

Consultation Information Pack

91 Batson Parade – Hindmarsh Island

Your views are sought on an application for authorisations under the *Aboriginal Heritage Act 1988* (SA) to allow the excavation, removal and relocation of Aboriginal remains, and other ground disturbance, to construct a house at 91 Batson Parade, Hindmarsh Island.



Figure 1: Aerial view of 91 Batson Parade, Hindmarsh Island



ONE PAGE APPLICATION SUMMARY		
Application name: <i>91 Batson Parade – Hindmarsh Island</i>		
Topic	Page	Key information
Who is being consulted	3	All interested Aboriginal parties.
Aboriginal interests		The Application Area lies within the native title lands of the Ngarrindjeri People, whose native title rights and interests are represented by the Ngarrindjeri Aboriginal Corporation RNTBC (NAC).
Overview of the project and Aboriginal heritage management	4	Construction of a house at 91 Batson Parade, Hindmarsh Island . In mid-2025, Aboriginal ancestral remains were found during civil excavation works, with all work stopped following the discovery. Authorisations are sought to excavate and remove Aboriginal remains to allow the construction of the house, in consultation with NAC. There is potential to further uncover Aboriginal heritage during construction works.
Consultation	6	You are invited to provide a written or verbal submission.
Contact for questions and submissions	7	Joanne Flear, A/Principal Project Officer (Heritage), Aboriginal Affairs and Reconciliation (AAR) Mail: GPO Box 464, ADELAIDE SA 5001 Email: aar.heritagesubmissions@sa.gov.au Telephone: (08) 8363 8622
Further information on the Project and Aboriginal heritage	9	In addition to the discovery of Aboriginal remains on the property, Hindmarsh Island and its surrounds are highly significant to the Ngarrindjeri people. Kumarangk (Hindmarsh Island), the surrounding waters and submerged land known as (Meeting of the Waters) are recognised recorded Ngarrindjeri anthropological sites. Further Aboriginal ancestral remains may be discovered during ground disturbing works on the Property.
Further information on the Application	11	The Applicant is Maxwell Nominees Pty Ltd, acting on behalf of the landowner. Maxwell Nominees is responsible for overseeing the proposed works within the Application Area.
		The Application Area 91 Batson Parade, Hindmarsh Island, measures approximately 1,142 m ² (Certificate of Title 5483/905 F11684).
Attachments	A 1 A 2 A 3 A 4	Map of Application Area Map of Application Area with Heritage Site Map of Application Area with Heritage Sites within 1 km radius Stenhouse Heritage - Sections 21 and 23 Application

Please note this document comes in two parts: the first part contains an overview of key information (pages 4 to 8), while the second part provides further detailed information (pages 9 to 13).

To assist the Minister for Aboriginal Affairs and Reconciliation (Minister) to decide the application, please review this consultation information pack and consider the following questions:

1. What are your views on this request for authorisations ?
2. If the authorisations were granted, would you seek that the authorisations be conditioned in any way? Please provide example conditions
3. What are your views on the project proceeding as proposed, including:
 - o the impacts to Aboriginal heritage that are proposed?
 - o the proposed protection and management of Aboriginal heritage?
4. Do you have any other views you wish to share with the Minister before the application is decided?



Figure 2 - The Batson Parade Application Area is shown in Teal

APPLICATION OVERVIEW

Maxwell Nominees Pty Ltd, on behalf of the landowner, (together, the Applicant) plans to construct a split-level house (the Project) at Hindmarsh Island (the Property). The Applicant estimates the construction footprint will be 110m² within the 1,142 m² Application Area. The plans are described by the Applicant as involving limited excavation for footings, in-ground services and two water tanks. The maximum depth for excavation will be around 2.5 m. The Application Area is shown in blue on the map at **Attachment 1**.

The Application Area lies within the native title lands of the Ngarrindjeri People, whose native title rights and interests are represented by the Ngarrindjeri Aboriginal Corporation RNTBC (NAC).

Aboriginal ancestral remains were found on the Property in mid-2025. To enable the Project to proceed considering this discovery, the Applicant has sought authorisations under sections 21 and 23 of the *Aboriginal Heritage Act* 1988 (SA) (Act) from the Minister (the Application). If granted, the authorisations would allow the authorised parties to excavate, uncover, remove and relocate the discovered remains to allow the house to be built, as well as to manage any additional discoveries of Aboriginal heritage during construction works.

All ground disturbing works have stopped, pending a decision on the Application. The area covered by the Application (the Application Area), as well as intersecting and nearby Aboriginal heritage, is shown on maps at **Attachment 2 and 3**.

Heritage consultancy firm Stenhouse Heritage, has been engaged by the landowner, with the approval by NAC to manage heritage for the Project. If the authorisations are granted, Stenhouse Heritage will guide heritage management during the Project. The Summary of the Application, plans for the construction and the proposed management of Aboriginal heritage, has been prepared by Stenhouse Heritage (**Attachment 4**).

An authorisation from the Minister is sought to excavate to uncover, damage, disturb and interfere with Aboriginal heritage. The landowner seeks the authorisations to uncover, remove, and relocate (displace) the discovered remains. Further Aboriginal heritage, including Aboriginal remains, may be discovered during construction works and displaced if the authorisations are granted.

Information about the construction at 91 Batson Parade and the proposed heritage management measures stated in this document are based on information provided by Maxwell Nominees and Stenhouse Heritage

Discovery of Aboriginal remains at 91 Batson Parade, Hindmarsh Island

On 11 July 2025, human remains were discovered by a civil contractor employed by the landowner to undertake excavation works at the Property. These were subsequently reported to SA Police. On 15 July 2025, the discovery was confirmed by Forensic Science SA. The discovery was then reported to AAR in accordance with the Act.

On 24 July 2025, AAR notified NAC of the discovery, inviting NAC to attend an inspection of the Property with AAR on 30 July 2025.

On 30 July 2025, officers from AAR inspected by the Property. AAR observed and recorded isolated fragments of remains had been disturbed across the Property, concentrated in the centre and along its western side. AAR observed the remains had been covered over by surrounding soil and protected by temporary fencing in accordance with AAR's instructions to the landowner (see Figure 3 below). AAR recorded the discovery as 'ID 769', encompassing the entirety of the Property (see map at **Attachment 2**).

Stenhouse Heritage was engaged in 2025 by the Applicant with NAC approval, to apply for authorisations under the Act. It was also engaged to manage Aboriginal heritage at the Property if an authorisation is granted.

Stenhouse Heritage has assessed the Application Area as highly culturally sensitive with further remains likely to be discovered during construction works.

Aboriginal heritage in the surrounding area

The region includes the culturally significant Meeting of the Waters site, which includes the waters and submerged lands around Hindmarsh Island, Murray Mouth, the Goolwa Channel and the tidal reaches of nearby river and creeks. Kumarangk (Hindmarsh Island) is also a significant Ngarrindjeri site known to contain many Aboriginal sites, including burials, middens and culturally sensitive landscapes. Further information on Aboriginal heritage within the Application Area and nearby is described on page 10.

Proposed management of known heritage should authorisations be granted

If authorisations are given by the Minister, the management of Aboriginal heritage will be undertaken in accordance with the heritage methodology prepared by Stenhouse Heritage (at **Attachment 4**).

