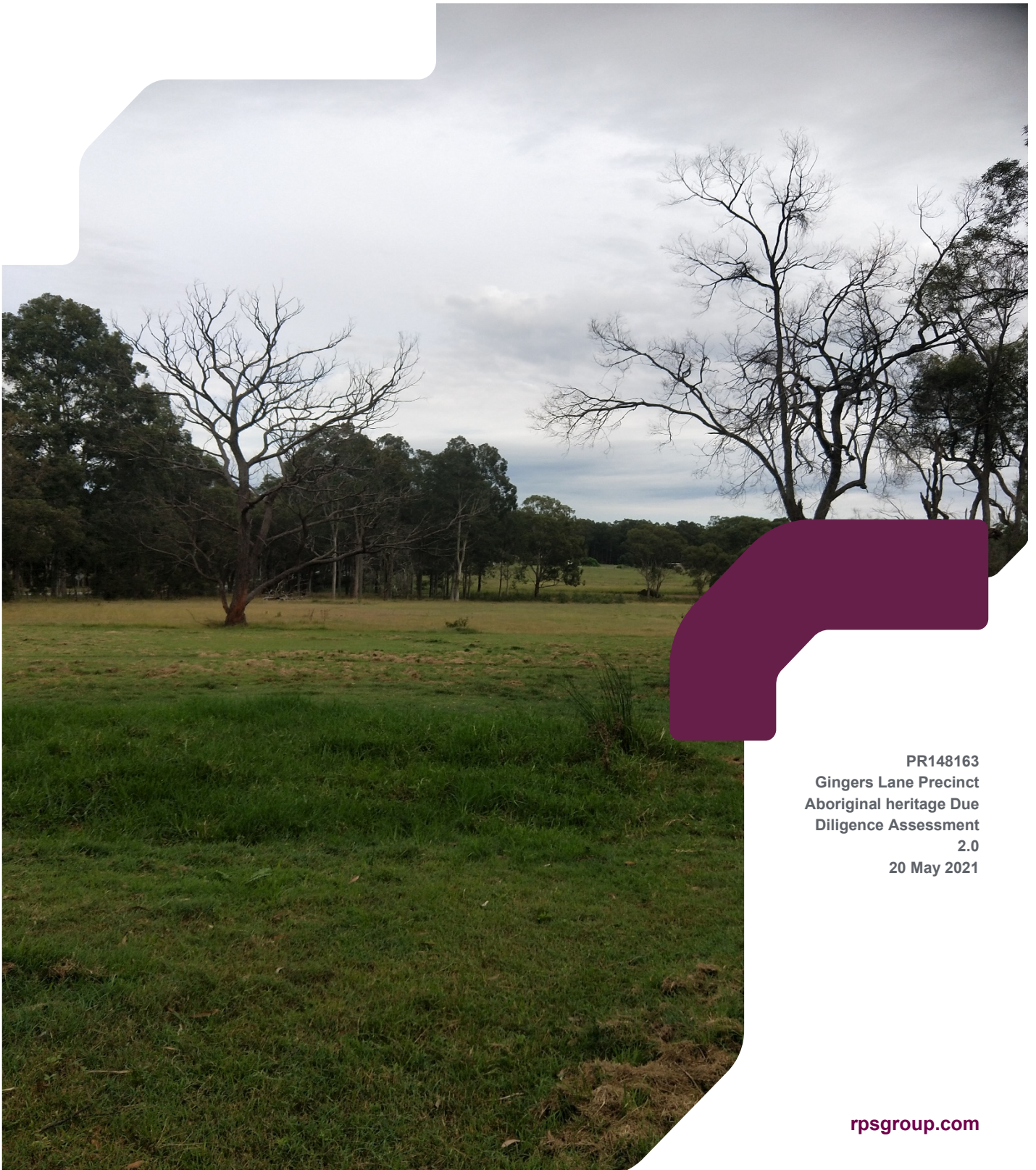


GINGERS LANE PRECINCT, CESSNOCK

Aboriginal Heritage Due Diligence Assessment



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Aboriginal heritage Due
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REPORT

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Prepared by:

Prepared for:

RPS

Ben Slack
Senior Heritage Consultant - Newcastle

Unit 2A, 45 Fitzroy Street
Carrington NSW 2294

T +61 2 4940 4200
E ben.slack@rpsgroup.com.au

Perception Planning

Jeff Bretag
Principal Planning

260 Maitland Road
Mayfield NSW 2304

T 0437195264
E jeff@perceptionplanning.com.au

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EXECUTIVE SUMMARY

RPS was engaged by Perception Planning in 2020 to prepare an Aboriginal heritage due diligence assessment for the proposed rezoning of land within the Ginger Lane Precinct area. The proposed activity is a residential development at Gingers Lane, Sawyers Gully, Cessnock NSW.

An Aboriginal heritage assessment was undertaken in 2008 for the Project Area which identified six (6) Aboriginal sites; however, there is no recorded sites within the Project Area. Considering the prior disturbances to the land, the sites were identified as not in-situ and therefore, the 2008 report found the potential for sub-surface artefacts to be low.

This due diligence assessment was conducted in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010).

The results of the AHIMS search and the visual inspection indicate that there are no identified Aboriginal objects in the Project Area. Considering the lack of identified material, lack of nearby reliable water courses, erosion and disturbances, the Aboriginal archaeological potential of the Project Area is considered to be low. However, it should be noted that access was not possible across all of the Project Area.

Recommendations

Recommendation 1: Further assessment

An Aboriginal Cultural Heritage Assessment Report (ACHAR) should be conducted to ensure the cultural heritage values are identified prior to any construction work occurring within the Project Area. This assessment would also require a visual inspection across the whole Project Area, including areas not accessible during this due diligence assessment.

Recommendation 2: Record keeping

This due diligence assessment must be kept by Perception Planning so that it can be presented, if needed, as a defence from prosecution under Section 86(2) of the *National Parks and Wildlife Act 1974*.

Recommendation 3: Aboriginal cultural heritage induction

Prior to any construction works occurring, all site workers and personnel involved in site impact works associated with the Project Area should be inducted and briefed the possible identification of Aboriginal objects during construction and their responsibilities according to the provisions of *National Parks and Wildlife Act 1974* and the *Heritage Act 1977*.

An Aboriginal cultural heritage induction led by Mindaribba LALC is recommended and can be arranged via +61240157000.

Recommendation 4: Unexpected finds procedure, Aboriginal object/s

If suspected Aboriginal objects are identified during construction the following procedures must be followed (**Appendix C**):

- 1) Immediately cease all activity at the location.
- 2) Ensure no further harm occurs, secure the area.
- 3) Notify Environment Protection Authority's Enviro Line on 131 555, Mindaribba LALC on +61240157000 and an archaeologist (RPS +61 2 4940 4200).
- 4) No further action to be undertaken until Heritage NSW provides written consent.

GLOSSARY

Table 1: Glossary and abbreviations

Abbreviation/Term	Meaning
Aboriginal cultural heritage	The tangible (objects) and intangible (dreaming stories, legends and places) cultural practices and traditions associated with past and present-day Aboriginal communities.
ACHAR	Aboriginal Cultural Heritage Assessment Report
ACHCR	Aboriginal Cultural Heritage Consultation Requirements
Aboriginal object	Defined in the NPW Act as; "Any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises NSW, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains,"
Aboriginal Place	A place declared under Section 84 of the NPW Act that, in the opinion of the Minister, is or was of special significance with respect to Aboriginal culture. Aboriginal places have been gazetted by the minister.
Aboriginal culturally modified tree	Defined in the NPW Act as; "a tree that, before or concurrent with (or both) the occupation of the area in which the tree is located by persons of non-Aboriginal extraction, has been scarred, carved or modified by an Aboriginal person by: (a) the deliberate removal, by traditional methods, of bark or wood from the tree, or (b) the deliberate modification, by traditional methods, of the wood of the tree.
Activity	A project, development, or work (this term is used in its ordinary meaning and is not restricted to an activity as defined by Part 5 EPA Act 1979).
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit. permit issued by the Director-General of Heritage NSW (or their delegate) authorising a person to harm or desecrate Aboriginal objects or places.
Archaeology	The scientific study of material traces of human history, particularly the relics and cultural remains of past human activities.
Archaeological deposit	A layer of soil material containing archaeological objects and/or human remains.
Archaeological investigation	The process of assessing the archaeological potential of an impact area by a qualified archaeologist.
Archaeological site	An area that contains surface or sub-surface material evidence of past human activity in which material evidence (artefacts) of past activity is preserved.
Archaeological test excavation	
Artefact	An object made by human agency (e.g. stone artefacts).
Code of Practice	<i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i> (DECCW 2010),
Consultation Requirements	<i>Aboriginal cultural heritage consultation requirements for proponents</i> (DECCW 2010).
CHMP	Cultural Heritage Management Plan
DEC	New South Wales (NSW) Department of Environment and Conservation (restructured to become DECC)
DECC	NSW Department of Environment, Conservation and Climate (restructured to become DECCW)
DECCW	NSW Department of Environment, Climate Change and Water (restructured to become the Office of Environment and Heritage)
DPIE	NSW Department of Planning, Industry and Environment, now HNSW

