

CONSULTATION INFORMATION PACK

Application for authorisations under the *Aboriginal Heritage Act 1988 (SA)*

Noarlunga Downs Residential Development

- Applicant:** Urban Renewal Authority trading as Renewal SA
- Application Type:** Sections 21, 23 and 29(1)(b) of the *Aboriginal Heritage Act 1988 (SA)*
- Application Areas:** Two separate areas, comprising approximately 30 hectares, east and west of Lovelock Drive in Noarlunga Downs, approximately 30 km south of Adelaide, South Australia – see Attachment 1.
- Proposed Activities:** Ground disturbing works, earthworks and other supporting works within the Application Areas to enable the construction of a residential development.

*Figure 1 – View of parts of the Application Areas indicatively outlined in white looking south-west
(image courtesy of the Applicant)*



Information in this document is based primarily on information provided by the Applicant

LIST OF ACRONYMS AND ABBREVIATIONS

AAR	Attorney-General's Department - Aboriginal Affairs and Reconciliation
ACHM	Australian Cultural Heritage Management Pty Ltd
Act	<i>Aboriginal Heritage Act 1988 (SA)</i>
Applicant	Urban Renewal Authority trading as Renewal SA
Application Areas	Two separate areas, comprising a total of 30 hectares, east and west of Lovelock Drive in Noarlunga Downs as shown on the map at Attachment 1, namely: • Eastern Application Area • Western Application Area
CHMP	Cultural Heritage Management Plan
Committee	State Aboriginal Heritage Committee
GPR	Ground Penetrating Radar, a method used to scan the ground for subsurface anomalies
IHS	Integrated Heritage Services Pty Ltd, heritage consultancy firm
KYAC	Kurna Yerta Aboriginal Corporation RNTBC
Minister	Minister for Aboriginal Affairs, including his delegate under section 6 of the Act where the context permits
ND&A	Neale Draper & Associates Pty Ltd, heritage consultancy firm
Project	The construction of a residential development within the Application Areas, including supporting works
RNTBC	Registered Native Title Body Corporate
SAHA	South Australian Housing Authority
site 6527-3017	Noarlunga Burial 1 (site number 6527-3017), a determined site on AAR's central archives
Stage	Each of the proposed seven stages of the residential development within the Application Areas – Stages 1W to 4W and 1E to 3E, as shown indicatively on the map at Attachment 2
2021 ND&A report	ND&A – Kurna Cultural Heritage Assessment – August 2021
2023 IHS report	IHS – Aboriginal Cultural Heritage Survey – September 2023

INTRODUCTION

The Minister for Aboriginal Affairs (Minister), who is responsible for the *Aboriginal Heritage Act 1988* (SA) (Act), has received an application for authorisations under sections 21, 23 and 29(1)(b) of the Act from Urban Renewal Authority trading as Renewal SA (Applicant). The Applicant seeks to undertake extensive earthworks within two separate areas, of mostly undeveloped land, east and west of Lovelock Drive in Noarlunga Downs, South Australia for the construction of a new residential estate (Project).

References in this document to 'Application Areas' means both the 'Eastern Application Area' and the 'Western Application Area' together. See map at Attachment 1.

The Project would involve ground disturbing works within the Application Areas including stripping of vegetation and topsoil; earthworks to achieve required surface levels; excavation for the construction of stormwater management infrastructure, including drainage basins; excavation for roads and kerbing; trenching for services including sewer, stormwater and water supply pipes, electrical cables, communication cables and street lighting; construction of residential housing, new roads, road connections, on-street parking, and shared use paths/footpaths; and other supporting infrastructure and services. Project works would also include landscaping, developing open spaces and establishing temporary compounds during construction.

The Application Areas are entirely within the native title boundary of the Kaurna People, whose native title rights and interests are represented by the Kaurna Yerta Aboriginal Corporation RNTBC (KYAC). The Application Areas are known to contain Aboriginal objects and a traditional burial site, which is recorded on Aboriginal Affairs and Reconciliation's (AAR's) central archives. A small part of the historical floodplain of the Onkaparinga River (Ngangkiparri), a reported Aboriginal site with particular cultural significance for Kaurna women, also intersects the southern boundary of the Western Application Area.

Section 21 of the Act makes it an offence to excavate land for the purposes of uncovering Aboriginal sites, objects and remains (together, heritage) without the Minister's authorisation, while section 23 of the Act makes it an offence to damage, disturb or interfere with Aboriginal heritage without the Minister's authorisation. Section 29(1)(b) makes it an offence to remove an Aboriginal object from the state without the Minister's authorisation.

As the Project would potentially involve the relocation of at least two known Aboriginal stone objects, and extensive ground-disturbing works that may impact, or require excavation of, heritage, the Applicant has sought authorisations under sections 21 and 23 of the Act. Authorisation under section 29(1)(b) has been sought to enable the Applicant to send archaeological samples outside of the state for radiocarbon analysis, if supported by Kaurna Traditional Owners.

During the Project, Aboriginal heritage would be managed under a Cultural Heritage Management Plan (CHMP) prepared by heritage consultancy firm, Integrated Heritage Services Pty Ltd (IHS) in consultation with Kaurna Traditional Owners, KYAC and the Applicant. Under the CHMP, parts of the Application Areas that have been assessed as medium to high risk for encountering Aboriginal heritage would be subject to heritage monitoring.

Prior to considering whether to grant an authorisation, section 13 of the Act requires the Minister to understand and consider the views of a range of interested Aboriginal parties. AAR conducts 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.

The Minister has identified a conflict of interest in relation to the Project and intends to delegate his power to decide this application to the Deputy Premier, as permitted under section 6 of the Act. References to the Minister in this document therefore include references to the Deputy Premier, where the context permits.

PROJECT OVERVIEW

The Applicant

The Applicant is the state government's property development agency, tasked with delivering projects of state significance across South Australia. The Applicant's key focus areas include increasing the supply of affordable housing, creating community spaces, and developing industrial and commercial precincts.

Project Background

The Project is one of six projects led by the Applicant that promotes the government's *A Better Housing Future* plan, which aims to deliver more social and affordable housing for the benefit of South Australians. The Applicant says that the Project would provide a significant number of high-quality houses for the state, which will be a mix of market, affordable and social housing. The Project would also contribute towards the targets in the Commonwealth Government's National Housing Accord.

The *A Better Housing Future* plan and the National Housing Accord are available on AAR's website: agd.sa.gov.au/heritage-applications.

In partnership with the South Australian Housing Authority (SAHA), the Applicant expects the Project would deliver approximately 630 new homes, creating a new mixed-density residential community close to key amenities such as the Colonnades Shopping Centre, Noarlunga TAFE, Noarlunga Hospital, South Adelaide Football Club/Flinders University Stadium and public transport connections (see Figure 2).

