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NATIONAL PARKS AND WILDLIFE ACT 1974

The Former La Perouse Aboriginal Reserve and Mission Aboriginal Place

Pursuant to s.84 of the *National Parks and Wildlife Act 1974*, I, the Minister for Environment and Heritage, being of the opinion the place known as The Former La Perouse Aboriginal Reserve and Mission is, and was, of special significance to Aboriginal culture, declare the lands described in schedule "A" as an Aboriginal Place.

The Former La Perouse Aboriginal Reserve and Mission is a deep time place (Gooriwal) that speaks of Country, story and connection to Aboriginal people across NSW and Australia. Continuing cultural practices, interwoven with the land and sea environment, have been maintained for millennia and extend beyond its boundaries. Cultural practices that occur on site, such as fishing and the sharing of catches, shellwork, and gathering bush tucker instil a great sense of wellbeing and responsibility for conservation of resources in the extended Aboriginal community and demonstrates a continual and deeply held respect for the place.

The Former La Perouse Aboriginal Reserve and Mission is a place that is associated with the history of oppression survived by Aboriginal people. At the same time, it is also a place where Aboriginal families have experienced a sense of great freedom and connection. This is particularly expressed in the ability of communities to continue cultural practices on the La Perouse headland and Kamay-Botany Bay. It is a place that provides evidence of the great resilience of Aboriginal people in the face of repeated government interference – at several points in the 19th and 20th centuries, governments sought to move the Aboriginal community out of Frenchmans Bay and La Perouse, but the community refused to go, and the place remains a testament to the resilience of Aboriginal people.

The Former La Perouse Aboriginal Reserve and Mission has exceptional significance with a physical connection to Aboriginal survival after European settlement. This is a living place that has spanned traditional lifestyles; a place for camping and meeting/gathering into the 1870s; an official reserve and mission from the 1880s to the 1930s; and is connected to Aboriginal housing today. Families have maintained connections throughout this evolving history; some of the Aboriginal community of La Perouse can trace an unbroken connection to the land for over 7,500 years. The Timbery family can trace their ancestors back to Gooriwal in pre-contact times.

Traditional connections are primarily with Saltwater people, the Dharawal language group and the Bidjigal or Bediagal, traditionally associated with the Sydney coast. The Former La Perouse Aboriginal Reserve and Mission is associated with the history of early Aboriginal and European encounters in Kamay-Botany Bay. This living place has continued to foster Aboriginal people's self-definition and creative expression following European invasion.

Many Aboriginal families have produced Aboriginal artefacts, broadcast their associations with country and shared cultural knowledge with tourists. Joe Timbery presented Queen Elizabeth with a boomerang during her 1954 visit. Aboriginal artists and musicians, sportspeople, public thinkers and cultural leaders have been nurtured and inspired by the La Perouse Aboriginal community. Activism and public protests to secure Aboriginal rights have a long and proud history in and around the Former La Perouse Aboriginal Mission and the place retains rich historical associations with individuals such as Queen Emma and the Timbery family, Old Mr Foster and Joe Anderson.

Together with Redfern, La Perouse became the urban Aboriginal face of coastal Sydney. The two places are linked socially through marriage and half a century of Aboriginal activism. They are also now linked to virtually every Aboriginal community across the country, and these ongoing connections weave a strong history of political activism, political and civil agitation for Aboriginal rights and a continuing pathway toward Aboriginal self-determination.

The story of La Perouse is a remarkable story of survival through cultural strength. The land may change but the stories remain.

The Hon James Griffin MP
Minister for Environment and Heritage

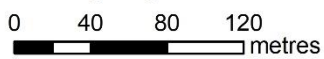
Sydney this 23rd day of February 2023

SCHEDULE "A"

All those pieces or parcels of land known as Lot 7047 DP1027269, Lot 1778 DP752015, Lot 2622 DP752015, Part Lot 184 DP752015, Part Lot 7306 DP1139143 in the Parish of Botany, County of Cumberland, approximately 3.18 hectares or 6 acres, being the area defined by red boundary line in the following diagram.



**Aboriginal Place:
Former La Perouse Aboriginal Reserve and Mission
Botany Bay**



Scale: 1:3,000 @A4
Datum/Projection: GCS GDA 1994
Date: 28/02/2023



- Aboriginal Place
- LGAs
- Suburbs
- Land Parcels
- Roads

HERITAGE ACT 1977

**NOTICE OF LISTING ON THE STATE HERITAGE REGISTER
UNDER SECTION 37(1)(b)**

Wingello Park
14597 Hume Highway, Marulan

SHR No. 02066

In pursuance of section 37(1)(b) of the *Heritage Act 1977 (NSW)*, the Heritage Council gives notice that the item of environmental heritage specified in Schedule A has been listed on the State Heritage Register in accordance with the decision of the Minister for Environment and Heritage made on 21 February 2023 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule B.

