

Addendum – Aboriginal Heritage Cultural Assessment Report

Project: St Philips Christian College, Cessnock	Date: 29 June 2026
Client: St Philips Barr Planning on behalf of Christian Education Foundation Ltd	Authors: Neve Penklis (Graduate Heritage Consultant), with management and review by Samatha Higgs (Archaeology Team Leader) and Josh Symons (Technical Director)

1.1 Introduction

1.1.1 Project background and scope

St Philip’s Christian Education Foundation Ltd (the proponent) is seeking approval for alterations and additions to St Philip’s Christian Collage Cessnock campus at 10 Lomas Lane (including Lot 1 DP126765, Lot 1 DP744377 and Lot 518 DP837571). In January 2022, the proponent submitted a State Significant Development (SSD-10360337) under Division 4.7 of the Environmental Planning and Assessment Act 1979.

An ACHAR was prepared by McCardle Cultural Heritage, in November 2021 and subsequently updated in 2024 (McCardle Cultural Heritage 2024), who identified that part of a Potential Archaeological Deposit (PAD) identified as AHIMS ID 37-6-2101 (St Philip’s PAD 1) is located within the project area and will be impacted by the proposed development.

Archaeological test excavations of AHIMS ID 37-6-2101 (St Philip’s PAD 1) were completed by Artefact Heritage and Environment Pty Ltd (Artefact) in July 2025 in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal objects in NSW* (Code of Practice) (Department of Environmental, Climate Change, and Water [DECCW] 2010). As a result of the test excavations, Artefact identified three new Aboriginal sites: SPC AS 11, SPC AS12 and SPC AS13.

A remediation exclusion area (SPC7) is located within the study area but will not be impacted by the proposed works. An Aboriginal Cultural Heritage Management Plan was prepared by Umwelt in 2025 to fulfil certain requirements of a Direction to Carry Out Remedial Works (the Direction) issued by DCCEEW on 5 July 2024. The Direction resulted from an investigation by DCCEEW into possible harm caused to SPC7 (AHIMS #37-6-2103), SPC9 (AHIMS #37-6-2105) and SPC10 (AHIMS #37-6-2106) during ground disturbance activities within the study area without an Aboriginal Heritage Impact Permit (AHIP) in place. Currently, the proposed works footprint is mapped to extend into southwest corner of the remediation exclusion area, with a temporary sediment basis for use during construction, and the corner of the proposed Aquatic Centre building footprint. The Project Engineer and Architect have confirmed that these elements can be relocated or removed from the exclusion area without the need for redesign so this area will not be harmed. The remediation exclusion zone, SP7, SP9 and SP10 will not be harmed by the current proposed works.

This addendum ACHAR has been prepared to seek comment from Registered Aboriginal Parties on the cultural significance of the sites identified as a result of the test excavation and provide clarity on impacts to the remediation exclusion zone (SP7). It provides a revised assessment of the cultural heritage values, significance and proposed impacts as a result of the proposed works.

1.1.2 Study area

The study area (Figure 1) is located at St Philip’s Christian Collage Cessnock campus on the corner of Lomas Lane and Wine Country Drive, in Nulkaba NSW (Lot 1 DP126765, Lot 1 DP744377 and

Lot 518 DP837571) which is situated within the Cessnock City Council Local Government Area (LGA) and within the boundaries of the Mindaribba Local Aboriginal Land Council (LALC). Only portions of PAD 1 that overlapped with the proposed work footprint was subject to test excavations.

1.1.3 Proposed development

The proposed works consist of alterations and additions to St Philips Christian College Cessnock campus, including additions to the junior, middle and senior school buildings, admin and welcome centre building, library, trade raining centre, canteen / café hub, performing arts centre, sports hall, outdoor chapel, Narina, café, boardwalks, D.A.L.E and the aquatic centre (McCardle 2024)

Earthworks and fill are also included as part of the proposed works (Figure 1).

The proposed works are illustrated in Figure 3.

Figure 1: Location of study area for Artefact (2025) test excavations



Figure 2: Proposed works showing ‘approximate area of disturbance’ (Source: St Philips Christian Education Foundation Ltd, 2024)