The methodology includes:

- an offer to engage a minimum of two Aboriginal heritage monitors nominated by NAC to guide, conduct, assist and observe all heritage displacement activities (that is, the excavation, removal, collection and relocation of heritage, as required)
- Aboriginal ancestral remains will be removed by a qualified archaeologist in consultation with NAC nominated monitors.
- any artefact/occupation sites will be subject to sample excavation squares by the qualified archaeologist
- artefacts, objects and remains, once displaced, will be securely stored on site, with further consultation to occur with NAC regarding the final location of reburial or return to the Ngarrindjeri Community
- if Traditional Owners wish to rebury displaced Aboriginal heritage, the landowner has committed to work closely with Traditional Owners to determine if this is possible. If not possible, the heritage may be returned directly to the Aboriginal Community, where possible, if this is consistent with Traditional Owner wishes
- a commitment to follow AAR's Aboriginal heritage discovery protocols.

Further to the above, where practicable, Stenhouse Heritage would also seek to sieve soils associated with previously discovered remains on the Property.

Visit agd.sa.gov.au/heritage-applications for a copy of AAR's Aboriginal heritage discovery protocols. If you would like a hard copy posted to you, please contact AAR.

WE WOULD LIKE TO HEAR YOUR VIEWS

Before considering whether or not to grant an authorisation, the Act requires the Minister to understand and consider the views of a range of interested Aboriginal parties. Aboriginal Affairs and Reconciliation (AAR) undertake this consultation on the Minister's behalf, seeking the views of Traditional Owners, the State Aboriginal Heritage Committee (Committee), and other Aboriginal parties that the Minister considers may have an interest in the matter.

Please feel free to contact AAR to ask any questions, seek further information, or if you would like to make a submission. Consultation will close on Monday 8 June 2026.

You are invited to provide a verbal or written submission.

How can I provide a written or verbal submission?

The Minister and the State Aboriginal Heritage Committee (Committee) would like to hear your views. Questions and submissions are invited from all interested Aboriginal parties about this Project. Any Aboriginal party with an interest may make a submission to AAR in person, or by phone, letter, or email to:

Joanne Fleer

A/Principal Project Officer (Heritage), AAR

Mail: GPO Box 464, ADELAIDE SA 5001

Email: aar.heritagesubmissions@sa.gov.au

Telephone: (08) 8363 8622

Please share this consultation information pack with other Aboriginal parties who may have an interest in the project. This document is also available online at agd.sa.gov.au/heritage-applications

AAR is available to answer questions or provide further information about the Application at any time before consultation closes

When will this consultation close?

Consultation closes on **Monday 8 June 2026**.

What happens after the consultation closes?

All submissions will be forwarded to the Applicant for a response unless you request that any cultural information you have provided be kept confidential.

Where possible, AAR will accommodate that request; however, procedural fairness considerations may require that the Applicant be provided with as much information as possible so that it can respond.

AAR will discuss with you any request you may make for your submission to be considered on a confidential basis.

Submissions from Aboriginal parties, and the Applicant's responses to them, will be given to the Committee, and the Committee's advice will be sought.

Your views, and any recommendations that you make, will be considered by both the Committee, and by the Minister.

AAR will collate all submissions, the Applicant's responses to them, the Committee's advice, and its own recommendations for the Minister to decide on the Application. If you make a submission, or otherwise indicate your interest in being notified, AAR will advise you of the outcome of this application.

FURTHER INFORMATION ON THE ABORIGINAL HERITAGE

What heritage is known in the area?

AAR holds records for three Aboriginal sites within the Application Area including the burial site ID 769 found at 91 Batson Parade. It is possible that further heritage may be found, including further discoveries of Aboriginal remains during ground disturbing works.

Table 1 – Known Aboriginal heritage intersecting the Application Area

Site number	Site name	Type/description
6626-4727	Meeting of the Waters	Cultural
6626-4726	Kumarangk (Hindmarsh Island)	Cultural

Site 6626-4726 - Kumarangk (Hindmarsh Island)

Hindmarsh Island is a significant Ngarrindjeri anthropological site. Please note, Kumarangk (Hindmarsh Island) has not been depicted as an Aboriginal site on the maps (Attachment 2 and 3) due to the limited spatial information AAR holds for the site. Traditional Owners who wish to know more may contact AAR to seek further information.

Site 6626-4727 - Meeting of the Waters

This significant Ngarrindjeri anthropological site comprises the waters and submerged land surrounding Kumarangk (Hindmarsh Island) and the other islands adjacent to the Murray Mouth. It also includes the Goolwa Channel and pre-barrage tidal reaches of the Finnis River and Currency Creek, extending to the Murray Mouth and entrances to Lake Alexandrina and the Coorong.

Traditional Owners who wish to know more may contact AAR to seek further information.

Other nearby sites

Hindmarsh Island and its surrounds is known to contain Aboriginal ancestral burials, middens, and campsites. AAR holds records for two Aboriginal sites within a 1 km radius of the Application Area: another burial on nearby Monument Road, and an Aboriginal campsite located between Randell and Monument Road (see **Attachment 3**).

What other reports relate to heritage in the Hindmarsh Island area?

A non-exhaustive summary of other relevant heritage surveys and studies is found below:

Edmonds, V (1988) An Archaeological Survey of Hindmarsh Island. South Australian Department of Environment and Planning.

In 1988, archaeologist Vanessa Edmonds was commissioned by the then Department of Environment and Planning to review current zone boundaries on Hindmarsh Island at the mouth of the Lower Murray River as the result of several proposals to develop the Hindmarsh Island waterfront.

The survey identified 11 Aboriginal sites. All sites except one were recommended to be preserved as a cultural resource for the future. The shoreline was considered the most archaeologically sensitive area of the island, and it was advised that any future development in this area should be carefully assessed prior to any approvals being considered.

Edmonds, V (1996) A Brief Archaeological Investigation of the Goolwa Foreshore and Hindmarsh Island, South Australia. Report for Mitchell Sillar Lynch and Meyer Adelaide

In 1996, Edmonds was engaged to assess two previously identified heritage sites: one on the mainland, and one on the western shoreline of Hindmarsh Island.

Marin, P et al (1997) Site Conservation Strategy: Zone 2. Final Report: Zone 2. Report for the Heritage and Strategic Development Team, Department of State Aboriginal Affairs South Australia.

This survey visited and verified 14 Aboriginal sites on Hindmarsh Island and one in Goolwa.

FURTHER INFORMATION ABOUT THE APPLICATION

The Project - ground disturbing works

Ground-disturbing works are proposed within an estimated area of 110m² to construct the house. According to the Applicant, the house is “*designed to follow the natural contours of the land and to minimise ground disturbance*”. Works will involve site clearance, excavation of footings to a depth of approximately 50 cm, and installation of two water tanks requiring excavation to approximately 2.5 m.

Further information on the proposed construction plans is provided in Attachment 4.

