

JOHN HUNTER HEALTH AND INNOVATION PRECINCT

Aboriginal Cultural Heritage Assessment

FINAL

April 2021

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Prepared by
Umwelt (Australia) Pty Limited
on behalf of
NSW Health Infrastructure

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1.0 Introduction

1.1 Overview

In June 2019, the NSW Government announced a significant expansion of the John Hunter and John Hunter Children's Hospitals with the \$780 million John Hunter Health and Innovation Precinct (JHHIP) project.

The JHHIP will transform healthcare services for Newcastle, the greater Hunter region and northern NSW communities. The infrastructure will provide additional inpatient capacity to the John Hunter and John Hunter Children's Hospitals and create further opportunities for partnerships with industry and higher education providers.

The JHHIP will deliver an innovative and integrated precinct with industry-leading facilities working in collaboration with health, education and research partners to meet the current and future needs of the Greater Newcastle, Hunter New England and Northern NSW regions.

The John Hunter Health and Innovation Precinct Project is being planned and designed with ongoing communication and engagement with clinical staff, operational staff, the community and other key stakeholders with a strong focus on the following:

- Patient-centred care
- Contemporary models of care
- Future economic, health and innovation development opportunities
- Environmental sustainability

1.2 Subject Site

The John Hunter Health Campus (JHHC) is located on Lookout Road, Lambton Heights, within the City of Newcastle Local Government Area (LGA), approximately 8km west of the Newcastle CBD. The hospital campus is located approximately 3.5km north of Kotara railway station.

The JHHC comprises the John Hunter Hospital (JHH), John Hunter Children's Hospital (JHCH), Royal Newcastle Centre (RNC), the Rankin Park Rehabilitation Unit and the Nexus Unit (Children & Adolescent Mental Health). JHHC is a Level 6 Principal Referral and tertiary Hospital, providing the clinical hub for medical, surgical, child and maternity services within the Hunter New England Local Health District (HNELHD) and across northern NSW through established referral networks. Other services at the campus include the Hunter Medical Research Institute (HMRI), Newcastle Private Hospital and the HNELHD Headquarters.

1.3 SSSA Proposal

Approval is being sought for a new Acute Services Building and refurbishment of existing hospital facilities at John Hunter Hospital comprising:

- Construction and operation of a new seven-storey Acute Services Building (plus 4 semi-basement levels) to provide:
 - an expanded and enhanced Emergency Department;
 - expanded and enhanced medical imaging services;
 - expanded and enhanced intensive care services - Adult, Paediatric and Neonatal;
 - expanded and enhanced Operating Theatres including Interventional Suites;
 - an expanded Clinical Sterilising Department;
 - Women's Services including Birthing Unit, Day Assessment Unit and Inpatient Units;
 - integrated flexible education and teaching spaces;
 - expanded support services;
 - associated retail spaces;
 - new rooftop helipads;
 - new semi-basement car parking;
- Refurbishment of existing buildings to provide:
 - additional Inpatient Units;
 - expanded support services;
- A new Hospital entry canopy and works to the existing drop off;
- Link bridge to the Hunter Medical Research Institute (HMRI);
- Campus wayfinding and signage;
- Landscape works;
- Site preparation including bulk earthworks, tree removal, environmental clearing, cut and fill;
- Mines grouting remediation works;
- Construction of internal roads network and construction access roads and works to existing at-grade carparking;
- Connection to the future Newcastle Inner City Bypass; and
- Inground building services works and utility adjustments.

1.4 Objectives of this Assessment

Health Infrastructure have engaged Umwelt Environmental and Social Consultants (Umwelt) to prepare the Aboriginal Cultural Heritage Assessment (ACHA) to undertake an Aboriginal Cultural Heritage Assessment (ACHA) to support the proposed SSDA Proposal. The proposed redevelopment consists of areas within of Lot 9 and 11 DP 826092, Lot 41 DP 1176191, Lot 202 1176551, Lots 1 and 2 DP 1228246. The locality of the Project Area is shown in **Figure 1.1** with the Project Area for this assessment and maximum footprint (allowing for further modification if required) shown in **Figure 1.2**. The current proposed designs are shown in **Plate 1.1**.