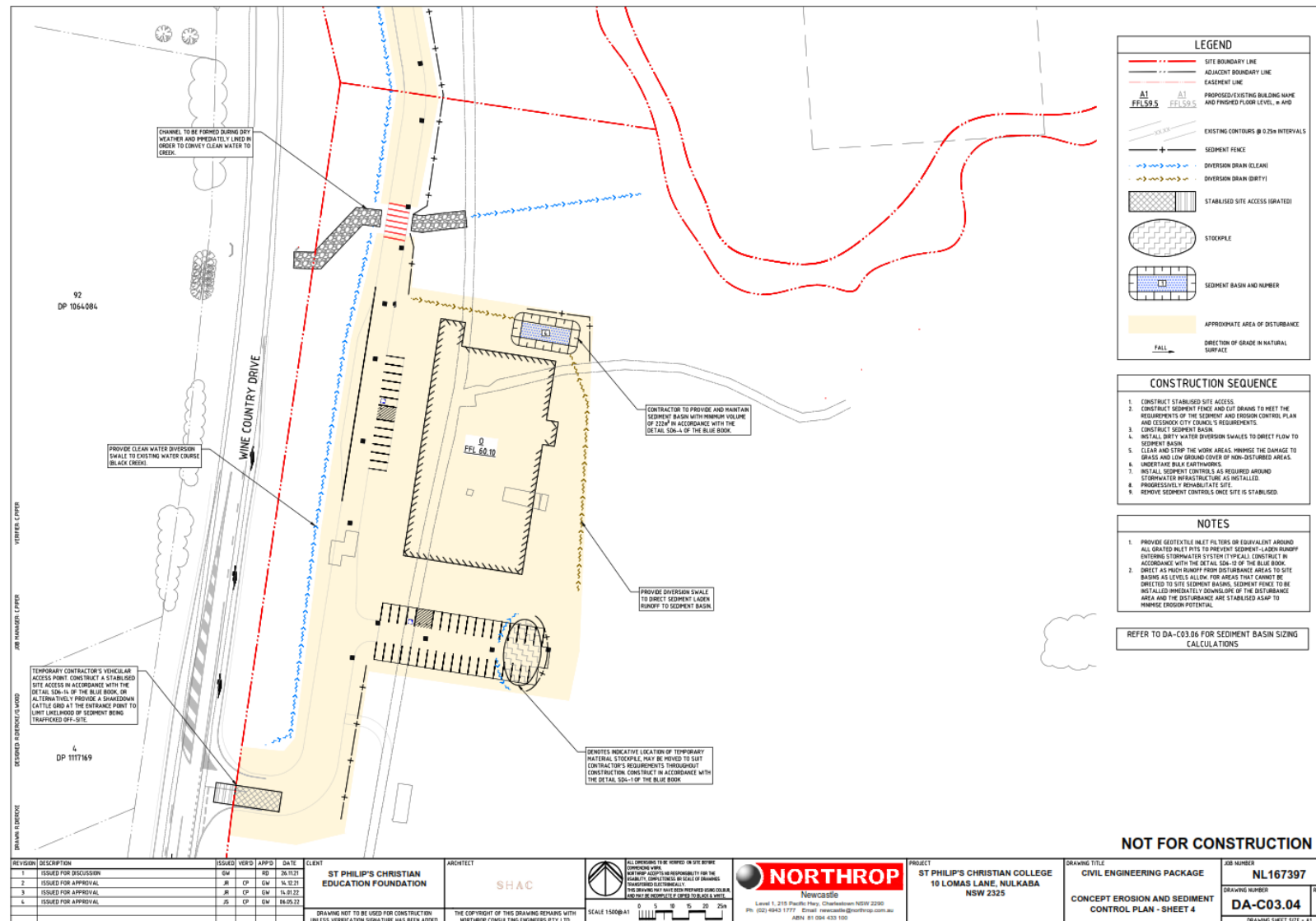
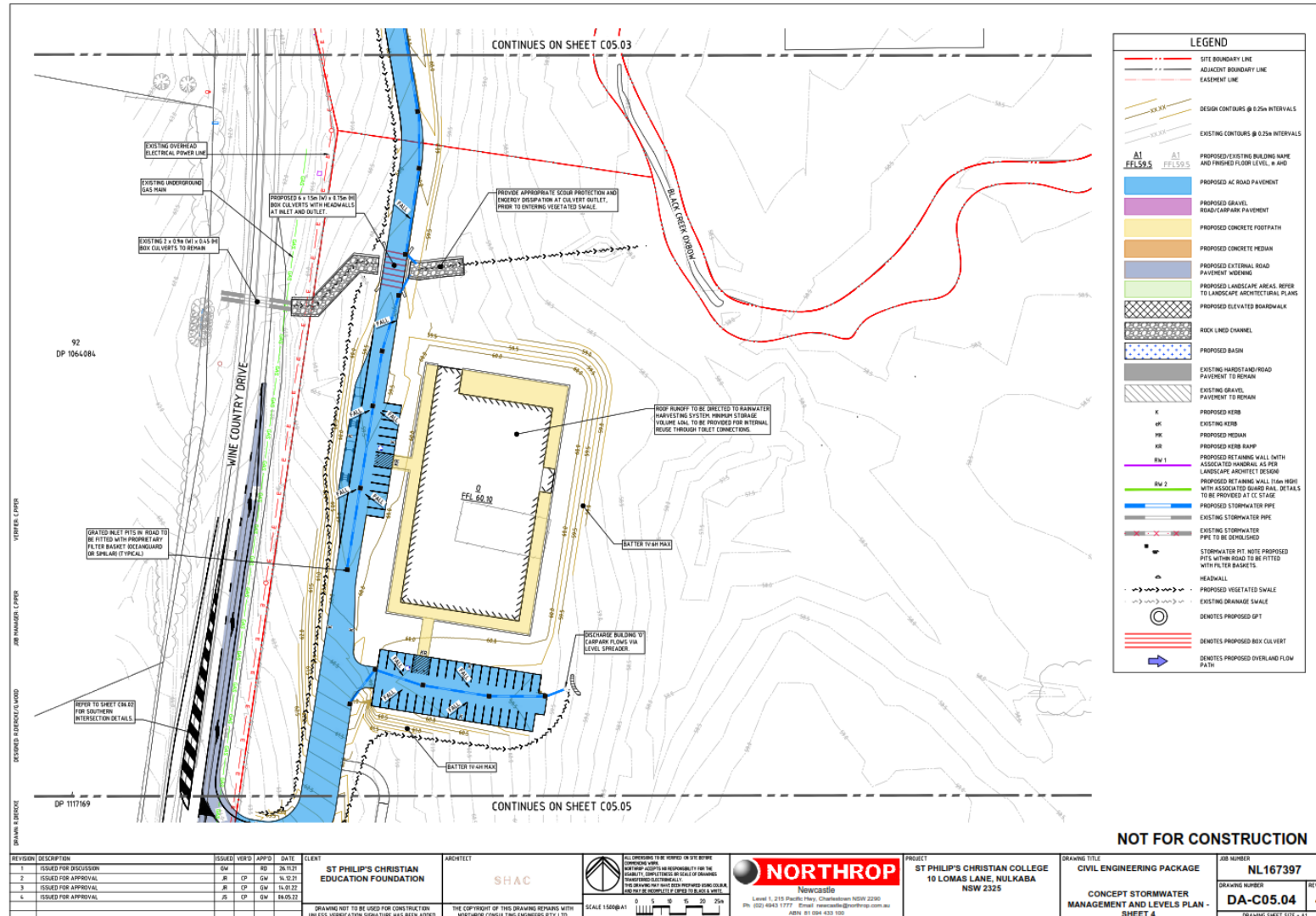


Figure 3: Proposed construction works, including concrete footpaths and road pavements (Source: St Philips Christian Education Foundation Ltd, 2024)



1.2 Legislative context

1.2.1 National Parks & Wildlife Act 1974

The NPW Act provides statutory protection for all Aboriginal 'objects' as defined under Section 83 of the Act, (consisting of any material evidence of the Aboriginal occupation of NSW) and for 'Aboriginal Places' as defined under Section 84 (areas of cultural significance to the Aboriginal community). Under Section 86 of the NPW Act. Aboriginal objects are afforded automatic statutory protection in NSW whereby it is an offence to harm or desecrate an Aboriginal object.