PROPOSAL

Development	Development as defined by the <i>EPA Act</i> as the use or subdivision of land, building construction and the associated works, any other thing, matter or act that may be controlled by an environmental planning instrument..
DA	Development Application
Disturbed land	Defined in the NPW Act as; land that has been the subject of a human activity that has changed the land's surface being changes that remain clear and observable. Examples include: soil ploughing, construction of rural infrastructure (such as dams and fences), construction of roads, trails and tracks (including fire trails and tracks and walking tracks), clearing vegetation, construction of buildings and the erection of other structures, construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure) and construction of earthworks (such as previous drill sites or trenches).
Due diligence	Taking reasonable and practicable steps to determine whether a person's actions will harm an Aboriginal object and, if so, what measures can be taken to avoid that harm.
EA	Environmental Assessment
EIS	Environmental Impact Statement
EPA Act	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
The Guide	<i>Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW</i> (OEH, 2011)
Harm	With regard to Aboriginal objects this has the same meaning as the <i>NPW Act</i> : destroy, deface or damage an object; move an object from the land on which it is situated; cause or permit an object to be harmed.
Heritage NSW	Formerly OEH and Department of Planning, Industry and Environment, Biodiversity Conservation Division
Impact	Influence or effect exerted by a project or other activity on the natural, built and community environment.
Isolated artefact / find	A single artefact found in an isolated context.
LALC	Local Aboriginal Land Council
LEP	Local Environment Plan
LGA	Local Government Area
Methodology	The procedures used to undertake an archaeological investigation.
Mitigation	To address the problem of conflict between land use and site conservation.
NPW Act	<i>National Parks and Wildlife Act 1974 (NSW)</i>
NPW Regulation	<i>National Parks and Wildlife Regulation 2019 (NSW)</i>
NPWS	NSW National Parks and Wildlife Service
OEH	NSW Government Office of Environment and Heritage (restructured to become the DPIE)
PADs	Potential archaeological deposit. A location considered to have a potential for subsurface archaeological material.
Project Area	Defined area of the current project, as seen in Figure 1
RAPs	Registered Aboriginal parties
REF	Review of Environmental Factors
RPS	RPS Australia East Pty Ltd
Site	A place where past human activity is identifiable.
SSD	State Significant Development
SU	Survey unit

NB. Abbreviations spelt out in the first instances, then abbreviated throughout the report

1 INTRODUCTION

RPS has been engaged Perception Planning to prepare an Aboriginal heritage due diligence assessment for the proposed rezoning of land within the Gingers Lane Precinct area, located in Sawyers Gully, in the Cessnock Local Government Area (LGA). The proposed activity is a re-zoning of land from RU2 – Rural Landscape to R5 – Large Lot Residential.

An Aboriginal heritage assessment was undertaken in 2008 for the Project Area which identified six (6) Aboriginal sites. Considering the prior disturbances to the land, the sites were identified as not in-situ and therefore the potential for sub-surface artefacts would be low.

This Aboriginal heritage due diligence assessment has been undertaken in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (2010c)*. The purpose of an Aboriginal heritage due diligence assessment is to demonstrate that reasonable and practicable measures have been taken to avoid harm to an Aboriginal object and/or place.

1.1 Project Area

The proposed rezoning of land is located within the Ginger Lane Precinct area in Sawyers Gully in the Cessnock Local Government Area (LGA) and is hereafter referred to as the 'Project Area' (see **Figure 1**). The specific lots encompassed include:

- Lot 2721 DP1104897
- Lot 2722 DP1104897
- Lot 2731 DP884423
- Lot 2742 DP884423
- Lot 283 SP755231
- Lot 274 DP755231
- Lot 282 DP755231
- Lots 275-277 DP755231
- Lot 280-281 DP755231
- Lot 1 DP345294
- Lot 11 DP710071
- Lot 10 DP710071
- Lot 1 DP663726
- Lot 1 DP371151
- Lot 2 DP314641
- Lot 1 DP308003

1.2 Proposed activity

The proposed activity is the rezoning of land from RU2 – Rural Landscape to R5 – Large Lot Residential, R2 – Low Density Residential and E2 – Environmental Conservation.

It is noted this due diligence assessment specifically relates to the Project Area and, just for the proposed land re-zoning as shown in **Figure 1**. This report does not consider the archaeological potential outside of the area.

1.3 Information and privacy

1.3.1 Restricted information

No restricted information is provided in this report.

1.3.2 Confidentiality

No confidential information is included in this report. However, it is noted that the report contains details relating to the locations of registered Aboriginal heritage sites within and near the Project Area that may be considered confidential information by Registered Aboriginal Parties (RAPs).

1.3.3 Copyright

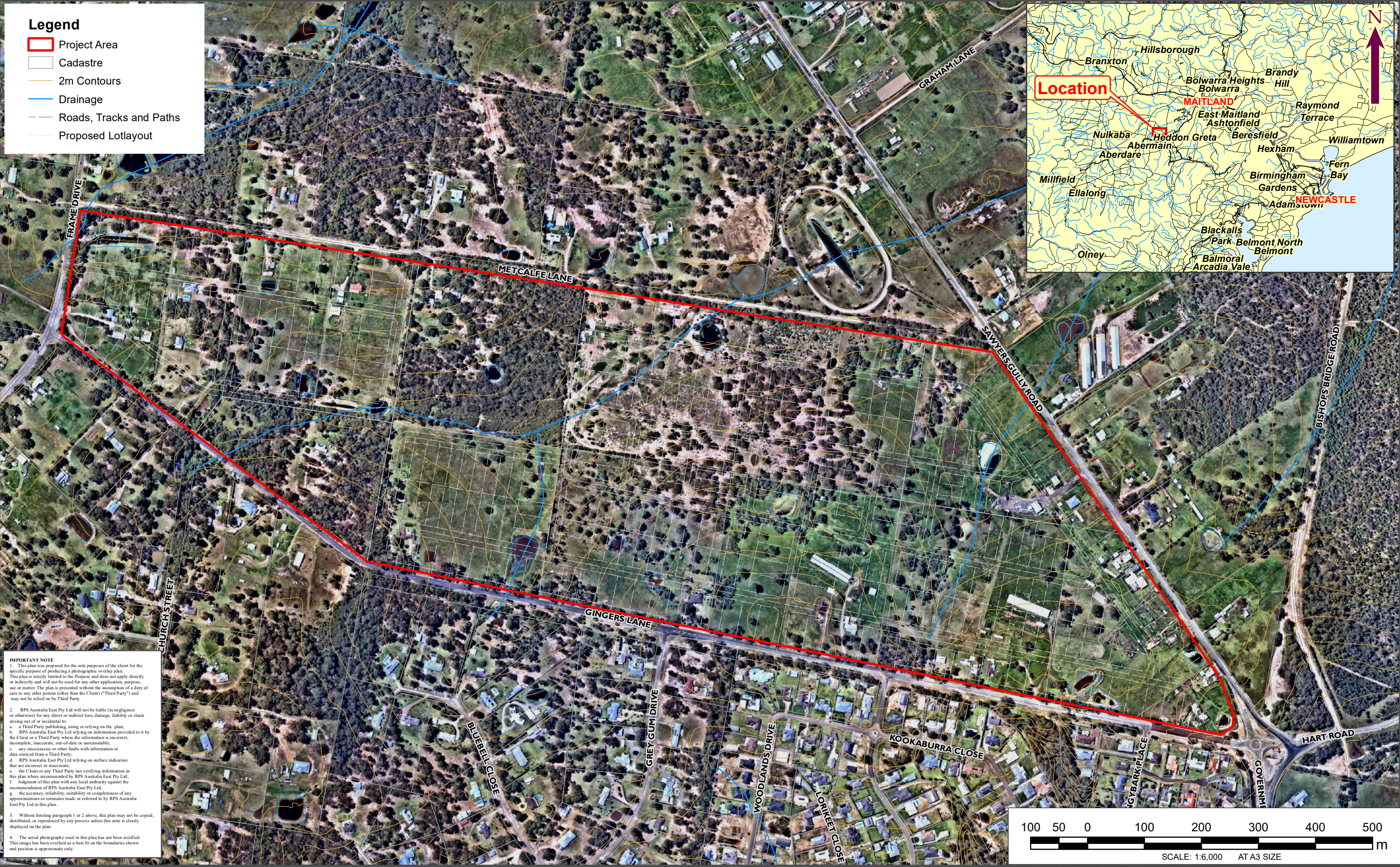
The report was prepared by RPS Australia East Pty Ltd for Perception Planning.

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1.4 Authorship and acknowledgement

This report has been prepared by RPS Graduate Heritage Consultant/Archaeologist Kate Morris (BA/BSc Arch *Hons*). GIS mapping was undertaken by RPS Senior Draftsperson, Natalie Wood. This report was reviewed and approved by RPS Senior Heritage Consultant/Archaeologist Ben Slack (BA Arch).

This report acknowledges the Traditional Owners and Elders, past, present and future, on whose land this project is located.



2 LEGISLATIVE CONTEXT

The following overview of the statutory framework is provided solely for information purposes for the client, it should not be interpreted as legal advice. The following overview of the statutory framework is relevant to this project and should not be reinterpreted or applied to other projects. RPS will not be liable for any actions taken by any person, body or group as a result of this general overview. RPS recommends that specific legal advice be obtained from a qualified legal practitioner prior to any action being taken as a result of the summary below.

2.1 National Parks and Wildlife Act 1974

Aboriginal cultural heritage (objects and places) in NSW are protected by the *National Parks and Wildlife Act 1974* which is overseen by Heritage NSW (formerly DECCW and OEH). In some cases, Aboriginal heritage may also be protected under the *Heritage Act 1977*, also overseen by Heritage NSW (formerly the Heritage Branch of the Department of Planning). The *Environmental Planning and Assessment Act 1979*, overseen by the Heritage NSW, and other environmental planning instruments trigger the requirement for the investigation and assessment of Aboriginal cultural heritage as part of the development approval process.