The primary objective of this ACHA is to ensure that the Aboriginal cultural values of the Project Area are appropriately documented and assessed with reference to the approach specified in *the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW*, the consultation requirements and with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010c) (the Code of Practice).

Aboriginal people are the primary determinants of the cultural significance of their heritage. This ACHA is prepared to ensure that the information provided by registered Aboriginal parties is documented and presented in a manner that informs decision making on the management of Aboriginal cultural heritage within the Project Area, whilst ensuring that the required archaeological information is also appropriately documented.

This assessment has been prepared in accordance with Clause 61 of the *National Parks and Wildlife Regulation 2019* (NPW Regulation) and the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011), with all consultation undertaken in accordance with Clause 60 of *NPW Regulation* and the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010a) (the consultation requirements), as documented in **Appendix 1**. The ACHA incorporates required archaeological technical information in accordance with the Code of Practice. The completion of this assessment addresses the requirements established in the Planning Secretary's Environmental Assessment Requirements (SEARs), which states that the Environmental Impact Statement and the supporting ACHAR must demonstrate attempts to avoid any impact upon cultural heritage values and identify any conservation outcomes (if necessary). In order to demonstrate how this ACHA meets these objectives, **Table 1.1** documents the required components with reference to the section of this document in which they are addressed, and **Table 1.2** lists the relevant SEARs and where they are addressed.

Within the draft report supplied to the registered Aboriginal parties for review and comment, Umwelt has documented the outcomes of all consultation undertaken with registered Aboriginal parties to date. It was emphasised during the consultation process that the registered Aboriginal parties have primary responsibility for assessing the cultural significance of the lands for which they are traditional custodians and/or to which they have contemporary connection. During the first review of the draft ACHA, no comments on the assessment were received from the Aboriginal community.

Due to necessary design changes as part of the SSDA Proposal, a second review of the assessment was provided to the RAPs to ensure they were aware of the full footprint of the assessment. No comments were provided by the registered Aboriginal parties on this subsequent assessment.