The NPW Act defines an Aboriginal 'object' as:

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

An Aboriginal Place is declared by the Minister, in recognition of its special significance with respect to Aboriginal culture. Under Section 86 of the NPW Act Aboriginal objects and places are protected. Section 86 provides for two offences relating to Aboriginal objects and one offence concerning Aboriginal places and establishes penalties and fines for the harm or desecration of an Aboriginal object or place. All Aboriginal objects, whether recorded or not are protected under the NPW Act.

This addendum ACHAR seeks to comply with the guidelines and regulations associated with the NPW Act, by assisting the proponent in meeting their obligations under the NPW Act.

1.2.2 Native Title Act 1994

The *Native Title Act 1994* was introduced to work in conjunction with the *Commonwealth Native Title Act 1993*. Native Title claims, registers and Indigenous Land Use Agreements are administered under the Act. A search of the National Native Title Tribunal database was completed on 25 July 2025. No Native Title claims overlap with the study area.

1.2.3 Aboriginal Land Right Act 1983

The *Aboriginal Land Rights Act 1983* (ALR Act) established Aboriginal Land Councils (at State and Local levels). These bodies have a statutory obligation under the ALR Act to:

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- (a) take action to protect the culture and heritage of Aboriginal persons in the council's area, subject to any other law, and*
- (b) promote awareness in the community of the culture and heritage of Aboriginal persons in the council's area.*
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The study area is within the boundary of the Mindaribba LALC.

1.2.4 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) establishes the framework for cultural heritage values to be formerly assessed in the land use planning and development consent process. The EP&A Act requires that environmental impacts are considered prior to land development;

this includes impacts on cultural heritage items and places as well as archaeological sites and deposits.

The EP&A Act also requires that local governments prepare planning instruments (such as Local Environmental Plans [LEPs] and Development Control Plans [DCPs]) in accordance with the EP&A Act to provide guidance on the level of environmental assessment required. The current study area falls within the boundaries of Cessnock LGA. Schedule 5 of the Cessnock Local Environmental Plan (2011) includes a list of items/sites of heritage significance within its domain. No Aboriginal heritage items listed on the LEP within or near the study area.

The current proposal is being assessed as State Significant Development (SSD-10360337) under Division 4.7 of the EP&A Act. SSD provisions turn off the s90 of the NPW Act, therefore there is no requirement for an Aboriginal Heritage Impact Permit (AHIP) for the proposed works.

1.3 Summary of Consultation

Consultation for this project was commenced in accordance with the Consultation Requirements (Department of Environment, Climate Change & Water 2010a) in July 2021 by McCardle (2024).

Five individuals/organisations registered their interest in the project. The parties who registered for the are listed below in Table 1.

Table 1: List of Registered Aboriginal Parties

Organisation	Contact

McCardle reports that the RAPs did not disclose any specific traditional/cultural knowledge or information of sites or places associated with spiritual, mythological, ceremonies or beliefs from the pre contact period within the project area or surrounding area. Additionally, no information was disclosed pertaining to sites or places of cultural significance associated with the historic or contemporary periods within the project area or surrounding area. McCardle notes that traditional/cultural knowledge and/or information regarding sites and/or places of cultural

significance may exist that were not divulged to MCH by those consulted (2024:16).

1.3.1 Test Excavation Methodology

A copy of the draft test excavation methodology was provided to RAPs and Mindaribba LALC by Artefact on 30 May 2025 with comment due on 27 June 2025.

A summary of the comments received by Artefact is presented in Table 2.

Table 2: Summary of Aboriginal stakeholder comments on the assessment methodology

Person / RAP group	Comment	Response
		Noted in this report and the consultation log.
		Noted in this report and the consultation log.
		Noted in this report and the consultation log.

1.3.2 Additional RAP

requested to become a RAP for the project on 4 July 2025 and has been added to the RAP list for the project.

Table 3: Update list of Registered Aboriginal Parties

Organisation	Contact

1.3.3 Aboriginal Test Excavation Report

A copy of the archaeological test excavation report was sent to RAPs and Mindaribba LALC by email on 18 September 2025. No comments were received in response to the ATER.

1.3.4 Addendum ACHAR

A copy of this ACHAR addendum was sent to RAPs and Mindaribba LALC by email on 5 December 2025, requesting feedback by 5 January 2026. A summary of responses received by Artefact is provided in Table 4.

Table 4. Summary of Aboriginal stakeholder comments on the ATER

Person/ RAP group	Comment	Response
		Thank you for your comment. We have noted it for inclusion in the ACHAR.

1.4 Archaeological Test Excavation Report (Artefact 2025)

Test excavations were completed between 15th-18th July 2025 by the following personnel (Table 5):

Table 5: Test excavation personnel.

Personnel	Role
Kristen Tola	Excavation Supervisor (Artefact Heritage)
Lily Hackett	Archaeologist (Artefact Heritage)
Neve Penklis	Archaeologist (Artefact Heritage)
Bonnie Clarke	Archaeologist (Artefact Heritage)

Only areas of PAD 1 within the proposed work footprint were subject to test excavations (Table 6). To minimise the destruction of archaeological resources, test excavations were completed in accordance with Requirements 15 and 16 of the Code of Practice. Consequently, no more than 0.5% of the PAD was disturbed and excavations ceased once sufficient data had been gathered. A total of 32 test pits measuring 500 mm x 500 mm) were proposed to be excavated across the areas of proposed impact to AHIMS ID 37-6-2101 (St Philip’s PAD 1). These test pits were evenly spaced between 15 m intervals.

Two of the 32 test pits were not excavated (test pit 2 and test pit 13) due to being located within areas of high ground disturbance.

Table 6: Summary of sample area

Site	Total area of excavation (m ²)	Total area of site (m ²)	Excavated percentage of total area (%)
AHIMS ID 37-6-2101 - St Philip's PAD 1	7.5	56,575	0.013

1.4.1 Results summary:

A total of 30 test pits were excavated across PAD 01. Test pits 1-8 were located on the lower slope, test pits 9-14 were excavated on a creek flat in close proximity to Black Creek Oxbow, and test pits 15-32 were excavated on the mid slope.

From the excavations, a total of 72 artefacts were identified. These were largely concentrated within the southern side of the east-west drainage line traversing through the PAD, while the second concentration was located in the central portion of the PAD. While test pit 17 contained the highest concentration of artefact (n=22), test pit 9 contained the majority of artefacts deposited at a greater depth (>spit 4).