The *National Parks and Wildlife Act 1974* (NPW Act) is the principal Act providing protection for Aboriginal cultural heritage (objects and places) in NSW. It provides protection for Aboriginal cultural heritage irrespective of the level of archaeological or cultural heritage significance or land tenure. Heritage NSW is responsible for the administration of the NPW Act. The NPW Act provides protection for Aboriginal cultural heritage in NSW. Section 86 of the NPW Act states:

- “A person must not harm or desecrate an object that the person knows is an Aboriginal object”
- “A person must not harm an Aboriginal object”
- “A person must not harm or desecrate an Aboriginal place”

Under the NPW Act, it is an offence to harm an Aboriginal object or place. Harming an Aboriginal object or place may result in a fine of up to \$550,000 for an individual and imprisonment for two years; and in the case of a corporation, a fine of up to \$1.1 million. The fine for a strict liability offence (s86 [2]) is up to \$110,000 for an individual and \$220,000 for a corporation.

Harm under the NPW Act is defined as any act that: destroys defaces or damages the object; moves the object from the land on which it has been situated; causes or permits the object to be harmed. However, it is a defence from prosecution if the proponent can demonstrate 1) that harm was authorised under Section 90 of the NPW Act, or 2) that the proponent exercised due diligence in respect to Aboriginal cultural heritage. The due diligence defence states that if a person or company has exercised due diligence, liability from prosecution under the NPW Act will be removed or mitigated if it later transpires that an Aboriginal object was harmed. If an Aboriginal object is identified during the proposed activity, all activity within that area must cease and Heritage NSW notified (DECCW, 2010c:13). The due diligence defence does not authorise continuing harm.

2.1.1 Notification of Aboriginal objects

Under Section 89A of the NPW Act, the proponent must report all Aboriginal objects and places to the Director General of the Heritage NSW within a reasonable time, unless already recorded on the Aboriginal Heritage Information Management System (AHIMS). Fines of \$11,000 for an individual and \$22,000 for a corporation may apply for each object not reported.

2.1.2 Investigating and assessing Aboriginal cultural heritage

There are a number of procedural publications governing archaeological practice in NSW. The publications relevant to the investigation and assessment of Aboriginal cultural heritage include;

- *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (2011);
- *Code of practice for archaeological investigation of Aboriginal objects in New South Wales* (the Code) (DECCW, 2010b); and,
- *Aboriginal cultural heritage requirements for proponents* (DECCW, 2010a)

The *Aboriginal cultural heritage consultation requirements for proponents* (2010a) codifies a process for consultation with Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal cultural heritage. The requirements are consistent with the NPW Act and seek, inter alia, to conserve Aboriginal objects and places of significance to Aboriginal people. Consultation is therefore a fundamental part of the Aboriginal cultural heritage assessment process.

2.2 National Parks and Wildlife Regulation 2019

The National Parks and Wildlife Regulation 2019 (NPW Regulation) provides a framework for undertaking activities and exercising due diligence in respect to Aboriginal heritage.

2.3 Due Diligence and Codes of Practice

The aims of a due diligence assessment are to:

- assist in avoiding unintended harm to Aboriginal objects;
- provide certainty to land managers and developers about appropriate measures for them to take;
- encourages a precautionary approach;
- provides a defence against prosecution if the process is followed; and
- results in more effective conservation outcomes for Aboriginal cultural heritage.

One of the benefits of the due diligence provisions are that they provide a simplified process of investigating the Aboriginal archaeological context of an area to determine if an Aboriginal Heritage Impact Permit (AHIP) is required. Under the s80A NPW Regulation a number of due diligence codes are recognised. This report has been written to meet the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (2010) (Due Diligence Code).

2.3.1 Due Diligence Code of Practice for the Protection of Aboriginal Objects New South Wales (DECCW, 2010c)

This publication sets out a minimum benchmark for acceptable due diligence investigations to be followed.

The purpose of the code is set out reasonable and practical steps in order to:

1. identify whether or not Aboriginal objects (and places) are, or are likely to be, present in an area;
2. determine whether or not their activities are likely to harm Aboriginal objects (if present); and
3. determine whether further Aboriginal consultation is required for site salvage under the Centennial Western Region Aboriginal Cultural Heritage Management Plan (DECCW, 2010c:2).

Investigations under the Due Diligence Code include the following:

- A search of the AHIMS database to identify if there are previously recorded Aboriginal objects or places in the Project Area;

- Identification of landscape features including, land within 200 metres of water, dune systems, ridgetops, headlands, land immediately above or below cliff faces and/or rock shelters/caves;
- Desktop assessment including a review of previous archaeological and heritage studies and any other relevant material;
- Visual inspection of the Project Area to identify if there are Aboriginal objects present; and
- Assessment as to whether an AHIP is required.

This report has complied with the requirements of the Due Diligence Code listed above.

2.4 Heritage Act

The *Heritage Act 1977* provides protection for environmental heritage including historic places, structures, relics, moveable objects and landscapes of significance. The *Heritage Act 1977* also affords protection to Aboriginal places of State heritage significance included on the State Heritage Register (SHR) or subject to an Interim Heritage Order. No Aboriginal places included on the SHR or subject to an Interim Heritage Order are located within the Project Area.

2.5 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EPA Act) regulates a system of environmental planning and assessment for NSW. Land use planning requires the consideration of environmental impact, including the potential impact on Aboriginal cultural heritage. The NPW Act therefore provides protection for Aboriginal objects or places, and the EPA Act necessitates an assessment of Aboriginal cultural heritage as part of the planning and approvals process.

2.6 Cessnock Local Environment Plan (LEP)

The Project Area is within the Cessnock City Council LGA. The Cessnock LEP 2011 aims to make local environmental planning provisions for land in Cessnock in accordance with the relevant standard environmental planning instrument under section 3.2 of the Act. The particular aims of this Plan are as follows:

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,
- (a) to strengthen and protect a high quality, sustainable lifestyle for Cessnock's residents and visitors,
- (b) to conserve and enhance, for current and future generations, the ecological integrity, environmental heritage and environmental significance of Cessnock,
- (c) to encourage development for employment purposes in appropriate locations having regard to proximity to appropriate infrastructure, to ensure the efficient use of land and services, to provide walkable urban environments and to reduce dependency on the use of private vehicles,
- (d) to provide opportunities for a range of new housing and housing choice in locations that have good access to public transport, community facilities and services, retail and commercial services and employment opportunities, including opportunities for the provision of adaptable and affordable housing,
- (e) to recognise and protect the historical, cultural and economic values of the vineyards district in relation to agricultural production and associated flow on effects, including tourism.

2.7 Aboriginal Land Rights Act 1983

The purpose of this legislation is to provide land rights for Aboriginal people within NSW and to establish Local Aboriginal Land Councils. Under Section 36 of the Act, a Local Aboriginal Land Council, on behalf of Aboriginal people, can claim certain Crown land that:

- Is able to be lawfully sold, leased, reserved or dedicated
- Is not lawfully used or occupied
- Will not, or not likely, in the opinion of the Crown Lands Minister, be needed for residential purposes
- Will not, or not likely, be needed for public purposes
- Does not comprise land under determination by a claim for native title
- Is not the subject of an approved determination under native title

Claims for land are by application to the Office of the Registrar, *Aboriginal Land Rights Act 1983*. There are currently no registered Native title claims, title determinations of Indigenous land use agreements over the Project Area.

2.8 Native Title Act 1993

The Commonwealth *Native Title Act 1993* establishes a structure for the protection and recognition of native title where:

- Aboriginal people have a native title interest to maintain traditional customs and laws.
- Aboriginal people have sustained connection with the land or waters in question
- The native title rights and interests are recognised by the common law of Australia.

The Native Title Act 1993 establishes processes to determine where native title exists, how activities affecting upon native title may be carried out, and to provide compensation where native title is impaired or extinguished. The Act provides Aboriginal people who hold native title rights and interests, or who have made a native title claim, the right to be consulted and in some cases, to participate in decisions about activities proposed to be undertaken on the land. There are no Native Title Claims registered or determined within the Project Area.

3 ENVIRONMENTAL CONTEXT

This section provides a summary description of the environmental context of the Project Area including topography, soils, geology, flora and fauna, hydrology and previous disturbance.

An understanding of environmental context is important for the predictive modelling and interpretation of Aboriginal sites. The local environment provided natural resources for Aboriginal people, such as stone (for manufacturing stone tools), food and medicines, wood and bark (for implements such as shields, spears, canoes, bowls, shelters, amongst others), as well as landforms suitable for camping and other activities. The nature of Aboriginal occupation and resource procurement is inextricably linked to the local environment and, therefore, needs to be considered as part of the cultural heritage assessment process. The environmental context is provided in this section as required under the Due Diligence Code (DECCW, 2010c).

3.1 Geology

The Project Area is located on several geological units that include the Singleton Coal Measures, the Rutherford Formation, the Farley Formation, Mulbring Siltstone, Muree Sandstone and the Branxton Formation. The Project Area predominately sits on the Branxton Formation which consists of siltstone and silty, pebbly sandstone and minor coal.

3.2 Soils

The Project Area sits over two distinct soil landscapes; it is largely located on the Neath landscape with a small portion of the westernmost lots located on the Rothbury.

Neath Soil Landscape (nh)

The main soils of the Neath Landscape include grey Solodic Soils in poorly drained areas associate with exposed coal seams, and yellow Solodic Soils on better drained lower slopes (Kovac & Lawrie, 1991). The topsoil is a brown clayey sand that overlies an A₁ horizon that consists of dull brown loamy sand with 30% orange and grey mottles (Kovac & Lawrie, 1991). The A₁ horizon reaches a depth of 35cm. The subsoil is clearly demarcated by a change to olive grey sandy clay with 40% orange and grey mottles (Kovac & Lawrie, 1991). Severe sheet and rill erosion occurs on cleared areas.