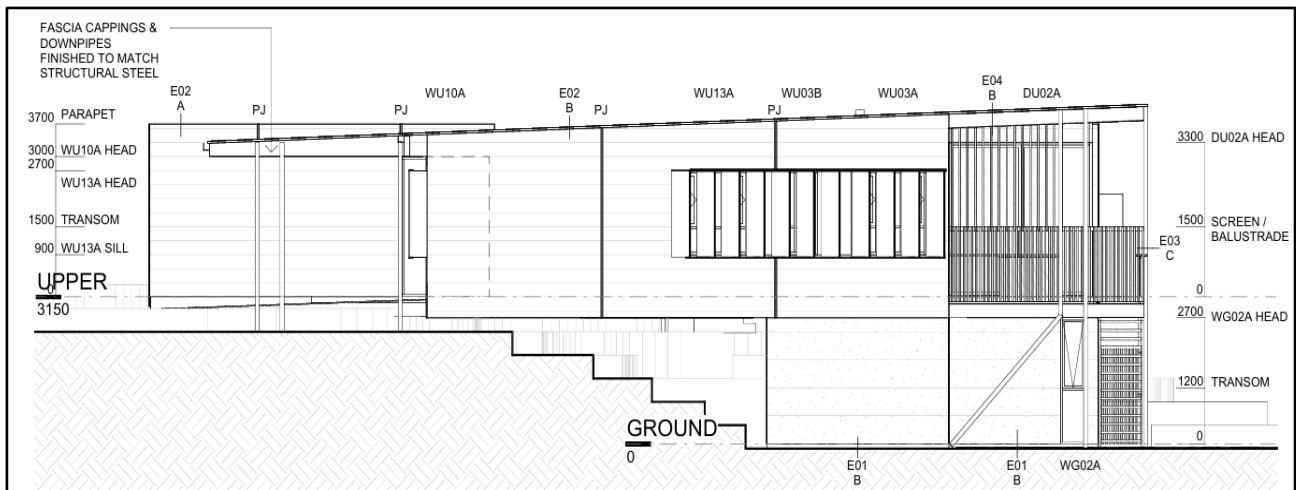


Figure 3 – Cross section plan showing proposed ground disturbing works

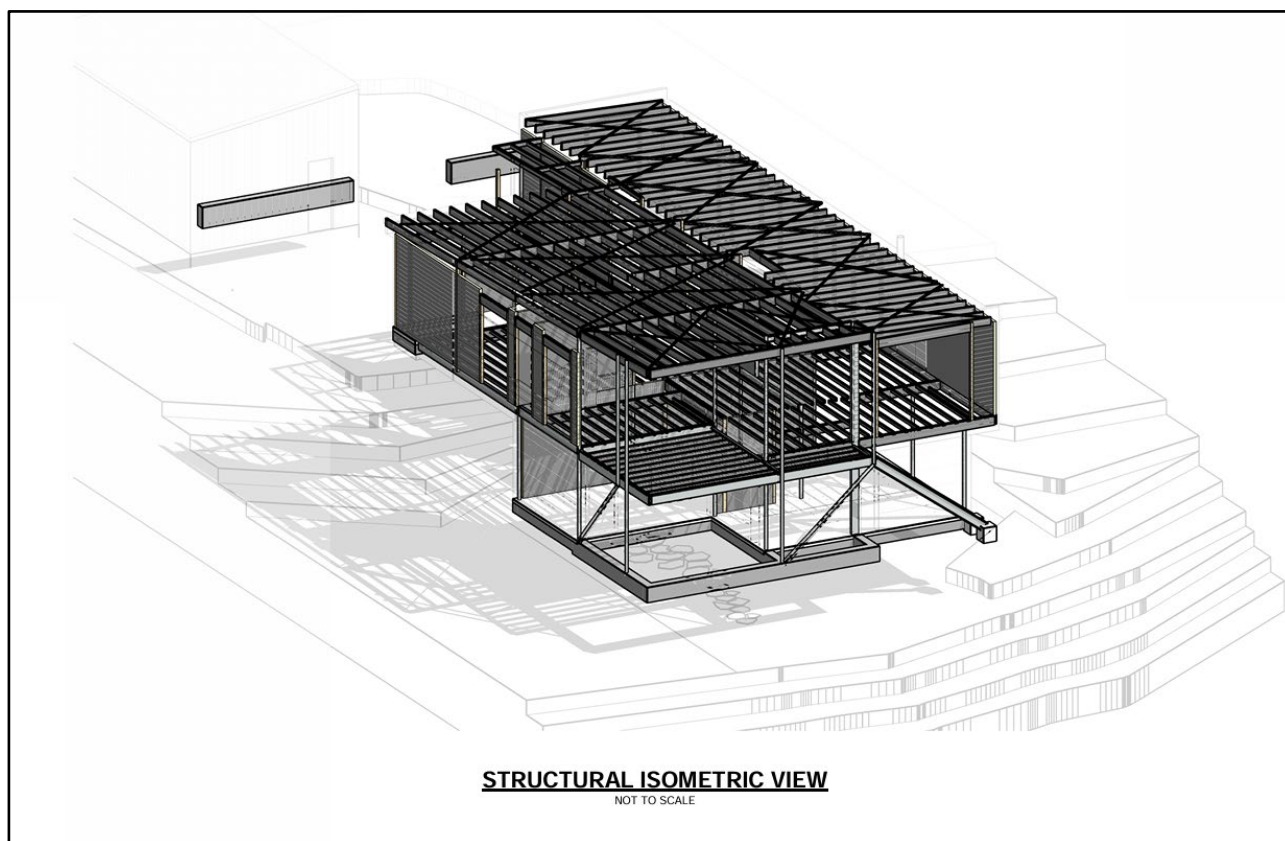


Figure 4 – Structural drawings of the proposed house at the Property

Application Area

The Application Area is a privately owned allotment. The land is bounded to the south by Batson Parade, with adjoining residential properties on both the eastern and western sides. To the north, the land adjoins the Meeting of the Waters site, where the Goolwa Channel, the Murray River and the Coorong waterways converge. The Application Area is Certificate of Title CT 5483/905 and land parcel details F11684 A14 held by Maxwell Nominees Pty Ltd.

What is being applied for?

Should the authorisations be given, the Applicant will be authorised to excavate to uncover, damage, disturb and/or interfere with Aboriginal heritage. The relevant sections of the *Aboriginal Heritage Act 1988* (SA) are:

- **Section 21:** which makes it an offence to excavate land for the purposes of uncovering Aboriginal sites, objects and remains (together, heritage) without ministerial authorisation.

- **Section 23:** which makes it an offence to damage, disturb or interfere with Aboriginal heritage without ministerial authorisation.

If approved, who will be authorised to impact Aboriginal heritage?

Maxwell Nominees are seeking that the authorisations, if given, extend to:

- itself
- Its agents, employees' contractors and subcontractors
- the landowner
- the agents, staff, contractors, and subcontractors of the landowner

Proposed timeline of project

All works have stopped following the discovery of Aboriginal ancestral remains in 2025. Removal and relocation of the Aboriginal ancestral remains can only occur, if the authorisations are given.

Thank you for taking the time to consider this application. If you are an interested Aboriginal party, AAR encourages you to make a submission about this application. AAR is available to assist you if you have difficulty recording a submission.

Joanne Fleer

A/Principal Project Officer (Heritage), AAR

Mail: GPO Box 464, ADELAIDE SA 5001

Email: aar.heritagesubmissions@sa.gov.au

Telephone: (08) 8363 8622

Attachments:

Attachment 1: Map of Application Area

Attachment 2: Map of Application Area with Heritage sites

Attachment 3: Map of Application Area with Heritage sites within 1 km radius

Attachment 4: Stenhouse Heritage – Summary of Sections 21 and 23 Application

**Section 21 and 23 Application Area – Maxwell Nominees Pty Ltd –
91 Batson Parade, Hindmarsh Island**

Meeting of the Waters / Goolwa Channel

Batson Parade



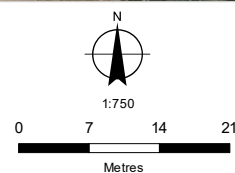
HINDMARSH ISLAND

Application Area

Application Area

Roads

Highway/Freeway
Arterial
Main
Minor
Track



Produced by: Aboriginal Affairs and Reconciliation (AAR)
Data sources: Aboriginal heritage - AAR
Topographic / cadastral - Location SA
Aerial imagery - DEW
Projection | Datum: Lambert Conformal Conic | GDA2020
Job No: 2026170-003
Compiled: 1/05/2026

