



OLD BAR PRECINCT 3 REZONING

Aboriginal Cultural Heritage Assessment

February 2010



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1.0 INTRODUCTION

This Aboriginal Cultural Heritage Assessment (ACHA) was commissioned by Greater Taree City Council at the request of the Department of the Environment, Climate change and Water (DECCW) to complete the process begun by the report *Aboriginal Sites Investigation Of Lot 117 DP 753149, Lot 271 DP 753149, Lot 218 DP 753149, Lot 219 DP 753149, Lot 59 DP753149, Lot 73 DP773260, part Lot 14 DP 733054, Lot 72 DP773260, Lot 71 DP773260, Lot 8 DP 377867, Lot 1 DP 1022067, Lot 2 DP1022067, Lot1 DP 594864, Lot 2 DP 879651, Lot 4 DP 594864 Old Bar Precinct 3* undertaken by Purfleet-Taree Local Aboriginal Land Council Culture & Heritage Section in 2003.

1.1 Aims

The purpose of this ACHA is to:

- Investigate the significance of Aboriginal Cultural Heritage at the site;
- Incorporate the findings of the earlier report;
- Include a documentation of community consultation as per current DECCW standard;
- Undertake additional field survey work to ensure areas of high potential disturbance are adequately surveyed ; and
- To provide detailed management recommendations for future management of Aboriginal Cultural Heritage at the site.

Due to the work already undertaken, the current Assessment will incorporate and update the findings from the 2003 report to ensure that all relevant data and finding are included in the final report.

1.2 Legislative Requirements and Best Practice

This report conforms to the requirements of the *NSW National Parks and Wildlife Act 1974* (NP&W Act) and *Environmental Planning & Assessment Act 1979* (EP&A Act) and undertakes to address the requirements of both Acts in regards to the significance of the Aboriginal Cultural Heritage of the site.

The assessment uses the Australia ICOMOS *Burra Charter* as its Best Practice guiding document as well as DECCW's *Aboriginal Cultural Heritage Standards & Policies Kit* and the *Interim Community Consultation Requirements for Applicants*.

1.3 Aboriginal Values and Consultation

This assessment will undertake to consult with the widest possible number of interested Aboriginal Stakeholders and to document all such consultations and their results in full.

The report will, at all times, ensure that any objects or areas of cultural heritage significance determined by the stakeholders and the values that are associated with these objects or areas are recognised and used to determine appropriate Management Policies. These Policies will be designed in such a way as to preserve and protect Precinct 3's objects and sites cultural heritage significance in ways that are deemed acceptable by the local Aboriginal peoples.

1.4 Endorsement by Relevant Local Community Groups

Endorsement by the registered Aboriginal stakeholder groups was sought from each of the groups outlined in Section 1.5. Both Purfleet-Taree Local Aboriginal Land Council and Doo-wa-kee were willing to endorse the final report as long as it contained the relevant changes outlined in Chapter 3.

1.5 Native Title Owners, LALC's and Others (Community Groups)

The following local stakeholders were consulted with during this assessment and took part in the Field Work:

- Purfleet-Taree Local Aboriginal Land Council;
- Doo-wa-kee Culture and Heritage Services (formerly Interim Worimi Knowledge Holder Council); and
- Taree Indigenous Development and Employment (TIDE) which was represented by the same representative as Doo-wa-kee.

1.6 Authorship and Field Researchers

This report was written by Matt Alexander of Ainsworth Heritage and Dr Douglas Hobbs, Archaeologist.

The Community Consultation was undertaken by Matt Alexander of Ainsworth Heritage on Tuesday 18 November, 2009 at the office of Greater Taree City Council and the offices of TIDE.

The field survey was undertaken by Matt Alexander of Ainsworth Heritage, Dr Douglas Hobbs, Mick Leon and Barrie Bungie of TIDE (and Doo-wa-kee) and Steven Mayer, Phillip Cochrane, Andrew MacDonald, Richard Donovan and Steven Paulson of the Purfleet-Taree Local Aboriginal Land Council with

additional assistance from Aboriginal Heritage Information Officer Emmanuel Fewquandie and Aboriginal Heritage Conservation Officer Victor Buchanan of DECCW on Monday, Tuesday and Wednesday 14, 15 and 16 December, 2009.



Figure 1.3: Location of site in relation to Taree (Map compiled by Ainsworth Heritage).



Figure 1.4: Location of site in relation to Old Bar (Map compiled by Ainsworth Heritage).

1.8 Description of Study Area

The study area comprises two distinct areas; the more elevated northern lots and the lower lying southern lots. The northern lots are bordered by Saltwater Road to the west, Forest Lane to the south, the western lots facing

Wyden Street and to the north by the lot boundaries running from Sheaffe Ave in the east to Lot 117 in the West. The northern lots consist of heavily grassed land and in the low lying central area, swampy ground that rises to the north east and west. The central and northern areas have scattered mature eucalypts which gradually thicken into remanent forest on the higher western lots.

The irregularly shaped southern lots are bordered on the east by both dunes and Lewis Street house lots, to the south by Aboriginal land, to the west by Kiwarrak State Forest and the new housing estate and to the north by Forest Lane and established residential parts of southern Old Bar. This area consists of coastal dune systems to the east covered in a dense association of dune scrubs and grasses, that descend through the central areas to a former swamp/lagoon area of tall grasslands and remnant stands of Swamp Paperbark. The higher ground to the west has a mix of native and exotic grasses and areas of open schlerophyl forest.



Figure 1.5: Satellite Image of site showing vegetation and land use patterns (Google Earth).

1.9 Description of Impact

Greater Taree City Council (Council), in conjunction with the current land owners, is seeking to rezone the land known as Old Bar Precinct 3. Council plans to rezone the land in an effort to enable the future development of an

integrated and balanced community. Currently there are no detailed plans for future works and as such, only general impacts can be discussed.

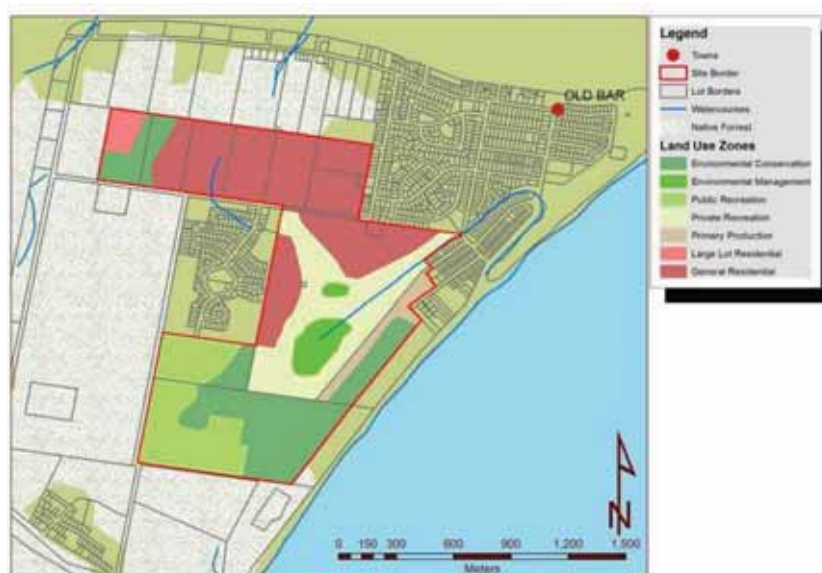


Figure 1.6: Proposed Zoning (Ainsworth Heritage).

Each zone presents a varying degree of potential impact upon any Aboriginal Cultural Heritage at the site and will require its own management Policies relating to the level of impact and the significance of object or sites of Aboriginal Cultural Heritage significance. The following table outlines the potential impact of each type of zone.

Zone	Potential Impact
RU1 – Primary Production	Potential; impact associated with clearing of land and any sub-surface works. Livestock also have potential to damage any objects or sites.
R1 – General Residential	High potential for severe impacts upon objects and sites from vegetation removal or planting, landscaping, construction of both buildings and roads, and service systems on objects and sites.
R5 – Large Lot Residential	Some potential for severe impacts upon objects and sites from vegetation removal or planting, landscaping, construction of both buildings and roads, and service systems on objects and sites.
E2 – Environmental Conservation	There is a minimal chance of impact upon objects or sites in this zone as the zone will remain generally undisturbed.

Zone	Potential Impact
E3 – Environmental Management	Potential impact from associated activities in the Private Recreation Zone. Subsurface works and clearing of vegetation have potential to Impact upon objects and sites.
RE1 – Public Recreation	Potential impacts from ground disturbing works such as vegetation removal or planting, landscaping, construction of buildings, roads courts and fields and irrigation systems on objects and sites.
RE2 – Private Recreation	Potential impacts from vegetation removal or planting, landscaping, construction of both buildings and roads and irrigation systems on objects and sites.
Table 1.1: Potential Impact by Land Use	

1.10 Acknowledgements

The following individuals were of assistance in the compilation of this assessment:

- Glen Rennie, Warner Saunders, Steven Mayer, Phillip Cochrane, Andrew MacDonald, Richard Donovan and Steven Paulson – Purfleet Taree Local Aboriginal Land Council;
- Mick Leon and Barrie Bungie – TIDE
- Kieran Metcalfe, Keiryn McCartney and Richard Pamplin – Greater Taree City Council;
- Penny McCardle – McCardle Heritage;
- Susan McIntyre–Tamwoy – James Cook University;
- Ian Fox;
- Glenda Smith – Manning Valley Historical Society; and
- Emmanuel Fewquandie, Victor Buchanan, Sarah Paddington and Eva Day – DECCW.

2.0 QUALIFICATIONS AND RELEVANT EXPERIENCE

The following section outlines the qualifications of those involved in the production of this report and the field work.

2.1 Qualifications

2.1.1 Douglas Hobbs

Doug has over 35 years experience in archaeological research and consulting in Australia and overseas. Doug has undertaken a myriad of roles during his extensive career including:

- Managing of and carrying out archaeological research;
- Investigating historic, prehistoric and paleontological sites; and
- Researching and developing advanced methods of archaeological data recovery, collection, analysis and publication.

Doug's other skills and qualifications include photography and cinematography, surveying, remote sensing, mapping and cartography.

Doug has extensive skills and expertise in the following areas:

- Traditional owner consultation;
- Site survey;
- Landscape analysis;
- Surveying;
- Artefact identification and analysis;
- Palaeoanthropology;
- Lithics analysis;
- Use wear analysis;
- Management of Indigenous sites; and
- Rock art conservation.

2.1.2 Matt Alexander

Matt has had extensive experience in many forms of both Indigenous and European Cultural Heritage Management over the past four years. Matt is currently undertaking a Bachelor of Arts in Archaeology from the University of New England. This practical experience has enabled Matt to develop a wide range of skills that include the following:

- Utilisation of GIS software;
- Archival and general research focused upon Australian History (both European and Indigenous);

- A strong familiarity with best practice industry standards through University subjects in Heritage Conservation and Public Archaeology;
- Experience on large scale infrastructure projects such as historic and indigenous surveys;
- Indigenous Site Excavations;
- Significance Assessments;
- Community consultation;
- Site assessment;
- Impact assessment; and
- Site management.

3.0 THE CONSULTATION PROCESS

This chapter outlines the process by which the local Aboriginal stakeholder groups were involved in the assessment process. Documentation regarding this process is contained in Appendix A.

The consultation process was undertaken using DECCW guidelines and consisted of the following general steps:

- Contacted relevant authorities;
- Initial advertisement (two week response time);
- Contact with interested stakeholders);
- Initial consultation meeting:
- Three week period for stakeholder input to methodology;
- Field survey;
- Draft submission;
- Three week period for draft review and comment; and
- Submission of final report.

3.1 Requests for Consultation

The process of consultation for this assessment was undertaken in a comprehensive manner that aimed at seeking the inclusion of as many relevant aboriginal stakeholder groups as possible in the assessment. For details of specific correspondence please refer to Appendix A.

Greater Taree City Council sent a letter with an initial request for consultation and general information on the project on 21 August 2009 to groups known by DECCW to have potential interest in the project. These groups were:

- Purfleet-Taree Local Aboriginal Land Council;
- Ghinni Ghinni Youth and Culture Aboriginal Corporation;
- Saltwater Tribal Council; and
- Doo-wa-kee Cultural Heritage (formerly Interim Worimi Knowledge Holder Council.

Following the commissioning of Ainsworth Heritage, a newspaper ad was taken out in the *Manning River Times* of 3 November 2009 outlining the project and a request for interested stakeholder's participation. A time frame for response of fourteen days was given.

Ainsworth Heritage sent a second letter (9 November 2009) to these groups, in addition to TIDE, inviting them to a stakeholder meeting regarding the

project and what procedures, results and recommendations each group may find appropriate for the project.

In addition to these letters, Ainsworth Heritage contacted, or attempted to contact, each group by phone. No response was received from the Ghinni Ghinni Youth Council or the Saltwater Tribal Council, however messages were left with regards to the project, Ainsworth Heritages contacts and an invitation to the stakeholder meeting (9 November 2009).

Phone conversations were conducted with Glen Rennie, CEO of the Purfleet–Taree LALC (9 November 2009) and Mick Leon of TIDE (also listed as contact for Doo–wa–kee) on 13 November 2009 after leaving message on 11 November 2009. The conversations covered the project in general, a request for attendance at the stakeholder meeting and Ainsworth Heritage’s background.

Prior to the stakeholder meetings of 18 November 2009, Matt Alexander meet with Glen Rennie, CEO Purfleet–Taree LALC, and Warner Saunders, Purfleet–Taree LALC Elder, at the LALC offices on 17 November 2009 whilst Matt Alexander was collecting primary and secondary information from archival sources. Warner Saunders provided information regarding the area of Precinct 3 in general, which assisted in gaining an understanding of how the area was utilised by the local Aboriginal people in earlier times.

Two stakeholder meetings were eventually undertaken on 18 November 2009. Prior to these meetings, the proposed report format and fieldwork methodology had been emailed to registered stakeholders and Council, to ensure each group had sufficient time to critique each in preparation for the stakeholder meetings.

The first meeting ran from 1pm–2:30pm at the Greater Taree Council Chambers and consisted of:

- Matt Alexander – Ainsworth Heritage;
- Glen Rennie – CEO, Purfleet–Taree LALC; and
- Richard Pamplin, Manager Environmental and Strategic Planning and Kieran Metcalf, Strategic Planner – Greater Taree City Council.

The minutes of the meeting are provided as part of Appendix A.

The second meeting ran from 2:30pm–3:30pm at the TIDE office in Taree and consisted of:

- Matt Alexander – Ainsworth Heritage;
- Mick Leon – Representative of TIDE and Doo-wa-kee; and
- Richard Pamplin, Manager Environmental and Strategic Planning and Kieran Metcalf, Strategic Planner – Greater Taree City Council.

The minutes of the meeting are provided as part of Appendix A.

At these meetings, a proposed outline of this report as well as an initial fieldwork methodology was presented for comment. A general discussion of the site, its history and future use was conducted as well as specific needs of each group and council with regards to the reports results and methodology.

3.2 Community Input

3.2.1 Initial Input and Requirements

Each stakeholder group had several main requirements for the project. These aims, in some cases, were similar and allowed for an effective integration of all stakeholder requirements into the final report.

Land Owner Requirements

The land owners have been attempting to gain an effective rezoning of their land for approximately fifteen years¹ and wished to see a report that would ensure that the constraints of the site as well as its opportunities and obligations were clearly laid out. Due to the extended nature of the rezoning process, the land owners did not wish to see the project take a considerable amount of time. The land owners also required a clear and succinct discussion of their requirements under legislation and a detailed system of Management Policies that clearly stated the course of action to be followed in future development of the site.

Greater Taree City Council Requirements

Council required the report to be thorough and comprehensive and to meet the requirements of not only local planning instruments, but also satisfy DECCW's requirements for such assessments. Council was clear from the outset that they wished for the local Aboriginal stakeholder groups to be included. Council wanted to ensure that the LALC and other local stakeholder

¹ Pers Comm Kieran Metcalf.

groups would need to be satisfied by the assessment and its findings in order for Council to be satisfied.

DECCW Requirements

DECCW required that the report incorporate community involvement according to DECCW guidelines and that this involvement be detailed and included as part of the report. DECCW also required, due to the patchy nature of previous site reporting, that all sites identified be submitted to the AHIMS database.

Purfleet-Taree LALC Requirements

The Purfleet-Taree LALC required that the assessment and report ensure that the security of sites, through their accurate recording and reporting, be maintained as the paramount theme of the report. Previous non-reporting of sites to the AHIMS database has led to the occurrence of gaps in the recorded knowledge base which in turn has led to the loss of sites. The Purfleet-Taree LALC also expressed the need for the Elders of the Land Council to be satisfied with the results and recommendations of the report. The Land Council also wished to ensure the participation of DECCW during the assessment, making sure that DECCW was satisfied with the assessment's progress.

TIDE/Doo-wa-kee Requirements

Mick Leon, for TIDE and Doo-wa-kee2, wanted to ensure that sites were accurately recorded and that a report was generated that balanced the needs of the development with those of the significance of the site. The prior knowledge of the site that existed through Mr Leon entailed the addition of a third day to the field survey, to ensure enough time was made available for representatives of TIDE to partake in the survey and help re-identify known sites.

3.2.2 Stakeholder Input and Involvement in Fieldwork

Greater Taree City Council Requirements

Council required that the fieldwork be undertaken to ensure maximum coverage of un-surveyed areas so that an accurate predictive picture of the site could be provided for future planning use. To assist in this, Council were able to organise full land access well in advance of the field survey.

DECCW Requirements

DECCW was able to provide two field officers to accompany the survey on Day 2, to assist in data collection and training of Purfleet-Taree LALC members. DECCW staff members recorded some sites and were happy for Ainsworth Heritage to submit completed site recording forms for others. These forms are included as Appendix B.

Purfleet-Taree LALC Requirements

Purfleet-Taree LALC main requirement for the fieldwork was the re-identification of known sites and the survey of additional areas that had not been previously investigated. The Land Council also wished to ensure that all data was properly recorded and submitted to DECCW to ensure that future development would trigger legislative protection for sites.

Additionally, Purfleet-Taree LALC requested that Ainsworth Heritage include within the Survey team, several members of the LALC, who were undergoing training to be sites officers. Ainsworth Heritage was happy to include the additional members in the team as it allowed for a greater amount of ground to be surveyed as well as providing valuable experience and future knowledge of Precinct 3 for the Land Council.

TIDE/Doo-wa-kee Requirements

TIDE was of great assistance in re-identifying sites that had formally been located in Precinct 3, that otherwise would have been extremely difficult to re-identify. Mick Leon's experience with the site over time allowed for an accurate picture of recent studies to be gained as well as the re-identification of several sites. Barry Bungie was also able to provide insight into the use of the area as well as the paths that used to exist in or near to the site over time. Barry was able to identify the old dune path that ran along the eastern edge of the site as well as provide additional information regarding the paths that once ran across the higher ground.

3.2.3 Input and Comments on Draft Report

This section will be completed as part of the final report.

Greater Taree City Council

Greater Taree City Council were generally satisfied with the report and only required the addition of a statement within the conclusions pertaining to future development being acceptable as long as the Management Policies contained in this report were followed.

DECCW

DECCW's comments either assisted in making clearer certain points made within the draft or the clarification of the order of actions that needed to be taken in regards to potential and known archaeology. Additionally, DECCW wished to see an inclusion of a section that outlined a clearer process for avoiding disturbance of Potential Archaeological Deposits through the mechanism of the alteration of the re-zoning plan. DECCW also wished to see that not only the Land Council, but the wider Aboriginal Community be given the chance for input into future consultation and works at the site and this change was made in sections where it had not already been stated.

Purfleet-Taree LALC

Comments from the Purfleet-Taree LALC were made primarily regarding the nature of ongoing consultation regarding the site in particular and the Land Council's area of responsibility in general. As set out by Section 52 of the *Aboriginal Lands Rights Act 1983*, the LALC has the legislative obligation to *... "take action to protect the culture and heritage of Aboriginal persons in the Council's area, subject to any other law."*² As such, the Purfleet-Taree LALC wished to have the report make it clear that they must be consulted on all issues regarding the site as the legislated body responsible for protecting Aboriginal Cultural Heritage in the area.

The report was amended to make the required consultation with the Purfleet-Taree LALC clear and to ensure their involvement as the legislatively obligated body apparent.

TIDE/Doo-wa-kee

Comments on the draft report, provided by Mick Leon, assisted in providing information regarding the current state of several nearby sites and of some errors in terminology. In a similar manner to the Land Council, Doo-wa-kee wished to see that not only the Land Council, but the wider Aboriginal Community be given the chance for input into future consultation and works at the site. The report was amended to reflect the required input from both the LALC and wider Aboriginal community where this was not already indicated.

² *Aboriginal Land Rights Act 1983. s52.*

3.3 Site Significance for the Aboriginal Community

Precinct 3 is part of an area already known for its Aboriginal archaeology which is important to the local Aboriginal peoples as part of a larger network of interrelated sites that extends from Mud Bishops in the North to Saltwater in the South. Precinct 3 is one part of a larger inter-related system of pathways, ceremonial sites, resources gathering areas and campsites that is able to present a clear picture of Aboriginal use of the land through time and over space.

As part of such a complex and mutually significant interrelated group of sites, Precinct 3 has significance for the local Aboriginal people, through its ability to display specific usage of the Precinct and its place in the larger complex of sites around Old Bar.

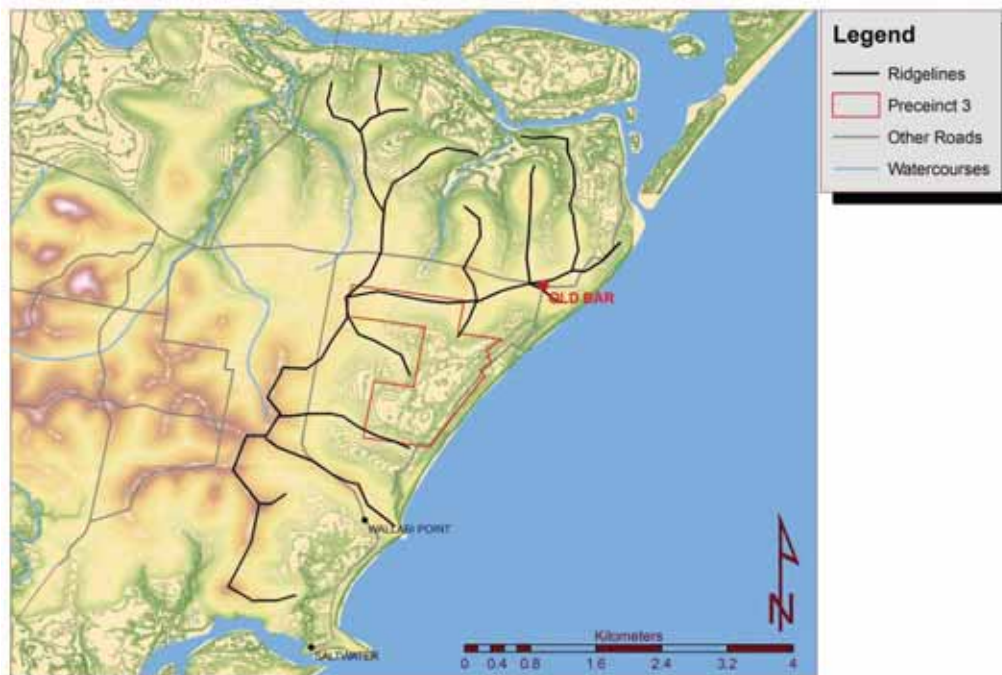


Figure 3.1: Ridgeline pathways of Saltwater to Mud Bishops that gave access to Old Bar and Precinct 3 (Ainsworth Heritage).