The Project also aims to achieve:

- at least 15 per cent affordable housing
- 80 new social houses
- a minimum of 12.5 per cent public open or 'green' space.

The Applicant says that the Project is planned across seven stages (Stage) – four in the Western Application Area (Stages 1W to 4W) and three in the Eastern Application Area (Stages 1E to 3E). The Applicant says that the Stages in the Western and Eastern Application Areas would progress concurrently, with Stage 1W and Stage 1E starting at the same time.

See Attachment 2 for an indicative representation of the Project. Please note that the map is provided for illustrative purposes and may change as the Project design is finalised.

Application Areas

The Application Areas are within the City of Onkaparinga council area and located approximately 30 km south of Adelaide. Two separate areas, east and west of Lovelock Drive in Noarlunga Downs, make up the Application Areas, comprising approximately 30 hectares.

The Application Areas are predominantly covered in grasses, shrubs, and some trees, and comprise mostly undeveloped land with an undulating landscape sloping from north to south towards the Ngangkiparri (Onkaparinga River). The closest bend of the river is about 500 metres south-west of the Application Areas.

The Application Areas comprise multiple freehold land parcels and intersect roads, road reserve and easements. The Applicant says that land within the Application Areas that is not already owned by the Applicant but required to deliver the Project would be transferred to the Applicant in the future, subject to relevant approval processes.

**Figure 2 – View of parts of the Application Areas in relation to nearby amenities, looking east
(image courtesy of the Applicant)**



ABORIGINAL HERITAGE

Known Aboriginal heritage intersecting the Application Areas

The Application Areas are within the traditional lands of the Kurna people. AAR is aware that Ramindjeri people also have traditional heritage interests in the southern Adelaide region.

AAR has records for two Aboriginal sites that intersect the Western Application Area and numerous reports about Aboriginal sites and culturally sensitive landscapes within the broader local region.

Cultural heritage surveys of the Application Areas in 2021 and 2023 identified two isolated stone artefacts in the Application Areas.

AAR notes that the central archives are not an exhaustive record of Aboriginal heritage in South Australia. It is possible and potentially likely that the Application Areas contain unrecorded Aboriginal heritage.

Noarlunga Burial 1 – site 6527-3017

Noarlunga Burial 1 (site 6527-3017) is a determined Aboriginal site. Based on information held on the central archives, the site is in the south-eastern part of the Western Application Area – see green square on Attachment 3.

A site card for site 6527-3017 recorded in 1989 attaches a partial police report from February 1987. This states that skeletal remains were uncovered near Honeypot Road during trenching works associated with a land subdivision. The report states that the remains were taken to the Christies Beach Police Station on 18 February 1987. A 1987 report from a state forensic pathologist, which is also attached to the site card, concluded that remains were likely those of an adult Aboriginal male.

The site card indicates that the remains were subsequently transferred to the South Australian Museum; however, no further details are provided on the site card. A review of AAR's records and its Keeping Place at Netley indicated that AAR does not hold the ancestral remains. The South Australian Museum has also advised that it does not hold them.

Despite its indicated position on the central archives, recent cultural heritage assessments indicate that the actual location of site 6527-3017 is more likely to be around 100 metres south-west of its location as recorded on the central archives. This assessment has been made by IHS based upon the descriptions on the site card, and a historical map and photo attached to the site card. This would place the site near the far south-western part of the Western Application Area. This discrepancy is likely due to the lower level of accuracy of spatial data at the time of recording. Many site locations were recorded prior to modern GPS technology.

The location for site 6527-3017 recorded upon the central archives is depicted as a green square, while the likely location of site 6527-3017, as assessed by IHS, is depicted as an orange polygon on the map at Attachment 3. From here on in this document, references to site 6527-3017 refer to the likely location of the site based upon this most recent recording and as depicted on Attachment 3 by an orange polygon.

Ngangkiparri (Women's River) Site Complex

The Onkaparinga (Ngangkiparri) River is an Aboriginal heritage site with cultural significance for Kaurna women. In 2009 and 2010, after working closely with the Kaurna community, heritage consultancy firm Australian Cultural Heritage Management Pty Ltd (ACHM) recorded a site card for part of the river near the Application Areas. That card said that the Ngangkiparri Aboriginal site extends to the edges of the river's historical floodplain zone, much of which is now fully developed land.

A small part (approximately 40 m) of this the floodplain intersects with the southern edge of the Western Application Area – see Attachment 3.

AAR has not fully reviewed nor accepted the site card for accession into the central archives. The draft site card itself notes that the site boundary recorded was provisional only.

Other heritage identified in the Application Areas

Cultural heritage surveys in 2021 and 2023 identified two isolated stone artefacts in the Application Areas (see Table 1 and Attachment 3). These reports are discussed later in this document.

Table 1 – Aboriginal heritage identified within the Application Areas

Object	Description	Status
Isolated Artefact 1*	Broken piece of quartzite cobble grindstone	Reported
Isolated Artefact 2	Broken silcrete flake	Reported

**Isolated Artefact 1 could not be re-located during the 2023 IHS survey.*

Known Aboriginal heritage close to the Application Areas

The area immediately surrounding the Application Areas also contains Aboriginal sites, including the Seaford Cemetery and Reburial Ground. Table 2 lists sites known to AAR within 2 km of the Application Areas. Please note, for the purposes of this document only, the Seaford Cemetery and nearby Reburial Ground are considered as one site.

In Table 2, text in italics and between quotation marks denotes a direct quote from materials held on the central archives. While none of these Aboriginal sites intersect the Application Areas, they are listed here to give consultees contextual information about the kinds of heritage that exist in the general vicinity of the Application Areas.

Table 2 – Aboriginal heritage sites within 2 km of the Application Areas

Site Number/ID Number	Type	Detail/description	Site Status
6627-1916	Archaeological	<i>"thin but dense layer of shellfish remains"</i>	Determined
6627-1918	Archaeological	<i>"surface scatter of stone artefacts"</i>	Determined
6527-4370	Archaeological	<i>"scatter of artefacts and faunal remains"</i>	Listed
6527-4371	Archaeological	<i>"midden features numerous food remains"</i> and stone artefacts	Listed
6527-4372	Archaeological	<i>"scatter of artefacts and faunal remains"</i>	Listed
6527-4373	Archaeological	<i>"small number of artefacts...and faunal remains"</i>	Listed
6527-4374	Archaeological	<i>"small number of artefacts"</i>	Listed
6627-5302*	Archaeological	<i>"artefact scatter"</i>	Archived
6627-5303*	Archaeological	<i>"artefact scatter"</i>	Archived
6527-5588	Archaeological	Isolated finds or small <i>"clusters"</i> of artefacts	Listed
6527-5589	Archaeological	Isolated finds or small <i>"clusters"</i> of artefacts	Listed

Site Number/ID Number	Type	Detail/description	Site Status
6527-6413	Archaeological	Stone artefacts and animal bone on creek bank	Listed
6527-6961	Historic / Cultural	Freshwater spring important to Kurna. Located in Port Noarlunga township.	Listed
6527-7743*	Archaeological	<i>"scatter of quartzite artefacts"</i>	Listed
6527-7744*	Archaeological	<i>"scatter of quartzite artefacts"</i>	Listed
#34 (Seaford Cemetery and Reburial Ground)	Burial/ archaeological	Details provided below	Reported

*According to records held by AAR, these sites have been impacted by works carried out under previous authorisations under the Act.