Information derived from AAR's central archives is confidential under section 10 of the Aboriginal Heritage Act 1988 (SA).
AAR's central archives are not a comprehensive record of all Aboriginal heritage and other sources of heritage information may exist. The positional accuracy of this data is variable and dependent on the accuracy of information provided to AAR at the time of recording. The full geographic extent of Aboriginal heritage sites may not be depicted and sites may be larger than they appear on the map.
This map has been produced using information supplied by third parties. Whilst reasonable care has been taken in the preparation of this information, AAR is not able to warrant its accuracy and accepts no responsibility for the loss, injury or any other liability incurred by any person that arises as a result of the use of this information by any person or organisation.
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Section 21 and 23 Application Area – Maxwell Nominees Pty Ltd –
91 Batson Parade, Hindmarsh Island



Government of South Australia
Attorney-General's Department



HINDMARSH ISLAND

AAR Heritage Sites

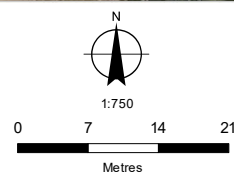
- Determined
- Reported

Application Area

- Application Area

Roads

- Highway/Freeway
- Arterial
- Main
- Minor
- Track



Produced by: Aboriginal Affairs and Reconciliation (AAR)
Data sources: Aboriginal heritage - AAR
Topographic / cadastral - Location SA
Aerial imagery - DEW
Projection | Datum: Lambert Conformal Conic | GDA2020
Job No: 2026170-001
Compiled: 1/05/2026

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Section 21 and 23 Application Area – Maxwell Nominees Pty Ltd –
91 Batson Parade, Hindmarsh Island



Government of South Australia
Attorney-General's Department



AAR Heritage Sites

- Listed
- ▨ Determined
- ▨ Listed
- ▨ Reported

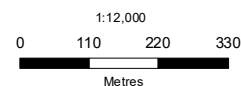
Application Area

- ▭ Application Area
- ▭ 1km Buffer

Roads

- Highway/Freeway
- Arterial
- Main
- Minor
- Track

HINDMARSH ISLAND



Produced by: Aboriginal Affairs and Reconciliation (AAR)
Data sources: Aboriginal heritage - AAR
Topographic / cadastral - Location SA
Aerial imagery - DEW
Projection | Datum: Lambert Conformal Conic | GDA2020
Job No: 2021/19-002
Compiled: 20/04/2026

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2025

91 Batson Parade Hindmarsh Island Section 21 and 23 Application

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Place: 91 Batson Parade, Hindmarsh Island South Australia

Report Description: Section 21 and 23 Application

Issue Date: September 2025

Status: Final

Version: 1.2

Client: Maxwell Nominees Pty Ltd, on behalf of the landowner

Disclaimer: This report expresses the professional opinion of the authors based on the information cited and presented at the time of this report.

Limitation: This report has been prepared on behalf of and for the exclusive use of Stenhouse Heritage client and is subject to and issued in connection with the provisions of the agreement between Stenhouse Heritage and its client. Stenhouse Heritage accepts no liability or responsibility whatsoever for or in any respect of any use of or reliance upon this report by any third party.

Front Cover: Aerial image of Batson Parade project area (Esri 2025).

Warning

This report may contain culturally sensitive information and names of Aboriginal people.



Acknowledgement of Country

Stenhouse Heritage acknowledge and respect the Traditional Custodians of the lands in which we work on. Further, we acknowledge the spiritual, social, cultural, and economic practices of Traditional Owners through their ongoing connections to their traditional lands and waters. We respect the Elders past, present, future, and emerging as custodians of the history, culture, and knowledge.

Abbreviations

Term	Meaning
AHA	Aboriginal Heritage Act 1988
AGD-AAR	Attorney General's Department-Aboriginal Affairs and Reconciliation
Maxwell Nominees	Maxwell Nominees Pty Ltd
NAC	Ngarrindjeri Aboriginal Corporation
SH	Stenhouse Heritage Pty Ltd

Executive Summary

Maxwell Nominees Pty Ltd (Maxwell Nominees), on behalf of the landowner, is planning on constructing a split-level light weight timber framed dwelling with a low pitched roof, at 91 Batson Parade Hindmarsh Island (Batson Parade Project). Following the discovery of ancestral remains during embankment retaining works, work was halted pending a section 21 and 23 authorisation under the Aboriginal Heritage Act 1988 (AHA).

Stenhouse Heritage Pty Ltd (SH) was engaged by the landowner, following approval by Ngarrindjeri Aboriginal Corporation (NAC), to undertake a section 21 and 23 application under the AHA for the Batson Parade Project area.

This report summarises the project and documents the heritage management principles and archaeological methodology proposed for the Batson Parade Project Area. The approach is summarised below:

- There will be an offer to engage a minimum of two Ngarrindjeri Aboriginal Corporation monitors to guide, conduct, assist and observe any heritage salvage activities
- Any Aboriginal remains will be recovered by a qualified archaeologist and in consultation with Traditional Owners, and will be subject to detailed bio-anthropological study of the remains to determine age at death, height and sex etc., as well as evidence of potential disease and trauma.
- Any artefact/occupation sites will be subject to sample excavation squares by a qualified archaeologist.
- All procedures will comply with AGD-AAR's Aboriginal Heritage Discovery Protocols.
- Artefacts, objects and remains are to be stored securely on site, with further consultation to occur with Ngarrindjeri Aboriginal Corporation regarding their final repatriation or return to the Aboriginal Community.

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1 INTRODUCTION

Maxwell Nominees Pty Ltd (Maxwell Nominees), on behalf of the landowner, is planning on constructing a split-level light weight timber framed dwelling with a low pitched roof, at 91 Batson Parade Hindmarsh Island (Batson Parade Project). Following the discovery of ancestral remains during embankment retaining works, work was halted pending a section 21 and 23 authorisation under the Aboriginal Heritage Act 1988 (AHA).

Stenhouse Heritage Pty Ltd (SH) was engaged by the landowner, following approval by Ngarrindjeri Aboriginal Corporation (NAC), to undertake a section 21 and 23 application under the AHA for the Batson Parade Project area.

This report has been prepared with the project information available to date (September 2025) to ensure landowner meets the requirement to apply for a section 21 and 23 authorisation so they can be appropriately managed in consultation with NNAC.

1.1 Objectives

The objectives of this Section 21 and 23 report are as follows:

- Provide a project background including relevant excavations
- Identify the application area
- Summarise the heritage management principles
- Detail archaeological methodology
- AGD-AAR Site Discovery Procedure

1.2 Application Area

The following application area was proposed (Map 1).



Map 1. The proposed application area for the Batson Parade Project on Hindmarsh Island, South Australia

2 PROJECT BACKGROUND

2.1 General Background

Maxwell Nominees Pty Ltd (Maxwell Nominees), on behalf of the landowner, is planning on constructing a split-level light weight timber framed dwelling with a low pitched roof, utilising the existing contours of the site (see Attachment 1 and Attachment 2).

2.2 Project Excavations

As the applicant is utilising the natural contours of the land, the actual footprint of the property on ground is 110m² (Attachment 3).

There are no piles planned for this project.

Ground disturbance will include in ground services tank, site clearance and footings, with minimal landscaping.

Footing depth is estimated to be 500mm. The deepest excavation is the two water tanks, at a depth of 2.5m (Attachment 4).

3 HERITAGE MANAGEMENT

The Applicant has engaged heritage consultancy firm, Stenhouse Heritage to ensure appropriate management of Aboriginal heritage during the Project. Stenhouse Heritage has developed a series of measures for dealing with different kinds of discovered Aboriginal heritage discovery, where it cannot be avoided during Project works.

