

21 December 2023. Reissued with new AHIMS ID 11 January 2024

Alexandra Chung Development Manager Mirvac Level 28 George Street Sydney NSW

Dear Alexandra

Re: Aboriginal Heritage Compliance Report (SSD-10448) - Aspect Industrial Estate

Artefact Heritage and Environment Pty Ltd (Artefact Heritage) have been engaged by Mirvac Projects Pty Ltd to complete an artefact reburial in accordance with Conditions of Development Consent (SSD 10448). SSD 10448 was granted under Section 4.38 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for staged development of an industrial estate. SSD 10448 has been subject to five modifications to 12 December 2023 (MOD 1-5) and the current proposal is for construction of 9 buildings with a total GFA of up to 247,646 square metres (m²) for industrial, warehousing and distribution centres, and café uses. The project is known as Aspect Industrial Estate (Stage 1) and is located at 788-882 Mamre Road, Kemps Creek, Lots 54-58 DP 259135 (the study area) within the City of Penrith Local Government Area (Figure 1).

This letter has been prepared to provide documentation of the completion of the artefact reburial, in compliance with Condition D60a of SSD 10448. This document also provides a summary of all actions completed in compliance with the Consent Conditions of SSD 10448 related to Aboriginal heritage (see Table 1 below). The reburial of artefacts took place on 5 December 2023, in accordance with the reburial methodology (Appendix 2). Registered Aboriginal Parties in attendance of the reburial were:

- Paul Boyd Didge Ngunawall
- Teagen Pittman Butucarbin
- Dominic Wilkins Darug Custodian Aboriginal Corporation (DCAC)

Photographic evidence of the completion of the reburial is provided below (Figure 3 to Figure 8). The reburial location was excavated by machine to slightly less than 1.5m. As a Darug man on Darug Country, Dominic Wilkins of DCAC provided an acknowledgement of Country. Reburial procedure including case, artefact packaging and backfill were reconfirmed with RAPs present on site as being in accordance with the Reburial Methodology (Figure 4). Reburial was guided and carried out by RAPs (Figure 5, Figure 6). Prior to backfill, the location and elevation of the reburial case was measured with Differential GPS with an accuracy of 300mm (Figure 7). The trench was mechanically backfilled (Figure 8), during which a layer of Geofabric was laid across the trench extent to provide a warning layer in the event of future excavations carried out without knowledge of reburial location.

Following reburial, the site was recorded on the Aboriginal Heritage Information Management System (AHIMS) database as Aspect Estate Reburial 01 (AHIMS ID 45-5-5785) (Appendix 1). In

keeping with AHIMS practice, the site was registered with an extent of 5m x 5m around the centroid of the recorded location of the reburial capsule (Figure 2).

This report has been reissued following advice from AHIMS that the originally provided AHIMS site ID was incorrect, and the subsequent issue of a new AHIMS site ID.

Regards,

Dr Michael Lever мрна маасаї

Heritage Consultant

ARTEFACT

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Figure 1: The Project site



Figure 2: Location and extent of reburial site AHIMS ID 45-5-5767 shown in green



Figure 3 Reburial location in foreground, view west to Mamre Road





Figure 5: Sealed reburial case passed by RAP Paul Boyd to RAP Dominic Wilkins



Figure 6: RAPs Dominic Wilkins and Teagen Pittman place reburial case



Figure 7: Location of reburial case recorded with DGPS



Figure 8: Backfill. Geofab used as marker layer at approximately 600mm below surface