Seaford Cemetery and Reburial Ground

In February 2011, Aboriginal remains were discovered during earthworks for the Seaford Rail Extension project, which extended the passenger railway line between Noarlunga Centre and Seaford. Between February and July 2011, an archaeological excavation program was undertaken by ACHM archaeologists and Traditional Owners. This work was conducted under an authorisation under the Act held by the then Department for Planning, Transport and Infrastructure to facilitate the project.

In total, this work resulted in the identification, excavation, and relocation of 17 sets of Aboriginal ancestral remains from an area now known as the Seaford Cemetery. In addition to ancestral remains, various stone and wooden artefacts, and other cultural material, were also found and excavated.

In February 2012, the remains from the Seaford Cemetery were reburied immediately east of the original discovery area, in an area now referred to as the Seaford Reburial Ground.

The Seaford Cemetery is located approximately 220 metres southwest of the Eastern Application Area. A pathway leading south from Old Honey Pot Road to the Seaford Reburial Ground starts approximately 70 m southwest of the Eastern Application Area.

HERITAGE ASSESSMENTS OF THE APPLICATION AREAS

Two cultural heritage surveys have been undertaken as part of the Project, covering most of the Application Areas – one in 2021 by Neale Draper & Associates Pty Ltd (ND&A) and another by IHS in 2023. The reports from these surveys are referred to in this document as the '2021 ND&A report' and the '2023 IHS report'.

ND&A – Kurna Cultural Heritage Assessment – August 2021

In 2021, SAHA engaged ND&A to conduct a cultural heritage assessment of most of the Western Application Area, currently owned by SAHA.

According to the 2021 ND&A report, the field survey occurred on 3 August 2021 and involved four Kurna representatives. Ground surface visibility during the survey varied, with some parts

of the survey area covered by dense grasses.

As part of the assessment, ND&A conducted background research on land-use history, historical geotechnical investigations and soil profiles, and cultural heritage sites, including within the vicinity of the survey area.

As a result of this field survey, one stone artefact, a broken quartzite grindstone, was identified near the centre of the Western Application Area – see Table 1 and Attachment 3.

Key points and recommendations from the 2021 ND&A report include:

- the archaeological sensitivity across most of the survey area is considered to be ‘high’
- Kurna participants noted the possibility of additional ancestral burials being discovered
- the true location of the burial associated with site 6527-3017 is likely further south-west of the location depicted in the central archives
- it is unknown if any other remains or burials are present in the vicinity of the likely location of site 6527-3017 and that the whereabouts of the remains collected from the site in 1987 are unknown
- all stripping of topsoil should be observed by Kurna monitors, as well as ground-disturbing works for certain activities
- any burials that are discovered during earthworks should be left in-situ
- any residential development within the survey area should be governed by a CHMP.

IHS – Aboriginal Cultural Heritage Survey – September 2023

In 2023, the Applicant engaged IHS to undertake an archaeological and anthropological cultural heritage survey over the Eastern Application Area, noting that most of the Western Application Area was surveyed for heritage by ND&A in 2021. At the request of Kurna participants, parts of the Western Application Area were revisited during IHS' 2023 survey.

IHS also conducted a desktop assessment of the Application Areas, which considered:

- previous cultural heritage assessments including over the Western Application Area
- information held by AAR and the South Australian Museum
- oral histories
- historical land use information.

According to the 2023 IHS report, the anthropological survey was carried out on 23 August 2023, while the archaeological survey was carried out on 24 and 25 August 2023. Each survey involved four Kurna Traditional Owners. Ground surface visibility during the survey varied significantly across the survey area. As a result of the field survey, one stone artefact, a broken silcrete flake, was identified near the centre of the Eastern Application Area – see Table 1 and Attachment 3.

Key points from the 2023 IHS report include:

- the cultural and spiritual significance of the Ngangkiparri, and the culturally rich landscape of the wider region
- traditional burials, remnant camp and midden sites are the most likely heritage types to exist in the Application Areas, particularly within previously undisturbed soils

- given that parts of the surveyed areas were previously disturbed, it is unclear to what extent undisturbed soils exist within the Application Areas
- the central archives location of site 6527-3017 is unclear and its true location is likely some 100 m southwest of where recorded on AAR's central archives
- the area around site 6527-3017 is considered to be of 'extreme risk' from an archaeological perspective
- Kurna representatives expressed an interest for the Applicant to consider Kurna employment opportunities, Kurna involvement in Project design, and an acknowledgement as part of the Project.

Key recommendations from the 2023 IHS report include:

- the area around and containing the likely location of site 6527-3017 should be preserved in situ as a place of reflection and open space
- Ground Penetrating Radar (GPR) investigations should be undertaken in the vicinity of site 6527-3017
- Kurna Traditional Owners should be consulted if extensive ground disturbing works are proposed in the vicinity of site 6527-3017
- the Applicant should consider applying for authorisations under the Act given the 'medium' to 'high' archaeological sensitivity of the Application Areas
- the Applicant should engage Kurna representatives to observe ground disturbing works
- a CHMP should be developed to manage potential discoveries during ground disturbing works.

OTHER RELEVANT HERITAGE ASSESSMENTS

ACHM – Aboriginal Cultural Heritage Survey of Land at Noarlunga Downs – April 2003

In 2003, ACHM was engaged to undertake a cultural heritage survey of the Western Application Area for a housing development proposed at that time. That survey, which included Kurna representatives, did not identify any Aboriginal heritage, although the report notes that ground visibility during the survey was limited. Kurna representatives recommended that any ground disturbing works around the site 6527-3017 be monitored.

ACHM – Seaford Rail Cultural Heritage Survey – September 2009

In 2009, ACHM carried out archaeological and anthropological cultural heritage surveys with Kurna representatives over a 60-metre corridor of land for the Seaford Rail Extension project. That survey included part of the railway corridor parallel to Lovelock Drive that separates the Eastern and Western Application Areas, i.e. between Goldsmith Drive and Old Honeypot Road.

