

APRIL 2024 ADDENDUM ABORIGINAL HERITAGE DUE DILIGENCE ASSESSMENT

PP2023-2403 PLANNING PROPOSAL FOR 322 STUARTS POINT ROAD, YARRAHAPINNI

*Aboriginal Heritage Due Diligence Assessment, 322 Stuarts Point Road, Yarrahapinni
September 2023, Prepared by Everick Heritage Ref NSW10006*

This addendum applies to the attached Aboriginal Heritage Due Diligence Assessment by Everick Heritage dated 11 September 2023. The intended outcome of the proposal at the time was a Rural Residential subdivision of 24x1 ha allotments and 1 residue farm allotment.

The resultant Gateway Determination Reference PP2023-2403 dated 26 February 2024, issued by NSW Department of Planning, Housing & Industry, includes the following condition requiring amendment to the proposal as follows:

- **remove the R5 Large Lot Residential zone and the corresponding 1ha lot size on the eastern side of the creek;**
- **update the anticipated lot yields; and**
- **update details on the site's flood mapping, PMF levels, confirmation that all future building envelopes can be located above the PMF and consideration of evacuation utilising Council's latest flooding information.**

The intended outcome plans supporting the Planning Proposal have been amended to satisfy the Gateway conditions and the following addendum provides the necessary adjustments to the Everick Heritage September 2023 Aboriginal Heritage Due Diligence Assessment (AHDDA) for the proposal.

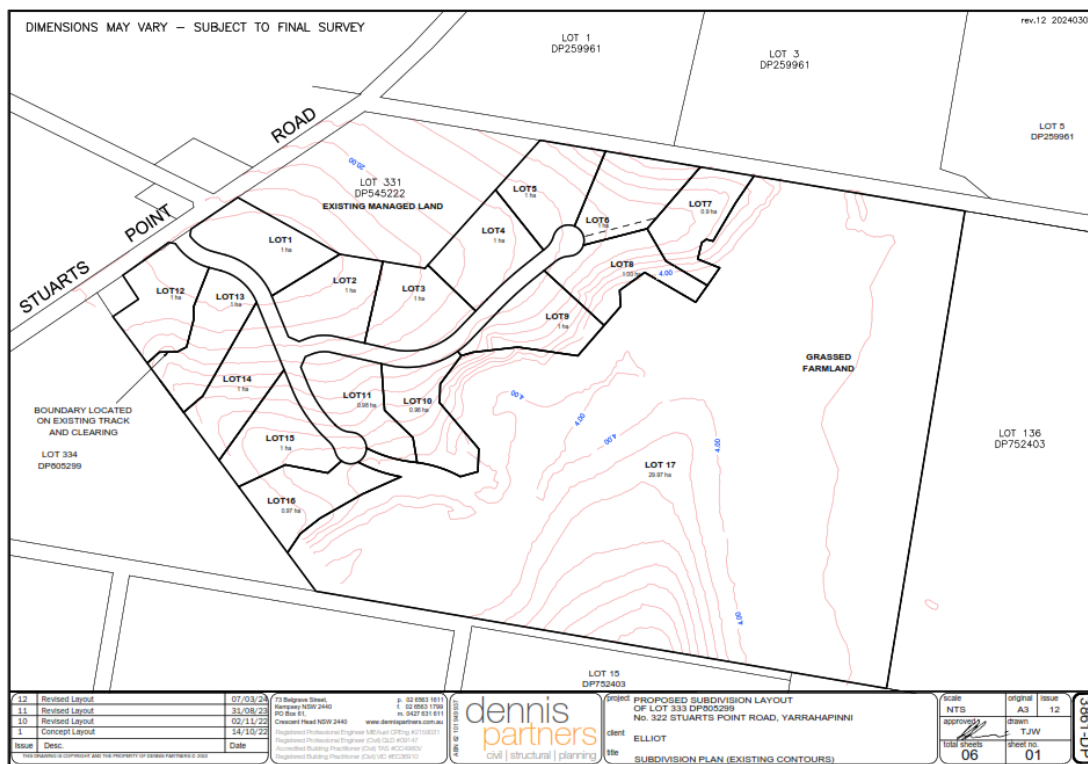
The Department's amendments have reduced the number of allotments from 25 to 17 and removes a proposed road creek crossing. A detailed review of the report and its recommendations confirm that the reduced subdivision proposal from 25 lots to 17 lots does not alter the findings of the report nor the recommendations.

ADDENDUMS TO THE ATTACHED ABORIGINAL HERITAGE DUE DILIGENCE ASSESSMENT.

AHDDA	Page No.	Addendum or comment
Section 1.3 Project Description	Page1	One R5 'Large Lot Residential' area (no longer two areas zoned R5)
Figure 1-2 proposed subdivision layout	Page 1	Supplement Figure 1.,2 with dennis partners plan (Ref 3861-13.240307) shown below.
Figure 1-3 Proposed Zoning Map	Page 2	Supplement Figure 1-3 with dennis partners plan (Ref 3861-

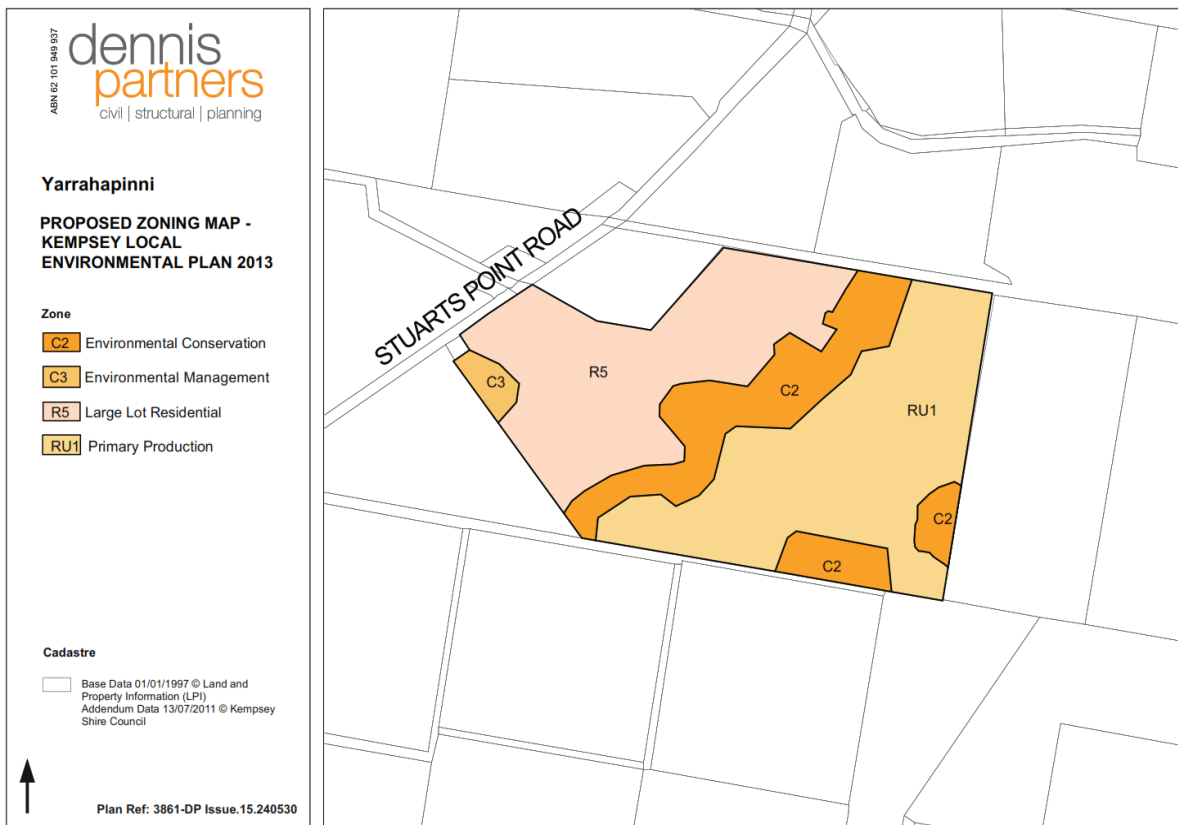


		13.240307). Reduced R5 zone on east side of water course zoned C2. It is to remain zoned RU1 on the east side of the creek. Reduced potential for impacts.
Figure 1-4 Proposed Lot Size	Page 3	Supplement Figure 1-4 with dennis partners plan (Ref 3861-11.240307). Change 1 ha (Y) lot size back to existing 40ha MLS. Reduced potential for impacts
Figure 1-5 Proposed Subdivision Layout (Aerial)	Page 4"	Supplement Figure 1-5 with dennis partners plan (Ref 3861-04). Reduced potential for impacts. No new road crossing of watercourse.

