Report (ACHAR) which reflects our previous assessment of this location.

As a State Significant Precinct, our ACHAR must comply with study requirements that were issued by the Minister of Planning in May 2020.

Ministers study requirements

Item 7.3 of these requirements reads as follows

7.3 In preparing the Indigenous Heritage Study, the Hornsby Aboriginal and Torres Strait Islander Advisory Committee (HATSICC) should also be consulted. Where Indigenous cultural heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW).

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Draft ACHAR

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Timing

Cherrybrook Station Government Land State Significant Precinct:
Aboriginal Cultural Heritage Assessment

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Kind Regards,

A handwritten signature in blue ink, appearing to read 'Michael Lever', written over a light blue horizontal line.

Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995

Figure 1 Map of study area



Document Path: D:\GIS\GIS_Mapping\19111_Cherrybrook\MXD\19111_Cherrybrook_Studyarea_20200924.mxd



artefact

27 October 2020

A1 Indigenous Services
Carolyn Hickey
10 Marie Pitt Place
Glenmore Park, NSW

Dear Carolyn,

Assessment methodology

Thank you for registering your interest as a Registered Aboriginal Party for consultation related to the Cherrybrook Station Government Land, State Significant Precinct (the study area).

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• ¹ Artefact Heritage 2016 *Cherrybrook Station Precinct Planning (CPP) Aboriginal Heritage Assessment*.

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Ministers study requirements

Item 7.3 of these requirements reads as follows

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Draft ACHAR

Attached to this email please find our draft ACHAR for the study area. If you have any comments or would like to discuss its content, please either return email, mail, or contact me on the number below.

Timing

If you could please provide comment on this letter document by Friday 20 November. It would be greatly appreciated if you could provide comment on the attached ACHAR by the same date.

Kind Regards,



Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995



artefact

27 October 2020

Barraby Cultural Services
Lee Field

Dear Lee,

Assessment methodology

Thank you for registering your interest as a Registered Aboriginal Party for consultation related to the Cherrybrook Station Government Land, State Significant Precinct (the study area).

At this point in the consultation proceedings we would usually provide you with the methodology to be applied in assessing the Aboriginal cultural heritage significance of the study area, in keeping with step 4.3.1 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW). The current case is somewhat different, and this letter explains how our approach differs from the usual and why this is so.

Existing reporting

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New Project area and reporting

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• ¹ Artefact Heritage 2016 *Cherrybrook Station Precinct Planning (CPP) Aboriginal Heritage Assessment*.

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Ministers study requirements

Item 7.3 of these requirements reads as follows

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Draft ACHAR

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Timing

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Kind Regards,



Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995



artefact

27 October 2020

Kamilaroi-Yankuntjatjara Working Group
Phil Khan
78 Forbes Street
Emu Plains, NSW

Dear Phil,

Assessment methodology

Thank you for registering your interest as a Registered Aboriginal Party for consultation related to the Cherrybrook Station Government Land, State Significant Precinct (the study area).

At this point in the consultation proceedings we would usually provide you with the methodology to be applied in assessing the Aboriginal cultural heritage significance of the study area, in keeping with step 4.3.1 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW). The current case is somewhat different, and this letter explains how our approach differs from the usual and why this is so.

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New Project area and reporting

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• ¹ Artefact Heritage 2016 *Cherrybrook Station Precinct Planning (CPP) Aboriginal Heritage Assessment*.

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Ministers study requirements

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Draft ACHAR

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Timing

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Kind Regards,



Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995



artefact

27 October 2020

B.H. Heritage Consultants
Ralph Hampton
184 Captain Cook Drive
Willmot, NSW

Dear Ralph,

Assessment methodology

Thank you for registering your interest as a Registered Aboriginal Party for consultation related to the Cherrybrook Station Government Land, State Significant Precinct (the study area).

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Draft ACHAR

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Timing

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Kind Regards,



Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995



artefact

27 October 2020

Metropolitan Local Aboriginal Land Council
Selina Timothy
PO Box 1103
Strawberry Hills, NSW

Dear Selina,

Assessment methodology

Thank you for registering your interest as a Registered Aboriginal Party for consultation related to the Cherrybrook Station Government Land, State Significant Precinct (the study area).