Rothbury Soil Landscape (ro)

There are a number of different soil types in this landscape that include Red Podzolic Soils, Yellow Podzolic Soils, Yellow Solodic Soils, brown Soloths, and Prairie Soils. Red Podzolic Soils usually have a dark brown fine sandy loam topsoil that overlies a brown clay loam A₂ horizon (Kovac & Lawrie, 1991). This topsoil reaches a depth of 30cm. The subsoil has a clear demarcation to a reddish brown medium clay with faint brown mottles (20%). The soil gradually changes to a bright brown medium clay with red, yellow or grey mottling (30%) (Kovac & Lawrie, 1991). Yellow Podzolic Soils have a dark brown sandy loam topsoil that changes to a dull brown sandy loam. The topsoil can reach 20cm. The subsoil is a clear change to a bright reddish brown medium clay (Kovac & Lawrie, 1991). Yellow Solodic Soils have a dull yellowish brown loamy sand topsoil up to 15cm (Kovac & Lawrie, 1991). The subsoil is a dull orange medium clay. Brown Soloths have a brown sandy loam topsoil to 25cm and a brown medium clay subsoil (Kovac & Lawrie, 1991). Prairie Soils have a dark brown silt loam topsoil up to 70cm, and a dark brown light clay that changes to a dull yellowish brown clay up to 150cm (Kovac & Lawrie, 1991).

3.3 Topography and hydrology

The Project Area sits in a broader area of undulating low rises and swamps with elevations of 40-140m. Local reliefs can reach 80m and slopes up to 12% with lengths of 2km (Kovac & Lawrie, 1991). Drainage lines are common at 200-1000m intervals.

Unnamed first and second order tributaries of Black Waterholes Creek run through the entire Project Area. Swamp Creek flows east-west to the south of the Project Area and the Hunter River is within 15km to the north. Within the surrounding semi-permanent and permanent fresh water sources, a number a shellfish and fish species are available.

3.4 Flora and fauna

Wet shrublands of paper barks and tea-trees (*Melaleuca* and *Leptospermum* species) are found in the wider region surrounding the Project Area. Grey gum (*Eucalyptus punctata*), scribbly gum (*Eucalyptus haemastoma*), red stringybark (*Eucalyptus macrorhyncha*), narrow-leaved ironbark (*Eucalyptus crebra*) and narrow-leaved apples (*Angophora bakeri*) are common on rises. Nearby woodland also includes spotted gum (*Corymbia maculata*) and forest red gum (*Eucalyptus tereticornis*).

These habitats, specifically the woodland, provide an important meeting point between coastal bird species and more inland bird species such as the Regent Honeyeater (*Anthochaera phrygia*), Black-chinned Honeyeater (*Melithreptus gularis*) and Brown Treecreeper (*Climacteris picumnus*). The Cessnock woodlands are also important 'wintering grounds' Swift Parrots (*Lathamus discolor*). Other animals, such as frog species, lizards, goannas, snakes, wallabies, flying foxes, gliders, and bats inhabit the wetland and woodland areas.

On the local fauna, it was recorded by Allan Cunningham in 1825 that kangaroos and emus were abundant as were smaller game. The Hunter River contained large numbers of fish, including perch and eels. Wild turkey was plentiful. Early settlers observed Aboriginal people hunting kangaroos, and also burning grasslands in order to attract flocks of kangaroos to feed on the young and tender grass that grew following the fires (Brayshaw 1987).

3.5 Land use and disturbance

The Project Area is partially cleared and has a medium level of disturbance through usage of access tracks, roads, grazing, residential use, and installation of infrastructure and services.

3.6 Summary

While the Project Area has tributaries running through it, it is not located within 200m of a permanent water source. As such, the Project Area is not located in a sensitive landscape. Further, while there were plant and animal resources in the area that would have been used for food, medicine, and tools, it is probable that the area was used only transiently. This is due to the Hunter River being located 15km north of the Project Area which was likely a preferred location for camping. The prevalence of sheet and rill erosion of the local soils indicates the A Horizons are likely to be absent or deteriorated.

4 HERITAGE CONTEXT

The purpose of reviewing the relevant heritage information is to assist in identifying whether Aboriginal objects or places are present, or likely to be present within the Project Area. It also assists in defining areas of archaeological potential.

4.1 Aboriginal Heritage Management System (AHIMS)

An extensive search of the AHIMS was undertaken on 2 February 2021 (ID: 564924) encompassing Eastings: 352725 - 357720, Northings: 6367809 - 6372708. This extensive search identified forty-one (41) sites within the search parameters none of which are located within the Project Area (**Figure 2**).

Table 2: Summary of AHIMS within the searched coordinates

Site Type	Quantity	%
Artefact Scatter	7	17
Artefact Site (number unspecified)	21	51
Isolated Find	10	24
PAD	1	3
Isolated Find and PAD	2	5
TOTAL	41	100%

Source: AHIMS 2 February 2021, Search Eastings: 352725 - 357720, Northings: 6367809 - 6372708 with a buffer of 0m.

None of the AHIMS sites are located within the Project Area. The closest site is AHIMS site is 37-6-1325 and it is located approximately 600 metres to the north east of the Project Area. AHIMS sites 37-6-1343 and 37-6-1356 are the only sites within a 1 kilometre radius of the Project Area.

AHIMS 37-6-1325

AHIMS 37-6-1325 is an isolated find located on a mid-slope 800 metres north of the intersection of Gingers Lane and Bishops Bridge Road, within 10 metres of Bishops Bridge Road, beside a fence. One artefact was sitting 3 metres east of the road on a large exposure 4m wide and 60m long. The road had been graded and the grass on the roadside was slashed. The artefact is a red silcrete flake 25x27x6mm with no cortex.

AHIMS 37-6-1343

AHIMS 37-6-1343 was recorded in 1998 as an isolated find located 350m west of the intersection of Bishops Bridge Road and Graham's Lane north of the Kurri Kurri. The artefact was found on a pebble lag deposit on a road on the northern side of a power easement. The visibility of the 2m wide road averaged 10% due to pebbles, aggraded soil and grass coverage. Away from the road, visibility averaged less than 5%.

The artefact was sitting on the mid-slope and had probably been washed down. The artefact is a red silcrete flake 34x15x5mm with no cortex though the artefact was weathered. The site had been disturbed by vehicle traffic, slope wash, regular grass slashing, and the construction of a power line.

AHIMS 37-6-1356

AHIMS 37-6-1356 was also recorded in 1998. The site comprises an artefact scatter and is located on an upper slope on both sides of Bishops Bridge Road, between the road and fence lines. One artefact was 5m east of the road and 2m west of the fence line. Four artefacts were 50m north of the first artefact, 5m east of the fence line and west of the road. The artefacts were in a driveway east of a gate. Two artefacts were noted at the gate.

Only four artefacts are described (presumably the four found together in the driveway). Artefacts include one complete silcrete flake, one broken silcrete flake, one silcrete core and one mudstone core.

It is important to note that the AHIMS register only contains information on Aboriginal sites for which site cards have been submitted, and the presence/absence of recorded Aboriginal sites on the AHIM register does not preclude other sites from being present.



TITLE : FIGURE 2: PROJECT AREA WITH AHIMS

LOCATION : GINGERS LANE
CESSNOCK

PROJECTION: GDA2020 MGA Zone 56
DATUM:GDA2020
DATA SOURCES: RPS, Client
Land and Property 2020

DATE : 20/05/2021
PURPOSE: HERITAGE

VERSION (PLAN BY): B A3 (Natalie.Wood)

J:\JOBS\148K\148163 Cessnock\10 - Drafting\Arcgis Map Documents\Arch\148163 Figure 2 AHIMS B A3L
PATH: 20210520.mxd

CLIENT: PERCEPTION PLANNING PTY LTD
JOB REF: PR148163

RPS AUSTRALIA EAST PTY LTD (ABN 44 140 292 762)
Unit 2A, 45 Fitzroy Street, Carrington, NSW, Australia, 2294 PO Box 120, Carrington, NSW, 2294
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4.2 Archaeological literature review

A review of previous studies undertaken in the area, including archaeological surveys and excavations, is used to establish a better understanding of the archaeological potential of the Project Area.

Insite Planning Engineering Environmental & AHMS 2008 Aboriginal Heritage Assessment

In 2008, Insite Planning Engineering Environmental and AHMS undertook an Aboriginal Heritage Assessment with the Mindaribba Local Aboriginal Land Council as part of a Local Environmental Study (LES) for the current Project Area at Ginger's Lane (Insite 2019). Six Aboriginal sites were identified during the survey. Given the nature of historical disturbance within the investigation area as a result of erosion, vegetation clearance and other land use impacts, it was noted that there is heavy disturbance across the study area, and this was evident in the findings of site work where all Aboriginal sites recorded were located on eroded surfaces with none of the artefacts located in-situ. The Aboriginal Heritage Assessment report noted that previous investigations throughout the Hunter Valley indicate a high density of sites association with freshwater drainage lines, particularly along larger (higher order) creeks and rivers. It was noted that the Investigation Area does not contain reliable sources of drinking water with 2 minor first order drainage lines crossing the site.

RPS 2014 Heritage Due Diligence Assessment: Waste Water Pumping Station and Sewer Rising Main, Thornton North, NSW.

