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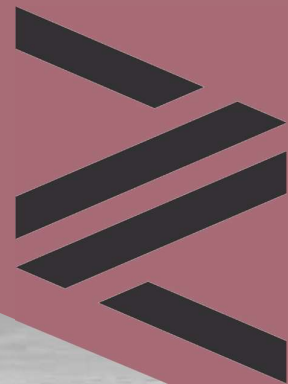
1055 Bruxner Highway,
Goonellabah

Aboriginal and Historic Heritage Due Diligence Assessment

Prepared for Nimble Estates Pty Ltd

November 2022

Lismore Local Government Area



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Executive summary

This Aboriginal and Historic Heritage Due Diligence Assessment (Due Diligence) report has been prepared by Everick Heritage Pty Ltd (Everick Heritage) to accompany a Request for Planning Proposal (Planning Proposal) to amend the Lismore Local Environmental Plan (LLEP). The amendment would enable mixed use development of land referred to as 1055 Bruxner Highway, Goonellabah (the site) comprising residential, employment and public open space lands.

The site at 1055 Bruxner Highway has an area of approximately 76ha and is located adjoining existing urban development on the eastern fringe of Goonellabah. The site comprises two allotments being Lot 42 DP868366 and Lot 1 DP957677 and benefits from frontages to the Bruxner Highway to the north and Oliver Avenue to the west. The site is zoned RU1 Primary Production and has been used for many years for grazing purposes and is largely cleared of vegetation except for remnant trees dispersed across the site. The property is bisected by Tucki Tucki creek with several minor watercourses feeding into it. The site is free from flooding.

The Planning Proposal seeks to amend the LLEP as follows:

- Rezone the site from RU1 Primary Production to the following mix of land use zones:
 - R1 General Residential.
 - B4 Mixed Use.
 - RE1 Public Recreation.
 - IN1 General Industrial.
- Amend the Lot Size Map (Sheet LSZ_005 and Sheet LSZ_006) to remove the current minimum lot size requirement of 40ha and 20ha and impose the following minimum lot sizes:
 - R1 zoned land: a minimum lot size of 300m²
 - B4 zoned land to the north of Tucki Tucki creek: a minimum lot size of 300m²
 - B4 zoned land to the south of Tucki Tucki creek: a minimum lot size of 1,500m²
 - IN1 zoned land: a minimum lot size of 1,500m²

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- Amend the LLEP 2012 Height of Building Map (Sheet HOB_005 and Sheet HOB_006) to impose the following maximum height of building control (excluding the RE1 and IN1 zoned land):
 - B4 zoned land to the north of Tucki Tucki creek: maximum building height of 13.5m
 - R1 zoned land: maximum building height of 8.5m

Changes to the planning controls facilitate the potential development of the site to accommodate a diversity of new housing, employment, and public open space opportunities in an environmentally and socially sustainable environment.

An Indicative Layout Plan (ILP), informed by detailed technical investigations into the characteristics of the site and adjoining land along with available servicing and community infrastructure, confirms the capacity to accommodate urban development comprising the following:

- Approximately 346 residential and mixed use zoned allotments capable of accommodating a variety of housing forms and densities with an estimated population of over 855 residents.
- Approximately 105 allotments zoned industrial and mixed use capable of supporting a variety of employment generating and service activities with an associated potential 2,614 direct jobs.
- Provision of over 14ha of the site to open space comprising land zoned and utilised for public recreation along with riparian corridors and landscape buffers.

This Due Diligence has been undertaken in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (Due Diligence Code of Practice) (Department of Environment, Climate Change & Water [DECCW] 2010a) and the Historical Archaeology Code of Practice (Heritage Council of NSW, Department of Planning 2006). The report provides advice regarding any Aboriginal or historic values present in the site and further assessment or approvals which may be required in order for development to proceed.

A visual inspection was undertaken of the site on 24 August 2022 by Andrew Wilkinson (Senior Archaeologist, Everick Heritage) and Samuel Riley (Archaeologist, Everick Heritage). The inspection focused on inspecting mature native trees for evidence of cultural scarring, examining ground surface exposures for evidence of stone artefacts, classifying landforms, and determining any historic values which may be present in the site. Five areas of Potential Archaeological Deposit (PAD) relating to Aboriginal heritage were identified within the site.

Recommendations

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Aboriginal heritage

Five PADs of moderate archaeological sensitivity and potential were identified within the site. It is recommended that, if possible, the areas of PAD identified during the visual inspection are avoided to prevent harm to subsurface Aboriginal objects if present.

If avoidance of the areas of PAD is not possible archaeological test excavation is recommended to determine:

- If subsurface archaeological deposit is present
- Determine what the nature and extent is for any archaeological deposit
- Provide recommendations for the management of archaeological deposit where present.

Further archaeological assessment of the site must be conducted in accordance with the:

- Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (DECCW 2010b)
- Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (Consultation Requirements) (2010c)
- Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (the Guide) (Office of Environment and Heritage [Heritage NSW] 2011)

Historic heritage

The Rose Farm House, farm complex and the northern cottage, both within the site, were assessed under the NSW Heritage Manual guidelines and found not to meet the threshold for local significance. No heritage specific permissions under the *NSW Heritage Act 1977 (NSW)* (Heritage Act) are required for any future development within the site. The following general provisions should be in place in the case of unexpected discovery of archaeological relics within the site.

All archaeological relics are protected under the Heritage Act regardless of if they are known or unknown. An unexpected finds protocol as follows should therefore be in place to mitigate heritage material which may be uncovered during works:

- If at any time during the proposal construction, historical heritage materials, features and/or deposits are found, the following actions should be undertaken:
- All construction that could potentially harm the historical heritage materials, features or deposits would cease (including stopping all construction within at least 10 m). Only construction that is

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required to comply with occupational and environmental health and safety standards and/or to protect the historical heritage would occur. Construction that does not have the potential to harm the historical heritage would continue only if it were outside the minimum 10 m buffer.

- A suitably qualified and experienced archaeologist (the archaeologist) would be contacted as soon as practicable in relation to the unexpected discovery of any historical heritage and would be responsible for recording, in detail, the location and context of any historical heritage. Any materials, features and/or deposits would be analysed and/or catalogued and any official site records would be created or updated (where appropriate). The archaeologist would also make recommendations for the management of the historical heritage in relation to the project.
- It is preferable to avoid impacts on historical heritage where possible. If avoidance is not possible, the archaeologist would conduct a salvage excavation. The aims of the salvage excavation would be to obtain as much information as possible from the historical heritage materials, features and/or deposits.
- The archaeologist would provide a report detailing the excavation, salvage, and analysis results to Heritage NSW, Department of Premier and Cabinet at the completion of the salvage.

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Definitions and abbreviations

AHIMS	means Aboriginal Heritage Information Management System
AHIP	means Aboriginal Heritage Impact Permit
<i>ALR Act</i>	means <i>Aboriginal Land Rights Act 1983 (NSW)</i>
<i>Commonwealth Act</i>	means <i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth)</i>
cm	means centimetres
DECCW	means Department of Environment, Climate Change and Water (now Heritage NSW)
Due Diligence Code of Practice	means Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales
Everick Heritage	means Everick Heritage Pty Ltd
ha	means hectare
ICOMOS	means International Council on Monuments and Sites
km	means kilometres
LALC	means Local Aboriginal Land Council
LLEP	means Lismore Local Environmental Plan
LGA	means Local Government Area
m	means metres
<i>NPW Act</i>	means <i>National Parks and Wildlife Act 1974 (NSW)</i>
<i>NPW Regulation</i>	means <i>National Parks and Wildlife Regulation 2009</i>
NSW	means New South Wales
PAD	means Potential Archaeological Deposit

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Planning Proposal means Request for Planning Proposal

the site means area shown in Figure 1-1

1. Introduction

1.1. Project background

This Aboriginal and Historic Due Diligence Assessment (Due Diligence) report has been prepared by Everick Heritage Pty Ltd (Everick Heritage) to accompany a Request for Planning Proposal (Planning Proposal) to amend the Lismore Local Environmental Plan (LLEP) to enable mixed use development of land referred to as 1055 Bruxner Highway, Goonellabah (the site) comprising residential, employment and public open space lands.

1.2. The site

The site at 1055 Bruxner Highway has an area of approximately 76ha and is located adjoining existing urban development on the eastern fringe of Goonellabah. The site comprises two allotments being Lot 42 DP868366 and Lot 1 DP957677 and benefits from frontages to the Bruxner Highway to the north and Oliver Avenue to the west. The site is zoned RU1 Primary Production and has been used for many years for grazing purposes and is largely cleared of vegetation except for remnant trees dispersed across the site. The property is bisected by Tucki Tucki creek with several minor watercourses feeding into it. The site is free from flooding.

The site is located in the Parish of Lismore, County of Rous. The site is located within the Ngulingah Local Aboriginal Land Council (LALC) area.

1.3. Project description

- The Planning Proposal seeks to amend the LLEP as follows:
- Rezone the site from RU1 Primary Production to the following mix of land use zones:
- R1 General Residential.
- B4 Mixed Use.
- RE1 Public Recreation.
- IN1 General Industrial.

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- Amend the Lot Size Map (Sheet LSZ_005 and Sheet LSZ_006) to remove the current minimum lot size requirement of 40ha and 20ha and impose the following minimum lot sizes:
- R1 zoned land: a minimum lot size of 300m²
- B4 zoned land to the north of Tucki Tucki creek: a minimum lot size of 300m²
- B4 zoned land to the south of Tucki Tucki creek: a minimum lot size of 1,500m²
- IN1 zoned land: a minimum lot size of 1,500m²
- Amend the LLEP 2012 Height of Building Map (Sheet HOB_005 and Sheet HOB_006) to impose the following maximum height of building control (excluding the RE1 and IN1 zoned land):
- B4 zoned land to the north of Tucki Tucki creek: maximum building height of 13.5m
- R1 zoned land: maximum building height of 8.5m
- Changes to the planning controls facilitate the potential development of the site to accommodate a diversity of new housing, employment, and public open space opportunities in an environmentally and socially sustainable environment.
- An Indicative Layout Plan (ILP), informed by detailed technical investigations into the characteristics of the site and adjoining land along with available servicing and community infrastructure, confirms the capacity to accommodate urban development comprising the following:
- Approximately 346 residential and mixed use zoned allotments capable of accommodating a variety of housing forms and densities with an estimated population of over 855 residents.
- Approximately 105 allotments zoned industrial and mixed use capable of supporting a variety of employment generating and service activities with an associated potential 2,614 direct jobs.
- Provision of over 14ha of the site to open space comprising land zoned and utilised for public recreation along with riparian corridors and landscape buffers.

1.4. Methodology

1.4.1. Aboriginal Due Diligence Assessment

This assessment consisted of the following tasks, in line with Steps 1-5 of the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (Due Diligence Code of Practice) (Department of Environment, Climate Change & Water 2010a):

- Assess the nature of the works activities with consideration of ground surface disturbance and the potential to impact on mature indigenous trees which may be culturally modified.
- Assess the presence and nature of recorded Aboriginal sites in the surrounds of the site through database searches and other sources of information such as relevant archaeological reports.
- Assess the past and present landscape features of the site.
- Present evidence and findings from the site inspection.
- Assess the archaeological potential of the site and any likely impact of the works on landforms of archaeological potential.
- Provide recommendations for mitigation of impact to any Aboriginal archaeological values.