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Timing

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Kind Regards,



Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995



artefact

27 October 2020

Tocomwall
Danny Franks
PO Box 76
Caringbah NSW 1495

Dear Danny,

Assessment methodology

Thank you for registering your interest as a Registered Aboriginal Party for consultation related to the Cherrybrook Station Government Land, State Significant Precinct (the study area).

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Kind Regards,



Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995



artefact

27 October 2020

Waawaar Awaa Aboriginal Corporation
Rodney Gunther
15 Bungonia Street
Prestons NSW 2170

Dear Rodney,

Assessment methodology

Thank you for registering your interest as a Registered Aboriginal Party for consultation related to the Cherrybrook Station Government Land, State Significant Precinct (the study area).

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Kind Regards,



Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995



artefact

27 October 2020

Yulay Cultural Services
Arika Jalomaki
28 Poplar Street
North St Marys, NSW

Dear Arika,

Assessment methodology

Thank you for registering your interest as a Registered Aboriginal Party for consultation related to the Cherrybrook Station Government Land, State Significant Precinct (the study area).

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Kind Regards,



Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995



artefact

27 October 2020

Yurrandaali Cultural Services
Bo Field

Dear Bo,

Assessment methodology

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Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995



artefact

27 October 2020

Ginninderra Aboriginal Corporation
Krystle Carroll
PO Box 3143
Grose Vale, NSW

Dear Krystle,

Assessment methodology

Thank you for registering your interest as a Registered Aboriginal Party for consultation related to the Cherrybrook Station Government Land, State Significant Precinct (the study area).

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Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995



artefact

27 October 2020

Gunjeewong Aboriginal Cultural Heritage
Cherie (Carroll) Turrise
1 Bellevue Place
Portland NSW 2847

Dear Cherie,

Assessment methodology

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Kind Regards,



Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995



artefact

27 October 2020

Corroboree Aboriginal Corporation
Marilyn Carroll-Johnson
PO Box 3340
Rouse Hill NSW

Dear Marilyn,

Assessment methodology

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Existing reporting

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New Project area and reporting

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Ministers study requirements

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Draft ACHAR

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Timing

If you could please provide comment on this letter document by Friday 20 November. It would be greatly appreciated if you could provide comment on the attached ACHAR by the same date.

Kind Regards,



Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995



artefact

27 October 2020

Barraby Cultural Services
Lee Field

Dear Lee,

Assessment methodology

Thank you for registering your interest as a Registered Aboriginal Party for consultation related to the Cherrybrook Station Government Land, State Significant Precinct (the study area).

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Kind Regards,

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Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995

Figure 1 Map of study area



Document Path: D:\GIS\GIS_Mapping\19111_Cherrybrook\MXD\19111_Cherrybrook_Studyarea_20200924.mxd



artefact

27 October 2020

Metropolitan Local Aboriginal Land Council
Selina Timothy
PO Box 1103
Strawberry Hills, NSW

Dear Selina,

Assessment methodology

Thank you for registering your interest as a Registered Aboriginal Party for consultation related to the Cherrybrook Station Government Land, State Significant Precinct (the study area).

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Cherrybrook Station Government Land State Significant Precinct:
Aboriginal Cultural Heritage Assessment

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Kind Regards,

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Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995

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artefact

27 October 2020

B.H. Heritage Consultants
Ralph Hampton
184 Captain Cook Drive
Willmot, NSW

Dear Ralph,

Assessment methodology

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Aboriginal Cultural Heritage Assessment

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Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
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artefact

27 October 2020

Corroboree Aboriginal Corporation
Marilyn Carroll-Johnson
PO Box 3340
Rouse Hill NSW

Dear Marilyn,

Assessment methodology

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Kind Regards,



Cherrybrook Station Government Land State Significant Precinct:
Aboriginal Cultural Heritage Assessment

Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995



artefact

27 October 2020

Gunjee Wong Aboriginal Cultural Heritage
Cherie (Carroll) Turrise
1 Bellevue Place
Portland NSW 2847

Dear Cherie,

Assessment methodology

Thank you for registering your interest as a Registered Aboriginal Party for consultation related to the Cherrybrook Station Government Land, State Significant Precinct (the study area).