In 2014, RPS was engaged by Thornton Development Corporation to prepare a due diligence assessment for the proposed installation of the Waste Water Pumping Station and Sewer Rising Main for ongoing services in the area (RPS, 2014). The visual inspection of the area identified no Aboriginal objects or places. High levels of ground disturbance, including inundation, soil stockpiling, fencing, landform modification, animal grazing, erosion and previous archaeological works. Extensive inundation effects were noted in the eastern portion of the study area.

RPS 2015 Aboriginal Heritage Due Diligence Assessment: Thornton, NSW.

In 2015, RPS was engaged by Ridgedale Heights Pty Ltd to undertake an assessment for a proposed subdivision in the Maitland LGA and approximately 800 metres to the south west of the current Project Area (RPS, 2015). The study area was situated on the northern reaches of Woodberry Swamp on an elevated gentle slope above the swamp margins. A number of disturbances from existing residences, water inundation, installation of services and road access were identified. 10 Aboriginal stone artefacts were discovered, situated in a portion of land covered by an existing Aboriginal Heritage Impact Permit (AHIP) #C0000471. These artefacts were salvaged in partnership with the Aboriginal community and in accordance with the protocols outlined in the AHIP.

RPS 2017 Aboriginal Cultural Heritage Assessment: Chisholm, NSW.

RPS was engaged in 2017 by ADW Johnson Property Pty Ltd on behalf of Allam Property Group to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for a proposed development and associated infrastructure at Chisholm (RPS, 2017). An archaeological field survey was undertaken on 27 January 2016 which recorded three Aboriginal sites within the Project Area. Recommendations were made for the application for an Aboriginal Heritage Impact Permit (AHIP) to made for archaeological salvage works to be conducted prior to any construction activities.

RPS 2018 Preliminary Aboriginal Heritage Assessment: Chisholm, NSW.

In 2018, RPS were engaged by ADW Johnson on behalf of Avid Property Group to conduct a Preliminary Aboriginal Cultural Heritage Assessment to accompany a Development Application to Maitland City Council for a proposed subdivision and construction of infrastructure on a property at Raymond Terrace Road, Chisholm, NSW in the Maitland Local Government Area (LGA). The report found that the proposed subdivision layout had the potential to cause direct impact to Aboriginal objects associated with one Artefact Scatter with Potential Archaeological Deposit (PAD) and one Artefact Scatter resulting in total loss of value (RPS, 2018). Further assessment was recommended for the Project Area including archaeological testing of the Sensitivity Area in Survey Unit 1 – 'South' accompanied by an Aboriginal Cultural Heritage Assessment Report (ACHAR) and community collection under an Aboriginal Heritage Impact Permit (AHIP) of surface

artefacts in the Sensitivity Area in Survey Unit 3 – 'North'. These recommendations were completed by 2020 under AHIP C0005420.

RPS 2020 Aboriginal Heritage Due Diligence Assessment: Cessnock Road, Gillieston Heights.

RPS was engaged by Rotor Sand Unit Trust to prepare an Aboriginal Heritage Due Diligence Assessment for the proposed Development Application at Gillieston Heights NSW, located within the Maitland Council Local Government Area (LGA) (RPS, 2020). The results of the AHIMS search and the visual inspection indicated no identified Aboriginal objects in the Project Area. As there were no identified Aboriginal objects in the Project Area, it was assessed that there was nil identified risk of harm to Aboriginal objects. Considering the lack of identified material, the site disturbance and modification of the natural landscape, the Aboriginal archaeological potential of the Project Area was considered to be low.

4.3 Summary and analysis of background information

The results of the AHIMS search and the previous assessments indicate that the most common site types in the area are artefact scatters, isolated finds and artefacts sites of unspecified numbers. Although there are AHIMS sites in the wider area, many have been salvaged under AHIPs. Despite these sites, the partially cleared disturbed landscape may result in low potential for further identification of Aboriginal sites and objects within the Project Area and the integrity of cultural deposits, if present.

Although the 2008 report purportedly identified 6 artefact sites within the current Project Area, no AHIMS sites are registered within the current Project Area.

5 VISUAL INSPECTION

A visual inspection of the Project Area was undertaken to identify whether Aboriginal objects are present on the ground surface or are likely to be present below the ground surface. In accordance with the *Due Diligence Codes* a qualified archaeologist undertook the visual inspection (DECCW, 2010c, pp. 12-13).

The due diligence visual inspection was undertaken on 12 March 2021 by RPS Senior Heritage Consultant, Ben Slack, RPS Graduate Heritage Consultant, Kate Morris, and RPS Field Archaeologist, Aurélie Luciani. The site inspection was undertaken on foot and included 4 of the 18 lots that comprise the Project Area. This was due to access restrictions by property owners. The purpose of this visual inspection was to assess whether Aboriginal objects and/or places and historical heritage items were present within the Project Area and/or have potential to occur.

The specific lots within the Project Area that were surveyed include:

- Lot 281 DP755231 (102 Gingers Lane)
- The western portion of Lot 280 DP755231 (72 Gingers Lane)
- Lot 275 DP755231 (71 Metcalfe Lane)
- Lot 276 DP755231 (19 Metcalfe Lane)

5.1 Field Results

Five property owners of the 18 lots that comprise the Project Area had given permission for site access to conduct the heritage inspection. However, methodology for this inspection entailed door-knocking owners' houses to confirm site access and ensure no dangers were present (e.g. live electric fences). The owners of 40 and 72 Gingers Lane were not home and could not confirm site access or hazards, so these properties were avoided. However, the western portion of 72 Gingers Lane was visible from 102 Gingers Lane, which was inspected, and so is included in the field results.

5.1.1 Lot 281 DP755231 (102 Gingers Lane)

102 Gingers Lane is located in the southern central portion of the Project Area. The property comprised 3 paddocks, which varied in size, and a mown lawn. The first paddock was a cattle yard and was bounded by barbed wire fences. A dam, and two log piles were present, and the grass was slashed in most areas (**Plate 1**). The grass was particularly dense in the west and contributed to low ground surface visibility (10%). There was a mixture of dead and living mature trees with ringbarking from cattle on one. Exposures occurred around the dam revealing compacted, very light brown silt with a large number of ironstone pebbles (**Plate 2**). In an eroding section, the soil changed from a light beige silt, to an orange coarse silt (**Plate 3**). Nodules of sandstone were sitting near a small outcrop of sandstone by the water. No suitable raw materials for the production of stone tools were present.

Another exposure at the gate from the first paddock to the second revealed similarly light brown silt with ironstone (**Plate 4**). The grass was taller and thicker in the second paddock (**Plate 5**). A shed, fencing, and log piles, were present. The third paddock contains thick dense grass in the south that became sparse amongst the tall mature trees in the north. In the patch of woodland in the north, there were several exposures that revealed dark brown silt and ironstone, indicating present A horizon. Ground surface visibility was higher here but still low (30%) due to leaf litter and fallen boughs (**Plate 6**).

The first two paddocks are disturbed from cattle grazing, built structures, and the dam. There appears to be less disturbance in the third paddock. No Aboriginal objects or suitable raw materials were identified in this part of the visual inspection.



Plate 1: Paddock 1 with bathtub, fencing, and slashed grass



Plate 2: Exposure by dam revealing silt and ironstone



Plate 3: Eroded section by dam



Plate 4: Exposure between paddock 1 and 2 revealing very light silt and ironstone



Plate 5: Dense grass



Plate 6: Less grass in the woodland, leaf litter, and exposures

5.1.2 Lot 280 DP755231 (72 Gingers Lane)

The owner 72 Gingers Lane was not home and could not confirm site access or hazards (e.g., live electric fences), so it was not inspected. It was clear from the road and driveway that the property did comprise horse paddocks, and the western portion was visible from 102 Gingers Lane.

The western portion of 72 Gingers Lane is in the southern central portion of the Project Area. This portion of the property comprised thick 1 metre high grasses and reeds (**Plate 7**). Dense woodland and vegetation occurred both in the north and south of the site (**Plate 8**). Ground visibility was <5%. The vegetated area is reasonably undisturbed aside from animal grazing and vegetation clearing. No Aboriginal objects were identified in this part of the visual inspection, however there was very little ground surface visibility.



Plate 7: Tall, dense grass



Plate 8: Dense woodland to the north

5.1.3 Lot 275 DP755231 (71 Metcalfe Lane)

71 Metcalfe Lane is located in the northern central portion of the Project Area. The property included horse paddocks and dog racing fenced areas. The fenced dog areas were mown and in the north of the property (**Plate 9**). A horse paddock was adjacent to the dog area and comprised a built dam, some mature trees with ringbarking from horses, and built structures including residential housing (**Plate 10**). There was little grass in the north west. Soil around the dam comprised brown silt and silty clay, and ironstone. Chicken wire was wrapped around two mature trees by the dam. Leaf litter, sticks and short grass obscured the ground in the eastern section. Ground surface visibility was somewhat low (45%) except on the exposures. Some exposures were present in the very north-east but the area was significantly disturbed by landscaping. No Aboriginal objects or suitable raw materials were identified in this part of the visual inspection.



Plate 9: Mown dog area



Plate 10: Horse paddock

5.1.4 Lot 276 DP755231 (19 Metcalfe Lane)

19 Metcalfe Lane is located in the north-east portion of the Project Area. The property had dense grass that was mown between gates for vehicles and access. Some mature trees were present. Built structures and concrete and metal materials were present in the first paddock (**Plate 11**). A dam was present in the second. Exposures occurred at the dam revealing compacted silt and ironstone (**Plate 12**). Ground surface visibility was very low (<5%) due to the dense grasses. No Aboriginal objects or suitable raw materials were identified in this part of the visual inspection; however, ground surface visibility was very low.