1.4.2. Historical Due Diligence Assessment

The historical assessment consisted of the following tasks:

- Searches of the historic heritage databases, including the Lismore Local Environmental Plan (LEP) 2012, NSW State Heritage Register, The National, Commonwealth and World Heritage Registers to ascertain whether there are any known historic sites within or close to the site to establish whether any historic heritage may be impacted
- A summary of previous historic heritage assessments in the area
- Present evidence and findings from the site inspection
- Provide an assessment of the potential impacts to historic values by the current proposal and any mitigation measures or further assessment which may be required.

1.5. Authors and contributors

Samuel Riley (Archaeologist, Everick Heritage) prepared this Due Diligence report and participated in the visual inspection. Samuel holds a Bachelor of Archaeology with a Major in Anthropology and a Master of Research in Modern History.

Andrew Wilkinson (Senior Archaeologist, Everick Heritage) led the visual inspection. Andrew has over ten years' experience as an archaeologist and heritage consultant throughout Australia, Singapore, Malta, and Italy. He is an Associate Member of the Australian Association of Consulting Archaeologists Inc (AACAI) and a full member of the International Council on Monuments and Sites (M.ICOMOS).

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Vanessa Edmonds (Principal, Everick Heritage) provided a quality and compliance review of this report. Vanessa has over 35 years' experience in the heritage consulting industry and is a Full Member of the AACAI.

Alfred Gasore (GIS, Everick Heritage) and Anna Giles (GIS, Everick Heritage) prepared the mapping.

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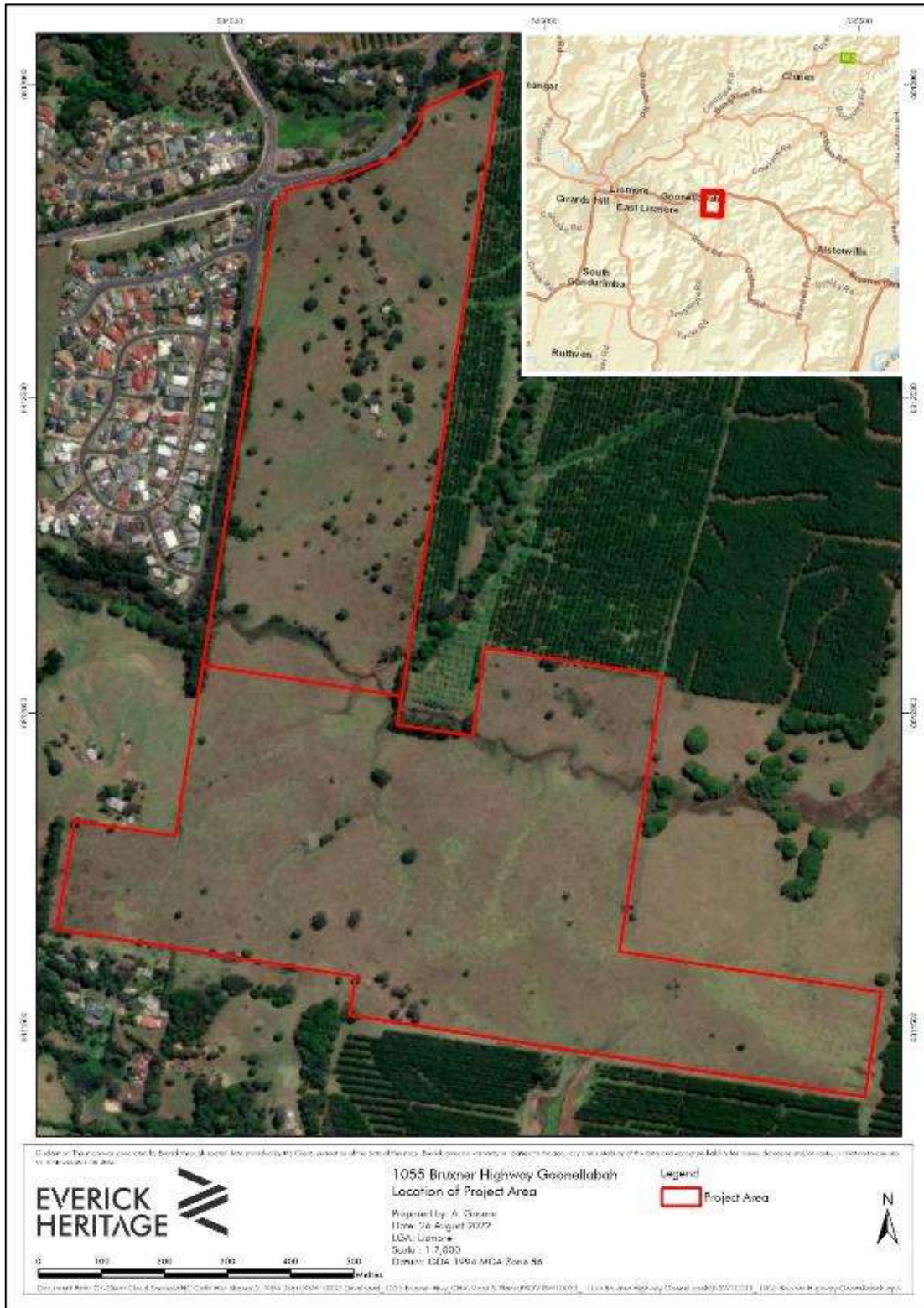


Figure 1-1: The site

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Figure 1-2: Illustrative Concept Plan (indicative)

2. Legislative context

2.1. Commonwealth legislation

2.1.1. Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth)

Most State Aboriginal heritage databases provide protection for those sites with physical evidence. The *Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth)* (*Commonwealth Act*), deals with Aboriginal cultural property in a wider sense. Such cultural property includes any places, objects, and folklore that 'are of particular significance to Aboriginals in accordance with Aboriginal tradition'. In most cases, archaeological sites and objects registered under the *National Parks and Wildlife Act 1974 (NSW)* and *Heritage Act 1977 (NSW)* will also be Aboriginal places subject to the provisions of the *Commonwealth Act*.

There is no cut-off date, and the *Commonwealth Act* may apply to contemporary Aboriginal cultural property as well as ancient sites. The *Commonwealth Act* takes precedence over State cultural heritage legislation where there is conflict. The responsible Minister may make a declaration under Section 10 of the *Commonwealth Act* in situations where state or territory laws do not provide adequate protection of heritage places.

2.2. State legislation

2.2.1. National Parks and Wildlife Act 1974 (NSW)

The *National Parks and Wildlife Act 1974 (NSW)* (*NPW Act*) provides statutory protection to all Aboriginal places and objects. An Aboriginal object is defined as:

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.

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An Aboriginal Place is declared by the Minister under section 86 of the *NPW Act*. Aboriginal Places are recognised for their special significance to Aboriginal culture. Aboriginal Places gazetted under the *NPW Act* are listed on the State Heritage Register established under the *Heritage Act 1977 (NSW)*.

The protection provided to Aboriginal objects applies regardless of the level of their significance or issues of land tenure. Aboriginal objects and places are afforded statutory protection in that it is an offence to knowingly or unknowingly desecrate an Aboriginal object or place under section 86 of the *NPW Act*.

In accordance with section 89A, any person who is aware of the location of an Aboriginal object must notify the Chief executive in the prescribed manner within a reasonable time of becoming aware of that object. The prescribed manner is through preparation and submission of an Aboriginal Site Recording Form to the Aboriginal Heritage Information Management System (AHIMS) (DECCW 2010b: 14).

In order to undertake a proposed activity which is likely to involve harm to an Aboriginal object or Aboriginal Place it is necessary to apply to Heritage NSW (Department of Planning and Environment) for an Aboriginal Heritage Impact Permit (AHIP). AHIPs are issued by the Aboriginal Heritage Regulation Team (Heritage NSW) under section 90 of the *NPW Act* and permit harm to certain Aboriginal objects and Aboriginal Places.

2.2.2. National Parks and Wildlife Regulation 2009 (NSW)

The Due Diligence Code of Practice was adopted by the *National Parks and Wildlife Regulation 2009 (NSW) (NPW Regulation)* and introduced in October 2010 by Heritage NSW (formerly DECCW). The aim of this guideline is to assist individuals and organisations to exercise due diligence when carrying out activities that may harm Aboriginal objects and to determine whether they should apply for consent in the form of an AHIP.

A due diligence assessment should take reasonable and practicable steps to ascertain whether there is a likelihood that Aboriginal objects will be disturbed or impacted during the proposed development. If it is assessed that sites exist or have a likelihood of existing within the development area and may be impacted by the proposed development, further archaeological investigations may be required along with an AHIP. If it is found to be unlikely that Aboriginal sites exist within the study area and the due diligence assessment has been conducted according to the Due Diligence Code of Practice, work may proceed without an AHIP.

This due diligence assessment seeks to comply with the *NPW Act*, by assisting the proponent in meeting their obligations under the *NPW Act*.

2.2.3. Native Title Act 1994 (NSW)

The *Native Title Act 1994 (NSW)* was introduced to work in conjunction with the Commonwealth *Native Title Act 1993 (Cth)*. Native Title claims, registers and Indigenous Land Use Agreements are administered under the *Native Title Act 1994 (NSW)*. A search was conducted of the Native Title register on 8 August 2022 and a claim by the Widjabul Wia-bal People was identified. This claim was accepted for registration on 5 August 2022.

2.2.4. Aboriginal Lands Right Act 1983 (NSW)

The *Aboriginal Land Rights Act 1983 (NSW) (ALR Act)* was introduced to compensate Aboriginal people in NSW for dispossession of their land. The *ALR Act* also established Aboriginal Land Councils (at State and Local levels). These LALC have a statutory obligation under the *ALR Act* to:

- (a) take action to protect the culture and heritage of Aboriginal persons in the council's area, subject to any other law, and
- (b) promote awareness in the community of the culture and heritage of Aboriginal persons in the council's area.

The site is within the boundary of the Ngulingah LALC. Preparation of this Due Diligence would fulfil Ngulingah LALC's obligations under the *ALR Act*.

2.2.5. The Heritage Act 1977 (NSW)

2.2.5.1. State Heritage Register

The Heritage Council of NSW maintains the State Heritage Register (SHR). Only those items which are of state-level heritage significance in NSW are listed on the SHR. Listing on the SHR controls activities such as alteration, damage, demolition and development. When a place is listed on the SHR, the approval of the Heritage Council of NSW is required for any major work, including the following:

- Demolishing the building or work
- Carrying out any development in relation to the land on which the building, work or relic is situated, the land that comprises the place, or land within the precinct

- Altering the building, work, relic or moveable object

An application under section (s) 60 of the *Heritage Act 1977 (NSW)* (Heritage Act) must be made to the Heritage Council in order to carry out such activities.