3.4 Conclusions

The stakeholders as a group have broadly similar aims in regard to this assessment, with all parties aware of the need to meet their legislative requirements and through these come to an understanding of Precinct 3's archaeology and its significance.

The registered Aboriginal parties were able to provide a clear picture of the Precinct's place in the wider Aboriginal archaeological landscape and the importance this has on understanding the significance of Precinct 3. The assistance of the local Aboriginal groups was of critical importance in establishing the history of Precinct 3's Aboriginal land use and of the location and re-identification of sites within Precinct 3.

4.0 The Site in Context

The following chapter provides an overview of Precinct 3's place in the history of the broader area, information regarding the Biripi people and their lifestyle, the development of Old Bar and previous research conducted in the area.

4.1 The Local Aboriginal Peoples

The local Aboriginal People of Old Bar are part of the Biripi people, one of the Kattang speaking groups, similar in many ways to the Worimi people to the south.³ The boundaries of the traditional Biripi lands have been stated with some difference by several authors. Leon and Maslin state that; *"The Kattang speaking people's traditional tribal boundaries extended from Laurieton in the north to the Blackhead near Halidays Point in the south and west to Nowendoc/ Walcha."*⁴ Where as Tindale refined the Biripi tribal boundaries in his 1974 research to *"...Mouth of Manning River at Taree, inland to near Gloucester; principally on south side of river, also on the Forbes, upper Hastings, and Wilson rivers."*⁵ Leon and Maslin state in a separate report that the Biripi *"Their traditional boundaries extended well to the North of the Manning River, west to the Gloucester River and south to Forster."*⁶

The Worimi were divided into ten Nurras, with these Nurras being sub-tribes of the main Worimi group. The Nurras were then further subdivided into smaller family units.⁷ Although the means of any similar sub-divisions of the Biripi are not currently known, John Allen, an early settler and pioneer of the Manning River, describes several distinct groups within the Biripi lands. There were numerous distinctions between those of the coast and lower Manning, through differences in hunting and food gathering techniques and tool use. *"Down river the blacks were more numerous and there were some fine fellows among them...down on the Saltwater they mostly lived."*⁸

³ Leon, M and Maslin, V. 2003. *Aboriginal Sites Investigation Old Bar Precinct 3A*. Purfleet-Taree Local Aboriginal Land Council. p.8.

⁴ *Ibid.*

⁵ Tindale, N.B. 1974. *Aboriginal Tribes of Australia*. University of California Press. From www.samuseum.sa.gov.au. Accessed 08.12.2009.

⁶ Leon, M and Maslin, V. 2003. *Aboriginal Sites Investigation Old Bar Precinct 2A*. Purfleet-Taree Local Aboriginal Land Council. p.9.

⁷ Marr, N. 1993. *Aboriginal History of the Great Lakes District*. www.greatlakes.nsw.gov.au. Accessed 1.12.2009.

⁸ Allan, J. 1905. *Blacks of the Manning River District, NSW, 1851*. Personal Journal. p.8.

arrived, much like that of the women; where the last knuckle of the little finger was removed.¹¹

"*You never saw a Black in those times unarmed – they always had a Tomahawk in the belt...and mostly a nulla-nulla.*"¹² Allan goes onto give a detailed description of the fighting apparel of the Biripi, such as the fighting spears with their tips covered in a gum that "...*caused a very nasty wound when it came off. Some were also barbed.*"¹³ The shields that he observed were made from the bark of large fig trees and were at times quite large.¹⁴ However, Allan recounts that the main weapon was always the Tomahawk, as he called it. Originally, they were made from river stone with a wooden handle, but were later replaced by European steel versions. The steel weapons were never discarded, unlike the stone versions that were thrown away when blunt and were often ploughed up.¹⁵

Through his time with the Biripi, Allan recounted that he never saw games that Westerners would recognise played, apart from throwing of boomerangs and other sticks. However, the men of the tribe were kind to the young children of the group "...*in their own ways...*"¹⁶ and were seen at times training the young men in the use of the boomerang and other throwing implements.

The dominance of the men in Biripi society was not questioned by Allen, but commented about on several occasions. The women carried the camp with them when moving and the men carried only their own hunting implements.¹⁷ Should women step out of line, it was not uncommon for him to see the men administer beatings, sometimes quite severe.¹⁸ Additionally, women and young boys were kept ignorant of happenings at the Cabra Ground (Bora). It was death to any man who spoke of what went on at the Cabra Ground to a woman or who let her see the Cabra Stones.¹⁹

¹¹ Allan, J. 1905. *Blacks of the Manning River District, NSW, 1851*. Personal Journal. p.18 & 25.

¹² *Ibid.* p.10.

¹³ *Ibid.* p.11a.

¹⁴ *Ibid.* p.12.

¹⁵ *Ibid.* p.11.

¹⁶ *Ibid.* p.28.

¹⁷ *Ibid.* p.28.

¹⁸ *Ibid.* p.28.

¹⁹ *Ibid.* p.29.

It took Allan many years to learn of what went on at the Cabra Ground as the men of the Tribe were very secretive about its location and activities.²⁰ Allan would eventually see two; one early in his time there and another much later. He describes the ceremony in great detail in his journal as well as the layout of the ground and the other ceremonies that went with the man making. He also describes the last of the man making ceremonies as a “...*sad affair*...” as most of the Biripi had been driven off or killed over time.²¹

4.2 Aboriginal Use of the Land

The local Biripi people utilised the land in numerous ways to assist in their daily life. The exact methods and details appear to be broadly similar for both the coastal and inland Biripi, with the coastal group’s access to greater resources and certain specific and important materials allowing them to support a larger population.

The primary and most important resources for the survival of the groups were fresh water and food. Fresh water could be found from the upper reaches of the Manning River and along many of the creeks that flowed into it. Closer to the coast where the water became brackish and later full salt, water would need to be collected from shorter creeks or fresh water lakes and lagoons close to the coast. Appleton theorised that the Private Recreation Zone (the central area of Precinct 3) was, from about 5,000 to 2,500 years ago, a small lagoon that could have provided potable water at the far south-western portion of Precinct 3. Later (3,000 years ago until today), this lake was cut off from the Ocean and slowly dried up. Appleton suggests that potable water would have been available from this area for a period of weeks, following heavy rains.²²

Allan, in his journal, notes that the local Aborigines ate an incredibly varied diet. The women of the tribe, who he refers to as *Gins*, would gather such food as grubs, roots, fruits (such as black apples and bush lemons) and berries, both native and imported, honey and various other bushland foods, especially a vine that was pounded and roasted to form a type of bread.²³ The men hunted for the group and most animals caught were roasted in the fire, with the fur stripped off, with the men taking their fill before handing

²⁰ Allan, J. 1905. *Blacks of the Manning River District, NSW, 1851*. Personal Journal. p.52.

²¹ *Ibid.* pp.52–75.

²² Appleton, J. 1997. *The Archaeological Investigation of the site of a Proposed Development at South Old Bar, Mid-North Coast NSW*. Archaeological Surveys and Reports Limited, Armidale. p.8.

²³ Allan, J. 1905. *Blacks of the Manning River District, NSW, 1851*. Personal Journal. p.19.

the remains to the women and children.²⁴ The principle hunted foods were the Paddymelon (Wallaby), Possum, Bears (Koala), Kangaroo Rat, Bandicoot, Flying Fox, Porcupine (Echidna), lizards, snake (especially Diamond Pythons) “...and other small fry.”²⁵ Allan stated that he never saw them eat either mushrooms or frogs and that although the local Aborigines were always generous with their food, they never shared the Echidna as it was a delicacy.²⁶ Allan also states that Kangaroo was virtually extinct in the Manning and that the native dog (Dingo) was reserved as a delicacy for only the Old Men.²⁷ Additionally, turtles were hunted and their eggs collected and birds were taken, along with their eggs as and where possible.

Both men and women undertook a lot of fishing, both up river and along the coast. Allan notes that the best wood for spears was found on the coast and that inland it was used with an triple pronged ironbark point and on the coast the spear had a piece of stone attached. There was also much gathering of pipis, oysters, mussels, freshwater crayfish and saltwater lobsters, these last being gathered by women diving off Old Bar Point.²⁸

To access these varied resources the Biripi used the network of ridgelines that criss-crossed the interior of their lands and extended fingers down to the coast at various locations. These ridges provided access to various resources scattered about their lands, which would otherwise have been inaccessible. These routes were also used for travel to and from neighbouring group’s lands and were the main lines of communication between the various groups.

4.3 The Arrival of Europeans

The arrival of Europeans onto the Manning River began with the arrival of five escaped convicts at Hawks Nest in the Worimi people’s lands.²⁹ It would, however, be twenty-five years before a more persistent influx of white Europeans began in 1816, with the arrival of the first of the cedar cutters. John Oxley would also traverse the lower Manning during his expedition of

²⁴ *Ibid.*

²⁵ *Ibid.* p.20.

²⁶ *Ibid.*

²⁷ *Ibid.* p.3.

²⁸ *Ibid.* pp.24–26.

²⁹ Marr, N. 1993. *Aboriginal History of the Great Lakes District*. www.greatlakes,nsw.gov.au. Accessed 1.12.2009.

1816 and he noted several contacts with the local peoples, both friendly and hostile.³⁰

Ten years later the Australian Agricultural Company (AAC) began operations on the Manning as part of its grant of 100,000 Acres.³¹ The AAC initially had good relations with the Biripi and Worimi through some of its station managers such as Robert Dawson,³² but the European rations available to Aboriginal workers was to begin the continual erosion of traditional life on the Manning.³³

Nevertheless, it would be the AAC and settlers and workers associated with it, which would conduct one of the most infamous massacres on the Mid-North Coast. In the early 1830s, AAC shepherds, tired of the theft of stores (in contrast to Allan's view of the Biripi) left damper, which the local Aborigines were fond of, laced with white arsenic powder. Many of those living in the area eventually died from eating the poisoned bread.³⁴ This massacre became known as a Belbora or Baal Belbora massacre.³⁵ It is not clear if the five shepherds killed in 1835 were those mentioned above, but their deaths at the hands of an Aboriginal raiding party sparked massive reprisals against the Aborigines involved and led to another massacre at McKenzie Plateau.

These larger massacres were simply the more prominent aspect of a wider and systematic removal from the land of the local Aboriginal peoples. Both Ramsland³⁶ and Elder³⁷ indicate that there is evidence of a much wider and low key, ongoing harassment and elimination of the Aboriginal peoples that was the norm for frontier life.

Over time the Aborigines of the Biripi and Worimi were eliminated or absorbed into the fringes of mainstream European society as cheap and easily exploitable labour as their lands were taken by force. Eventually, many of the remaining Biripi would be removed from their lands and concentrated

³⁰ Ramsland, J. 2001. *Custodians of the Soil. A History of Aboriginal-European Relations in the Manning Valley of New South Wales*. Greater Tare City Council. pp.1-10.

³¹ Rye, D. 1964. Article in unknown local paper.

³² *Ibid.*

³³ Marr, N. 1993. *Ibid.*

³⁴ Rye. *Ibid.*

³⁵ Ramsland, J. 2001. *Ibid.* p.27.

³⁶ *Ibid.* p.28.

³⁷ Elder, B. 2003. *Blood on the Wattle: Massacre and Maltreatment of Aboriginal Australians Since 1788*. New Holland Publishing, Chatswood, NSW. p.117.

in the Purfleet Aboriginal mission and other similar such outposts.³⁸ By the turn of the twentieth century, the Biripi and Worimi were reduced to a small population of several hundred people who had lost much of their cultural inheritance and all of their traditional lands.

4.4 Land Use History Since 1830

Following the arrival of the ACC, much of the coastal land acquired was cleared for pastoral activities after being allotted for use by Europeans. The parish maps below show the initial occupations south of Old Bar (Figure 4.2) and the development of the town to the 1950s. The land of Precinct 3 was largely used for grazing purposes, with over time various services being put through the land such as vehicle tracks, electricity, telecommunications and sewerage easements. Additionally, the eastern edge of the site was mined for rutile, like much of the NSW North Coast leading to further disturbance.



Figure 4.2: Initial land occupation at Old Bar in the late 1800s. The blue arrow indicates Racecourse Creek, that runs through the middle of Precinct 3 (NSW Parish Map Preservation Project).

³⁸ Ramsland, J. 2001. *Custodians of the Soil. A History of Aboriginal-European Relations in the Manning Valley of New South Wales*. Greater Tare City Council. p.73.



Figure 4.3: Map of 1915 showing Precinct 3 (in blue) and the as yet undeveloped town of Old Bar (NSW Parish Map Preservation Project).

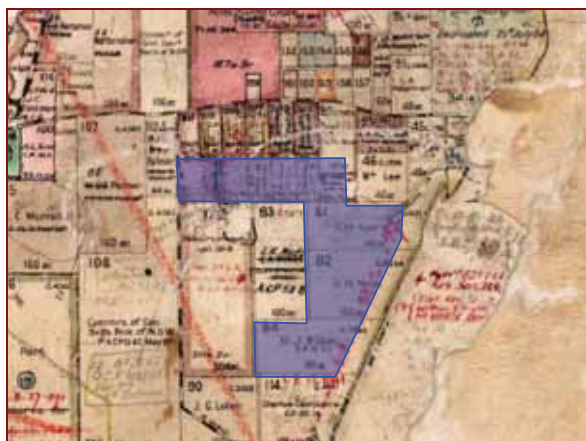


Figure 4.4: Map of 1937 showing Precinct 3 (in blue) and the as yet undeveloped town of Old Bar (NSW Parish Map Preservation Project).



Figure 4.5: Precinct 3 in 1967 and the town of Old Bar (NSW Parish Map Preservation Project).

5.0 FIELDWORK METHODOLOGY

5.1 Pre-Fieldwork

In preparing for the fieldwork of this assessment the following tasks were undertaken to gain an understanding of the site, its history and the location of known Aboriginal objects and sites:

- Community consultation was undertaken with all registered stakeholders for input into the methodology, background research and proposed outcomes for the assessment;
- A search of the AHIMS register for the area was undertaken;
- Discussions with DECCW were undertaken regarding consultation, existing research and survey methodology;
- Background research was undertaken to gain an appreciation of the sites context and land use history from the following sources:
 - Purfleet-Taree LALC archives
 - Greater Taree City Council Materials;
 - Manning River Historical Society;
 - Taree City Library;
 - Various on-line sources; and
 - NSW Department of Lands Parish Map Preservation Project.
- An analysis of previous archaeological assessments was made to gain an understanding of the site and its context within the archaeological landscape of the area; and
- A fieldwork plan was compiled with input from stakeholders.

5.2 Previous Archaeological Research and Known Sites

Previous archaeological studies were researched prior to fieldwork to gain an understanding of Precinct 3's physical layout, its known sites and potential for additional sites.

5.2.1 AHIMS Register Search

Initially, an AHIMS Register search was conducted for any site within eight kilometres of Precinct 3 that returned a collection of 141 sites. However, many of these sites were the recordings of different features within the same site. These recordings, in most cases, were of a combination of Earth Mound, Artefact and Shell. Once these multiple features were counted as a single site, the final count for sites was 63. SOB-1, recorded twice in

separate locations was probably a single site as well as its discovery by Appleton in 1997 noted only the discovery of a single artefact.³⁹

Site ID	Site Name	Feature Type	Notes
30-6-0042	Bohnock Midden;	Artefact, Shell	This site has since been destroyed also dated to c.6,600bp ⁴⁰
38-3-0232	Diamond Beach 1;	Earth Mound, Shell, Artefact	
38-3-0233	Diamond Beach 2;	Earth Mound, Shell, Artefact	
38-3-0234	Diamond Beach 3;	Earth Mound, Shell, Artefact	
38-3-0235	Diamond Beach 4;	Earth Mound, Shell, Artefact	
38-3-0236	Diamond Beach 5;	Earth Mound, Shell, Artefact	
38-3-0237	Diamond Beach 6;	Earth Mound, Shell, Artefact	
38-3-0276	Diamond Beach Open Campsite	Artefact	
30-6-0013	Farguhar Inlet;Farguhar Park;	Earth Mound, Shell, Artefact	
30-6-0064	Farquar Park 10;	Earth Mound, Shell, Artefact	
30-6-0065	Farquar Park 11;	Earth Mound, Shell, Artefact	
30-6-0066	Farquar Park 12;	Earth Mound, Shell, Artefact	
30-6-0067	Farquar Park 13;	Earth Mound, Shell, Artefact	
30-6-0068	Farquar Park 14;	Earth Mound, Shell, Artefact	
30-6-0070	Farquar Park 15;	Earth Mound, Shell, Artefact	
30-6-0071	Farquar Park 16;	Earth Mound, Shell, Artefact	
30-6-0072	Farquar Park 17;	Earth Mound, Shell, Artefact	
30-6-0073	Farquar Park 18;	Earth Mound, Shell, Artefact	
30-6-0074	Farquar Park 19;	Earth Mound, Shell, Artefact	
30-6-0056	Farquar Park 2;	Earth Mound, Shell, Artefact	
30-6-0075	Farquar Park 20;	Earth Mound, Shell, Artefact	
30-6-0076	Farquar Park 21;	Earth Mound, Shell, Artefact	
30-6-0077	Farquar Park 22;	Earth Mound, Shell, Artefact	
30-6-0078	Farquar Park 23;	Earth Mound, Shell, Artefact	
30-6-0079	Farquar Park 24;	Artefact, Shell, Earth Mound	
30-6-0057	Farquar Park 3;	Earth Mound, Shell, Artefact	
30-6-0058	Farquar Park 4;	Earth Mound, Shell, Artefact	
30-6-0059	Farquar Park 5;	Earth Mound, Shell, Artefact	
30-6-0060	Farquar Park 6;	Earth Mound, Shell, Artefact	
30-6-0061	Farquar Park 7;	Earth Mound, Shell, Artefact	
30-6-0062	Farquar Park 8;	Earth Mound, Shell, Artefact	
30-6-0063	Farquar Park 9;	Earth Mound, Shell, Artefact	

³⁹ Appleton, J. 1997. *The Archaeological Investigation of the site of a Proposed Development at South Old Bar, Mid-North Coast NSW*. Archaeological Surveys and Reports Limited, Armidale. p.22.

⁴⁰ Pres Com Mick Leon 01-02-2010

Site ID	Site Name	Feature Type	Notes
30-6-0052	Fern Glen;	Artefact	
30-6-0041	Ferry Road Canoe Road;Oxley Island;	Modified Tree	
30-6-0163	FP 1	Shell, Artefact	
38-3-0286	KNAPPINGHAT#1	Artefact	
30-6-0055	Lansdowne State Forest 1;	Earth Mound, Shell, Artefact	
30-6-0040	Neville Willey Shelly Midden;	Earth Mound, Shell, Artefact	
30-6-0201	Old Bar 1	Artefact	
30-6-0051	Old Bar 1;Old Bar;	Earth Mound, Shell, Artefact	
30-6-0069	Oxley Island 1;	Modified Tree	
30-6-0043	Oxley Island Midden;	Earth Mound, Shell, Artefact	
30-6-0016	Oxly Island Shell Midden.;Oxly Island;Old Bar;	Earth Mound, Shell, Artefact	
38-3-0259	Saltwater	Ceremony and Dreaming	
38-3-0222	Saltwater 1;	Artefact	
38-3-0225	Saltwater Artefact;	Artefact	
38-3-0228	Saltwater Artefact;	Artefact	
38-3-0062	Saltwater Beach;	Artefact	
38-3-0030	Saltwater Camping Place;Wallabi Point;	Artefact	
38-3-0224	Saltwater Canoe;Tree 1;	Modified Tree	
38-3-0226	Saltwater Canoe;Tree 2;	Modified Tree	
38-3-0031	Saltwater Cave Wallabi Point	Burial	
38-3-0227	Saltwater Midden;	Earth Mound, Shell, Artefact	
38-3-0229	Saltwater Midden;	Earth Mound, Shell, Artefact	
38-3-0238	Saltwater Midden;	Artefact, Earth Mound, Shell	
38-4-0107	Saltwater Reserve;Old Bar;	Artefact	
38-3-0242	Saltwater;	Artefact	
30-6-0168	SOB 1	Artefact	Re-identified
30-6-0135	SOB-1	Artefact	Re-identified – Same as above
30-6-0197	Wallabi Point Reburial	Burial	Contributes to Primary Importance
38-3-0001	Wallaby Point Saltwater Mythological Site	Ceremony and Dreaming	
30-6-0166	WMR 1 OldBar	Artefact	

Site ID	Site Name	Feature Type	Notes
30-6-0165	WMR 2 OldBar	Artefact	

Table 5.1: AHIMS search results. Note that multiple features within a site have been grouped together. Note that many of the Farquar, Old Bar and other beach sites have been lost to beach erosion since 2005.⁴¹

The distribution of the sites located by the AHIMS search are shown in Figure 5.1 and show a marked concentration of sites within 100 metres of the shore line north of the Old Bar inlet and at Diamond Beach and Saltwater. The concentration of sites along the coast reflects the more intensive studies that have been undertaken in these areas and also partly the predicated site deposition discussed for coastal barrier dune systems in the Nambucca Aboriginal Management Plan (See 6.2.3).⁴² Additionally, many of these coastal sites contain a combination of artefacts, raised earth and shell material. Also located close to the coast are the two known burials that were reported by AHIMS to be near to Precinct 3 which supports the predictive statements made in the Nambucca Aboriginal Management Plan.

Unfortunately, due to the diminishing number of surveys conducted away from the coast, the distribution of sites is far more limited, and is mainly concentrated along the estuaries of the area. However, unreported data discussed below has filled in some of the gaps in the knowledge of the spatial distribution of sites on higher ground within a kilometre of the coast.

⁴¹ Pers Com Mick Leon 01-02-2009.

⁴² McIntyre-Tamwoy, S. 2003. *Nambucca Shire Council Aboriginal, Cultural Heritage Management Plan*. Susan McIntyre-Tamwoy, Heritage Consultant. pp.45-46.

