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Preliminary Aboriginal Cultural Heritage Assessment

206 Fotheringay Rd Clarence Town 2321

Report to
Perception Planning

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East Coast Heritage & Archaeology

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1.0 Introduction

1.1 Background

This preliminary report has been prepared at the request of Perception Planning to assess the potential Aboriginal cultural heritage impacts associated with a proposed development application located at 206 Fotheringay Rd Clarence Town NSW.

This report will support due diligence by:

1. identifying whether or not Aboriginal objects are, or are likely to be, present in the area;
2. determining whether or not the proposed activities are likely to harm Aboriginal objects (if present); and
3. determining whether an Aboriginal Heritage Impact Permit (AHIP) application is required.

1.2 Legislative Context

The *National Parks and Wildlife Act 1974*, administered by Heritage NSW, is the primary legislation protecting some aspects of Aboriginal cultural heritage in NSW. Section 86 of that Act deals with harming and desecrating Aboriginal objects.

'Aboriginal object means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.'

Under Section 86 of the NPW Act, it is an offence to 'harm' an Aboriginal object. 'Harm' means any act or omission that:

1. destroys, defaces, damages or desecrates the object
2. moves the object from the land on which it had been situated or
3. causes or permits the object to be harmed.

The NPW Act provides several defences to prosecution for an offence. Where a person either knows or does not know they are harming an Aboriginal object, a person has a defence under Section 87 where:

- the harm or desecration concerned was authorised by an Aboriginal heritage impact permit, and the conditions to which that Aboriginal heritage impact permit was subject were not contravened
- due diligence was undertaken, and it was reasonably determined that no Aboriginal object would be harmed
- was work on land that has been disturbed for maintenance of existing roads, fire and other trails and tracks, maintenance of existing utilities and other similar services
- the land is disturbed if it has been the subject of human activity that has changed its surface, being changes that remain clear and observable.

Harm does not include something that is trivial or negligible.

2.0 The Due Diligence Process

The regulations under the Act set out a generic *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* for initial assessment, as well as a *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* to assess the significance and extent of archaeological evidence (in order to apply for an AHIP), identified as a result of a Due Diligence Assessment.

In NSW, proponents should take reasonable and practicable steps (due diligence) in relation to proposed activities to ensure those activities do not harm an Aboriginal object or a declared Aboriginal Place (where applicable).

Heritage NSW (Department of Premier and Cabinet) sets out a stepped process for assessing Aboriginal heritage within a land-use planning context and whether an activity is likely to cause harm to an Aboriginal Object or a declared Aboriginal Place (under the *NPW Act*). The following is the process as outlined by Heritage NSW.

Will your activity cause harm?

If the proposed activity will harm an Aboriginal object or a declared Aboriginal Place you will need to apply and be granted an Aboriginal Heritage Impact Permit before the activity can take place.

An Aboriginal Heritage Impact Permit (AHIP) is the legal instrument issued by Heritage NSW under Part 6 of the National Parks and Wildlife Act 1974. Section 90 relates specifically to AHIPs. You must apply and be granted an Aboriginal Heritage Impact Permit before the activity can take place. An AHIP can be issued, transferred, varied, surrendered, revoked or suspended.

Consultation with Aboriginal People

It is a fundamental right of Aboriginal people to determine the cultural significance of their heritage. It is a mandated requirement for AHIP applicants to consult with Aboriginal people who hold cultural knowledge that will help to determine the cultural significance of Aboriginal objects and/or places in a proposed project area. The Aboriginal community does not have a legal role in preliminary archaeological work. However, it is prudent that the Local Aboriginal Land Councils and/or Traditional Owners are engaged from the outset. The *Aboriginal Cultural Heritage Consultation Requirements for Proponents* outlines how to consult with Aboriginal people.

These requirements:

- Apply to all activities throughout NSW that have the potential to harm Aboriginal objects or places and that require an AHIP

Due Diligence

The *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (Due Diligence Code of Practice) can be used by individuals or organisations who intend to undertake activities that could harm Aboriginal objects.

Due diligence is not mandatory and is not required in all circumstances.
While due diligence is not mandatory in all circumstances, it is commonly undertaken to demonstrate compliance and may provide a defence under Section 87 where it is reasonably determined that no Aboriginal object would be harmed.

The Due Diligence Code of Practice provides guidance on a process you can follow to determine whether:

- Aboriginal objects are present in an area,
- Aboriginal objects will be harmed by an activity,
- further investigation is warranted,
- the activity requires an AHIP application.

If Aboriginal objects are present in the area of a proposed activity, an Aboriginal cultural heritage assessment of the area must be conducted.

Following the Due Diligence Code of Practice can provide a legal defence against prosecution for harming Aboriginal objects if, after following due diligence, it was determined Aboriginal objects were unlikely to be present.

Due diligence cannot be used in some circumstances, for example:

- in declared Aboriginal Places
- to support planning proposals and major projects.

In these instances, and if Aboriginal objects are present in the area of a proposed activity, an Aboriginal Cultural Heritage Assessment must be conducted.

Whilst the above requirements are noted, the council only requires a preliminary assessment at this stage.

Investigate and Assess

The investigation and assessment of Aboriginal cultural heritage is undertaken to:

- identify whether Aboriginal cultural values and objects are present
- assess the nature and extent of Aboriginal cultural values and objects.
- assess the harm a proposed activity may cause to Aboriginal objects and declared Aboriginal Places.

This process provides a way to identify the harm that your activities will cause clearly, and what is avoidable and what is not.

2.1 Assessment Personnel

Principal Archaeologist Tim Roberts JP (Grad. Dip. Archaeology & Heritage Management, Grad. Dip. Management, BA [Business/Geography], B Education) undertook the research, assessment and report. Tim gained valuable experience working at Myall Coast Archaeology under the mentorship of Len Roberts for three years. Following this, he took over the family business in 2022 and rebranded it as East Coast Heritage and Archaeology. Tim is trained in the latest human skeletal identification and recovery and stone tool identification techniques through Flinders University.

Tim has a wealth of experience across a broad range of industries. Having owned & managed a range of successful businesses, projects and developments, Tim has 15 years of management and leadership experience in both the private and public sectors, including local government, not-for-profit organisations and community groups. He has completed archaeological, cultural heritage and heritage, projects for various planning and surveying companies, Local and State Governments and large organisations. He has cultivated strong connections with Local Aboriginal Land Councils and Traditional Owners. Tim is well known for his negotiation and project management skills and has completed many Due Diligence assessments, archaeological and cultural heritage investigations and assessments. Tim is a member of the Karuah Aboriginal Land Council, and the business is a member of the NSW Indigenous Chamber of Commerce and Supply Nation.

2.2 Aboriginal Community Consultation

According to the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (2010), formal consultation with Aboriginal people is not a mandatory requirement of the due diligence process. However, proponents may choose to engage with Aboriginal representatives where appropriate, particularly to assist in understanding local cultural context and to inform decision-making.

Consultation with the Local Aboriginal Land Council (LALC) was undertaken as part of this preliminary assessment. See Section 7.0 Visual Assessment.

3.0 The Assessment

3.1 Description of Land and Activity

The subject property is located at 206 Fotheringay Road, Clarence Town NSW 2321, on the south-western edge of the Clarence Town village within the lower Hunter Valley. The property comprises approximately 4.03 hectares of gently undulating rural land overlooking the Williams River valley and forms part of a broader pastoral landscape transitioning to low wooded hills associated with the Columbey and Wallaroo ranges.

The surrounding area is characterised by rural residential allotments and grazing land. Clarence Town was established in the early nineteenth century as a river port at the head of navigation on the Williams River, with surrounding lands progressively developed from the 1820s as small agricultural holdings. Properties along Fotheringay Road historically formed part of this agricultural hinterland and were used primarily for farming and grazing, rather than intensive settlement.

Desktop historical research has not identified any documented historical structures, industries or significant events associated with the subject allotment. The land appears to have remained in agricultural use throughout the nineteenth and twentieth centuries, with the current rural residential character reflecting a late twentieth-century transition from farming to small-acreage residential development. The property contains a single-storey brick dwelling constructed in approximately 1999, along with associated outbuildings, fenced paddocks, access infrastructure and two artificial farm dams. These works, together with earlier land clearing, pasture improvement and grazing, have resulted in extensive disturbance to ground surfaces across much of the site. Existing vegetation is dominated by introduced pasture grasses with scattered trees and limited secondary regrowth.

The site lies within the traditional lands of the Gringai people, associated with the Worimi and Wonnarua cultural groups. While no Aboriginal sites or objects are known to be recorded on the subject property based on available desktop information, Aboriginal occupation of the Williams River valley is well documented, with known sites concentrated along river margins and crossings. The subject land, located on elevated ground set back from the river, is more likely to have formed part of a broader resource and movement landscape rather than a primary habitation area.

The proposed activity involves the subdivision of the existing allotment into five rural residential lots. The proposal will require ground-disturbing works associated with subdivision infrastructure, access formation and future dwelling envelopes. These impacts would occur within a landscape that has already been substantially modified by historical agricultural use and late twentieth-century residential development, which is likely to have reduced surface archaeological integrity in affected areas.

A site locality is shown in **Figure 1**, and an aerial image of the subject property is shown in **Figure 2**.

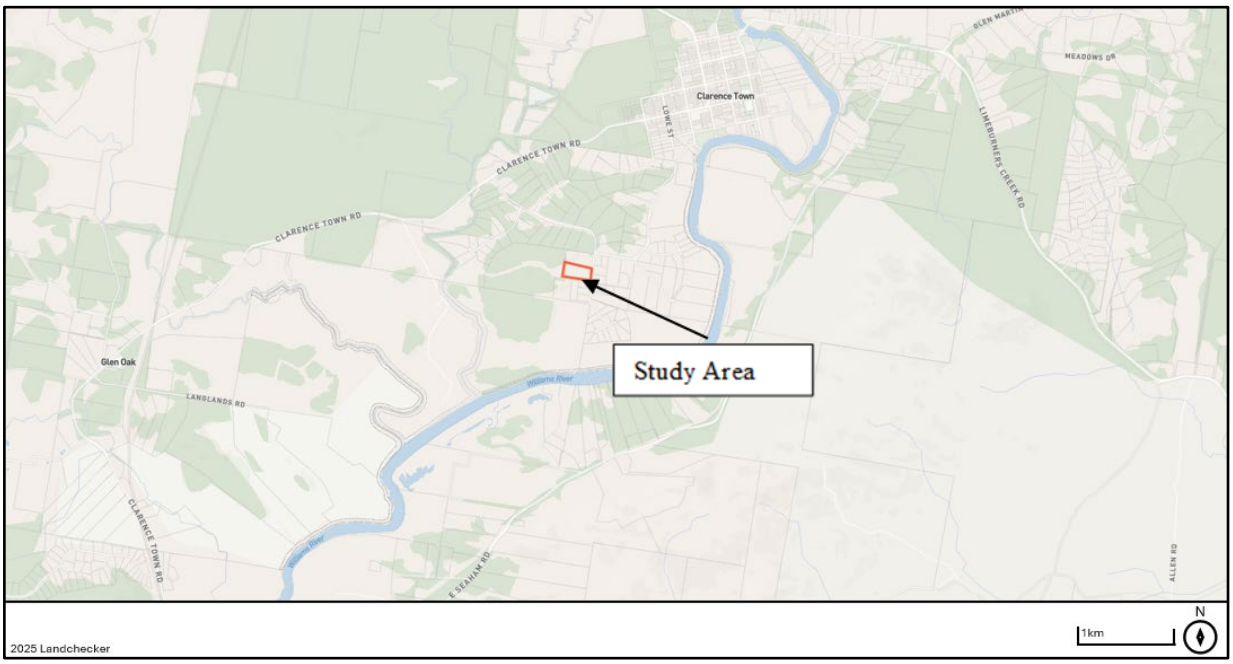

Figure 1: Image of site locality (Source: LandChecker 2026)

Figure 2: Aerial image of the property area 2025 (Source: LandChecker 2026).