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Cherrybrook Station Government Land State Significant Precinct:
Aboriginal Cultural Heritage Assessment

Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995

Figure 1: Map of study area



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artefact

27 October 2020

Kamilaroi-Yankuntjatjara Working Group
Phil Khan
78 Forbes Street
Emu Plains, NSW

Dear Phil,

Assessment methodology

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Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995

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artefact

27 October 2020

Tocomwall
Danny Franks
PO Box 76
Caringbah NSW 1495

Dear Danny,

Assessment methodology

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7.3 In preparing the Indigenous Heritage Study, the Hornsby Aboriginal and Torres Strait Islander Advisory Committee (HATSICC) should also be consulted. Where Indigenous cultural heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW).

In August 2020 we provided our draft ACHAR to HATSICC, and in September 2020 HATSICC provided detailed response. Although HATSICC did not identify specific cultural heritage values within the study area as they are defined in the *National Parks and Wildlife Act NSW 1974 (NPW)*, nevertheless HATSICC did convey that Aboriginal cultural values and connection to place are not limited to specific objects or artefacts and that wider community consultation should be carried out to establish cultural values associated with the study area.

Based on views expressed by HATSICC regarding the Aboriginal cultural heritage values of the site, we will undertake comprehensive consultation with Aboriginal stakeholders in accordance with the 'Aboriginal cultural heritage consultation requirements for proponents 2010' (DECCW) and the National Parks and Wildlife Regulation 2019. This consultation will also comply with 7.3 of the Cherrybrook Study Requirements issued by DPIE, which states that:

7.3 In preparing the Indigenous Heritage Study, the Hornsby Aboriginal and Torres Strait Islander Consultative Committee (HATSICC) should also be consulted. Where Indigenous cultural heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW)

Draft ACHAR

Attached to this email please find our draft ACHAR for the study area. If you have any comments or would like to discuss its content, please either return email, mail, or contact me on the number below.

Timing

Cherrybrook Station Government Land State Significant Precinct:
Aboriginal Cultural Heritage Assessment

If you could please provide comment on this letter document by Friday 20 November. It would be greatly appreciated if you could provide comment on the attached ACHAR by the same date.

Kind Regards,

A handwritten signature in blue ink, appearing to read 'Michael Lever', written over a light blue horizontal line.

Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995

Figure 1 Map of study area



Document Path: D:\GIS\GIS_Mapping\19111_Cherrybrook\MXD\19111_Cherrybrook_Studyarea_20200924.mxd



artefact

27 October 2020

Waawaar Awaab Aboriginal Corporation
Rodney Gunther
15 Bungonia Street
Prestons NSW 2170

Dear Rodney,

Assessment methodology

Thank you for registering your interest as a Registered Aboriginal Party for consultation related to the Cherrybrook Station Government Land, State Significant Precinct (the study area).

At this point in the consultation proceedings we would usually provide you with the methodology to be applied in assessing the Aboriginal cultural heritage significance of the study area, in keeping with step 4.3.1 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW). The current case is somewhat different, and this letter explains how our approach differs from the usual and why this is so.

Existing reporting

In 2016 Artefact Heritage provided an Aboriginal Heritage Assessment for a far larger precinct that included the current study area.¹ At the time that this 2016 report was carried out the study area at the Cherrybrook Station Government Land, State Significant Precinct had already been comprehensively graded and excavated during activities to construct the Cherrybrook Metro Station. The only previously identified Aboriginal archaeological (artefact) site within it, had been destroyed under permits obtained by the North-West Rail Link. The 2016 Aboriginal Heritage Assessment therefore recommended that no further Aboriginal archaeological values were likely to be present in the Cherrybrook Metro Station.

New Project area and reporting

The NSW Department of Planning, Industry, and environment (DPIE) is working with Hornsby Shire and The Hills Shire Councils, as well as other agencies such as Transport for NSW, to undertake a

• ¹ Artefact Heritage 2016 *Cherrybrook Station Precinct Planning (CPP) Aboriginal Heritage Assessment*.

planning process for a large area called the Cherrybrook Precinct. The outcome of this process will be a Structure Plan that will help set the longer term future for this broader area.