3.1 General Heritage Recovery Principles

A ‘heritage recovery methodology’ will be developed that is specific for the Project. This methodology, to be used where Aboriginal heritage will be relocated to facilitate the Project, will be:

- be based on current heritage industry practices
- be consistent with the Act
- comply with any provisions or conditions of any authorisations, if granted, by the Minister
- include an offer to engage Traditional Owners to guide, conduct, assist and observe any heritage salvage activities (that is, the excavation, removal, collection and relocation of heritage, as required) undertaken in connection with the Project
- comply with AGD-AAR’s Aboriginal Heritage Discovery Protocols, noting that these protocols may be amended periodically.
- be specific to the extent and nature of the heritage discovery

3.2 Ngarrindjeri Aboriginal Corporation Monitoring

There will be an offer to engage a minimum of two Ngarrindjeri Aboriginal Corporation monitors to guide, conduct, assist and observe any heritage salvage activities (that is, the excavation, removal, collection and relocation of heritage, as required) undertaken in connection with the Project.

3.3 Specific Methods for Recording, Excavating and Relocating Heritage

Beyond the general heritage ‘recovery’ principles above, the Applicant proposes to manage the following kinds of Aboriginal heritage as per the below:

3.3.1 Aboriginal remains

If Aboriginal remains are encountered and cannot be avoided by Project works, they will be recovered by a qualified archaeologist in consultation with Traditional Owners. This will be undertaken using standard archaeological burial excavation techniques, including the careful stratigraphic excavation of the remains and associated cultural material, and the collection of samples suitable for further non-destructive assessment (Appendix 1). This burial recovery process will be subject to detailed recording by Stenhouse Heritage.

Non-destructive assessment of recovered Aboriginal remains may include detailed bio-anthropological study of the remains to determine age at death, height and sex etc., as well as evidence of potential disease and trauma.

3.3.2 Artefact/occupation sites (campsites)

If artefacts/occupation sites with sub-surface deposits are encountered during Project works, a qualified archaeologist will carry out sample archaeological salvage excavations in areas proposed to be impacted by the Project (Appendix 1). This will entail the strategic placement of sample grids across the site and the capturing of information through archaeological stratigraphic excavation. This process will be recorded and any cultural materials salvaged recovered from the sample grids will be recovered and managed in consultation with Traditional Owners, consistent with any authorisations relevant to the Project.

The remainder of the artefact/occupation archaeological context site, outside of the sample squares, will then be subject to Project excavations as necessary. Heritage features will be hand excavated where possible. Project excavations within discovered artefact/occupation sites would also be monitored by a qualified archaeologist. Any features uncovered will be hand excavated and sieved, with any cultural materials recovered, and soils sieved where practicable.

3.3.3 Surface archaeological sites

If open surface artefact sites are encountered during Project works, a qualified archaeologist will salvage the heritage in areas proposed to be impacted by the Project, utilising sample grids where appropriate (Appendix 1). The remainder of the archaeological context site will then be subject to Project excavations as necessary, to be monitored by a qualified archaeologist. Any features uncovered will be hand excavated and sieved, with cultural materials recovered.

3.3.4 Individual surface discoveries

The location of any individual surface discoveries will be recorded using a handheld GPS unit (Appendix 1). If surface discoveries cannot be avoided by Project works, they will be salvaged. Cultural materials recovered from non-burial excavations, or collected from surface contexts, will be subject to basic cataloguing.

3.3.5 Storage and reburial of Aboriginal heritage

The storage of any salvaged (that is, removed) Aboriginal heritage will undertaken in consultation with Traditional Owners, and consistent with any authorisations granted under the Act for the Project.

Where possible, any salvaged materials would be securely stored for the duration of the construction phase of the Project within the Application Area, and this storage facility would be under the care and

control of Traditional Owners. Where that this is not possible, a suitable alternative location will be identified in consultation with Traditional Owners.

Should the Traditional Owners wish to rebury any Aboriginal heritage recovered during Project works, the Applicant will work closely with the Traditional Owners to determine if this is possible. Conversely, the heritage may be returned directly to the Aboriginal Community where possible, if that is consistent with Traditional Owner wishes.

3.3.6 Aboriginal engagement

The Applicant has engaged Stenhouse Heritage, which will consult and work with the Ngarrindjeri Aboriginal Corporation (NAC), as well as Traditional Owners and custodians who have an interest in the Application Area, in relation to the Project.

This consultation will include meetings, presentations to the NAC Board, Project briefings and progress updates.

4 SUMMARY AND RECOMMENDATIONS

Maxwell Nominees, on behalf of the landowner, is planning on constructing a split-level light weight timber framed dwelling with a low pitched roof, at 91 Batson Parade Hindmarsh Island (Batson Parade Project). Following the discovery of ancestral remains during embankment retaining works, work was halted pending a section 21 and 23 authorisation under the AHA.

SH was engaged by the landowner, following approval by NAC, to undertake a section 21 and 23 application under the AHA for the Batson Parade Project area.

This report summarises the project and documents the heritage management principles and archaeological methodology proposed for the Batson Parade Project Area. The approach is summarised below:

- There will be an offer to engage a minimum of two Ngarrindjeri Aboriginal Corporation monitors to guide, conduct, assist and observe any heritage salvage activities
- Any Aboriginal remains will be recovered by a qualified archaeologist and in consultation with Traditional Owners, and will be subject to detailed bio-anthropological study of the remains to determine age at death, height and sex etc., as well as evidence of potential disease and trauma.
- Any artefact/occupation sites will be subject to sample excavation squares by a qualified archaeologist.
- All procedures will comply with AGD-AAR's Aboriginal Heritage Discovery Protocols.
- Artefacts, objects and remains are to be stored securely on site, with further consultation to occur with Ngarrindjeri Aboriginal Corporation regarding their final repatriation or return to the Aboriginal Community.

5 LIST OF ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Structural Drawings

Attachment 3: Cross Section Plan

Attachment 4: Water Lab Sewer Details Drawing

Attachment 5: Development Approval

Attachment 6: CV of Stenhouse Heritage

Attachment 7: Email confirming Ngarrindjeri Aboriginal Corporation (NAC) is aware of the project

Appendix 1: Archaeological Methodology

All heritage works should be overseen by a Stenhouse Heritage qualified heritage professional approved by the Aboriginal Parties. Representatives of the Aboriginal Parties should always be notified of, and offered the opportunity to oversee, Heritage Impact Works.

It is recommended that, where appropriate and depending on the stipulations of the Section 21 and 23 Authorization, the following be undertaken:

- If artefacts/occupation sites with sub-surface deposits are encountered during Project works, a qualified archaeologist will carry out sample archaeological salvage excavations in areas proposed to be impacted by the Project.
- Any archaeological excavations should be conducted based on stratigraphic layers or arbitrary levels (spits) of no more than 10 cm in depth, unless specified otherwise in this document, until base sterile soil or bedrock is reached, and that these excavation:
 - should be conducted by hand, where practicable.
 - where hand excavation is not practicable, should be conducted using a shovel.
 - where hand or shovel excavation is not practicable, should be conducted using a small mechanical excavation.
 - should be documented using scale photographs showing, at minimum, each layer that is removed either by hand, shovel or via a small excavator.
- Where the nature of the heritage discovered warrants it, all soil material excavated during any Heritage Impact Works (either manually by hand, shovel or machinery) should be sieved using a mesh of no greater than 10 mm so that smaller remains and cultural material can be identified.
- All heritage removed during any Heritage Impact Works should be stored in a secure temporary storage location recommended by a Stenhouse Heritage, until such time as it is relocated and/or reburied.
- Record the nature, condition and extent of the Aboriginal heritage throughout the Heritage Impact Works (where relevant), including scale photographs that show or demonstrate:
 - the heritage prior to any Heritage Impact Works, in order to illustrate its location, context and condition at the time of discovery.
 - the progress of any Heritage Impact Works, including cross-section photography of the side walls of any excavation trenches and, where possible, drawings of stratigraphic profiles.
 - the physical removal of the heritage from its original location (where applicable).
 - that the heritage has been completely removed.
- Record adequate fieldnotes for reporting purposes.
- The precise location of all heritage subject to Heritage Impact Works should be recorded using a GPS unit with sub-20 cm accuracy prior to any Heritage Impact Works.