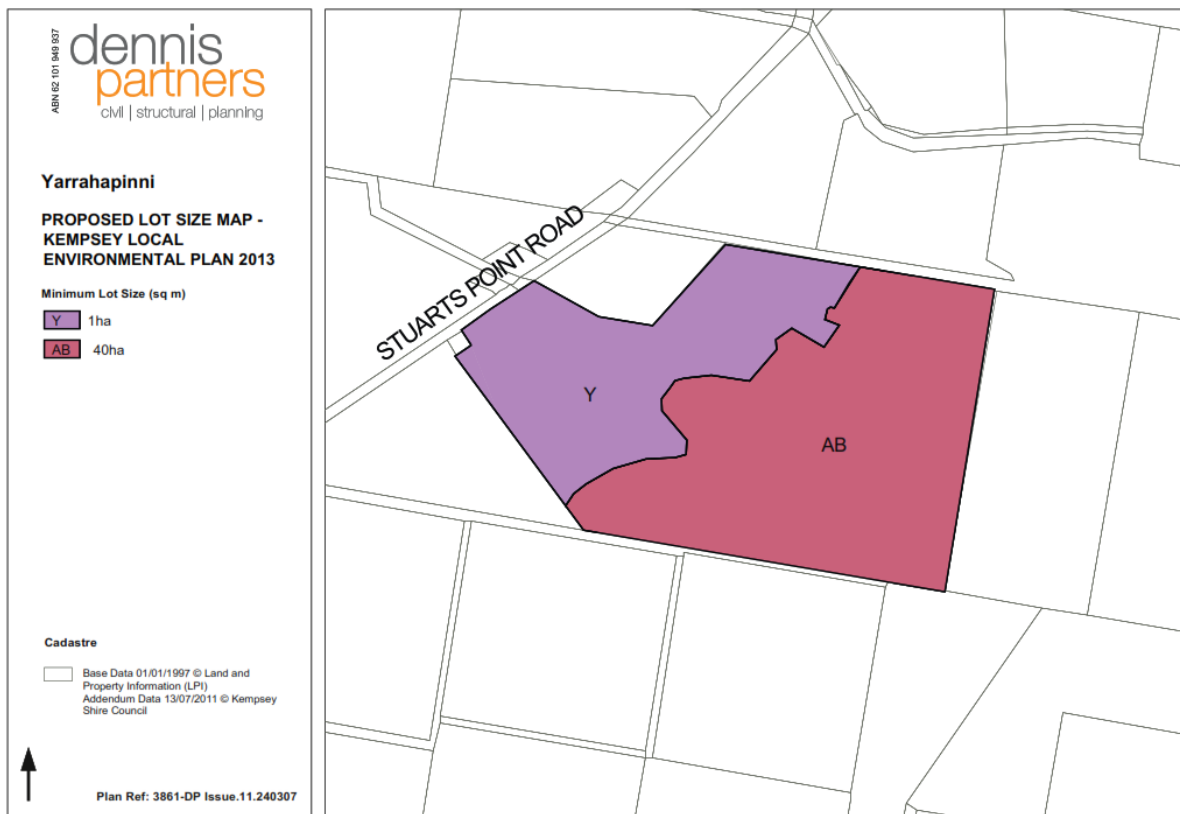


Supplementary plan for Figure 1-2 Proposed subdivision layout

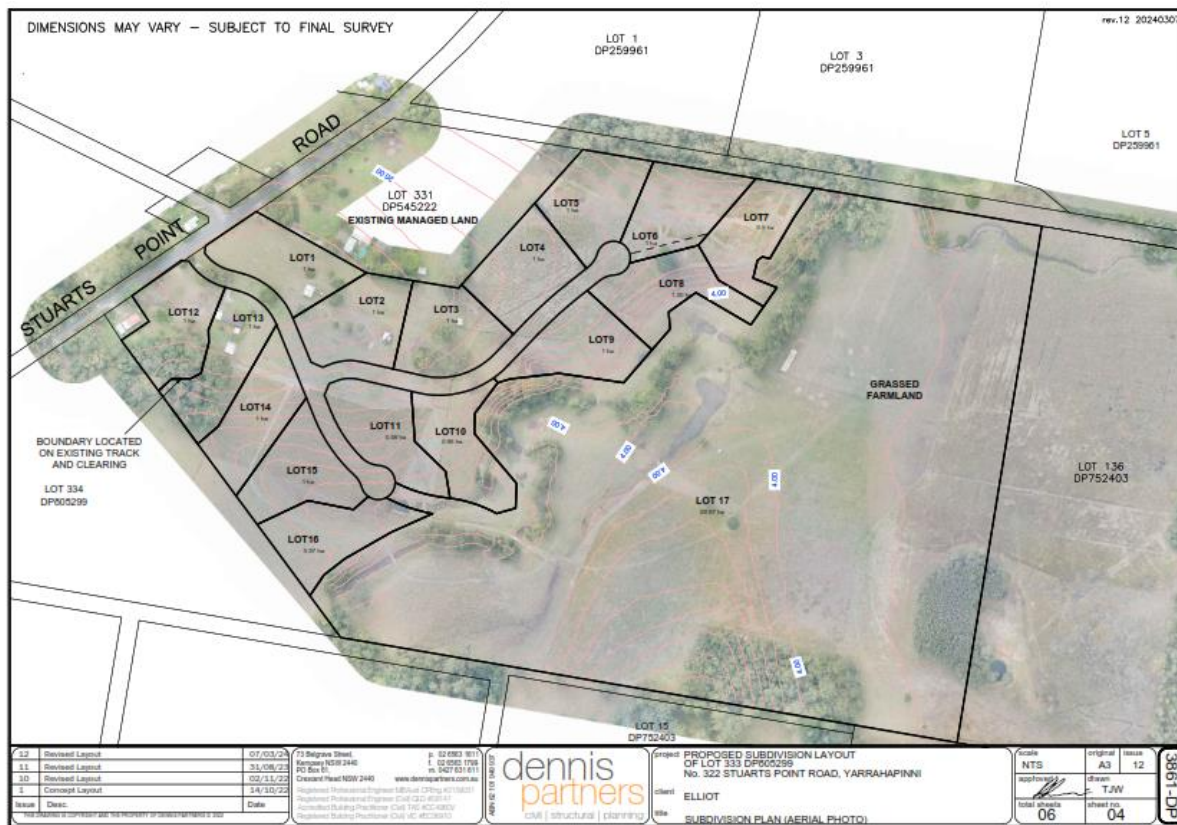




Supplementary plan for Figure 1-3 Proposed Zoning Map



Supplementary plan for Figure 1-4 Proposed Lot Sizes



Supplementary plan for Figure 1-5 Proposed Subdivision Layout (Aerial)

The research and recommendations of the AHDDA for 322 Stuarts Point Road Yarrahapinni remain relevant to the reduced subdivision footprint and would be applied to any subsequent development approval for the land.

Yours sincerely

Geraldine Haigh
Director & Senior Planner
GEM Planning Projects



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322 Stuarts Point Road, Yarrahapinni

Aboriginal Heritage Due Diligence Assessment

Prepared for Michael Elliot

September 2023

Kempsey LGA



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Report Reference:

Cameron, A. and S. Riley 2022. 322 Stuarts Point Road, Yarrhapinni: Aboriginal heritage due diligence assessment. Everick Heritage Pty Ltd unpublished report prepared for Michael Elliot.



EVERICK HERITAGE PTY LTD

ABN: 78 102 206 682

Head Office: Level 9, Matisse Tower

110 Mary Street Brisbane 4000

Sydney Office: 6B Reserve Street, Annandale NSW 2038

T: 02 9552 2944

E: info@everick.com.au

www.everick.com.au

Ver.	Author(s)	Review Type	Sections Edited	Date	Authorised
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6	A. Wilkinson	Final amdt.	1.3	14.08.2023	V. Edmonds
7	A. Wilkinson	Final amdt	1, 1.3	11.09.2023	V. Edmonds

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Executive summary

Everick Heritage Pty Ltd (Everick Heritage) was engaged by Michael Elliott to prepare an Aboriginal Due Diligence Assessment for the proposed subdivision of 322 Stuarts Point Road, Yarrahapinni, NSW.

This Aboriginal Due Diligence Assessment has been undertaken in accordance with the Code of Practice for the Protection of Aboriginal Objects in New South Wales (Code of Practice) (Department of Environment, Climate Change & Water [DECCW] 2010a).

A pedestrian survey was undertaken of the Project on Tuesday 5 April 2022 by Mr Kevin Smith (Senior Sites Officer, Kempsey Local Aboriginal Land Council), Dr Alyce Cameron (Senior Archaeologist, Everick Heritage) and Samuel Riley (Archaeologist, Everick Heritage). The pedestrian survey focused on inspecting mature native trees for evidence of cultural scarring, examining ground surface exposures for evidence of stone artefacts, and classifying landforms within the Project Area.

No Aboriginal sites or areas of Potential Archaeological Deposit (PAD) were identified during the survey.

Recommendations

- In accordance with the Due Diligence Code of Practice, the proposed activity can proceed with caution, with no further Aboriginal archaeological investigation, assessment or mitigation measures required. Kempsey LALC have requested that a sites officer is present during the initial ground disturbing works for the elevated areas and road locations inside the Project Area.
- Unexpected Aboriginal objects remain protected by the *National Parks & Wildlife Act*. If any such objects, or potential objects, are uncovered in the course of the activity, work in the vicinity must cease, and Heritage NSW and Kempsey LALC be contacted for advice.
- A procedure for if suspected human remains are discovered and/or harmed in, on or under the land within the Project Area is provided.

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Contents

EXECUTIVE SUMMARY	III
DEFINITIONS AND ABBREVIATIONS	VII
1. Introduction	1
1.1. Project Background	1
1.2. Project Area	1
1.3. Project Description	1
1.4. Methodology	1
1.5. Authors and Contributors	2
2. Legislative Context	5
2.1. Commonwealth Legislation	5
2.1.1. <i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth)</i>	5
2.2. State Legislation	5
2.2.1. <i>National Parks and Wildlife Act 1974 (NSW)</i>	5
2.2.2. <i>National Parks and Wildlife Regulation 2009 (NSW)</i>	6
2.2.3. <i>Native Title Act 1994 (NSW)</i>	7
2.2.4. <i>Aboriginal Lands Right Act 1983 (NSW)</i>	7
3. Background	8
3.1. Environmental Context	8
3.1.1. Soil landscapes of the Project Area	8
3.1.2. Topography and Hydrology	9
3.1.3. Vegetation	9
3.2. Past and Present Land Use	12
3.3. Ethnohistoric Context	15
3.4. Archaeological Context	17
3.4.1. Database searches	17
3.4.2. Other database searches	18
3.4.3. Previous archaeological assessments	20
3.5. Summary and Predictive Model	23
3.5.1. Isolated artefacts	23
3.5.2. Artefact scatters	24
3.5.3. Middens	24
4. Visual Inspection	25



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4.1. Aims	25
4.2. Timing, Personnel and Methodology	25
4.3. Results	25
4.4. Discussion	32
4.5. Conclusions	33
5. Recommendations	34
REFERENCES	36
APPENDIX A - AHIMS DATABASE SEARCH RESULTS	39
APPENDIX B – KEMPSEY LALC SURVEY REPORT	44