Within the assemblage, silcrete was the most dominant raw material identified (n=29, 40%) and consisted of red, pink and yellow colouring. The assemblage consisted of a majority of flake fragments (n=36) including broken laterally (3), distal (20), proximal (6) and medial flakes (7).

Overall, test excavations identified this assemblage comprised a total of three sites which included:

- AHIMS ID 37-6-4590, St Philip's College Artefact scatter 11 (23 artefacts). This site was located within the lower slope and adjacent the flat bank of Black Creek. This site was assessed as having moderate archaeological significance.
- AHIMS ID 37-6-4591, St Philip's College Artefact scatter 12 (48 artefacts). This site was located on the mid slope and was assessed as having moderate archaeological significance.
- AHIMS ID 37-6-4592, St Philip's College Isolated Artefact 13 comprised a single isolated find within a disturbed context adjacent Black creek. It was assessed as having low archaeological significance.

Figure 4: Test pit locations



Figure 5: Test excavation results, including artefact count per pit



1.5 Revised and newly identified Aboriginal sites

1.5.1 St Phillips College Artefact Scatter 11 (SPC AS 11)

Site name	St Phillips College Artefact Scatter 11 (SPC AS11)
AHIMS ID	AHIMS ID 37-6-4590
Site type	Artefact subsurface scatter
Length	115 m
Width	80 m
Zone	56
Easting	345528
Northing	6369893
Horizontal accuracy	30 cm
Location method	Non-differential GPS
Landform pattern	Undulating plain
Landform unit	Low gradient slope and flat creek bank
Land use	Recreation/Semi-rural
Vegetation	Cleared
Distance to water	11 m
Directions to site	[REDACTED]
Description of features	The subsurface artefact scatter was identified through test excavations of PAD 01 (AHIMS ID 37-6-2101) (Figure 6 and Figure 7). The scatter comprised 23 artefacts within 6 test pits. Artefacts per test pit ranged from 1-6 in this area. Artefacts comprised mudstone (6), quartz (7), tuff (1), silcrete (8), quartz (7), quartzite (1).
Site interpretation	A low-density artefact scatter of moderate significance. The scatter contains in situ secondary reduction events decreasing in artefact density with further distance from Black Creek. The boundary of the scatter is restricted to the sample areas of PAD 01 that were tested and therefore the artefact scatter likely extends further east towards Black Creek. Further subsurface investigation outside of the current study area would be necessary to determine whether the deposit extends towards, or is contiguous with, SPC7 (AHIMS #37-6-2103).
Site condition	Good
Open/closed site	Open
Restrictions	None

Figure 6: Eastern edge of SPC AS 11. View southeast.



Figure 7: northern extent of SPC AS 11 in proximity to the drainage line to the left. View west.



1.5.2 St Phillips College Artefact Scatter 12 (SPC AS 12)

Site name	St Phillips College Artefact Scatter 12 (SPC AS 12)
AHIMS ID	AHIMS ID 37-6-4591
Site type	Artefact subsurface scatter
Length	135.5 m
Width	103 m
Zone	56
Easting	345536
Northing	6369625
Horizontal accuracy	30 cm
Location method	Non-differential GPS
Landform pattern	Undulating plain
Landform unit	Low gradient slope and flat creek bank
Land use	Recreation/Semi-rural
Vegetation	Cleared
Distance to water	26 m
Directions to site	[REDACTED]
Description of features	A total of 48 artefacts were recovered from test excavations from 7 test pits (Figure 8). A total of 4 of the 7 test pits in this concentration ranged from 1-2 artefacts per test pit. Comparatively test pit 15 contained 8 artefacts and test pit 17 comprised 22 artefacts (the highest density of all the test pits excavated). Test pit 9 also contained 9 artefacts although to the east closest to the bank of Black creek.
Site interpretation	The site is assessed as a moderate density artefact scatter with colluvial and alluvial soil deposits. The scatter contains in situ secondary reduction events. The boundary of the scatter is restricted to the sample areas of PAD 01 that were tested and therefore the artefact scatter likely extends further east towards Black Creek. The site was assessed as being of moderate significance.
Site condition	Good
Open/closed site	Open
Restrictions	None

Figure 8: SPC AS 12. View towards edge of northern boundary of scatter.



Figure 9: View of SPC AS 12 from test pit 1. View south.



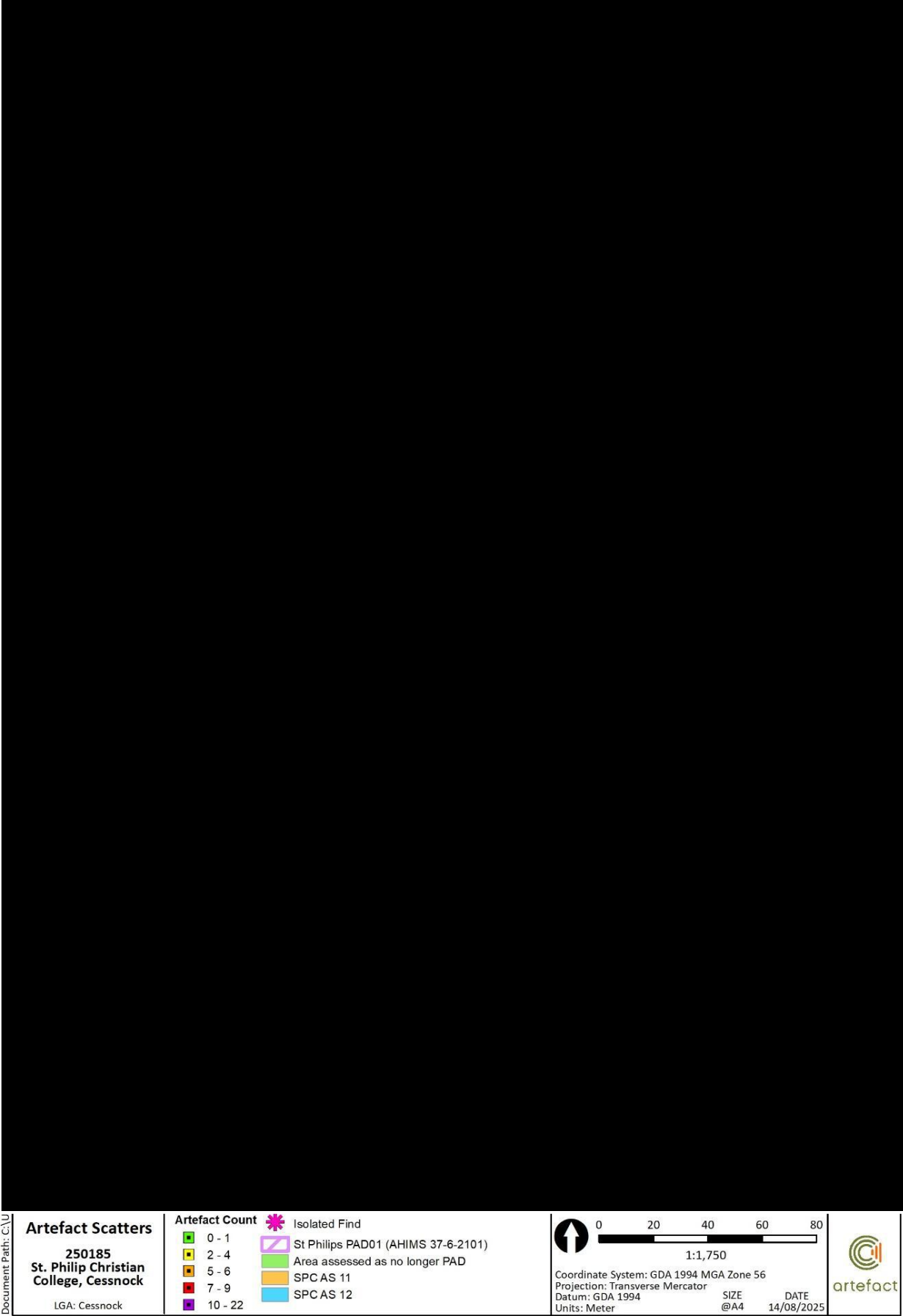
1.5.3 St Phillips College Isolated Find (SPC ISO 13)