In the case of isolated Aboriginal objects:

- Record:
 - the nature of the object, its precise location, depth from ground surface or real level (where recorded and relevant), raw material type and typology

- any other information or archaeological observations relating to the object
- scale photographs showing the object in its original location prior to removal and at minimum two aspects (sides) of each object,

In the case of Aboriginal surface sites comprising Aboriginal objects (and other archaeological material):

- A Stenhouse Heritage qualified heritage professional(s) will:
 - first conduct a comprehensive pedestrian survey of the entirety of the area that will be subject to Heritage Impact Works, in collaboration with the Aboriginal Parties and other relevant Traditional Owners, where possible. This pedestrian survey will be undertaken at a scale of no greater than one person per 4 m-wide transect.
 - use pin flags (or equivalent) to flag the location of all objects, where the density of objects permits.
 - photographically record the distribution of the objects, using the pin flags for reference.
 - record the location of each object using a GPS unit with an accuracy of no less than 20 cm.
 - record the highest, lowest and mean density of objects that will be subject to Heritage Impact Works.
- For each Aboriginal object subject to Heritage Impact Works, record:
 - raw material, object type, manufacture technique (where known).
 - scale photographs showing at minimum two aspects (sides) of the object.
 - any relevant information about the context in which the object is located, any other archaeological observations relevant to the object, or to the site more broadly.
- Remove each Aboriginal object, and place each in appropriately labelled bags/containers.
- Create a register of all removed Aboriginal objects that include at a minimum: date removed, who removed it, artefact details, site ID, Artefact ID.

In the case of Aboriginal middens containing stratigraphic deposits:

- Prior to excavation, record:
 - the nature, extent, depth from ground surface or real level (where recorded and relevant), location and composition of the midden
 - any other information or archaeological observations relating to the midden, including observations on the range of shell material (to species level where possible) and other visible cultural material
 - multiple scale photographs taken from the edge of the midden facing in, and from the centre of the midden facing out
 - where possible, drawings of the midden's profile showing any changes in stratigraphy and the location of any hearths, pits, or other features present.
- A Stenhouse Heritage qualified heritage professional(s) should conduct a pedestrian survey of the entirety of the Heritage Impact Works area to identify locations suitable for potential archaeological excavations, taking into consideration the advice of any Aboriginal Party representatives present
- Excavate ideally no less than one trench - measuring 50 cm by 50 cm - for every 4 square metres of midden, with the trenches excavated in spits (layers) preferably no greater than 10 cm at a time, until the first culturally sterile layer (i.e. layer containing no cultural materials) is reached. Trenches should be excavated by hand or shovel or, where these are not practicable, via a small machine excavator

- For middens measuring less than 4 square metres in total area, excavate one trench - measuring 50 cm by 50 cm - in spits (layers) preferably no greater than 10 cm at a time, until the first culturally sterile layer (i.e. layer containing no cultural materials) is reached. The trench should be excavated by hand or shovel or, where these are not practicable, via a small machine excavator
- Make a photographic record of the entire excavation process, including at least one scale photograph at the conclusion of each 10 cm spit excavation and any Aboriginal objects exposed and subsequently removed during the excavation
- Record the precise location of each excavation trench using a GPS unit with sub-20 cm accuracy
- Sieve all excavated midden contents using a sieve with mesh of no greater than 10 mm
- Collect all objects and any other cultural materials identified during the sieving process and place them in appropriately labelled bags/containers
- Create an inventory of the materials recovered during the sieving process for each excavation trench that may include a brief identification of material types (i.e. shell, other faunal remains and charcoal), frequency/number/density of any artefacts, as well as their nature and dimensions.
- Record scale photographs showing each of the main material types recovered during the sieving process.

Note that in the case of middens, the remainder of the midden not subject to archaeological excavation should only be removed and relocated on advice from a Stenhouse Heritage qualified heritage professional, and in consultation with Traditional Owners where present. Note, if suspected ancestral remains are observed at any time, stop works and comply with the Aboriginal Heritage Stop Work Procedure.

In the case of Aboriginal hearths/ground ovens/campfire sites:

- Prior to excavation, record:
 - the nature, extent, depth from ground surface or real level (where recorded and relevant), location and composition of the hearth
 - any other information or archaeological observations relating to the hearth
 - scale photographs of the hearth.
- Excavate the entirety of the hearth, using hand tools or shovels where possible
- Make a photographic record of the excavation, including scale photographs of each excavated layer and any Aboriginal objects exposed during the excavation
- Sieve all hearth contents using a sieve with mesh of no greater than 10 mm
- Collect all Aboriginal objects and any other cultural materials identified during the sieving process, and place them in appropriately labelled bags/containers
- Create an inventory of the materials recovered during the sieving process, which at minimum should include an identification of the hearth's primary components, and details of any cultural material or other artefacts identified
- Take scale photographs showing each of the main material types recovered.

In the case of Aboriginal ancestral remains:

- Prior to excavation, record:
 - the nature, extent, depth from ground surface or real level (where recorded and

- relevant), location and layout of the Aboriginal ancestral remains
 - any other information or archaeological observations relating to the Aboriginal ancestral remains
 - scale photographs of the Aboriginal ancestral remains.
- Excavate the entirety of the Aboriginal ancestral remains, using hand tools or shovels where possible
- Make a photographic record of the excavation, including scale photographs of each excavated layer and any Aboriginal objects exposed during the excavation
- Once the Aboriginal ancestral remains are exposed, record:
 - the orientation, articulation, position and direction of the remains
 - the depth from ground surface, or real level (where recorded and relevant)
 - the extent of the remains present
 - the level of preservation
 - the size and extent of the original burial cut, where possible
 - any cultural materials identified during the excavation, uncovering and removal works, including but not limited to stone artefacts, ochre, faunal remains, charcoal or other organic materials
 - any other information or archaeological observations relating to the remains, or the circumstances of their original interment.
- Where relevant exemptions have been granted under the *Burials and Cremations Act 2013* (SA),
 - excavate the entirety of the remains, the surrounding burial cut/feature, as well as all associated cultural materials until a culturally sterile layer is reached
 - remove the remains as carefully as possible, along with any associated Aboriginal objects or other cultural materials, and place them in appropriately labelled environmentally appropriate storage containers
- Make a photographic record of the excavation, including scale photographs of each excavated layer and any Aboriginal remains/objects exposed and subsequently removed during the excavation.

In the case of any other Aboriginal site types:

- In the case of Aboriginal heritage sites (excluding middens, hearths/ground ovens/campfire sites, isolated Aboriginal objects, surface sites comprising Aboriginal objects and ancestral remains), the client should develop a bespoke methodology in consultation with the Aboriginal Parties (should they elect to participate) and a Stenhouse Heritage qualified heritage professionals.
- Prior to undertaking any other works, record:
 - the nature, extent, depth from ground surface or real level (where recorded and relevant), location and type of site
 - any other information or archaeological observations relating to the site.