Table 1: Demonstration of compliance

Condition		How complied	Main documentation	
D59.	Prior to the commencement of construction of Stage 1 development, the Applicant must register identified Aboriginal items or objects on the Heritage NSW Aboriginal Heritage Information Management System (AHIMS) Aboriginal Sites Register.	Site MAM AS 1901 was registered on AHIMS as MAM AS 1901 AHIMS ID 45-5-5186. Registration date 14-02-2019 (See Appendix 1)	AHIMS site card 45-5-5186 (Appendix 1). Artefact Heritage (2022). Aspect Industrial Estate Aboriginal Cultural Heritage Assessment Report, Report to Mirvac (Revised ACHAR for Lots 54-58 Mamre Road, Kemps Creek Aboriginal Heritage)	
D60.	Prior to the commencement of construction of Stage 1, the Applicant must engage a suitably qualified and experienced expert to undertake an archaeological salvage excavation of the MAM AS 1901. The Applicant must undertake the salvage excavation in accordance with the requirements of Heritage NSW, and must:	14 June 2022 and 16 June 2022. Three site officers representing the RAPs and three archaeologists from Artefact Heritage took part in the salvage excavation program.	Estate. Aboriginal Archaeological Salvage	
	(a) implement the methodology for the reburial of all salvaged Aboriginal objects within the site detailed in the Reburial Methodology, prepared by artefact, dated 26 February 2021; and	Reburial of artefacts took place in accordance with the Reburial Methodology (Appendix 2) on 5 December 2023 with participation of Registered Aboriginal Parties. Reburial location registered on AHIMS as site AHIMS ID 45-5-5785 (Appendix 1)	This document AHIMS site card AHIMS site ID 45-5-5785 (Appendix 1)	
	(b) provide the Registered Aboriginal Parties (RAPs) an opportunity to collect Aboriginal objects across the site.	Two phases of site collection were carried out together with RAPs. An initial surface collection was undertaken on 6 June 2022. A second attempt of surface collection was recommended due to dense vegetation and high ground water limiting visibility and accessibility. A secondary surface collection was undertaken on 3 August 2022	Artefact Heritage (2023). Aspect Industrial Estate. Aboriginal Archaeological Salvage Report. Report to Mirvac, Section 4.	

Condition	How complied	Main documentation
Unexpected Finds Protocol	Not triggered	Not Applicable
D62. If any item or object of Aboriginal heritage significance is identified on site: (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately; (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and (c) Heritage NSW must be contacted immediately. D63. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the National Parks and Wildlife Act 1974 (NSW).		

REFERENCES

Artefact Heritage (2021). Aspect Industrial Estate Reburial Methodology. Report to Mirvac

Artefact Heritage (2022). Aspect Industrial Estate Aboriginal Cultural Heritage Assessment Report, Report to Mirvac (Revised ACHAR for Lots 54-58 Mamre Road, Kemps Creek Aboriginal Heritage)

Artefact Heritage (2023). Aspect Industrial Estate. Aboriginal Archaeological Salvage Report. Report to Mirvac

APPENDIX 1 – AHIMS SITE CARDS

MAM AS 1901 AHIMS ID 45-5-5186



Aboriginal Site Impact Recording Form

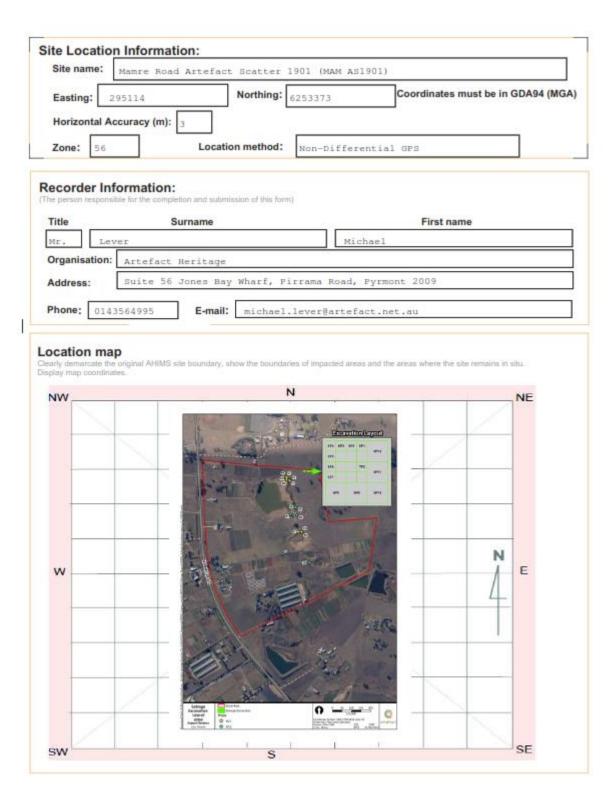
Manager, Informamtion Systems Heritage NSW, Locked Bag 5020 NSW 2124