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Figures

Figure 1-1: Project Area	1
Figure 1-2: Proposed subdivision layout	1
Figure 1-3: Proposed Zoning Map	2
Figure 1-4: Proposed Lot Sizes	3
Figure 1-5: Proposed Subdivision Layout (Aerial)	4
Figure 3-1: Soil landscapes of the Project Area.	10
Figure 3-2: Topography & hydrology of the Project Area.	11
Figure 3-3: 1967 historical aerial	12
Figure 3-4: 1980 historical aerial	13
Figure 3-5: 1988 historical aerial	13
Figure 3-6: 1991 historical aerial	14
Figure 3-7: 1997 historical aerial	14
Figure 3-8: AHIMS search results in vicinity of the Project Area	19
Figure 4-1: View south of western ridge along western most section of Project Area.	27
Figure 4-2: View south of the southern spur line extending into the Project Area.	28
Figure 4-3: View north of Telstra fibre optic cables location.	28
Figure 4-4: View northwest of powerlines and sheds on western ridge.	29
Figure 4-5: Example of ground surface exposure inside Project Area on ridgeline.	29
Figure 4-6: Example of ground surface visibility inside Project Area.	30
Figure 4-7: View south of remnant vegetation in southwest corner of Project Area.	30
Figure 4-8: View southwest from northern boundary of Project Area.	31
Figure 4-9: View west of tributary running through the centre of the Project Area.	31

Tables

Table 3-1: AHIMS features within vicinity of the Project Area	18
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FIGURES

Definitions and abbreviations

ACHR means Aboriginal Cultural Heritage Regulation

AHIMS means Aboriginal Heritage Information Management System

AHIP means Aboriginal Heritage Impact Permit

ALR Act means *Aboriginal Land Rights Act 1983 (NSW)*

Commonwealth Act means *Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth)*

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

DPC means Department of Premier & Cabinet

EPBC Act means *Environment Protection and Diversity Conservation Act 1999 (Cth)*

Everick Heritage means Everick Heritage Pty Ltd

ha means hectare

km means kilometres

LALC means Local Aboriginal Land Council

LEP means Local Environmental Plan

LGA means Local Government Area

m means metres

mm means millimetres

NPW Act means *National Parks and Wildlife Act 1974 (NSW)*

NPW Regulation means *National Parks and Wildlife Regulation 2009*

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NSW	means New South Wales
PAD	means Potential Archaeological Deposit
Project Area	means area shown in Figure 1-1

1. Introduction

1.1. Project Background

Everick Heritage (the Consultants; Everick Heritage Pty Ltd) have been commissioned to provide an Aboriginal Heritage Due Diligence Assessment for a proposed subdivision at 322 Stuarts Point Road, Yarrahapinni, NSW by Mr Michael Elliot.

1.2. Project Area

The Project Area is located on Lot 333 DP 805299, 322 Stuarts Point Road, Yarrahapinni, NSW. The Project Area is in the Parish of Barraganyatti, County of Dudley. The Project Area is located within the Kempsey Local Aboriginal Land Council (LALC) area. Figure 1-1 shows the location of the Project Area.

1.3. Project Description

The proposal includes the rezoning of the Project Area into three C2 'Environmental Conservation' zones, two R5 'Large Lot Residential' areas, one C3 'Environmental Management' zone, and one RU1 'Primary Production' zone ahead of a proposed 24-lot residential subdivision. Figure 1-2 to Figure 1-5 show the Proposed Works.

1.4. Methodology

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 Project Area through database searches and other sources of information such as relevant archaeological reports.
- Assess the past and present landscape features of the Project Area.

- Present evidence and findings from the site inspection.
- Assess the archaeological potential of the Project Area and any likely impact of the works on landforms of archaeological potential.
- Provide recommendations for mitigation of impact to any Aboriginal archaeological values.

1.5. Authors and Contributors

Dr Alyce Cameron (Senior Archaeologist, Everick Heritage) prepared this due diligence assessment. Alyce has over twelve years' experience as a consultant archaeologist and holds a Bachelor of Arts (Hons) in Archaeology and Biological Anthropology and a PhD in Archaeology and Palaeoanthropology.

Samuel Riley (Archaeologist, Everick Heritage) undertook the background research and drafting for this assessment. Samuel holds a Bachelor of Archaeology with a Major in Anthropology and a Master of Research in Modern History.

Joshua Jones (GIS Analyst, Everick Heritage) prepared the mapping.

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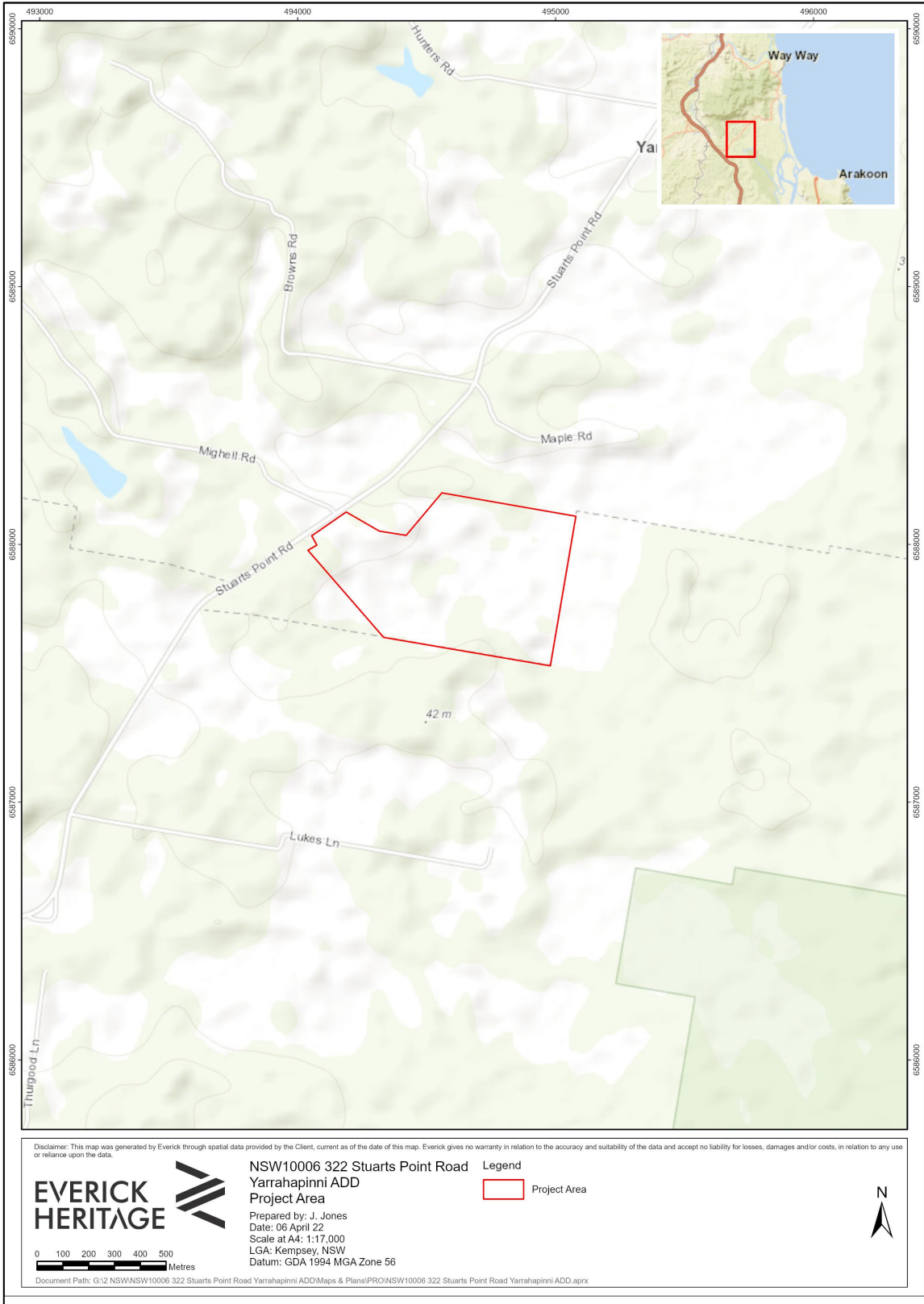