Reporting and site card requirements:

- Stenhouse Heritage will provide AAR with a plain English report containing, at minimum:

- an executive summary
- introduction and background
- the specific location, nature and extent of the heritage
- details of the methodology used for the excavation, uncovering, removal, relocation and/or reburial of the heritage
- the results and outcomes of the works specified at point (d), including scale photographs
- the dates upon which any heritage excavation, uncovering, removal, relocation and/or reburial works took place, including a comprehensive list of individuals present during these works
- the results of any sieving of soil associated with the works specified at point (d)
- the precise location of the heritage, depicted on a colour map
- the results of any non-destructive analysis of the heritage, including:
- an inventory and basic archaeological analysis of any heritage excavated, uncovered, removed, relocated and/or reburied, such as shell material from middens, hearth contents, stone artefacts and animal remains
- in the case of ancestral remains, the sorting of any the remains into specific individuals
- In the case of ancestral remains, an inventory of the remains excavated, uncovered, removed, relocated and/or reburied, and an assessment of same, which may include:
 - the individual's stature during life, sex, age at death and any other relevant observations such as tooth wear, bone condition and pathologies
 - the results of any destructive scientific analysis undertaken interstate, such as radiocarbon dating, where authorised under the *Aboriginal Heritage Act 1988* (SA)
 - details concerning the temporary storage of any heritage, prior to its relocation and/or reburial
 - details regarding the relocation and/or reburial of any heritage, including photographs of this process where appropriate
 - any heritage recommendations stemming from these works.
- Where any discovered heritage is not avoided, Stenhouse Heritage will provide AAR with a site card in a format acceptable to AAR that:
 - where the discovered heritage is partially retained in-situ, details the nature and condition of the impacted heritage
 - where the discovered heritage has been completely relocated, details the state, condition and new location of the heritage.

At the conclusion of the excavation a report will be prepared that includes

- a) an executive summary
- b) introduction and background

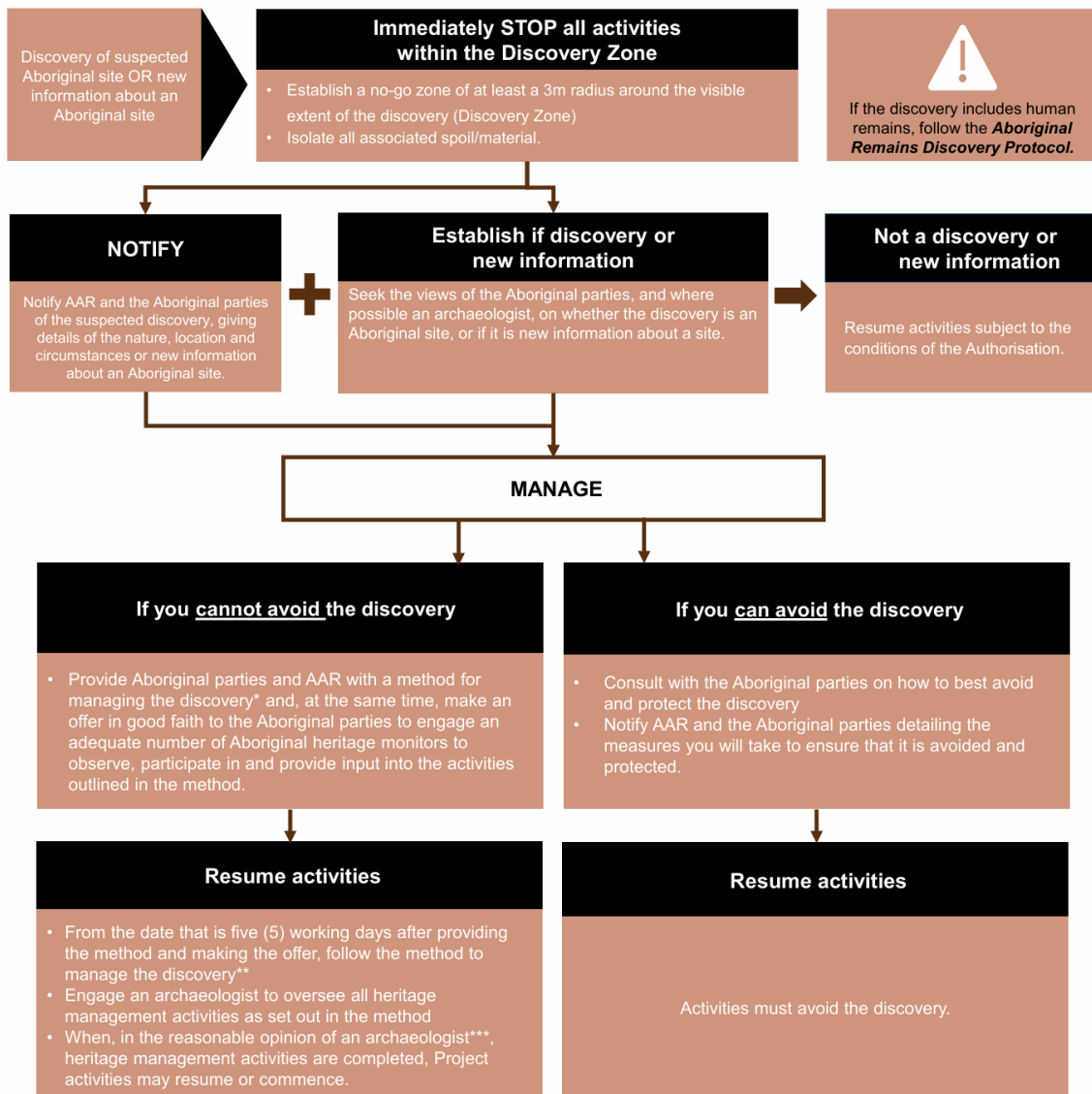
- c) details on the nature and extent of all heritage discovered within the Authorisation Area
- d) details of the methodology used for the excavation, uncovering, removal, relocation and/or reburial of the heritage, where the heritage cannot be left in-situ
- e) the results and outcomes of the works specified at point (f), including scale photographs
- f) the dates upon which any heritage excavation, uncovering, removal, relocation and/or reburial works took place, including a comprehensive list of individuals present during these works
- g) the results of any sieving of soil associated with the works specified at point (f)
- h) the precise location of all heritage discovered within the Authorisation Area, depicted on a colour map
- i) the results of any non-destructive analysis of the heritage, including:
 - an inventory and basic archaeological analysis of any heritage excavated, uncovered, removed, relocated and/or reburied.
 - in the case of ancestral remains, an inventory of the remains excavated, uncovered, removed, relocated and/or reburied, and any non-destructive assessments carried out them.
- j) details concerning the temporary storage of any heritage, prior to its relocation and/or reburial.

Appendix 2: AGD-AAR Site Discovery Procedure

Aboriginal Sites Discovery Protocol

Pursuant to sections 20A(1), 21(2) and 23(3) of the Aboriginal Heritage Act 1988 (SA)

- The purpose of this document is to provide a 'stop – notify – manage' process.
- Where impacts to Aboriginal sites are unavoidable, they should be mitigated to the extent possible.
- For discoveries of Aboriginal objects that do **not** form part of an Aboriginal site, refer to the Authorisation.
- Aboriginal parties are Traditional Owners and/or Aboriginal organisations specified by AAR for the purposes of the Authorisation.
- Defined terms in the Act and the Authorisation have the same meaning in this protocol.
- If there is any disagreement about the application or interpretation of this protocol, or any part of it, AAR will definitively decide the matter.