In some circumstances an s 60 permit may not be required if works are undertaken in accordance with the Standard Exemptions for Works Requiring Heritage Council Approval (NSW Heritage Council 2009). For example, Standard Exemption 7 covers works that would have little or no adverse impact on the heritage significance of the heritage item. An Exemption Notification Form (s 57(2)) is required to be submitted to the NSW Heritage Division (Heritage Division) with appropriate supporting information (such as this heritage assessment).

2.2.5.2. Archaeological Relics

Part 6 Division 9 of the Heritage Act protects archaeological 'relics' from being 'exposed, moved, damaged or destroyed' by the disturbance or excavation of land. This protection extends to the situation where a person has 'reasonable cause to suspect' that archaeological remains may be affected by the disturbance or excavation of the land. It applies to all land in NSW that is not included in the SHR. A 'relic' is defined by the Heritage Act as:

Any deposit, object of material evidence which relates to the settlement of the area that comprises NSW, not being Aboriginal settlement, and has local or state significance.

Section 139 of the Heritage Act requires any person who knows or has reasonable cause to suspect that their proposed works will expose or disturb a 'relic' to first obtain an Excavation Permit from the Heritage Council of NSW (pursuant to s 140), unless there is an applicable exception (pursuant to Section 139(4)). If there is an exception, an Excavation Permit Exception Notification Form must be submitted and endorsed by the Director of Heritage Division for places not listed on the SHR.

In some circumstances a s 140 permit may not be required when excavating land in NSW. In accordance with the NSW Government Gazette (no 110, 5 September 2008) Schedule of Exceptions to subsection 139 (1) and (2) of the Heritage Act, made under subsection 139 (4):

Excavation or disturbance of land of the kind specified below does not require an excavation permit under section 139 of the Heritage Act, provided that the Director-General is satisfied that [certain criteria] have been met and the person proposing to undertake the excavation or disturbance of land has received a notice advising that the Director-General is satisfied that:

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(c) a statement describing the proposed excavation demonstrates that evidence relating to the history or nature of the site, such as its level of disturbance, indicates that the site has little or no archaeological research potential.

An Excavation Permit Exception Notification Form is required to be submitted to the Heritage Division with appropriate supporting information (such as this heritage assessment). If the Director of the Heritage Division is satisfied of the relevant matters relating to the proposal, a copy of the form will be endorsed by the Heritage Division and returned to the applicant.

Section 146 of the Heritage Act requires any person who is aware or believes that they have discovered or located a relic must notify the Heritage Council of NSW, providing details of the location and other information as required.

2.2.5.3. Works

The Heritage Act identifies 'works' as a category separate to relics. 'Works' refer to past evidence of infrastructure which may be buried, and so therefore 'archaeological' in nature and with the potential to provide information that contributes to our knowledge. Exposure of a 'work' does not trigger reporting obligations under the Heritage Act. However, good environmental practice recognises the archaeological potential of such discoveries and the need to balance these against the requirements of development.

3. Background

The purpose of this section is to assist in the prediction of:

- The potential of the landscape over time to have accumulated and preserved Aboriginal objects.
- The ways Aboriginal people have used the landscape in the past with reference to the presence of resource areas, surfaces for art, other focal points for activities and settlement.
- The likely distribution of the material traces of Aboriginal land use based on the above.

3.1. Environmental context

3.1.1. Soil landscapes of the site

The site lies entirely on one soil landscape – Wollongbar. The Wollongbar soil landscape is characterised by very low to low, gently undulating to rolling rises and hills on plateau surfaces of the Lismore Basalts with slopes of between three and 15 per cent, a general relief of between 30 and 60 m and an altitude of between 140 and 200 m. Its soils consist generally of greater than 200 centimetres (cm) of well-drained Krasnozems with shallower, stonier Krasnozems of between 80 and 150 cm on crests and upper slope boundaries and wet alluvial Krasnozems in drainage lines.

3.1.2. Topography and hydrology

The site is located on low rolling hills west of the Alstonville Plateau, which is characterised by gentle to undulating slopes of rolling rises and occasional steep slopes.

The site is bisected by Tucki Tucki Creek with several minor watercourses draining into it, although is free from flooding.

3.1.3. Vegetation

Vegetation associated with the Wollongbar soil landscape is generally extensively cleared closed forest of the 'Big Scrub'. The 'Big Scrub' was the term given to the subtropical rainforest that originally covered the basalt plateaus of the Lismore region. Present vegetation is dominated by closed sod grassland with

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extensive areas of closed-forest communities of the exotic camphor laurel (*Cinnamomum camphora*). Grass species include paspalum (*Paspalum dilatatum*) and kikuyu (*Pennisetum clandestinum*). Blady grass (*Imperata cylindrica*) and kangaroo grass (*Themeda australis*) are also present. Small and relatively rare stands of Coast Banksia (*Banksia integrifolia* var. *compa*) are present in places and are testimony to the free-draining nature of Krasnozems.

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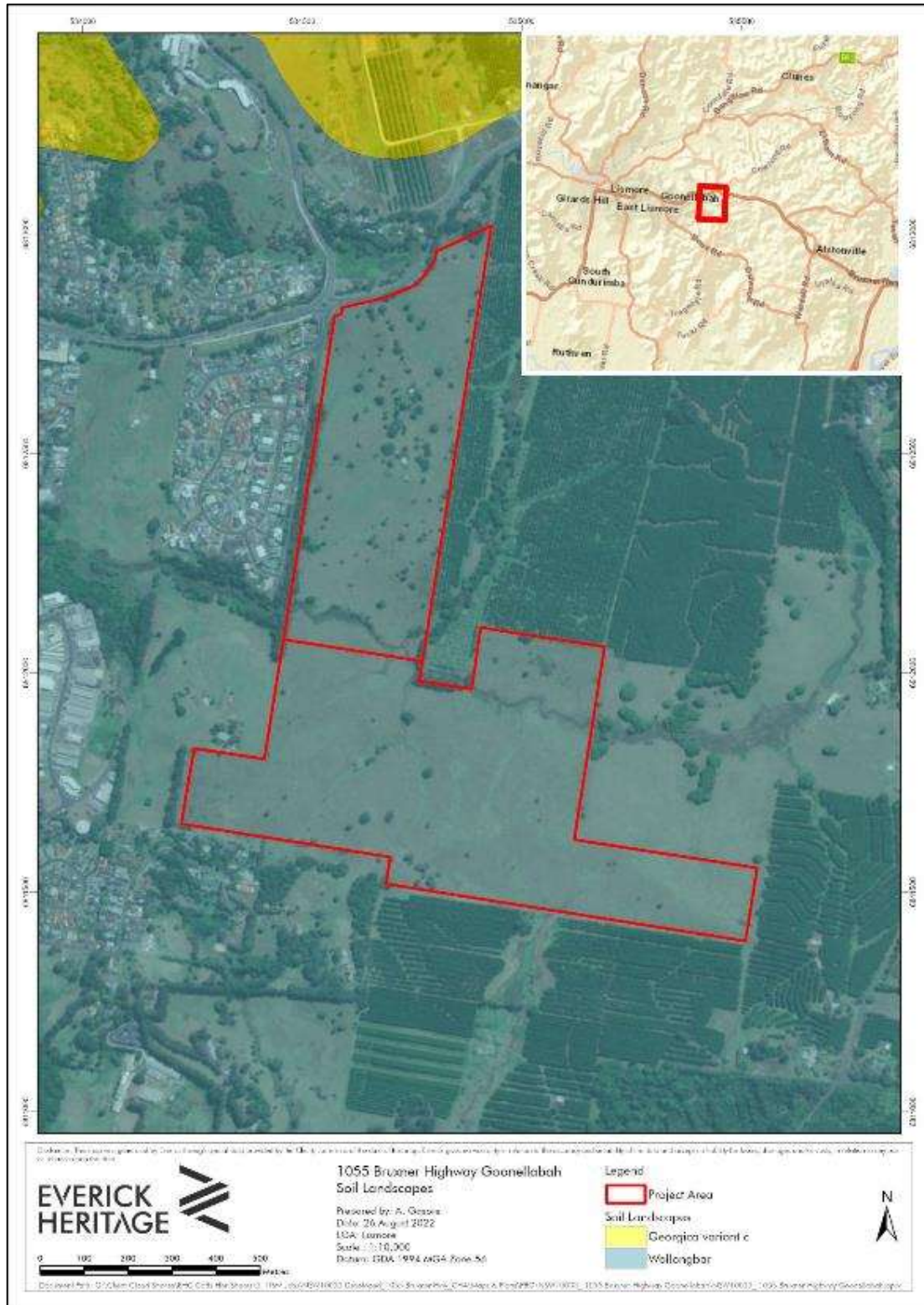


Figure 3-1: Soil landscapes of the site

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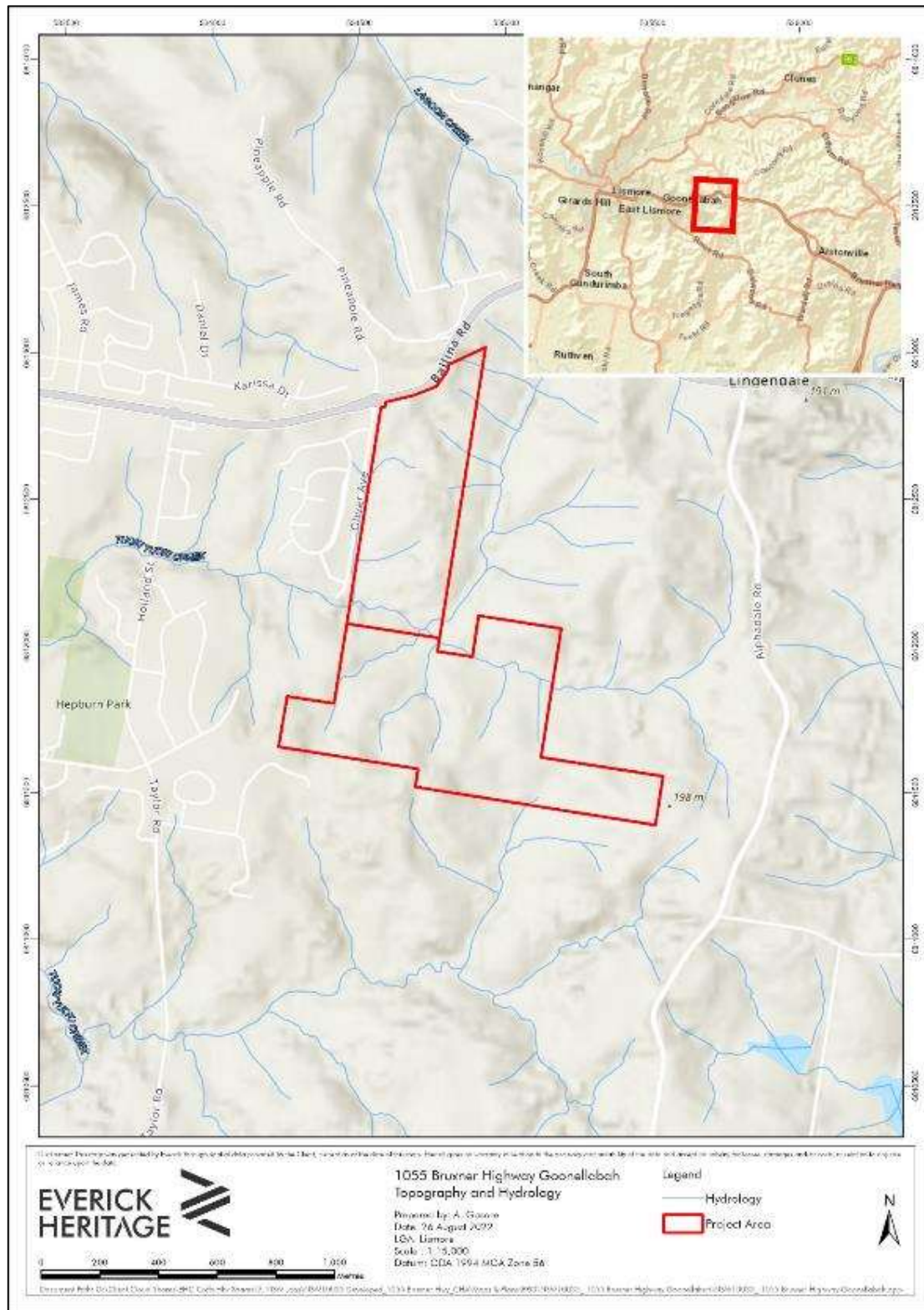