3.2 Is the Land defined as "Disturbed Land" or an exempt or complying development?

The proposed study area can be described as disturbed. **Figure 3** shows an aerial image taken in 1967. This image illustrates the property as cleared of vegetation. **Figure 4** presents a 1993 aerial photograph illustrating the property with the same cleared and maintained vegetation. **Figure 4a** presents a 2001 image depicting the property with maintained vegetation, a residential dwelling towards the centre of the block and a dam in the north-western corner along the creek line. The study area, therefore, meets the definition of disturbed land under the *NPW Act* in that the changes are clear and observable. This does not in itself make the activity exempt; proposed ground disturbance still requires due diligence.

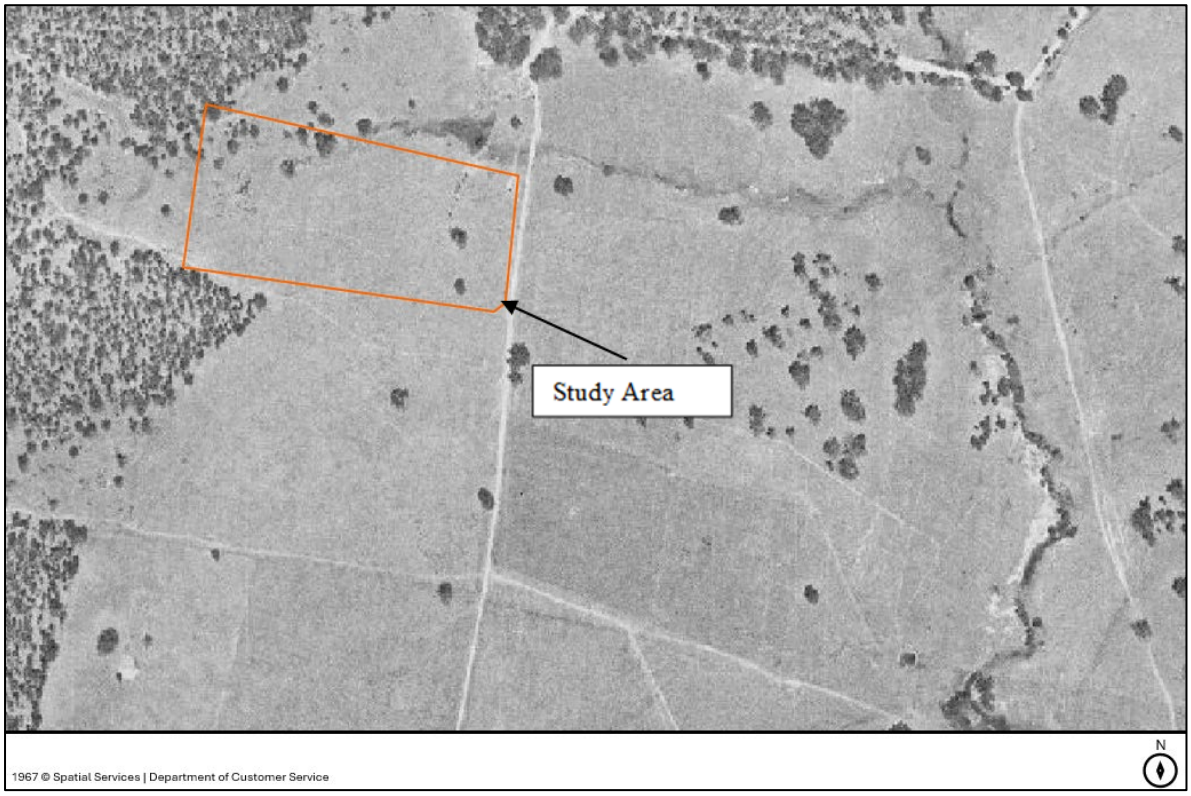

Figure 3: 1967 Aerial image (Source: NSW Historical Image viewer, 2026**)**

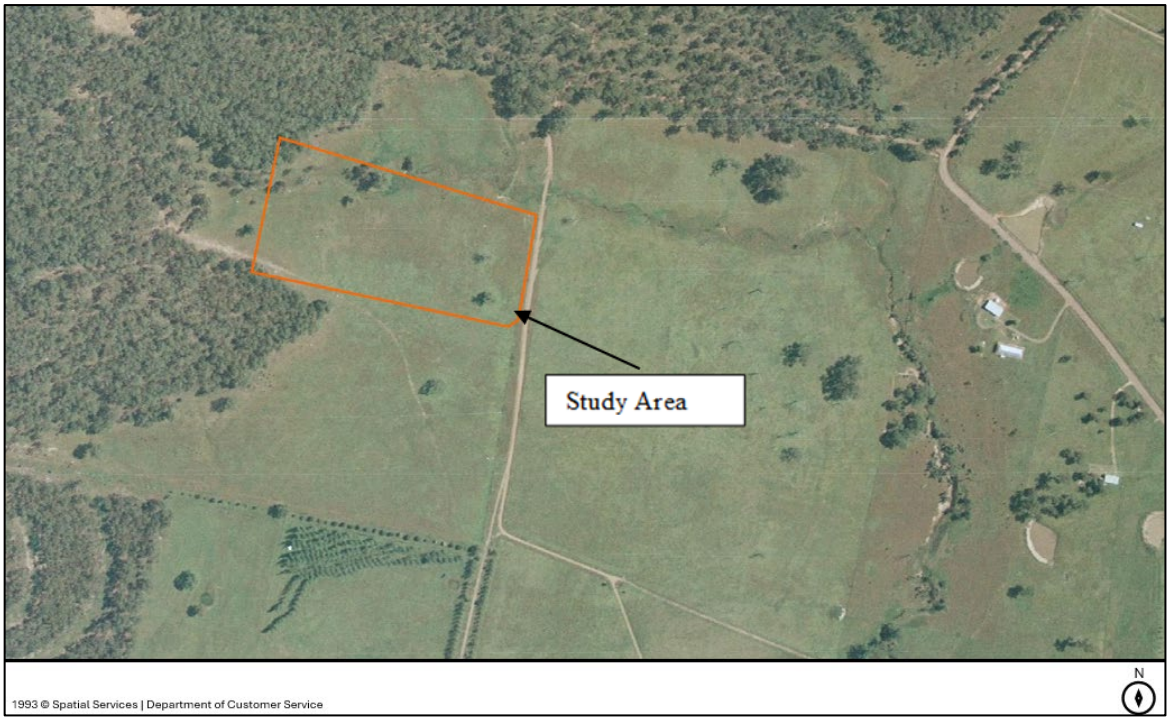

Figure 4: 1993 Aerial image (Source: NSW Historical Image Viewer, 2026**)**

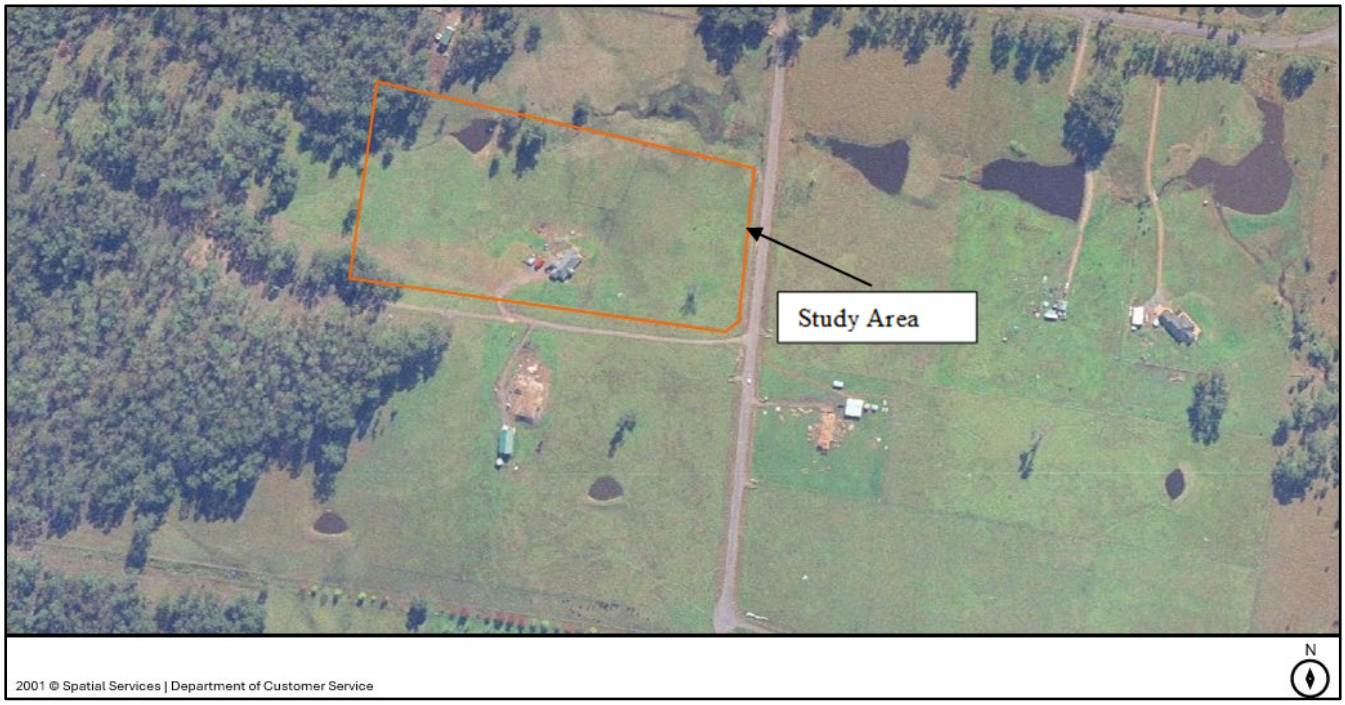

Figure 4a: 2001 Aerial image (Source: LandChecker, 2026**)**

3.3 Is the activity exempt?

The proposed activity is **not an exempt activity** under the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*, as it involves ground-disturbing works.

3.4 Will the activity involve harm that is trivial or negligible?

No

3.5 Is the activity in an Aboriginal Place or are you already aware of Aboriginal objects on the land?

No

3.6 Is the activity a low-impact activity for which there is a defence in the regulation?

No

3.7 Will the activity disturb the ground surface?

Yes, the proposed development will involve excavation of the earth's surface.

3.8 Does the Aboriginal Heritage Information Management System suggest potential?

No Aboriginal objects or sites are recorded within 1 km of the subject property

3.9 Is there archaeological potential because the proposal is:

- **within 200m of waters;**
  No – the Williams River is located approximately 1 km to the north and south of the property.
- **located within a sand dune;**
  No
- **located on a ridge top, ridgeline, or headland;**
  No
- **located within 200m below or above a cliff face;**
  No
- **within 20m of or in a cave, rock shelter, or a cave mouth;**
  No

3.10 Can harm be avoided to the object or disturbance of the landscape feature?

n/a

3.11 Is a desktop assessment and visual inspection required?

Yes, and visual inspection with the Local Aboriginal Land Council was conducted.

3.12 Are further investigations and impact assessment required?

No. While the broader landscape contains recorded Aboriginal sites and therefore has archaeological potential, the extent of prior disturbance and the absence of identified objects indicate that further investigation is not warranted at this stage.

4.0 Desktop Assessment

4.1 Methodology

The analysis and assessment of the study area's archaeological potential and the impact of the proposal required the completion of the following;

- *Research*
  This involved reviewing primary and secondary sources, including written materials, maps, plans, the AHIMS database, and other reports.

- *Predictive modelling;*
  This involved analysing the research to produce a model of possible archaeological deposits within the study area. To conduct the analysis of the research material effectively and consistently the following aspects were examined:

    1. Aboriginal heritage values
    2. Archaeological record
    3. Previous Studies
    4. Landscape
    5. Soils
    6. Geological Features
    7. Past land use

4.2 Aboriginal Heritage Values

Aboriginal heritage is dynamic and encompasses both tangible and intangible expressions of culture that connect Aboriginal people across generations. It includes relationships with Country, people, beliefs, law, language, knowledge, symbols, land, waters and objects, all of which arise from ongoing spiritual and cultural associations (Australian Heritage Commission 2002).