*This method should be prepared by an archaeologist in consultation with the Aboriginal parties. The method must comply with this protocol, the Authorisation and the Act. Guidance may be sought from AAR. AAR may provide feedback on any proposed method, which must be considered by the Authorised Parties.

**AAR may advise in writing that activities may commence earlier.

***Where there is a dispute about whether heritage management activities are completed, AAR will definitively decide the matter.

Contact AAR | AAR.CIR@sa.gov.au or (08) 7322 7057

30.05.2025



Government of
South Australia

Aboriginal Remains Discovery Protocol

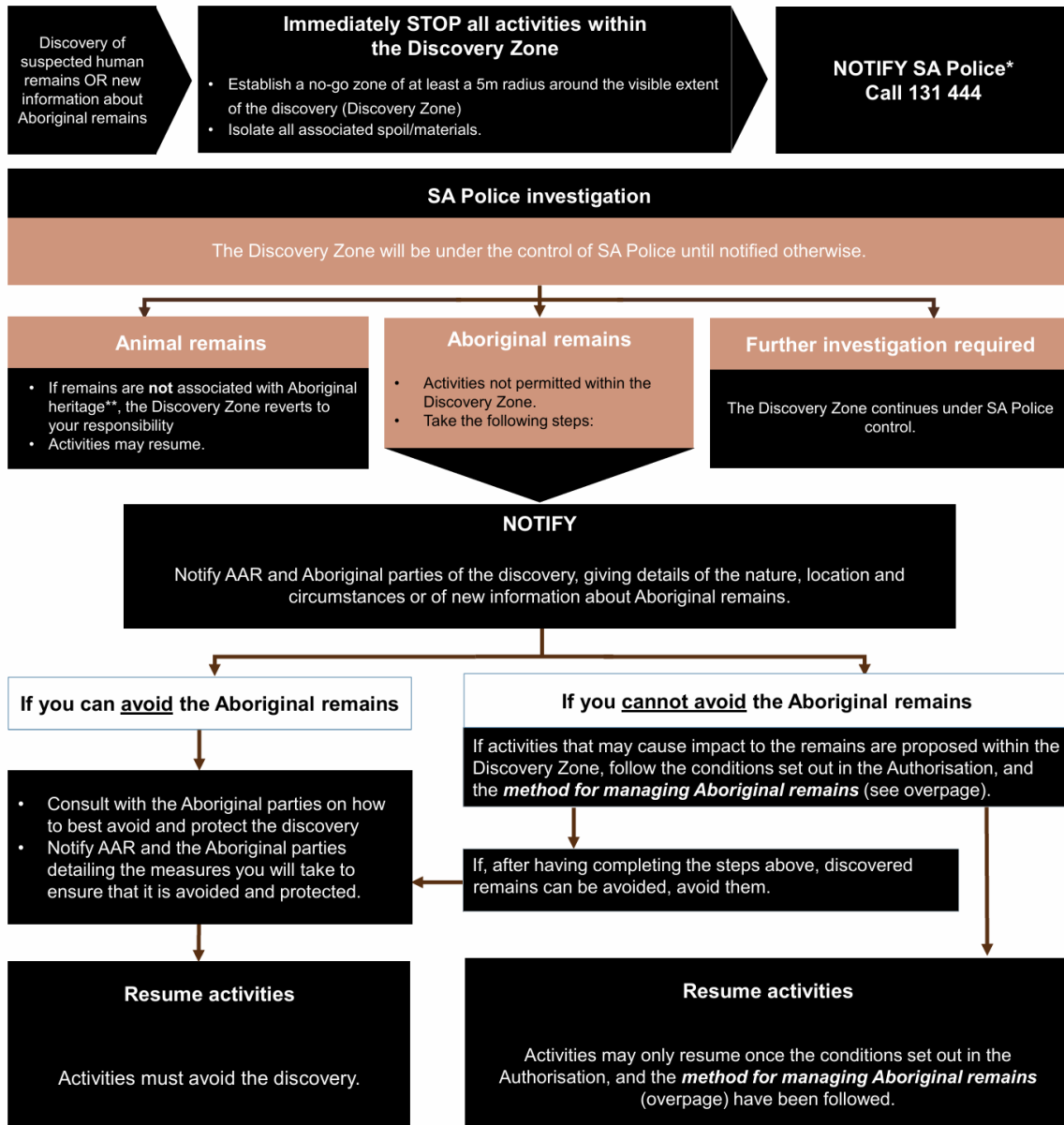
Pursuant to sections 20A(1), 21(2) and 23(3) of the Aboriginal Heritage Act 1988 (SA)

- The purpose of this document is to provide a 'stop – notify – manage' process.
- In all cases where human remains are discovered, this must be immediately reported to SA Police. Do not interfere with the remains.
- Human remains must be always treated with dignity and respect.
- Where impacts to remains are unavoidable, this should be mitigated to the extent possible.
- Aboriginal parties are Traditional Owners and/or Aboriginal organisations specified by AAR for the purposes of the Authorisation.
- Defined terms in the Act and the Authorisation have the same meaning in this protocol.
- If there is any disagreement about the application or interpretation of this protocol including the method overpage or any part of them, AAR will definitively decide the matter.

Responsible parties

You - Authorised party

SA Police



*If it is new information about previously-reported Aboriginal remains, notification to SA Police is not required

Animal remains, particularly those of native animals, found in association with Aboriginal objects (e.g. stone tools) and/or other cultural materials (e.g. charcoal, shell material, burnt stones) may indicate the presence of an Aboriginal site. If such a discovery is made, use the **Aboriginal Sites Discovery Protocol.

Contact AAR | AAR.CIR@sa.gov.au or (08) 7322 7057

30.05.2025



Government of
South Australia

Method for managing Aboriginal remains

Where discovered Aboriginal remains cannot be avoided, or where some impacts to remains will likely occur, an Authorised Party must:

1. Consult with the Aboriginal parties about the proposed management of the remains that may be impacted.
2. Advise AAR and the Aboriginal parties in writing:
 - that you have assessed that avoiding the remains is not reasonably possible
 - of the justification for your decision
 - of the outcomes of your consultation with the Aboriginal parties in deciding how the remains will be managed.
3. Provide Aboriginal parties and AAR with a method for managing the discovery and make an offer in good faith to the Aboriginal parties to engage an adequate number of heritage monitors to observe, participate in and provide input into the heritage management activities outlined in the method. The method should be prepared by an archaeologist in consultation with the Aboriginal parties. The method must comply with this protocol, the Authorisation and the Act and must include the following:
 - careful excavation and removal of soil in layers of no more than approximately 10 cm deep using hand trowel, shovel or small excavator within the Discovery Zone. This excavation must occur until – in the view of an archaeologist – culturally sterile layers or bedrock is reached.
 - provision for an archaeologist to be engaged to oversee all heritage management activities.
4. From the date that is not less than five (5) working days from the date of the provision of the method and making of the offer outlined in Step 3, follow the method to manage the discovery. AAR may advise in writing that heritage management activities may commence earlier.
5. When, in the reasonable opinion of an archaeologist, heritage management activities set out in the method are completed, Project activities may resume or commence.

Note:

- Guidance may be sought from AAR in preparing any proposed method. AAR may provide feedback on any proposed method, which must be considered by the Authorised Parties.
- In the event of a dispute between the parties in relation to whether the heritage management activities are completed AAR will conclusively decide the matter.



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