Figure 3-2: Topography and hydrology of the site

3.2. Aboriginal context

3.2.1. Ethnohistoric context

The Aboriginal people of the Lismore area form part of a larger linguistic group, the Bundjalung, which spoke a range of dialects in the area between the Clarence and Logan Rivers extending west to Tenterfield. The Lismore area is commonly accepted as the centre of the Wiyabal dialect country, including Goonellabah, Lismore and areas between the Tuckean Swamp in the south and the Nightcap Range in the north (Crowley 1978). Dialect groups and sub clans composed of interlinked family groups occupied distinct areas within the wider Bundjalung association. Crowley (1978) tentatively identifies the Banjalang dialect areas as the Nyangbal between the Evans River and about Broken Head, the Minyanbal south of the Evans River and the Wiyabal and Banjalang to the west of the Nyangbal (Crowley 1978). The following brief review of ethnohistory sources relates to the Aboriginal use of the rainforests that covered vast areas of the Richmond and Tweed valleys. The site is located on what were the southern slopes of the Alstonville Plateau the central component of the Big Scrub.

Based on the most recent regional models (Byrne 1987, Godwin 1999a) the site is located within the sub-coastal zone and formed part of the larger big scrub rainforest, which, whilst utilised by Aboriginal people were not utilised for occupation in the same manner as the more resource rich riverine floodplains, coastal estuaries, coastal plains and beaches. Whilst it is known that Aboriginal people did utilise the resources of rainforests and tall closed forests this use is typically targeted at selected species and does not have a significant archaeological signature.

Byrne (1987) developed a state-wide land use model specifically around the use and occupation of rainforests. Byrne distinguishes between the 'Lowland' and 'Upland' rainforests, proposing that:

The lowland rainforests were situated within what might be termed the core areas of the coastal lowland tribes. The North Coast of New South Wales supported some of the heaviest populations of Aborigines in prehistoric Australia. The foci of settlement of these tribes were the immediate coastal strip, the estuaries and valleys of the major rivers. The key attribute of the lowland rainforests was their proximity to the main areas of settlement and, hence, the accessibility of their resources...Most of these rainforests could be exploited from bases in other and neighbouring environments. It is likely that major campsites were located close to the productive margins of these rainforests. Campsites may also have been situated in clearings within rainforests where they acted as bases for the exploitation of core areas of

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extensive forests and as staging camps for travel through such forests... (Byrne 1987:54, 55).

The use of clearings otherwise surrounded by rainforest as campgrounds was originally documented by Leycester on a trip into the Richmond Tweed headwaters in 1880. He refers to two clearings, a dinner time camp at Bald Hill, called Byangully by the local Aboriginal people, '...replete with every comfort a bush camp in Australia could afford, that of grass, water, and game in abundance of the best kind...' twenty miles distant from open country and Tanning Mountain '...a table-top covered with fine grass...' (Leycester 1880: Typescript). Bray (1923) states that the Lismore 'tribe' used to go to Ballina at the mouth of the river. This would presumably require negotiating at least parts of the Alstonville Plateau using traditional campsites on the route. These natural clearings were commonly referred to as 'Grasses' by early European settlers. Similar clearings are believed to be recognised in local place names e.g., Howards Grass, Lagoon Grass and Chilcotts Grass.

The resources of sub-tropical rainforest were used extensively in the technology of the Richmond tribes, which is heavily dependent on wood and bark fibre (McBryde 1978:197). McBryde's sources refer to shields (McFarlane 1934, Dawson 1935), single point fire-hardened spears, three types of boomerangs (Dawson 1935), clubs-nulla nulla and pademelon sticks, bark and palm leaf bags, wooden water vessels, possum rugs, cane and shell necklaces and stone knives (Bundock 1898). Bark was used for containers and shelter. Stone axes are referred to by Dawson (1935: 22) and Byrne (1946: 2). Fishing nets and rope were made from twine spun from the flame tree (Byrne *ibid*). Fishing nets were made a couple of yards long with a stick at each end used individually or in combination with many of the same (Seymour in Piper 1976). Bundock (1898) and Ainsworth (1922) described the same type of nets used for game drives in rainforests.

An indication of the importance of rainforest foods and material resources can be synthesised from ethnohistoric collections in McBryde (1978) and Museum Collections from the Richmond River District (McBryde: 1978). Items of material equipment and weapons fashioned from rain forest materials includes water carrying vessels (Bangalow Palm), string bag, woven bag (Stinging Tree), shield (Stinging Tree), nets (Stinging Tree) tow row (Stinging Tree, Lawyer Cane), axe handles (Lawyer Cane), necklets (Lawyer Cane, shelter supports (Lawyer Cane), cane bugles (Lawyer Cane) cordage (Stinging Tree, fig tree), clubs (Black Bean). Food sources: possums, paddymelon, bandicoot, Moreton Bay Chestnut, Cunjevoi, macadamia, wild grapes, Burrawang tree or palm, wild cherries. The above items are only those gleaned from Richmond River sources and do not include many other foods, for example birds and resources for example, medicinal plants.

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The most detailed analysis of material culture and technology of the North Coast Aborigines has been that undertaken by McBryde (1978) much of which was reliant upon rainforest woods and fibres. The region of the Tweed, Richmond and Clarence Rivers would seem to form a distinct unit. This is particularly so in the case of fishing technology. The multi-pronged fishing spear and the shellfish hook are both absent from this region. Fish were caught in nets or speared in the shallows (McBryde 1978: 187). Spears were single pointed fire hardened weapons (Dawson 1935: 22), of both a lighter and heavier variety (Byrne 1946: 3). Neither the woomera nor the spear throwing stick were used in this region (Dawson 1935: 22). The range of materials is considered wider than central Australian tribes with fewer all-purpose items, few composite tools and a number of specialised ones. This may reflect a more sedentary lifestyle in a rich environment requiring fewer specialised tools (Dawson 1935: 187). The stone tool element in the material culture was small and unspecialised. The archaeological evidence suggests changes to a simpler stone technology took place only centuries before European settlement. The stone tools in use immediately prior to European settlement, '... show little typological sophistication and did not demand highly skilled craftsmanship' (Dawson 1935: 198).

Aboriginal land use models based on ethnographic sources identify broad patterns of settlement and movement in the region and are useful but not conclusive in predicting the potential nature of archaeological remains within the site. McBryde (1974) proposes that groups ranged between the seacoast and foothills of the coastal ranges on a seasonal basis utilising the immediate coast and main rivers as the focus of occupation. Early sources support this view to some extent as there are records describing the movement of inland groups of the Clarence River to the coast during winter (McFarlane 1934, Dawson 1935: 25).

Coleman (1982) proposes an alternate model where it is suggested that movement of coastal people was not frequent, and that semi sedentary groups moved north and south within the coastal plain rather than to the upper rivers (Coleman 1982).

Godwin (1999a, 1999b) argues that neither of the above 'models' is supported by the archaeological record and that local conditions dictated exploitation strategies on the north coast of NSW. In this model: Sub-coastal groups journeyed to the coast, but only in small numbers: there was not the large-scale migration of people posited by McBryde. The data suggests that this took place throughout the year and could have been for both ritual and secular reasons. Groups also journeyed through the 'Falls' country throughout the year. There are also reports of movement in a north-south direction along the sub-coastal strip from river valley to river valley, and from the sub-coastal zone to the tablelands which appears to have been associated with ceremonial gatherings. These ranged from clan-sized gatherings through to inter-tribal meeting (Godwin 1999a: 123).

3.2.2. Previous archaeological assessments

3.2.2.1. Regional studies

Piper (1994 a-c) conducted archaeological assessments at rock/gravel quarry sites at Tuckombil, Uralba and Alstonville where no archaeological sites were found. An archaeological assessment at Pierces Creek found no Aboriginal archaeological sites. The property owner reported a family anecdote of a 'black's camp' and stone axes being found by the original owner James Sneath about 1880. An extensive area (895 ha) of the Plateau adjacent to Wollongbar Village was assessed by Piper (2001) resulting in the finding of a stone axe on a rock sheet at the junction of two streams. Piper and Robins (2006) assessed 33 ha of a hill crest and slopes at McLeans Ridges without result for Aboriginal cultural heritage.

At the northern extension of the Alstonville Plateau, Navin Officer (2007) refers to the Craib (1997, 1999) examination of the section of the Pacific Highway from the Bangalow Bypass to St Helena Hill then to the Ewingsdale interchange for the proposed Pacific Highway upgrade. In addition to the surface survey, a series of twenty geotechnical test trenches, situated between Ewingsdale and St Helena Hill, were monitored for the presence of subsurface cultural deposits. No Aboriginal sites were identified in the surveys or the geotechnical trenches. Craib (in Navin Officer 2007: 25) concluded that the area had generally low Aboriginal archaeological cultural heritage potential.

Archaeological investigations by Mills (1998) in relation to the Alstonville Bypass were conducted at Maguires Creek and Kays Lane Interchange. Potential Archaeological Deposits (PADs) were identified leading to excavations by mechanical auguring at both sites. The Kays Lane PAD produced five stone flakes from 36 auger holes and the Maguires Creek PAD produced four flakes from a surface site. The nine artefacts were of chert material (Mills 1998: 11-14).

The Navin Officer (2007) survey of the Tintenbar to Ewingsdale Pacific Highway Upgrade identified one small scatter of two stone artefacts, two isolated finds and 36 PADs in a variety of landforms considered to have been used by Aboriginal people as campsites and transit areas. Thirteen of the 36 PADs were selected (based on representativeness of landform and likely site type along the Project route) for further investigation through archaeological subsurface testing (Navin Officer 2008). 106 test pits were excavated and a total of five stone artefacts were recovered, each from separate test pits. No artefacts were recovered from the other PADs and as a result these were determined not to be sites. The objects were assessed as being of low scientific significance. The investigation recommended that no further archaeological assessment was required within the Project corridor.