- This form must be completed following impacts to AHIMS sites that are
 - a) a result of test excavation carried out in accordance with the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW
 - b) authorised by an Aboriginal Heritage Impact Permit (AHIP) issued by the Office of Environment and Heritage (OEH)
 - undertaken for the purpose of complying with Director General's Requirements issued by the Department of Planning and Infrastructure (DP&I) for:
 - State Significant Development (SSD Part 4),

 - State Significant Infrastructure (SSI Part 5.1), or
 A Major Project (Part 3A now repealed) under the Environmental Planning and Assessment Act 1979 (EP&A Act), or
- d) authorised by a SSD/SSI/Part 3A consent/approval under the EP&A Act.
- Completed forms must be submitted to the AHIMS Registrar (www.environment.nsw.gov.au/contact/AHIMSRegistrar.htm).
- This form is intended to complement (not replace) the AHIMS Site Recording Form. Where there is a need to provide detailed information about the nature of a site, use the AHIMS Site Recording Form.
- This form does not replace the need to submit reports to OEH (as a condition of an AHIP or SSD/SSI/Part 3A consent/approval) This form must be submitted in addition to any reports.

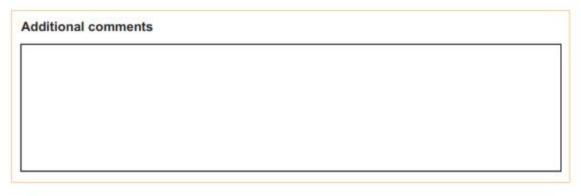
Archaeological Code (The Impacts to this site were the result of test excavation carried out in accordance with the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW.) AHIP (The impacts to this site were authorised by an AHIP.) AHIP (The impacts to this site were authorised by an AHIP.) AHIP (The impacts to this site were authorised by an AHIP.) AHIP (The impacts to this site were authorised by an AHIP.) AHIP (The impacts to this site were authorised by an AHIP.)	AHIMS site ID: 45-5-5186	Date recorded:	17-07-202
result of test excavation carried out in accordance with the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW.) AHIP (The impacts to this site were authorised by an AHIP.) AHIP (The impacts to this site were authorised by an AHIP.) SSDIESURGE 24 application (The impacts to this site of the Code): OEH Regional office notified: AHIP number: Date issued/signed: AHIMS permit ID/number:	Site impact authorisation (select one)	Reference numbers, dates	
AHIP.) Date issued/signed: AHIMS permit ID/number:	result of test excavation carried out in accordance with the Code of Practice for the Archaeological Investigation	(under requirement 15c of the Code):	
SSD/SSI/Part 3A application/The impacts to this site Project number:		Date issued/signed:	
were undertaken for the purposes of complying with Director General's Requirements issued by the DP&I Date Director General's Requirements issued:	Director General's Requirements issued by the DP&I	Date Director General's	10448 24-05-2022
SSD/SSI/Part 3A approved project (The impacts to this site were authorised by a consent/approval under Parts 4/5.1/3A of the EP&A Act.) SSD/SSI/Part 3A approved project (The impacts to this or Date of project approval: 24-05-202	site were authorised by a consent/approval under Parts		24-05-2022
wing impacts:	investigations concluded that this is not a si investigations confirmed that this is an Abor	iginal site.)	remains in situ.)
Not a site (The investigations concluded that this is not a site.) Valid site (The investigations confirmed that this is an Aboriginal site.) Partially destroyed (The site was partially destroyed following authorised impacts; a portion of the site remains in site.)	Destroyed (The site was completely destroyed following au		