Aboriginal heritage includes landscapes and places that are significant under customary law, tradition, history and contemporary cultural practice. These places may hold spiritual, social, ecological or historical value. Aboriginal occupation of NSW extends back at least 50,000 years, and evidence of this occupation is expressed not only through archaeological material but also through stories, memory and continuing cultural association. For this reason, any assessment of landscape impact must consider both physical evidence and broader heritage values.

SOCIAL

Aboriginal social organisation was based on interconnected family and clan groups rather than isolated populations. Small residential groups moved within defined areas, but maintained strong relationships with neighbouring groups through marriage, ceremony, exchange and shared cultural obligations.

Earlier anthropological models used terms such as "tribe" and "band" to describe these social units. While terminology has changed, the key point is that Aboriginal societies were structured, adaptive and regionally connected, with identity often expressed through kinship, language and shared use of Country.

These relationships shaped movement, resource use and cultural practice across the landscape, and help explain why Aboriginal heritage is best understood within a broader regional and social context rather than as isolated site locations.

LOCATION

Aboriginal territories and patterns of land use are widely understood to have been closely linked to drainage systems, river catchments and prominent landforms. In eastern Australia, river valleys, floodplains, coastlines and major water bodies typically supported higher levels of occupation and movement due to the concentration of food, water and other resources.

Archaeological evidence across south-eastern Australia shows that Aboriginal sites are commonly concentrated near reliable water, including coasts, large rivers, lakes and major creek systems. In contrast, areas with fewer permanent resources generally show lower evidence densities or more episodic use.

Regional studies also indicate a strong correlation between cultural areas and major catchments, reflecting the importance of water in shaping vegetation, food availability, travel routes and population distribution.

Suitable campsite locations were typically selected with regard to access to freshwater, food resources, shelter, drainage, visibility and seasonal comfort. Along the coast this often meant dunes or headlands near rock platforms and water sources, while inland camps were more commonly situated near reliable creeks or rivers, on level ground with good drainage and some protection from prevailing winds.

In general, Aboriginal people used a wide range of environments and moved through Country in response to seasonal resources, social obligations and environmental conditions. Travel routes commonly followed waterways, ridgelines and links between resource zones, reinforcing the importance of broader landscape setting in heritage assessment.

According to Horton (1994), the Aboriginal groups relevant to the study area form part of the Worimi language group, whose traditional lands encompass much of the coastal and lower riverine landscapes of the lower Hunter region, including the Williams River valley. The Worimi people comprised interconnected family and clan groups, including the Gringai, who occupied and moved throughout this region. Traditional patterns of land use were closely associated with reliable water sources such as rivers, creeks and wetlands, which provided access to food resources and functioned as natural travel corridors across the landscape.

Campsites were commonly established near permanent or semi-permanent water sources, with pathways linking neighbouring groups, resource areas and ceremonial places. These pathways generally followed creek lines, river corridors and ridgelines. The Worimi maintained social, cultural and economic relationships with neighbouring Aboriginal groups through established travel routes across the landscape. These connections facilitated the exchange of goods, knowledge and ceremonial practices and are reflected in the distribution of Aboriginal sites across river valleys and associated landforms.

Aboriginal occupation of the region was supported by an abundant and diverse resource base. As noted by Flood (1995, p.265), Aboriginal population density was closely related to the availability of food resources, which in turn was strongly influenced by access to water.

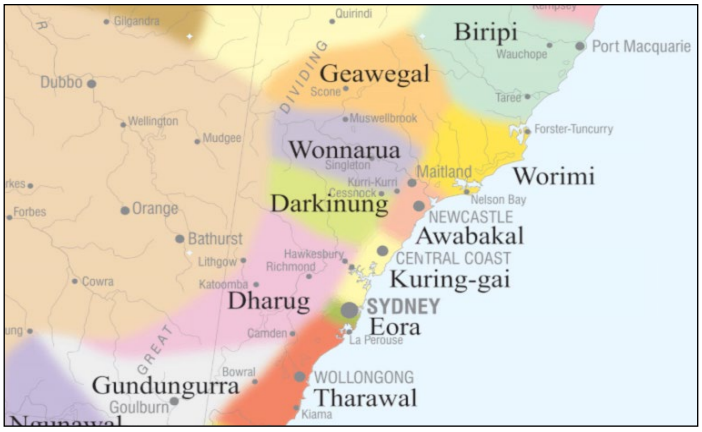

Figure 5 Horton's Map of Aboriginal Territorial Organisation

ENVIRONMENTAL IMPACT

Aboriginal use of fire had a significant influence on Australian vegetation patterns. Burning assisted with travel, signalling and hunting, and was also used to encourage regrowth, attract game and maintain access across the landscape.

Regular, low-intensity burning also formed part of longer-term resource management. It promoted fresh plant growth, improved hunting conditions and helped maintain open ground in many environments.

This practice is often referred to as “fire-stick farming”.

Early historical accounts and Aboriginal knowledge indicate that many parts of the landscape at the time of European contact were more open and park-like than they later became under altered land management regimes.

> "The extracts from letters, diaries and journals of early European settlers, explorers and government officials describe a parklike landscape of grasslands and grassed open forest lands with very few areas of thick forest. The cessation of regular burning following European settlement allowed the growth of a thick forest of young trees that, together with an increasing understorey, choked out the grasses."

Following European settlement, the cessation of regular cultural burning altered vegetation structure in many areas, contributing to denser understorey and changed ground conditions.

These burning practices were generally low intensity, reducing ground fuel loads without necessarily destroying mature trees.

Overall, fire was a versatile and important management tool that shaped travel, hunting and resource availability across Aboriginal cultural landscapes.

Gould (1980), "never encountered an occasion when a fire invaded an area that was already producing wild food crops". It seems that as well as increasing their future food supply; the Aboriginals also protected their present food resources. As Flood (1995) put it, “Fire is the most versatile and important tool of hunter-gatherers. It is used for warmth, light, cooking, hunting, signalling, track making, and, whether intentionally or not, had the effect of improving the food supplies of prehistoric Australia.”

RESOURCES

Resource availability was a key factor influencing Aboriginal population distribution and movement. Areas with dependable water and diverse food resources generally supported greater or more repeated use.

Where resources became less accessible, people could respond by shifting camp locations, adjusting travel patterns and making use of alternative resource areas.

Aboriginal economies were flexible and based on detailed knowledge of seasonal abundance, local ecologies and a wide range of plant and animal foods, rather than dependence on a single resource.

The simplicity and self-sufficiency of Aboriginal society were observed by Captain Cook in 1770 and cited in Beaglehole (1955).

> *"From what I have said of the natives of New Holland they may appear to some to be the most wretched people on earth, but in reality, they are far happier than we Europeans. They live in a tranquillity which is not disturbed by the inequality of condition: the air and sea of their own accord furnish them with all things necessary for life, they covet not magnificent houses, household stuff etc., they lie in a warm and fine climate and enjoy a very wholesome air, so that they have very little need of clothing and this may seem to be fully sensible of, for many to whom we gave cloth etc. to, left it carelessly upon the sea beach and in the Woods as a thing they had no matter of use for. In short, they seemed to set no value upon anything we gave them, nor would they ever part with anything of their own for any one article we could offer them; this in my opinion argues that they think themselves provided with all the necessaries of life and that they have no superfluities."*

4.3 Archaeological Record

A review of available desktop information, including Aboriginal Heritage Information Management System (AHIMS) search results, indicates that no Aboriginal objects or sites are recorded within a 1 km radius of the subject property. This suggests a low level of previously identified Aboriginal archaeological material within the immediate vicinity of the study area. It is noted, however, that AHIMS records reflect known and reported sites only, and not all land within the region has been systematically surveyed.

Within the broader Clarence Town locality, recorded Aboriginal sites are generally associated with the Williams River and key water crossings. These sites typically comprise open artefact scatters and areas of archaeological potential and reflect regional patterns of Aboriginal land use focused on reliable water sources, movement corridors and resource-rich environments within the Worimi cultural landscape.

The subject property is situated on gently undulating terrain set back from the Williams River and does not contain any permanent natural watercourses. This landform context is less consistent with areas where higher densities of Aboriginal archaeological material have been recorded in the region, which are more commonly located on river terraces, floodplains and at river crossing points. As such, the site is considered less likely to have supported intensive or repeated Aboriginal occupation.
The property has also been subject to extensive historical and modern disturbance, including long-term agricultural use, vegetation clearing, pasture improvement, construction of a dwelling and associated infrastructure in the late twentieth century, and the excavation of farm dams. These activities are likely to have reduced surface archaeological integrity across much of the site.

On this basis, while Aboriginal cultural heritage is known to be present within the wider Clarence Town landscape, the subject site exhibits low archaeological sensitivity, with no Aboriginal objects currently recorded within the study area. Nevertheless, standard due diligence measures remain appropriate, as the presence of unrecorded or subsurface Aboriginal objects cannot be entirely excluded.

4.4 Previous Studies

Review of previous archaeological and cultural heritage assessments provides an important baseline for understanding Aboriginal heritage within and around the Project Area. These studies inform predictive assessment by identifying regional patterns in site distribution, archaeological sensitivity and the environmental contexts in which Aboriginal objects are most likely to occur.

Aboriginal Heritage Due Diligence Assessment – Fotheringay Road, Clarence Town (Roberts 2011)
This due diligence assessment was prepared for a proposed subdivision on Fotheringay Road, Clarence Town, in close proximity to the subject site. The assessment identified the land as disturbed due to long-term pastoral use, including clearing, ploughing and pasture improvement. An AHIMS search undertaken for that project indicated that no Aboriginal objects were recorded within 1 km of the study area at the time. The report concluded that, while Aboriginal use of the broader Williams River landscape is well documented, the subject land was more likely to represent a peripheral resource area rather than an intensive occupation zone, with archaeological potential assessed as low in the disturbed pasture context.

Aboriginal Cultural Heritage Preliminary Assessment – 231 Glen William Road, Clarence Town (Roberts 2019)

This assessment was prepared for a proposed subdivision at Glen William Road, Clarence Town. The study reviewed AHIMS data, landform context and prior investigations and similarly reported no Aboriginal objects recorded within 1 km of the study area. The assessment identified extensive historical modification from grazing and rural land use and noted that recorded Aboriginal sites in the wider area are primarily concentrated along the Williams River and associated landforms. The study concluded that the subject land exhibited low archaeological sensitivity, with disturbance likely to have reduced surface integrity.

M1 Pacific Motorway Extension to Raymond Terrace – Aboriginal Cultural Heritage Assessment Report (Transport for NSW, July 2021)

This assessment was prepared for Transport for NSW to support the proposed extension of the M1 Pacific Motorway to Raymond Terrace and provides regional-scale context across the lower Hunter Valley. The study incorporated Aboriginal consultation, AHIMS review, background research and archaeological field investigations. Results demonstrate that Aboriginal sites in the region are most commonly associated with permanent watercourses, creek junctions, river terraces and locally elevated landforms adjacent to waterways. The report also highlights that extensive historical land use and infrastructure development have resulted in widespread disturbance, with archaeological material typically occurring at low densities and often within disturbed contexts.

Gloucester Gas Project Modification 1 – Pipeline Realignment

This large-scale linear infrastructure assessment provides broader regional context across the Hunter Valley, including areas north-west of Clarence Town. The study incorporated AHIMS review, predictive modelling and targeted field investigation along pipeline corridors and associated infrastructure. The assessment demonstrated a strong relationship between Aboriginal site distribution and proximity to permanent watercourses and creek lines, while also noting that extensive agricultural disturbance frequently results in low-density or disturbed archaeological deposits. The report emphasises that the absence of surface artefacts does not preclude subsurface material, though intact deposits are more likely to occur in less disturbed landforms adjacent to water.