Although no archaeology was recorded within the part of the railway corridor between the Eastern and Western Application Areas, the Ngangkiparri (Women's River) Site Complex was, as part of that survey work, recorded due its cultural and spiritual significance particularly for Kurna women.

Two archaeological sites, as well as some isolated artefacts, were also recorded during that survey, located between 1.7 and 2 km south of the Application Areas. These were subsequently listed on AAR's central archives as sites 6527-7743 and 6527-7744 – see Table 2.

PROPOSED HERITAGE MANAGEMENT

Draft Cultural Heritage Management Plan (CHMP)

The Applicant considers there is a potential risk of encountering subsurface Aboriginal heritage during Project works, particularly in the vicinity of site 6527-3017 and in any undisturbed soils. This is based on cultural heritage assessments over the Application Areas undertaken in 2021 and 2023 and the known cultural heritage of the broader local area. The Applicant therefore proposes to implement measures aimed at avoiding potential impacts to Aboriginal heritage throughout the Project works. These measures are outlined in a draft CHMP for the Project, which has been developed by IHS in consultation with the Applicant and Kurna representatives through KYAC and RAWsa (KYAC's nominated heritage management service provider).

The Applicant acknowledges that the draft CHMP will be updated to reflect any conditions imposed on any authorisations granted for the Project. The Applicant has advised that it is amenable to updating the CHMP based upon any feedback it receives through AAR's consultation on the Project under the Act.

Once the CHMP is finalised, it will be provided to the KYAC Board for final review and approval.

Key details of the draft CHMP

The draft CHMP provides a framework for the management of known heritage within the Application Areas and any discoveries made during the Project. It would apply to all parts of the Application Areas. Broadly, the CHMP seeks to ensure that:

- the area encompassing site 6527-3017 and the Ngangkiparri (Women's River) Site Complex intersecting the Western Application Area is preserved as a "place of reflection and community open space"
- consultation occurs with Kurna where any significant ground disturbance is planned in areas designated as extreme risk regarding heritage mitigation options
- known artefacts are identified, recorded and relocated in consultation with Kurna representatives and the Applicant's heritage consultant
- procedures to manage Aboriginal heritage discoveries are implemented
- best efforts are made to preserve any discovered remains in situ, and if they cannot be avoided by the Project, best-practice measures be implemented to deal with their excavation and relocation, including the potential allocation of nearby land to rebury them if requested by Traditional Owners
- Kurna heritage monitors are engaged to observe initial ground disturbing works in areas that have been assessed to have a 'high' or 'medium' level of risk. In the 'extreme' risk area around site 6527-3017, all ground disturbing works to be observed by Kurna heritage monitors
- Project personnel involved in ground-disturbing works undergo cultural awareness training and a site-specific cultural heritage management induction
- the whereabouts of the remains associated with site 6527-3017 is investigated.

Risk level across the Application Areas

Using soil analysis from historical geotechnical investigations, previous heritage survey assessments, and consideration of heritage types that are typical for the region and environmental features that are more likely to contain heritage, the CHMP has adopted an 'extreme', 'high,' 'medium,' and 'low' archaeological sensitivity across the entire Application Areas.

The archaeological sensitivity matrix, also known as the risk profile, provides an indication of the level of risk of encountering heritage within certain parts of the Application Areas during the Project and specifies the type and level of heritage management measures that should be implemented in those areas. The map at Attachment 4 shows the indicative risk profile that has been assessed by IHS across the Application Areas.

The assessed risk profile of the Application Areas is subject to change pending the interpretation of the GPR results.

GPR assessment

In line with the recommendations in the 2023 IHS report, the Applicant committed to undertake a GPR assessment, which is currently underway for all accessible parts of the Stages 1W to 4W and 1E to 3E areas – see Attachment 2. The Applicant expects the GPR assessment results to be completed later in 2024. The Applicant has committed to update the draft CHMP after considering the GPR assessment results, as well as any further recommendations from IHS and Kaurna representatives about them.

Archaeological test-pitting

The Applicant advises that archaeological test-pitting is also proposed, with the exact locations to be determined following completion of the GPR assessment. Archaeological test-pitting involves the excavation and removal of soil to identify whether there is any subsurface Aboriginal heritage in an area. While the number and dimensions of the test-pits are not yet agreed, the Applicant anticipates that they would either be excavated by hand with a shovel or by a small mechanical excavator. Test-pitting would be observed by Kaurna monitors.

The Applicant says that archaeological test-pitting is expected to start across the Application Areas in the coming months. The Applicant says that the intent of the test-pitting is specifically to determine the presence or absence of Aboriginal heritage within 'anomaly' areas identified by the GPR assessment.

The Applicant advises that if heritage is encountered during this test-pitting work, all works within the vicinity of the test-pit will immediately stop and appropriate measures put in place to protect the heritage. No archaeological uncovering or excavation of any heritage detected during test-pitting would be undertaken unless and until the authorisations sought by the Applicant are granted.

AAR's Aboriginal Heritage Discovery Protocols

If the authorisations are granted, the Applicant has committed to complying with AAR's Aboriginal Heritage Discovery Protocols and Heritage Impact Procedure during the Project.

AAR's Aboriginal Heritage Discovery Protocols outline the steps to be followed if Aboriginal heritage is discovered during the Project. AAR's Heritage Impact Procedure seeks to assist proponents with authorisations under the Act to prepare their own approach to avoiding, or where avoidance is not possible, excavating and removing discovered heritage. AAR's Aboriginal Heritage Discovery Protocols make it a requirement that proponents holding an authorisation under the Act consider AAR's Heritage Impact Procedure before deciding how to manage discovered heritage.

Visit agd.sa.gov.au/heritage-applications for a copy of the AAR's Aboriginal Heritage Discovery Protocols and its Heritage Impact Procedure. If you would like a hardcopy of these documents posted to you, please contact AAR.

PROJECT DETAILS

Proposed ground disturbing works

The Applicant advises that the following activities are proposed within the Application Areas:

- stripping and stockpiling of topsoil to achieve required surface levels
- undertaking earthworks to achieve required surface levels – either cut or fill
- excavation for roads and kerbing – depths not expected to exceed 0.5 m
- excavations to lay sewer mains and associated infrastructure – typically between 1.5 m and 2 m below finished surface levels
- excavations to lay stormwater drains – typically around 2 m below finished surface levels
- excavations to construct stormwater drainage basins – not expected to exceed 4 m below natural surface levels
- excavations to lay and install potable water mains and associated infrastructure – typically around 0.8 m below finished surface levels
- installation of road pavement – typically around 0.35 m deep
- excavation of trenches for common services – typically around 1.5 m deep for electrical and communications infrastructure
- installation of concrete kerbing and subsequently asphalt for roads
- installation of footpaths and shared use paths
- developing open spaces, including the installation of amenities such as seating, shelters, BBQ facilities and play equipment
- planting of trees and installation of irrigation systems
- establishing temporary compounds during construction
- other associated infrastructure that may be required to deliver the Project.