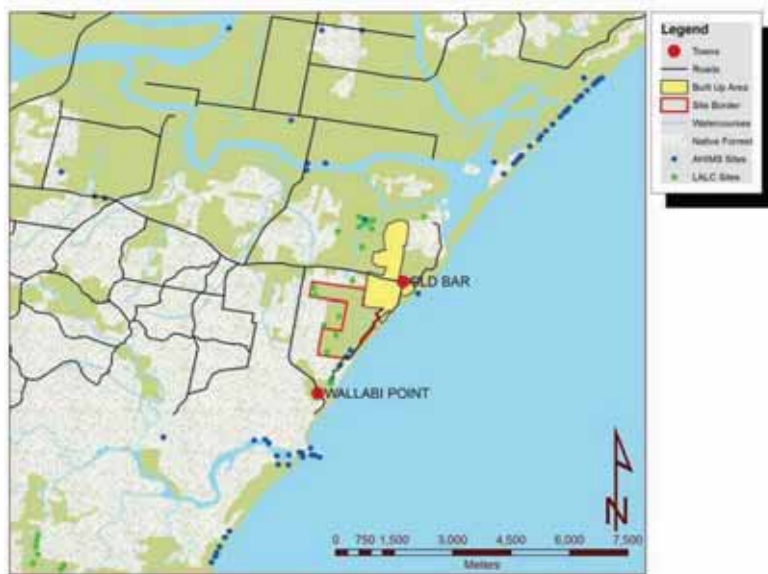


Figure 5.1: AHIMS search area. (Ainsworth Heritage).

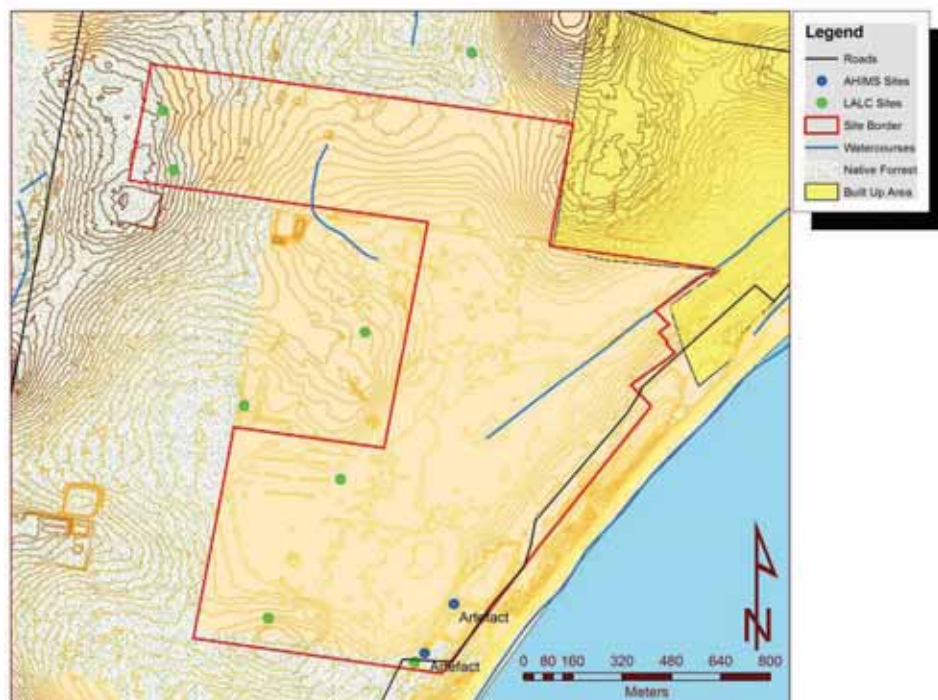


Figure 5.2: Known sites within Precinct 3, showing elevation. (Ainsworth Heritage).

5.2.2 Previous Reports

Following the AHIMS search, several previous archaeological surveys of Precinct 3 and other sites within the Mid-North Coast region were consulted to gain an understanding of the regions archaeology in general and the specific site type that could be expected to be encountered during the field survey. Due to the costs involved in report reproduction, not all the available reports on sites near to Old Bar could be accessed. However, those deemed most important to this project or dealing with Precinct 3 in particular were accessed. The following is the list of reports consulted:

- Appleton, J. 1997. *The Archaeological Investigation of the site of a Proposed Development at South Old Bar, Mid-North Coast NSW*. Archaeological Surveys and Reports Limited, Armidale;
- Leon, M and Maslin, V. 2003. *Aboriginal Sites Investigation Old Bar Precinct 2A*. Purfleet-Taree Local Aboriginal Land Council;
- Leon, M and Maslin, V. 2003. *Aboriginal Sites Investigation Old Bar Precinct 2B*. Purfleet-Taree Local Aboriginal Land Council;
- Leon, M and Maslin, V. 2003. *Aboriginal Sites Investigation Old Bar Precinct 3A*. Purfleet-Taree Local Aboriginal Land Council;
- Leon, M and Bungie, B. 2007. *Old Bar Proposed Playing Fields Aboriginal Archaeological Assessment*. Purfleet-Taree Local Aboriginal Land Council;
- Clarke, D, Ridgeway, T and Maslin, V. 2005. *Aboriginal Sites Investigation of Cattai Wetlands*. Purfleet-Taree Local Aboriginal Land Council; and
- McIntyre-Tamwoy, S. 2003. *Nambucca Shire Council Aboriginal, Cultural Heritage Management Plan*. Susan McIntyre-Tamwoy, Heritage Consultant.

5.2.3 Previous Findings

The reports by the Purfleet-Taree LALC conducted at Cattai⁴³ and at Precincts 2A⁴⁴, 2B⁴⁵ and 3A⁴⁶ were all able to locate sites of Aboriginal archaeology. These sites, in most cases, were either isolated artefacts or open sites that contained concentrations of artefacts that could denote either tool making or

⁴³ Clarke, D, Ridgeway, T and Maslin, V. 2005. *Aboriginal Sites Investigation of Cattai Wetlands*. Purfleet-Taree Local Aboriginal Land Council. pp.13-16.

⁴⁴ Leon, M and Maslin, V. 2003. *Aboriginal Sites Investigation Old Bar Precinct 2A*. Purfleet-Taree Local Aboriginal Land Council. p.10.

⁴⁵ Leon, M and Maslin, V. 2003. *Aboriginal Sites Investigation Old Bar Precinct 2B*. Purfleet-Taree Local Aboriginal Land Council. p.16.

⁴⁶ Leon, M and Maslin, V. 2003. *Aboriginal Sites Investigation Old Bar Precinct 3A*. Purfleet-Taree Local Aboriginal Land Council. pp.17-22.

camping activities and/or shell materials as part of middens. Additionally, three scarred trees were located in or near to Precinct 3.

Appleton's report of 1997 found only a single core located on what he describes as the "...remnant base slope of the original barrier dune."⁴⁷ Later investigations by the Purfleet-Taree LALC later located another six artefacts in this area, the south east corner of Precinct 3.⁴⁸

The investigation into the sports fields in 2007 was able to re-identify one open site artefact concentration from the 2003 survey as well as an additional thirteen sites that appear to have been isolated artefacts.⁴⁹ These artefacts were then moved to a new location on the site called Survey Unit 4 to protect them from harm. However, this removal was conducted without the application for an Aboriginal Heritage Impact Permit and does not appear to have been reported to DECCW.

Additionally, the Nambucca Shire Aboriginal Heritage Master Plan was consulted to gain an appreciation of Mid-North Coast sites spread over a larger area. The report concluded that sites of the types already identified in or near to Precinct 3, are likely to be found on the landscape features present within Precinct 3.

- *"Sites tend to be situated at or close to ecotones – the areas at which different environmental zones meet;*
- *Artefact scatters, (also termed open camp sites), are most likely to occur on level, well drained ground, either adjacent to sources of freshwater and wetlands, or along the crests of spurs and ridgelines;*
- *Ridge and spur lines which afford effective through-access across, and relative to, the surrounding landscape will tend to contain more and larger sites;*
- *The crests of low relief spurs which extend into and across valley floor flats are likely to be a focus for occupation due to their well drained and elevated context in close proximity to a range of exploitable environments;*

⁴⁷ Appleton, J. 1997. *The Archaeological Investigation of the site of a Proposed Development at South Old Bar, Mid-North Coast NSW*. Archaeological Surveys and Reports Limited, Armidale. p.22.

⁴⁸ Leon, M and Maslin, V. 2003. *Aboriginal Sites Investigation Old Bar Precinct 3A*. Purfleet-Taree Local Aboriginal Land Council. p.22.

⁴⁹ Leon, M and Bungie, B. 2007. *Old Bar Proposed Playing Fields Aboriginal Archaeological Assessment*. Purfleet-Taree Local Aboriginal Land Council. Section 2.7

- *Estuarine midden sites are normally located close to the estuarine environment, on elevated ground;*
- *Coastal middens are frequently located on or near rocky headlands or rock platforms, adjacent to a creek mouth or hind-dune water sources. Smaller and lower density middens comprising sandy shore shell species are frequently exposed in hind dune swales;*
- *Sites containing both midden shell and lithic material are likely to occur on elevated ground adjacent to wetlands or valley floor drainage corridors. The following topographies fall into this category: low gradient basal colluvial slopes, terminal spur line crests, alluvial terraces, and valley floor sand bodies;*
- *Burial sites are generally found in landforms characterised by a relatively deep profile of soft sediments such as aeolian sand and alluvium. Burials characteristically occur in the deposits of occupation sites such as middens.*
- *Scarred trees may occur in all topographies where old growth trees survive, either as isolated trees or as part of remnant or continuous forest; and*
- *Isolated finds can occur anywhere in the landscape.*⁵⁰

The predictive statements made for the Nambucca area will be applicable for Precinct 3 as the coastal regions of the Nambucca Shire are similar in their landscape and ecology to the Old Bar area. These predictive statements, combined with the results of the AHIMS search and the probable locations of the unreported sites in the Precinct 2A, 2B, 3A, Sports Field and Cattai reports, enabled field work to focus on areas of high archaeological potential that have been zoned for more intensive land uses.

⁵⁰ McIntyre–Tamwoy, S. 2003. *Nambucca Shire Council Aboriginal, Cultural Heritage Management Plan*. Susan McIntyre–Tamwoy, Heritage Consultant. pp.45–46.

5.2.4 Nearby Site Typology

Report	Isolated Artefact	Open Sites*	Modified Tree	Burial	Ceremony or Dreaming	Notes
Cattai	3	2				Targeted areas with development potential
Precinct 2A	6					
Precinct 2B	13					
Precinct 3A	1	5 to 7 + 2 seen outside area	3			Ridgeline Survey
Sports Field	13	1				Relocated earlier concentration
Appleton	1					Did not cover north blocks of Precinct 3
AHIMS	9	40	4	2	2	To 8.35km from site
TOTAL	46	49 to 51	7	2	2	

Table 5.2: Sites located by previous surveys

* Denotes both artefact concentrations and middens.

As can be seen from the table above, the primary type of site that is present in the Old Bar area is an open campsite consisting of artefact concentrations and/or midden deposits that denote places where past human activity has taken place in a discreet area. These sites are useful in determining land and resource use patterns by past human groups in the area as well as indicating which areas were likely to provide certain resources and an indication of the amounts of these resources used.

When combined with the isolated artefacts, these open campsites are able to show where past groups spent periods of time as well as where they likely passed briefly (isolated artefacts). The modified trees will assist in showing where pathways were, usually between large occupation, ceremonial and resource gathering sites.

Following the field survey, the Purfleet-Taree LALC was able to recover a dataset that included information on many sites that had not been reported to DECCW. This dataset is shown in Figure 7.1, but did not contain information regarding sites types, merely location. Other errors in the data were caused by the manipulation of the dataset. The original points in the dataset had been given a buffer of 10m, which merged many sites in close proximity into a single area. The point data provided to Ainsworth Heritage

was based on the centre of the buffer areas. For areas with multiple recorded sites in close proximity, this meant that the whole group of nearby sites would be displayed as a single central point that did not correlate to any specific site. Despite this error in the data, the LALC information provided a clearer picture as to the number of sites in the area and the spatial distribution.

5.2.5 Potential Archaeology of Precinct 3

Precinct 3 has the potential to be a rich source of aboriginal archaeology due to its location, landforms and zones of resource availability. The eastern most portion of the site which abuts the base of the former frontal barrier dune, could likely contain artefacts and middens and has potential to contain earth mounds and burials. However, this area has been heavily disturbed over time by sand mining, grazing and clearing activities and surface archaeology may no longer be in situ. However, the potential for extensive sub-surface deposits remain in the layers undisturbed by mining and clearing.

As indicated by previous surveys and information provided by local Biripi people, the ridge lines to the west of the site were part of the network of pathways and camps that stretched from Saltwater to Mud Bishops. These pathways and camps are located on higher ground in such a way to easily access the resources that would have been present over time. These areas will also likely be the sole location for marked trees, as due to clearing only few old trees remain in the eastern portions of the site.

The lower central areas of the site will also have potential for archaeological deposits associated with activities along the former lagoon and swamp shores. These deposits would likely be more dispersed and consist of isolated or small concentrations of materials and would be expected to be less frequent than on the ridges and dunes.

5.3 Fieldwork Objectives

The objectives of this field survey were based on previous research reports and on areas that had previously not been investigated. The field survey was conducted over three days and had the following primary goals:

- Re-identify and record known sites to determine the integrity of sites over time in Precinct 3;
- Survey areas of Precinct 3 that had not previously been surveyed, particularly in areas which will be highly modified in the future;

- Locate and record any sites missed in previous surveys;
- Utilise the knowledge and skills of the Local Aboriginal Groups to ensure that all possible sites are located and that a full understanding of their significance can be gained;
- Gain an understanding of the relationship of Precinct 3 to the archaeology of the Saltwater to Mud Bishop area and the Greater Taree Local Government Area in general;
- To provide the basis for determining archaeological potential for sub-surface deposits in areas that could not be accessed due to site and time constraints to assist in future planning;
- Enable the assessment to raise questions for future research; and
- Gain accurate GPS locational data on all sites within Precinct 3 to enable future planning to avoid and/or mitigate impact upon sites of cultural heritage significance.

The survey was undertaken on foot, with each team member walking a five metre transect where vegetation permitted. This pattern allowed the team to cover as much ground as possible in cleared areas. Due to the heavily vegetated nature of the areas surveyed and the lack of ground visibility, certain areas could only be given cursory survey.

Sites that had been located in previous surveys were re-investigated where possible on day one, with unsurveyed areas investigated on days two and three. The main objective was to locate as many sites as possible and record them in general detail so that a maximum amount of ground could be covered and as many sites as possible located. Any sites discovered or re-discovered were:

- Recorded by hand held GPS on each day and DGPS on Day 1;
- Measured to determine their extents;
- Photographed using a using 12 mpxl digital camera; and
- A written description of the site type and its attributes accordance with AHIMS site recoding standards.

5.3.1 Precinct 3 Survey Areas

Precinct 3 was divided up according to its planned land use zones to enable a clear description to be presented of what area were surveyed and what sites were located.

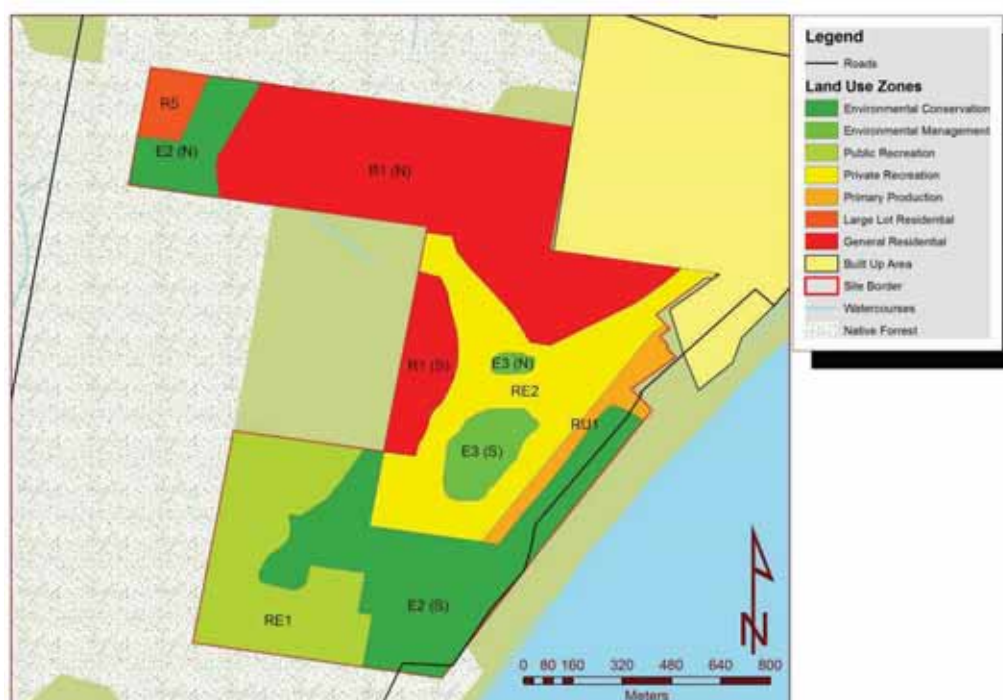


Figure 5.3: Site survey zones (Ainsworth Heritage).

Survey Area	Potential Land Use	Previous Surveys	Day 1	Day 2	Day 3
RE1	Public Recreation	Yes	Yes	Yes	
R1 (S)	General Residential	Yes			Yes
E2 (S)	Environmental Conservation	South east area only	Yes	Yes	Yes
E3 (N)	Environmental Management			Yes	
E3 (S)*	Environmental Management				
RU1	Primary Production			Yes	
RE2	Private Recreation	Single transect		Yes	Yes
R1 (N)	General Residential	Most of area	Central area	Southern area	East Area West Area
R5	Large Lot Residential	Yes			Yes
E2 (N)	Environmental Conservation	Yes	Yes		Yes

Table 5.3: Survey Areas and times of survey.

* E3(S) was unable to be accessed due to the wet nature of the soil and the dense nature of the vegetation.

5.4 Constraints

The primary constraint of the field survey was the heavily vegetated nature of the site. The rain periods that had preceded the field survey by several weeks had lead to a high level of growth across the site, leading to a very low ground surface visibility for the majority of the site.

Additionally, the sites that had been previously located did not have GPS data collected and lodged with AHIMS and thus made re-identification of several sites extremely difficult and in some cases impossible.

5.5 Site Conditions and Physical Analysis



Figure 5.4: Land use zones overlaid on a satellite image. The Blue areas are recently built retention ponds and the gold area the new sports fields (Google Earth and Ainsworth Heritage).

RE1 Public Recreation Zone

This zone consists of the south western portion of Precinct 3. Although it is not shown on current satellite images, the northern area now consists of recently laid sports fields and two water retention ponds. Extending south from the new fields and pond is an area of grassland of a relatively even

elevation that rises in the south to a ridge spur that has mixed stand of natural and plantation eucalypts. The area to the east of the ridge has been infilled to a depth of over 1m before descending into mixed native and exotic grasslands that typify much of the lower lying areas of the site.

Ground Surface Visibility in this zone was dependent on disturbance. In areas of recent disturbance, such as the retention ponds, visibility was close to 100%, but ranged from 0–5% for most of the zone due to grass and scrub cover.

Ground Surface Integrity⁵¹ in this zone was 0% in the sports fields retention pond, and infill areas and ranged from 50–90% for other areas that were observable. Ploughing and grazing over time has however, most likely modified the land surface, but due to the lack of recent use, these marks are not clear.

R1(S) General Residential Zone

This zone is located on the far western edge of Precinct 3, abutting the existing small residential estate. The zone consists of native and exotic grasses of a similar type to those found elsewhere, although the soil is of a coarser nature and has been heavily disturbed by road construction and a drainage channel on its western side and a recent sewerage line on its east. The zone contained some a stands of scattered eucalypts on the higher ground. The zone is above the 5m contour and is the termination of a ridge that runs back into the main Saltwater to Mud Bishop ridge system.

Ground Surface Visibility in this zone was from 0–5% for most of the zone due to grass cover except along the sewerage line, track and drainage channel edges.

Ground Surface Integrity appeared to range from 50–90% for most areas that were observable. Ploughing and grazing over time has however, most likely modified the land surface, but due to the lack of recent use, these marks are not clear. The drainage channel, sewerage line and track had an integrity of 0–5%.

⁵¹ Ground Surface Integrity is an expression of how much disturbance has occurred to the original land surface. 0% is completely destroyed, whereas 100% is completely intact.

E2(S) Environmental Conservation Zone

This large zone had several distinct areas within it. Large areas were heavily forested, ranging from She Oak (*Casuarina sp.*) stands on dryer elevated ground to Swamp Paperbarks (*Melaleuca quinquinervia*) in lower lying areas. These heavily vegetated areas were difficult to access and had little to no ground surface visibility. Parts of the southern extreme of this zone had grasses and soil of a similar nature to those of the RE2 Zone. To the east of the zone, the land rose up into the old dune systems which have been heavily modified by sand mining, road construction, power line and phone cable easements and sewerage settlement ponds. The higher ground to the east comprised mainly dune sands and was as heavily vegetated as the lower lying ground, in this case with dune grasses, bracken and coastal dune scrub.

Ground Surface Visibility in this zone was from 0–5% for due to extremely dense vegetation.

Ground Surface Integrity appeared to range from 50–90% for most areas that were observable. Ploughing and pastoral activities have modified the land surface, but due to the lack of recent use, these marks are not clear. Several old drainage channels, running into Racecourse Creek, had further modified the zone along its southern edge. The tracks, settlement ponds and easements had integrity ranging from 0–15%.

E3(N) Environmental Management Zone

This small area at the centre of the RE2 Zone consisted of a large stand of Swamp Paperbark that would originally been part of a larger stand at the centre of the old wetlands, more than likely connecting to the stands in E2(S) and E3(S). This zone was too heavily vegetated to access beyond its fringe.

Ground Surface Visibility in this zone was from 0–5% for due to extremely dense vegetation.

Ground Surface Integrity appeared to range from 50–90% for most areas that were observable. Ploughing and pastoral activities over time has modified the land surface, but due to the lack of recent use, the degree of disturbance is not clear. Several old channels, draining the area into Racecourse Creek, had further modified the zone along its southern edge.

E3(S) Environmental Management Zone

This small area at the centre of the RE2 Zone consisted of a large stand of Swamp Paperbarks that appear to have originally been part of a larger stand at the centre of the old wetlands, more than likely connecting to the stands in E2(N) and E3(S), prior to selective clearing. This zone was too densely vegetated to access beyond its fringe.

Ground Surface Visibility in this zone was from 0–5% for due to extremely dense vegetation.

Ground Surface Integrity appeared to range from 50–90% for most areas that were observable. Ploughing and grazing over time has, however, most likely modified the land surface, but due to the lack of recent use, these marks are not clear. Several old drainage channels, running into Racecourse Creek, had further modified the zone along its southern edge.

RU1 Primary Production Zone

The RU1 Zone shares similar characteristics to the eastern areas of the E2(S) Zone, being the inland part of the main frontal dune system running along the edge of the 5m contour line. This area was so heavily vegetated, like many other areas, that only a small naturally clear area in the north was able to be surveyed.

Ground Surface Visibility in this zone was from 0–5% due to extremely dense vegetation of dune grasses and bracken fern ranging down to thick mixed grasses in the lower lying areas.