Seaham Weir Pool Aboriginal Heritage Due Diligence Assessment (Umwelt 2023)

This assessment provides a detailed review of Aboriginal heritage along the Williams River corridor between Seaham and Clarence Town. The study documents a range of recorded site types along riverbanks, including artefact scatters, potential archaeological deposits, grinding grooves, modified trees, stone arrangements and a burial, confirming the river corridor as a key zone of archaeological sensitivity. Importantly, it also demonstrates that heavily disturbed riverbanks and cleared land generally exhibit low archaeological integrity, supporting a disturbance-based approach to archaeological risk assessment.

Comment
Local and regional studies show a consistent archaeological pattern across the Clarence Town and Williams River landscape. Aboriginal objects are more likely to occur near permanent or semi-permanent water and on relatively undisturbed landforms, while long-term pastoral use and soil disturbance reduce surface integrity and archaeological potential. In light of this evidence and the documented disturbance history of the subject site, the potential for intact in situ archaeological deposits is considered limited, although standard due diligence remains appropriate.

4.5 Landscape
Landscape characteristics influence how land is used and the kinds of Aboriginal evidence that may be present. Poorly drained ground is generally less suitable for campsites or burials, while elevated, better-drained areas, shelters and movement corridors may have had greater cultural and practical significance.

In many parts of NSW, later roads, stock routes and crossings followed earlier Aboriginal movement corridors shaped by topography and access between key landscape features.

This report applies standard landform classification principles set out in the *Australian Soil and Land Survey Field Handbook*. These principles distinguish between local landform elements observed at site scale and the broader geomorphic setting in which they occur. This framework assists in assessing archaeological potential by considering how landform influences visibility, preservation and past land use.
Relative elevation classes have been standardised and used throughout Australia. The standard text is called the *Soil and Land Field Handbook* (McDonald *et al*, 1990, Ed 2, p36). The landscape is divided into the following classes:

Landform	Relative Elevation
Plains	0-9 m
Rises	9-30 m
Low hills	30-90 m
Hills	90-300 m
Mountains	>300 m

Landforms are the product of geomorphic processes that can either preserve, conceal, expose or destroy archaeological material. Identifying landform type is therefore an important component of predicting where Aboriginal evidence may occur and how intact it is likely to be.

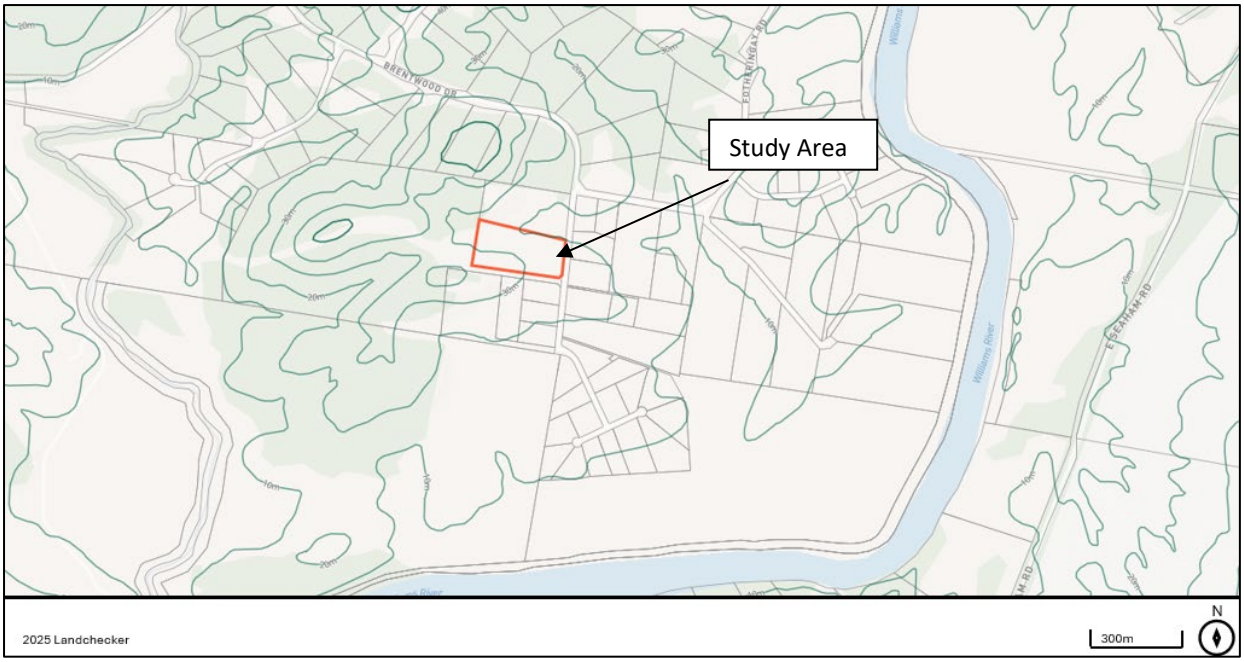

Figure 6: Topographical Map (Source: Landchecker, 2026)

Comment:

Figure 6 illustrates the topography of the subject property, which rises gradually from approximately 20 m AHD along the eastern boundary to around 30 m AHD toward the western boundary, with a more prominent hilltop of approximately 50 m AHD located to the north-west. This reflects a low-rises to low-hills landscape within the immediate locality.

This variation in topography would have influenced Aboriginal movement and land use. Better-drained elevated ground within the broader landscape would generally have been more suitable for movement and short-term activity than lower or less well-drained areas.

The site sits within a low rises to low hills landform setting shaped by erosional and depositional processes. Although the broader landform remains legible, long-term agricultural use has reduced surface integrity across much of the property and correspondingly lowers the likelihood and condition of surviving archaeological material.

4.6 Soils

Where assessment is limited to surface inspection, soil information is important because it helps indicate whether archaeological material may survive below ground, whether it may have been eroded or displaced, and whether depositional processes may have preserved buried material.

- archaeological evidence beneath the surface,
- archaeological evidence being destroyed through erosion or other natural phenomena,
- archaeological evidence preserved through soil/sand deposition.

Key soil characteristics for archaeological assessment include horizon depth, structure, texture, drainage and the degree of previous disturbance. More detailed interpretation of soil formation and archaeological preservation generally requires subsurface investigation.

The topsoil or A horizon is particularly relevant because it contains the greatest concentration of organic matter and is also the zone in which archaeological material is most often encountered. Disturbance or removal of this horizon can significantly reduce archaeological context and interpretive value.

Figure 7 illustrates the soil profile across the subject property. The site is underlain by Kurosols. Kurosols are characterised by a strong texture contrast between the surface (A) horizons and clay-rich subsoil (B) horizons, often with acidic subsoil conditions and restricted vertical water movement. These properties can influence drainage behaviour, promote surface runoff, and increase susceptibility to erosion where vegetation cover has been reduced.

From an archaeological perspective, the pronounced texture contrast within Kurosols means that Aboriginal archaeological material, if present, is most likely to occur within the upper soil horizons. However, these soils are also prone to disturbance and reworking under agricultural use, which can result in displacement or mixing of artefacts and a reduction in stratigraphic integrity.

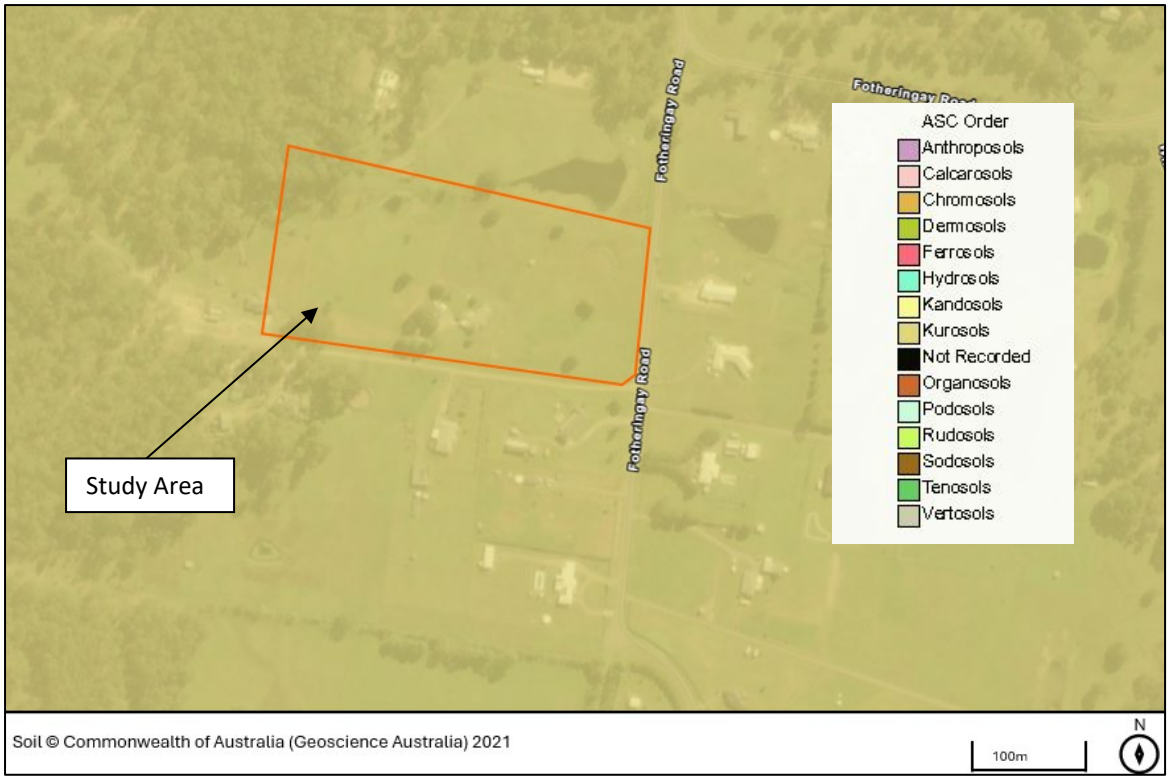

Figure 7: Environment NSW eSpade Soil Profile.

Comment:

The likelihood of recovering Aboriginal archaeological material within the Project Area is influenced by both the characteristics of Kurosol soils and the extent of prior disturbance. Kurosols typically comprise shallow surface horizons overlying dense clay-rich subsoils, which may retain near-surface material under stable conditions but are susceptible to disturbance through clearing, cultivation and infrastructure works.

Given the documented history of vegetation clearance, agricultural use and ongoing land modification, any Aboriginal artefacts that may be present are more likely to occur in disturbed or secondary contexts than as intact in situ deposits.

Having regard to the soil characteristics and disturbance history of the Project Area, the likelihood of recovering well-preserved Aboriginal archaeological material is considered low, although displaced material cannot be entirely excluded.

4.7 Geological Features

Geological information assists in identifying landscape characteristics that may have influenced Aboriginal land use, including stable land surfaces, shelter-forming lithologies and potential raw material sources for stone tools. The study area is underlain by Carboniferous sedimentary geology (Cs), including mudstone, sandstone and conglomerate that form low to moderate relief landscapes in the Clarence Town area.

In this setting, the geology does not generally create prominent shelters, escarpments or extensive exposures of high-quality siliceous stone suitable for systematic tool manufacture. Aboriginal evidence is therefore more likely to occur as dispersed surface or shallow subsurface material on stable landforms than as shelter-based or deeply stratified deposits.

When considered with the low rises to low hills landform and Kurosol soils, the geological setting suggests that any Aboriginal cultural material is most likely to occur within shallow surface horizons, with preservation and visibility strongly influenced by later land disturbance.
Comparison of geological mapping with soil mapping indicates a broad correspondence between the Carboniferous substrate and the development of Kurosol soils across the site, supporting the broader landscape interpretation presented in this assessment.