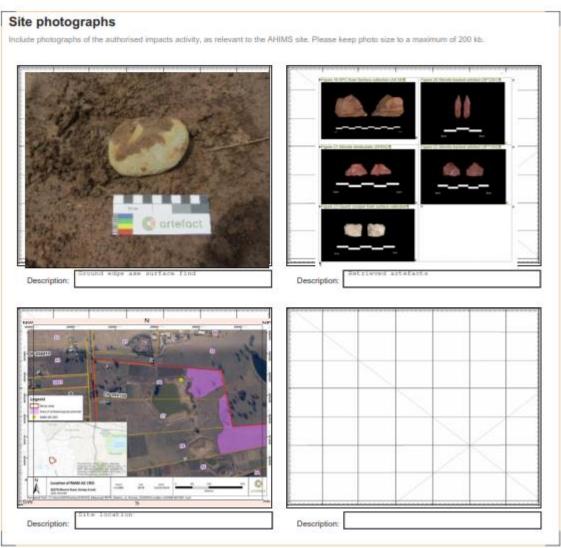
Version: June 2022



Site contents information	open/closed site: Open Site condition: Good
Features:	Scarred Trees
Feature condition: Disturbed	Number of feature(s) feature (s) feature (s) extent (m) extent (m) feature (s)
1. Artefact	107 60 40 Scar Tree Species
Description:	snape
identified a low density artefa artefacts. This site was subseq and subsurface archaeological t retrieval of a further 47 artef	equent test excavation of seven .5x.5m test pits out scatter (45-5-5186) - 35 surface and 25 subsurface quently subject to community surface salvage collection sesting (five lm x lm pits). This resulted in the facts - 12 surface and 35 subsurface.
Features:	Scarred Trees
Peature condition: 2. Description:	Number of feature(s) extent (m) Number of feature(s) extent (m) Scar Depth Regrowth Scar Length Scar Width (cm) (cm) (cm) Scar Scar Species
Features: Feature condition:	Number of Length of feature(s) feature(s) extent (m) extent (m) Scar Depth Regrowth Scar Length Scar Width (cm) (cm) (cm) (cm)
Description:	Scar Tree Species
Features:	Scarred Trees
4. Description:	Number of feature(s) extent (m) Number of feature(s) extent (m) Scar Depth Regrowth Scar Length Scar Width (cm) (cm) (cm) Scar Scar Species

reatures: Scarred Trees
Feature condition: Number of Length of Width of Scar Depth Regrowth Scar Length Scar Width
features feature(s) feature (s) (cm) (cm) (cm) (cm)
5.
Scar Tree Species
Description:
Other Site On undulating plain near tributary of South Creek. Initial detection of surface artefacts was on exposed slope adjacent to agricultural des. Despite soil disturbance through agriculture, test and salvage excavation indicated extents of undisturbed blacktown Soils.
Info:
Methodology and results Summary of the methodology and results of the activity or works undertaken through the authorised impacts, as relevant to the AHIMS site
Surface survey resulted in retrieval of 35 surface artefacts and recording of Site
45-5-5186. Archaeological test excavation resulted in retrieval of 25 subsurface
artefacts from a total of seven .5mx.5m test pits. Subsequent surface collection
retrieved a further 12 surface artefacts. Archaeological salvage excavation comprised
five lmxlm salvage pits, from which a further 35 sub-surface artefacts were retrieved.
Management recommendations Summary of any management recommendations for the AHIMS site
As a low density artefact scatter, the site has limited further management
recommendations. The Aboriginal objects that were recovered during the project will
recommendations. The Aboriginal objects that were recovered during the project will be reburied accordance with the Reburial methodology. An ASIRF) (this form) will be
be reburied accordance with the Reburial methodology. An ASIRF) (this form) will be submitted to AHIMS Final reporting should be forwarded to the Planning Secretary to
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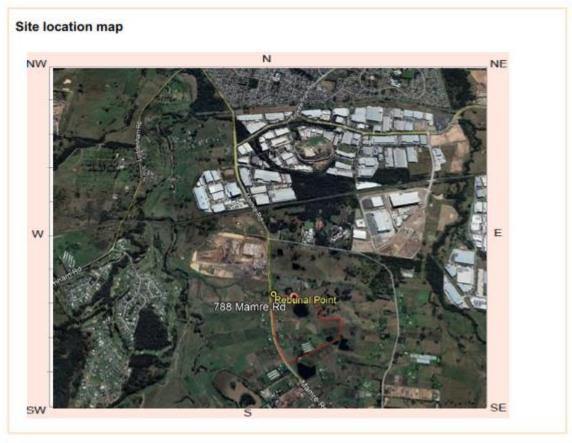
Aspect Estate Reburial 01 AHIMS ID 45-5-5785