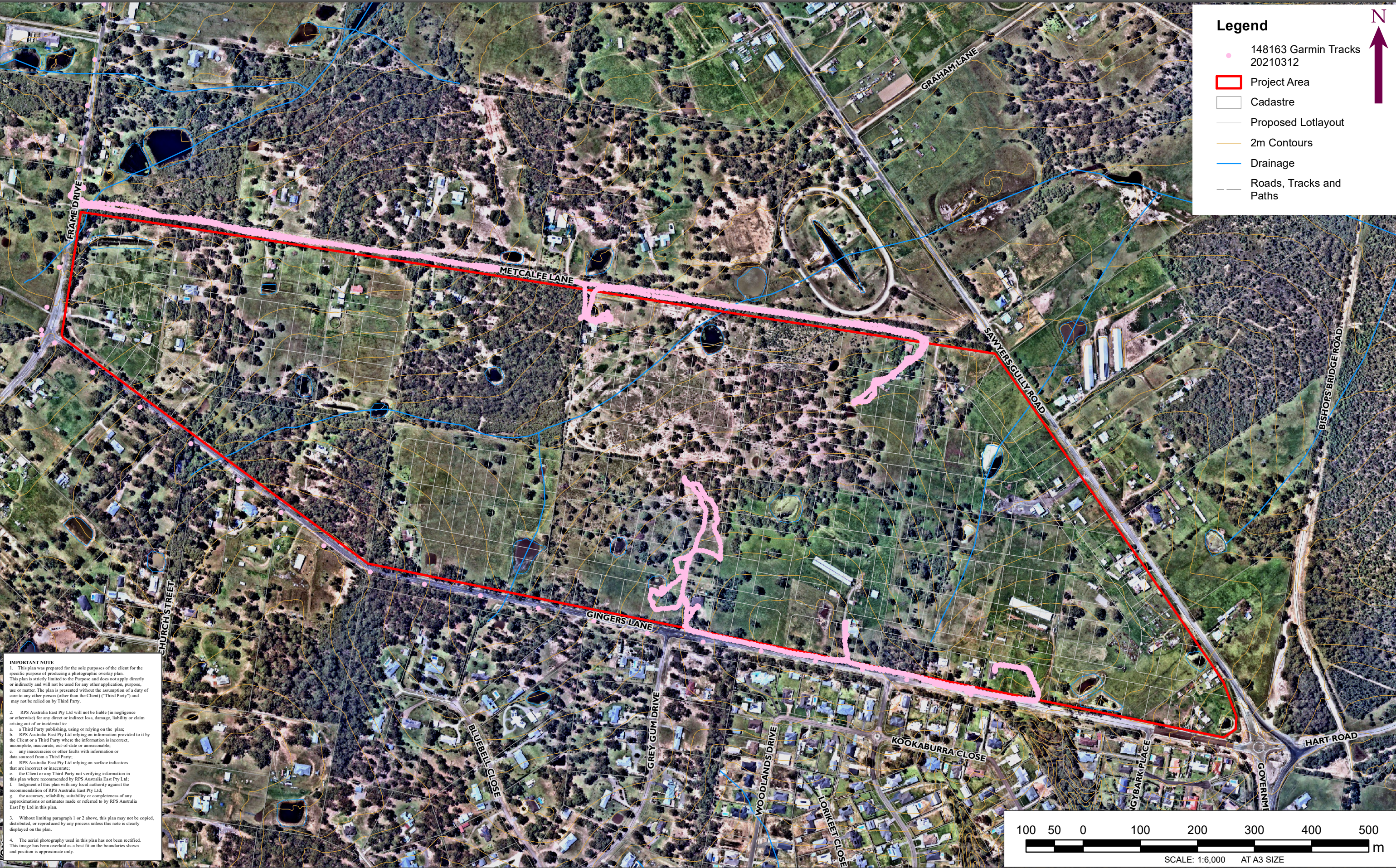
Plate 11: Dense grass and built structure



Plate 12: Exposures by the dam

5.2 Visual Inspection Summary

No Aboriginal objects or sites were identified during the visual inspection. Ground surfaces of four lots were inspected for stone artefacts with none identified. Ground surface visibility was poor, and materials identified comprised sandstone and ironstone. These materials are not suitable for artefact manufacture. While mature trees were identified within the four lots, none showed evidence of cultural modification or scarring. Considering the visual inspection results and the agricultural and residential disturbances in the area, the sub-surface archaeological potential appears to be low on these four properties. This finding does not apply to the other properties within the Project Area, which will require a visual inspection prior to works commencing.



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TITLE : SURVEY MAP	LOCATION : GINGERS LANE CESSNOCK	PROJECTION: GDA2020 MGA Zone 56 DATUM:GDA2020 DATA SOURCES: RPS, Client Land and Property 2020	DATE : 15/03/2021 PURPOSE: HERITAGE	VERSION (PLAN BY): A A3 (Natalie.Wood) J:\JOBS\148K\148163 Cessnock\10 - Drafting\Arcgis Map Documents\Arch\148163 Figure Survey\Tracks A A3L PATH: 20210315.mxd
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CLIENT: PERCEPTION PLANNING PTY LTD

JOB REF: PR148163

RPS AUSTRALIA EAST PTY LTD (ABN 44 140 292 762)

Unit 2A, 45 Fitzroy Street, Carrington, NSW, Australia, 2294 PO Box 120, Carrington, NSW, 2294

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6 CONSIDERATION OF THE PROPOSED WORKS AGAINST THE DUE DILIGENCE CODE OF PRACTICE

The purpose of a due diligence assessment is to identify whether Aboriginal objects are present, or likely to be present, in the Project Area; to determine whether proposed activities are likely to harm Aboriginal objects (if present).

In response to Section 8 of the Due Diligence Code outlines the process to guide due diligence assessments, summarised below in relation to the proposed works.

1. *Will the activity disturb the ground surface or any culturally modified trees?*

No. Rezoning should not disturb the ground surface. However, future works will have the potential to cause sub-surface impacts. No culturally modified trees have been registered within the Project Area and none were identified as part of the visual inspection undertaken to inform this assessment.

2. *Are there any:*

- a) *Relevant confirmed site records or other associated landscape feature information on AHIMS?*
- b) *Any other sources of information of which a person is already aware?*
- c) *Landscape features that are likely to indicate the presence of Aboriginal objects?*

As discussed in **Section 4**, no sites are recorded within the Project Area and no Aboriginal objects were located during the site inspection of four lots. As such, there is a low likelihood any Aboriginal objects will be impacted during future works on the four lots inspected. Further assessment will have to be undertaken on the other 14 lots to determine whether any Aboriginal objects will be impacted by future works.

Based on the environmental context, as well as the results of previous archaeological investigations undertaken in proximity to the Project Area, it is considered the most likely site type to occur in the area would be:

- Artefact scatters;
- And Isolated finds.

The Due Diligence Code identifies sensitive landscapes features that indicate the likely existence of Aboriginal objects. These include landscapes features within 200 metres of waters.

The Project Area is located within 200 metres of ephemeral water sources (relying on seasonal water). Unnamed first and second order tributaries of Black Waterholes Creek run through the entire Project Area. Swamp Creek flows east-west to the south of the Project Area and the Hunter River is within 15km to the north. It is therefore determined that the proposed works will not occur in a Heritage NSW defined sensitive landscape.

The broader landscape of which the Project Area is likely to have been utilised by aboriginal people accessing the resources seasonally of these ephemeral creeks, and other nearby resources procurement areas in the past. This is demonstrated by the results of the extensive AHIMS search. In order to clarify the potential sensitivities of the project area specifically, it was considered necessary to undertake a visual inspection.

3. *Desktop assessment and visual inspection:*

Sections 3 to 6 of this letter report provide the details of the desktop assessment and visual inspection of the Project Area. The desktop assessment found that while there were nil previously recorded AHIMS sites within the Project Area, its environment may have been conducive to potential Aboriginal occupation due to the surrounding landforms.

During the visual inspection it was noted that the site was demonstrably disturbed due to agricultural activities and associated landscaping and structures. The Due Diligence Code specifies:

'Land is disturbed if it has been the subject of human activity that's has changed the lands surface, being changes that remain clear and observable'

The results of the AHIMS search and the visual inspection indicate that there are no identified Aboriginal objects in four of the 18 lots. On the basis of the above, it is assessed that there is a low likelihood that the rezoning will result in harm to Aboriginal objects, however, further assessment must be undertaken on remaining lots within the Project Area to ensure no harm to Aboriginal objects during future works.

7 CONCLUSION AND RECOMMENDATIONS

This report has considered the environmental and archaeological information available for the Project Area, previous disturbances and the condition of the land and the nature of the proposed activities in order to assess potential impacts to Aboriginal objects.

The search of the AHIMS database revealed no previously recorded Aboriginal site within the searched coordinates.

The Project Area was inspected on foot on 12 March 2021. During the visual inspection, no Aboriginal objects were identified. Based on this and a lack of natural resources in the region, it is considered that there is low possibility of sub-surface sites or objects within the four lots inspected. There is a low likelihood that the rezoning will result in harm to Aboriginal objects, however, only four of the 18 lots that comprise the Project Area were accessible during the visual inspection. Therefore, further assessment must be undertaken on remaining lots within the Project Area to ensure no harm to Aboriginal objects during future works.

Recommendations

Recommendation 1: Further assessment

An Aboriginal Cultural Heritage Assessment Report (ACHAR) should be conducted to ensure the cultural heritage values are identified prior to any construction work occurring within the Project Area. This assessment would also require a visual inspection across the whole Project Area, including areas not accessible during this due diligence assessment.