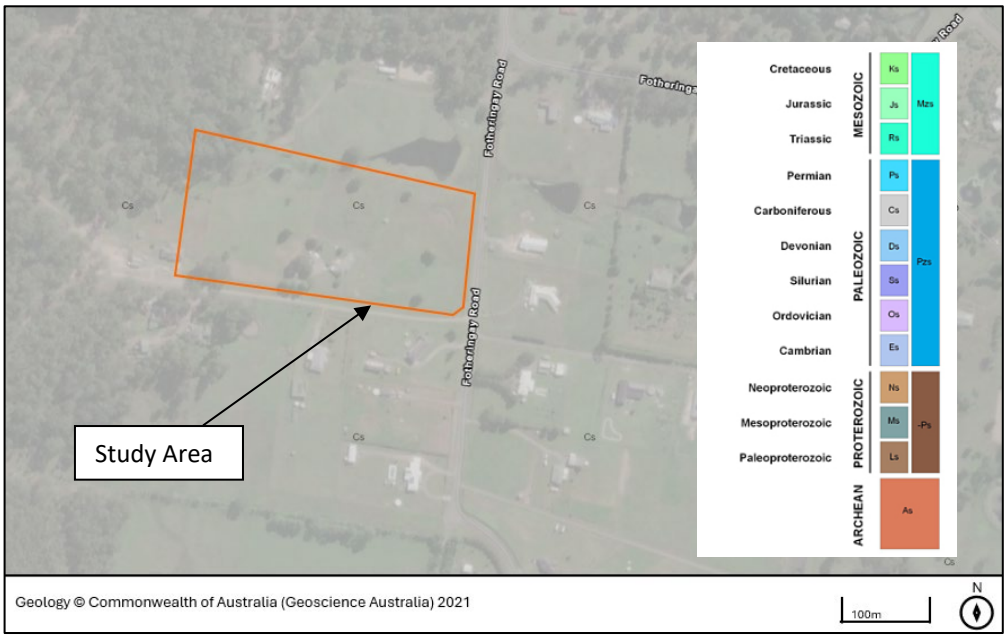

Figure 8 Geological Classification. (Australian Government Geoscience Australia)

<u>Comment:</u>

The Carboniferous sedimentary geology underlying the study area is not conducive to intensive or shelter-based archaeological sites because it lacks prominent shelters and local sources of high-quality stone suitable for tool manufacture. Any Aboriginal cultural material present is therefore more likely to occur as dispersed surface or shallow subsurface artefacts rather than as dense or stratified deposits.

The Kurosol soils developed on this substrate further influence archaeological potential. While these soils may retain near-surface material under stable conditions, the documented history of clearing, agricultural use and associated disturbance is likely to have compromised soil profile integrity.

In combination, the Carboniferous geology, low rises to low hills landform and disturbed Kurosol soils indicate a low likelihood of intact archaeological deposits, with any Aboriginal cultural material most likely occurring in disturbed or secondary contexts.

4.8 Past Land Use

Past Aboriginal activities are not always well represented in the archaeological record. Many cultural practices involved organic materials such as wood and bone, which do not preserve well, and even burials may be affected by soil chemistry and later disturbance.

More durable evidence such as stone artefacts has also been affected by post-contact land use. Collection, cultivation, grazing, vegetation clearance and other ground-disturbing activities can remove, displace, expose or conceal archaeological material and reduce its original context.

The study area likely formed part of a broader Aboriginal resource landscape. However, early European farming, clearing, cultivation and pastoral use have disturbed the soil profile to such an extent that the likelihood of intact archaeological evidence surviving within the study area is low.

Comment:

Previous Aboriginal activities are not well documented archaeologically due to the decay of organic materials and the displacement or removal of stone tools caused by European land practices. Agricultural practices have also reduced surface evidence, although they sometimes expose artefacts. The long history of landscape disturbance in this area has significantly decreased the chances of finding intact Aboriginal evidence. Despite being part of a resource zone utilised by Aboriginal people, European land use has diminished the potential for in situ recovery of cultural materials. Aboriginal objects have been documented in the area, and while isolated artefacts may exist in pockets, extensive disturbance makes it unlikely that intact evidence can be located. The landform of the study area has been so disturbed that any surface archaeological evidence is likely to have been destroyed.

5.0 Intangible Heritage

Intangible heritage refers to the practices, expressions, knowledge and skills communities recognise as part of their cultural heritage. It is passed down from generation to generation and constantly recreated by communities in response to their environment and history. It provides communities and individuals with a sense of identity and continuity.

Aboriginal intangible heritage includes:

- ceremony
- creation Stories
- skills involved in the creation of cultural items
- knowledge and skills associated with medicinal plant use
- language
- dance
- song
- a wide range of other cultural expressions and knowledge systems.

Recording and acknowledging the ownership of all aspects of Indigenous cultural heritage, whether tangible or intangible, is crucial. Gaining consent from those who own that heritage ensures that the exchange of information from them is demonstrable and transparent. It helps to ensure that the context, purpose or intent of cultural heritage is preserved, appropriately represented and authentically presented. This also properly accounts for the content that may impact Indigenous peoples' rights to manage, control and transmit their cultural heritage.

Stories may also hold significant importance for broader areas of the Country and may overlap or interconnect, sometimes over great distances, to contribute to or build a much larger narrative. The recounting and transmission of stories ensure that designs and processes for representing the stories of the Country are carefully managed and protected. The non-physical process of creating or recreating the designs to tell a story of the Country in the environment includes processes of trust, status, kinship, intention, and rights given to tell the story.

Aboriginal intangible heritage often has a strong relationship with the landscape. The Australian landscape, at the time of European settlement, was the oldest continuing cultural landscape. For Aboriginal Australians, their land contained cultural and social meanings developed through the long occupation of their respective landscape (lands and waters and skies and air). They continue to see and perceive today their Country as being full of the places and objects that their ancestors left them as a living legacy.

Clarke, P.A. (2014) put it well in his article, *The Aboriginal Australian cosmic landscape. Part 1: The ethnobotany of the Skyworld* (Journal of Astronomical History and Heritage, 17(3), 307–335).

> *"To an Aboriginal, everything in their Country is alive and everything is embodied in relationships, whereby the past, present, and future are one, and where both spiritual and physical worlds of the Country interact. The Dreaming is an ongoing celebration and reverence for past events: the creation of the land, the creation of law, and the creation of people. Stories have been given to and vested in Aboriginal peoples from the Dreaming, everything comes into being through the expression or journey through the story, and the Dreaming is the ancestors. All things exist eternally in the Dreaming; the Dreaming is alive. The individual is born to Country, not just in Country but from Country, and his or her identity is inextricably and eternally linked to the Dreaming."*

Thus, there are a large number of special places associated with Aboriginal history and connection to the country that Aboriginal people celebrate and enjoy today.

Comment:

Past land use by the Worimi people was underpinned by a detailed understanding of the local environment and a rich intangible cultural heritage transmitted through oral traditions, ceremony, language and social practice (Tindale 1974; Horton 1994). Archaeological and ethnographic evidence indicates that Worimi people utilised a wide range of environments across the lower Hunter region, including river corridors and creeklines for fishing and the collection of aquatic resources, floodplains and open woodland for hunting and plant gathering, and elevated landforms and stable terraces for movement, occupation and ceremonial activities. Intangible heritage values, including knowledge of seasonal resource availability, cultural protocols governing land stewardship, and spiritual associations with waterways and key landscape features, guided these practices and reinforced social and kinship connections across generations. These relationships underpin Worimi identity and reflect an enduring connection to Country.

The study area forms part of the broader Worimi cultural landscape of the lower Hunter Valley. While this assessment has been informed by a site inspection and a review of available archaeological, environmental and historical data, no formal consultation with Aboriginal knowledge holders regarding site-specific intangible heritage values has been undertaken at this preliminary assessment stage. Accordingly, discussion of intangible heritage is based on published regional and ethnographic sources and does not seek to identify or interpret site-specific intangible values associated with the subject property. Notwithstanding this limitation, it is acknowledged that the landscape retains cultural and spiritual significance for Worimi people today as part of their ongoing connection to Country.

6.0 Impact Assessment

6.1 Key Principles in Determining Occupation Pattern

Roberts (2009) identified seven key principles for assessing probable Aboriginal land use and occupation patterns. These principles have been applied to the current study area to place the Project Area within its Aboriginal cultural and environmental context.

1. Proximity to water

The Project Area is not located on a permanent watercourse but lies within the broader Williams River catchment, with the Williams River located to the west of the site. While direct access to permanent water is limited within the property, the broader landscape would have allowed movement between water sources. Proximity to water would have influenced patterns of travel and resource use rather than sustained occupation within the Project Area.

2. Food resources

The surrounding environment would have provided access to a range of terrestrial plant and animal resources typical of cleared woodland and pasture landscapes. While these resources may have supported opportunistic or short-term use, the absence of permanent water and the modified nature of the landscape suggest the area was unlikely to have supported intensive or long-term occupation.

3. Geological features

The Project Area is underlain by Carboniferous sedimentary geology (Cs), which does not produce shelter-forming rock outcrops or local sources of high-quality stone suitable for tool manufacture. As a result, the area is unlikely to have supported occupation focused on rock shelters or quarrying activities, with stone raw materials likely obtained from other locations within the broader regional landscape.

4. Ease of access

The landscape comprises low rises to low hills, with gentle slopes rising from approximately 20 m AHD in the east to around 30 m AHD in the west, and a higher hilltop located to the north-west. These landforms would have been readily accessible on foot and suitable for movement by people of all ages.

5. Connectivity

The Project Area forms part of the broader Worimi cultural landscape of the lower Hunter Valley. Movement through the area would have followed natural corridors such as ridgelines and drainage lines, which also influenced the alignment of later European roads, including Fotheringay Road. The site likely functioned as part of a broader movement and resource landscape rather than a focal occupation area.

6. Safety

The area does not present significant natural hazards and would have offered a generally safe environment for short-term use. However, the absence of natural shelters and permanent water reduces its suitability for prolonged occupation, particularly during adverse weather conditions.

7. Archaeological evidence

No Aboriginal objects or sites are recorded within 1 km of the Project Area, and no Aboriginal objects were identified during inspection. Given the documented history of vegetation clearance, agricultural use, Kurosol soil characteristics and Carboniferous geology, the likelihood of encountering intact subsurface Aboriginal archaeological material within the development footprint is considered low. Any archaeological material present would most likely occur in a disturbed or secondary context.

Comment:

Aboriginal people regard all Aboriginal sites and places as culturally significant, as they represent both tangible and intangible connections to past occupation, cultural practice and ongoing relationships with Country. The Project Area forms part of the broader Worimi cultural landscape of the lower Hunter Valley, within which waterways, ridgelines and movement corridors hold cultural importance. While physical archaeological evidence within the immediate footprint is limited, the broader cultural context underscores the need for appropriate respect and heritage management during the proposed works, including adherence to due diligence and unexpected finds procedures.

6.2 Landscape Significance Assessment

It is important to note that the significance of an Aboriginal cultural landscape is not determined solely by the presence or integrity of physical archaeological material. Rather, significance derives from the interconnectedness of landforms, waterways, movement corridors and cultural values that together form a broader Aboriginal cultural landscape. A holistic understanding of this landscape allows recognition of both tangible and intangible associations between Aboriginal objects, places and Country.

Using the criteria outlined by the Australian Heritage Commission (1998) and the Burra Charter (2013), the Aboriginal cultural heritage significance of the study area is assessed as follows.

Social Value

Social value relates to the spiritual, traditional, historical or contemporary associations a place may hold for the present-day Aboriginal community. The study area forms part of the broader Worimi cultural landscape of the lower Hunter Valley, within which waterways, ridgelines and movement corridors hold cultural significance. While no specific contemporary social or spiritual associations with the immediate Project Area have been identified through this assessment, this reflects the scope of the assessment and the absence of Aboriginal consultation at this preliminary stage rather than a definitive absence of social value. The broader landscape context indicates that social value may exist or be articulated through future engagement with the Worimi community.

Historic Value

Historic value refers to associations with people, events or activities important to the history of an Aboriginal community. No specific post-contact Aboriginal historic events or places have been identified within the immediate Project Area. However, Aboriginal occupation of the Williams River catchment and surrounding landscapes is well documented. The absence of identified historic associations within the Project Area is likely influenced by extensive landscape modification and limited historical documentation rather than an absence of Aboriginal history.