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Fox (2008) in Ainsworth (2013) is reported to have assessed areas of Goonellabah and Macleans Ridges without locating any visible archaeology although consultation reconfirmed the potential Aboriginal use of the areas for transit purposes (Ainsworth 2013: 46). Ainsworth (2013: 45) also refers to a report by Sciusco and Harrison (2006) which assessed a 1 km stretch of pipeline and two pumping stations at Howards Grass, immediately to the north of Lismore on the Wilson River as well as a 14 km stretch of pipeline running from Bexhill north through Corndale to Nightcap Water Treatment Plant at the Rock Creek Dam. Several potential landscape features were identified, but no items of Aboriginal heritage were located during the survey.

Ainsworth Heritage (2010) has conducted two cultural heritage assessments that included mid and lower slopes of the Plateau between Goonellabah and East Lismore. The Ainsworth assessment recorded a remarkable number of grinding bowls, stone arrangements, scarred trees, carved stones and stone funerary mounds. The veracity of a number of the sites as being of Aboriginal origin or intervention is open to question. Natural features or the result of land clearing uses is a more likely explanation for a number of the purported Aboriginal sites.

Converge (2012) conducted a cultural assessment over the North Lismore Plateau. Following the field assessment and consultation with Traditional Custodian informants, significant Aboriginal sites were recorded comprising water spring sites, an increase site or Djurbihl and the other a women's site associated with birthing practice (Converge 2012:52). Non-Aboriginal sites included two dry stone terraces and six dry stone walls, a spring cavity associated with one of the walls, two abandoned mine shafts, a European burial and the footings of a building presumed to be a dairy or piggery (Converge 2012: 60).

Everick Heritage (2012) assessed an area of lower slopes of the Alstonville Plateau at East Lismore without result for Aboriginal archaeological heritage. Mid slopes of the Plateau proposed for subdivision at the Waterford Park development also returned a nil result for cultural heritage (Everick 2015). Similarly post 2015, Everick Heritage has conducted assessments for Aboriginal cultural heritage in former 'big scrub' landscapes at Wyrallah, Chilcotts Grass, Alstonville, Richmond Hill, Goonellabah, Howards Grass, and Tullera without locating any archaeological evidence of their Aboriginal use. Extensive test pitting was undertaken at a Chilcotts Gross development site and no Aboriginal cultural heritage was identified as a result of the archaeological investigations.

An Ainsworth (2013) study off Pineapple Road of an extensive area of spurs and side slopes on the western sides of the Alstonville Plateau identified 12 PADs based on the belief they are campsites on transit ridgelines, with views to the Wilson River floodplain and mythological sites in the Tweed Range. There was no archaeological evidence to support the conclusion of PADs. The assessment also recorded

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a boulder exhibiting fracturing, assessed to be a “quarry” of Aboriginal origin (Ainsworth 2013: 49-52). Reassessment of the boulder suggested the fracturing was the result of natural ‘peeling’ of weathered basalt and not of Aboriginal origin.

An Everick (2021) study along Oliver Avenue which runs along the western border of the site identified no areas of PAD due to the nature and extent of roadworks in the area which had greatly disturbed the topsoils of the survey area. No Aboriginal objects were identified during the survey, and it was concluded that there was low potential for the proposed works to impact on Aboriginal objects.

3.2.2.2. Local studies

Everick Heritage previously conducted an Aboriginal and non-Aboriginal assessment of the current The site back in 2015. This assessment concluded that the site was of low archaeological potential, and the survey identified no Aboriginal sites or areas of PAD in the site due to the extent of existing and historical disturbance across the site.

3.2.2.3. Aboriginal heritage database searches

Caution should be taken when using the Heritage NSW Aboriginal Heritage Information Management System (AHIMS) database to reach conclusions about site prevalence or distribution. For example, a lack of sites in a given area should not be seen as evidence that the area was not occupied by Aboriginal people. It may simply be an indication that it has not been surveyed for cultural heritage, or that the surveys were undertaken in areas of poor surface visibility. Further to this, care needs to be taken when looking at the classification of sites. For example, the decision to classify a site an artefact scatter containing shell, rather than a midden can be a highly subjective exercise, the threshold for which may vary between archaeologists. It is also important to note that the nature and location of Aboriginal sites can be culturally sensitive information and should only be made publicly available with the consent of the Aboriginal community.

An extensive search of AHIMS was conducted on 9 August 2022 (Client Service ID: 706520) with the following coordinates:

Lat, Long from: -28.8355, 153.3294

Lat, Long to: -28.7985, 153.3912

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Six Aboriginal objects and zero Aboriginal Places were identified in the search. There are no recorded sites within one kilometre of the site. Of the six sites identified, four (AHIMS ID 04-4-0161, 04-4-0162, 04-4-0164, 04-4-0165) have been re-examined and determined not to be Aboriginal sites (Everick Heritage 2021). As such, only two valid Aboriginal sites were identified within the vicinity of the site.

There are 20 standard site features that can be used to describe a site registration with AHIMS, and more than one feature can be used for each site. For the two valid sites within the search area, a total of two different site features are recorded. Details of the occurrence of site features is provided in Table 3-1. The distribution of registered sites is shown in Figure 3-3.

Table 3-1: AHIMS features within vicinity of the site

Site feature	Number	Percentage
Artefact	1	50
Grinding Groove	1	50
Total	2	100

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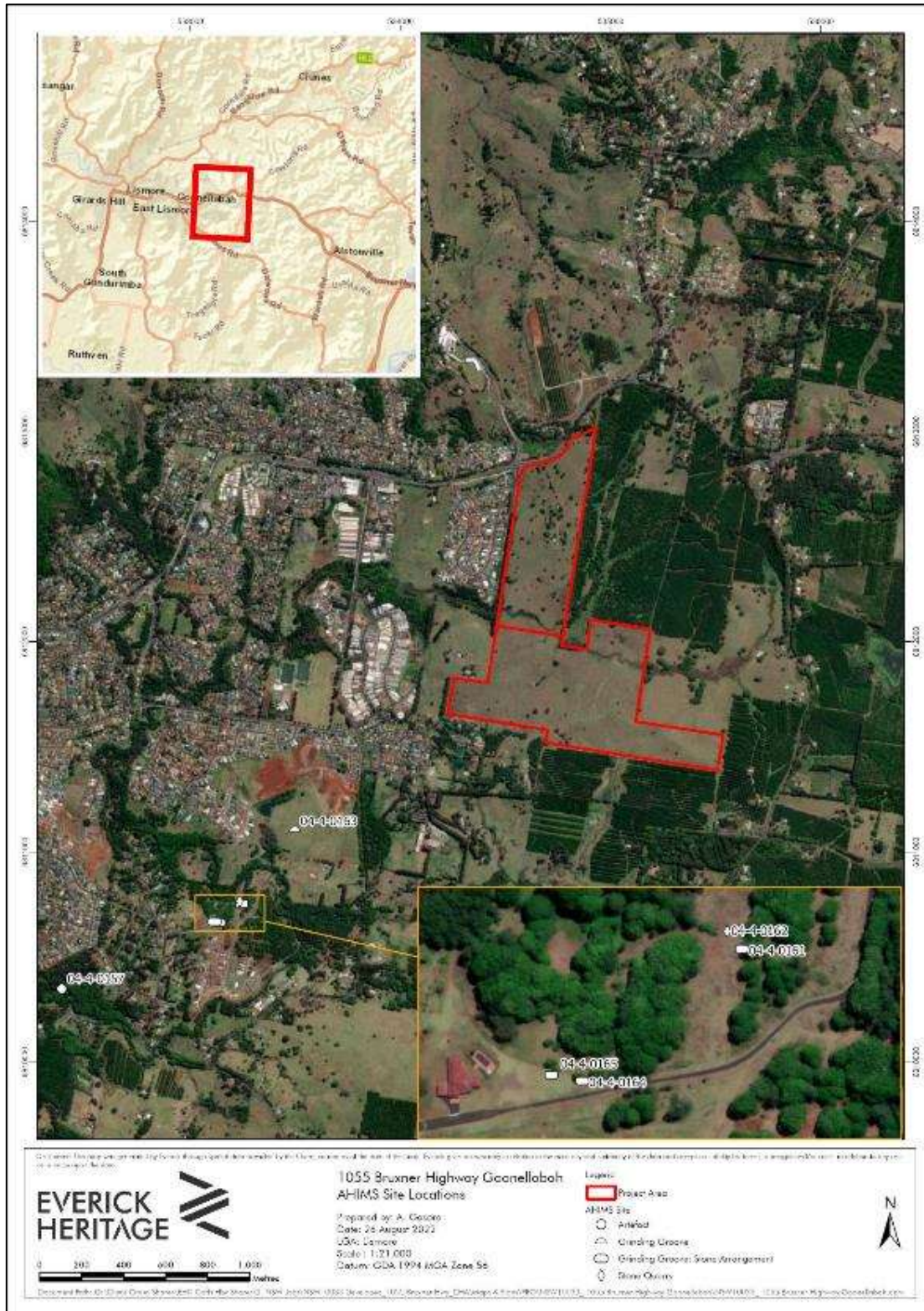


Figure 3-3: AHIMS search results in vicinity of the site

3.3. Historic context

3.3.1. Past and present land use

Historical aerals from 1979 (Figure 3-4), 1987 (



Figure 3-5) and 1991 (Figure 3-6) show:

- The site has been cleared prior to 1979, though some regrowth vegetation appears to be present. Residential and agricultural buildings have been constructed in the central part of the site.
- The 1987 aerial shows further vegetation maintenance activities have occurred in the site. Development of infrastructure has spread closer to the site, with further residential and commercial buildings being constructed closer to the site.
- By 1991 development of the surrounding area has continued, with a well-established road network surrounding the site. Land use activities in the site appear to have remained consistent since 1979. Macadamia plantations have been established on nearby properties.

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The site was previously dense subtropical rainforest as part of the 'Big Scrub' which was, at the time, the largest area of tall subtropical rainforest in Australia. The large red cedar trees within the Big Scrub made the area attractive to cedar-cutters who had almost exhausted the cedar resources from the Clarence River area. The red-cedar trees, colloquially known as 'red gold', were highly sought after for use in the construction of furniture and cabinets. In 1842, the first cedar-cutters arrived in the Richmond River area and began systematically cutting down the red cedar trees of the Big Scrub. The methods these cedar cutters used were wasteful and many other trees were felled as a result. By 1862, red cedar trees had become scarce in the Richmond River area, and the cedar-cutters continued north to the Tweed River and into Queensland in search of more. Settlers moved into the cleared land and commenced cropping and dairying on the fertile rainforest soils however these soils soon became leached of their nutrients and unsuitable for dairying which resulted in the rise of beef cattle. More recently, there has been a move into orcharding for macadamias.

The site was originally a dairy farm owned by Joseph Samuel Rose (1864-1951), Agnes Mary Rose (1881-1959) and their son Henry Joseph Rose. Small crops such as cattle cane, corn and potatoes were also grown on the property. Dairying was abandoned for beef production around 1985.