Figure 1-1: Project Area

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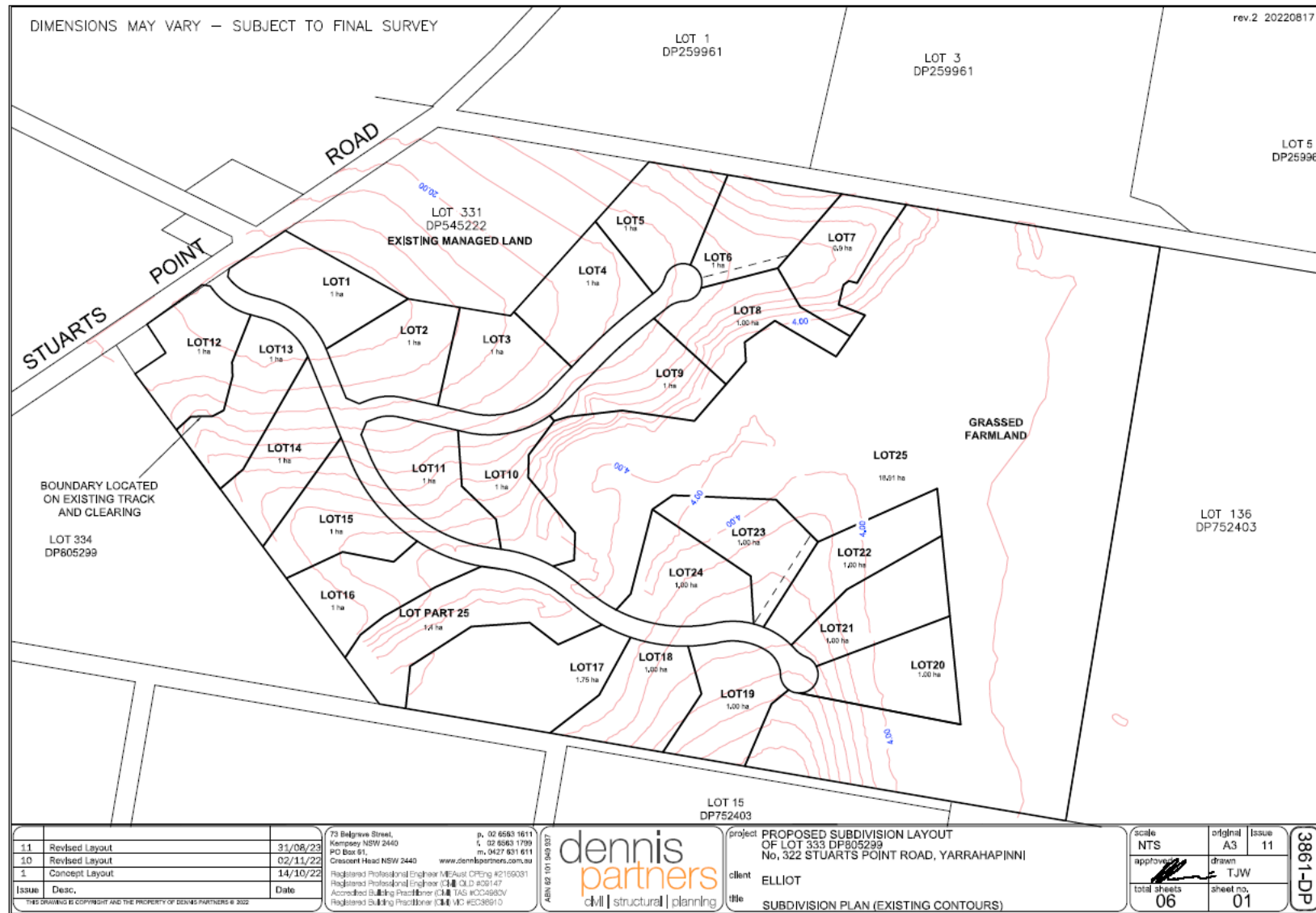


Figure 1-2: Proposed subdivision layout

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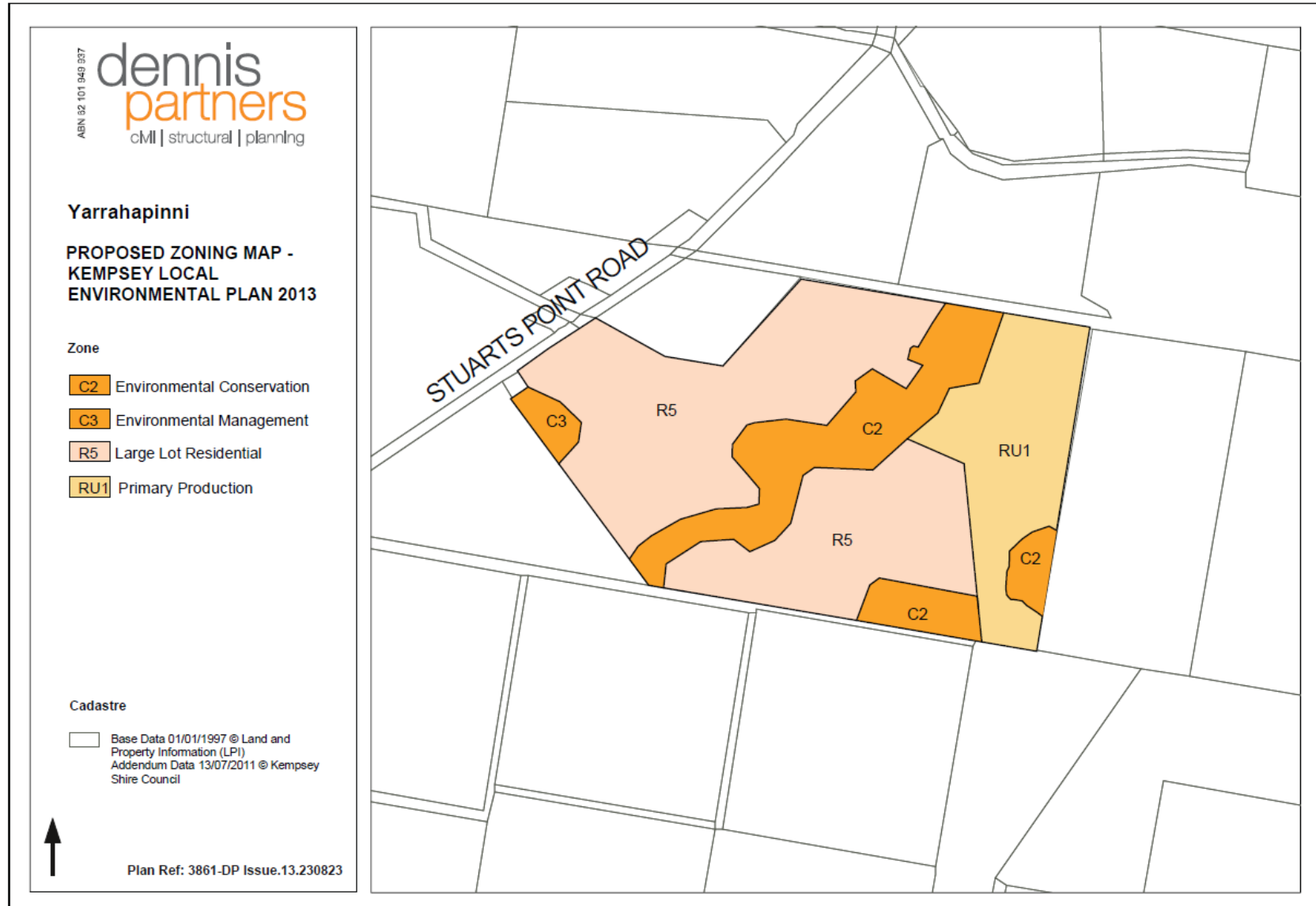


Figure 1-3: Proposed Zoning Map

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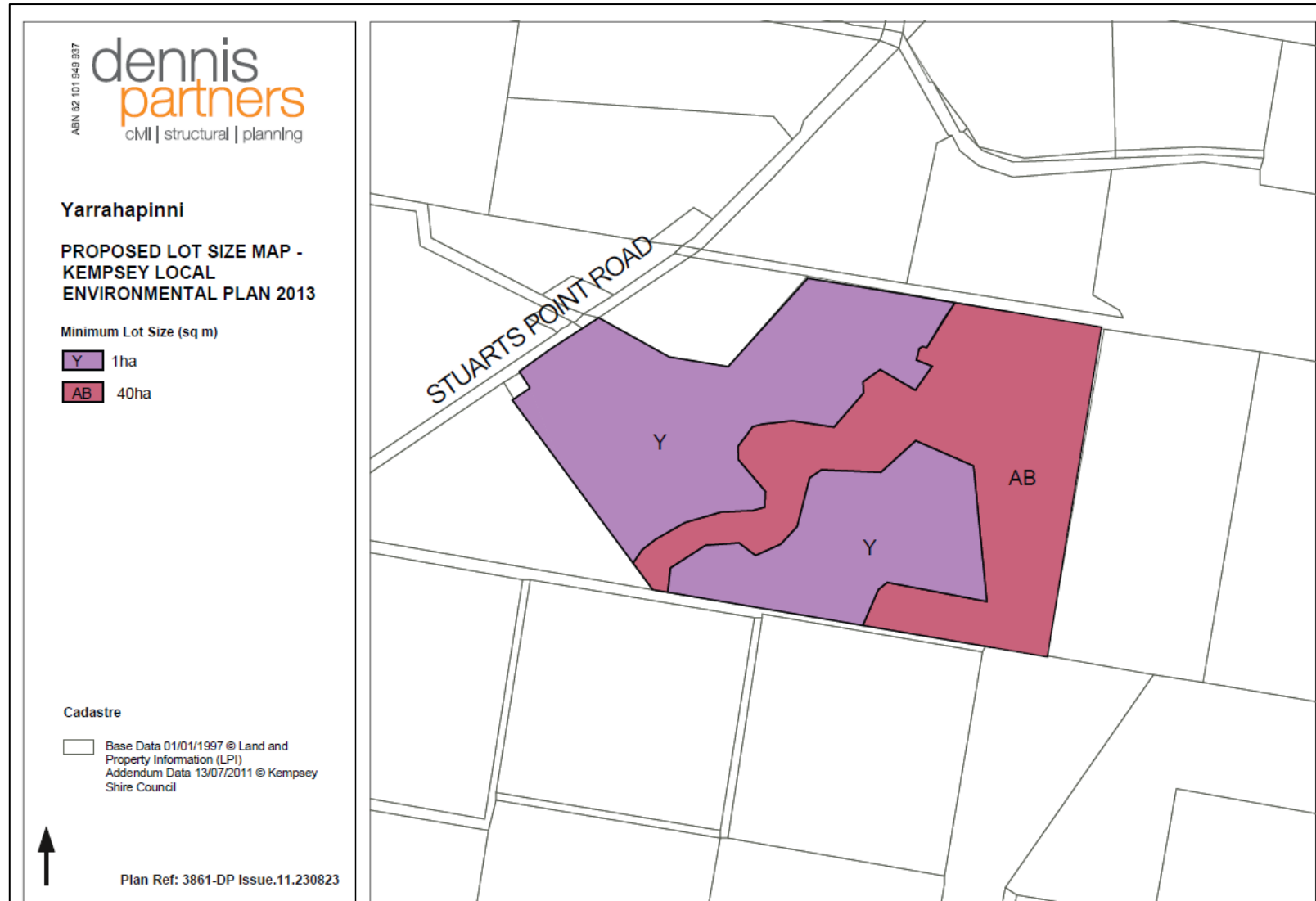


Figure 1-4: Proposed Lot Sizes

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Figure 1-5: Proposed Subdivision Layout (Aerial)

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 and 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 Premier and Cabinet) 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 28 February 2022, but no claims were noted.