Scientific Value

Scientific value relates to the archaeological research potential of a place. The scientific value of the study area is assessed as low. Although aspects of the landscape are consistent with landforms associated with Aboriginal land use, the Carboniferous geological setting, Kurosol soils and extensive history of land disturbance significantly reduce the likelihood of intact or stratified archaeological deposits. Should Aboriginal objects be identified during works, they would retain scientific value as evidence of Worimi land use, though most likely within a disturbed context.

Aesthetic Value

Aesthetic value refers to the sensory and scenic qualities of a place and their cultural resonance. The study area comprises a modified rural landscape that does not retain strong visual or sensory characteristics indicative of past Aboriginal use. Ongoing agricultural activity, infrastructure development and vegetation management have reduced the ability of the landscape to convey a distinct Aboriginal aesthetic or sense of place.

Landscape Significance Comment:

The study area forms part of the broader Worimi cultural landscape of the lower Hunter Valley, within which landforms, waterways and traditional movement routes retain cultural meaning. While physical archaeological evidence within the immediate Project Area is limited and the landscape has been substantially disturbed, its location within this wider cultural landscape means it retains cultural relevance. Any remaining significance is therefore expressed primarily through landscape-level and intangible associations rather than through discrete or intact archaeological features. This context reinforces the importance of appropriate heritage management, respect and caution during the proposed works, notwithstanding the low archaeological potential identified for the Project Area.

7.0 Visual Assessment

A visual assessment of the Project Area was undertaken on Tuesday 5th May 2026 at approximately 9:30 am. The inspection was conducted under overcast weather conditions and involved a walkover of the site with the Site officer from Worimi Local Aboriginal Land Council, Mr Jaimie Merrick.

The purpose of the visual assessment was to confirm current site conditions, identify any visible Aboriginal cultural heritage material, and assess the extent and nature of prior ground disturbance relevant to archaeological potential. The inspection focused on areas proposed for development and their immediate surrounds, including landforms associated with the creek line and previously modified surfaces. Observations made during the assessment informed the evaluation of archaeological potential and the application of a risk-based approach under the Due Diligence Code of Practice. Photographic records were taken during the inspection and are provided below to document existing site conditions at the time of assessment.

7.1 Visual Assessment Results

This section summarises the findings of the visual inspection undertaken within the Study Area. Observations made during the inspection are supported by photographic records provided below, which document existing site conditions, indicators of prior ground disturbance. These observations have informed the assessment of archaeological potential and Aboriginal cultural heritage risk within the proposed development footprint.

Plate 1: Path of visual inspection

Plate 2: Study area. Along the southern boundary looking north towards the property. The photo shows the residential dwelling, outbuilding and modified landscape.

Plate 3: Study area. From the north-western boundary looking south, showing modified landscape and maintained vegetation used for equine paddocks.

Plate 4: From the north-western boundary looking east, showing modified landscape and maintained vegetation used for equine paddocks.

Plate 5: Rear of the house. Photo shows the land as disturbed, with vegetation removed and maintained for the equine paddocks.

7.2 Visual Assessment Summary Conclusion

The visual inspection of the Project Area did not identify any Aboriginal objects or cultural heritage features. The property was observed to have been previously disturbed, with evidence of historical ground modification and widespread young vegetation regrowth across the site. Ground surfaces appeared reworked and altered, indicating past disturbance that has affected the integrity of original soil profiles. Grass cover was present across much of the site, limiting ground surface visibility and potentially obscuring any surface artefacts. No intact land surfaces were identified within the inspected areas. Based on the level of disturbance observed, the nature of limited vegetation regrowth, and the absence of visible cultural material, the likelihood of intact Aboriginal archaeological deposits occurring within the assessed area is considered low.

8.0 Summary and Analysis

Review of the desktop assessment, including Aboriginal cultural background information, archaeological records, landscape characteristics, historical aerial imagery and the results of the visual inspection, provides an understanding of past land use and the potential for Aboriginal cultural heritage to occur within the Project Area. The site is located within the broader Worimi cultural landscape of the lower Hunter Valley, where Aboriginal occupation and movement were closely associated with major waterways, ridgelines and natural movement corridors.

Historical aerial imagery indicates that the property has been subject to vegetation clearance and ongoing land use for several decades, resulting in sustained ground disturbance across much of the site. While the environmental setting is consistent with landforms utilised by Aboriginal people for movement and short-term activity, the absence of permanent water within the Project Area, combined with Kurosol soil characteristics and Carboniferous sedimentary geology, constrains the potential for intact or stratified archaeological deposits. Any Aboriginal objects, if present, would most likely occur within shallow surface or near-surface contexts.

The visual inspection confirmed that the site has been previously disturbed, with ground surface visibility limited by pasture and vegetation cover. No Aboriginal objects or cultural heritage features were identified, and no intact land surfaces were observed. On this basis, while the Project Area forms part of a culturally significant broader landscape, the likelihood of encountering intact Aboriginal archaeological material within the proposed works footprint is considered low.

Notwithstanding this assessment, it is acknowledged that Aboriginal cultural heritage extends beyond physical archaeological evidence and includes landscape-level and intangible values associated with Worimi Country. Accordingly, appropriate due diligence and unexpected finds procedures remain relevant during the proposed works.

9.0 Recommendations

Following consideration of the landscape context, Aboriginal occupation patterns, AHIMS information, and the results of the visual assessment, it is concluded that the proposed works may proceed without further Aboriginal cultural heritage assessment, subject to the following recommendations.

1. The consent authority advises the proponent that any consent does not give approval to harm an Aboriginal object. Under the *National Parks and Wildlife Act 1974*, all persons must ensure that harm does not occur to an Aboriginal object. If human skeletal remains are found during the activity, work must stop immediately, the area must be secured to prevent unauthorised access, and the NSW Police and Heritage NSW must be contacted. The *National Parks and Wildlife Act 1974* requires that, if a person finds an Aboriginal object on land and the object is not already recorded on AHIMS, they are legally bound under Section 89A to notify Heritage NSW as soon as possible of the object's location.
2. Management protocols should be developed that detail the measures to be taken if Aboriginal objects of significance or a nature not anticipated, such as burials or ceremonial items, are discovered during construction activities on the site, as per Schedule 1.
3. All site workers and contractors should be trained in Aboriginal cultural heritage awareness or inducted to the area and informed of their obligations under the *National Parks and Wildlife Act 1974*. The proponent has a duty of care to ensure that each worker understands their individual responsibilities under the Act.

10.0 Certification

This report was prepared in accordance with the brief issued by Perception Planning to assess the Aboriginal cultural heritage considerations associated with a proposed development application at 206 Fotheringay Rd Clarence Town, and was undertaken to support due diligence. To the best of our knowledge, the report accurately reflects the archaeological assessment, findings, and results.

Whilst every care has been taken in compiling this report to determine the proposal's potential impact on Aboriginal heritage and to demonstrate due diligence, ECHA can neither warrant nor guarantee that due diligence has been met. The individual or proponent is responsible for ensuring that full due diligence has been undertaken.

Signed

Tim Roberts
Archaeologist
14/05/26

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Maps

Central Mapping Authority

Topographical Map NSW 25k East. Copyright © 2010 NSW Department of Lands

Aboriginal Australia

Source*: Aboriginal Australia by David R. Horton. Names and regions as used by D. Horton in his book "The Encyclopaedia of Aboriginal Australia" published in 1994 by Aboriginal Studies Press for the Australian Institute of Aboriginal and Torres Strait Islander Studies.*

Australia Geology

Source: *Specially compiled in 1979-80 by G.W-Addario, W.D. Palfreyman, A.J. Stewart, J.M. Bultitude and R.A. Chan, Bureau of Mineral Resources, Geology and Geophysics, Canberra. Geological data published and unpublished information by BMR, State geological surveys, the Commonwealth Scientific and Industrial Research Organisation, universities and companies.*

Australia Soil Resources

Source: *Specially compiled 1976-77 by K.H. Northcote, Division of Soils, CSIRO, Adelaide, from 'A Soil Map of Australia' (1:5000 000) accompanying A Description of Australian Soils by K. H. Northcote and others(Commonwealth Scientific and Industrial Research Organisation, Australia, 1975*

eSPADE

eSPADE provides access to soil profile and soil map information published by the NSW Department of Planning, Industry and Environment, including map data, reports and images, primarily sourced from the NSW Soil and Land Information System (SALIS). Source: State of NSW and Department of Planning, Industry and Environment 2021.

NearMaps (2024)

www.nearmaps.com.au

NSW Spatial Collaboration Portal

The Spatial Collaboration Portal provides a secure platform to facilitate the delivery of NSW spatial datasets. The Portal allows local, state, and federal agencies to deliver spatial data, asset management and visualisation services and enables the search and discovery of datasets for all NSW citizens
Source: https://portal.spatial.nsw.gov.au/portal/apps/sites/#/home

Six Maps

This service provides access to cadastral and topographic information, satellite data and aerial photography for New South Wales. Developed by NSW Government. https://maps.six.nsw.gov.au/

Historical, Aerial and Satellite Imagery

Spatial Services holds a wide range of aerial photography and other historical imagery of NSW for viewing and purchase. Aerial Imagery is captured across NSW and is available in a range of years from the 1930s through to current.
https://www.spatial.nsw.gov.au/products_and_services/aerial_and_historical_imagery

Geoscience Australia – Australian Government

https://portal.ga.gov.au/

12.0 Glossary

Aboriginal Sites

Occupation Sites
Evidence of human occupation, which includes food remains, stone tools, baked clay, fire-blackened and fire-cracked stones and charcoal, is found in a range of sites known collectively as occupation sites

Shell middens
These sites are found on the coastline and along the edges of rivers and lakes, It is a deposit composed of the remains of edible shellfish and also usually contains fish and animal bones, stone tools and campfire charcoal.

Rock shelters with archaeological deposit
In rock outcrops such as sandstone and granite, overhangs sometimes form creating useable shelters. Sediments from fires, roof fall. discarded stone tools and food remains form a deposit protected within the shelter and this deposit can be excavated by archaeologists to study patterns of Aboriginal life.

Open campsites
These sites are mostly surface and associated sub¬surface scatters of stone artefacts, sometimes with fireplaces. They exist throughout the landscape and are the most common site type in rural areas, While found in all environmental locations larger and denser sites tend to be found on riverbanks and lower slopes racing watercourses, as well as ridgelines and other areas that offer movement routes. The study or open sites can assist in understanding patterns of Aboriginal land use.

Base camp
This is the name applied to the major or main area of habitation. They tended to be close to a permanent water source and food source. Generally well sheltered. These camps would be rotated for hygiene reasons. They are different to smaller open campsites, which were mainly camps on transport routes or overnight areas on hunting forays.

Aboriginal Reserves and Missions
These places are very important to Aboriginal people today. Although Aboriginal people were often moved to reserves by force and were restricted by harsh regulations, the reserves became home to many people, where they and their families were born, lived and died. Historic cemeteries at many reserves are still cared for by the local Aboriginal community.

Rock Paintings
Aboriginal paintings are found on the ceilings and walls of rock shelters, which occur wherever suitable rock surfaces and outcrops, exist. Figures include humans, kangaroos, emus, echidnas, grid patterns, animal tracks, boomerangs, axes, hand stencils and other motifs. Paintings are made with white, red, yellow and black pigments. The motifs may be drawn, painted or stencilled, and charcoal drawings are common as well.

Rock Engravings
These occur usually where there is a suitable exposure of fairly flat, soft rock or in rock overhangs. The outlines of motifs were made by hitting the rock surface with a sharp stone to make small holes or pits. Sometimes the pits were jointed to form a groove, by rubbing with a stone. People, animal shapes and tracks are common as well as non-figurative designs such as circles.