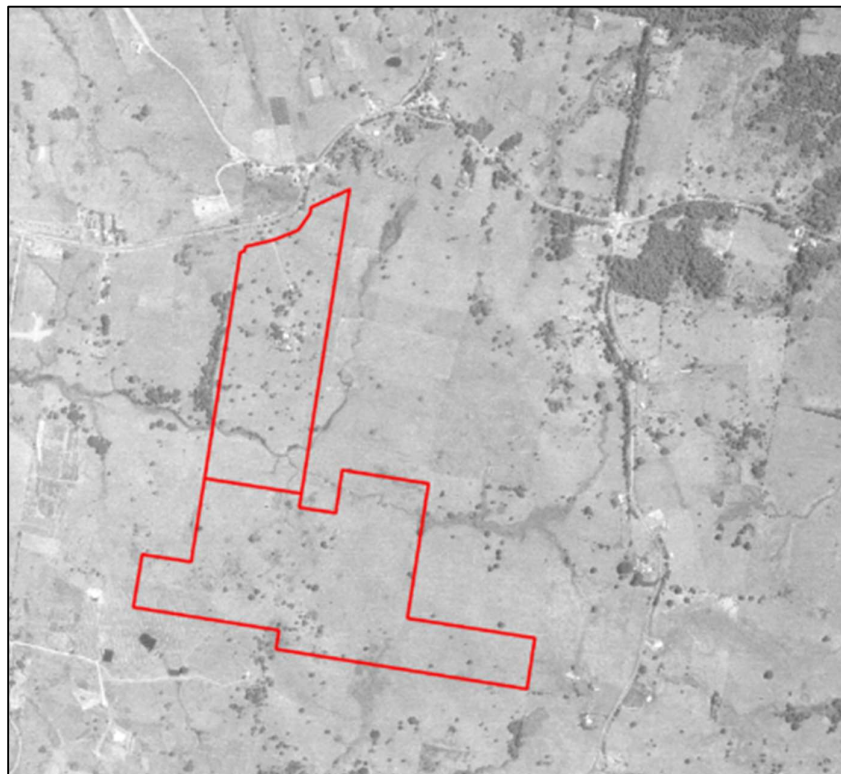


Figure 3-4: 1979 historical aerial, with the site outlined in red

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Figure 3-5: 1987 historical aerial, with the site outlined in red



Figure 3-6: 1991 historical aerial, with the site outlined in red

3.3.2. Historic database searches

The following heritage registers were accessed on 9 August 2022:

- World Heritage List (Australian Heritage Council/ UNESCO)
- The National Heritage List (Australian Heritage Council)
- Commonwealth Heritage List (Australian Heritage Council)
- Register of the National Estate (Australian Heritage Council): This is a non-statutory list which it retained as archive of the previous listing process.
- The State Heritage Register (NSW Heritage Office)
- The Register of the National Trust of Australia: This is a non-statutory listing
- Lismore Local Environment Plan (LEP) (2012)

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One site was identified through searches of the above databases in proximity to the site. The Alphasdale Cemetery, listed on the Lismore LEP (I38), is located approximately 900 m west of the site. This site has been listed on the State Heritage Inventory as having local significance:

Forest of indigenous trees surrounding burial grounds. Forms a dominant element in the surrounding landscape, notable in views from the main road to Ballina. A reminder of the original native forest which once covered this area. High local significance.

3.3.3. Previous historic assessments

Everick (2015) assessed the historic values of several farm buildings located within the site. A farm complex comprising of two former dwellings and outbuildings of early twentieth century construction are located approximately 370 m within the northern boundary of the site. The farm complex is located on a hill crest overlooking a broad valley to the southeast, containing a tributary of Tucki Creek. The complex includes a weatherboard bungalow known as the Rose Farm House, which was possibly built between 1910 and 1930 (Figure 3-7). The surrounding farm complex contains several derelict structures: a dairy, stockyard, meat house, garage, storage shed, and cream shed as well as several piles of debris and remnant fencing (Figure 3-8).

A second cottage of approximately 1950-1960 construction is located to the north downslope approximately 150 metres from the original farm complex, on the access track from the Bruxner Highway to the north (Figure 3-9).

Neither of the houses or the outbuildings were assessed to meet the NSW Heritage Council's heritage significance criteria by Everick namely due to the poor structural integrity and altered or modified features which have been added to the structures.

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Figure 3-7: Early twentieth century bungalow (Everick Heritage 2015)



Figure 3-8: Meat house and cream shed (Everick Heritage 2015)



Figure 3-9: Northern dwelling (Everick Heritage 2015)

3.4. Summary and predictive model

3.4.1. Aboriginal heritage

The site previously formed part of the larger 'big scrub' rainforest, which was utilised by Aboriginal people but not in the same manner as the more resource rich coastal estuaries and plains, beaches, and riverine floodplains.

European land use across the former 'big scrub' rainforest region includes broad acre clearing, selective logging, dairying and the construction of dry-stone walls and enclosures. These impacts can be expected to have scattered and buried Aboriginal archaeological materials had they existed. Animal grazing may have continued compressing archaeological material into the subsurface.

Given the significant ground disturbance across the site, there is little potential for surface archaeological sites to be identified. Any Aboriginal artefacts, should they occur in the site, will most likely consist of isolated artefacts or low-density scatters of stone artefacts. These will most likely be found in elevated, level positions adjacent to creeks and waterways within the site. There are numerous sensitive landforms

located within the site, being Tucki Tucki Creek and its associated tributaries as well as a several ridgetops and hill crests which will provide extensive views of the surrounding area. These sensitive landforms may contain potential for subsurface archaeological deposits. These may consist of both low- and high-density scatters of artefacts. The site has been assessed as having moderate archaeological significance and moderate archaeological sensitivity.

3.4.2. Historic heritage

The Rose Farm House, outbuildings and northern dwelling located within the site were previously assessed by Everick Heritage to not meet the criteria for heritage significance. Given that these dwellings have remained unoccupied and have not been repaired or restored since this previous assessment, it is not considered that these buildings will have the potential to meet the Heritage Council's heritage significance criteria with further assessment.

4. Visual inspection

4.1. Aims

The primary aims of the visual inspection were:

- To establish if the site contained areas of ground disturbance and map the extent and nature of that disturbance.
- Identify any landscape features in the site which contain Aboriginal objects, that is areas of PAD.
- Inspect the Rose Farm House, outbuildings and northern cottage for historic value.
- Establish if further historical features were present in the site.

4.2. Timing, personnel and methodology

The visual inspection was undertaken of the site on foot over one day on the 24 August 2022 by the following:

- Andrew Wilkinson (Senior Archaeologist, Everick Heritage)
- Samuel Riley (Archaeologist, Everick Heritage)

Ngulingah LALC were contacted by phone and email on 12 and 15 August and invited to attend the inspection, but no response was received.

A photographic record and field notes were kept of the inspection. GPS tracks were taken to record any noted features during the inspection.

4.3. Results

The survey was undertaken mid-late morning, in sunny conditions. The site was traversed by two surveyors within the proposed extent of activities. Mature native vegetation was checked for cultural scarring.

The general topography of the site consists of low rolling hills with occasional steep to very steep lower slopes. Short spurs and broad hillcrests form the majority of the site with narrow drainage lines in

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between. Upper tributaries of Tucki Tucki Creek form the primary drainage. Streamlines within the site are generally erosional and shallow with flows that have been impacted by land use activities within the site (Figure 4-1).

Ground cover across most of the site was generally zero per cent (Figure 4-2). There were some cattle rubs and tracks which had created exposures of topsoil which were inspected for stone artefacts (Figure 4-3). Several piles of mulch and macadamia nut shells have been dumped in the southeast corner of the site (Figure 4-4).

Disturbances inside the site predominantly consist of vegetation clearing of the original 'Big Scrub' rainforest in the area and animal grazing which continues to occur across the site. Localised disturbances consist of underground power and telephone cable which are present in the site and disturbance associated with the construction of the two dwellings and associated farm infrastructure (Figure 4-5, Figure 4-6). Above ground powerlines also run northwest southeast through the site (Figure 4-7).



Table 4-1: Site inspection photographs (S. Riley & A. Wilkinson 24 August 2022)

Photograph	Description
	Figure 4-1: View east along Tucki Tucki Creek

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Photograph	Description
	<p>Figure 4-2: View southeast of ground cover across The site</p>
	<p>Figure 4-3: Soil exposure in southern part of The site.</p>

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Photograph	Description
	<p>Figure 4-4: View northwest of mulch piles in southeastern The site</p>
	<p>Figure 4-5: Marker indicating underground power cables in northeastern The site</p>

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Photograph	Description
	<p>Figure 4-6: Sign indicating underground telephone cables in northern The site</p>
	<p>Figure 4-7: View northwest of powerlines running through The site</p>

4.3.1. Aboriginal heritage

No Aboriginal objects were identified within the site. Five areas which meet the criteria for being classified as a PAD were identified, designated as PAD 01, PAD 02, PAD 03, PAD 04 and PAD 05. The location of these PADs within the site is shown in Figure 4-21. Though no Ngulingah LALC site officer attended the survey, Everick Heritage was contacted by Bill Fisher (CEO, Ngulingah LALC) on 25 August to share information that artefacts had been identified during works at Bexhill Public School, approximately 5 km north of the site (pers. comm. 2022). He also shared that Tucki Tucki Creek, which intersects the site, is considered to hold significance for Aboriginal people in the area (pers. comm. 2022). This is supported by the presence of the Tucki Tucki Bora Ring and Cemetery located approximately 12 km south of the site. Though Everick Heritage did not identify any PADs during the 2015 survey, the presence of artefacts in close proximity to the site within a similar topographical context, as well as the cultural information shared by Bill Fisher supports the conclusion that these areas have the potential to contain subsurface archaeological deposits.

PAD 01

PAD 01 covers an area of 17,581 square metres and is located along the northern boundary of the site adjacent to the Bruxner Highway. It is located on an elevated rise which gives views of the surrounding hills and valleys, as well as Tucki Tucki Creek (Figure 4-8, Figure 4-9, Figure 4-10). The PAD extends in an east-west direction and is approximately 410 m x 60 m.

PAD 02

PAD 02 covers an area of 1,071 square metres and is located in the central part of the site to the south of the Rose Farm House. It overlooks the creek and valley to the south, providing clear views of the surrounding area (Figure 4-11, Figure 4-12, Figure 4-13). The PAD extends in an east-west direction and is approximately 64 m x 22 m.

PAD 03

PAD 03 covers an area of 10,144 square metres and is located in the southwest corner of the site. It is located on a slope declining west to east towards a drainage line. It provides views northeast which overlooks the creek and surrounding valleys (Figure 4-14, Figure 4-15). The PAD extends in a north-south direction and is approximately 175 m x 60 m.

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PAD 04

PAD 04 covers an area of 14,923 square metres and is located along the southern boundary of the site between PAD 03 and PAD 05. It is located on a crest which provides views across the site and Tucki Tucki Creek to the north and the surrounding hills and valleys to the south (Figure 4-16, Figure 4-17). The PAD extends in a north-south direction and is approximately 140 m x 135 m.

PAD 05

PAD 05 covers an area of 34,444 square metres and is located in the southeast corner of the site where several piles of mulch have been dumped. It is located on a ridgetop which commands views north towards Tucki Tucki Creek and the surrounding hills and valleys to the south of the site (Figure 4-18, Figure 4-19, Figure 4-20). The PAD extends in an east-west direction and is approximately 430 m x 85 m.