Figure 1.1 Project Locality



Figure 1.2 Project Overview

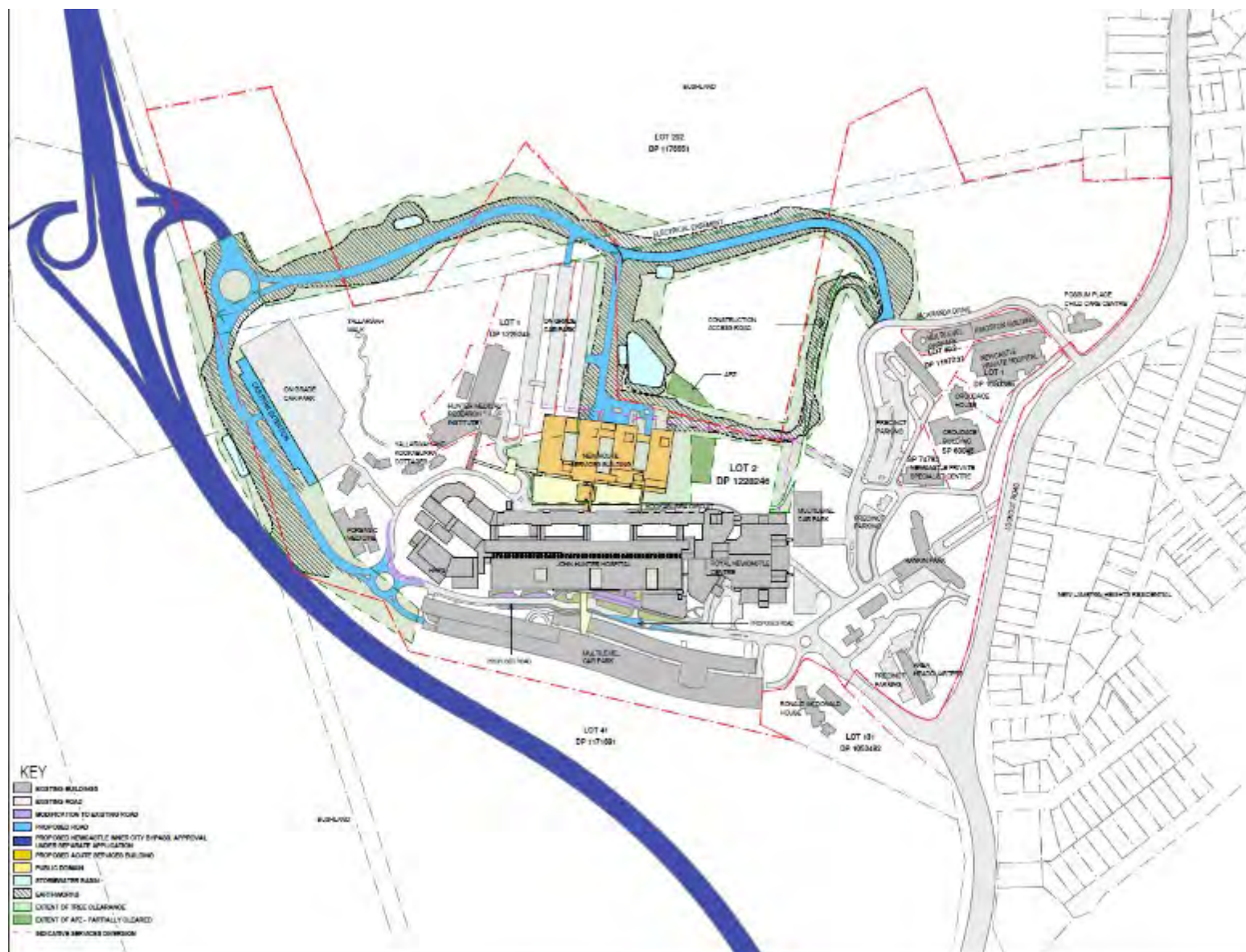


Plate 1.1 Current proposed plans for the JHHIP SSDA Proposal

Table 1.1 Required Information

Required Information (Aboriginal cultural heritage assessment)	Relevant Section	Required Information (Aboriginal archaeological assessment)	Relevant Section
Introduction	1.0	Introduction	1.0
Description of the area	4.0, 5.0, 6.0	Investigator and contributors	1.3
Consultation process	3.0	Description of Proposal	1.3,1.4
Summary and analysis of background information	5.3	Landscape context	4.0
Cultural heritage values and statement of significance	7.0	Previous archaeological work and regional character	5.0
Avoiding and/or mitigating harm	8.0, 9.0	Predictions	5.5
Recommendations	9.0	Sampling strategy and field methods	6.0
		Results	6.0
		Analysis and discussion	5.3
		Scientific values and significance assessment	7.2
		Impact assessment	8.0
		Management and mitigation measures	9.0
		Recommendations	9.0

Table 1.2 Table Outlining where SEARs requirements are addressed

Item	SEARs Requirement	Relevant Sections
39	Address the relevant planning provisions, goals and strategic planning objectives in all relevant planning policies including but not limited to the following: – Aboriginal Heritage Management Strategy 2018 – 2021	1.0 – 9.0
73	Provide an Aboriginal Cultural Heritage Assessment Report (ACHAR) that: – identifies and describes the Aboriginal cultural heritage values that exist across the site	1.0 – 9.0
74	– includes surface surveys and test excavations where necessary	6.0
75	– has been prepared in accordance with the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011) and Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW (OEH, 2010)	1.0 – 9.0
76	– incorporates consultation with Aboriginal people in accordance with Aboriginal Cultural Heritage Consultation Requirements for Proponents (Department of Environment, Climate Change and Water, 2010)	3.0, 9.0
77	– documents the significance of cultural heritage values of Aboriginal people who have a cultural association with the land	3.0., 7.0, 9.0
78	– identifies, assesses and documents all impacts on the Aboriginal cultural heritage values	1.0 – 9.0