Recommendation 2: Record keeping

This due diligence assessment must be kept by Perception Planning so that it can be presented, if needed, as a defence from prosecution under Section 86(2) of the *National Parks and Wildlife Act 1974*.

Recommendation 3: Aboriginal cultural heritage induction

Prior to any construction works occurring, all site workers and personnel involved in site impact works associated with the Project Area should be inducted and briefed the possible identification of Aboriginal objects during construction and their responsibilities according to the provisions of *National Parks and Wildlife Act 1974* and the *Heritage Act 1977*.

An Aboriginal cultural heritage induction led by Mindaribba LALC is recommended and can be arranged via +61240157000.

Recommendation 4: Unexpected finds procedure, Aboriginal object/s

If suspected Aboriginal objects are identified during construction the following procedures must be followed (**Appendix C**):

- 5) Immediately cease all activity at the location.
- 6) Ensure no further harm occurs, secure the area.
- 7) Notify Environment Protection Authority's Enviro Line on 131 555, Mindaribba LALC on +61240157000 and an archaeologist (RPS +61 2 4940 4200).
- 1) No further action to be undertaken until Heritage NSW provides written consent.

8 REFERENCES

- Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 Part 6 National Parks and Wildlife Act, (2010a).
- Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, (2010b).
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Appendix A

Extensive AHIMS

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : PR148163 Gingers Lane

Client Service ID : 564924

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
37-6-1325	Swamp Creek RTA 10 IF (SWC RTA 10IF)	AGD	56	356447	6370271	Open site	Valid	Artefact : 1		
	Contact	Recorders				Umwelt (Australia) Pty Limited - Individual users,Leila McAdam		Permits	2102	
37-6-1233	Hebden Estate Isolated find	AGD	56	354550	6367700	Open site	Valid	Artefact : -		
	Contact	Recorders				Dominic Steele Archaeological Consulting		Permits	2047	
37-6-1341	Black Waterholes Creek RTA 1 IF	AGD	56	355826	6371730	Open site	Valid	Artefact : 1		
	Contact	Recorders				Umwelt (Australia) Pty Limited - Individual users,Leila McAdam		Permits	2102	
37-6-1342	Black Waterholes Creek RTA 2 IF	AGD	56	355388	6372208	Open site	Valid	Artefact : 1		
	Contact	Recorders				Umwelt (Australia) Pty Limited - Individual users,Leila McAdam		Permits	2102	
37-6-1343	Black Waterholes Creek RTA 3 IF	AGD	56	356293	6371108	Open site	Valid	Artefact : 1		102231
	Contact	Recorders				Umwelt (Australia) Pty Limited - Individual users,Leila McAdam		Permits	2102	
37-6-1344	Black Waterholes Creek RTA 4 IF (BWC RTA 4 IF)	AGD	56	355416	6372102	Open site	Valid	Artefact : 1		
	Contact	Recorders				Umwelt (Australia) Pty Limited - Individual users,Leila McAdam		Permits	2102	
37-6-1356	Swamp Creek RTA 4	AGD	56	356557	6370688	Open site	Valid	Artefact : 4		
	Contact	Recorders				Umwelt (Australia) Pty Limited - Individual users,Leila McAdam		Permits	2102	
37-6-1360	Swamp Creek RTA 8 IF	AGD	56	357269	6370282	Open site	Valid	Artefact : 1		
	Contact	Recorders				Umwelt (Australia) Pty Limited - Individual users,Leila McAdam		Permits	2102	
37-6-1361	Swamp Creek RTA 9	AGD	56	357005	6370549	Open site	Valid	Artefact : 7		
	Contact	Recorders				Umwelt (Australia) Pty Limited - Individual users,Leila McAdam		Permits	2102	
37-6-1363	PAD11 Black Waterholes Creek	AGD	56	356091	6371356	Open site	Valid	Potential Archaeological Deposit (PAD) : 1		102231
	Contact	Recorders				Umwelt (Australia) Pty Limited - Individual users,Leila McAdam		Permits	2096	
37-6-1958	KK10	GDA	56	357407	6371800	Open site	Valid	Artefact : 3		102231
	Contact	Recorders				Australian Museum Consulting (AM Consulting),Mrs.Tessa Boer-Mah		Permits	3203	
37-6-1959	KK11	GDA	56	357079	6371849	Open site	Valid	Artefact : 1		102231
	Contact	Recorders				Australian Museum Consulting (AM Consulting),Mrs.Tessa Boer-Mah		Permits	3203	
37-6-1960	KK12	GDA	56	356887	6371887	Open site	Valid	Artefact : 1		102231
	Contact	Recorders				Australian Museum Consulting (AM Consulting),Mrs.Tessa Boer-Mah		Permits	3203	
37-6-2005	KR02	GDA	56	357528	6370404	Open site	Valid	Artefact : -		
	Contact	Recorders				Australian Museum Consulting (AM Consulting),Mrs.Tessa Boer-Mah		Permits	3201	
37-6-2006	KR03	GDA	56	357491	6370454	Open site	Valid	Artefact : -		
	Contact	Recorders				Australian Museum Consulting (AM Consulting),Mrs.Tessa Boer-Mah		Permits	3201	
37-6-2007	KR04	GDA	56	357367	6370539	Open site	Valid	Artefact : -		
	Contact	Recorders				Australian Museum Consulting (AM Consulting),Mrs.Tessa Boer-Mah		Permits	3201	
37-6-2008	KR05	GDA	56	357171	6370683	Open site	Valid	Artefact : -		

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AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : PR148163 Gingers Lane

Client Service ID : 564924

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
	<u>Contact</u>	<u>Recorders</u>	Australian Museum Consulting (AM Consulting),Mrs.Tessa Boer-Mah							
37-6-2009	KR06	GDA	56	356187	6371481	Open site	Valid	Artefact : -	3201	102231
	<u>Contact</u>	<u>Recorders</u>	Australian Museum Consulting (AM Consulting),Mrs.Tessa Boer-Mah							
37-6-1955	KK07	GDA	56	356742	6372396	Open site	Valid	Artefact : 2	3201	102231
	<u>Contact</u>	<u>Recorders</u>	Australian Museum Consulting (AM Consulting),Mrs.Tessa Boer-Mah							
37-6-3054	Hydro-AS11-14	GDA	56	357628	6372468	Open site	Valid	Artefact : -	3151,3203	
	<u>Contact</u>	<u>Recorders</u>	Andrew McLaren							
37-6-3055	Hydro-AS12-14	GDA	56	357175	6372186	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Andrew McLaren							
37-6-3056	Hydro-AS13-14	GDA	56	357378	6372130	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Andrew McLaren							
37-6-3057	Hydro-AS14-14	GDA	56	357432	6372247	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Andrew McLaren							
37-6-3058	Hydro-AS15-14	GDA	56	357565	6372127	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Andrew McLaren							
37-6-3064	Hydro-AS21-14	GDA	56	357637	6371864	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Andrew McLaren							
37-6-3065	Hydro-AS22-14	GDA	56	357458	6371685	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Andrew McLaren							
37-6-3059	Hydro-AS16-14	GDA	56	357531	6372061	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Andrew McLaren							
37-6-3066	Hydro-AS24-14	GDA	56	355859	6372140	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Andrew McLaren							
37-6-3067	Hydro-AS25-14	GDA	56	356555	6371753	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Andrew McLaren							
37-6-3068	Hydro-AS26-14	GDA	56	357247	6371141	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	McLachlan Thorpe Partners							
37-6-3069	Hydro-AS27-14	GDA	56	357148	6370939	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Andrew McLaren							
37-6-3070	Hydro-AS28-14	GDA	56	357219	6370703	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Andrew McLaren							
37-6-3872	Hydro PAD 1	GDA	56	357445	6371592	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
	<u>Contact</u>	<u>Recorders</u>	AECOM Australia Pty Ltd - Sydney,Doctor.Andrew Peter McLaren							

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AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : PR148163 Gingers Lane