The focus of this study is only the government land immediately surrounding the Cherrybrook Metro Station, which has been determined as of State planning significance and is being investigated for rezoning. The current study area that Artefact Heritage are seeking consultation on is only the lands which had previously been determined as having been comprehensively graded and excavated. We have drafted an Archaeological Cultural Heritage Assessment Report (ACHAR) which reflects our previous assessment of this location.

As a State Significant Precinct, our ACHAR must comply with study requirements that were issued by the Minister of Planning in May 2020.

Ministers study requirements

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Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995

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artefact

27 October 2020

Yulay Cultural Services
Arika Jalomaki
28 Poplar Street
North St Marys, NSW

Dear Arika,

Assessment methodology

Thank you for registering your interest as a Registered Aboriginal Party for consultation related to the Cherrybrook Station Government Land, State Significant Precinct (the study area).

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Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995

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Document Path: D:\GIS\GIS_Mapping\19111_Cherrybrook\MXD\19111_Cherrybrook_Studyarea_20200924.mxd



artefact

27 October 2020

Yurrandaali Cultural Services
Bo Field

Dear Bo,

Assessment methodology

Thank you for registering your interest as a Registered Aboriginal Party for consultation related to the Cherrybrook Station Government Land, State Significant Precinct (the study area).

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Draft ACHAR

Attached to this email please find our draft ACHAR for the study area. If you have any comments or would like to discuss its content, please either return email, mail, or contact me on the number below.

Timing

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Kind Regards,

A handwritten signature in blue ink, appearing to read 'Lever', written over a horizontal line.

Michael Lever

Senior Heritage Consultant
Artefact Heritage Services Pty Ltd
Michael.lever@artefact.net.au
0413 564 995

Figure 1 Map of study area



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10.8 Comment on Methodology and ACHAR

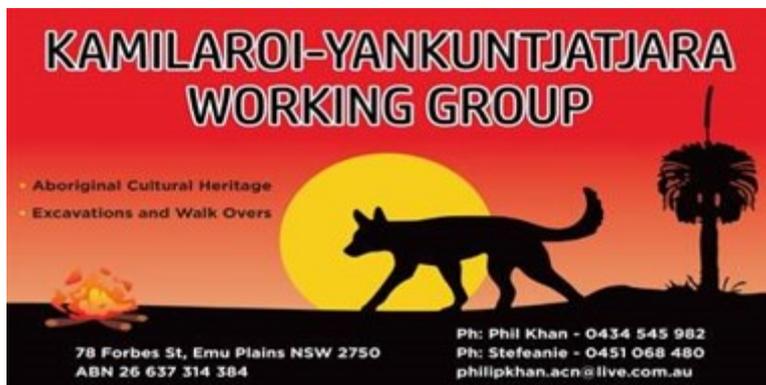
Isabel Wheeler

From: philip khan <philipkhan.acn@live.com.au>
Sent: Friday, 13 November 2020 9:46 AM
To: Isabel Wheeler
Subject: Re: Cherrybrook Station Government Land State Significant Precinct: Consultation 4.3.1

Dear Isabel,

Thank you for your ACHAR I have reviewed your report and I agree to your recommendation and support them. We look forward to working alongside you on this project,

Kind Regards
Kadibulla Khan



From: Isabel Wheeler <isabel.wheeler@artefact.net.au>
Sent: Tuesday, 27 October 2020 6:04 PM
To: philipkhan.acn@live.com.au <philipkhan.acn@live.com.au>
Subject: Cherrybrook Station Government Land State Significant Precinct: Consultation 4.3.1

Good afternoon,

Please find attached a letter relating to consultation for the Cherrybrook Station Government Land State Significant Precinct. Please find also attached the Aboriginal Cultural Heritage Assessment Report.