Aboriginal Site Recording Form Manager, Information Systems Locked Bag 5020, Parramatta 2124 NSW

AHIMS site I	45-5-5785			Date recorded:	06-12-2023
Site Location	Information Aspect Estate Reburi	ial 01			
Easting: 2	94724	Northing:	6253455	Coordinates must b	e in GDA94 (MGA)
Horizontal Ad	ccuracy (m):				
Zone: 56			Differential	GPS	
Recorder Info	ormation le for the completion and submissi	on of this form))		
Title	Surname			First name	
Organisation:	Artefact Heritage		Michael		
Address:	Suite 56 Jones Bay W	Wharf, Pi	rrama Road, Pyr	mont 2009	
Phone: 0143	564995 E-mail:	michael.	lever@artefact.	net.au	
Site Context	Information				
Land Form Pattern:	Plain		Land Use:	ndustrial	
Land Form Unit:	Plain		Vegetation:	leared	
Distance to Water (m):		rtefact 2 eport	2023. Aspect Inc	dustrial Estate. Sa	lvage
How to get to the site:	Turn south from the 850m past Bakers Lar embankment approximation.	ne. Site	is located to t	he left in Aspect E	Sstate, on
Other site information:	Site is in an artifi boundary of develope depth. Location has 500mm above artefact	ment in the	he Estate. Arte orded with DGPS	facts reburied at o	1.5m