Ground Surface Integrity was difficult to determine for the sand ridge due to past sand mining activities with the lower lying areas having 50–90% for the few areas that were not highly modified. Ploughing and pastoral activities over time has modified the land surface to a certain extent, but due to the lack of recent use, these marks are not clear.

RE2 Private Recreation Zone

This large central zone consisted primarily of tall native and exotic grasses that were trimmed low in only a small northern area. The grasses in the remaining areas were from 1–1.5m tall and interspersed with small scrubby bushes of a similar height. The zone sloped upwards from the south to the north and towards a small rise to the west but is generally below 5m in elevation apart from its north–west extension that follows a water channel.

The soil of much of the area was moist Quaternary outwash basalt sediments, rich with alluvial materials and decaying plant matter. Closer inspection of several less densely vegetated areas showed the ground had been disc ploughed and several irrigation channels had been cut to drain off excess water from the area into racecourse creek. These drainage ditches did not appear to be of recent construction.

Ground Surface Visibility in this zone was from 0–10% due to the extremely thick cover of grass, which in many instances was up to 1.5 metres tall.

Ground Surface Integrity in this zone appeared to range from 50–90% for most areas that were observable. Ploughing and grazing over time has however, most likely modified the land surface, but due to the lack of recent use, these marks are not clear except in the northern areas where circular plough marks are still evident in visible areas.

R1(N) General Residential Zone

The R1(N) Zone consists of the elevated ground above the RE2 areas and extends across Forest Lane to incorporate the eastern and central lots of the northern area of Precinct 3. The grass cover in this zone was not quite as tall as the lower lying zones, but still had severely limited visibility. Scattered stands and isolated eucalypts run through these areas, with the majority concentrated to the north. The soils in this zone are dryer and thinner than those in the south, having more sand and rock and less decaying plant material.

Ground Surface Visibility in this zone was from 0–15%. Only low lying and watercourse areas had any exposed ground surface.

Ground Surface Integrity in this zone was from 50–90% for most areas that were observable. Ploughing and grazing over time has, however, most likely modified the land surface, but due to the lack of recent use, these marks are not clear. Areas that had been recently cleared had a greater visibility, with the subsoil being exposed in some areas.

E2(N) Environmental Conservation

Connecting the Kiwarrak State Forest in the south with the wildlife corridor to the north of Precinct 3, this zone consists of stands of established open

schlerophyl woodland upon the dry and thin soiled ridge line that extends east to Old Bar and west to the main ridgeline system.

Ground Surface Visibility in this zone was from 0–100%. Forested areas had little visibility, but areas near tracks were well exposed.

Ground Surface Integrity in this zone was from 0–90%. Area of forest appeared to be largely undisturbed, whilst tracks and old areas of European settlement had suffered high disturbance.

R5 Large Lot Residential Zone

This more open area in the extreme north west of the site is a continuation of the E2(N) zone, being more open than its neighbouring zone.

Ground Surface Visibility in this zone was from 0–100%. Forested areas had little visibility, but areas near tracks were well exposed.

Ground Surface Integrity in this zone was from 0–90%. Area of forest appeared to be largely undisturbed, whilst tracks and old areas of European settlement had suffered high disturbance. Areas that had been recently cleared had a greater visibility, with the subsoil being exposed in some areas.

5.6 Survey Results

The following section outlines the routes taken during each day of the survey and of the sites encountered.

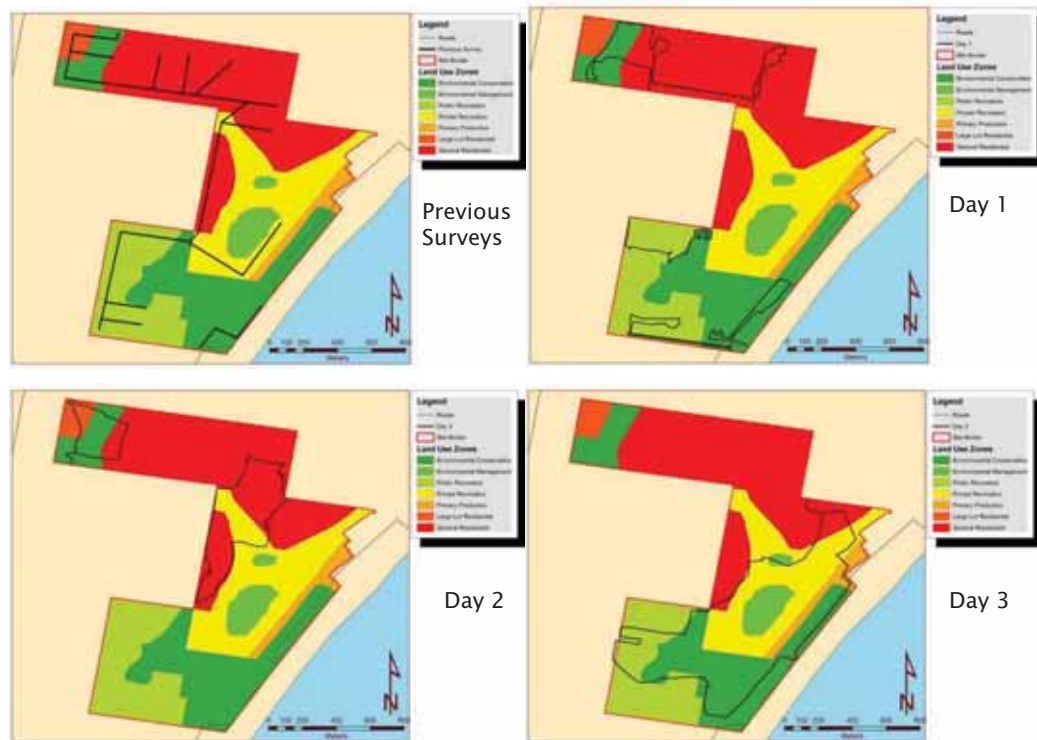


Figure 5.5: Paths taken by current and past field surveys. Note the paths on the map do not show the relative size of transects walked, which varied from day to day. Neither do they show some of the independent paths that some members of the group were forced to take around natural and man made obstacles (Ainsworth Heritage).

5.6.1 Day 1

Day one of the survey was undertaken by Matt Alexander and Doug Hobbs with Mick Leon and Barry Bungie from TIDE. The primary aim of day one was to re-identify and accurately record as many of the known sites in Precinct 3 that had not previously been reported to AHIMS.

The initial area of surveyed land consisted of the northernmost area of the RE1 zone bordering on the new sports fields and retention ponds. The area had been heavily disturbed by both excavation in some areas and infill and turf laying in others.

Despite this, several artefacts were located between the sports field and southern retention pond and near the eastern border with the E2 (S) zone. The artefacts found in this heavily disturbed area were primarily large; two grind stones and a hand held chopper along with two smaller siltstone flake pieces. The larger stones appear to have been made from river stones that are abundant along the beaches and rivers of the area.



Figure 5.6: Western end of sports field (Ainsworth Heritage).



Figure 5.7: Left handed grinding stone which possessed finger grips on reverse side (Ainsworth Heritage).



Figure 5.8: Small core (Ainsworth Heritage).



Figure 5.9: Hand chopper (Ainsworth Heritage).

The area immediately to the west of the sports field was surveyed next. It had been zoned as part of the E2 Environmental Conservation zone, but had been cleared of topsoil and a retention pond built. During the 2003 and 2007 surveys of this area, large numbers of artefacts had been located and a cache of collected materials (20+ artefacts) had been placed close to the adjoining forest of the E2(S) Zone to protect them.^{52 53} This was done

⁵² • Leon, M and Bungie, B. 2007. *Old Bar Proposed Playing Fields Aboriginal Archaeological Assessment*. . Purfleet-Taree Local Aboriginal Land Council. p.2.6–2.7.

without a permit from DECCW before the work was undertaken, despite the presence of these objects being known from the 2003 report. Objects from the area of the current sports fields had been collected for this cache and numerous other objects had been observed in the area of the northern retention pond, where they had been observed in relation to earth mounds.⁵⁴

Despite the area of the cache being identified, the artefacts themselves were unable to be re-identified, despite a search of the area on day one and again on day 2. However, across the bottom of the dry, northern retention pond and scattered along its dirt banks, approximately 71 artefacts were identified. These artefacts ranged from general debitage from flaking of several differing rock types to some re-touched flakes and a blade core. The stone types used for the various artefacts ranged from a soft mudstone, to harder mudstone/siltstone pieces of various colours to a dense orange silcrete and pieces of basalt.



Figure 5.10: Silcrete blade core (Ainsworth Heritage).



Figure 5.11: Basalt Flake (Ainsworth Heritage).

⁵³ Leon, M and Maslin, V. 2003. *Aboriginal Sites Investigation Old Bar Precinct 3A*. Purfleet-Taree Local Aboriginal Land Council. p.20.

⁵⁴ Pers Com Mick Leon and Barrie Bungie.



Figure 5.12: Collection of material found in retention pond (Ainsworth Heritage).



Figure 5.13: Material from the top of the pond wall (Ainsworth Heritage).

A search was then carried out for a collection of artefacts known to have been located on the ridge in the extreme south west of the RE1 Zone to the east of the plantation eucalypts. Unfortunately, the ground surface visibility was zero, due to the growth of the local grasses and none of the formerly located artefacts could be located. However, the pink tape that was part of the pegs used to mark the artefacts was located, but had become separated from the pegs.



Figure 5.14: Plantation trees and ground cover (Ainsworth Heritage).



Figure 5.15: Edge of infill looking towards east of Precinct 3 (Ainsworth Heritage).



Figure 5.16: Reworked flake found as part of new materials located in south east of E2(S) (Ainsworth Heritage).



Figure 5.17: Probable collection of the 1997 and 2003 survey's SOB-1. A core was also located near by (Ainsworth Heritage).

An observation was made of the infill area to the east of the plantation eucalypts and was found to be of imported fill that had overlain the original ground surface by a depth of one to two metres.

During the search for the site known as SOB-1, near to the south-eastern corner of the site, a new group of artefacts was found in a depression to the west of the road and the artefacts that were likely part of SOB-1 were re-identified on the north side of the road, abutting the eastern edge of Precinct 3.

The team then moved into the Northern portion of Precinct 3 in an attempt to re-identify the pipi midden in the north east and two scarred trees in the north west. Due to the lack of ground surface visibility, the midden was not able to be located, but a single artefact was located close to the road in a small perennial watercourse. The two scarred trees were located, however, the southern tree had fallen to the west due to age or storm action. The larger scar of the two on this tree was not generally visible as it was on the underside of the tree.



Figure 5.18: Eastern scared tree with Mick Leon for Scale (Ainsworth Heritage).



Figure 5.19: Western scar tree with smaller scar visible (Ainsworth Heritage).



Figure 5.20: Large scar on western tree's underside (Ainsworth Heritage).



Figure 5.21: Isolated chopping stone found in watercourse (Ainsworth Heritage).

Additionally, during the course of the survey, a local land owner indicated that he knew of a Bora Ring that was located near the ridge line along Old Bar Road. As this area was outside the boundary of Precinct 3 it was not viewed but the information was passed onto the LALC who have since confirmed its location.

5.6.2 Day 2

Day two of the survey was undertaken by Matt Alexander, Doug Hobbs, Steven Mayer, Phillip Cochrane, Andrew MacDonald, Richard Donovan and Steven Paulson of the Purfleet–Taree Local Aboriginal Land Council with additional assistance from Emmanuel Fewquandie of DECCW. The primary aim of day two was to locate and accurately record any new sites in

unsurveyed sections of Precinct 3 that had not previously been reported to AHIMS and to provide the LALC with an opportunity to view the known sites.

Day two's survey began at Forest Lane and proceeded south across R1(N) to RE2's central area and on to the collection of artefacts found in the retention pond and near the sports fields. An additional artefact was located on the south edge of the southern pond. A transect from the pond across to the far south west of Precinct 3 was made. Turning north, the group then surveyed the inland area of the eastern boundary of the site before moving across Zone RU1 and back to the starting point. No new materials, apart from the artefact mentioned above were located, mainly due to the minimal surface visibility. The LALC members were able to view the previously located sites for future reference.



Figure 5.22: The artefact located on the south bank of the southern retention pond (Ainsworth Heritage).



Figure 5.23: Purfleet-Taree LALC and DECCW members ably demonstrating the extent of the vegetation that covered much of the site (Ainsworth Heritage).



Figure 5.24: Parts of E2(S) and RU1, demonstrating the extensive bracken and grass coverage (Ainsworth Heritage).



Figure 5.25: View of the dense vegetation of RU1 and Doug Hobbs following an unsuccessful attempt to penetrate it (Ainsworth Heritage).

5.6.3 Day 3

Day three of the survey was undertaken by Matt Alexander and Doug Hobbs with Steven Mayer, Phillip Cochrane, Andrew MacDonald, Richard Donovan and Steven Paulson of the Purfleet–Taree Local Aboriginal Land Council. The primary aim of day three was to locate and accurately record any new sites in unsurveyed sections of Precinct 3 that had not previously been reported to AHIMS and to provide the LALC with an opportunity to view the two scarred trees.

Day three's survey began at Forrest Lane, in the same location as day two, and proceeded south across R1(N) to RE2's central area and on to the southern end of the R1(S) Zone. This zone abutted not only the concentration of artefacts located in the dry retention pond but also an area observed in 2003 to contain visible materials. This area was not part of Precinct 3, but its archaeology can be assumed to be part of the same network of sites and probably extend into R1(S).

As for the rest of Precinct 3, the ground surface visibility was low, leaving little clear ground on which to search for exposed archaeological remains. However, two small isolated flakes were located as the team moved north and crossed into the north west corner of the site across Forest Lane. Another isolated artefact was found near the summit of the ridge in this area.

The R5 Zone in the far north west of the site was surveyed, with no new material being observed and the LALC was shown the location of the two scarred trees.



Figure 5.26: One of the two flakes located in the R1(S) Zone (Ainsworth Heritage).



Figure 5.27: Flake located in the north west of the R1(N) Zone (Ainsworth Heritage).



Figure 5.28: Landscape of the R1(N) zone looking north (Ainsworth Heritage).



Figure 5.29: View from western edge of the R1(N) zone into the E2(N) Zone (Ainsworth Heritage).

5.7 Precinct 3 Sites

The following sites were recorded during the fieldwork. Detailed AHIMS site recording forms for these sites are included in Appendix B.

Site Name	Zone	Type	Site Dimensions	Notes
OBP3AH01	RE1	Isolated Artefact	Not Applicable	Left handed siltstone grindstone with flaked finger grips. Located in the heavily disturbed ground between the southern retention pond and the sports fields. Ground Surface Visibility was 95% and Ground Surface Integrity was 0%.
OBP3AH02	RE1	Isolated Artefact	Not Applicable	Siltstone grindstone. Located in the heavily disturbed ground between the southern retention pond and the sports fields. Ground Surface Visibility was 95% and Ground Surface Integrity was 0%.
OBP3AH03	RE1	Isolated Artefact	Not Applicable	Isolated silcrete flake. Located in the heavily disturbed ground between the southern retention pond and the sports fields. Ground Surface Visibility was 95% and Ground Surface Integrity was 0%.
OBP3AH04	RE1	Isolated Artefact	Not Applicable	Siltstone hand chopping stone. Located in the heavily disturbed ground between the southern retention pond and the sports fields. Ground Surface Visibility was 95% and Ground Surface Integrity was 0%.
OBP3AH05	E2(S)	Artefact Concentration	4,760m ²	This site corresponds to the extents of the northern retention pond illustrated in Figure 5.4. The total area of the site was derived from the top of the pond's embankments, but the site almost certainly extends beyond this in all directions. 71 separate artefacts were identified, with mudstone and siltstone flakes predominating. Two basalt flakes and a silcrete core were also identified. Ground Surface Visibility was 95% and Ground Surface Integrity was 0%.
OBP3AH06	E2(S)	Artefact Concentration	1,000m ²	This site was located in the low ground that forms that southernmost extension of the 5m contour. The site was in an area of low grass, which had been ploughed, exposing the soil to view along the plough tracks. 6 artefacts, 4 siltstone and 2 silcrete flakes, were located in this area. Ground Surface Visibility was 30–60% and Ground Surface Integrity was 25%.
SOB-1	E2(S)	Artefact Concentration	15m ²	This site was located in 1997 (1 core) and in 2003 (six artefacts). The site lie on the east side

Site Name	Zone	Type	Site Dimensions	Notes
				of the dirt road that runs along the eastern edge of precinct three at the rear base of the old dune system. 6 artefacts, a siltstone core and 5 siltstone flakes, were located. Ground Surface Visibility was 90–100% and Ground Surface Integrity was 5–10%.
OBP3AH07	E2(N)	Scarred Tree	Not Applicable	Scarred Ironbark. Scar is approximately 2m above the ground and is 1.6m long and 50cm wide. The scar faces east north east.
OBP3AH08	E2(N)	Scarred Tree	Not Applicable	Scarred and fallen Ironbark. Main scar is 1m long and 50cm wide and is located under the tree. A minor scar 60cm long by 20cm wide and faces south. The main scar originally faced west.
OBP3AH09	R1(N)	Isolated Artefact	Not Applicable	Large retouched siltstone flake. This artefact was located in the bed of a small perennial watercourse. Ground Surface Visibility was 40% and Ground Surface Integrity was 50%.
OBP3AH10	RE1	Isolated Artefact	Not Applicable	Large siltstone flake. Located in the heavily disturbed ground on the south bank of the southern retention pond. Ground Surface Visibility was 95% and Ground Surface Integrity was 0%.
OBP3AH11	R1(S)	Isolated Artefact	Not Applicable	Siltstone flake. Located near crest of ridge in R1(S), west of gum tree stand. Ground Surface Visibility was 50% and Ground Surface Integrity was 50–75%.
OBP3AH12	R1(S)	Isolated Artefact	Not Applicable	Siltstone flake. Located between drainage channel and track. Ground Surface Visibility was 75% and Ground Surface Integrity was 0–25%.
OBP3AH13	R1(N)	Isolated Artefact	Not Applicable	Siltstone flake. Located near crest of ridge in far west of Zone. Ground Surface Visibility was 50% and Ground Surface Integrity was 50–75%.
UR2003-01	R5	Un-relocated Isolated Artefact	Not Applicable	Noted in the 2003 survey as an isolated quartzite flake.
UR2003-03	E2(S)	Un-relocated Artefact Concentration	Approximately 50m ²	This cache of artefacts was unable to be located despite searches over an extended area on days 1 and 2.
UR2003-02	R1(N)	Un-relocated Midden	Unknown	Pipi midden located in 2003 and not logged in any database.
UR2003-04	RE1	Un-relocated Artefact Concentration	Unknown	Large area site with buffers for each object that created a 5 hectare area. Due to the unavailability of the original point data, it cannot be determined how many individual objects were present or how far an area they covered.
UR2003-05	E2(S)	Un-relocated Unknown Site	Unknown	Unknown site type.
Table 5.4: Sites of Precinct 3.				

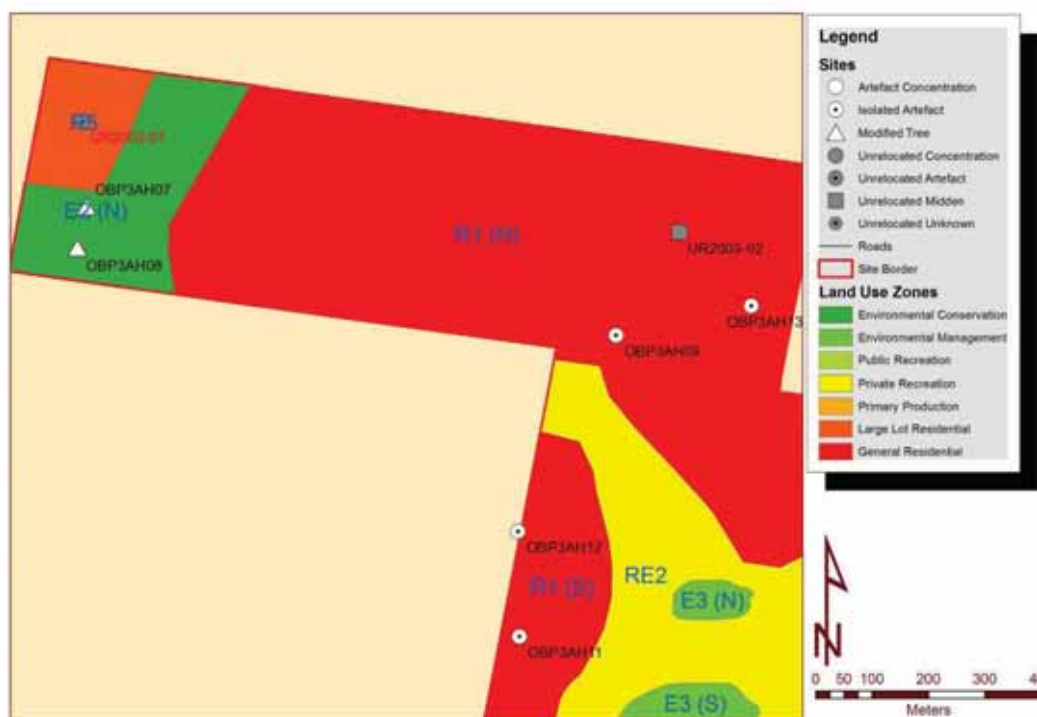


Figure 5.30: Northern sites of Precinct 3 (Ainsworth Heritage).

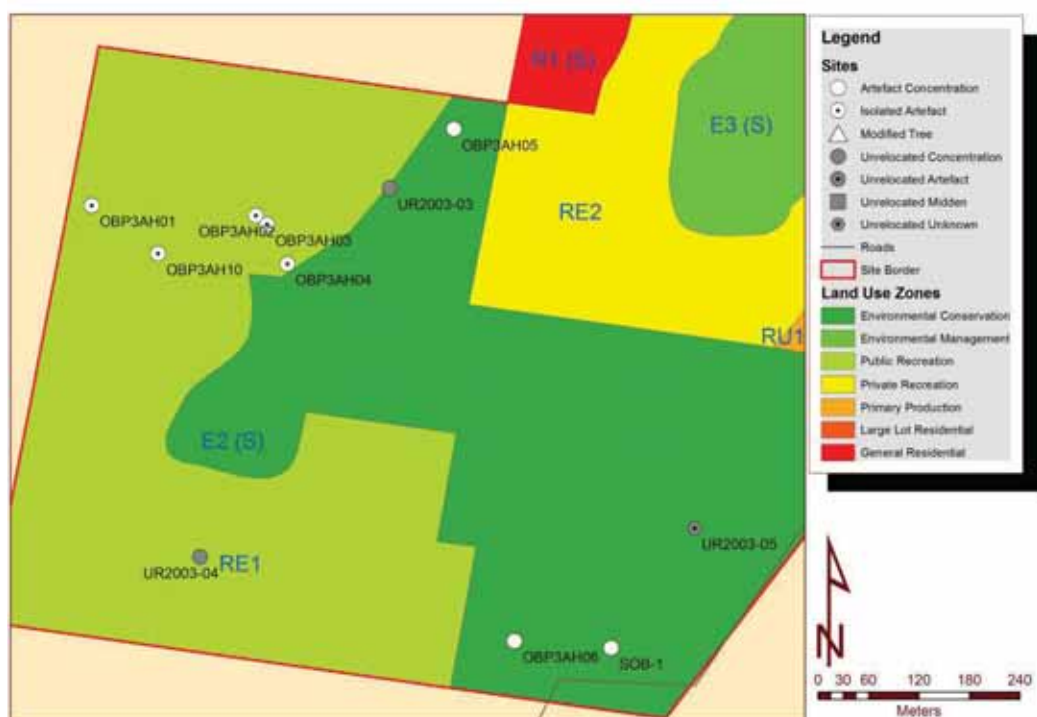


Figure 5.31: Southern sites of Precinct 3 (Ainsworth Heritage).