Kind regards,

Isabel Wheeler
Heritage Consultant

ARTEFACT
Cultural Heritage Management | Archaeology | Heritage Interpretation

Telephone: 61 2 9518 8411 **Mobile:** 0401 262 400
Address: Suite 56, Jones Bay Wharf, 26-32 Pirrama Rd, Pyrmont NSW 2009
Web: www.artefact.net.au

 We acknowledge the Traditional Custodians of Country in which we live and work, and pay our respects to them, their culture and their Elders past, present and emerging

Notice: This message contains privileged and confidential information intended only for the use of the addressee. If you are not the intended recipient you must not disseminate, copy or take any action in reliance upon it. If you received this in error, please notify us immediately.

Isabel Wheeler

From: Rodney Gunther <waawaar.awaa@gmail.com>
Sent: Monday, 23 November 2020 8:41 PM
To: Isabel Wheeler
Subject: Re: Cherrybrook Station Government Land State Significant Precinct: Consultation 4.3.1

Hi Isabel,

Waawaar Awaab Aboriginal Corporation supports the recommendations in the ACHAR for the Cherrybrook Station proposal after considering the following:

- This entire site extent of AHIMS site #45-6-2861 and NWRL PAD2 has now been impacted by the construction of Cherrybrook Station as part of the NWRL project (Approval number SSI-5100). As such, the site has been destroyed.

Recommendation: Registered the site on the OEH AHIMS database as no site card has yet been submitted to classify the site as destroyed.

regards

Rodney Gunther
0410 580 462

On Tue, Oct 27, 2020 at 6:07 PM Isabel Wheeler <isabel.wheeler@artefact.net.au> wrote:

Good afternoon,

Please find attached a letter relating to consultation for the Cherrybrook Station Government Land State Significant Precinct. Please find also attached the Aboriginal Cultural Heritage Assessment Report.

Kind regards,

Isabel Wheeler

Heritage Consultant

ARTEFACT

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Metropolitan Local Aboriginal Land Council

36-38 George Street Redfern NSW 2016
PO Box 1103 Strawberry Hills NSW 2012
Telephone: (02) 8394 9666 Fax: (02) 8394 9733 Email: bookings@metrolalc.org.au

Tuesday 1st December 2020

Isabel Wheeler
Artefact Heritage
Suite 56, Jones Bay Wharf,
26-32 Pirrama Road,
Pyrmont NSW 2009

Dear Isabel

Aboriginal community consultation for Cherrybrook Station Government Land State Significant Precinct

The Precinct is centered around Cherrybrook Station on the Sydney Metro North West Line. The Precinct covers 7.7 hectares of government owned land that comprises the Cherrybrook Metro Station, commuter carpark, and station access road (Bradfield Parade) and vacant land to the east of the station referred to the Developable Government Land. It is bound by Castle Hill Road to the south, and Franklin Road to the northwest.

On-site Archaeological Monitoring (during upgrade works): MLALC would highly recommend one of our Aboriginal Sites Officer or myself as the Cultural Heritage Officer to be present if and when works commence with an archaeologist in the case any future monitoring is required once works commence on the project.

In regards to questions raised below we provide the following:

If the site has Aboriginal cultural values, and if there are any important stories or cultural knowledge associated with the site that requires consideration.

MLALC respectfully requests to be engaged for any on-site archaeological monitoring during the upgrade works that occur. The Importance of Preserving and Restoring, Engraving Sites, Rock Shelters, Middens, Grinding grooves and Burial sites. Cultural Significant Sites. Consultation Process

- Providing relevant information about Cultural significance and values of Aboriginal objects and/or places.
- Influencing the design of the method to assess cultural and scientific significance of Aboriginal objects and/or places.

- Actively contributing to the development of Cultural Heritage management options and recommendations for any Aboriginal objects and/or places within the proposed subject area.
- Commenting on draft assessment reports before they are submitted by the proponent to the DPIE
Aboriginal people have used the area in the past as important place of camping, hunting, trading, ceremonies, and gatherings.