Item	SEARs Requirement	Relevant Sections
79	– demonstrates attempts to avoid any impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the ACHAR and EIS must outline measures proposed to mitigate impacts.	1.0 – 9.0
80	– Any objects recorded as part of the assessment must be documented and notified to the Environment, Energy and Science Group of the Department of Planning, Industry and Environment.	N/A – no objects identified

1.5 Project Team and Report Authors

This report (including facilitating the recording of Aboriginal cultural input) was prepared by Ashley O’Sullivan (Senior Archaeologist) and Alison Fenwick (Archaeologist) with QA review undertaken by Nicola Roche (Manager, Cultural Heritage). All participation and input from registered Aboriginal parties is documented in **Section 3.0**.

2.0 Relevant Legislation

The management and conservation of heritage is subject to a range of statutory provisions under NSW legislation. In NSW, Aboriginal archaeological remains and heritage items are afforded statutory protection under the following Acts:

- *Environmental Planning and Assessment Act 1979* (the EP&A Act).
- *National Parks and Wildlife Act 1974* (the NPW Act)
- *Heritage Act 1977* (the Heritage Act).

2.1 Environmental Planning and Assessment Act 1979

The EP&A Act regulates development activity in NSW. The project has been designated as SSD in accordance with the provisions of the EP&A Act. The project is the subject of SEARs, which establish the assessment requirements. This assessment is prepared to address these requirements.

It is noted that Division 4.41 (d) of the EP&A Act specifies that it is not necessary to obtain an Aboriginal Heritage Impact Permit (AHIP) under Section 90 of the NPW Act (refer to **Section 2.2**) for designated State Significant Development. Projects approved as State Significant Development under the EP&A Act are subject to conditions of approval issued by the Department of Planning, Industry and Environment (DPIE) and (where relevant) Aboriginal cultural heritage is addressed by appropriate conditions.

2.2 National Parks and Wildlife Act 1974

NSW Heritage, the Department of Premier and Cabinet (NSW Heritage) is primarily responsible for regulating the management of Aboriginal cultural heritage in New South Wales under the NPW Act. The NPW Act is accompanied by the *National Parks and Wildlife Regulation 2019* (the Regulation) and a range of codes and guides including the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011), the consultation requirements and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b).

The NPW Act defines 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.

Under Section 84 of the NPW Act, an Aboriginal Place must be declared by the Minister as a place that, in the opinion of the Minister, is or was of special significance with respect to Aboriginal culture. Section 86(4) of the NPW Act states that a person must not harm or desecrate an Aboriginal place.

In accordance with Section 86(1) of the NPW Act, it is an offence to harm or desecrate a known Aboriginal object, whilst it is also an offence to harm an Aboriginal object under Section 86(2). Harm to an object or place is defined as any act or omission that:

- destroys, defaces or damages an object or place, or
- in relation to an object – moves the object from the land on which it had been situated, or
- is specified by the regulations, or

- causes or permits the object or place to be harmed in a manner referred to in paragraph (a), (b) or (c),

But does not include any act or omission that:

- desecrates the object or place (noting that desecration constitutes a separate offence to harm), or
- is trivial or negligible, or
- is excluded from this definition by the regulations.

Section 87(1) of the NPW Act specifies that it is a defence to prosecution under Section 86(1) and Section 86(2) if the harm or desecration of an Aboriginal object was authorised by an Aboriginal Heritage Impact Permit (AHIP) and the activities were carried out in accordance with that AHIP. Section 87(2,4) establishes that it is a defence to prosecution under Section 86(2) (the strict liability offence) if due diligence is exercised to reasonably determine that the activity or omission is a low impact act or omission. The NPW Regulation specifies that compliance with the due diligence code is taken to constitute due diligence in determining whether a proposed activity will harm an Aboriginal object. The Regulation identifies that compliance with the *Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b – hereafter referred to as the code of practice) is excluded from the definition of harm.