Grinding Grooves
Grooves are located on flat rock exposures close to a stream or rock hole. They vary in size but are generally long (about 30-40cm in length) and elliptical in shape. Stone axes were ground into the softer stone allowing a

working edge to be created or sharpened- Deeper grooves may have been used to work spears or other thin implements.

Quarries
Quarry sites occur wherever there are outcrops of siliceous or igneous rock. Stone material was used in creating stone tools, which in turn were used to work wood and provide people with tools to assist in hunting and gathering activities. Siliceous rock is easily flaked and made useful cutting and scraping tools whereas igneous rock was preferred for edge-ground tools, particularly axes.

Ceremonial grounds
These sites were used for initiation ceremonies, marriages, tribal meetings and other important functions and are of great significance to Aboriginal people. Bora rings, which are one or more raised earth rings, were used for male initiations.

Stone arrangements
These range from simple stone mounds to complex circles and pathways. Arrangements are found throughout inland New South Wales as well as the coast, where fish traps were sometimes constructed.

Carved and scarred trees
Tree bark was used for constructing canoes, shelters, coolamons and shields. Distinctive scars are left from bark removal and can usually be differentiated from natural scars. Carved trees are more distinctive, exhibiting patterns etched into the wood of the tree. They can occur throughout the state although clearing and forestry practices have greatly reduced numbers.

A range of diagnostic criteria has been developed to assist in the identification of Aboriginal scarred trees. The following criteria are based on archaeological work conducted by Simmons (1977) and Beesley (I989) It should be noted that these criteria have never been quantitatively tested or quantified using non-relative criteria such as absolute dating or an analysis of pre-occluded scar morphologies. This is because radiocarbon dating or dendrochronology is mostly inconclusive. and the removal of regrowth exposes trees to further damage.

The scar does not normally run to ground level: (scars resulting from fire, fungal attack or lightning nearly always reach ground level). However, ground termination does not necessarily discount an Aboriginal Origin (some ethnohistoric examples of canoe scars reach the ground);

1. (A).If a scar extends to the ground, the sides of the original scar must be relatively parallel: (natural scars tend to be triangular in shape):

The scar is either approximately parallel-sided or concave, and symmetrical: (few natural scars are likely to have these properties except fire scars which may be symmetrical but are wider at the base than their apex. Surveyors marks are typically triangular and often adzed);

The scar should be reasonably regular in outline and regrowth: scars of natural origin tend to have irregular outlines and may have uneven regrowth:

The ends of the scar should be shaped, either squared off or pointed (often as a result of regrowth): (a ‘keyhole’ profile with a ‘tail’ is suggestive of branch loss);

A scar that contains adze or axe marks on the original scar surface is likely to be the result of human scarring. Their morphology arid distribution may lend support to an interpretation of an Aboriginal origin: (marks produced after the scarring event may need to be discounted):

The tree must date to the time of Aboriginal bark exploitation within its region: (an age of at least I00 years is a prerequisite)

The tree must be endemic to the region: (and thus exclude historic plantings).

Field-based identification of Aboriginal scars is based on surface evidence only and will not necessarily provide a definitive classification. In many cases, the possibility of a natural origin cannot be ruled out, despite the presence of several diagnostic criteria or the balance or interpretation leaning toward an Aboriginal origin. For this reason, interpretations of an Aboriginal origin are qualified by the recorder's degree of certainty. The following categories are used

Definite Aboriginal scar - This is a scar that conforms to all of the criteria and/or has, in addition, a feature or characteristic that provides definitive identification, such as a diagnostic axe or adze marks or a historical identification. All conceivable natural causes of the scar can be reliably discounted.

Aboriginal origin is most likely - This is a scar that conforms to all of the criteria and where a natural origin is considered unlikely and improbable.

Probable Aboriginal sear - this is a scar that conforms to all of the criteria and where an Aboriginal origin is considered to be the most likely. Despite this, a natural origin cannot be ruled out.

Possible Aboriginal scar - This is a scar that conforms to all or most of the criteria and where an Aboriginal origin cannot be reliably considered as more likely than alternative natural causes. The characteristics of this scar will also be consistent with a natural cause.

Burials
Aborigines feel equally as respectful about prehistoric burials as modern cemeteries. As Aborigines have lived in Australia for over 30 000 years burials are seen as part of a continuing culture and tradition as well as offering valuable archaeological information. The dead wore sometimes cremated, sometimes placed in trees or rock ledges and sometimes buried. Burials exist throughout New South Wales and can be accidentally uncovered in construction work or become exposed through erosion. It is important that if a skeleton is found it be reported to the police, to a representative of the National Parks and Wildlife Service and the relevant Aboriginal community group.

Natural sacred sites
Many features of the landscape, such as mountains, rocks, waterholes etc., are regarded as sacred sites by Aborigines. They are places associated with Dreamtime ancestors and usually can only be identified by Aboriginal people. They retain a high significance to Aborigines.

Fire-stick Farming
The process of burning aids in hunting. Animals could be speared or clubbed as they fled to escape the flames. Other uses of fire were for long-term hunting strategies. After firing, the bush would regenerate attracting animals on which the hunters would prey. (Flood, p250)

Flake fragment of stone that was used as a tool for weapons, scrapers etc.

Geographical
AHD (Australian Height Datum) Australian standard measurement of the mean high sea level.

Swamp
An almost level closed, or almost closed depression with a seasonal or permanent water table at or above the surface, commonly aggraded by overbank stream flow (Speight1990: 33).

Legal
Activity means a project, development, activity or work (ie this term is used in its ordinary way, and does not just refer to an activity as defined by Part 5 EP&A Act). Disturbed land or land already disturbed by previous activity Land that has been previously subjected to any activity that has resulted in clear and observable changes to the land's surface. Examples include soil that has been ploughed; urban development that has occurred; existing rural infrastructure such as dams and fences; existing roads, trails and walking tracks; and other existing infrastructure such as pipelines, transmission lines and stormwater drainage.

Aboriginal Heritage Values

Social value (sometimes termed Aboriginal value) refers to the spiritual, traditional, historical or contemporary associations and attachments which the place or area has for the present-day Aboriginal community. Places of social significance have associations with contemporary community identity. These places can have associations with tragic or warmly remembered experiences, periods or events. Communities can experience a sense of loss should a place of social significance be damaged or destroyed. These aspects of heritage significance can only be determined through consultative processes with one or more Aboriginal communities.

Historic value refers to the associations of a place with a person, event, phase or activity of importance to the history of an Aboriginal community. Historic places may or may not have physical evidence of their historical importance (such as structures, planted vegetation or landscape modifications). Gaining a sufficient understanding of this aspect of significance will often require the collection of oral histories and archival or documentary research, as well as field documentation. These places may have 'shared' historic values with other (non-Aboriginal) communities. Places of post-contact Aboriginal history have generally been poorly recognised in investigations of Aboriginal heritage, and the Aboriginal involvement and contribution to important regional historical themes are often missing from accepted historical narratives.

Scientific value refers to the importance of a landscape, area, place or object because of its archaeological and/or other technical aspects. Assessment of scientific value is often based on the likely research potential of the area, place or object and will consider the importance of the data involved, its rarity, quality or representativeness, and the degree to which it may contribute further substantial information. In the past, consideration of scientific (archaeological) value was the focus of most approvals assessment processes for Aboriginal heritage, and this will still be an important component of most assessment processes. These guidelines intend to ensure that these values are incorporated within a broader consideration of Aboriginal heritage significance.

Aesthetic value refers to the sensory, scenic, architectural and creative aspects of the place. It is often closely linked with social values and may include consideration of form, scale, colour, texture, and material of the fabric or landscape, and the smell and sounds associated with the place and its use.

These aspects of the heritage significance of a place or object are commonly interrelated. Because all assessments of heritage values occur within a social and historical context, all potential heritage values will have a social or Aboriginal community heritage component.

Cultural Landscapes refer to the way perceptions, beliefs, stories, experiences and practices give shape, form and meaning to the landscape is termed a cultural landscape.

13.0 Appendix

AHIMS Web Services (AWS)
Search Result

Your Ref/PO Number : Clarence Town

Client Service ID : 1114719

Timothy Roberts

37 City View Drive
East Lismore New South Wales 2480

Attention: Timothy Roberts

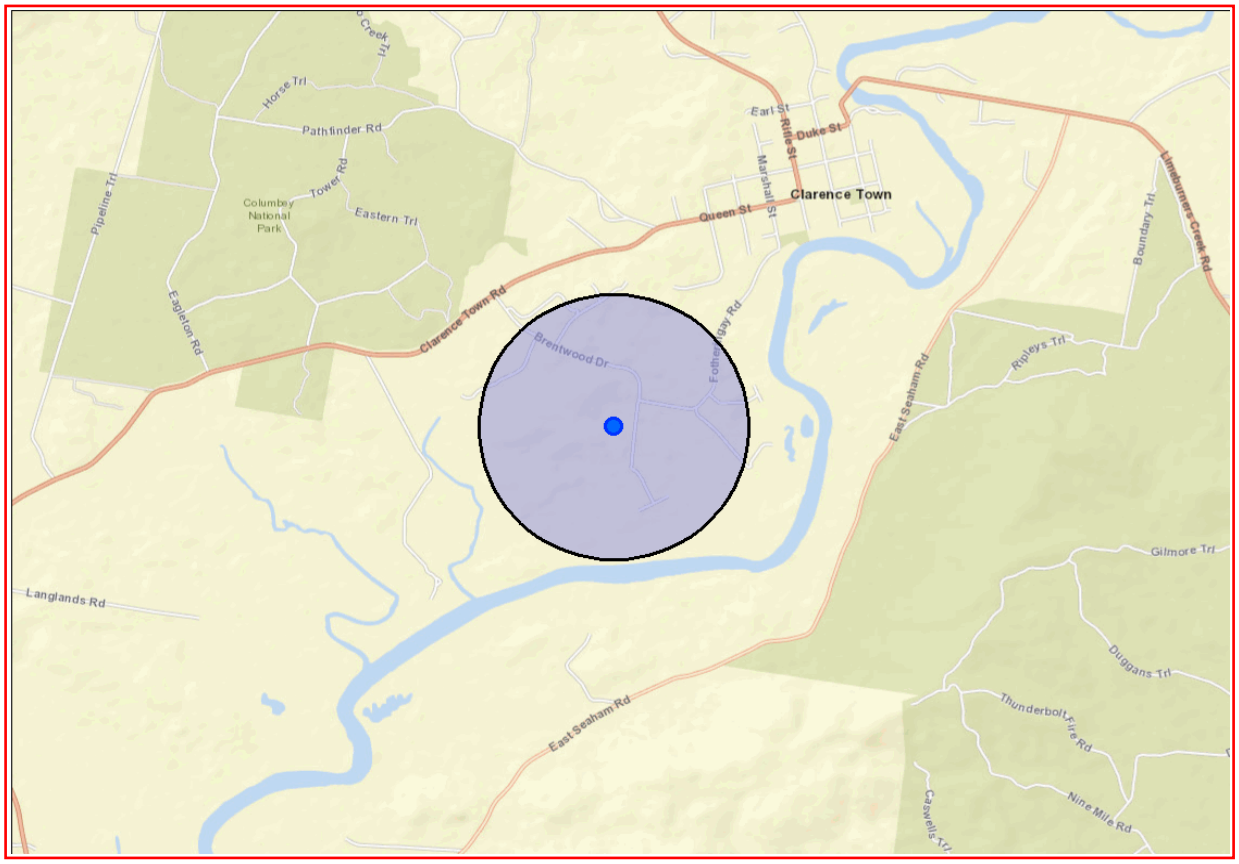
Email: tim@echa.com.au

Date: 23 April 2026

Dear Sir or Madam:

AHIMS Web Service search for the following area at Address : 206 FOTHERINGAY ROAD CLARENCE TOWN 2321 with a Buffer of 1000 meters, conducted by Timothy Roberts on 23 April 2026.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	**Aboriginal sites are recorded in or near the above location.**
0	**Aboriginal places have been declared in or near the above location. ***

If your search shows Aboriginal sites or places what should you do?