5.8 Discussion of Results

5.8.1 Precinct 3 Site Types

Most sites in Precinct 3 were located in disturbed ground that allowed greater Ground Surface Visibility. Due to the thick vegetation that covers most of the site, the assessment was not able to determine whether sites were located in undisturbed ground. However, due to the nature of the soil of Precinct 3's southern areas, it is highly likely that there are further extensive deposits. The nature of the soil is such that when saturated, heavier materials will become mobile and sink through the A horizon topsoil and come to rest on the more compact B horizon sub-soil which has less ability to absorb water. Ground disturbing actions that remove or disturb the topsoil or excavate to or through the sub-soil will expose artefacts as demonstrated in the sports field/retention pond areas.

The site types identified in Precinct 3 were primarily of three main types: isolated artefacts; concentrations of artefacts; and two scarred trees also located. The isolated artefacts were of two broad categories. Near the retention ponds and sports field, they tended to be larger pieces of siltstone used for grinding or chopping, where as other isolated finds tended to be single small flakes. The isolated artefacts either represent places of brief or passing occupation or could have been moved by natural or man made disturbance from their original site or be an exposed part of a larger sub-surface deposit.

The artefact concentrations likely represent places of intense or prolonged occupation by Aboriginal people where tool making was undertaken in conjunction with resource gathering. The large number of artefacts in these areas and the almost certain extension of some of these areas beyond their current surveyed extents point to an intensive occupation and/or use of Precinct 3 by Aboriginal peoples over time.

Most of the stone used for tool making in the area is said to come from Saltwater⁵⁵ where the best material was sourced. However, the beaches of the entire Old Bar Coast from the Manning to Saltwater are littered with a vast array of river pebbles, brought down from the hills to the west that would have allowed for easy access to a variety of materials. Most artefacts

⁵⁵ Pers Com Mick Leon, Barry Bungie and Warner Saunders.

were either mudstone or siltstone, with better example consisting of silcrete and isolated pieces of basalt.

5.8.2 Site Locations

Sites within Precinct 3 were generally located in one of three areas. Along ridgelines, within former or current gullies or along what would have once been the lagoon or swamp shore and in even earlier times, when sea levels were higher, the coastline.

Appleton⁵⁶ theorised that the central area of Precinct 3 was, from about 5,000 to 2,500 years ago, a small lagoon that could have provided potable water at the far south-western portion of Precinct 3. Later (3,000 years ago until today), this lake was cut off from the Ocean and slowly dried up. Appleton suggests that potable water would have been available from this area for a period of weeks, following heavy rains.⁵⁷

It appeared, once site locations had been mapped, that many sites had a relationship to the 5m contour line, either being located along or near to it or within 100 linear metres of the 5 metre contour. Such sites were located on ridgeline spurs that ran down to the 5m contour and would have provided a higher dry position for observation and camping for any aboriginal groups undertaking resource gathering from the lower lying inundated areas.

⁵⁶ Appleton, J. 1997. *The Archaeological Investigation of the site of a Proposed Development at South Old Bar, Mid-North Coast NSW*. Archaeological Surveys and Reports Limited, Armidale. p.8.

⁵⁷ *Ibid.*

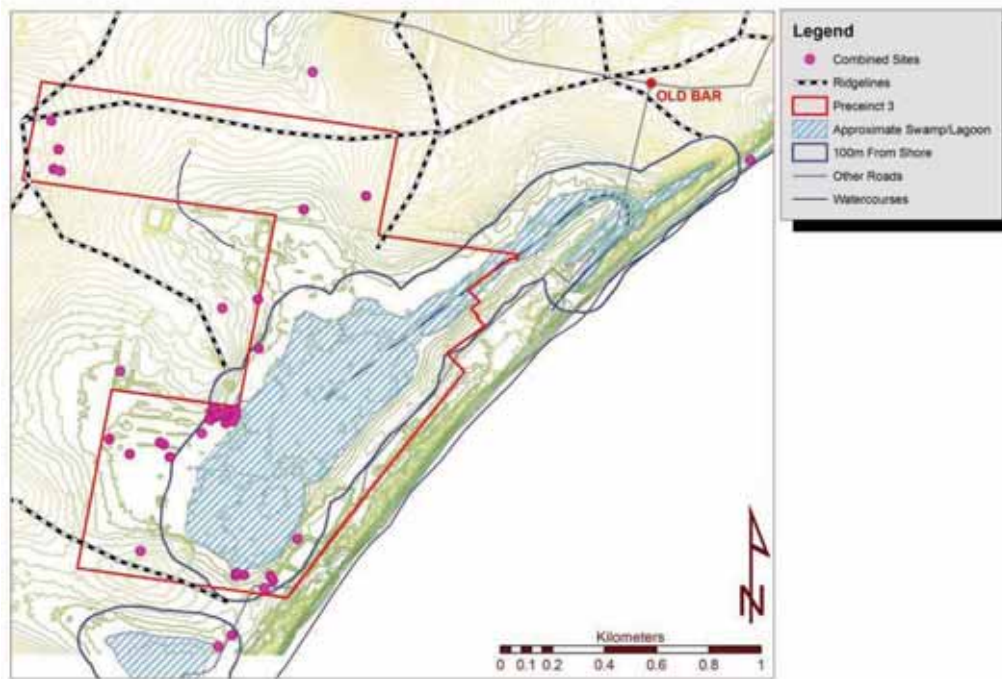


Figure 5.32: Hypothetical Lagoon/Swamp area of Precinct 3 showing site distribution in relation to the shoreline (5 metre contour) and the ridgelines (Ainsworth Heritage).

Some other sites OBP3AH01–4 and 9–10 could have a relationship with the small water channels that would have once flowed into any low lying area either through use at their location or through deposition there from higher ground. However, due to the severely disturbed nature of the sports field area, their location is most likely altered and this relationship could only be determined by excavations of undisturbed areas of the channel.

The two scarred trees were also located along the ridgelines to the north, while another tree, located in a previous study, is believed to be located on the ridge to the west of Zone R1(S). These trees were markers for routes along the ridges to areas of importance, be they for resource gathering or ceremonial purposes. Isolated artefacts were also located on or close to some of the ridgelines. The importance of the ridgeline was further reinforced by the location, by the Purfleet–Taree LALC, of a Bora Ring located on the high ground on the ridge top to the north of Precinct 3, following the survey.

5.8.3 Site Relationships

It appears that the relationships of the sites and site types within Precinct 3, and with those of the wider Old Bar and Mud Bishop's to Saltwater pathways, suggest a picture of the use and patterns of use of this area.

As personal comments from several local Aboriginal people attest and from what previous studies and available data have shown, the area from Mud Bishop's in the north to Saltwater in the south was a network of pathways that was well known to the local peoples and well signposted by scarred trees. This network of paths allowed access to a varied set of ecological zones, including beaches, headlands, lagoons, creeks, estuaries and inland forests that would have provided a wide diversity and amount of natural resources for both consumption and utensil manufacture. The significance of this wider area is also demonstrated through the ceremonial and burial sites located within its extents that provide a link to the deeper meaning of the Aboriginal use of the land and their spiritual relationship with it.

5.8.4 Potential Archaeology

Precinct 3 has the potential to yield additional archaeology, based on the material found to date and the site typology of both Precinct 3 and the surrounding area. Figure 5.33 on the following page maps these areas of potential.

Areas of high potential exist along ridgelines or their slope within 125 m of the 5m contour line or leading to the 5m contour (based on sites located so far) and in the area between the dune system and the 5m contour line (based on the sites shown in the extended AHIMS search. Sites between the dune and 5m contour are likely to consist of isolated artefacts, artefact concentrations, middens and the possibility of burials. Further artefact concentration and other isolated artefacts are likely to be located along ridgelines or their slope within 125m of the 5m contour line or leading to the 5m contour.

Areas of moderate potential exist along other ridgelines where isolated artefacts and artefact concentration could be found. Any concentration of artefacts would be located below the summits. Further scarred trees may be located on ridgelines, especially in the north west.

Areas of low potential exist along lower ridge slopes away from water, within the hypothetical lagoon/swamp area and along the far eastern and heavily

disturbed edge of the site. However, in this far eastern area, should undisturbed base remnants of the beach dune exist, they will have the potential to contain isolated artefacts, artefact concentrations, middens and the possibility of burials.

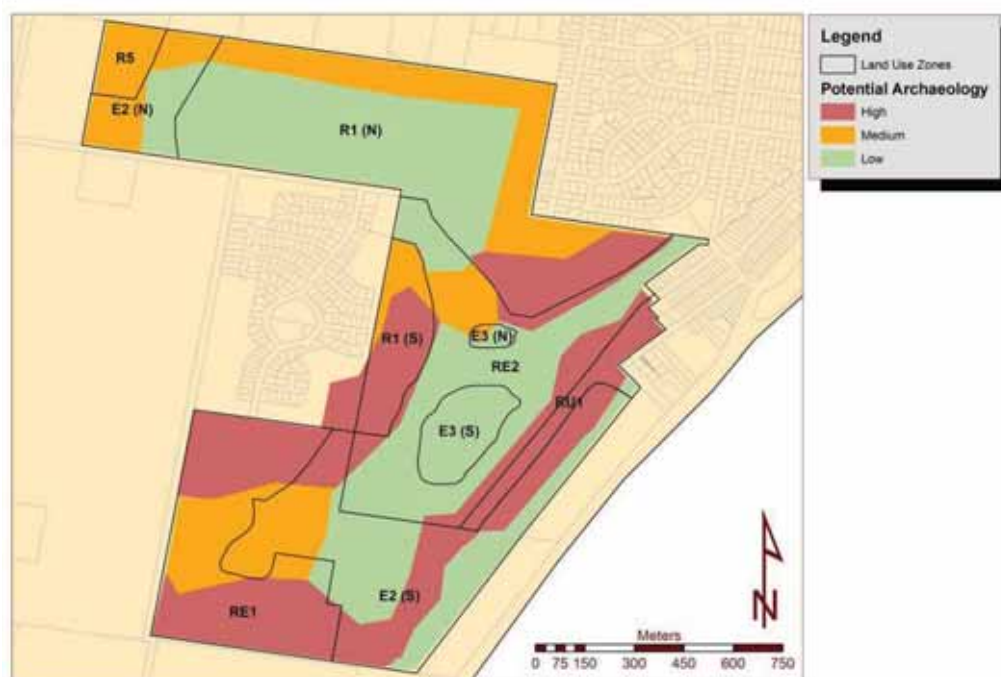


Figure 5.33: Potential areas of archaeology of Precinct 3 (Ainsworth Heritage).

5.9 Significance of Precinct 3

The significance of Precinct 3 is derived from its place within the larger Mud Bishops to Saltwater complex and its ability to assist in providing a comprehensive picture of Aboriginal land use, occupation, movement and exploitation of natural resources in the area. Precinct 3, especially in its south western areas, has the potential to contain large areas of Aboriginal archaeological remains.

Significance is determined by its relationship to seven criteria for significance. The following table breaks down the significance of Precinct 3 into these seven criteria based on those used within NSW.

Criteria of Significance		Significance of Precinct 3
Historic Significance An object is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)		Precinct 3 has historic significance through its use by Aboriginal people over time as an area of resource gathering and travel. Its more recent history is important to both local Aboriginal and European peoples through its ongoing development and the continuing growth of understanding regarding Precinct 3's place in the wider regions history.
Associative Significance An object has a strong or special association with the life or works of a person, or a group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area)		Precinct 3 has associative significance through the long term association of the Biripi peoples with the area from the earliest times down to the present era.
Aesthetic Significance An object is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW		This criteria is not applicable.
Social Significance An object has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons		Precinct 3, as part of the larger complex of sites of the Saltwater/Mud Bishops area, is socially significant to the local Aboriginal people as it form part of the inter-related network of sites in the area. This network, comprising campsites, ceremonial sites, burials and other objects demonstrates the complex involvement with and utilisation of the landscape by the Biripi peoples.
Scientific Significance An object has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)		Precinct 3 has the ability to provide insight into the use of specific ecological zones that lie along the pathways of the area. The richness of Precinct 3's resources are demonstrated by the numerous sites so far recorded and the fact that they show the area was used, instead of simply bypassed by those moving north and south. Precinct 3 likely contains several large potential archaeological deposits in its south and south west that could provide detailed information regarding the daily life of the Biripi and the ways in which they utilised Precinct 3 as part of a larger network of resource gathering areas.
Rarity		Although the individual sites of Precinct 3 are not rare of themselves, as part of a larger and

<p>An object possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)</p>	<p>predominantly intact series of pathways and sites, they provide a rare picture of a larger landscape unit that shows the relationships between the various sites and resource areas clearly. As the NSW coastal strip continues to be heavily developed, complexes such as the Saltwater/Mud Bishops complex will become increasingly rare.</p>
<p>Representativeness An object is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or environments (or the local area's cultural or natural places or environments)</p>	<p>Precinct 3 is a good representative example of the specific use by Aboriginal peoples of a particular resource gathering area. Additionally, as part of the larger complex, it is part of an excellent representative example of Aboriginal use of a wider and inter-connected landscape.</p>
<p>Table 5.5: Criteria of Significance for Precinct 3</p>	



Figure 5.34: Sites and pathways of the Saltwater to Mud Bishops ridgeline complex (Ainsworth Heritage).

5.10 Site Location in Relation to Proposed Zoning Footprint

Due to the use of the higher ground for longer term human activities by both Aboriginal peoples in the past and by current occupants of the land, in order to avoid the lower lying ground, which has the potential to be inundated, the current zoning plan has a high potential to impact upon archaeological deposits in three areas of Precinct 3 in particular.

Three areas in particular have the potential to be impacted on by development, with two in danger of being exposed to severe disturbance. Figures 5.30 and 5.31 show that sites OBP3AH05, 11 and 12 correspond to the north eastern section of RE1 and extend north into R1(S) and into the adjacent, existing residential area. UR2003-03, its extents better defined in Figure 7.3, is threatened by sports field development in RE1. OBP3AH06 and SOB-1, although in the E2(S) Zone still have the potential to be impacted upon due to their close proximity to access tracks and sewerage infrastructure.

As such, and in accordance with the Management Policies provided in Chapter 7 (section 7.2.8 in particular), avoidance of these areas would be considered Best Practice from an archaeological viewpoint. The reasoning for this, outlined in greater detail in Chapter 7, is that a rezoning to avoid impact on these sites, whilst no doubt accruing a short term financial cost, would avoid expensive archaeological works at later stages, which would be required should any development on these sites or near to them be required, both to determine their full extents and to undertake archaeological excavations for research and recovery of threatened items.

5.11 Conclusions

The significance of Precinct 3 is derived from its place within the larger Mud Bishops to Saltwater complex and its ability to assist in providing a compressive picture of the use of both Precinct 3 and the larger complex of Saltwater to Mud Bishops by the Biripi people.

This significance is both scientific, enabling further research and understanding of the Biripi use of the land and lifestyle, as well as historic and social, demonstrating the continued deep attachment of the Biripi people to their traditional lands and the ever dwindling indicators of their period of inhabitation.

Precinct 3, as the central resource gathering location of the larger complex is important in and of itself for its ability to provide further information on the Biripi way of life as well as assisting in explaining the far more complex interrelationship of sites in the broader area.

Precinct 3 must be considered a significant Aboriginal site alone and also as part of the larger significance of the complex of sites of which it is part for its historic, associative, social and scientific significance as well as its representativeness as a heavily used resource area and as part of a rare, largely intact network of coastal sites.

6.0 Obligations and Opportunities

This chapter outlines the statutory requirements for the rezoning and development of Precinct 3, as well as identifying several opportunities presented by the site and its significance that may not have previously considered.

6.1 Statutory Obligations

Due to the nature of Precinct 3 and the proposed rezoning and future development, the provisions of certain statutory instruments must be met and satisfied.

6.1.1 NSW National Parks and Wildlife Act

The *NSW National Parks and Wildlife Act 1974* (NP&W Act) is the main statutory instrument for the protection of Aboriginal Cultural Heritage within NSW. The NP&W Act's Aboriginal Cultural Heritage provisions are administered by the Department of the Environment, Climate Change and Water (DECCW) and the provisions of Part 6 of the NP&W Act must be satisfied for DECCW to consent to any development that may affect Aboriginal Cultural Heritage.

The NP&W Act specifies an Aboriginal Object 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.*”⁵⁸

Several offences relating to Aboriginal objects by people unauthorised to do so are identified within Section 86 as follows:

- a) disturbs or excavates any land, or causes any land to be disturbed or excavated, for the purpose of discovering an Aboriginal object;*
- b) disturbs or moves on any land an Aboriginal object that is the property of the Crown, other than an Aboriginal object that is in the custody or under the control of the Australian Museum Trust;*
- c) takes possession of an Aboriginal object that is in a national park, historic site, state conservation area, regional park, nature reserve, karst conservation reserve or Aboriginal area;*

⁵⁸ <http://www.legislation.nsw.gov.au/viewtop/inforce>. Accessed 05-01-2009.

d) removes an Aboriginal object from a national park, historic site, state conservation area, regional park, nature reserve, karst conservation reserve or Aboriginal area.⁵⁹

Only when consent has been granted to a person by DECCW can any of the above action be undertaken. DECCW can at any time grant or withdraw a permit should DECCW believe it necessary to do so.

Section 90 then goes on to discuss the penalties for those who wilfully breach the provision of the NP&W Act with regards to Aboriginal objects.

(1) A person who, without first obtaining the consent of the Director-General, knowingly destroys, defaces or damages, or knowingly causes or permits the destruction or defacement of or damage to, an Aboriginal object or Aboriginal place is guilty of an offence against this Act.

Maximum penalty: 50 penalty units or imprisonment for 6 months, or both (or 200 penalty units in the case of a corporation).

(2) The Director-General may give consent for the purposes of subsection (1) subject to such conditions and restrictions as are specified therein.

As such, it is a requirement of the re-zoning and any future development that these provisions of the NP&W Act are met.

The application process and the permits themselves are discussed in the following chapter. As part of these requirements this assessment has been undertaken so as to accompany any future permit application to DECCW.

Due to the sites located and the potential for others to exist, management policies for the site will need to be developed that will satisfy both Council and DECCW that all possible action is being taken to ensure the protection of known and potential sites in cooperation with the Purfleet-Taree LALC and other Aboriginal groups. These policies are outlined in the following chapter.

⁵⁹ <http://www.legislation.nsw.gov.au/viewtop/inforce>. Accessed 05-01-2009.

In addition to the above sections Section 91 states:

“ A person who is aware of the location of an Aboriginal object that is the property of the Crown or, not being the property of the Crown, is real property, and does not, in the prescribed manner, notify the Director-General thereof within a reasonable time after the person first becomes aware of that location is guilty of an offence against this Act unless the person believes on reasonable grounds that the Director-General is aware of the location of that Aboriginal object.”⁶⁰

This means that any Aboriginal item, place, site or object must be reported to DECCW for inclusion on the AHIMS register. All sites located as part of this report that were not already part of the AHIMS register, have been reported to AHIMS as part of the final report and any new finds in Precinct 3, or elsewhere must also be reported.

6.1.2 Environmental Planning & Assessment Act 1979

The re-zoning and development of Precinct 3 is considered as an integrated development under section 91 of the *Environmental Planning and Assessment Act 1979* due to the need to satisfy several consent authorities, Greater Taree City Council and DECCW among them.⁶¹

Therefore, for development to proceed, both Council and DECCW will need to be sufficiently satisfied that the works will not adversely affect significant Aboriginal Cultural Heritage. As Precinct 3 has been assessed as having Aboriginal cultural heritage significance, this report will require policies for the site to be developed that will satisfy both Council and DECCW and that all possible action is being taken to ensure the protection of known and potential sites in cooperation with the Purfleet-Taree LALC and other Aboriginal groups. These policies are outlined in the following chapter.

6.1.3 Greater Taree Local Environment Plan 2008

The Greater Taree Local Environment Plan (LEP) undertakes to protect and conserve both the natural and cultural heritage of the Greater Taree Local Government Area. Specifically the LEP states that its objectives are too:

⁶⁰ <http://www.legislation.nsw.gov.au/viewtop/inforce>. Accessed 05-01-2009.

⁶¹ <http://www.legislation.nsw.gov.au/viewtop/inforce>. Accessed 05-01-2009.

*“(b) to conserve the heritage significance of heritage objects and heritage conservation areas including associated fabric, settings and views, and
(c) to conserve archaeological sites, and
(d) to conserve places of Aboriginal heritage significance.”⁶²*

Due to these objectives of the LEP certain requirements for development consent need to be fulfilled before any such development can be undertaken. Requirements for consent include:

*“(d) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
(e) disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance”⁶³*

Additionally Council must, before granting consent for development in a place of Aboriginal heritage significance:

*“(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place, and
(b) notify the local Aboriginal communities (in such way as it thinks appropriate) about the application and take into consideration any response received within 28 days after the notice is sent.”⁶⁴*

As such this assessment must satisfy Council that the development will not adversely affect the Aboriginal Cultural Heritage of Precinct 3 and that the input of the local Aboriginal groups has been included as part of the assessment.

6.1.4 Greater Taree Aboriginal Cultural Heritage Planning Consultation Protocol

The Greater Taree Aboriginal Cultural Heritage Planning Consultation Protocol (Protocol) is an agreement between Council and the Forster and Purfleet–Taree LALC’s that aims to formalise “...the consultation process to

⁶² Greater Taree LEP 2008 s5.10.

⁶³ *Ibid.*

⁶⁴ Greater Taree LEP 2008 s5.10.

ensure full consideration of Aboriginal cultural heritage values occurs within the planning and development frameworks of Greater Taree City Council."⁶⁵

The protocol seeks to gain the ongoing consultation of the Land councils in an effort to ensure that sites are located in the early stages of development and that areas of potential are also located and appropriate management policies are put into effect. This assessment and its management policies are a key part of this process for Council.

6.1.5 NSW Aboriginal Land Rights Act 1983

The NSW *Aboriginal Lands Rights Act 1983*, sets out the role of the State and Local Aboriginal Lands Councils as follows:

"(4) A Local Aboriginal Land Council has the following functions in relation to Aboriginal culture and heritage:

(a) To take action to protect the culture and heritage of Aboriginal persons in the Council's area, subject to any other law,

(b) To promote awareness in the community of the culture and heritage of Aboriginal persons in the Council's area."