2.3 Heritage Act 1977

The *Heritage Act 1977* (Heritage Act) is administered by NSW Heritage, Department of Premier and Cabinet (Heritage, DPC) (formerly the Office of Environment and Heritage (OEH)). The purpose of the Heritage Act is to ensure cultural heritage in NSW is adequately identified and conserved. The Heritage Act is the primary item of State legislation affording protection to items of environmental heritage (natural and cultural) in NSW. Under the Heritage Act 'items of environmental heritage' include places, buildings, works, relics, moveable objects and precincts identified as significant based on historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic values. State significant items are listed on the NSW State Heritage Register (SHR) and are given automatic protection against any activities that may damage an item or place or affect its heritage and/or archaeological significance.

The Heritage Council of NSW, appointed by the Minister, is responsible for heritage in NSW, as constituted under the Heritage Act. The Council is a cross-section of heritage experts, with Heritage, DPC being the operational arm of the Council. Certain provisions of the Act may be applicable to land that is divested from Commonwealth ownership if it is known or likely to contain elements of heritage or archaeological significance.

2.4 Other Relevant Legislation

2.4.1 Native Title Act 1993 (Commonwealth)

The *Native Title Act 1993* (NT Act) recognises that Aboriginal people have rights and interests to land and waters which derive from their traditional laws and customs. Native Title may be recognised in places where Indigenous people continue to follow their traditional laws and customs and have maintained a link with their traditional country. It can be negotiated through a Native Title Claim, Indigenous Land Use Agreement (ILUA) or future Act agreements.

An ILUA is an agreement between a native title group and other parties who use or manage the land and waters. The ILUA process allows for negotiation between indigenous groups and other parties over the use and management of land and water resources, and the ability to establish a formal agreement. An ILUA is binding once it has been registered on the Native Title Tribunal's Register of Indigenous Land Use Agreements.

3.0 Aboriginal Consultation

Aboriginal people are the primary determinants of the significance of Aboriginal objects and/or places. Consultation with Aboriginal parties is therefore required to document the significance of Aboriginal objects and/or places and to obtain an Aboriginal cultural perspective on determining and carrying out appropriate strategies to mitigate impacts to Aboriginal heritage. In accordance with current requirements and expectations, consultation with Aboriginal parties regarding the proposal was undertaken in accordance with the relevant aspects of Division 2, Clause 60 of the NPW Regulation and the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010a). The Aboriginal party consultation process and the outcomes of consultation regarding the proposal are documented in this report as required by the *Guide to investigating assessing and reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011).

The identification and registration of Aboriginal parties who identified an interest in being consulted regarding the Project was undertaken in accordance with Division 2, Clause 60. As a result of this process, 17 Aboriginal parties registered an interest in ongoing consultation regarding the Project (with one party subsequently withdrawing their registration).

The consultation process is documented in **Table 3.1** and **Appendix 1** with reference to the defined consultation stages as specified in the *Aboriginal cultural heritage consultation requirements for proponents*.

3.1 Consultation Stage 1 - Notification and Registration

Notifications were developed and the registration of Aboriginal parties was completed in accordance with Part 5, Division 2 Clause 60 of the Regulation). As a result of the project notification and registration process, 17 Aboriginal parties registered an interest in ongoing consultation regarding the project. These parties are:

- A1 Indigenous Services
- Alieria French Trading
- Awabakal & Guringai Pty Ltd
- Awabakal Descendants Traditional Owners
- Awabakal Local Aboriginal Land Council
- Awabakal Traditional Owners Aboriginal Corporation
- Corroboree Aboriginal Corporation
- D F T V Enterprises
- Divine Diggers Aboriginal Cultural Consultants
- Gunjeewong Cultural Heritage Corporation
- Lower Hunter Aboriginal Incorporated
- Murra Bidgee Mullangari Aboriginal Corporation