The indication of Aboriginal occupations within the vicinity is obvious with the surrounding landscape usage such as the important significance sites around such as native vegetations. The significance for Aboriginal people past and presents remains in Custodianship in our caring and monitoring of Sites. All parts of Sydney hold cultural ties especially the Harbor area and its coves and waterways (Rivers) and so it is our Cultural and Heritage obligations for the preservation and conservation of cultural significance Sites as we are affiliated to our connection to country both on Land and at Sea.

Culture and Heritage aims to encourage and empower Aboriginal communities to protect, conserve and restore cultural landscapes and waterways that are of importance to local Aboriginal communities. Ensuring secure traditional connections to country both on Land and at Sea. The Consultation and support in strengthening of Connection to Country and Management of Country is vital. Development and enrichment of working partnerships together with Metropolitan Local Aboriginal Land Council and Office of Environment and Heritage as well as with Heritage consultants and Archaeologists, RAPS and the NSW Department of Planning, Industry, and environment, Hornsby Shire and The Hills Shire Councils, as well as other agencies such as Transport for NSW.

Aboriginal Cultural Heritage Management Recommendations

- Bring together various stakeholders and groups to work collectively towards the goal and aims of Aboriginal Cultural Heritage management, preservation, conservation and protection.
- Use cultural awareness training to reinforce contractors, businesses and community understanding of Aboriginal sites.
- Ensure Aboriginal sites are regularly monitored and maintained. The maintenance and monitoring of sites should be done by Cultural Heritage officers in collaboration with the local Aboriginal community.

Assessment of Identified Values Summary of Cultural Value- The MLALC have provided the following information on social and/or Cultural Values Historic Value- The MLALC have provided the following information on historic values.

As a general recommendation from MLALC if Human burials or remains and or cultural materials are unearthed during any stages and are exposed standard stop-work procedures and protocols should be followed and to be advised to contact appropriate authorities and if suspected to be of Aboriginal origin the Heritage Community Engagement Department of Premier and Cabinet and MLALC to be contacted and need to be notified of the discovery immediately.

Cultural significance objects found during works carried out should be Cared, respected, and recorded in a correct manner in accordance with guidelines. After proposed development is finalized MLALC suggests that the landscapes of native vegetation to be planted and suggestions of known clan name

and language names be used for places, animals, and plants. MLALC encourages that Aboriginal language be utilized in any naming conventions or outputs that may occur and stem from the project and MLALC to be notified and made aware of wordings on interpretive signage. If you require further information, please do not hesitate in contacting the MLALC Office for assistance

Regards

Selina Timothy Cultural Heritage Officer at MLALC
Metropolitan Local Aboriginal Land Council
72 Renwick Street, Redfern NSW 2016
PO Box 1103, Strawberry Hills NSW 2012 B: (02) 8394 9666 F: (02)8394 9733
W: www.metrolalc.org.au
Always Was * Always Will Be * Aboriginal Land

11.0 APPENDIX THREE: HORNSBY ABORIGINAL AND TORRES STRAIT ISLANDER ADVISORY COMMITTEE RESPONSE TO ACHAR

Katherine Vickery

Subject: FW: URGENT: HATSICC Cherrybrook Aboriginal Heritage Values Study feedback
Importance: High

From: Mariko Smith <marikoralph@hotmail.com>
Sent: Monday, 14 September 2020 8:51 AM
To: Katherine Vickery <KVickery@hornsby.nsw.gov.au>
Cc: HATSIC Committee Members
Subject: URGENT: HATSICC Cherrybrook Aboriginal Heritage Values Study feedback
Importance: High

The HATSIC Committee Aboriginal members acknowledge receipt of the Cherrybrook Station Government Land (SSP) Aboriginal Cultural Heritage Assessment Report (“the document”) issued in August 2020, and we are responding to Hornsby Shire Council’s request for review and comment regarding this document.

Given that the study area falls within Darug Country, we will follow what the Darug people have to say about this matter. However, we are able to provide some guidance and advice regarding Aboriginal cultural values that should be in the document.

We note that once feedback has been received from Council and other consultants, rights-holders and stakeholders, the document will be finalised and there will be no further opportunity for input. The final document will then be used in perpetuity as part of reference material for future studies. Therefore, it is imperative that the document includes accurate and appropriate information directly from local Aboriginal people.