Site name	St Phillips College Isolated Find (SPC ISO 13)
AHIMS ID	AHIMS ID 37-6-4592
Site type	Isolated subsurface artefact
Length	1 m
Width	1 m
Zone	56
Easting	345732
Northing	6369973
Horizontal accuracy	30 cm
Location method	Non-differential GPS
Landform pattern	Undulating plain
Landform unit	Creek flat
Land use	Recreation/Semi-rural
Vegetation	Cleared
Distance to water	15 m
Directions to site	[REDACTED]
Description of features	A single black granite complete flake was recovered from test pit 14 approximately 115 m east of test pit 9 within spit 1 (Figure 10).
Site interpretation	Although test pit 14 is located within the same flat creek landform as test pit 9, test pit 12 was very shallow and significantly disturbed from the gravel carpark. Therefore, this artefact is likely not in situ and has been redeposited and recorded as an isolated find.
Site condition	Disturbed
Open/closed site	Open
Restrictions	None

Figure 10: Disturbed context of SPC ISO 13. View southwest.



Figure 11: Artefact scatter boundaries and isolated find.



1.6 Revised cultural heritage values

1.6.1 Methodology

The cultural assessment in this report includes information collected through McCardle's (2024) ACHAR, Artefact's (2025) ATER and Aboriginal community consultation undertaken in accordance with the Consultation Requirements. This information was collected by Neve Penklis (Graduate Heritage Consultant, Artefact Heritage).

1.6.1.1 Cultural landscape

The World Heritage Convention of United Nations Educational, Scientific and Cultural Organisation (UNESCO) defines a cultural landscape as one which has 'powerful religious, artistic or cultural associations of the natural element rather than material cultural evidence, which may be insignificant or even absent' (UNESCO 1991). The relationship between Aboriginal Australians and the land is conceived in spiritual terms rather than primarily in material terms (Andrews et al 2006). Aboriginal cultural knowledge has been defined as:

Accumulated knowledge which encompasses spiritual relationships, relationships with the natural environment and the sustainable use of natural resources, and relationships between people, which are reflected in language, narratives, social organisation, values, beliefs and cultural laws and custom (Andrews et al 2006).

Aboriginal cultural knowledge was traditionally bequeathed through oral traditions from generation to generation. Within all Aboriginal communities there was a time of dislocation and upheaval associated with the arrival of colonial settlers. This widespread disruption resulted in much of the detailed knowledge and understanding of many of the elements of the cultural landscape being lost from the Aboriginal community, nonetheless many Aboriginal people maintain a strong connection to the land of their ancestors and collectively possess a wealth of knowledge passed down through the generations.

1.6.1.2 Types of values

Aboriginal people hold significant knowledge about traditional use of land before and after contact. The landscape which encompasses the study area has cultural value of importance to the Aboriginal community. The Aboriginal community collectively holds values and knowledge that relate to:

- Traditional values: these are passed down by family and community as part of ancient tradition.
- Historical values: these are passed down by family and community and relate to the eras since colonisation; these may include information gained from historical source documents.
- Contemporary values: these are values of modern importance and relevance for Aboriginal stakeholder groups.

There is often no clear separation between these values, and they collectively co-exist with equal importance in forming the value that Aboriginal people place on landscape, cultural heritage, intangible heritage, and particular landforms or parts of the landscape.

1.6.2 Identified Aboriginal cultural heritage values

Table 7 provides a summary of the Aboriginal cultural heritage values associated with the study area.

Table 7: Cultural heritage values identified for the study and surroundings

Cultural heritage value	Description	Source
Traditional and contemporary	The Hunter Valley region is known to have been a key place of occupation for Aboriginal groups pre- and post-contact periods. The local area in particular is within the lands of the Wonnarua people who have valued and been custodians of Country for thousands of years	Artefact (2025)
Traditional	A deep connection to and knowledge of Country has been passed down through hundreds of generations. Traditional activities associated with this region include: • Dreamtime stories • Hunting • Resource gathering including food and medicinal plants • Places of ceremony • Trade • Language • Production of nets, stone tools and weapons • Rock art	Artefact (2025)

1.6.3 Aboriginal cultural values within the study area

While the region around the study area is known to possess cultural significance to Aboriginal groups, no specific cultural heritage values have been identified for the study area. The results of the test excavation (Appendix A) may provide a fuller assessment whether specific Aboriginal cultural values may be identified within the study area.