- Wattaka Wonnarua CC Service
- Widescope Indigenous Group
- Worimi Traditional Owners Indigenous Corporation
- Yarrawalk (A division of Tocomwall Pty Ltd), Tocomwall Pty Ltd on behalf of Scott Franks and Anor on behalf of the Plains Clans of the Wonnarua People NSD1680/2013
- Yinarr Cultural Services

Information received from Scott Franks (Yarrawalk / Tocomwall) on 24 June 2020 advised that their registration was in error and they no longer wished to be involved in the project, as it was outside of the PCWP area of interest.

3.2 Consultation Stages 2 and 3 – Presenting information and gathering information about cultural significance

Correspondence providing information about the proposed project and requesting information about cultural significance was provided to all registered Aboriginal parties. It included a proposed methodology for a cultural heritage survey and an invitation for input in relation to developing an understanding of the cultural values of the Project Area and the ways in which these values may be identified during the field assessment activities.

The registered Aboriginal parties were requested to provide comment on the draft cultural heritage survey methodology. Responses providing registrations of interest to undertake survey were received from:

- A1 Indigenous Services Pty Ltd
- Awabakal Descendants Traditional Owners Aboriginal Corporation (ADTOAC)
- Awabakal and Guringai
- Awabakal Local Aboriginal Land Council (Awabakal LALC)
- Awabakal Traditional Owners Aboriginal Corporation (ATOAC)
- Lower Hunter Aboriginal Incorporated
- Tocomwall (later withdrew from the project)
- Widescope
- Worimi Traditional Owners Indigenous Corporation

Two comments were received on the methodology, from Awabakal LALC and ATOAC. Both comments were supportive of the proposed approach for the assessment and survey methodology.

All organisations that registered an interest in the project were provided the opportunity to participate in field investigation. Of the above organisations, the following participated in the survey of the Project Area:

- ADTOAC
- Awabakal and Guringai
- Awabakal LALC
- ATOAC
- Lower Hunter Aboriginal Incorporated
- Worimi Traditional Owners Indigenous Corporation

3.3 Consultation Stage 4 – Review of draft cultural heritage assessment report

The draft Aboriginal Cultural Heritage Assessment was provided to all the registered Aboriginal parties on 21 September 2020 for review and comment.

No comments were received during the statutory 28-day review period from the registered Aboriginal parties.

3.3.1 Secondary Review of the Assessment

Due to necessary design changes, parts of the proposed works were identified as being outside of the provided curtilage to the Aboriginal community as part of their review of the draft ACHA. As a result, updates to the included maps were provided and a second review period provided to the registered Aboriginal parties. The updated assessment was provided to all Aboriginal parties on 13 November 2020 for the statutory 28-day review and comment period.

No comments were received during the review period from the registered Aboriginal parties.

Table 3.1 Summary of Aboriginal Party Consultation

Date	Type of Consultation	Agencies/Aboriginal Parties Contacted	Outcomes	Notes
21/04/2020	Provision of proposal notification letter requesting identification of any parties who may hold knowledge relevant to Aboriginal cultural heritage within the project area	Department of Planning, Infrastructure and Environment	Email response 28/4/2020	Provided RAP listing
		Awabakal Local Aboriginal Land Council	Email response 20/4/2020	Registered interest
		National Native Title Tribunal	Email response 16/4/2020	Not able to assist due to the project being Cultural Heritage not Native Title. Search of NNTT confirmed that no active registrations were present over the Project Area.
		NSW Native Title Services/NTS Corp	Auto-response 16/4/2020	No further correspondence
		Office of the Registrar: <i>Aboriginal Land Rights Act 1983</i> (NSW)	No response received	No further correspondence
		City of Newcastle	Auto-response 16/4/2020	No further correspondence
		Local Land Services-Hunter	Email response 16/4/2020	Registered interest
	Public advertisement providing notification of assessment and opportunity to register interest for on-going consultation	Newcastle Herald	Posted in the Newcastle Herald on 7/5/2020	
7/05/2020	Letter to known Aboriginal parties to invite registrations of interest in the project	Awabakal and Guringai Pty Ltd	Email response 11/5/2020	Registered interest
		Tocomwall	Email response 11/5/2020	Registered interest
		Gunjeewong Cultural Heritage Corporation	Email response 11/5/2020	Registered interest
		Lower Hunter Aboriginal Incorporated	Email response 8/5/2020	Registered interest
		Awabakal Local Aboriginal Land Council	Email response 8/5/2020	Registered interest