Landscaped reserves are also contemplated, including excavations for stormwater drainage basins. See Attachment 5 for the Project's indicative landscaping concept plan.

The Applicant notes that the importation of fill is not currently anticipated; however, it may be required if there is not enough soil within the Application Area to achieve required surface levels.

The Applicant says that maximum depths for excavation works associated with the Project are not expected to exceed 4 m below natural surface levels.

The Applicant says that service identification (or ‘pothole’) surveys are expected to be undertaken imminently. This work, which would also be observed by Kurna monitors, is likely to involve the drilling of around 20 core holes to identify the location of existing underground services – for example sewer lines, SA Power Networks cables and stormwater infrastructure.

The Applicant says that this work is required to inform the layout of services. Additional core drill holes may be required if services are not identified in their expected locations. The core holes are proposed to be drilled primarily within roads and road reserves close to the Application Areas’ boundaries.

Proposed works in the vicinity and including site 6527-3017

The Applicant says that the area in the vicinity and including site 6527-3017 would be a dedicated reserve, a community open space, and place of reflection, as requested by Kurna. The Applicant says that this area would incorporate a First Nations theme developed in consultation with Kurna representatives.

The Applicant says that a stormwater detention basin is also proposed within this area but would be designed away from the likely location of site 6527-3017.

Sampling and analysis of heritage

The Applicant says it supports heritage being sent interstate for radiocarbon dating analysis if that is what Kurna people want. Radiocarbon dating is a scientific method that can determine the age of organic materials up to 45,000 years old. It typically results in the destruction of the entire sample tested. Non-destructive analysis of heritage is also proposed.

Project flexibility

The Applicant advises that while final layout design of the Project will be subject to further refinement as construction details are finalised, the Project would generally be consistent with how it is described in this document. AAR understands that the final scope of Project works – including the extent, location and depth of excavations and services that may be required to construct the Project – will be refined as the Project design progresses.

The concept plans at Attachments 2 and 5 should be considered indicative only.

Project timing

Project civil works to prepare the Application Areas are planned to commence in late 2024 or early 2025, with Project completion proposed by 2034.

Other assessments for the Project

The Applicant advises that an Environmental Impact Statement is not required for the Project, but it has commissioned a range of specialist reports, including:

- detail and level survey undertaken by Alexander Symonds to understand existing ground levels and to inform required surface levels (August 2023)
- preliminary site investigation undertaken by Land & Water Consulting covering potential land contamination (February 2024)
- environmental noise assessment undertaken by Sonus (June 2021 and April 2024)

- air quality monitoring undertaken by Land & Water Consulting (February 2024)
- tree assessment undertaken by Project Green (May 2023) – nine trees were identified including two significant, six regulated and one unregulated. The Applicant says that it will attempt to incorporate these trees into its Project design, but notes that they are in poor health and may need to be removed
- native vegetation assessment by Project Green (engaged in May 2024).

SCOPE OF AUTHORISATIONS SOUGHT

The Applicant seeks that the authorisations extend to:

- itself and any related body corporate
- persons or entities to whom the Applicant sells, transfers, or assigns the whole or part of the land within the Application Areas
- permitted assigns, employees, agents, consultants, contractors and sub-contractors of the above entities, and any other party undertaking Project works within the Application Areas
- any future registered proprietor(s) of the whole or part of the land within the Application Areas while the authorisations remain in force,

in each case, where reasonably undertaking works in connection with the Project. If the authorisations sought are granted, the authorised activities would be permitted only to the extent reasonably necessary to construct and maintain the Project.

ABORIGINAL ENGAGEMENT

The Applicant says that it has prioritised early engagement with KYAC about the Project, including to help manage and minimise any impacts to heritage and potential heritage discoveries within the Application Areas. Key consultation dates and detail included:

- August 2021 – an Aboriginal cultural heritage survey for most of the Western Application Area was undertaken by ND&A with Kurna representatives
- May 2022 – the Applicant wrote to KYAC and South Australian Native Title Services to introduce the Project
- August 2023 – the Applicant held a meeting with KYAC's Chairperson to discuss the Project
- August 2023 – an Aboriginal cultural heritage survey over the Eastern Application Area was undertaken by IHS with Kurna representatives
- December 2023 – the Applicant commenced work with IHS and KYAC to undertake a GPR assessment over most of the Application Areas (currently underway)
- January 2024 – IHS met with the KYAC Board about the draft CHMP. The GPR assessment and the current whereabouts of the remains removed from site 6527-3017 were also discussed. The Applicant says that it has endorsed IHS to undertake further research to determine the status of site 6527-3017
- February 2024 – the KYAC Board formally endorsed the 2023 IHS report
- further meetings and presentations to the KYAC Board will be held in mid-2024.

The Applicant says that it is committed to ensuring Kurna representatives are engaged as part of the Project planning process over the life of the Project, including by:

- collaborating with Kurna representatives about the design and landscape works around and including site 6527-3017, so that the area is maintained as a place of reflection in line with Kurna wishes
- considering opportunities for Kurna input in the Project, including naming, native planting, artwork, signage, and other elements that would incorporate Kurna culture and history into the development
- exploring the possibility of constructing a pedestrian/cycling connection between the residential development of the Project with the open space that would be created around and including site 6527-3017.

SECTION 13 CONSULTATION

Prior to considering whether to grant any authorisation under the Act, section 13 requires the Minister to take all reasonable steps to consult with the Committee, Traditional Owners, and any other Aboriginal parties with an interest.

An Aboriginal Community consultation meeting will be held for Traditional Owners and any other interested Aboriginal parties from **10:00 am on Thursday 20 June 2024** at the **South Adelaide Football Club (the 'Zone Room')** at **1 Lovelock Drive, Noarlunga Downs SA 5168**. Lunch will be provided. **Please RSVP for catering purposes.**

To RSVP to attend the Community meeting please call 8429 9419 or email AAR.CIR@sa.gov.au

Invitation for submissions from interested Aboriginal parties

Verbal and written submissions are now invited from all interested Aboriginal parties about the Project. Consultees may make a submission to AAR in person, by phone, letter, or email. Anyone in receipt of this consultation information pack is encouraged to share it with other Aboriginal parties who may have an interest in the Project.

This document is available online at agd.sa.gov.au/heritage-applications.

CONSULTATION CLOSES ON FRIDAY 5 JULY 2024.

The Committee will consider all submissions received by the due date.

Aboriginal people with an interest in this matter are encouraged to contact AAR to learn more about the Project and to lodge a submission.