Heritage Council of New South Wales

SCHEDULE A

The item known as Wingello Park, situated on the land described in Schedule B.

SCHEDULE B

All those pieces or parcels of land known as Part Lot 2 of Deposited Plan 1138469, Parish of Uringalla, County of Argyle shown on the plan catalogued HC 3291 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

ORDER UNDER SECTION 57(2) TO GRANT SITE SPECIFIC EXEMPTIONS FROM APPROVAL

Wingello Park
14597 Hume Highway, Marulan

SHR No. 02066

I, James Griffin, the Minister for Environment and Heritage, on the recommendation of the Heritage Council of New South Wales, in pursuance of section 57(2) of the *Heritage Act 1977* (the Act), do, by this my order, grant an exemption from section 57(1) of the Act in respect of the engaging in or carrying out of any activities described in Schedule C by the owner, mortgagee, manager or lessee of the land described in Schedule B on the item described in Schedule A.

The Hon James Griffin MP
Minister for Environment and Heritage

Dated at Sydney, 21st Day of February 2023

SCHEDULE A

The item known as Wingello Park, situated on the land described in Schedule B.

SCHEDULE B

All those pieces or parcels of land known as Part Lot 2 of Deposited Plan 1138469, Parish of Uringalla, County of Argyle shown on the plan catalogued HC 3291 in the office of the Heritage Council of New South Wales.

SCHEDULE C

The following activities described below under 'Exemptions' are exempted from Heritage Council approval under Section 57(1) of the Act:

Exemptions

1. Existing approvals

All works and activities in accordance with a current and valid development consent in force at the date of gazettal for listing Wingello Park on the State Heritage Register.

2. Modification of approved 11 lot rural subdivision

The modification of 539/0607/DA (or 45/1011/MOD) to alter the subdivision layout to be in accordance with the document:

- *Wingello Park Marulan. Proposed State Heritage Listing. Submission on behalf of Twynam Investments PL. Prepared by Paul Davies Pty Ltd, dated 8 June 2022.*

3. Uringalla Creek maintenance

All activities and works associated with the maintenance and upkeep of the creek including the removal of weeds and other detritus.

4. Rural fencing

The installation, repair, renewal, or removal of rural fencing where works do not adversely impact the significance of any known or potential State significant heritage item.

Note: This exemption does not apply if archaeological relics are likely to be present as advised by a suitably qualified and experienced archaeologist.

5. Road maintenance and upgrades

a) All works and activities associated with the maintenance and repair of the private roadway lying within the State Heritage Register curtilage.

(b) All works and activities associated with the upgrading of the private roadway lying within the State Heritage Register curtilage in accordance with the rural road provisions (7.2.2) of the Goulburn Mulwaree Development Control Plan 2009 (or other Development Control Plan applying to the State Heritage Register curtilage).

6. Tree removal

The removal of dead or dying trees. If these trees are/were considered to be of significance according to an assessment by a qualified heritage professional, they are to be replaced by trees of the same or similar species in the same location within a period of 12 months.

Note: Tree removal must not disturb archaeological relics (for example through stump grinding or removal of tree boles), in such situations stumps and tree boles should be left in place.

7. Watering systems

The installation of underground watering systems within the fenced paddocks to the north and west of the Wingello Park homestead complex.

Note: This exemption does not apply if archaeological relics are likely to be present as advised by a suitably qualified and experienced archaeologist.

8. Farm buildings

The installation of farm buildings, as defined by the *Goulburn Local Environmental Plan 2009* (or any legislation that replaces this plan), outside of the areas shaded blue (homestead complex) and green (view cone from the homestead complex) on the attached plan, under the conditions that:

(a) The new structure does not result in any physical or visual impacts to any structures, buildings, or cultural features identified to be of State significance within the Wingello Park State Heritage Register listing.

(b) The new structure does not result in the disturbance of potential or identified archaeological relics in accordance with Section 139 of the *Heritage Act 1977*.

9. Water Tanks

Existing water tanks

(a) All works and activities associated with the maintenance and repair of the existing water tanks within the State Heritage Register curtilage.

(b) The replacement of the existing water tanks under the condition that the replacement structure does not exceed the existing footprint.