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 Project Area is within the boundary of the Kempsey LALC. Preparation of this due diligence would fulfil Kempsey LALC's obligations under the *ALR Act*.

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 Project Area

The Project Area is predominately situated on two soil landscapes: Warrell Creek and Caincross. A small portion along the southern boundary is classified as being in the Kundabung soil landscape (Figure 3-1; Eddie 2000).

The Warrell Creek soil landscape is characterised by gently undulating residual alluvial terraces and has a general relief of 10–30 metres (m), an elevation of 10–50 m and slopes with a gradient between 3–15%. The soils consist predominately of 200–300 centimetres (cm) of well-drained Red Ferrosols. The topsoil is a dark friable loam or poorly structure clay loam. The B horizon consists of red finely structured clay or brown structured plastic clay.

The Caincross soil landscape is characterised by narrow drainage depressions and broad drainage plains below low hills. This landscape tends to have a general slope of less than 3%, and a relief of less than 2 m with an elevation between 5–20 m. This soil landscape frequently fronts Pleistocene shorelines. Soils consist of poorly drained, very deep (>300 cm) Mottled Brown or Grey Kurosols and Sodosols (Gleyed Podzolic Soils and Soloths). In open depressions, up to 50 cm of pale clay loam overlies mottled brown clay. In drainage plains, up to 30 cm of black clay overlies 2–5 m of mottled grey clay, which may overlie estuarine clays at depth. Soils are frequently waterlogged due to considerable run-on from adjacent slopes, having features of surface organic matter accumulation, black or gleyed clays and rust-coloured mottles.

The Kundabung soil landscape consists of undulating rises and low hills on mudstones. Relief is 10–30 m, elevation between 5–50 m and slopes are between 5–10%. The soils consist of poorly drained

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Haplic Red and Brown Kurosols (Red Podzolic Soils) on crests and Mottled Brown Kurosols (Gleyed Podzolic Soils and Soloths) on lower slopes and drainage depressions. Soil depth ranges from 100 cm to less than 150 cm. The A1 horizon is usually only encountered in drainage depressions.

3.1.2. Topography and Hydrology

The topography of the Project Area is gently sloping from an elevation of approximately 20 m at the western border towards a tributary of Kings Creek which traverses through the centre of the Project Area. From the topographic contours, the eastern half of the Project Area is flat and generally low lying. The closest named watercourse is Kings Creek, located approximately 490 m east of the Project Area, though there are two tributaries / drainage lines present through the centre of the Project Area. Figure 3-2 shows the topography and hydrology of the Project Area.

3.1.3. Vegetation

Vegetation associated with the soil landscapes summarised in Section 3.1.1 include partially cleared open dry sclerophyll forest, tall open eucalyptus forests with subtropical rainforest, and partly cleared eucalyptus woodlands and open-swamp forests. The study area has been previously cleared, though some paddock trees and remnant vegetation remain present in isolated clumps.

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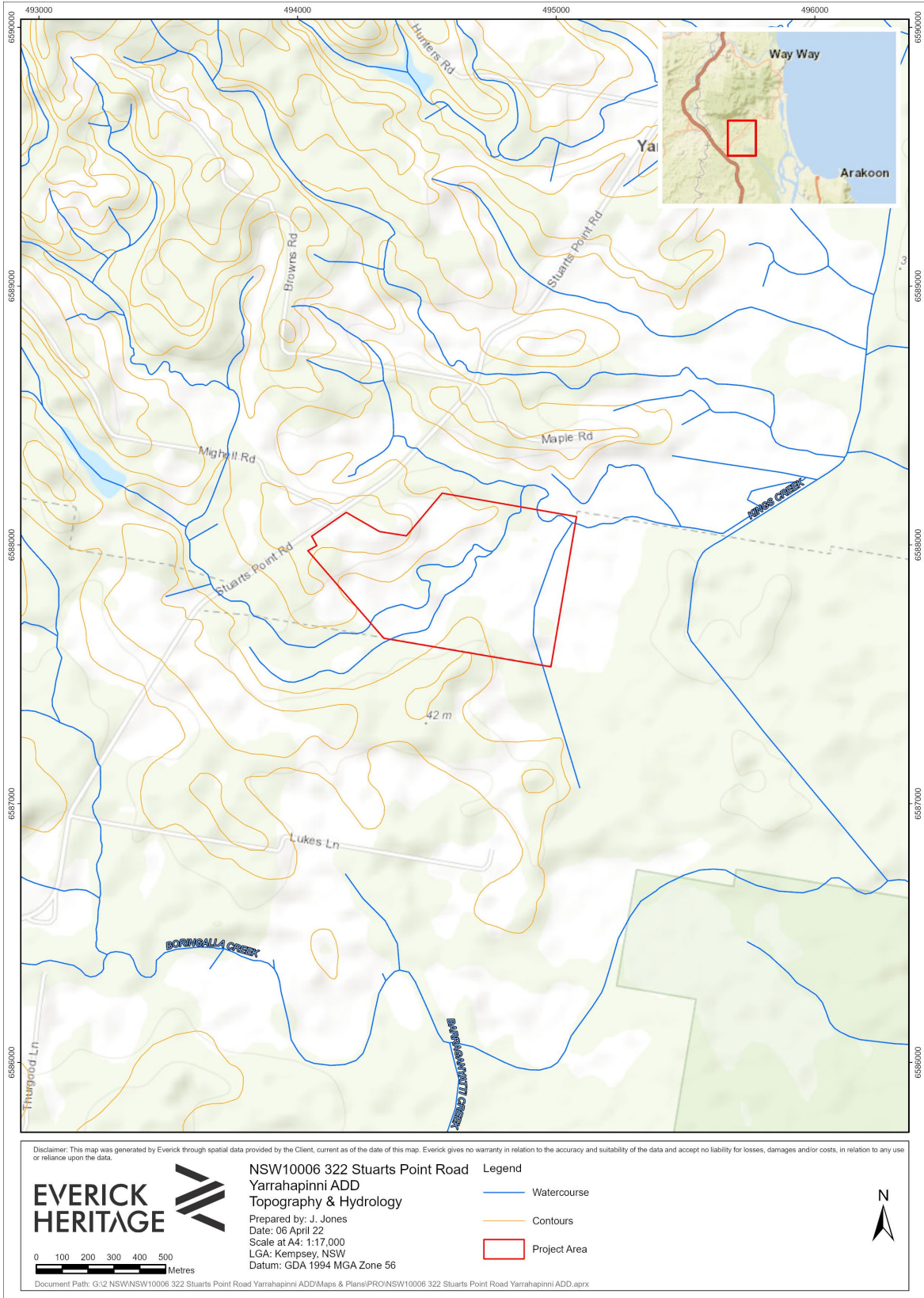


Figure 3-2: Topography & hydrology of the Project Area.

3.2. Past and Present Land Use

Historical aerials from 1967 (Figure 3-3), 1980 (Figure 3-4), 1988 (Figure 3-5), 1991 (Figure 3-6) and 1997 (Figure 3-7) show:

- The Project Area had been cleared and used for agricultural cropping from at least 1967.
- The dam/drainage pond present in the centre of the Project Area and feed by the tributary of Kings Creek was not present in 1967 but had started to form by 1980.
- The vegetation to the south of the Project Area is dense regrowth.

Michael Elliott informed Everick that his grandfather bought the Project Area sometime in the 1960s and that the property had been cleared of vegetation prior. The property was initially used as a dairy farm before being converted into a predominantly beef cattle farm. The farm was used for cropping briefly, with crops grown for only one or two seasons before being abandoned in favour of cattle.



Figure 3-3: 1967 historical aerial

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Figure 3-4: 1980 historical aerial



Figure 3-5: 1988 historical aerial

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Figure 3-6: 1991 historical aerial



Figure 3-7: 1997 historical aerial

3.3. Ethnohistoric Context

The study area is located within the Dhungutti Nation/Language Area which is broadly known to include the lands north of Wilsons River, south of the Nambucca River, and west up to the Great Dividing Range.

Campbell (1978) provides the most comprehensive review of ethnohistorical information on Aboriginal diet and economy in the Macleay Valley. Whilst much of this review describes an economy and material culture that was typically along the North Coast, this study did provide accounts of the environment, being 'brush' and swamp, and the extent to which the early forestry and agriculture industries changed the landscape. Campbell specifically discusses the use of coastal areas:

The beaches and dunes are yet another microenvironment providing other elements of the Aboriginal diet, varying from pipi (Plebidonax deltoids Lamarck), found in the sands of the intertidal zone..., to sea mullet (Mugil cephalus), schnapper (Chrysomphorys guttulatus) and other sea fish that can be caught within the breaking surf. The dunes, many once covered with fine grasses (Beiley pers. comm.; Hodgkinson 1845:3), may have been grazed by kangaroos and wallabies, and in places may have also provided 'pig face' (Mesembryanthemum aequilaterale).

Contiguous with most of these areas were the marshes and swamps supporting large flocks of aquatic birds, of wonderful variety (Hodgkinson 1845:10), and a large fish population. (Campbell 1978:85).

Radcliffe Brown (in Lane 1970: V.8) concludes for the coastal areas of the north coast that population densities would be in the order of 'one person to every three-square miles'. Estimates of tribal groups in the order of 200 individuals are relatively common amongst ethno-historic and anthropological literature (i.e., see Lane (1970) for the Nambucca River district immediately south). An additional element to this discussion of population density is the differentiation between the coastal and the escarpment areas where, it is generally accepted, lower density and much more mobile Aboriginal populations lived. For the larger river systems (Nambucca, Clarence, and Macleay) the concept of more intensive use of the coast as compared to the up-river and escarpment is generally accepted (i.e., McBryde 1974, Godwin 1990). Given the problematic nature of pre-European Aboriginal population estimates, the latter and more 'general' observations of Mathews (1898) for the broader Northern NSW coastline are more relevant:

In the well-watered coastal districts of New South Wales, where fish and game are abundant, their hunting grounds would be comparatively small (Mathews 1898:66).