As the LALC is obligated to protect Aboriginal culture and heritage within its area of responsibility, any future consultation regarding Precinct 3, or any other site within the Purfleet–Taree LALC boundaries, must be undertaken with the Land council's involvement. This does not preclude the involvement of other groups, but ensures the Land Council, as the legislatively obligated Aboriginal body in the area, is consulted at all times.

6.2 Opportunities

Precinct 3 offers several opportunities with regards to its Aboriginal cultural heritage significance that may not have previously considered. The following objects are outlined briefly but should not be considered an exhaustive list of possibilities.

6.2.1 LEP Conservation Incentives

Council has the power under the new LEP to grant incentives to developers who undertake to protect objects of cultural heritage significance through the granting of other actions that may otherwise have been precluded under normal development. This quid pro quo system can be an effective tool in

⁶⁵ Greater Taree Aboriginal Cultural Heritage Planning Consultation Protocol

encouraging the protection of sites, without constraining the goals of a development. Although the LEP is concerned primarily with built structures, it may be possible for this provision to be applied to Aboriginal cultural heritage.

6.2.2 Interpretation as Part of Development

The interpretation of the Aboriginal cultural heritage significance of Precinct 3 as an integrated and planned part of the future development is a way in which to assist in the education of the wider community as to the history of the land and its peoples. Any such interpretation would need to be undertaken with the Purfleet–Taree LALC and other interested aboriginal groups.

6.2.3 Interpretation as Part of Wider Cultural Heritage Landscape

The interpretation of the Aboriginal cultural heritage significance of Precinct 3 as an integrated and planned part of the larger Saltwater to Mud Bishop's network of sites and cultural history is a way in which to assist in the education of the wider community as to the history of the land and its peoples. Any such interpretation would need to be undertaken with the Purfleet–Taree LALC and other interested aboriginal groups. Although individual sites themselves may not form part of this interpretation (to protect them) the overall interaction of the Biripi people with the landscape could form a valuable and educational aspect of the tourist attraction of the Old Bar area.

6.2.4 Community Involvement as Part of Future Research

Should future development consent require archaeological excavation to be undertaken in Precinct 3, the involvement of the Purfleet–Taree LALC and other interested local Aboriginal groups should be sought. Additionally, with the consent of the LALC and other groups, a wider section of the community could be given the opportunity to participate in some parts of the excavation to assist in expanding the understanding of Aboriginal cultural heritage within the wider community.

“The archaeological resource is finite and thus it is important that archaeological features and deposits are appropriately managed, especially where development is likely to remove or disturb them.”⁶⁶

7.0 Management Policies

This Chapter outlines the management Policies that Council is required to adopt to ensure that its statutory obligations are met. These Policies will also provide the maximum benefit for all stakeholders, based on the opportunities that the cultural heritage significance that Precinct 3 possesses.

It is the opinion of this assessment that the zones proposed for Precinct 3 are appropriate for the site, subject to the implementation of the management policies contained within this section being implemented by Council, the Purfleet–Taree LALC, land owners and developers. However, these policies, or others specified by DECCW, must also be supported by DECCW for any rezoning or future development to proceed

7.1 Using These Management Policies

These management Policies are designed to allow those conducting works in Precinct 3 to have a clear and concise understanding of what actions must be taken. These actions are designed to ensure that the cultural heritage of Precinct 3 and its significance are not impacted upon through development, unless that impact has been sanctioned by DECCW.

These Policies are broken into three categories: General; Type; and Zone/Site. Each category provides a level of detail that increases from General to Site, to enable those conducting works in Precinct 3 to gain the required level of detail for works they are conducting.

For example, an urban designer would first be guided by the General category in the conceptual stage, take guidance from the Zone/Site category in the design of each zone and use site specific Policies when designing close to a known site. Additionally, for previously undiscovered sites that may be

⁶⁶ Ainsworth Heritage. 2006. *Evans Head Memorial Aerodrome: Archaeological Management Plan*. Ainsworth Heritage. p.131.

located during works, the Type category provides guidance on how to treat the various types of site that could be found in the area.

A chart of actions is provided at the end of this Chapter to further clarify the Policies and assist in their implementation.

7.2 General Management Policies

7.2.1 Adoption of the Burra Charter

The conservation and management of the archaeological resources should be carried out in accordance with the principles of the Australia ICOMOS Burra Charter, 1999. The articles which set out the principles of the Burra Charter are reproduced as follows:⁶⁷

Article 2 – Conservation and Management

2.1 Places of cultural significance should be conserved.

2.2 The aim of conservation is to retain the cultural significance of a place.

2.3 Conservation is an integral part of good management of places of cultural significance.

2.4 Places of cultural significance should be safeguarded and not put at risk or left in a vulnerable state.

Article 3 – Cautious Approach

3.1 Conservation is based on a respect for the existing fabric, use, associations and meanings. It requires a cautious approach of changing as much as necessary but as little as possible. The traces of additions, alterations and earlier treatments to the fabric of a place are evidence of its history and uses which may be part of its significance. Conservation action should assist and not impede their understanding.

3.2 Changes to a place should not distort the physical or other evidence it provides, nor be based on conjecture.

Article 4 – Knowledge, Skills and Techniques

4.1 Conservation should make use of all the knowledge, skills and disciplines which can contribute to the study and care of the place.

4.2 Traditional techniques and materials are preferred for the conservation of significant fabric. In some circumstances modern techniques

⁶⁷ ICOMOS Australia. 1999. *Australia ICOMOS Burra Charter, 1999.*

and materials which offer substantial conservation benefits may be appropriate. The use of modern materials and techniques must be supported by firm scientific evidence or by a body of experience.

Article 5 – Values

5.1 *Conservation of a place should identify and take into consideration all aspects of cultural and natural significance without unwarranted emphasis on any one value at the expense of others.*

Article 12 – Participation

Conservation, interpretation and management of a place should provide for the participation of people for whom the place has special associations and meanings, or who have social, spiritual or other cultural responsibilities for the place.

Article 24 – Retaining associations and meanings

24.1 Significant associations between people and a place should be respected, retained and not obscured. Opportunities for the interpretation, commemoration and celebration of these associations should be investigated and implemented.

24.2 Significant meanings, including spiritual values, of a place should be respected. Opportunities for the continuation or revival of these meanings should be investigated and implemented.

7.2.2 Continuation of Consultation

Consultation with the Purfleet–Taree LALC and other local Aboriginal Groups does not and should not end with the compilation of this report. Consultation should continue as an integral part of the eventual planning and development stages, to ensure that the Purfleet–Taree LALC and other local Aboriginal groups are continually apprised of the progress of planning and works and also provided with the opportunity to inspect works that have been carried out near sites. Allowing inspection of any works carried out within fifty meters of a known site should be undertaken. This inspection will allow the representatives of the Purfleet–Taree LALC and other local Aboriginal groups to ensure that the significance and integrity of their cultural heritage is being properly cared for.

As the LALC is obligated to protect Aboriginal culture and heritage within its area of responsibility (see Section 6.1.5), any future consultation regarding Precinct 3, or any other site within the Purfleet–Taree LALC boundaries, must

be undertaken with the Land Council's involvement. This does not preclude the involvement of other groups, but ensures the Land Council, as the legislatively obligated Aboriginal body in the area, is consulted at all times.

Additionally, this continued cooperative planning and consultation will, over time, assist in creating stronger and more beneficial links between the Purfleet-Taree LALC and other local Aboriginal Groups, Taree Council and those engaged in development in the area. Through gaining a mutual understanding and respect through continual and ongoing positive collaboration and consultation, these various, and at times opposed parties, can work towards results that benefit all parties both within Precinct 3 and in the Greater Taree area.

7.2.3 DECCW Best Practice Guidelines

DECCW guidelines should be used to ensure best practice procedures for archaeological sites are carried out in Precinct 3. These guidelines are:

- Aboriginal Cultural Heritage Standards & Guidelines Kit NSW; and
- Interim Community Consultation Requirements for Applicants, 2004.

Both documents, along with other resources can be downloaded from the DECCW website at

<http://www.environment.nsw.gov.au/chpublications/index.htm>

7.2.4 Training

Training of council staff and other relevant persons who will be involved in the site should be undertaken to raise awareness of the site's significance, its key features and the policies and practices for the site's management. This document can form the basis of any such training. It is important for both Council and the Local Aboriginal Land Council to come to an understanding of each other's procedures and practices so as to better facilitate ongoing cooperation. Additionally, Council staff involved in development should have at least a basic understanding of the Aboriginal history of their Council area.

Specific training for Precinct 3 and for the larger Saltwater to Mud Bishops complex, should be initiated for anyone involved in development within the area. This Cultural Heritage training should be geared to providing a general overview of the area, its importance to the local Aboriginal peoples and the types of sites that are known and may be encountered and how to identify them. This training should also include the Stop Work Policy (section 7.2.12),

the Cultural Heritage Management Flow Chart (section 7.5). Emergency contact numbers, for use in the event of a new item, object, site or place being discovered, should also be provided as part of training.

7.2.5 Managing Impact

The provisions of Part 6 of the *National Parks and Wildlife Act 1974* requires that any action that may disturb, excavate for research or remove an Aboriginal object or destroy, deface or damage an Aboriginal Place must have a permit issued by the Director-General, allowing such action to take place.

These permits are known as Aboriginal Heritage Impact Permits (AHIP) and must be applied for and granted, before any works that would affect known or potential Aboriginal sites in Precinct 3 are undertaken.

AHIP's can be applied for under two separate sections of the NP&W Act, Section 86 and Section 90 as shown below:

- **Section 86:**
 - AHIP for the purpose of disturbing or excavating land for the purpose of discovering an Aboriginal object (**Section 86(a)**);
 - AHIP for the purpose of disturbing or moving an Aboriginal object (**Section 86(b)**);
- **Section 90:**
 - AHIP for the purpose of destroying, defacing or damaging an Aboriginal object (**Section 90**);
 - AHIP for the purpose of destroying, defacing or damaging an Aboriginal Place (**Section 90**); and
- **Combined AHIP** for the purpose of disturb or move an Aboriginal object and to damage, deface or destroy an Aboriginal object or Aboriginal place (**Sections 86 and 90**).

The application form for an AHIP is available from DECCW at <http://www.environment.nsw.gov.au/conservation/aboriginalculture.htm#whattodo> and is also included in Appendix C.

When submitting an AHIP application, the following material must accompany the application:⁶⁸

⁶⁸ DECCW. 2009. *Supporting Information Requirements for AHIP Applications*.

One paper copy and one electronic copy of Objects 1 to 6 are required:

1. Aboriginal Heritage Information Management System (AHIMS) site numbers or, for new sites, the correctly filled out AHIMS site cards with a unique site identifier.

This report will contain the AHIMS site results as well as correctly filled out site cards as part of Appendix B.

2. Documentation demonstrating Aboriginal community consultation (as required by the Interim Community Consultation Guidelines for Applicants), specifically:
 - a. A consultation log, detailing the consultation undertaken
 - b. Evidence that the applicant has written to DECC and other parties to obtain information on known Aboriginal groups to be consulted (copies of letters will be sufficient)
 - c. Evidence of advertisement or other public media seeking community input
 - d. The outcome of the consultation, including the views of the Aboriginal community on the methodology and impact of the proposed activities, how these views have been addressed, and any mitigation and conservation measures that have been negotiated.

This report will contain a detailed consultation log as part of Appendix A.

3. Maps:
 - a. A topographic map (e.g. 1:25,000) clearly showing the location of the subject lands, development boundary, impact area and sites or Potential Archaeological Deposits (PADs) for which a permit is sought (aerial photographs, detailed site maps, title plans etc. may also be provided). The map should include clear cadastre information including a lot and DP number (as identified in the application), and the local government area, parish and zone (as applicable) as well as
 - b. A map of the location of the land to be subject of the application which clearly defines the boundaries and proposed geographic extent of the application.

Maps within and data accompanying this report will be of assistance in compiling the maps required for an AHIP application.

4. Description of research activities to be undertaken for section 87 applications, if applicable.
5. Any development consent, Environmental Impact Assessment and/or Review of Environmental Factors, if applicable.
6. Information about what the applicant intends to do with collected objects, for example, if objects will be transferred to the Australian Museum, or whether a care and control agreement will be sought.
7. Three paper copies, plus one electronic copy of an Aboriginal Cultural Heritage Impact Assessment Report. Any archaeological surveying, site recording and research methodology that is included in the Assessment Report must be consistent with the requirements in the Standards and Guidelines Kit. The Aboriginal Cultural Heritage Impact Assessment Report must contain, but is not limited to:
 - a. A description of the Aboriginal objects and sites on the land to which this application applies
 - b. A description of the real or potential impacts to the Aboriginal objects, landscape features and/or Aboriginal place, as well as a description of the significance of those objects, features or place to the Aboriginal community
 - c. A description of the research methodology for the excavation or salvage of Aboriginal objects, if applicable
 - d. Alternatives to impact that have been considered
 - e. Measures that are to be employed to manage (mitigate/minimise) impacts.

This report will be a sufficient accompaniment to the AHIP application.

Additionally, the DECCW publication *Guide to determining and issuing Aboriginal heritage impact permits* should be used when compiling an AHIP to ensure that the application will provide the required information in the correct format for the application to be properly assessed. This guide can be downloaded from:

<http://www.environment.nsw.gov.au/chpublications/index.htm>

7.2.6 Moveable Heritage and Care Agreements

Should objects of Aboriginal heritage significance need to be recovered and removed from Precinct 3, in addition to the AHIP, a Care Agreement will need to be established.

A Care Agreement is a contract between Purfleet–Taree LALC or another Aboriginal Group who will care for the objects and DECCW. The form is included in Appendix C and should also outline a curatorial policy as discussed in Section 8.2.5.

7.2.7 Curatorial Policy

If any work results in the collection of artefacts, a brief Curatorial Policy will need to be established to appropriately manage, care for, store and catalogue the artefacts and be supplied as part of the Care Agreement.

7.2.8 Managing Disturbance

Disturbance of archaeological feature should, first and foremost, seek to avoid the resource. Should it be necessary to disturb a site due to severe site constraints or the need for important infrastructure works such as flood mitigation etc., the following policies need to be followed.

Avoid Disturbance

Future works should be designed to avoid disturbing any archaeological features and potential archaeological resources. Future development should consider the potential archaeological resource early in the design process and divert works away from the resource.

This means that, in accordance with the issues discussed in section 5.10, it is considered Best Practice to avoid known sites altogether. The possible re-design of the zoning boundaries to avoid the sites OBP3AH-05, -11 & -12 and UR2003-04 should be considered as an alternative to proceeding with the current zoning plan.

This would necessitate some short term cost to development of the site and potentially require Council to allow otherwise prohibited development in other areas of Precinct 3 utilising the provisions of the Heritage Incentive of the LEP.

Any re-zoning to avoid disturbance would alleviate the need for future archaeological work on these sites which can be time consuming and

expensive. Extensive archaeological works, which would be required for the three areas identified, would run to in excess of \$3–4,000 per day at a minimum.

As such, avoidance of disturbance provides Best Practice principles to development as well as assisting in minimising costs and time delays for future works.

Assess Disturbance

If an archaeological feature or area of archaeological potential is likely to be unavoidably disturbed, DECCW should be notified and an AHIP sought and approved before any works commence.

Monitor Disturbance

If it is possible that the archaeological resource may be unavoidably disturbed, relevant works should be monitored by an appropriately qualified and experienced archaeological professional in conjunction with members of the Local Aboriginal Land Council, to ensure that any disturbance is appropriately managed and recorded.

Record and Research

If the archaeological resource must be disturbed, monitoring and/or salvage excavation to fully record the resource should be undertaken, dependent on the requirements of the AHIP application response, before the archaeological resource is removed by an appropriately qualified and experienced archaeological professional in conjunction with the Local Aboriginal Land Council. If possible, any archaeological excavation should be carried out as part of an ongoing process of research for the site.

Research Design

The research design for any archaeological work on the site should incorporate research questions which have been specifically designed for the subject site to ensure that any information acquired from the site can contribute useful research information.

7.2.9 Research Questions

Several research questions for Precinct 3 have been identified in the course of this assessment, but should not be considered an exhaustive list. Consultation with the Purfleet–Taree LALC and other Aboriginal groups,

other archaeologists and DECCW should be considered when developing further research questions

Some examples of further research questions are:

- How does Precinct 3 demonstrate the use of a specific resource zone within the larger Saltwater/Mud Bishop's Complex?;
- Do the types of stone used in the artefacts of Precinct 3 support the oral history of Saltwater as the primary source of materials, or was there a wider area of stone sourcing?;
- Can Precinct 3 demonstrate alone and as part of the larger Saltwater/Mud Bishop's complex the interrelation of these areas through the archaeological record?

7.2.10 Future Development

Once development planning for Precinct 3 begins and detailed plans are produced, the following policies need to be consulted during this process.

Sympathetic Design

Designs for any future development should be sympathetic to the potential archaeological resources. Designs should avoid disturbing the archaeological resource or attempt to minimise any disturbance to it.

Areas for Development

Any future development should be aware of the potential to affect the archaeological landscape and should avoid adversely affecting these resources.

Future development should be restricted, where feasible, to areas of low archaeological sensitivity, low archaeological significance and high disturbance.

If development is to occur in areas of higher significance or lower disturbance, appropriate mitigative measures should be put in place, such as recording and interpretation. See Section 8.3 for Zone specific Policies.

7.2.11 Interpretation

Interpretation of the heritage significance of Precinct 3 should be undertaken as part of a larger interpretation plan for the Old Bar to Saltwater/Mud Bishop's area and the Greater Taree Local Government Area in general.

Council envisions these areas to eventually be interconnected through a proposed cycle and pedestrian path, which would be eminently suited to providing the basis for cultural heritage interpretation walk. This interpretation must be undertaken with the full input and participation of the Local Aboriginal Groups.

7.2.12 Unexpected Discovery of an Archaeological Feature

Heritage and archaeological assessments may fail to identify a heritage issue and this normally relates to potential (buried) archaeological resources or those that could not be located due to site or survey constraints. Note that any works which may reveal or disturb archaeological resources require an AHIP from DECCW.

If archaeological resources and / or relics are discovered during works, the following procedure should be followed:

STOP WORK	Immediately.
CONTACT	A qualified archaeologist as soon as possible.
NOTIFY	The archaeologist should notify the Council's Heritage Officer, the LALC and DECCW.
ASSESS	The archaeologist in conjunction with the LALC should assess the significance of the resource and recommend a course of action eg: <ul style="list-style-type: none"> • Protect and avoid; or • Investigate, record and remove; or • Excavate, record and preserve.
APPLY	To DECCW for an AHIP if necessary.
RECOMMENCE	When DECCW has approved a course of action.

Should the work being undertaken be of a large nature, it is possible in some instances to isolate the site and continue working without further disturbing the site. See the Type Policies (Section 8.4) for details regarding what courses of action should be followed in each particular case.

7.2.13 Recognition of the Larger Archaeological Landscape

Greater Taree City Council, in conjunction with the Purfleet-Taree LALC, should undertake to recognise the high degree of Aboriginal cultural heritage significance of the larger archaeological landscape of the Saltwater/Mud Bishop's site complex that includes known and potential sites and the network of ridgelines that connect the various sites' together.

Development in this area should assess its impact upon not only the immediate area of the development, but also the impact upon the significance of the larger network of sites in the broader archaeological landscape.

7.3 Zone and Site Specific Management Policies

These management Policies are designed to assist in the detailed planning for each particular land use zone that has been proposed for Precinct 3. These Policies should be used in conjunction with the General Policies and also take into account the potential archaeology as defined in the Figure 8.1.

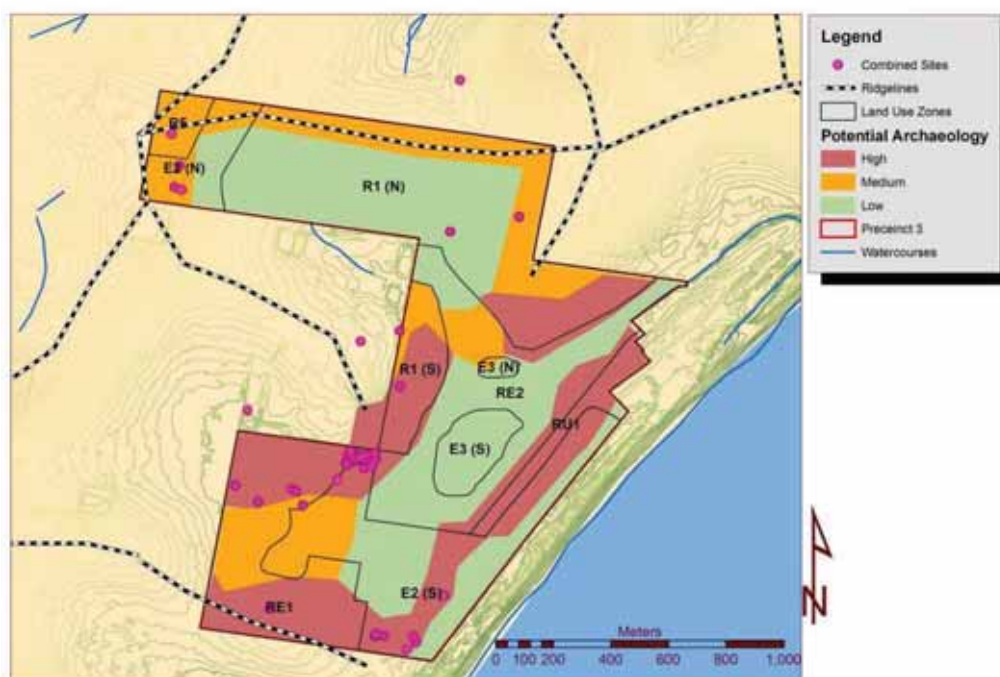


Figure 7.1: Map of proposed land use zones, archaeological potential and known sites (Ainsworth Heritage).

7.3.1 Potential Archaeology Policies

The following policies for areas of potential archaeology are required to be adhered to during development of the site

For works in areas of **high archaeological potential**:

- An AHIP should be sought from DECCW for any works in area of high potential. The type of AHIP required will depend on the works to be undertaken
 - **Section 86:**
 - AHIP for the purpose of disturbing or excavating land for the purpose of discovering an Aboriginal object (**Section 86(a)**);
 - AHIP for the purpose of disturbing or moving an Aboriginal object (**Section 86(b)**);
 - **Section 90:**
 - AHIP for the purpose of destroying, defacing or damaging an Aboriginal object (**Section 90**);
 - AHIP for the purpose of destroying, defacing or damaging an Aboriginal Place (**Section 90**); and
 - **Combined AHIP** for the purpose of disturb or move an Aboriginal object and to damage, deface or destroy an Aboriginal object or Aboriginal place (**Sections 86 and 90**).
- Vegetation should be cleared without disturbing the soil or burnt off prior to any pre-works survey;
- A surface survey should be undertaken to locate materials;
- Sub-surface archaeological investigations should be carried out in areas where it is believed large concentrations of material may be present or where surface surveys have located large or unusual concentrations of artefacts before construction works begins;
- LALC and other interested Aboriginal group monitoring of sub-surface works where no archaeological excavation has taken place will be required until the LALC/other Aboriginal groups are satisfied that the site is culturally sterile;
- Management of the sites in question must be undertaken with the consent of DECCW and the LALC and other interested Aboriginal Groups; and
- Objects must only be removed with the appropriate consent of DECCW and the LALC/other Aboriginal groups and with a Care Agreement in place.