All consultation feedback, RSVPs, submissions and/or requests for further information should be addressed to:

Mr Peter Kapisiris
Senior Project Officer (Heritage), AAR
Mail: GPO Box 464, ADELAIDE SA 5001
Email: AAR.CIR@sa.gov.au
Telephone: (08) 8429 9419

When making a submission, consultees should consider and respond to at least the following questions:

1. **Should the authorisations sought by the Applicant be granted? Why or why not?**
2. **If the authorisations are granted, what conditions (if any) should be imposed on them?**
3. **Will the Project provide you with any direct or indirect benefits (e.g. cultural, financial or personal)?**
4. **Are there any other matters the Minister should consider when deciding this application?**

Consultees may request AAR to keep any cultural information in their submission confidential. These requests will be facilitated where possible in line with procedural fairness principles.

Otherwise, all submissions will be forwarded to the Applicant in full for comment. Once the consultation period has closed, consultee submissions and the Applicant's comments about them will be forwarded to the Committee, and the Committee's advice will then be sought.

AAR will collate all submissions, the Applicant's responses to them, the Committee's advice, and its own recommendations to the Minister's delegate to assist them to make a final decision about the application.

AAR is available to answer questions or provide further information about the application at any time **prior to consultation closing on Friday 5 July 2024.**

Thank you for taking the time to consider this document. If you are an interested Aboriginal party, AAR encourages you to make a submission about this application.

AAR is available to assist people to record submissions if they have any difficulty in doing so.

Attachments:

Attachment 1: Map of Application Areas

Attachment 2: Indicative Project Plan showing Stages

Attachment 3: Map of Application Areas and known Aboriginal Heritage

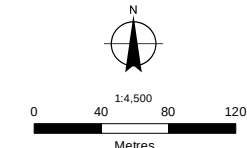
Attachment 4: Archaeological sensitivity map prepared by IHS

Attachment 5: Indicative landscaping concept plan provided by the Applicant



Noarlunga Downs

- Application Areas:
- Eastern Application Area
 - Western Application Area



Produced by: Aboriginal Affairs and Reconciliation (AAR)
Data sources: Aboriginal heritage - AAR
Topographic / cadastral - Location SA
Aerial imagery - See main map
Projection | Datum: Lambert Conformal Conic | GDA2020
Job No: 2024151_ApplicationArea
Compiled: 29/05/2024

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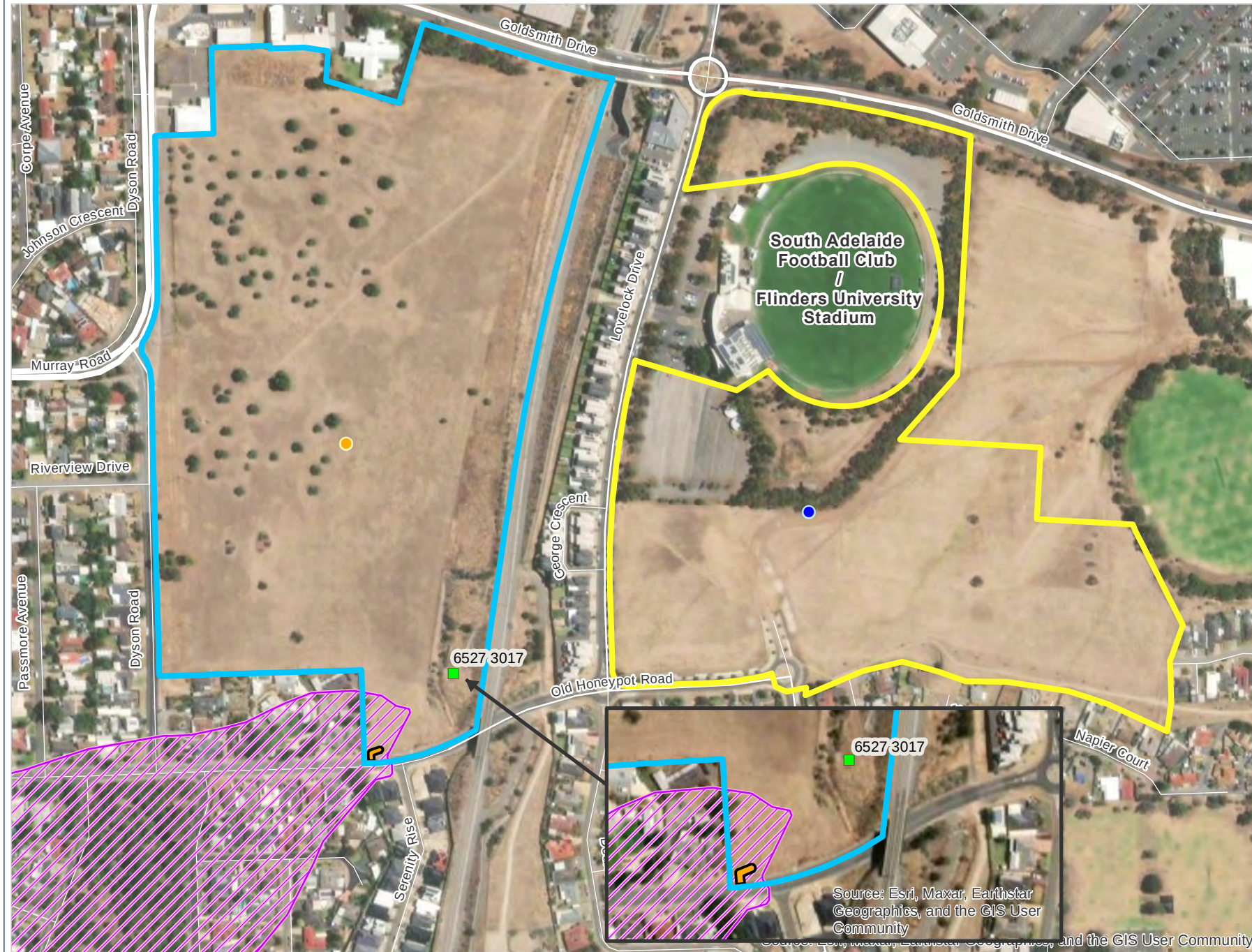
Attachment 2 – Indicative Project Plan showing Stages



Noarlunga Downs Residential Development

Sections 21, 23 and 29(1)(b) Application Areas and Aboriginal heritage – Renewal SA

CONFIDENTIAL



Noarlunga Downs

Application Areas:

- Eastern Application Area
- Western Application Area

Aboriginal Heritage

Site 6527-3017

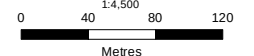
- Central archives location
- Likely location