New water tanks:

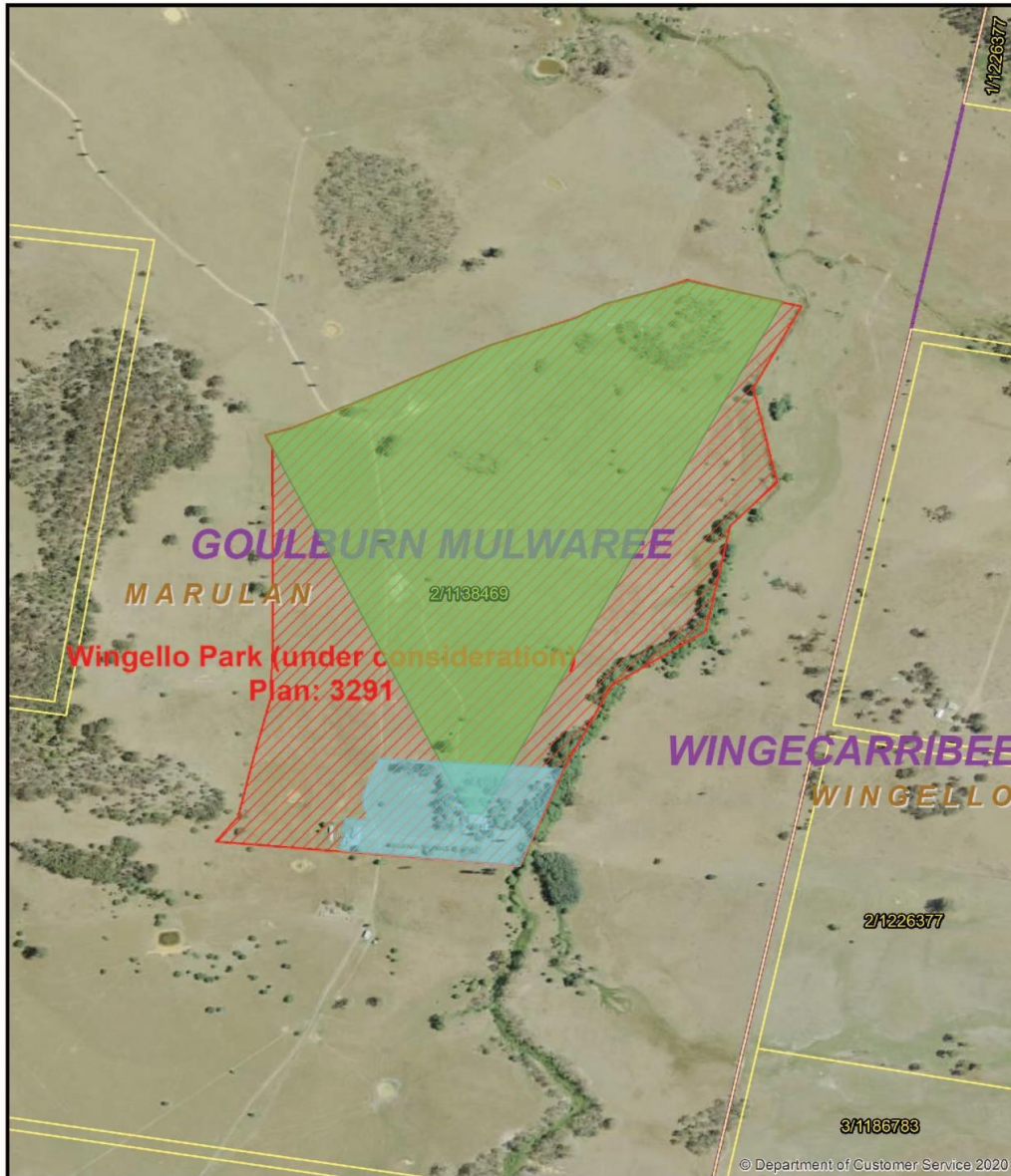
This installation of new water tanks outside of the areas shaded blue (homestead complex) and green (view cone from the homestead complex) on the attached plan, under the conditions that:

(a) The new structure does not result in any physical or visual impacts to any structures, buildings, or cultural features identified to be of State significance within the Wingello Park State Heritage Register listing.

(b) The new structure does not result in the disturbance of potential or identified archaeological relics in accordance with Section 139 of the *Heritage Act 1977*.

Attached Plan: Wingello Park – State Heritage Register curtilage with Homestead Complex (shaded blue) and associated view cone (shaded green)

Heritage Council of New South Wales



State Heritage Register - Proposed Curtilage for Investigation:
Wingello Park

Marulan. Plan: 3291

0 80 160 320 Meters

Scale: 1:9,000 @A4
Datum/Projection: GCS GDA 1994
Date: 15/06/2022



Legend

- Proposed Curtilage
- SHR Curtilage
- LGAs
- Suburbs
- Land Parcels