1.7 Revised significance assessment

A significance assessment of the scientific, social, historic and aesthetic values of the study area is included below.

1.7.1 Significance assessment criteria

An assessment of the cultural heritage significance of an item or place is required in order to form the basis of its management. The Guide (OEH 2011: 10) provides guidelines, in accordance with the Burra Charter (Australia ICOMOS 2013) for significance assessment with assessments being required to consider the following criteria:

- Social values – does the area have a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons
- Historic values – is the area important to the cultural or natural history of the local area and/or region and/or state
- Scientific values - does the area have the potential to yield information that will contribute to an understanding of the cultural and natural history of the local area and/or region and/or state
- Aesthetic values – is the area important in demonstrating aesthetic characteristics in the local area and/or region and/or state.

Scientific values should be considered in light of the following criteria:

- Research potential - does the evidence suggest any potential to contribute to an understanding of the area and/or region and/or state's natural and cultural history?
- Representativeness - how much variability (outside and/or inside the subject area) exists, what is already conserved, how much connectivity is there?
- Rarity - is the subject area important in demonstrating a distinctive way of life, custom, process, land-use, function or design no longer practised? Is it in danger of being lost or of exceptional interest?
- Education potential - does the subject area contain teaching sites or sites that might have teaching potential?

It is important to note that heritage significance is a dynamic value.

1.7.1.1 Historic value

Historic values refer to the association of place with aspects of Aboriginal history. Historic values are not necessarily reflected in physical objects, but may be intangible and relate to memories, stories or experiences.

No specific historic values have been identified within the study area.

1.7.1.2 Aesthetic value

Aesthetic values refer to the sensory, scenic, architectural, and creative aspects of the place. These values may be related to the landscape and are often closely associated with socio/cultural values.

No specific historic values have been identified within the study area.

1.7.1.3 Socio/cultural value

Socio/cultural heritage values should be addressed by Aboriginal people who have a connection to or interest in the area.

No specific socio/cultural values have been identified within the study area.

1.7.1.4 Scientific value

Two artefact scatters and one isolated find, SPC AS 11, SPC AS 12 and SPC ISO 13 within St Philips PAD 1 were identified as a result of test excavations. The artefact scatters have been assessed to possess an overall moderate scientific significance while SPC ISO 13 has been assessed to possess an overall low scientific significance.

A summary of the archaeological significance of sites identified is presented in Table 8.

Table 8: Significance assessment

Site name (AHIMS ID)	Research potential	Representativeness	Rarity	Education potential	Overall significance assessment
SPC AS 11 (AHIMS ID 37-6-4590)	Moderate	Low	Low	Moderate	Moderate
SPC AS 12 (AHIMS ID 37-6-4591)	Moderate	Low	Low	Moderate	Moderate

Site name (AHIMS ID)	Research potential	Representativeness	Rarity	Education potential	Overall significance assessment
SPC ISO 13 (AHIMS ID 37-6-4592)	Low	Low	Low	Low	Low

1.7.2 Revised statement of significance

1.7.2.1 AHIMS ID 37-6-2101, St Philips PAD 01

The test excavation has confirmed that Aboriginal objects are present within the area previously designated as St Philips PAD 01. As the test excavation was limited to discrete areas within the current proposed works footprint, St Philips PAD 01 is still considered valid in the areas in between the newly identified sites and these areas of extant PAD have unknown scientific significance.

1.7.2.2 AHIMS ID 37-6-4590, St Philip's College Artefact scatter 11

SPC AS 11 comprised a low-density subsurface artefact scatter of 23 artefacts. The scatter did not contain any rare raw material or tool types for the regional area nor were they deposited within a particularly significant archaeological context that has not previously been identified in the local area. Many similar scatters are located adjacent to Black Creek and therefore is considered low in terms of rarity and representativeness. The scatter has been assessed as within undisturbed natural deposits and potentially extends beyond the test excavation area towards the northeast and therefore there is moderate archaeological research potential. The artefacts have moderate potential to aid in the education of Aboriginal heritage and Indigenous culture if they were to be used as a teaching aid through community engagement, such as through public engagement workshops, incorporated into learning at the St Phillips Christian College or through display in consultation with RAPs. The site is assessed as having overall moderate significance.

1.7.2.3 AHIMS ID 37-6-4591, St Philip's College Artefact scatter 12

SPC AS 12 comprised a moderate-density subsurface artefact scatter of a total of 48 artefacts. The scatter did not contain any rare raw material or tool types for the regional area nor were they deposited within a particularly significant archaeological context that has not previously been identified in the local area. However, compared to similar AHIMS scatters recorded around Black Creek, SPC AS 12 was of a comparatively higher density. It is also considered low in terms of rarity, representativeness. The site is assessed as having moderate archaeological research potential due to the higher concentration of artefacts. The full extent of the scatter was also not identified and therefore there is potential for additional artefacts or potential tools to be present. The artefacts have moderate potential to aid in the education of Aboriginal heritage and Indigenous culture if they were to be used as a teaching aid through community engagement, such as through public engagement workshops, incorporated into learning at the St Phillips Christian College or through display in consultation with RAPs. The site is assessed as having overall moderate significance.

1.7.2.4 AHIMS ID 37-6-4592, St Philip's college Isolated artefact 13

SPC ISO 13 comprised a single artefact with a highly disturbed context. It was assessed the artefact was likely redeposited and was not in situ. The flake itself was not particularly rare or archaeologically significant being similar to other isolated finds in the local area. As such the site has been assessed as being of low research or educational potential. The overall significance of the site is considered low.

1.8 Revised impact assessment

1.8.1 Proposed works

The proposed works comprise alterations and additions to St Philip's Christian College, Cessnock campus. This includes:

- alterations and additions to existing buildings and construction of seven new buildings to provide for:
 - school facilities (K – 12), including the DALE special school, for 1649 students (increase of 451 students), 200 staff and out-of-school-hours care;
 - trade training centre, library/ chapel, administration centre, sports centre and café;
 - a new indoor aquatic centre with two swimming pools, viewing area and café;
 - a new performing arts centre including auditorium and theatre;
 - provision of an early learning centre with 83 children (age group 0–5) and 16 staff;
- construction of a signalised intersection at the Lomas Lane/Wine Country Drive intersection;
- new site vehicle access from Wine Country Drive, internal roadworks and 250 car spaces;
- landscaping works and signage; and
- community use of school facilities

1.8.2 Aboriginal heritage impact

1.8.2.1 AHIMS ID 37-6-2101, St Philips PAD 01

Through test excavations, Aboriginal objects have been identified within the original extent of St Philips PAD 01 and as a result two new artefact scatters have been identified. At this stage, there is insufficient evidence to determine whether the PAD is a continuous artefact scatter or whether they are localised concentrated scatters. Untested portions of St Philips PAD 01 will be impacted by surrounding landscaping and road works which will result in a partial harm and loss of the value.