Isolated discoveries

- Isolated artefact 1 - 2021
- Isolated artefact 2 - 2023

Ngangkparri

- Reported



Produced by: Aboriginal Affairs and Reconciliation (AAR)
Data sources: Aboriginal heritage - AAR
Topographic / cadastral - Location SA
Aerial imagery - See main map
Projection | Datum: Lambert Conformal Conic | GDA2020
Job No: 2024151_Imagery
Compiled: 28/05/2024

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Source: Esri, Maxar, Earthstar
Geographics, and the GIS User
Community





WESTERN PARCEL

- Embracing the organic flowing lines and patterns of the beach / coastal region, the design creates a premium development that promotes open space and active healthy living through a network of meandering paths with natural elements.
 - Predominantly native species, opportunities to create areas of urban forest to increase potential biodiversity corridors and tree canopy cover.
 - Community reserve space to encourage community interaction with each other, and opportunities for marketplace and community gardens.
 - Incorporation of green links and active loops and nodes to promote health and well being.
 - Neighbourhood level play spaces that utilise the grades of the land, tiered basins with viewing platforms create feature nodes.
 - Opportunity for artistic elements at nodal points.
 - Open vegetated swales to promote interaction and promote seasonal passive open spaces.
- ① Increase planting to create Urban Forest along corridor, promoting biodiversity and increase tree canopy. Buffer / screen planting, informal walking trails to promote healthy living and passive surveillance. Nodal points for seating opportunities and community garden spaces. Retain existing vegetation + enhance existing pedestrian connectivity by providing links into adjacent facilities and residential areas.
 - ② Community Reserve
Gathering, shelters, BBQ etc, potential for community garden/marketplace that provides 'point of incidence' where the community can meet and hold informal events.
 - ③ Playspace
Neighbourhood playspace with feature tower play element. Additional items to promote play and interaction, pieces for both junior and senior play.
 - ④ Kickabout
Open grassed area for active play
 - ⑤ Entry point
Entries- create focal entry points through feature planting, entry/artistic statement, potential signage
 - ⑥ 'Green' Shared Use link through the development. Incorporation of dense planting at points to increase biodiversity, nodal points for seating opportunities and community garden spaces. Incorporation of WSUD where appropriate.
 - ⑦ Tiered Basins with viewing platforms. Opportunity for Indigenous focus through artwork, signage.
 - ⑧ Reserve - community spaces, neighbourhood level play space to promote active play and recreation. Opportunity to incorporate Indigenous artwork.
 - ⑨ Indigenous themed reserve with Reflection area.
 - ⑩ Small neighbourhood reserves with lawned areas for passive play.

Landscape Masterplan

- Healthy living / path network
- Native species / urban forest
- Community reserves / interaction
- Green links
- Neighbourhood play spaces
- Artwork
- Vegetated Swales

Green Star Communities v1.1

Targeting a 5-6 Star Green Star Community

- Climate adaptation and community resilience
 - 7.5 Star NatHERS rating
 - Ventilated and shaded building services
 - Reduce heat island effect and light pollution
 - Minimum 5kW battery ready rooftop PV
 - Rainwater capture and storage
 - Recycled water public realm irrigation
 - CC Enhanced stormwater management
- Electric only development
- Best practice environmental construction controls
- CPTED
- WSUD / Recycled water for public irrigation
- Biodiversity landscaping improvements
- Walkability

Noarlunga Residential Design Guidelines



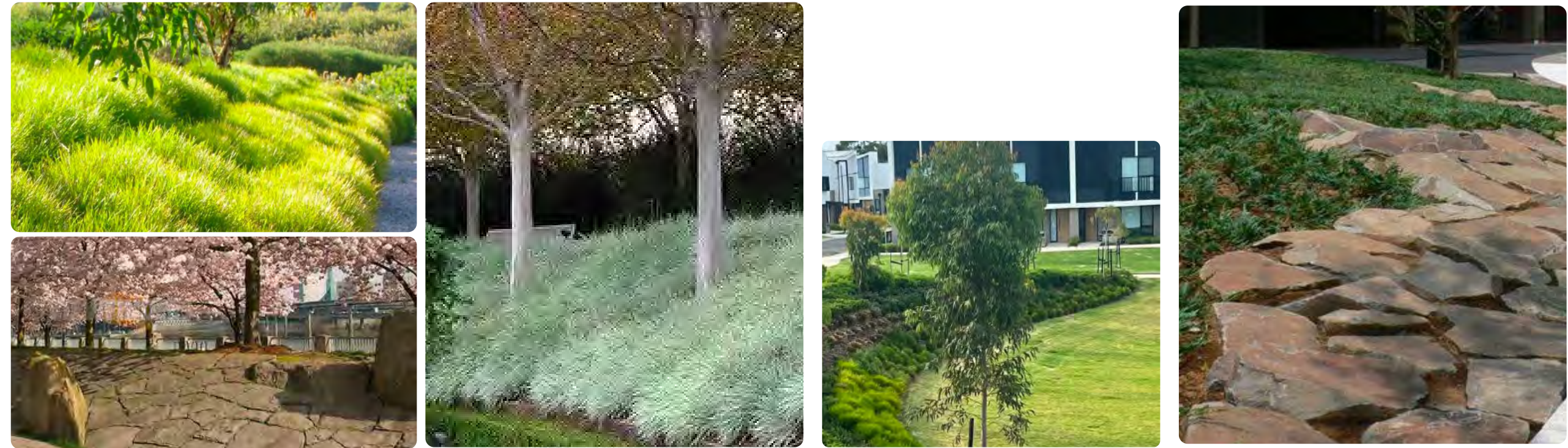
EASTERN PARCEL

- ① 'Green' Shared Use link through the development. Incorporation of dense planting at points to increase biodiversity, nodal points for seating opportunities and community garden spaces. Incorporation of WSUD where appropriate.
- ② Community Reserve
Spaces for gathering, shelters, seating, BBQ etc
- ③ Playspace
Smaller scale neighbourhood playspace with 4-6 items to promote play and interaction, pieces for both junior and senior play.
- ④ Kickabout
Open grassed area for active play
- ⑤ Entry point
Entries- create focal entry points through feature planting, entry/artistic statement, potential signage
- ⑥ Tiered Basins with viewing platforms. Opportunity for Indigenous focus through artwork, signage.
- ⑦ Small neighbourhood reserves with lawned areas for passive play.