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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 Project Area. McBryde (1974) proposes that groups ranged between the seacoast and foothills of the coastal ranges on a seasonal basis (i.e., McBryde 1974) 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).

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 and proposes:

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

Godwin (1999a and 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 meetings. (Godwin 1999a:123)

3.4. Archaeological Context

3.4.1. 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.

A search of AHIMS was conducted on 28 February 2022 (Client Service ID: 663121) with the following coordinates:

Lat, Long from: -30.8849, 152.8935

Lat, Long to: - -30.8112, 153.0171

The search was conducted with a buffer of 5 kilometres. Thirty-one Aboriginal objects and zero Aboriginal Places were identified in the search. There are no recorded sites within two kilometres of the Project Area.

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 thirty-one sites within the search area, a total of five different site features is recorded. Details of the occurrence of site features is provided in Table 3-1.

The distribution of registered sites is shown in Figure 3-8. Many sites are associated with the Yarrahapinni Wetlands approximately 1 kilometre southeast of the Project Area. These sites are predominately middens, the most frequent site type in the vicinity (48%). Other sites in the region are associated with the Macleay River and its creeks and tributaries, as well as the Tambo State Forest located to the west of the Pacific Highway.

There is one site with restricted location details within the vicinity of the Project Area. AHIMS was contacted on 05 April 2022 to check whether this site is in the Project Area boundary. A reply was received on 13

April 2022 from AHIMS, stating that this restricted site will not be impacted by works conducted in the Project Area.

Table 3-1: AHIMS features within vicinity of the Project Area

Site feature	Number	Percentage
Midden	15	48
Artefact scatters and open camp sites	13	42
Burial/s	1	3
Burial/s & midden	1	3
Restricted sites	1	3
Total	31	100

3.4.2. Other database searches

The following heritage registers were accessed on the 28 February 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
- Kempsey Local Environment Plan (LEP) (2013)
- AHIP Public Register.

There are no sites listed in the above databases or registers near the Project Area. The closest is Yarrahapinni Primary School (I106) located approximately 1.6 kilometres northeast of the Project Area which is listed on the Kempsey LEP 2013.

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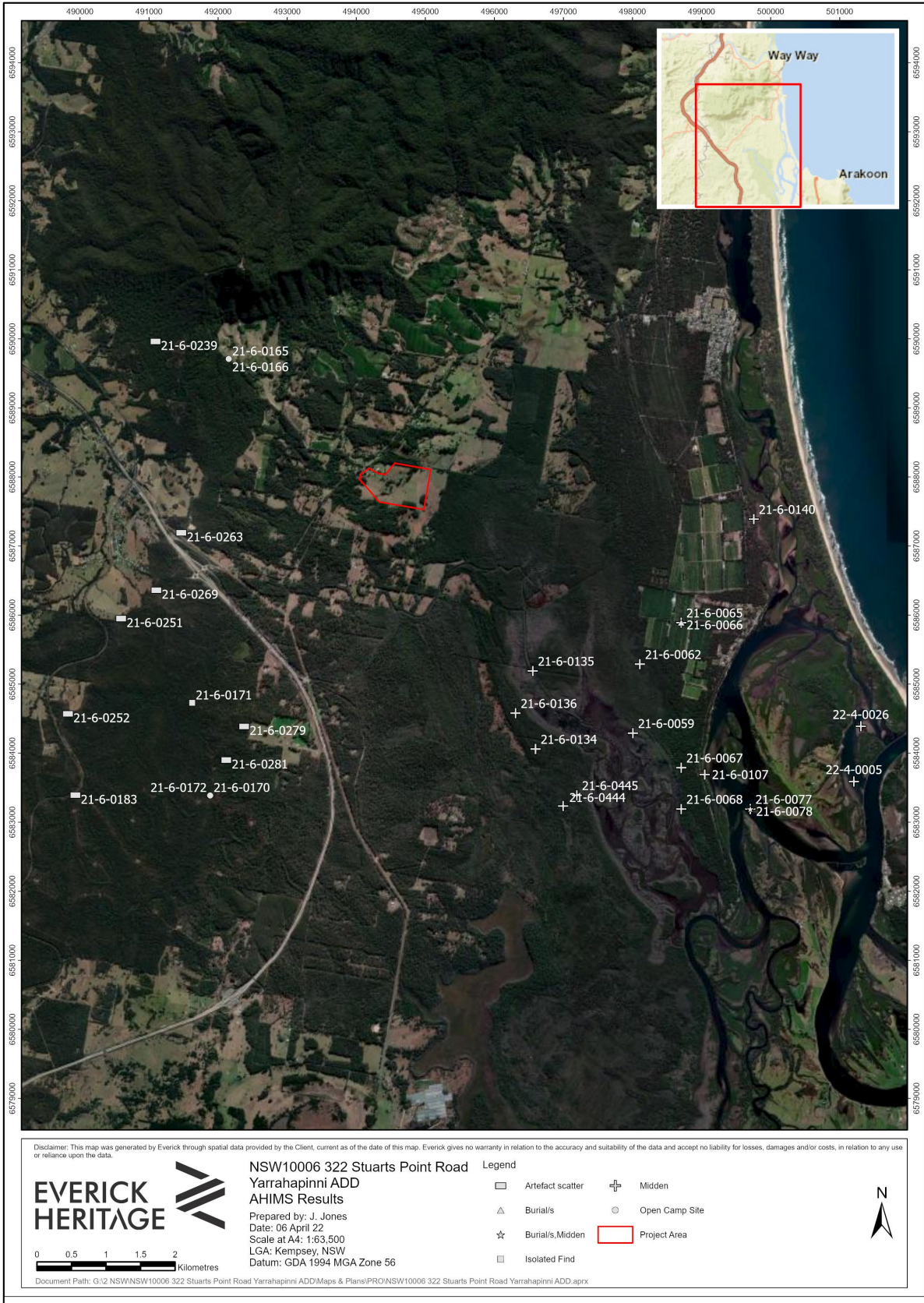


Figure 3-8: AHIMS search results in vicinity of the Project Area

3.4.3. Previous archaeological assessments

The review of previous archaeological assessments forms part of the basis for making predictive statements as to the type and densities of Aboriginal sites and the environmental contexts in which they might be found.

Scientific comment on the Clybucca Middens (located approximately 9.75 km southeast from the Project Area) extends back to the 1930s and 1940s with the work of Voisey (1934) and McCarthy (1943). Whereas Voisey was primarily concerned with geological questions around sea level transgression, his work provides the earliest academic description of the midden complex:

A heavy deposit of shells follows the somewhat irregular line of the old coast almost continuously from Grassy Head to Collombatti, keeping at about the same general height of ten feet above high-tide level. Ostrea eueullata and Arca trapezia are the most common shells. An occasional gastropod is found, while human bones and pieces of flint have been reported from Collombatti. Most of the Arca shells have been broken at the posterior margin, a circumstance indicating that the deposit represents not a raised beach, but an Aboriginal kitchen-midden...it appears probable for the Kempsey area that the water in which the molluscs lived lapped the old cliffs during the human period, or, in other words, that the emergence which drove the sea eastwards occurred after the advent of the Aborigines.
(Voisey 1934:94)

McCarthy provides the earliest archaeological description of the Clybucca Midden based on the exposed face of Limeburner's pits and describes several stone artefacts. He argues on the grounds of geological process that the occupation of the middens extended between 11,000BP (years before present) and 5,000BP.

Subsequent excavations of the Clybucca Midden complex by were undertaken by Graham Connah (1976), who describes excavation of the Stuarts Point midden in 1974 and 1975. Connah makes the following description of the midden:

This midden consists of a stratified series of shell-rich bands containing hearths, stone artefacts, bone points, fish and animal bones and plant remains... A column sample collected in 1974 has now been analysed by Mike Rowland and shows changes in shell species with time. At first the cockles predominated but these are gradually replaced by oysters. This might be interpreted as a possible indication of environmental change and of changing exploitation patterns.

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Extensive research has been completed on the excavated material from Clybucca 3 midden. This material was reanalysed and described by Graham Knuckey (1999) as documenting:

...a shift in the subsistence strategy of the prehistoric inhabitants away from an economy based on shellfish toward one based on a broader range of resources available from an estuarine and a terrestrial environment.

Based on the excavation material from Graham Connah's earlier excavation of the Clybucca 3 midden site Knuckey (1999) provides the following broad conclusion:

Archaeological investigations at Clybucca 3 indicate a prehistoric subsistence strategy that at 5000 years BP depended entirely upon the shellfish resources available in a tidal estuary. Later, people at the site began to exploit more the estuarine fish resources available and from environmental and/or cultural reasons the resource base broadened further to include small to medium sized terrestrial animals. (Knuckey 1999:9).

In 2018, Everick Heritage completed a cultural heritage assessment for the Stuarts Point to South West Rocks sewerage treatment pipeline proposal. This assessment focused on the access track parallel to the Macleay River between Fisherman's Reach and the Golden Hole turnoff. The assessment identified several discontinuous shell middens consistent with the 'dinner time camp' style lens, however investigation using a Ground Penetrating Radar did not identify a thick deposit of shell consistent with the Stuart Point or Clybucca midden complex (Hill and Disspain 2018).

A study conducted by Everick in 2016 and 2018 along Back Creek at South West Rocks identified a midden in proximity to a car park, heavily covered by vegetation, which was previously recorded as the Old School Midden by Jacquie Collins. Subsequent investigation on Back Creek in 2018 has identified shell material along the southern bank of Back Creek in areas which have not been subject to land reclamation. Back Creek is well known to contain middens and had been the focal point of prehistoric and historic camping areas for Aboriginal People (Everick 2016 and 2017).