Table 4-2: Site inspection photographs – Aboriginal heritage (S. Riley & A. Wilkinson 24 August 2022)

Photograph	Description
	Figure 4-8: View southwest from PAD 01



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Photograph	Description
	<p>Figure 4-9: View northeast of PAD 01</p>
	<p>Figure 4-10: View west across PAD 01 towards Oliver Avenue</p>

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Photograph	Description
	<p>Figure 4-11: View south from PAD 02</p>
	<p>Figure 4-12: View southwest from PAD 02</p>

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Photograph	Description
	<p>Figure 4-13: View east from PAD 02</p>
	<p>Figure 4-14: View north from PAD 03</p>


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Photograph	Description
	<p>Figure 4-15: View east from PAD 03</p>
	<p>Figure 4-16: View east from PAD 04</p>

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Photograph	Description
	Figure 4-17: View north from PAD 04
	Figure 4-18: View northwest from PAD 05

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Photograph	Description
	<p>Figure 4-19: View west towards PAD 04 from PAD 05</p>
	<p>Figure 4-20: View north from PAD 05</p>

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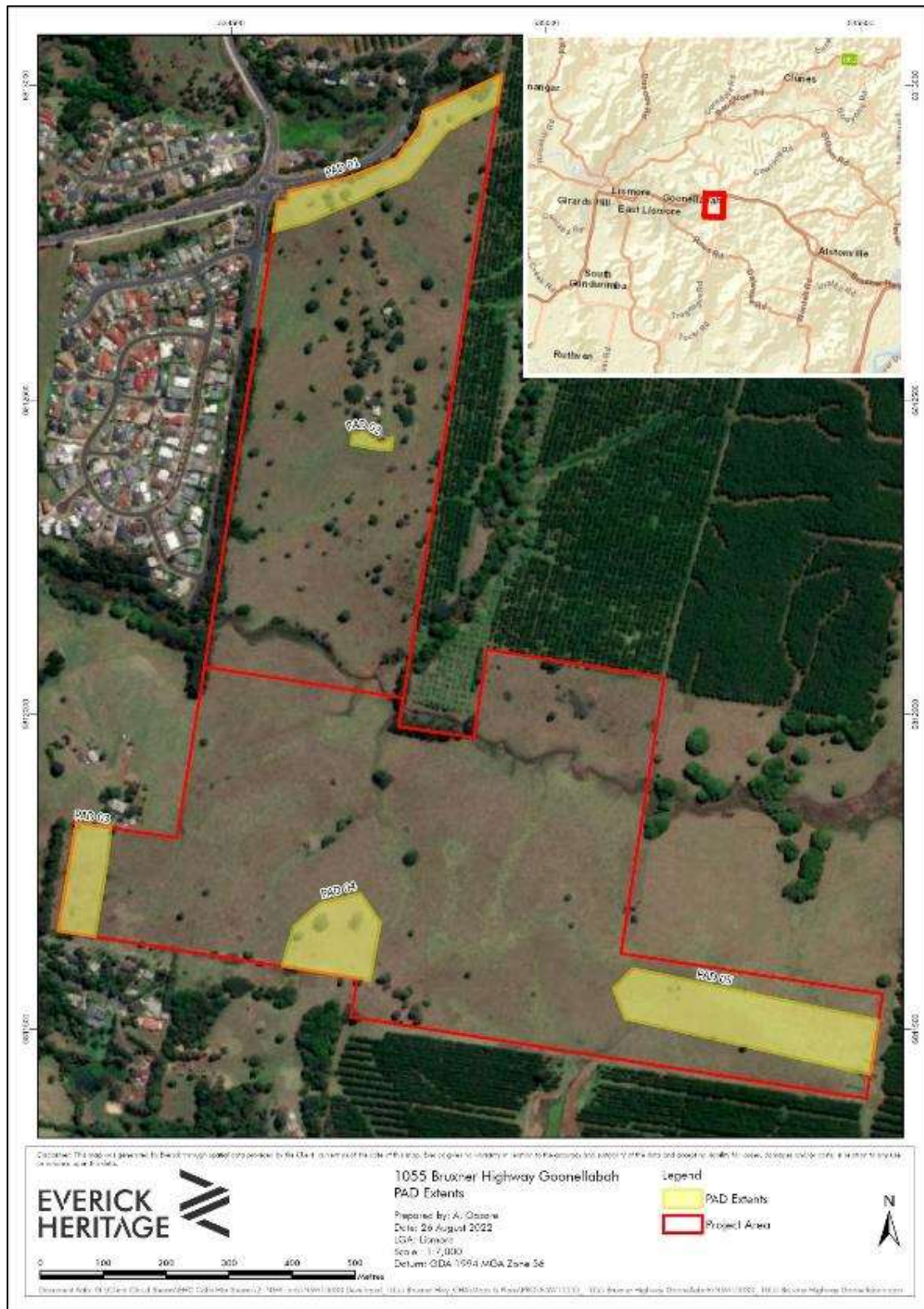


Figure 4-21: Extent of PADs within The site

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4.3.2. Historic heritage

The Rose Farm House, farm complex and northern cottage were inspected for heritage values. Due to safety concerns, only the exterior of these buildings was inspected with views of the inside inspected through existing windows and openings. The Rose Farm House contains a brick chimney, fireplace and brick piers supporting the structure. Several tanks in a dilapidated condition adjoin the house. Several boards have been removed from the eastern wall of the house (Figure 4-22). Modifications to cladding have been done in a sympathetic manner, using the same materials as the original. The concrete front steps, railing and pathway also appear to be additions. Wooden fencing surrounding the front of the house is no longer present, with only the front gate remaining (Figure 4-23).



The surrounding meat house, dairy, cream shed and storage shed are all in a dilapidated condition (Figure 4-24, Figure 4-25, Figure 4-26, Figure 4-27). Piles of remnant timber, roof tiles, corrugated iron and pipes surround these buildings.

The northern cottage includes a hipped corrugated iron roof, chamfer board cladding on concrete stumps and windows containing clear and frosted glass (Figure 4-28, Figure 4-29). The surrounds are overgrown with vegetation. External structures include a carport and small shed (Figure 4-30).

Table 4-3: Site inspection photographs – historic heritage (S. Riley & A. Wilkinson 24 August 2022)

Photograph	Description
	Figure 4-22: View of eastern wall of the Rose Farm House

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Photograph	Description
	Figure 4-23: Frontage of the Rose Farm House, facing south
	Figure 4-24: View southwest of dairy

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Photograph	Description
	<p>Figure 4-25: View south of storage shed.</p>
	<p>Figure 4-26: View north east of meat shed and cream shed</p>

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Photograph	Description
	<p>Figure 4-27: View northwest of cream shed</p>
	<p>Figure 4-28: View south of northern cottage</p>

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Photograph	Description
	<p>Figure 4-29: View north of northern cottage</p>
	<p>Figure 4-30: View south of small shed behind northern cottage</p>

5. Assessment of archaeological sensitivity

5.1. Aboriginal heritage

Archaeological sensitivity is closely related to observed levels of ground disturbance. However, other factors are also taken into account when assessing archaeological sensitivity, such as whether Aboriginal objects were located on the surface, and whether the area is within a sensitive landform unit according to the predictive statements.

Landscape features may indicate the presence of Aboriginal objects, as a result of Aboriginal people's use of those features in their everyday lives and for traditional cultural activities. It is essential to determine whether the site contains landscape features that indicate the likely existence of Aboriginal objects. The Due Diligence Code of Practice (2010a: 12) defines these landscapes as:

- within 200 m of waters, or
- located within a sand dune system, or
- located on a ridge top, ridge line or headland, or
- located within 200 m below or above a cliff face, or
- within 20 m of or in a cave, rock shelter, or a cave mouth.

The site contains sensitive landscape features as it contains a number of creeks, drainage lines, ridge lines and ridge tops.

Part 8A, Clause 80B (4) of the *NPW Regulation* states that land is disturbed if it has been the subject of human activity that has changed the land's surface, being changes that remain clear and observable. Examples of activities that may have caused disturbance are provided in the *NPW Regulation* as:

- (a) soil ploughing,
- (b) construction of rural infrastructure (such as dams and fences),
- (c) construction of roads, trails and tracks (including fire trails and tracks and walking tracks),
- (d) clearing of vegetation,
- (e) construction of buildings and the erection of other structures,

- (f) 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),
- (g) substantial grazing involving the construction of rural infrastructure,
- (h) construction of earthworks associated with anything referred to in paragraphs (a)-(g).

The visual inspection has confirmed that disturbed land occurs partially within the site as a result of (b) (c), (d), (e), (g) and (h).

5.2. Historic heritage

5.2.1. Rose Farm Complex

The State Heritage Register is established under Part 3A of the Heritage Act for listing of items of environmental heritage which are of State heritage significance. Under Section 4 of the Heritage Act, State Heritage Significance in relation to a place, building, work, relic, moveable object or precinct, means significance to the State in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item. Local Heritage Significance, in relation to a place, building, work, relic, moveable object or precinct, means significance to an area in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item.

To determine the significance of the Rose Farm Complex, it must first be assessed in relation to the Criterion outlined in the NSW Heritage Manual (Section 2.6). In using these criteria, it is important to assess the values first, then the context in which they are significant. The appropriate context is decided by considering similar items of local and State significance in each of these contexts.

Different components of a place may make a different relative contribution to its heritage value. For example, loss of integrity or condition may diminish significance. In some cases, it is constructive to note the relative contribution of an item or its components. Table 3 provides an outline as a guide to assessing relative values of significance (NSW Heritage Manual 2001:11).

Table 5-1: Guide to grading heritage significance

Grading	Justification	Outcome
Exceptional	Rare or outstanding item of Local or State significance	Fulfills criteria for Local or State listing

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Grading	Justification	Outcome
High	High degree of original fabric. Demonstrates a key element of the item's significance. Alterations do not detract from significance.	Fulfills criteria for Local or State listing
Moderate	Altered or modified elements. Elements with little heritage value, but which contribute to the overall significance of the item.	Fulfills criteria for Local or State listing
Little	Alterations detract from significance. Difficult to interpret.	Does not fulfill criteria for Local or State listing
Intrusive	Damaging to the items heritage significance.	Does not fulfill criteria for Local or State listing

5.2.1.1. Rose Farm House significance assessment

While bearing in mind its link with the Rose family, its visual aesthetic and architectural attributes, the structure does not meet the threshold for local significance under the Under NSW Heritage Council's heritage significance criteria. The complex was no doubt typical of many former farms of the Alstonville Plateau and surrounds although the farm building complex has long since ceased to function as its condition attests. Its landscape context on a low hill with views to the south would enhance the aesthetic attributes of the site. However, the house is positioned to not take advantage of its potential landscape appeal, rather it faces in the opposite direction presumably to minimise the impacts of prevailing winds. The house also has some altered or modified features, though they are sympathetic to the general style witnessed throughout the Alstonville Plateau. The cumulative impacts of residential development to the west and macadamia plantation to the east detract from its pastoral outlook.