ENTRY + FOCAL POINTS VISION

MASS PLANTING + ROCKWORK BATTERS



ENTRY STATEMENTS + ART

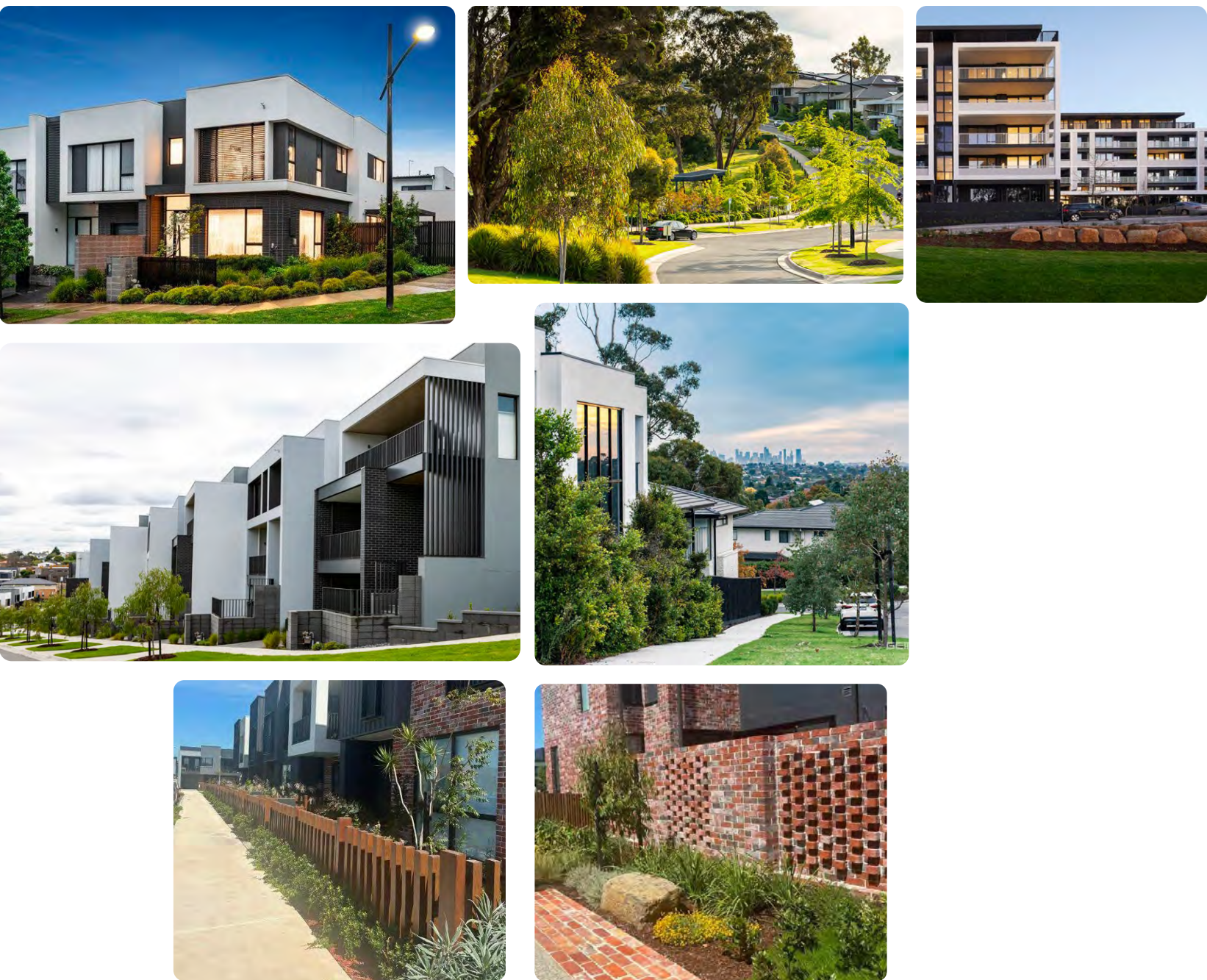


NODES + RESTING POINTS

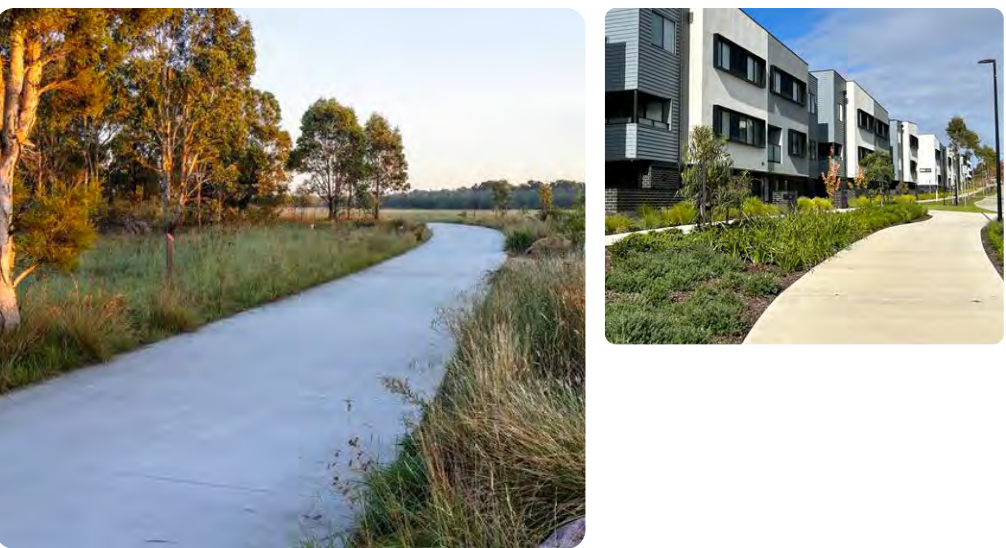


STREETSCAPE VISION

SLOPE TREATMENT
INTEGRATION OF LOT + VERGE LANDSCAPE



GREEN SHARED USE LINKS



OPEN SPACE VISION

STORMWATER TREATMENT + OPEN SPACE



NATURE PLAY



URBAN FOREST + INDIGENOUS FOCUSED TRAILS



- DESIGN APPROACH
- With larger parcels of openspace, the design looks at visual breaking up the openspace through creation of formal promenades and avenue trees that create long vistas that draw you through the reserves.
 - Large community reserves look to provide active recreational playspaces and community facilities all in the same reserve.
 - Predominantly native species, opportunities to create areas of urban forest.
 - Community reserve space with play to encourage interaction with opportunities for marketplace and community gardens.
 - Tiered basins with viewing platforms create feature nodes
 - Opportunity for artistic elements at nodal points

ACTIVE, COMMUNITY + PLAY SPACES



STREETSCAPE VISION

MAXIMUM CANOPY COVER + DENSE PLANTING



WSUD



INCREASE BIO-DIVERSITY



- DESIGN APPROACH
- Formal promenades and avenue trees that create long vistas that draw you through the reserves. Creation of a 'Green Link' through the development with opportunities for WSUD and recreation.
 - Predominant use of native species for low water usage and encourage bio-diversity through the site
 - Opportunity for artistic elements at nodal points
 - Creative treatment of corner allotment landscape where slope is prominent
 - Integration of verge and lot landscape to create seamless treatment