Everick Heritage was engaged in 2021 (Hill and Finlayson 2021) to provide an Aboriginal Cultural Heritage Assessment Report (ACHAR) for works within the Ngambaa Nature Reserve, located approximately 15 km west of the Project Area. In comparison to the lower-lying rolling hills landscape of the Project Area, Ngambaa Nature Reserve comprises coastal highlands, hilltops and escarpments intersected by swampy valleys that would have comprised former coastal rainforest prior to historic European land practices, such as logging in the case of Ngambaa. A site inspection of the reserve determined that the highest level of disturbance consistent with track construction and logging had taken place on flat ridgelines and ridge tops with a higher potential to contain Aboriginal objects. Aboriginal

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stone tools were identified on the southern boundary of the reserve, comprising large stone core / chopper fragments (Hill and Finlayson 2021:2).

The archaeological investigation for the upgrade of the Pacific Highway between Kempsey and Eungai was undertaken as part of the environmental impact statement adjacent to the east of Eungai Creek on the Pacific Highway (Navin and Officer 2007), and concluded:

- Four archaeological sites and 12 potential archaeological sites were identified during the survey. An additional two sites were identified within 100 m of the proposed highway alignment.
- The survey was constrained by low survey visibility. The potential archaeological deposits typically comprised low spurs and ridges near wetlands and water bodies on the estuarine, riparian, and coastal margins.
- The alignment in the vicinity of the Project Area included several forestry and railway camps which were used by Aboriginal people employed within the Tamban Forests.

With regard for the location of the Project Area, Navin and Officer (2007:23) provided the following predictive model for the general vicinity of Eungai Creek:

The crests and basal slopes of low spur lines that extend into and are situated adjacent to the flood plain valley floor are the most sensitive landform within the Kempsey-Eungai study area. Sites most likely to occur in these contexts are stone artefact occurrences such as open artefact scatters and isolated finds. Midden deposits may occur subsurface on former beach ridges and other alluvial or colluvial deposits which fringe the bedrock slopes that border the valley floor. These mark the former shoreline of the marine embayment and subsequent estuary which formed following the last sea level rise at around 6000 years BP.

Open artefact scatters (or campsites) are most likely to occur on relatively level, well-drained ground, adjacent to sources of freshwater (e.g., swamps and creeks) and estuarine lakes and wetlands, or along the crests of ridgelines.

Hall and Lomax (1996) undertook a review of regional archaeological assessment of major investigations of State Forests in New South Wales. While the paper specifically aimed to address the methodological and statistical challenges of archaeological investigations in forest environments it does provide base line information which demonstrates a clear pattern of use within subcoastal areas which are dominated by forestry. The study demonstrated that the majority (66%) of sites identified within the Kempsey/ Wauchope management area contained less than four artefacts. Very few sites (2%) have more than 100 artefacts. The paper qualifies this by identifying the problems of sampling strategies that rely on surface investigation of forest trails. It is likely that sub-surface archaeological investigation would change our

understanding of the distribution of artefacts within forest environments. However, the paper does demonstrate an increase in artefact density within the ranges when compared to the lowland hills which can be taken to reflect the nature of occupation and use of stone resources away from the coast and a focus of occupation on coastal resources near the floodplains and river valleys.

3.5. Summary and Predictive Model

The Due Diligence Code of Practice of Aboriginal Objects in NSW states:

Aboriginal objects are often associated with particular landscape features as a result of Aboriginal people's use of those features in their everyday lives and for traditional cultural activities. Examples of such landscape features are rock shelters, sand dunes, waterways, waterholes and wetlands.

Additionally, if a proposed activity is:

within 200m of waters, or located within a sand dune system, or located on a ridge top, ridge line or headland, or located within 200m below or above a cliff face, or within 20m of or in a cave, rock shelter, or a cave mouth and is on land that is not disturbed land... (DDCoP 2010: 12),

there is a far higher probability that Aboriginal sites or objects could be present.

3.5.1. Isolated artefacts

These will consist of single stone artefacts, which may have been randomly discarded during fabrication or due to breakage. They may occur in almost any environmental context exploited by Aboriginal people. They are commonly tools, including stone axes, hammer stones, bevelled edged pounders and abraded pebbles, and usually include flakes and cores. Their presence may indicate that more extensive scatters of stone artefacts exist or existed nearby, perhaps obscured by vegetation or dispersed by mechanical means. Predicting isolated finds with precision is impossible; their detection in the disturbed sediments and dense ground cover of the Project Area is unlikely.

3.5.2. Artefact scatters

Stone artefact scatters consist of moderate to high density deposits of stone artefacts and possibly bone and hearths. Their exposure to the elements means that evidence of food resources used on the site (with the exception of shellfish) is usually lacking. Artefact scatters are invariably found in elevated positions adjacent to creeks or wetlands. They typically consist of primary and secondary flakes in addition to the types of artefacts found as isolated finds. Given the disturbance which has occurred over parts of the Project Area due to flooding and agricultural activity, artefact scatters are considered possible to occur within the Project Area where disturbances have been minimal.

3.5.3. Middens

Middens are campsites which are dominated in volume by shellfish remains. Middens may be composed of deep compacted debris reflecting consistent use over long periods of time, or thin scatters of shell which reflect use on a single occasion by a small group, perhaps in transit or gathering food away from a large campsite. Middens are typically situated near a source of shellfish and comprise predominantly mature oyster, pipi, whelk, cockle and cartrut species in addition to terrestrial animal and fish bone, stone artefacts, charcoal and ash from fireplaces. The largest midden complex in the Kempsey region is the Stuarts Point Midden at Clybucca (NSW NPWS 2007). These middens date from the late Holocene period to less than 200 years BP. Human burials have been associated with a number of middens on the northern rivers (Barz1980b; Bailey1972; Lourandos1979).

All recorded middens have been located in elevated positions beside estuarine waterways or on elevated sand substrates close to wetlands. The dominant species found in estuarine middens is oyster, while locations away from the waterways contain pipi or combinations of estuarine, open beach and rock platform species. Middens are considered unlikely to occur within the Project Area.

4. Visual Inspection

4.1. Aims

The primary aims of the visual inspection were:

- To establish if the Project Area contained areas of ground disturbance and map the extent and nature of that disturbance.
- Identify any landscape features in the Project Area which contain Aboriginal objects. That is, areas of potential archaeological deposit (PAD).

4.2. Timing, Personnel and Methodology

The visual inspection was undertaken of the Project Area on foot over one day on 05 April 2022 with the following in attendance:

- Dr Alyce Cameron (Senior Archaeologist, Everick Heritage)
- Samuel Riley (Archaeologist, Everick Heritage)
- Kevin Smith (Senior Sites Officer, Kempsey LALC)
- Michael Elliott (the Proponent)

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-morning/early afternoon, in sunny conditions. The Project Area is private property belonging to Michael and his family. The western part of the Project Area (adjacent to the driveway) was traversed by two surveyors using transects within the proposed extent of activities and spaced approximately 10 m apart (Figure 4-1). The two drainage lines through the centre of the property were partially traversed, along with the higher elevated spurs at the northern and south-eastern boundary of the Project Area. Mature native vegetation was checked for cultural scarring. Due to dense vegetation and swampy terrain, the western and southern boundaries were inspected at a distance. Michael Elliott

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has indicated that due to this area's susceptibility to flooding the Proposed Works do not include these areas. It was concluded that there was low archaeological potential in these areas due to the extensive natural disturbance caused by the water.

The general topography of the Project Area includes the edge of a broad ridge along the Project Area's western section which descends on a gentle/moderate gradient towards the drainage lines that traverse the centre of the Project Area. There is a lower and narrower spur line which extends into the Project Area from the southern boundary (Figure 4-2). The lower lying flats adjacent to the tributaries / drainage lines are waterlogged due to recent heavy rain in the area. Telstra fibre-optic cables are present inside the Project Area crossing in from the western boundary and roughly following the northern boundary of the Project Area. (Figure 4-3). There are also above-ground powerlines which enter the Project Area from the western boundary but stop approximately 70 m inside the Project Area at a large storage shed (Figure 4-4).

Ground cover across most of the Project Area consisted of dense grass covering, with some exposures soil visible (Figure 4-5: and Figure 4-6). A number of mature native trees are present, with several uncleared areas present around the tributaries / drainage lines and the eastern and southwestern boundaries of the Project Area (Figure 4-7: and Figure 4-8). Mature native vegetation, in particular tallwood trees were checked for evidence of cultural scarring, however, no evidence of such activity was identified during the survey. Exposure and visibility across the project area was approximately five percent and was constrained to the bases of trees, exposures of topsoil with no vegetation growth present, and existing farm tracks. The tributary and drainage line which transects through the centre of the Project Area is partially incised and was flowing freely during the site inspection, likely due to heavy rains the week before (Figure 4-9). The banks adjacent to the tributary are marshy and waterlogged, indicating a frequent flow of water from the slopes toward the tributary and drainage line.

Disturbances inside the Project Area consist of construction of the residential house, as well several storage sheds on the western ridge of the Project Area. A cattle yard was noted approximately halfway down the slope towards the centre of the Project Area from the western ridge, although the dense vegetation and significant overgrowth in the area suggested it had not been operational for some time. There are several farm tracks through the Project Area, as well as standard agricultural fencing and gates. Part of the tributary appear to have been modified slightly, and there is a well-built bridge across the tributary.

No Aboriginal objects or PADs were identified within the Project Area. However, these areas were assessed as having low potential to contain subsurface scatters of stone artefacts due to the nature of location and its predisposition towards being wet and boggy making it an unlikely location for campsites.

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Several pieces of naturally occurring low-quality quartz were identified in small patches of visible soil on the western slope adjacent to the tributary.

During the inspection Mr Kevin Smith (Kempsey LALC) shared that Mount Yarrahapinni is a significant location to the Dunghutti people with many stories concerning cultural activities there. Mount Yarrahapinni is approximately 3.6 km northwest of the Project Area. Kevin also mentioned that Tamban State Forest, located approximately 3.5 km southwest of the Project Area has many Aboriginal sites showing physical evidence of the Dunghutti people's cultural activities. The report by Kempsey LALC concerning the survey is provided as Appendix B.

Photograph



Description

Figure 4-1: View south of western ridge along western most section of Project Area.