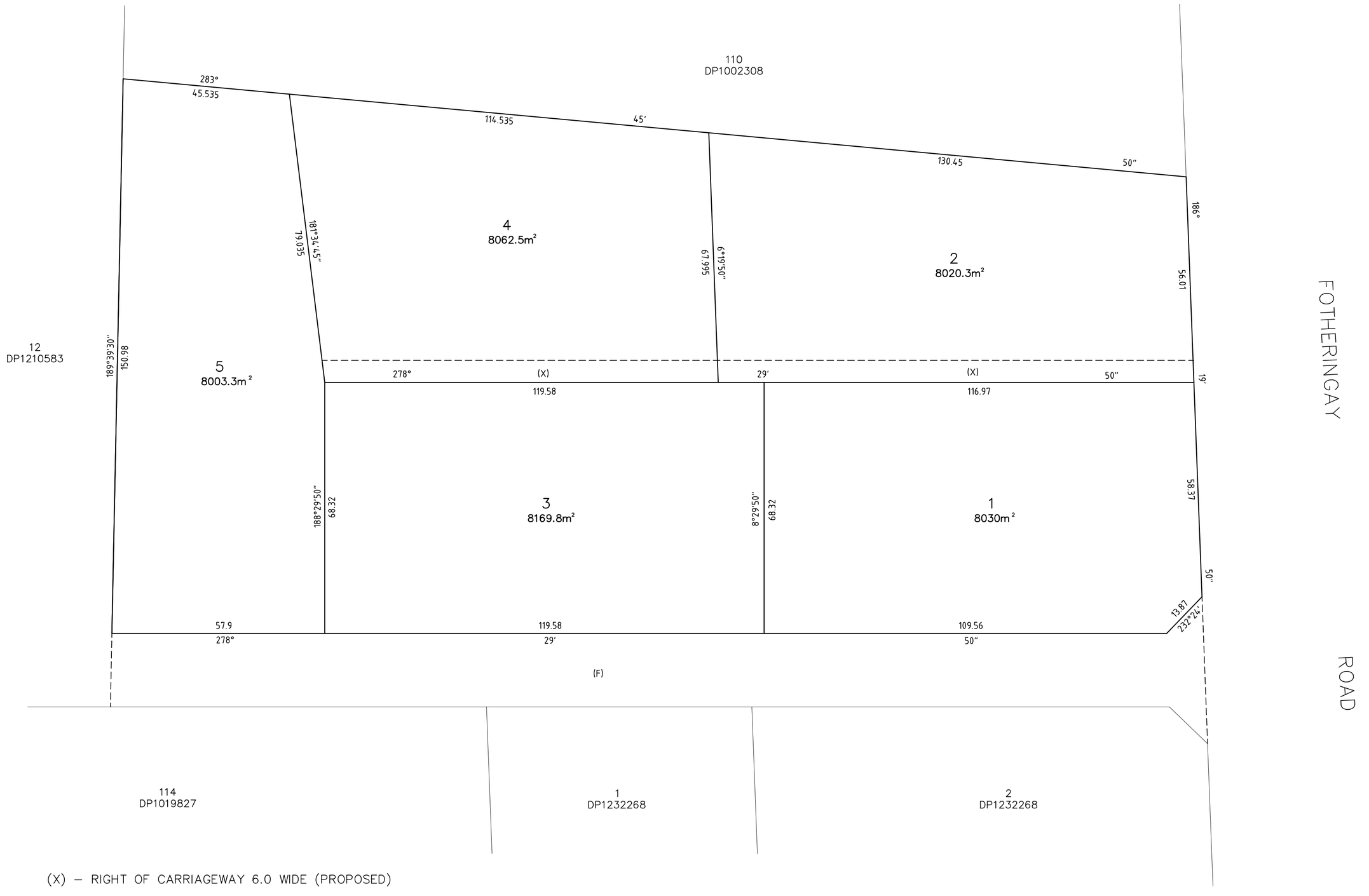
- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the NSW Government Gazette (https://www.legislation.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

Level 6, 10 Valentine Ave, Parramatta 2150
Locked Bag 5020 Parramatta NSW 2124
Tel: (02) 9585 6345

ABN 34 945 244 274
Email: ahims@environment.nsw.gov.au
Web: www.heritage.nsw.gov.au



(X) – RIGHT OF CARRIAGEWAY 6.0 WIDE (PROPOSED)

(F) – RIGHT OF CARRIAGEWAY 20 WIDE & VARIABLE (DP1002308)

DRAFT

AREAS AND DIMENSIONS ARE SUBJECT TO COUNCIL APPROVAL AND FINAL SURVEY

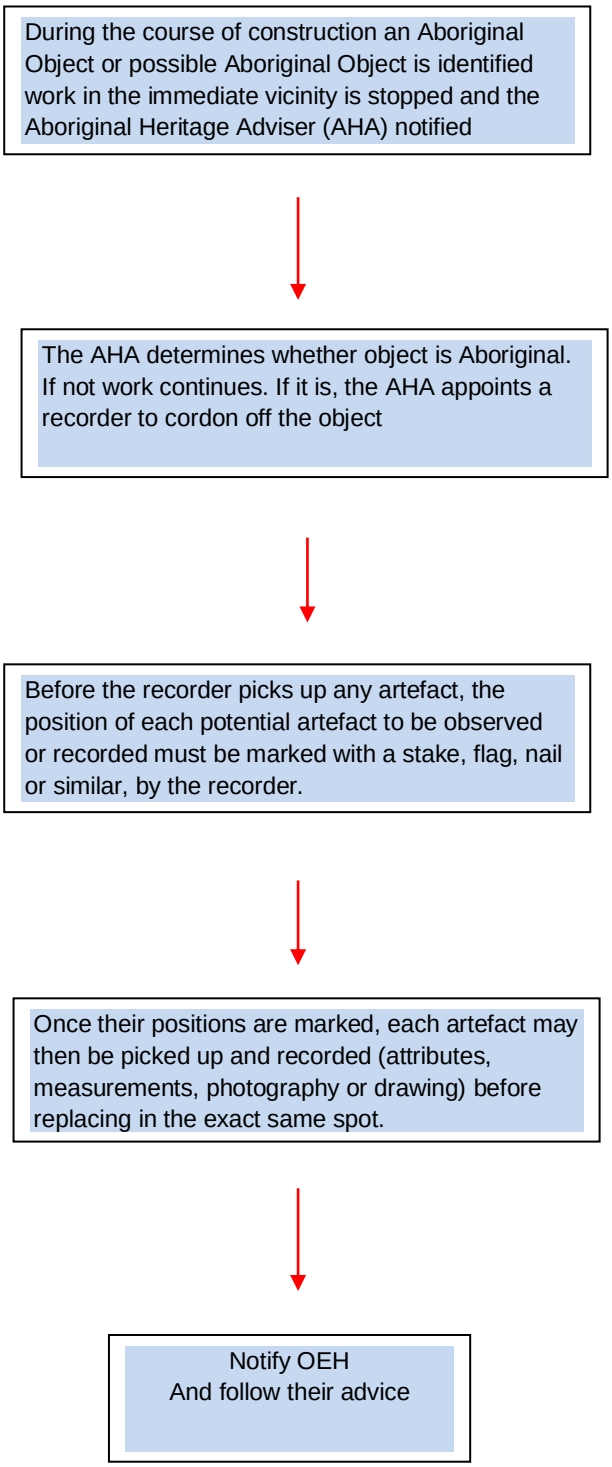
SURVEYOR Name: SAMUEL T. NORTH Date: 01-04-2026 Reference: 1332-DP-DRAFT	DRAFT PLAN OF SUBDIVISION OF LOT 111 D.P.1002308	LGA: DUNGOG Locality: CLARENCE TOWN Reduction Ratio 1: 750 Lengths are in metres.	Registered:

Schedule 1

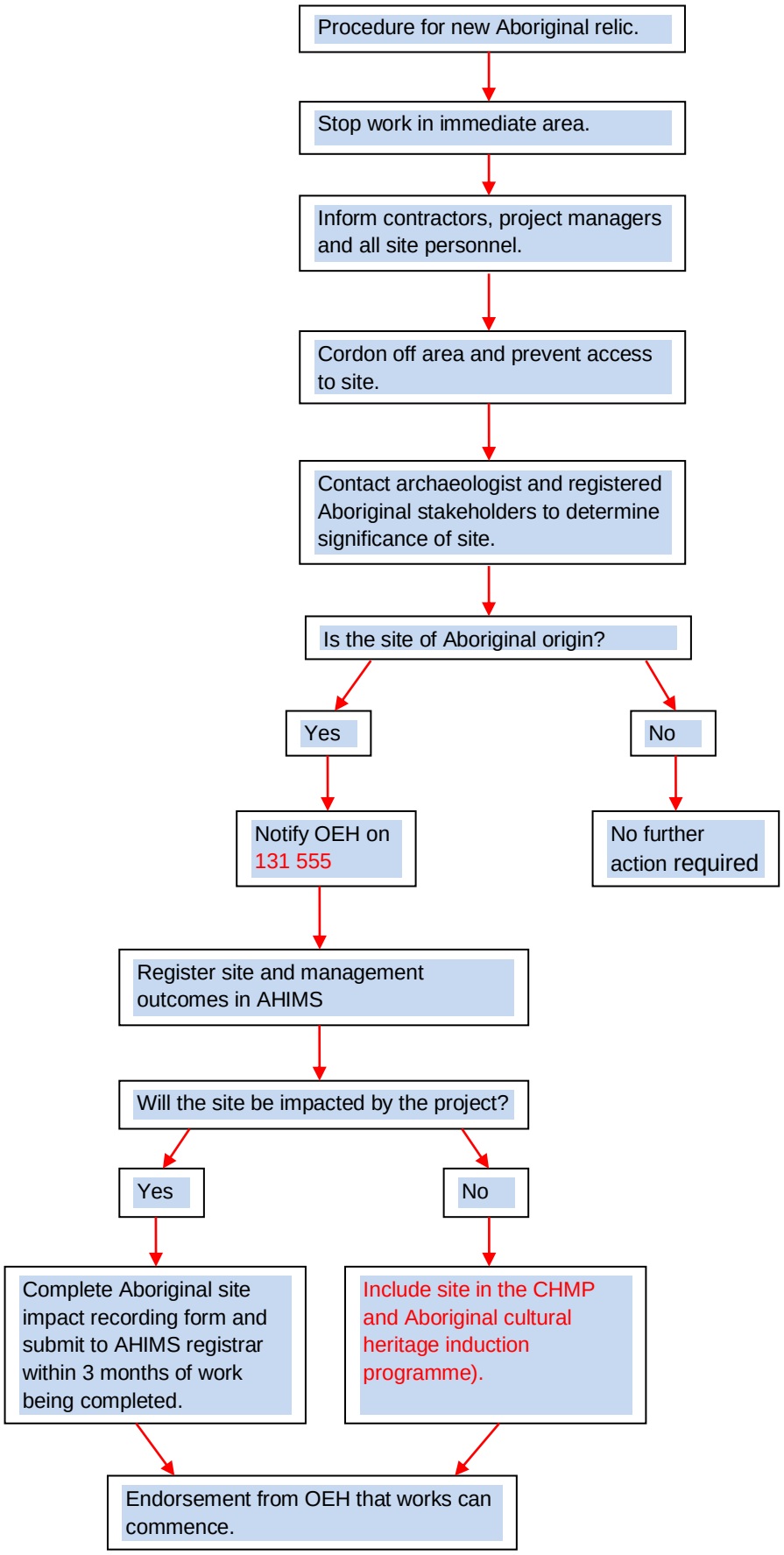
SCHEDULE of PROTOCOLS

Procedures for new sites, relics and human remains

FLOWCHART 1 – PROCEDURE FOR UNRECORDED ABORIGINAL OBJECTS



FLOWCHART 2 – PROCEDURE FOR ABORIGINAL RELICS



FLOWCHART 3 – PROCEDURE FOR HUMAN REMAINS