Date	Type of Consultation	Agencies/Aboriginal Parties Contacted	Outcomes	Notes
		Divine Diggers Aboriginal Cultural Consultants	Email response 8/5/2020	Registered interest
		Corroboree Aboriginal Corporation	Email response 7/5/2020	Registered interest
		Widescope Indigenous Group	Email response 14/5/2020	Registered interest
		Wattaka Wonnarua CC Services	Email response 14/5/2020	Registered interest
		DFTV Enterprises	Email response 15/5/2020	Registered interest
		Yinarr Cultural Services	Email response 16/5/2020	Registered interest
		Aliera French Trading	Email response 23/5/2020	Registered interest
		Worimi Traditional Owners Indigenous Corporation	Email response 19/5/2020	Registered interest
		Murra Bidgee Mullangari Aboriginal Corporation	Email response 18/5/2020	Registered interest
		A1 Indigenous Services	Email response 24/5/2020	Registered interest
		ADTOAC	Phone call response 21/5/2020	Registered interest
		ATOAC	Email response 21/5/2020	Registered interest
		Mur-Roo-Ma Inc	Email response 12/5/2020	Anthony Anderson from Mur-Roo-Ma confirmed that this project was outside of their area of interest
		AGA Services	No response	
		Arwarbukarl Cultural Resource Association, Miromaa Aboriginal Language and Technology Centre	No response	
		B-H Heritage Consultants	No response	
		Cacatua Culture Consultants	No response	
		Crimson-Rosie	No response	

Date	Type of Consultation	Agencies/Aboriginal Parties Contacted	Outcomes	Notes
		Deslee Talbott Consultants	No response	
		Didge Ngunawal Clan	No response	
		Gidawaa Walang and Barkuma Neighbourhood Centre Inc.	No response	
		Hunter Valley Cultural Surveying	No response	
		Indigenous Learning	No response	
		Jarban and Mugrebea	No response	
		Jumbunna Traffic Management Group Pty Ltd	No response	
		Kauma Pondee Inc	No response	
		Kawul Cultural Services	No response	
		Kawul Pty Ltd trading as Wonn1 Sites	No response	
		Lower Hunter Wonnarua Cultural Services	No response	
		Michael Green Cultural Heritage Management Consultant	No response	
		Mindaribba Local Aboriginal Land Council	No response	
		Myland Cultural and Heritage Group	No response	
		Nur-Run-Gee Pty Ltd	No response	
		Roger Matthews Consultancy	No response	
		Wonnarua Culture Heritage	No response	
		Wonnarua Elders Council	No response	