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Photograph



Description

Figure 4-2: View south of the southern spur line extending into the Project Area.



Figure 4-3: View north of Telstra fibre optic cables location.

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Photograph



Description

Figure 4-4: View northwest of powerlines and sheds on western ridge.



Figure 4-5: Example of ground surface exposure inside Project Area on ridgeline.

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Photograph



Description

Figure 4-6: Example of ground surface visibility inside Project Area.



Figure 4-7: View south of remnant vegetation in southwest corner of Project Area.

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Photograph



Description

Figure 4-8: View southwest from northern boundary of Project Area.



Figure 4-9: View west of tributary running through the centre of the Project Area.

4.4. Discussion

Archaeological sensitivity is closely related to observed levels of ground disturbance. However, other factors are also considered 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 Project Area contains sensitive landscape features. There is a broad ridge along the west of the Project Area and smaller spur line at the southern boundary. There is also one watercourse which intersects the Project Area, being an unnamed tributary, as well as a minor drainage line which feeds into the tributary. First and second order streams are located within the wider vicinity of the area, but not within 200 metres of the Project Area.

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 Project Area as a result of (b), (c), (d), (e), (f) and (g). It is also likely that disturbance has occurred due to (a) is present, though to a lesser extent than the other types of disturbances.

4.5. Conclusions

A search of the AHIMS database did not identify registered sites with the Project Area. No Aboriginal sites or PADs were identified in the Project Area. Overall, the Project Area has been assessed as demonstrating low archaeological sensitivity and potential for in situ archaeological deposits.

In accordance with the Due Diligence Code of Practice (DECCW 2010a), the proposed works within the Project Area will not impact on identified Aboriginal objects, or areas where Aboriginal objects are likely to occur beneath the ground surface.

5. Recommendations

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

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

It was found that:

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

The following recommendations are made:

- In accordance with the Due Diligence Code of Practice, the proposed activity can proceed with caution, with no further Aboriginal archaeological investigation, assessment or mitigation measures required. Kempsey LALC have requested that a sites officer is present during the initial ground disturbing works for the elevated areas and road locations inside the Project Area.
- Unexpected Aboriginal objects remain protected by the *NPW Act*. If any such objects, or potential objects, are uncovered in the course of the activity, work in the vicinity must cease, and Heritage NSW, and Kempsey LALC be contacted for advice.
- If suspected human remains are discovered and/or harmed in, on or under the land within the Project Area, the following actions must be undertaken:
 - The remains must not be harmed/further harmed
 - Immediately cease all works at that particular location
 - Secure the area so as to avoid further harm to the remains
 - Notify the NSW Police and the Environment Line (Department of Planning, Industry and Environment) on 131 555 as soon as practicable and provide any details of the remains and their location

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- Do not recommence any work at the particular location unless authorised in writing by Heritage NSW or Department of Planning, Industry and Environment.

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Appendix A - AHIMS database search results

Site ID	Site name	Datum	Zone	Easting	Northing	Context	Site status	Site Types	Recorders
21-6-0252	KE2	AGD	56	489720	6584380	Open site	Valid		Navin Officer Heritage Consultants Pty Ltd
21-6-0171	TAMBAN 1	AGD	56	491520	6584540	Open site	Valid	Isolated Find	Ms. Jacqueline Collins
21-6-0135	Clybucca 2	AGD	56	496450	6585000	Open site	Valid	Midden	Ms. Jacqueline Collins
21-6-0445	Midden mound Clybucca Aboriginal Area	AGD	56	497193	6583390	Open site	Valid		Ms. Penny Kendall, DPIE - Armidale
21-6-0059	Stuarts Point 5; Shark Island	AGD	56	497900	6584100	Open site	Valid	Midden	Ms. Lisa Campbell
21-6-0062	Shark Island	AGD	56	498000	6585100	Open site	Valid	Midden	Ms. Lisa Campbell

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Site ID	Site name	Datum	Zone	Easting	Northing	Context	Site status	Site Types	Recorders
21-6-0364	Restriction applied	Restriction applied	Restriction applied	Restriction applied	Restriction applied	Open site	Valid	Restriction applied	Mr. Russell Reid
21-6-0140	Stuarts Point Midden	AGD	56	499650	6587200	Open site	Valid	Midden	Ms. Jacqueline Collins
21-6-0251	KE1	AGD	56	490490	6585760	Open site	Valid		Navin Officer Heritage Consultants Pty Ltd
21-6-0067	Stuarts Point 1; Shark Island	AGD	56	498600	6583600	Open site	Valid	Midden	Ms. Lisa Campbell
21-6-0065	Stuarts Point 6; Shark Island	AGD	56	498600	6585700	Open site	Valid	Midden	Ms. Lisa Campbell
21-6-0107	Marine Parade	AGD	56	498940	6583500	Open site	Valid	Midden	Helen Clemens, Rex Silcox
21-6-0077	Old Clybucca Ferry; Little Shark Island	AGD	56	499600	6583000	Open site	Valid	Midden	Ms. Lisa Campbell
21-6-0183	Willetts Crossing 4	AGD	56	489828	6583202	Open site	Valid		Mr. Kevin Smith

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Site ID	Site name	Datum	Zone	Easting	Northing	Context	Site status	Site Types	Recorders
21-6-0239	Brushbox 1 & 2	AGD	56	490988	6589773	Open site	Valid		Mr. Kevin Smith
21-6-0134	Clybucca 1	AGD	56	496490	6583870	Open site	Valid	Midden	Ms. Jacqueline Collins
21-6-0068	Broadwater Inlet; Little Shark Island	AGD	56	498600	6583000	Open site	Valid	Midden	Ms. Lisa Campbell
21-6-0078	Stuarts Point 4	AGD	56	499600	6583000	Open site	Valid	Burial/s, Midden	Val Attenbrow, Helen Clemens
21-6-0066	Boringalla Creek	AGD	56	498600	6585700	Open site	Valid	Burial/s	Ms. Lisa Campbell, J Beilby
21-6-0269	KE30	AGD	56	491000	6586170	Open site	Valid		Navin Officer Heritage Consultants Pty Ltd
21-6-0263	KE23	AGD	56	491361	6587002	Open site	Valid		Navin Officer Heritage Consultants Pty Ltd

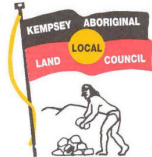
EVERICK HERITAGE

Site ID	Site name	Datum	Zone	Easting	Northing	Context	Site status	Site Types	Recorders
21-6-0136	Clybucca 3	AGD	56	496200	6584390	Open site	Valid	Midden	Ms. Jacqueline Collins
22-4-0005	Shark Island; Shark Island 2	AGD	56	501100	6583400	Open site	Valid	Midden	Ms. Lisa Campbell
21-6-0165	Highell Rd 1, District site 48	AGD	56	492050	6589520	Open site	Valid	Open Camp Site	S Bishop
21-6-0166	Highell Rd 2; District site 49	AGD	56	492050	6589520	Open site	Valid	Open Camp Site	S Bishop
21-6-0170	TAMBAN 2	AGD	56	491780	6583200	Open site	Valid	Open Camp Site	Ms. Jacqueline Collins
21-6-0172	TAMBAN 3	AGD	56	491780	6583200	Open site	Valid	Open Camp Site	Ms. Jacqueline Collins
21-6-0281	TB72-4	GDA	56	492118	6583900	Open site	Valid		Mr. Kevin Smith
21-6-0279	TB72-3	GDA	56	492377	6584387	Open site	Valid		Mr. Kevin Smith
21-6-0444	Pinkstons sandpaper fig midden	GDA	56	496996	6583235	Open site	Valid		Ms. Penny Kendall,

EVERICK HERITAGE

Site ID	Site name	Datum	Zone	Easting	Northing	Context	Site status	Site Types	Recorders
	Clybucca AA								DPIE - Armidale
22-4-0026	Shark Island; Shark Island 2	AGD	56	501200	6854200	Open site	Valid	Midden	Ms. Lisa Campbell

Appendix B – Kempsey LALC survey report



P.O. Box 540,
Kempsey, N.S.W. 2440
Phone (02) 6562-8688
Fax (02) 6563-1293

KEMPSEY LOCAL ABORIGINAL LAND COUNCIL

KLALC CULTURAL HERITAGE ASSESSMENT REPORT

REPORT TITLE	322 Stuarts Point Rd, Yarrahapinni Subdivision Aboriginal Cultural Heritage Assessment	
AUTHOR NAME	W. Cowan – KLALC Cultural Heritage Officer	
ADDRESS	1 Johns St, Kempsey	
CONTACT DETAILS	Ph. 02 6562 8688 Email: klalc1@bigpond.com	
ADDRESS OF SUBJECT AREA	322 Stuarts Point Rd, Yarrahapinni DP805299 / Lot 333	
REPORT PREPARED FOR:	Company Name: Contact Person: Address:	Everick Heritage Pty Ltd – Alyce Cameron Bellingen / Brisbane
	Email: Phone:	a.cameron@everick.net.au 02) 6655 0225

CULTURAL HERITAGE SENIOR SITE OFFICER	Kevin Smith
SURVEY DATE	5 th April 2022
HISTORICAL RESEARCH & ABORIGINAL HERITAGE INFO. MANAGEMENT SYS. (AHIMS) DATA:	Cultural Heritage information was limited due to the passing of the knowledge holders of the area, Mount Yarrahapinni is very significant to the DUNGHUTTI people with lots of stories about cultural activity there. Tamban State Forest holds a lot of Evidence of DUNGHUTTI people cultural activity. AHIMS research showed no records of Aboriginal sites.
SENIOR SITES OFFICER SURVEY RESULTS	Walkover survey was limited, due to the dense and large amount of vegetation over the whole project area (Grass). No Evidence of Aborigines cultural activity was visible due to farming activity. Survey outcome was a Nil find result.
RECOMMENDATION	As pedestrian field survey were a Nil Found result, KLALC Cultural Heritage Senior Sites Officer will need to be on-site, when Development commences and soil is disturbed, to determine any Evidence of Aborigines cultural activity.