5.2.1.2. Outbuilding significance assessment

The outbuildings are typical of a number of dairies from the early twentieth century. It is difficult to ascertain to what degree the outbuildings are original structures or rebuilt from reused materials of earlier structures. The dairy is not related to the original complex having been constructed in 1955 although some posts materials may have been reused from the original. The existing shed is a remnant of a larger structure that contained a blacksmiths forge and horse drawn vehicles. These important historical features

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are gone. Combined with the derelict condition of the remaining structures it is apparent that much of the heritage values of the outbuildings and their connections with the original house are gone. Therefore, the outbuildings have little heritage value and do not meet the threshold for heritage listing at either State or local level.

5.2.2. Northern cottage significance assessment

The northern cottage is typical of dwellings found throughout the Lismore area particularly earlier residential areas such as Lismore Heights. The cottage is in a state of disrepair surrounded by overgrown vegetation. It possesses no particular architectural or aesthetic features which would attract a heritage value. The cottage has no heritage value and does not fulfil the criteria for local or State heritage listing.

5.3. Historical archaeological potential

No other historical item, such as dry-stone walls or areas of potential historical archaeology, such as bottle dumps were identified by the visual inspection.

6. Recommendations

6.1. Aboriginal cultural heritage

The following recommendations regarding Aboriginal heritage are based on consideration of:

- Statutory requirements under the *NPW Act*
- Due Diligence Code of Practice (DECCW 2010a)
- Identified impacts to known or unknown Aboriginal archaeological deposits.

It was found that:

- No previously recorded Aboriginal sites are located within the site.
- Aboriginal objects, or areas where Aboriginal objects are very likely to occur beneath the ground surface, were identified within the site
- The site is of moderate Aboriginal archaeological sensitivity and moderate archaeological potential.

The overall guiding principle for cultural heritage management is that where possible Aboriginal sites should be conserved. Avoidance can be achieved through such measures as:

- Design change
- Buffering and exclusion zones
- Construction Environmental Management Plans which include Aboriginal heritage
- Cultural heritage awareness training.

6.1.1. Further archaeological assessment

Five PADs of moderate archaeological sensitivity and potential were identified within the site. It is recommended that, if possible, the areas of PAD identified during the visual inspection are avoided to prevent harm to concealed Aboriginal objects.

If avoidance of the areas of PAD is not possible archaeological test excavation is recommended to determine:

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- If subsurface archaeological deposit is present
- Determine what the nature and extent is for any archaeological deposit
- Provide recommendations for the management of archaeological deposit where present.

Further archaeological assessment of the site must be conducted in accordance with the:

- Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (DECCW 2010b)
- Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (Consultation Requirements) (2010c)
- Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (the Guide) (Office of Environment and Heritage [Heritage NSW] 2011)

The process for further investigation and assessment of Aboriginal cultural heritage is presented in Figure 6-1.

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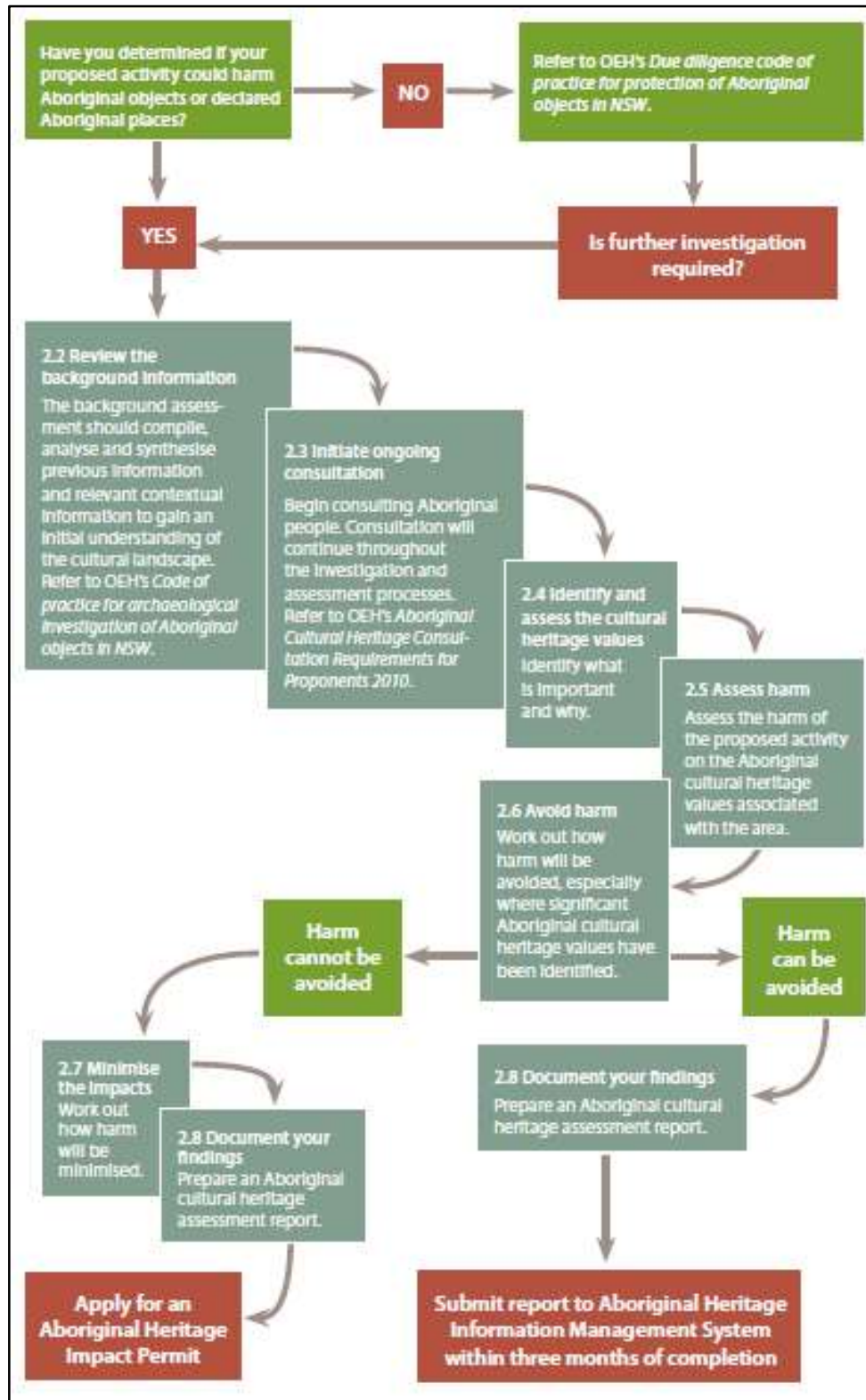


Figure 6-1: Process for investigating and assessing Aboriginal cultural heritage (OEH 2011: 4)

6.2. Historic cultural heritage

The Rose Farm House, farm complex and the northern cottage were assessed under the NSW Heritage Manual guidelines and found not to meet the threshold for local significance. No other historical items or features were identified during the visual inspection. No heritage specific permissions under the Heritage Act are required for the identified works. The following general provisions should be in place in the case of unexpected discovery of archaeological relics within the site

6.2.1. General management measures

All archaeological relics are protected under the Heritage Act regardless of if they are known or unknown. An unexpected finds protocol as follows should therefore be in place to mitigate heritage material which may be uncovered during works:

- If at any time during the proposal construction, historical heritage materials, features and/or deposits are found, the following actions should be undertaken:
- All construction that could potentially harm the historical heritage materials, features or deposits would cease (including stopping all construction within at least 10 m). Only construction that is required to comply with occupational and environmental health and safety standards and/or to protect the historical heritage would occur. Construction that does not have the potential to harm the historical heritage would continue only if it is outside the minimum 10 m buffer.
- A suitably qualified and experienced archaeologist (the archaeologist) would be contacted as soon as practicable in relation to the unexpected discovery of any historical heritage and would be responsible for recording, in detail, the location and context of any historical heritage. Any materials, features and/or deposits would be analysed and/or catalogued and any official site records would be created or updated (where appropriate). The archaeologist would also make recommendations for the management of the historical heritage in relation to the project.
- It is preferable to avoid impacts on historical heritage where possible. If avoidance is not possible, the archaeologist would conduct a salvage excavation. The aims of the salvage excavation would be to obtain as much information as possible from the historical heritage materials, features and/or deposits.
- The archaeologist would provide a report detailing the excavation, salvage and analysis results to Heritage NSW, Department of Premier and Cabinet at the completion of the salvage.

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Appendix A - AHIMS database search results

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		AHIMS Web Services (AWS) Extensive search - Site list report					Your Ref/PO Number : NSW10032 Client Service ID : 706520			
SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
04-4-0164	AHSLSTM4	GDA	56	533135	603663	Open site	Not a Site	Grinding Groove : - Stone Arrangement : -		102357,102358
Contact		Recorders		Everick Heritage Pty Ltd,Ainsworth Heritage,Mr David Williams,Mr Robbie Madin				Permits		
04-4-0161	AHSLSTM1	GDA	56	533244	6036753	Open site	Not a Site	Grinding Groove : - Stone Arrangement : -		102357,102358
Contact		Recorders		Everick Heritage Pty Ltd,Ainsworth Heritage,Mr David Williams,Mr Robbie Madin				Permits		
04-4-0163	AHSLSTM3	AGD	56	533390	6016907	Open site	Valid	Grinding Groove : -		102357,102358
Contact		Recorders		Ainsworth Heritage,Mr David Williams				Permits		
04-4-0165	AHSLSTM5	GDA	56	533114	6036667	Open site	Not a Site	Grinding Groove : - Stone Arrangement : -		102357,102358
Contact		Recorders		Everick Heritage Pty Ltd,Ainsworth Heritage,Mr David Williams,Mr Robbie Madin				Permits		
04-4-0157	AHSLSTM15	GDA	56	532307	6036358	Open site	Valid	Artefact : -		102357,102358
Contact		Recorders		Ainsworth Heritage,Mr Matt Alexander				Permits		
04-4-0162	AHSLSTM2	GDA	56	533234	6036765	Open site	Not a Site	Stone Quarry : -		102357,102358
Contact		Recorders		Everick Heritage Pty Ltd,Ainsworth Heritage,Mr David Williams,Mr Robbie Madin				Permits		

**** Site Status**
Valid - The site has been recorded and accepted onto the system as valid.
Destroyed - The site has been completely impacted or harmed usually as consequence of permit activity but some times also other natural events. There is nothing left of the site on the ground but proponents should proceed with caution.
Partially Destroyed - The site has been only partially impacted or harmed usually as consequence of permit activity but sometimes also other natural events. There might be parts or sections of the original site still present on the ground.
Not a site - The site has been originally entered and accepted onto AHIMS as a valid site but after further investigations it was decided it is NOT an aboriginal site. Impact of this type of site does not require permit but Heritage NSW should be notified.

Report generated by AHIMS Web Service on 09/08/2022 for Samuel Riley for the following area at Lat, Long From : -28.8355, 153.3294 - Lat, Long To : -28.7985, 153.3912. Number of Aboriginal sites and Aboriginal objects found is 6.
 This information is not guaranteed to be free from error and/or omission. Heritage NSW and its employees disclaim liability for any act done or omission made in the information and consequences of such act or omission.

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