For works in areas of **medium archaeological potential**:

- An AHIP should be sought from DECCW for any works in area of medium potential that have the potential to impact on a known site or

for when ground disturbing activities will be undertaken. The type of AHIP required will depend on the works to be undertaken

- **Section 86:**
 - AHIP for the purpose of disturbing or excavating land for the purpose of discovering an Aboriginal object (**Section 86(a)**);
 - AHIP for the purpose of disturbing or moving an Aboriginal object (**Section 86(b)**);
- **Section 90:**
 - AHIP for the purpose of destroying, defacing or damaging an Aboriginal object (**Section 90**);
 - AHIP for the purpose of destroying, defacing or damaging an Aboriginal Place (**Section 90**); and
- **Combined AHIP** for the purpose of disturb or move an Aboriginal object and to damage, deface or destroy an Aboriginal object or Aboriginal place (**Sections 86 and 90**).
- Should non-ground disturbing work be undertaken that may allow a more detailed examination of ground surface to be undertaken:
 - Vegetation should be cleared without disturbing the soil or burnt off prior to any pre-works survey
 - A surface survey should be undertaken to locate materials;
 - Should sites be located the following should be undertaken
 - An AHIP should be sought from DECCW;
 - Sub-surface archaeological investigations should be carried out in areas where it is believed large concentrations of material may be present or where surface surveys have located large or unusual concentrations of artefacts before construction works begin;
 - Management of the sites in question must be undertaken with the consent of DECCW, the LALC and other interested Aboriginal Groups;
 - Land Council/other Aboriginal groups monitoring of sub-surface works where no archaeological excavation have taken place will be required until the LALC/other Aboriginal groups are satisfied that the site is culturally sterile; and
 - Objects must only be removed with the appropriate consent of DECCW and the LALC and other interested Aboriginal Groups and with a Care Agreement in place.

- If no sites are located work can proceed as long as the Stop Work Policy has been communicated to those undertaking works on the site.

For works in areas of **low archaeological potential**:

- An AHIP should be sought from DECCW for any works in area of medium potential that have the potential to impact on a known site or for when ground disturbing activities will be undertaken. The type of AHIP required will depend on the works to be undertaken
 - **Section 86:**
 - AHIP for the purpose of disturbing or excavating land for the purpose of discovering an Aboriginal object (**Section 86(a)**);
 - AHIP for the purpose of disturbing or moving an Aboriginal object (**Section 86(b)**);
 - **Section 90:**
 - AHIP for the purpose of destroying, defacing or damaging an Aboriginal object (**Section 90**);
 - AHIP for the purpose of destroying, defacing or damaging an Aboriginal Place (**Section 90**); and
 - **Combined AHIP** for the purpose of disturb or move an Aboriginal object and to damage, deface or destroy an Aboriginal object or Aboriginal place (**Sections 86 and 90**).
- Should non-ground disturbing work be undertaken that may allow a more detailed examination of ground surface to be undertaken:
 - Vegetation should be cleared without disturbing the soil or burnt off prior to any pre-works survey
 - A surface survey should be undertaken to locate materials;
 - Should sites be located the following should be undertaken
 - An AHIP should be sought from DECCW;
 - Sub-surface archaeological investigations should be carried out in areas where it is believed large concentrations of material may be present or where surface surveys have located large or unusual concentrations of artefacts before construction works begin;
 - Management of the sites in question must be undertaken with the consent of DECCW, the LALC and other Aboriginal Groups;
 - Land Council and other interested Aboriginal Groups monitoring of sub-surface works where no

archaeological excavation have taken place will be required until the LALC/other Aboriginal Groups are satisfied that the site is culturally sterile; and

- Objects must only be removed with the appropriate consent of DECCW, the LALC and other interested Aboriginal Groups and with a Care Agreement in place.
- If no sites are located work can proceed as long as the Stop Work Policy has been communicated to those undertaking works on the site.

7.3.2 E2(S) Zone

This land is proposed to be zoned as Environmental Conservation (E2) under the LEP. The zone contains three artefact concentrations and potentially a cache of artefacts that were not located during the assessment. The zone has two areas of high archaeological potential as well as one of medium and one of low potential.

The potential archaeology of this zone consists of further concentration of artefacts and isolated finds along the five meter contour line, especially where this meets ridgeline spurs. Additionally, the western dune areas adjacent to RU1 have the potential for the same finds in addition to middens and burials. The highly disturbed eastern edge and central areas have a low potential for archaeology.

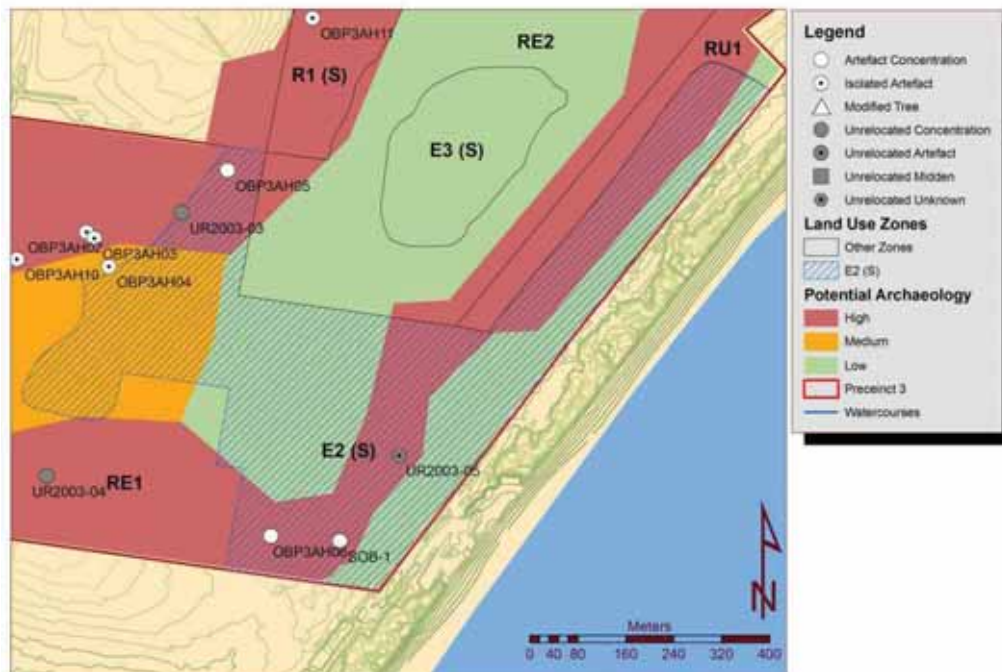


Figure 7.2: Zone E2(S) (Ainsworth Heritage).

No development should be undertaken with the potential to impact a known site unless otherwise noted within the specific recommendations for that site;

- The Stop Work Policy (8.2.10) should be issued to all proponents of Development Applications;
- The Potential Archaeology Policies need to be followed during development;
- Any development in the zone should ensure that any potential impact upon a site is mitigated during works;
- Any works with the potential to impact a known site should be inspected during and following construction by a representative of the LALC and other interested aboriginal groups; and
- The site should be inspected on a regular basis to ensure its continued integrity.

SITE – OBP3AH05

This site is known to cover the extent of the northern retention pond and its banks, but is highly likely to extend beyond these limits, especially

northwards, where additional materials were viewed in 2003.⁶⁹ The site is likely the heavily disturbed remains of the sites identified in 2003 and 2007 being related to a series of earth mounds and their underlying materials.

Although the potential northern extension of this site is not within Precinct 3, it is incumbent upon Council to recognise the high potential of this area and that any development in this area be properly managed and monitored.

Following discussions with Purfleet-Taree LALC and Doo-wa-kee, it was decided, as many of the artefacts are located on the base of the retention pond, and likely no longer in situ, it is recommended that an AHIP is applied for allowing the removal of these artefacts and the additional sifting of the retention pond wall material before replacing it to recover any artefacts from the soil. A Care Agreement would also need to be undertaken to properly store and maintain the artefacts. Council will likely need to be involved in this process.

Any removal of the material should be undertaken in a systematic way that first maps surface objects before their collection before the sifting of the other material begins, where again locations and artefact typology should be accurately recorded. The objects collected and should be tagged on site to ensure that their provenance can be established once removed,

Furthermore, any development activity that has the potential to impact on potential archaeology associated with this site must assume that there will be additional materials present as the site lies on the edge of a spur that is within 100 metres of the hypothetical lagoon/swamp shore. This site has been recorded as a Potential Archaeological Deposit.

SITE – OBP3AH06

This smaller concentration of artefacts on the southern extension of the 5 metre contour should have no development undertaken that would have the potential to impact upon the site, unless the Taree-Purfleet LALC and other local Aboriginal groups are satisfied that the development will not impact upon the site. This site has the potential to cover a larger area, both to the east towards site SOB-1 and west along the ridge spur – shoreline area

⁶⁹ Leon, M and Maslin, V. 2003. *Aboriginal Sites Investigation Old Bar Precinct 3A*. Purfleet-Taree Local Aboriginal Land Council. p.20.

towards site UR2003-04. This site has also been recorded as a Potential Archaeological Deposit.

SITE – SOB-1

SOB-1 is a small collection of artefacts located along the edge track running along the east of Precent 3. The artefacts here have survived in their location since at least 1997, and should be left in situ, unless the LALC otherwise advises.

However, should any work be undertaken to the track or fencing, should heavy vehicles be required to use the track or development activities have the potential to impact the site, the LALC and other interested local groups should be advised and their views sought regarding the protection of the site.

SITE – UR2003-03

The possible location of a cache of at least 20 artefacts, the relocation of this site should be part of any AHIP application for the recovery of the materials from Site OBP3AH05. Once located, as the objects are no longer in situ, the LALC and other local groups should be given the option of recording a removing these objects as part of the AHIP or of retaining them in the current location.

SITE – UR2003-06

This site, of unknown type, was not re-identified, but may be a second reporting of SOB-1 using a different geodetic datum that would have caused its apparent position to vary greatly. However, should any work be undertaken with the potential to impact the site the LALC and other interested local groups should be advised and their views sought regarding the relocation and protection of the site.

7.3.3 RE1 Zone

This land is proposed to be zoned as Public Recreation (RE1) under the LEP. The zone contains five isolated artefacts and a concentration of artefacts that were not located during the assessment. The zone has two areas of high archaeological potential as well as one of medium potential.

The potential archaeology of this zone consists of further concentration of artefacts and isolated finds along the five meter contour line, especially where this meets ridgeline spurs.

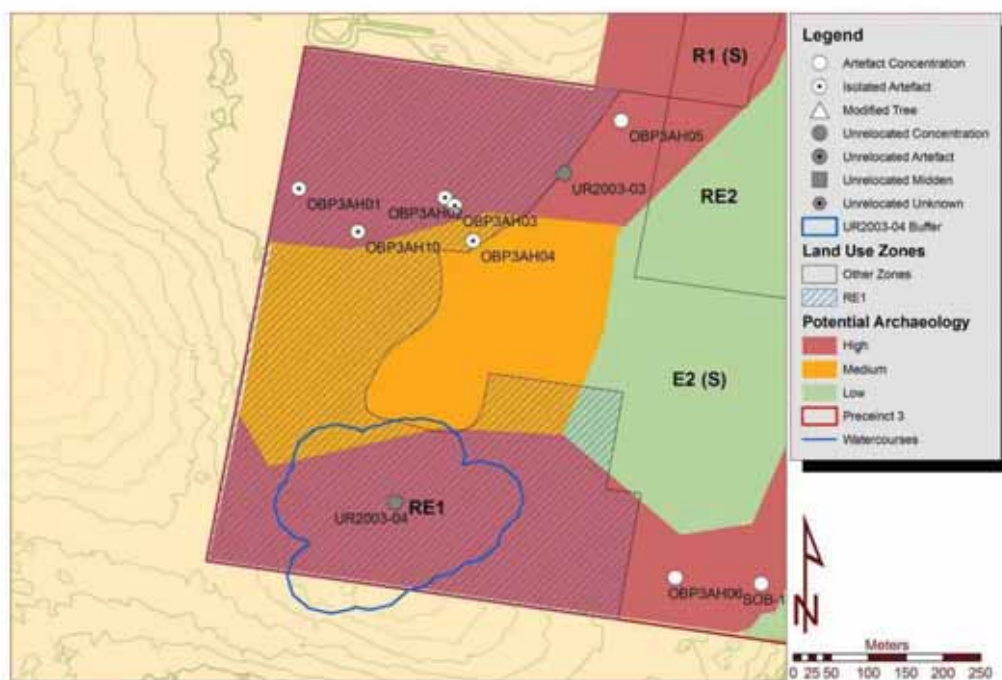


Figure 7.3: Zone RE1. Note the extended buffer for UR2003-04 (Ainsworth Heritage).

No development should be undertaken with the potential to impact a known site unless otherwise noted within the specific recommendations for that site::

- The Stop Work Policy (8.2.10) should be issued to all proponents of Development Applications;
- The Potential Archaeology Policies need to be followed during development;
- Any development in the area should ensure that any sites buffer area is maintained during works;

- Any works with the potential to impact a known site should be inspected during and following construction by a representative of the LALC and other interested local Aboriginal groups; and
- The site should be inspected on a regular basis to ensure its continued integrity.

SITES – OBP3AH01, 2, 3, 4 and 10

These isolated artefacts are located on the highly disturbed ground between the sports field and southern retention pond. The LALC and other local Aboriginal groups should be given the option of recording a removing these objects as part of the AHIP for site OBP3AH01 or of retaining them in the current location. Additional materials will also likely be found in this area within the now disturbed topsoil. Additionally, should any work be undertaken with the potential to impact these sites, the LALC other local Aboriginal groups should be advised and their views sought regarding the relocation or protection of these sites.

SITE – UR2003-04

This group of artefacts was unable to be relocated and the area defined by their current buffer of 50 metres is shown in Figure 7.3. Any work near these objects will need to re-identify and accurately record them. Once relocated, the advice of the Purfleet-Taree LALC other local Aboriginal groups should be sought regarding the protection of this site.

7.3.4 R1(S) Zone

This land is proposed to be zoned as General Residential (R1) under the LEP. The zone contains two isolated artefacts. The zone has one area of high archaeological potential and one of medium potential.

The potential archaeology of this zone consists of further concentration of artefacts and isolated finds along the five meter contour line, especially where this meets ridgeline spurs. Additionally, the eastern and southern areas of this zone have the potential to be part of an extension of material from site OBP3AH05.

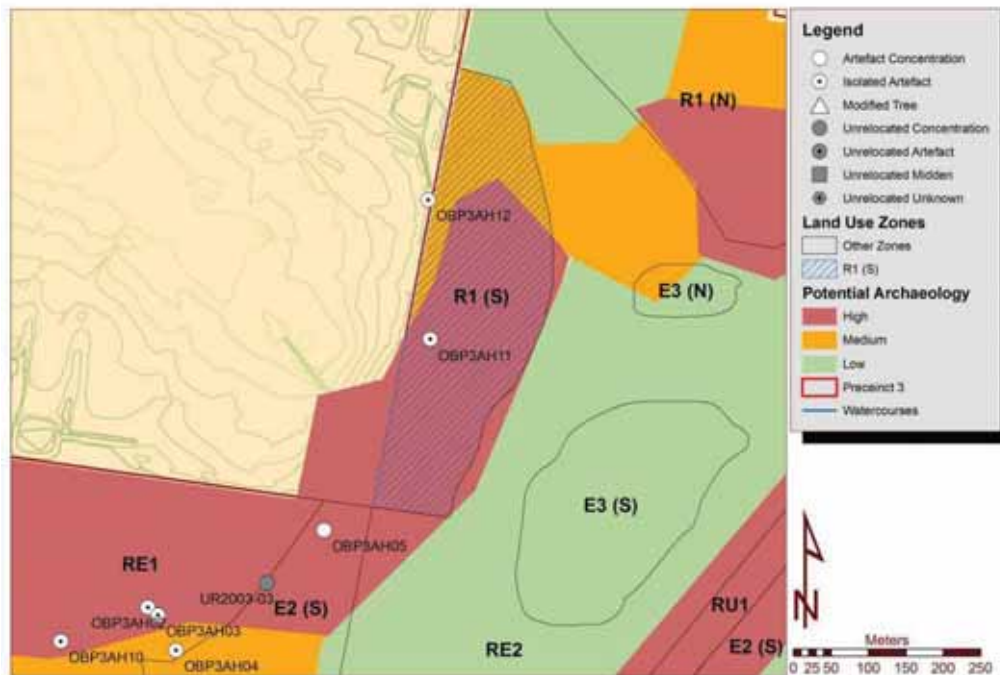


Figure 7.4: Zone R1(S) (Ainsworth Heritage).

No development should be undertaken with the potential to impact a known site unless otherwise noted within the specific recommendations for that site:

- The Stop Work Policy (8.2.10) should be issued to all proponents of Development Applications;
- The Potential Archaeology Policies need to be followed during development;
- Any development in the area should ensure that a site's buffer area is maintained during works;
- Any works with the potential to impact a known site should be inspected during and following construction by a representative of the LALC other local Aboriginal groups; and
- The site should be inspected on a regular basis to ensure its continued integrity.

SITES – OBP3AH-11 and 12

These isolated artefacts are located on the ridge spur that runs away to the west, above the five meter contour. These objects should be left in situ until such time as development is undertaken where a more thorough survey of this area will be required once the ground cover has been removed. Additionally,

should any work be undertaken with the potential to impact these sites, the LALC other local Aboriginal groups should be advised and their views sought regarding the relocation or protection of these sites.

7.3.5 RE2, E3(S) and E3(N) Zones

This land is proposed to be zoned as Environmental Management (E3) and Private Recreation (RE2) under the LEP. These zones contain no identified archaeology. The zones are largely of low archaeological potential with medium and high potential only existing on the outer margins of RE2 and E3(N). The potential archaeology of this zone consists of further concentration of artefacts and isolated finds along the five meter contour line.

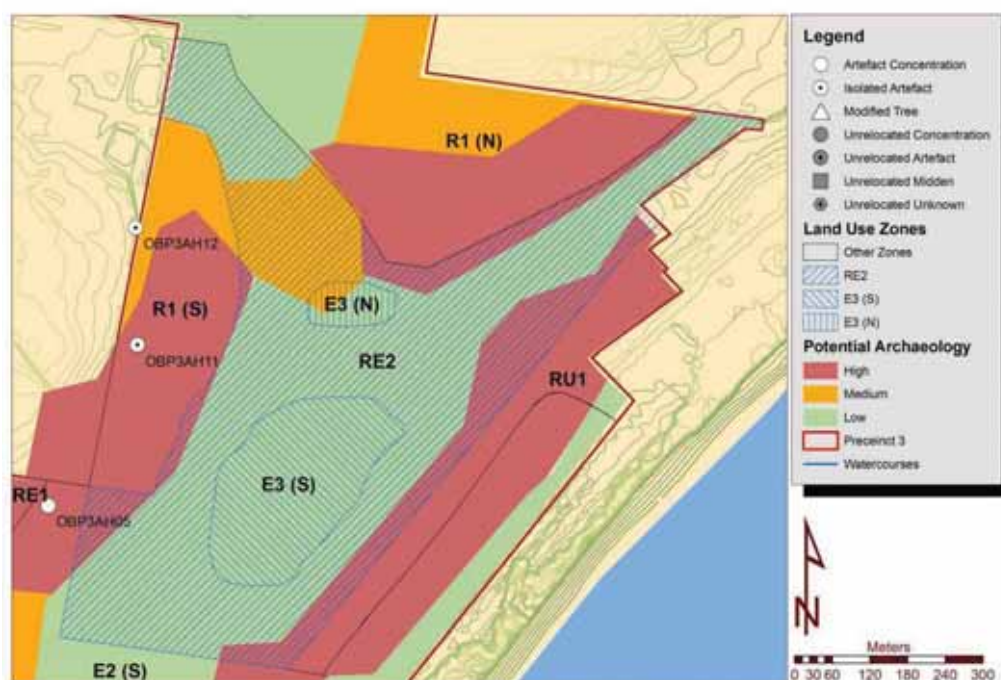


Figure 7.5: Zones RE2, E3(N) and E3(S) (Ainsworth Heritage).

- The Stop Work Policy (8.2.10) should be issued to all proponents of Development Applications; and
- The Potential Archaeology Policies need to be followed during development.

7.3.6 RU1 Zone

This land is proposed to be zoned as Primary Production (RU1) under the LEP. This zone contains no identified archaeology. The zone is primarily of high archaeological potential along its western side, with a strip of low potential along the more disturbed ground to the west.

The potential archaeology of this zone consists of further concentration of artefacts and isolated finds along the five meter contour line and between this line and the dunes. Finds containing middens are also of likely as shown by sites north and south of Old Bar at Farquar Park and Diamond Beach. There is also a lesser potential for burial materials to be encountered.

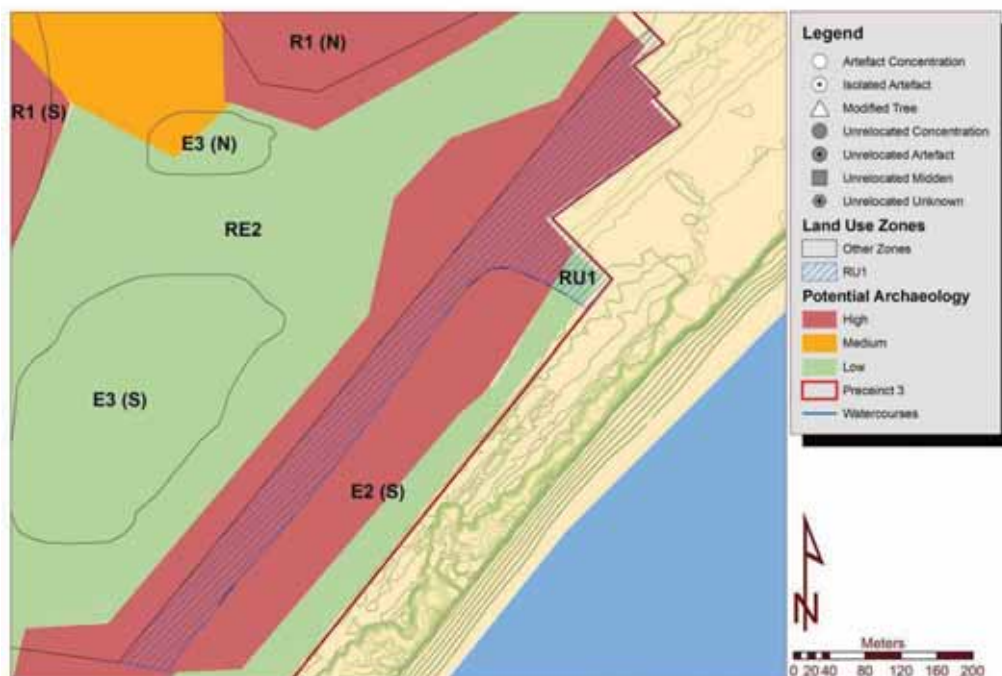


Figure 7.6: Zone RU1 (Ainsworth Heritage).