1.8.2.2 AHIMS ID 37-6-4590, St Philip's College Artefact Scatter 11

At this stage, there is insufficient evidence to determine whether SPC AS 11 is contiguous with the Remediation Area of SPC7 (AHIMS #37-6-2103), whereby this assessment considers the impacts of the proposal on each site individually. SPC AS 11 will be directly impacted by the proposed new building, surrounding landscaping and road. Assuming the scatter is independent of SPC7, these works will impact the entire artefact scatter comprising SPC AS 11 and will result in a total loss of value.

1.8.2.3 AHIMS ID 37-6-2103, SPC7

At this stage, there is insufficient evidence to determine whether with the remediation exclusion Area of SPC7 is contiguous with SPC AS 11 (AHIMS #37-6-4590), therefore this assessment considers the impacts of the proposal on each site individually. Currently, the proposed works footprint does not extend within the remediation exclusion zone to ensure no harm to Aboriginal objects in this area. Vegetation management will be required within the remediation exclusion area; however, this activity can be undertaken without harm Aboriginal objects when implemented without ground disturbing measures.

An existing vehicular access track is located on the southern border of the remediation exclusion zone. As this track is extant and outside of the exclusion zone and it will not impact the site.

As a result, there will be no harm to SPC7.

1.8.2.4 AHIMS ID 37-6-4591, St Philip's College Artefact Scatter 12

SPC AS 12 will be directly impacted by the proposed D.A.L.E No.2 building and road. The entire scatter will be impacted which will result in a total loss of value.

1.8.2.5 AHIMS ID 37-6-4592, St Philip's College Isolated Artefact 13

SPC ISO 13 will be directly impacted by the overflow car park which will result in a total loss of value.

A summary of the impacts is provided in Table 9

Table 9: Impact assessment

Site name (AHIMS ID)	Type of harm	Degree of harm	Consequence of harm
St Philips PAD 01 (AHIMS ID 37-6-2101)	Direct	Partial	Partial loss of value
SPC AS 11 (AHIMS ID 37-6-4590)	Direct	Total	Total loss of value
SPC7 (AHIMS ID 37-6-2103)	none	none	No loss of value
SPC AS 12 (AHIMS ID 37-6-4591)	Direct	Total	Total loss of value
SPC ISO 13 (AHIMS ID 37-6-4592)	Direct	Total	Total loss of value

Figure 13: Detail of proposed works in relation to identified Aboriginal sites, noting the works do not overlap with the exclusion area (yellow).



1.8.3 Ecological Sustainable Development principles

The Guide (OEH 2011) specifies that Ecological Sustainable Development (ESD) principles must be considered when assessing harm and recommending mitigation measures in relation to Aboriginal objects.

The following relevant ESD principles are outlined in Section 3A of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*:

Decision-making processes should effectively integrate both long term and short term economic, environmental, social and equitable considerations (the 'integration principle')

If there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation (the 'precautionary principle')

The present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations (the 'principle of intergenerational equity').

1.8.3.1 The integration principle

Decision making processes should effectively integrate both long term and short term economic, environmental, social and equitable considerations (the 'integration principle'). The preparation of this addendum ACHAR demonstrates regard for the integration principle by considering Aboriginal heritage values and impacts to these from the proposal during the planning phase. The nature of the proposal is in itself one that contributes to the long term economic and social needs of current and future residents of the area.

1.8.3.2 The precautionary principle

If there are threats of serious or irreversible environmental damage, lack of full scientific confidence should not be used as a reason for postponing measures to prevent environmental degradation (the 'precautionary principle'). This addendum ACHAR and attached ATER has identified that Aboriginal objects are present within the study area.

1.8.3.3 The principle of intergenerational equity

The proposed works would adhere, as close as possible, to the principle of intergenerational equity by collating scientific and cultural information on former Aboriginal occupation of the study area through the previous investigations and this addendum ACHAR. The ATER prepared an assessment of the study area and synthesised the regional character of Aboriginal objects and sites for posterity and future generations.

1.8.4 Cumulative impacts

A cumulative impact is an impact on Aboriginal cultural heritage resulting from the incremental impact of the action/s of a development when added to other past, present and reasonably foreseeable future actions. The proposed works will contribute a loss of Aboriginal heritage in the area however it is anticipated that similar and related sites will be conserved nearby within the remediation exclusion area.

1.9 Revised Management and mitigation measures

1.9.1 Guiding principles

The overall guiding principle for cultural heritage management is that where possible Aboriginal sites should be conserved.

Where unavoidable impacts occur then measures to mitigate and manage impacts are proposed. Mitigation measures primarily concern preserving the heritage values of sites beyond the physical existence of the site. The most common methods involve detailed recording of Aboriginal objects, archaeological test and salvage excavations, artefact analysis and, where appropriate, reburial of Aboriginal objects in a location determined by the RAPs.

Mitigation measures vary depending on the assessment of archaeological significance of a particular Aboriginal site and are based on its research potential, rarity, representatives and educational value. In general, the significance of a site would influence the choice of preferred conservation outcomes and appropriate mitigation measures, usually on the following basis:

- Low archaeological significance – conservation where possible. SSD Conditions of Approval would be required to impact the site before work can commence
- Moderate archaeological significance – conservation where possible. If conservation was not practicable, further archaeological investigation would be required such as salvage excavations or surface collection in accordance with the SSD Conditions of Approval.
- High archaeological significance – conservation as a priority. Where all other practical alternatives have been discounted mitigation measures such as comprehensive salvage excavations in accordance with the SSD Conditions of Approval would be required.