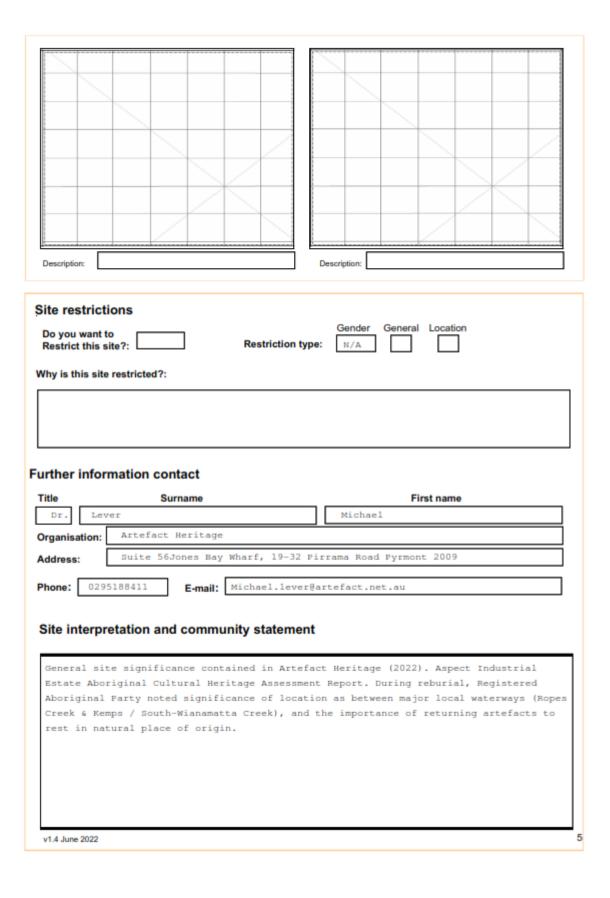
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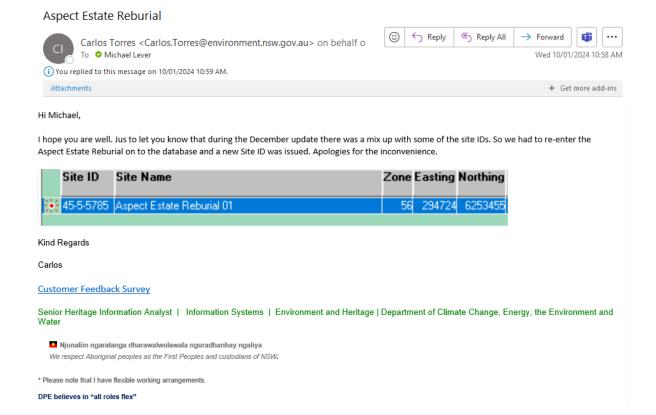


Site contents information	open/closed site: Open	Site condition: Disturbed
Features: 1. Artefact	Number of Length of Width of features extent (m) extent (m)	Scarred Trees Scar Depth Regrowth (cm) (cm) Scar shape Tree Species
Feature condition: Poor Description:		
Site is the reburial location of salvage and surface collection primarily of silcrete, quartz, bags, inside an engraved Peliceparticipation of Registered Ab	as summarised in Artefact 2 quartzite and mudstone were an case per methodology. Rel	2023. A total of 61 artefacts e reburied in labelled archival
Features: 2. Feature condition: Description:	Number of Length of Width of features feature(s) feature (s) extent (m)	Scarred Trees Scar Depth Regrowth (cm) Scar shape Tree Species
Features: 3. Feature condition: Description:	Number of Length of Width of features extent (m)	Scarred Trees Scar Depth Regrowth (cm) (cm) Scar shape Tree Species
		3

		Scarred Trees
Features:	Number of Length of Width of feature(s) feature (s)	Scar Depth Regrowth (cm) (cm) Scar shape Tree Species
	extent (m) extent (m)	
4.		
Feature condition:		
Description:		
		Scarred Trees
Features:	Number of Length of Width of feature(s) feature (s)	Scar Depth Regrowth (cm) (cm) Scar shape Tree Species
5.	extent (m) extent (m)	
J		
Feature condition:		
Description:		
Site photographs		
Description:	Description:	
		4



APPENDIX 2: AHIMS CORRESPONDENCE



APPENDIX 3 – ARTEFACT REBURIAL METHODOLOGY (ARTEFACT HERITAGE 2022)



Reburial methodology

Project: Aspect Industrial Estate	Date: 26 February 2021
	Author: Alyce Haast (Senior Heritage Consultant)

Project background

Mirvac are proposing to construct the Aspect Industrial Estate on Mamre Road at Kemps Creek. On 30 April 2020, the project was declared a State Significant Development (SSD 10448) in accordance with Part 4 Division 4.1 of the *Environmental Planning & Assessment Act* (1979) (EP&A Act). Artefact Heritage was engaged by Mirvac to complete an Aboriginal Cultural Heritage Assessment Report (ACHAR) to support the project Environmental Impact Statement (EIS).

The ACHAR recommended that Aboriginal objects recovered from test excavation, salvage excavation and surface collection would be reburied with the project area. The ACHAR further recommended that a reburial methodology be developed in consultation with the RAPs for the project. This was also recommended by Heritage NSW in their review of the EIS.