In the first instance, it appears that there should be more references to Guringai people alongside mentions of other local Aboriginal groups such as the Darug and Awabakal, especially since the Guringai and Awabakal are often referred to together since they are part of the Wannangini Nation, connected by language and culture.

The document is dominated by scientific, archaeological, and anthropological content. We wish to draw to Council’s attention that no Aboriginal cultural heritage information seems to be included therein – i.e. no Aboriginal Cultural Heritage Report or Cultural Values Input that sufficiently detail Aboriginal cultural association with the study area. It shows a lack of input or connection with the local Aboriginal community, and it is crucial that they are present in the content and preparation of the document.

We advise that cultural values statements should be incorporated into the document in order to better balance perspectives of what should be focused on and valued in this study. We noticed a strong focus on the fact that the study area has been clearly and observably disturbed beyond its natural state, and in Section 7.0 (Recommendations – Findings), it is stated that “No existing Aboriginal heritage values have been identified in the study area that would require management” (p. 28). We disagree with that comment, because even though no tangible cultural materials seem to have remained in the study area due to it being clearly and observably disturbed by previous uses, the Aboriginal cultural value will always exist.

Aboriginal cultural heritage is not all about artefacts, 'stones and bones' so to speak. People need to understand that Aboriginal heritage is not just about things, it also covers whole districts and areas, as well as landforms, flora and fauna. We as Aboriginal people live cohesively with the Country and the natural resources that the Country then provides to us. We do not look at an area which has been clearly and observably disturbed and then leave it at that. Rather, what we focus on is the cultural landscape and landform that the study area fits within; that to us is culturally significant. Therefore, to state in Section 5.1.2 (Previous consultation outcomes) that “No areas of Aboriginal cultural heritage significance were noted” in the 2016 survey, and that an “onsite survey was not considered warranted” because of the clear and observable disturbance of the site (p. 25) is quite a flawed approach.

We can see that leading on from what was discussed at the recent HATSIC Committee meeting on 27 August that the study area is part of the landscape which is at the junction of the southern-western and northern mobs. The ridgelines which go through that area extend from northern Sydney and go all the way up to Yengo, and also to the west they go all the way out to the Blue Mountains. That in itself indicates that would have been a very significant ceremonial area.

The wider cultural landscape is part of a “super highway” linking the northern Sydney mobs to the Central Coast and Hunter mobs, and out west to the Blue Mountains. These linking ridgelines are a significant travel route between natural resource areas and ceremonial sites. The study area lies within the foot curledge of the ridgeline cradling Berowra Creek, a very culturally significant waterway that sustained Aboriginal people for thousands of years. To the Darug, this area would have been constantly utilised, with its accessibility to other areas, its natural resources collected. The gullies extending from the ridgelines carry fresh water to replenish vegetation and feed the waterways below. An abundance of game seeking food and water would have sustained the Darug mob seasonally.

By including more information about the cultural values and cultural associations with the study area, this document will provide consultants for future projects within and around the area with a much more comprehensive and genuinely holistic point of view regarding the landscape and landform from a cultural perspective. These details are extremely significant, and more consideration and investigation need to take place.

The document also appears to be limited to a pre-colonisation (traditional) and post-colonisation (contemporary) distinction, and this shows with the lack of contemporary Aboriginal culture and connection being discussed. Aboriginal heritage is not simply only of the past, it still continues to be practised and created today in contemporary contexts. It is also important to include space for what cultural interpretations are being proposed for the site which can facilitate and promote ongoing contemporary Aboriginal cultural connections, which take into account and adapts to the modern urban setting.

In closing summary, we emphasise that local mobs should be more included in the preparation and content of the document, and regardless of the clear and observable disturbance of the site now, the landform itself is extremely significant.

We look forward to seeing the final version of the document when it is made available.

Kind regards,
The HATSIC Committee.



artefact

Artefact Heritage

ABN 73 144 973 526
Level 4, Building B
35 Saunders Street
Pyrmont NSW 2009
Australia

+61 2 9518 8411
office@artefact.net.au
www.artefact.net.au