Sites of unknown scientific value should be conserved where possible. Where conservation is not practical further investigation under the Code of Practice will be required to confirm the presence of Aboriginal objects and gather enough information to assess significance. Test excavation is not a mitigation measure, it is an investigatory action required to gather enough information to inform the development of appropriate mitigation measures.

1.9.2 Changes to the project area

Advice provided within this addendum ACHAR is based upon the most recent information provided by the proponent at the time of writing. Any changes made to the project should be assessed by an archaeologist in consultation with the RAPs. Any changes that may impact on Aboriginal sites not assessed as part of the project may warrant further investigation and result in changes to the recommended management and mitigation measures.

1.9.3 Site avoidance

The conservation of archaeological sites should be considered the first mitigation measure where possible. It is understood redesign of the proposed works that overlap with the three sites is not possible. As such, SSD conditions of consent are required to approve harm to St Philip's College Artefact scatter 11, St Philip's College Artefact scatter 12 and St Philip's college Isolated artefact 13 through archaeological salvage. These sites must not be harmed prior to SSD conditions of consent being obtained.

The remediation exclusion zone associated with SPC7 is located in the southern portion of St Philips PAD 01. Currently, the proposed works footprint does not extend within the remediation exclusion

zone to ensure no harm to Aboriginal objects in this area. Additionally, fencing or signage should be used during construction to separate the area and protect it from harm. Subsequently this area will be excluded from harm as a result of the proposed works.

1.9.4 Archaeological salvage excavations

An archaeological salvage excavation methodology must be prepared prior to salvage excavations of St Philip's College Artefact scatter 11 and St Philip's College Artefact scatter 12. A methodology for the completion of the salvage excavation should be developed in consultation with the RAPs. The methodology could be prepared as a condition of SSD approval.

The intention of the archaeological excavation is to salvage a sample of scatter 11 and scatter 12 prior to impact. This may include salvage excavation of 3 open areas of preliminary 3 x 3m² size and expanding one or more of those areas where triggered, as per the requirements of the salvage methodology.

1.9.4.1 Surface collection of artefacts

It is recommended surface collection of the surface artefact associated with St Philip's College Artefact scatter 12 be undertaken prior to any ground disturbing works within St Philip's College Artefact scatter 12. SSD conditions of consent must be obtained prior to the surface collection taking place. Surface collection may occur during the salvage excavations of the associated St Philip's College Artefact scatter 12. A methodology for the surface collection should be prepared. This methodology may be included in the salvage methodology if surface collection and salvage excavations were to occur at the same time.

1.9.5 Heritage Induction

A heritage induction must be prepared, this will outline the Aboriginal history of the area and guidance on identifying Aboriginal artefacts in the field, as well as to ensure they know no works are to be undertaken within the exclusion zone. This should be given to all workers prior to the commencement of works on site and is required for contractors to fulfill the Unexpected Finds Procedure as well as an outline of the legislative framework and penalties for harming Aboriginal sites without appropriate consent. The UFP should also include an unexpected human remains policy in accordance with condition 31 of the existing conditions of consent.

1.9.5.1 Exclusion Zone

It is recommended that an exclusion zone be established around the remediation exclusion zone as part of the heritage induction and prior to the commencement of construction works. A fence and clear signage should be established to alert construction workers to the exclusion zone and physically prevent accidental harm to this area. Information regarding the exclusion zone should be included in the heritage induction.

1.10 Summary of findings

- A total of 72 artefacts were recovered as part of test excavations within St Philip PAD 01 (AHIMS ID 37-6-2101).
- Three additional sites identified during test excavations included:
 - AHIMS ID 37-6-4590, St Philip's College Artefact scatter 11 (23 artefacts). This site was located within the lower slope and adjacent the flat bank of Black Creek. This site was assessed as having low archaeological significance.

- AHIMS ID 37-6-4591, St Philip's College Artefact scatter 12 (48 artefacts). This site was located on the mid slope and was assessed as having moderate archaeological significance.
- AHIMS ID 37-6-4592, St Philip's college Isolated artefact 13 comprised a single isolated find within a disturbed context adjacent Black creek. It was assessed as having low archaeological significance.
- All three identified archaeological sites will be directly and totally impacted by the proposed works. Comparatively, St Philips PAD 01 will be directly and partially impacted by the proposed works.
- The proposed works footprint does not extend within the remediation exclusion zone for SPC7 to ensure no harm to Aboriginal objects in this area..

1.11 Recommendations

- The proponent should determine if avoidance of any of the AHIMS registered sites is possible.
- Where avoidance is not possible SSD conditions of consent is required to harm the identified sites:
 - St Philip's PAD 01 (AHIMS ID 37-6-2101)
 - St Philip's College Artefact scatter 11 (AHIMS ID 37-6-4590)
 - St Philip's College Artefact scatter 12 (AHIMS ID 37-6-4591)
 - St Philip's college Isolated artefact 13 (AHIMS ID 37-6-4592)
- Due to St Philip's College Artefact scatter 11 and St Philip's College Artefact scatter 12 assessed as being of moderate significance, archaeological salvage is recommended. This would include the preparation of an archaeological salvage excavation methodology. The methodology could be prepared as a condition of SSD approval.
- Due to the presence of a surface artefact in association with the moderately significant St Philip's College Artefact scatter 12, it is recommended surface collection of the surface artefact take place. This would include the preparation of a surface collection methodology. The surface collection may take place during the salvage excavations.
- A heritage induction including an Unexpected Finds Procedure must be prepared and all workers must be inducted prior to the commencement of works.
- An exclusion zone with clear fencing and signage should be used to protect remediation exclusion zone SCP7 from harm during the proposed works.
- Any changes that may impact on Aboriginal sites not assessed as part of the project may warrant further investigation and result in changes to the recommended management and mitigation measures.

1.12 References

Artefact Heritage and Environment Pty Ltd 2025, St Philip's Christian College: Archaeological Test Excavation Report. Report prepared for Barr Planning on behalf of St Philip's Christian Education Foundation Ltd.

Department of Environmental, Climate Change, and Water 2010, *Code of Practice for Archaeological Investigation of Aboriginal objects in NSW*.

McCardle Cultural Heritage Pty Ltd. 2024, St Philip's Cessnock College Cessnock Aboriginal Cultural Heritage Assessment Report.

APPENDIX A – ARCHAEOLOGICAL TEST EXCAVATION REPORT

APPENDIX B – CONSULTATION RECORDS