Client Service ID : 564924

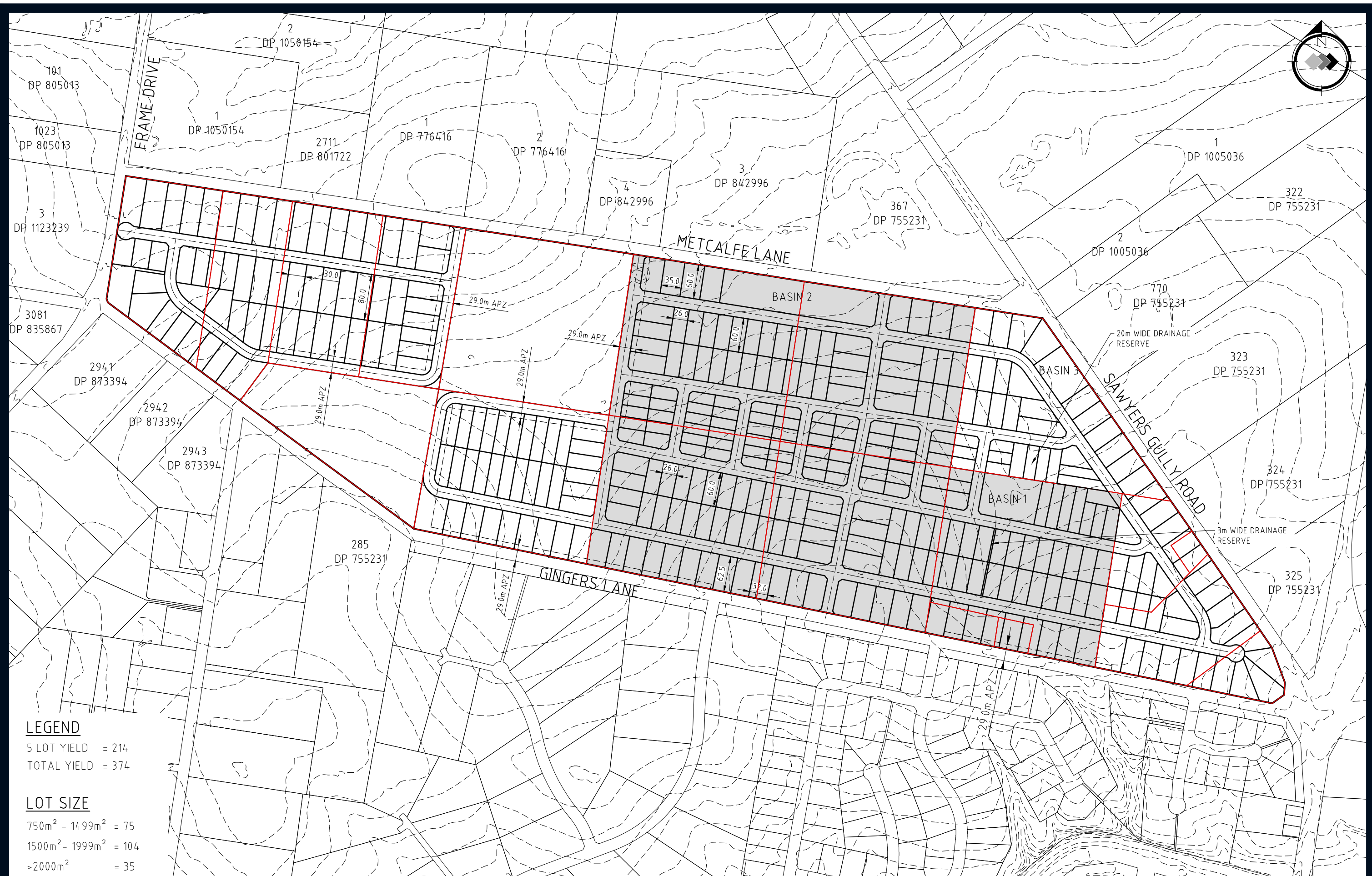
SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
37-6-1644	Swamp Creek Catchment 5	AGD	56	356949	6370574	Open site	Valid	Artefact : 2		100062
	<u>Contact</u> Searle	<u>Recorders</u>		Ms.Tudur Llwyd Davies				<u>Permits</u>	2520,2660	
37-6-1645	Swamp Creek Catchment 4	AGD	56	357603	6369908	Open site	Valid	Artefact : 1		100062
	<u>Contact</u> Searle	<u>Recorders</u>		Ms.Tudur Llwyd Davies				<u>Permits</u>	2520,2660	
37-6-1650	Northern Swamp Tributaries 4	AGD	56	356724	6371757	Open site	Valid	Artefact : 29		100062,10223 1
	<u>Contact</u> Searle	<u>Recorders</u>		Ms.Tudur Llwyd Davies				<u>Permits</u>	2520,2660,3151,3203	
37-6-1652	Northern Swamp Tributaries 2	AGD	56	356637	6372207	Open site	Valid	Artefact : 2		100062,10223 1
	<u>Contact</u> Searle	<u>Recorders</u>		Ms.Tudur Llwyd Davies				<u>Permits</u>	2520,2660,3151,3203	
37-6-2090	Chinamans Hollow IF1	GDA	56	355094	6368443	Open site	Valid	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>		Doctor.Tim Owen				<u>Permits</u>		
37-6-2093	Chinamans Hollow PAD	GDA	56	355069	6368415	Open site	Valid	Potential Archaeological Deposit (PAD) : 1		
	<u>Contact</u>	<u>Recorders</u>		Doctor.Tim Owen				<u>Permits</u>		
37-6-3794	Kurri Kurri SC01	GDA	56	357447	6369296	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>		EMM Consulting - St Leonards - Individual users,Mr.Andrew Crisp				<u>Permits</u>		
37-6-3969	Hydro-IA35-15	GDA	56	357209	6371474	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>		AECOM Australia Pty Ltd - Sydney,Doctor.Andrew Peter McLaren				<u>Permits</u>		

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Appendix B

Proposed Re-zoning



LEGEND

5 LOT YIELD = 214
TOTAL YIELD = 374

LOT SIZE

750m² - 1499m² = 75
1500m² - 1999m² = 104
>2000m² = 35



Geoff Craig & Associates
1 Hartley Drive,
P.O. Box 3337,
Thornton NSW 2322
Phone: 49641811

TITLE:
PROPOSED SUBDIVISION
GINGERS LANE
SAWYERS GULLY
PLAN SHEET

Cad Ref: 18184LD LD06 r1		Scale: 1:6000		Designed: DB		Project No	
						18184LD	
						Drawing No	
						Revision	
1	ORIGINAL ISSUE	DB	27.04.21	LD06		1	
No	Amendment	Drawn	Date				

Gingers Lane Precinct

Figure A - Proposed Land-Use Zone

- Site Boundary
- Cadastre
- Watercourses
- Waterbodies
- Roads
- R5 - Large Lot Residential

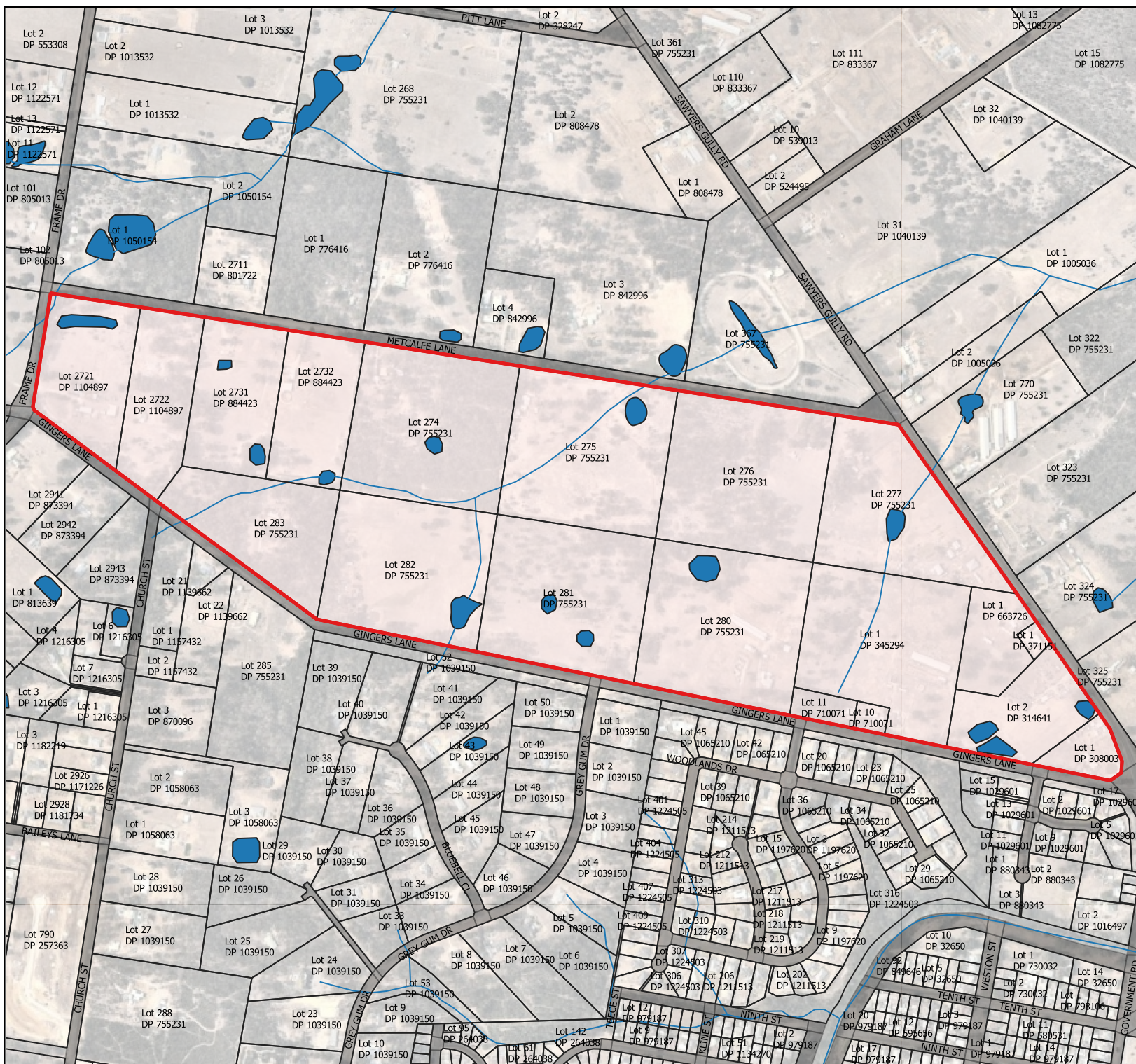


0 100 200 m



While every effort is made to ensure this map is free of errors, there is no warrant the map or its features are either spatially or temporally accurate or fit for a particular use. This map is provided without any warranty of any kind whatsoever, either express or implied.

Job No: J000909 Date: 11/12/2020



Appendix C

Unexpected Finds Procedure

UNEXPECTED FINDS PROCEDURE FOR ABORIGINAL OBJECTS ENCOUNTERED DURING SITE WORKS