Consultation

A draft reburial methodology was issued to RAPs on 28 January 2021 with comments or feedback requested by the 25 February 2021. Reminder notices of the closing period for comments were send on the 17 February 2021 and 25 February 2021. At the end of the review period three RAPS had provided comments on the reburial methodology as detailed in Table 1.

Table 1: Responses to draft reburial methodology

Person	Group	Comments	
Lilly Carroll	Didge Ngunawal Clan	Agrees with the proposal.	
Justine Coplin	Darug Custodian Aboriginal Corporation	Supports the recommendations.	
Kaarina Slater	Ngambaaa Cultural Connections	Agrees with methodology.	

Reburial Methodology

The finalised reburial methodology was prepared in accordance with Requirement 26 of the Code of Practice (DECCW 2010).

Long term management of the Aboriginal objects would involve the reburial of the artefact assemblage within the Riparian Corridor of the development (see Figure 1 to Figure 3). Works within this area would be managed under a vegetation management plan and is proposed to not be disturbed following the completion of re-vegetation of the corridor.

The reburial would be undertaken using the following method:

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Aspect Industrial Estate - Aboriginal reburial methodology

- In preparation for reburial, artefacts from the test excavation, salvage excavation and surface
 collection will be placed in resealable bags labelled with excavation unit and artefact number
 information. Excavation unit and artefact number information will also be recorded on an
 archival standard Tyvek label in each resealable bag.
- Copies of documentation relating the project will also be prepared for reburial including:
 - The catalogue of recovered artefacts
 - A copy of the following reports:
 - Archaeological survey report
 - Archaeological test excavation report
 - Aboriginal Cultural Heritage Assessment Report
 - Archaeological salvage excavation report
 - Archaeological surface collection report,
 - Site impact recording form submitted to the Aboriginal Heritage Information Management System (AHIMS) following completion of salvage excavation and surface collection of the Aboriginal site.
 - A copy of the project's conditions of consent

This documentation would be prepared both in hardcopy and as digital files on a CD.

- Artefacts and reburial documentation will be sealed in an impervious tough case container which will be labelled with permanent marker or engraved.
- Reburial will be undertaken by a team comprising an archaeologist and RAP representatives.
- The reburial would be conducted following the completion of construction works to restore the riparian corridor in the area.
- The proposed reburial location will be excavated utilising either a small mechanical excavator or hand digging methods.
- The reburial location will be recorded using a non-differential GPS with burial site features including burial depth, location in relation to other permanent features and a photographic record maintained of the reburial.

Site impact recording forms will be submitted to AHIMS following reburial.



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Aspect Industrial Estate - Aboriginal reburial methodology

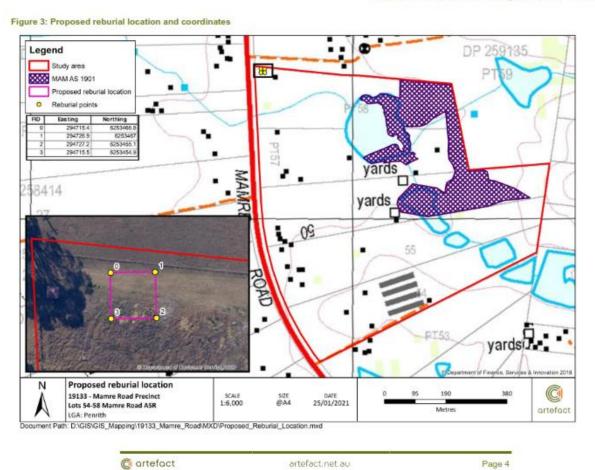
Figure 1: Illustration showing proposed reburial location outside of the proposed earthworks boundary.



Figure 2: Illustration of proposed reburial location within proposed riparian corridor



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Aspect Industrial Estate - Aboriginal reburial methodology