- The Stop Work Policy (8.2.10) should be issued to all proponents of Development Applications;
- The Potential Archaeology Policies need to be followed during development.

7.3.7 R1(N) Zone

This land is proposed to be zoned as General Residential (R1) under the LEP. The zone contains two isolated artefacts and a midden that was not re-

identified during the assessment. The zone has an area of high potential where the ridge spur meets the 5 metre contour, areas of medium potential close to the ridge tops, especially towards the ridge high point and an area of low potential along the southern area of the zone bordering Forest Lane.

The potential archaeology within this zone consists of further concentrations of artefacts and isolated finds along the five meter contour line, especially where this meets ridgeline spurs and along the ridge tops themselves. The potential for marked trees exists, although none were identified during the assessment.

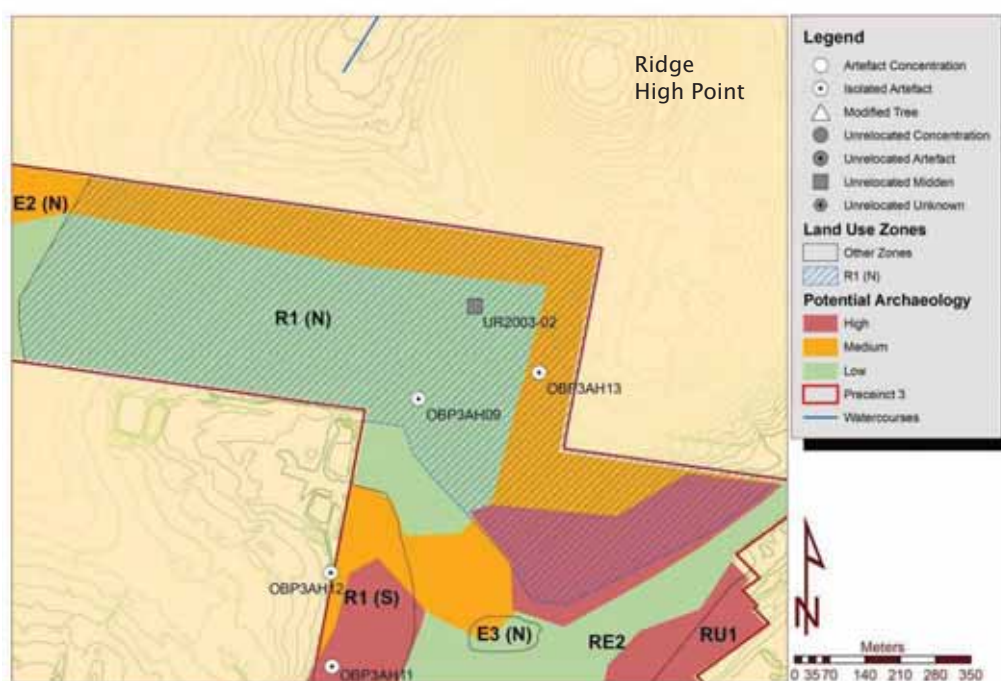


Figure 7.7: Zone R1(N) (Ainsworth Heritage).

No development should be undertaken with the potential to impact a known site unless otherwise noted within the specific recommendations for that site:

- The Stop Work Policy (8.2.10) should be issued to all proponents of Development Applications;
- The Potential Archaeology Policies need to be followed during development;
- Any development in the area should ensure that a site's buffer area is maintained during works;

- Any works with the potential to impact a known site should be inspected during and following construction by a representative of the LALC other local Aboriginal groups; and
- The site should be inspected on a regular basis to ensure its continued integrity.

SITES – OBP3AH-09 and 13

These isolated artefacts are located on the ridge spur that runs away to the west, above the five meter contour. These objects should be left in situ until such time as development is undertaken where a more thorough survey of this area will be required once the ground cover has been removed. Additionally, should any work be undertaken with the potential to impact these sites, the LALC other local Aboriginal groups should be advised and their views sought regarding the relocation or protection of these sites.

SITES – UR2003-02

This midden is a potential source of significant archaeological information as it represents the transport of food resources some distance from their point of collection and could have additional stone artefacts located with it. This site will need to be re-identified as part of any work undertaken with the potential to impact the site.

7.3.8 E2(N) and R5 Zones

This land is proposed to be zoned as Environmental Conservation (E2) and Large Lot Residential (R5) under the LEP. These zones contain two scarred trees and a single, previously recorded, isolated artefact that was not re-identified during the assessment. R5 is of moderate archaeological potential, with E2(N) having moderate potential in the north and west and low lying areas in the south east.

The potential archaeology of this zone consists of further concentrations of artefacts and isolated finds and some potential for additional scarred trees along the ridge line.

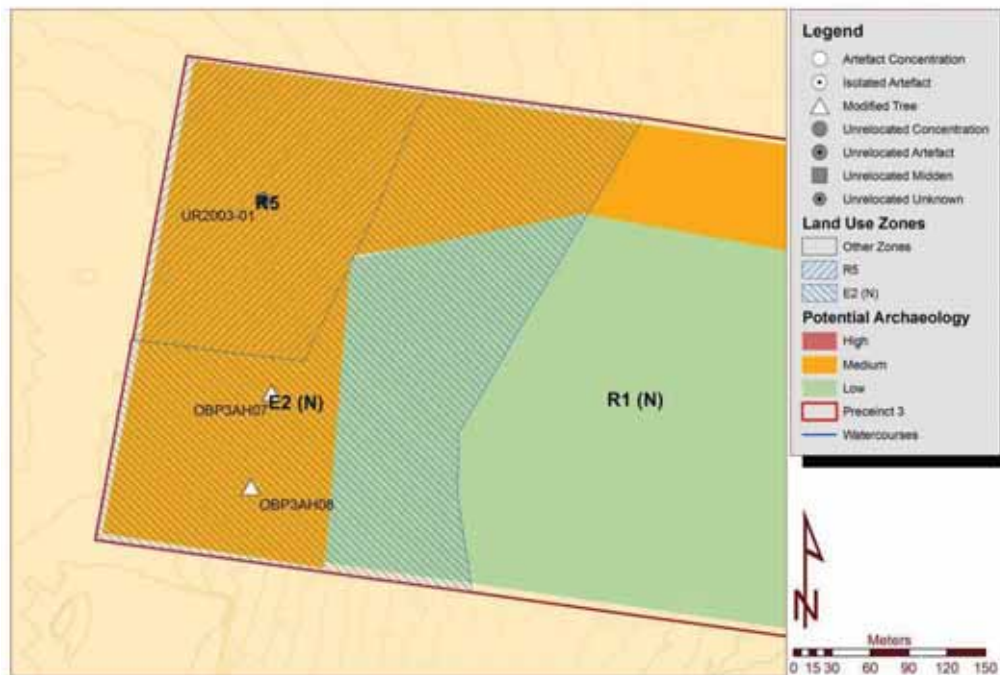


Figure 7.8: Zones E2(N) and R5 (Ainsworth Heritage).

No development should be undertaken with the potential to impact a known site unless otherwise noted within the specific recommendations for that site:

- The Stop Work Policy (8.2.10) should be issued to all proponents of Development Applications;
- The Potential Archaeology Policies need to be followed during development;
- Any development in the area should ensure that a site's buffer area is maintained during works;
- Any works with the potential to impact a known site should be inspected during and following construction by a representative of the LALC other local Aboriginal groups; and
- The site should be inspected on a regular basis to ensure its continued integrity.

SITE – OBP3AH-07

This scarred tree is in good condition and appears healthy. No development should be undertaken with the potential to impact the tree and any development with the potential to impact the tree should be monitored, with the tree being roped off to prevent accidental damage.

SITE – OBP3AH-08

This scarred tree has fallen to the west from age or storm damage. The Purfleet-Taree LALC other local Aboriginal groups should be given the opportunity, if they so desire, to remove the scarred section of the tree for preservation. An AHIP and Care Agreement would need to be undertaken for this course of action. If the scar is not removed, it should be monitored on an annual basis to ensure its ongoing integrity. No development should be undertaken with the potential to impact the tree and any development with the potential to impact the tree should be monitored, with the tree being roped off to prevent accidental damage.

SITE – UR2003-01

This isolated artefact was not re-identified and any work with the potential to impact it should be undertaken assuming a site to be present and the standard precaution outlined in the potential archaeology policies followed.

7.4 Type Specific Management Policies

The main types of sites identified during research and field work were isolated artefacts, artefact concentrations and scarred trees. Should additional sites be discovered during the course of works, the following general guidelines should be followed to ensure the sites integrity until a qualified archaeologist can assess the site.

7.4.1 Scarred Tree

Should any additional or potential scarred or marked trees be located, the Purfleet-Taree LALC and other local Aboriginal groups should be notified. The site should be recorded and no development should be undertaken with the potential to impact the tree and any development with the potential to impact the tree should be monitored, with the tree being roped off to prevent accidental damage.

7.4.2 Shell Midden

Shell middens have been identified in and near to the site on landforms north and south of Old Bar indicating that other could be present.

“A midden is a 'rubbish dump', made up of the remains of edible shellfish and is among the most visible and common type of archaeological site in NSW. A midden may also contain fish and animal bones, stone tools, and charcoal from campfires. Middens range from thin scatters of shell to deep, layered deposits which have built up over time. Riverbank middens tend to be smaller than estuarine and coastal middens. Such small sites may show short-term occupation. They can even be the debris from a single meal.

Few middens are comprised of only one species of shellfish, although many sites south of Newcastle contain species from just one habitat: rock platforms. Common species in rock platform middens include limpets, turban shells, periwinkles, nerites, tritons, and cartrut shellfish. Some of these species are also found in estuaries. Middens containing only estuarine species are uncommon. The major estuarine species found in middens are bivalves, including cockles, whelks, mud oysters, rock oysters, and both edible and hairy mussels.

How about beach shellfish species? You won't find any middens south of Newcastle containing only these species. But in the area north of Newcastle

the pipi, a beach species, was important to the Aboriginal economy. Middens made entirely of pipis have been found in this area.”⁷⁰

Should a midden, or a potential midden, be identified the Purfleet–Taree LALC other local Aboriginal groups should be advised and the standard Stop Work Policy followed. Additionally, any work with the potential to impact the site should also stop until the site can be properly investigated and the standard Stop Work Policy followed.

7.4.3 Artefact Concentration, Isolated Artefacts and Open Campsites

These sites represent places of aboriginal occupation and are sometimes found in conjunction with middens. *“These sites are mostly surface scatters of stone, sometimes near fireplaces. Recent studies have shown them to have significant scientific and cultural value.”⁷¹* These sites can also indicate where further sub-surface archaeological materials may be encountered,

Should a concentration of artefacts be identified the Purfleet–Taree LALC other local Aboriginal groups should be advised and the standard Stop Work Policy followed. Additionally, any work with the potential to impact the site should also stop until the site can be properly investigated and the standard Stop Work Policy followed.

Should an isolated artefact be identified the Purfleet–Taree LALC and other local Aboriginal groups should be advised and the standard Stop Work Policy followed. Additionally, any work with the potential to impact the site should also stop until the site can be properly investigated and the standard Stop Work Policy followed.

7.4.4 Burials

There were two recorded burials within the AHIMS search area that was undertaken for the area surrounding Precinct 3, indicating the potential for burials to be located within Precinct 3. Should any human remains, or any unidentifiable bone material be encountered during any works in Precinct 3, **all work must stop immediately** and the site should be protected from additional disturbance. The NSW Police should be contacted and the Police will then work with DECCW to determine whether or not the remains are of Aboriginal origin. Further works on site will need to be undertaken in

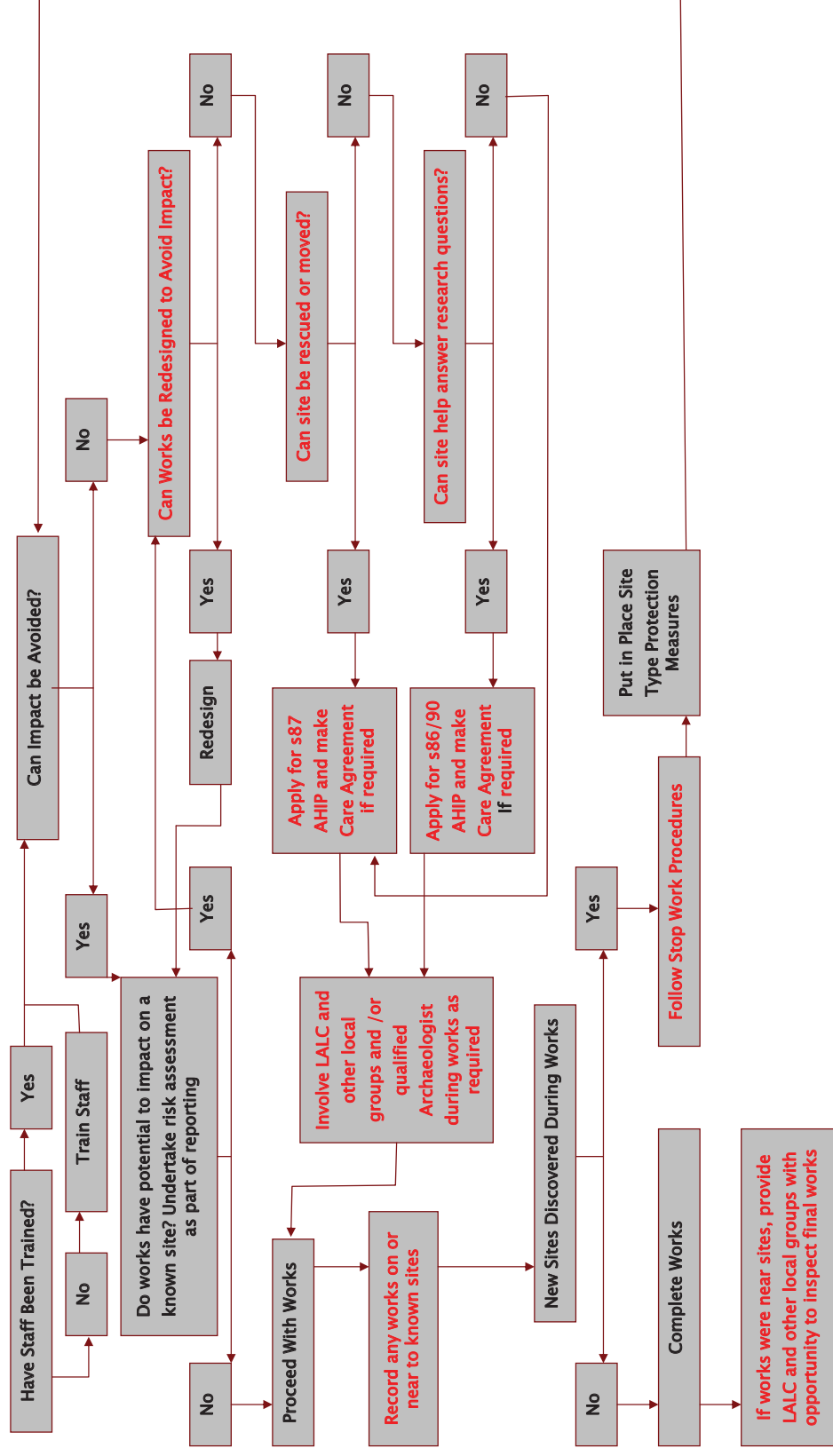
⁷⁰ <http://www.environment.nsw.gov.au/nswcultureheritage/occupation.htm>

⁷¹ *Ibid.*

accordance with Police and/or DECCW guidance and, in the case that the remains are aboriginal, the Purfleet-Taree LALC and other local Aboriginal groups.

7.5 Cultural Heritage Management Flow Chart

This flow chart is designed to assist those undertaking works within Precinct 3 in managing impact upon cultural heritage significance. Text in **RED** denotes the need for specialist advice.



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Personal Comments from:

Glen Rennie;

Warner Saunders;

Barry Bungie;

Mick Leon; and

Kieran Metcalf.

APPENDICES

Appendix A – Consultation

Group	Individual	Date	Contact Type	Details
Purfleet-Taree LALC	General	21/08/2009	Letter	Letter from Greater Taree Council requesting intrested stakeholders and outlining project
Ghinni Ghinni Youth and Culture Aboriginal	General	21/08/2009	Letter	Letter from Greater Taree Council requesting intrested stakeholders and outlining project
Saltwater Tribal Council	General	21/08/2009	Letter	Letter from Greater Taree Council requesting intrested stakeholders and outlining project
Doo-wa-kee	General	21/08/2009	Letter	Letter from Greater Taree Council requesting intrested stakeholders and outlining project
All	General	3/11/2009	Newspaper Ad	Ad in Manning River Times announcing project and request for stakeholder input
Purfleet-Taree LALC	Glen Rennie	9/11/2009	Letter	Letter from Ainsworth Heritagel requesting intrested stakeholders and outlining project and providing invite to consultation meetings
Ghinni Ghinni Youth and Culture Aboriginal	Harry Callaghan	9/11/2009	Letter	Letter from Ainsworth Heritagel requesting intrested stakeholders and outlining project and providing invite to consultation meetings
Saltwater Tribal Council	Ms Pat Davis-Hurst	9/11/2009	Letter	Letter from Ainsworth Heritagel requesting intrested stakeholders and outlining project and providing invite to consultation meetings
Doo-wa-kee	Mick Leon	9/11/2009	Letter	Letter from Ainsworth Heritagel requesting intrested stakeholders and outlining project and providing invite to consultation meetings
TIDE Aboriginal Employment Agency	John Clarke	9/11/2009	Letter	Letter from Ainsworth Heritagel requesting intrested stakeholders and outlining project and providing invite to consultation meetings
Purfleet-Taree LALC	Glen Rennie	9/11/2009	Phone	Phone message left regarding project
Purfleet-Taree LALC	Glen Rennie	9/11/2009	Email	Sent project information
Ghinni Ghinni Youth and Culture Aboriginal	General	9/11/2009	Phone	Phone message left regarding project
Saltwater Tribal Council	General	9/11/2009	Phone	Phone message left regarding project
Doo-wa-kee	Mick Leon	11/11/2009	Phone	Initial Contact and discussion and arranging of consultation meeting and arranging of consultation meeting
TIDE Aboriginal Employment Agency	Mick Leon	11/11/2009	Phone	Initial Contact and discussion and arranging of consultation meeting and arranging of consultation meeting
Doo-wa-kee/TIDE	Mick Leon	13/11/2009	Phone	Initial contact for TIDE and Worimi and discussion of project

Doo-wa-kee/TIDE	Mick Leon	13/11/2009	Email	Sent project information and draft report format for review
Purfleet-Taree LALC	Glen Rennie	16/11/2009	Email	Meeting adgeanda, draft report outline and fieldwork plan for comment
Doo-wa-kee/TIDE	Mick Leon	16/11/2009	Email	Meeting adgeanda, draft report outline and fieldwork plan for comment
Purfleet-Taree LALC	Glen Rennie Warner Saunders	17/11/2009	Meeting	Meeting with Biripi Elder, Warner Saunders and Glen Rennie to gain insight into how Precint 3 was used and any items that may be known to be located at the site.
Purfleet-Taree LALC	Glen Rennie	18/11/2009	Email	Discussion regarding AHIMS search and mapping and recording of sites for project
Purfleet-Taree LALC	Glen Rennie	18/11/2009	Meeting	Consultation meeting with Glen Rennie (LALC) and Greater Taree City Council (Richard Pamplin and Kieran Metcalfe) and Matt Alexander (Ainsworth Heritage) regarding project and expected results and requiremnts of all parties.
Doo-wa-kee/TIDE	Mick Leon	18/11/2009	Meeting	Consultation meeting with Mick Leon (TIDE and Worimi) and Greater Taree City Council (Richard Pamplin and Kieran Metcalfe) and Matt Alexander (Ainsworth Heritage) regarding project and expected results and requiremnts of all parties.
Purfleet-Taree LALC	Glen Rennie	20/11/2009	Email	Discussion regarding previous surveys and relocation of sites
Purfleet-Taree LALC	Glen Rennie	20/11/2009	Email	Minutes of consultation meeting for comment
Doo-wa-kee/TIDE	Mick Leon	20/11/2009	Email	Minutes of consultation meeting for comment
Purfleet-Taree LALC	Glen Rennie	4/12/2009	Email	General and Best Practice management polices for comment
Doo-wa-kee/TIDE	Mick Leon	4/12/2009	Email	General and Best Practice management polices for comment
Purfleet-Taree LALC	Glen Rennie	8/12/2009	Phone	Discussion regarding general guidelines and fieldwork
Purfleet-Taree LALC	Glen Rennie	10/12/2009	Email	Fieldwork partucialrs for comment
Doo-wa-kee/TIDE	Mick Leon	10/12/2009	Email	Fieldwork partucialrs for comment

Doo-wa-kee/TIDE	Mick Leon	10/12/2009	Email	Fieldwork particulars for comment
Doo-wa-kee/TIDE	Mick Leon	11/12/2009	Email	Fieldwork particulars for comment
Doo-wa-kee/TIDE	Mick Leon	11/12/2009	Phone	Discussion regarding general guidelines and fieldwork
Purfleet-Taree LALC	Glen Rennie	18/12/2009	Email	Initial site mapping and fieldwork results
Doo-wa-kee/TIDE	Mick Leon	18/12/2009	Email	Initial site mapping and fieldwork results
Purfleet-Taree LALC	Glen Rennie	4/01/2010	Email	Discussion of site distribution
Purfleet-Taree LALC	Glen Rennie	5/01/2010	Email	LALC staff details
Purfleet-Taree LALC	Glen Rennie	7/01/2010	Email	Requested copy of LALC-Taree Council MOU
Doo-wa-kee/TIDE	Mick Leon	8/01/2010	Email	Fieldwork and report reviewing and input
Purfleet-Taree LALC	Glen Rennie	13/01/2009	Email	Draft report emailed for coment and input
Doo-wa-kee/TIDE	Mick Leon	13/01/2009	Email	Draft report emailed for coment and input
Doo-wa-kee/TIDE	Mick Leon	17/01/2010	Phone	Review of draft report and input
Purfleet-Taree LALC	Glen Rennie	18/01/2009	Email	Review of draft report, input and amendments
Purfleet-Taree LALC	Glen Rennie	18/01/2010	Phone	Review of draft report, input and amendments
Doo-wa-kee/TIDE	Mick Leon	1/02/2010	Email	Review of draft report, input and amendments
Doo-wa-kee/TIDE	Mick Leon	5/02/2010	Email	Review of draft report, input and amendments
Purfleet-Taree LALC	Glen Rennie	6/02/2010	Phone	Review of draft report, input and amendments

Appendix B – Site Recording Forms

Appendix C – DECCW Forms