Date	Type of Consultation	Agencies/Aboriginal Parties Contacted	Outcomes	Notes
		Worimi Local Aboriginal Land Council	No response	Contacted by mistake, and confirmed through follow-up correspondence
17/06/2020	Provision of assessment methodology to registered Aboriginal parties for comment	Awabakal Local Land Council	Email response 17/6/2020	Received expression of interest, public liability certificate and workers compensation form
		Worimi Traditional Owners Indigenous Corporation	Email response 22/6/2020	Received expression of interest, public liability certificate and works insurance form
		ATOAC	Email response 30/6/2020	Received expression of interest, public liability certificate and workers insurance form
		Lower Hunter Aboriginal Incorporated	Email response 30/6/2020	Received expression of interest
		ADTOAC	Email response 30/6/2020	Received expression of interest, schedule of fee's, workers compensation form and workers insurance form
		Awabakal and Guringai PTY Ltd	Email response 29/6/2020	Received expression of interest, public liability certificate and workers insurance form
		A1 Indigenous Services	Email response 28/6/2020	Received expression of interest, workers compensation form and workers insurance form
		Widescope Indigenous Group	email response 25/6/2020	Received expression of interest, public liability certificate
		Tocomwall	Email response 24/6/2020	Notified Umwelt that they no longer wished to be consulted on the project

Date	Type of Consultation	Agencies/Aboriginal Parties Contacted	Outcomes	Notes
22/09/2020	Draft Aboriginal cultural heritage assessment report provided to registered Aboriginal parties for review and comment	All RAPs	No comments received from the RAPs during the review period	
13/11/2020	Updated draft Aboriginal cultural heritage assessment report provided to registered Aboriginal parties for review and comment	All RAPs	No comments received from the RAPs during the review period	

4.0 Environmental Context

The decisions that people make regarding such things as where they live, the range of resources they use and other aspects of daily life may be influenced by the environment in which they live. The preservation and visibility of sites is also affected by environmental factors such as vegetation cover, past land-use and disturbance.

A review of the environmental context of the Project Area is therefore integral to considerations of the Aboriginal archaeological material likely to be located in the Project Area and its potential integrity.

4.1 Soil and Geology

The Project Area is located within the Lower Hunter Valley, a northern physiogeographic region of the Sydney Basin. The underlying geology of the Project Area comprises the Lambton Subgroup (northern extent of the Project Area) and the Adamstown Subgroup (southern extent and majority of the Project Area) of the Newcastle Coal Measures. The Lambton Subgroup is characterised by sandstone, siltstone, claystone, coal and tuffaceous sandstone, and is located in lower elevations of ridgelines in the local area. The Adamstown Subgroup comprises conglomerate, tuff, sandstone, siltstone, claystone and black coal and is located in the highest elevations of the local area.

The Project Area is entirely underlain by the Killingsworth Soil Landscape (including Variant A), shown in **Figure 4.2**. The Killingsworth soil landscape can be described as undulating to rolling hills and low hills, generally at an elevation of 50-160m with local relief of 30-100m. Slopes within this soil landscape vary between 3% and 20%, with slopes steeper than 20% generally considered variant A of the soil landscape. Killingsworth is an erosional soil landscape (particularly susceptible to water erosion), which primarily comprises shallow (up to 60cm, on crests and hillslopes) to moderately deep (150cm, primarily in drainage lines) topsoil. Areas within variant A of the Killingsworth soil landscape generally are considered to have no more than 60cm of topsoil. This topsoil is made up of a brownish black pedal loam (A₁, usually 5-25cm) that overlies a bleached hard setting loamy sand to sandy clay loam (A₂, usually 10-150cm). These topsoils generally overlie a pedal yellowish-brown clay (B horizon) (eSpade, 2020).

4.2 Hydrology

Two waterways originate in the Project Area, these being Jesmond Creek (easternmost waterway) and an unnamed tributary of Flats Creek, as shown in **Figure 4.2**. Both of these creek lines are non-perennial and are considered to have a limited catchment area. Higher order watercourses in proximity to the Project Area include Dark Creek to the north, Ironbark Creek to the west and Styx Creek to the east. Ironbark Creek and Styx Creek are both perennial waterways, with Ironbark Creek forming the largest tidal creek catchment in the city of Newcastle. The largest perennial source of freshwater within the vicinity of the site is the Hexham Swamp, currently a part of the Hunter Wetlands National Park and at a distance of 7 kilometres north from the Project Area. It is likely that Aboriginal people utilised these major waterways for access to water and subsistence practices.



Figure 4.1 Soils

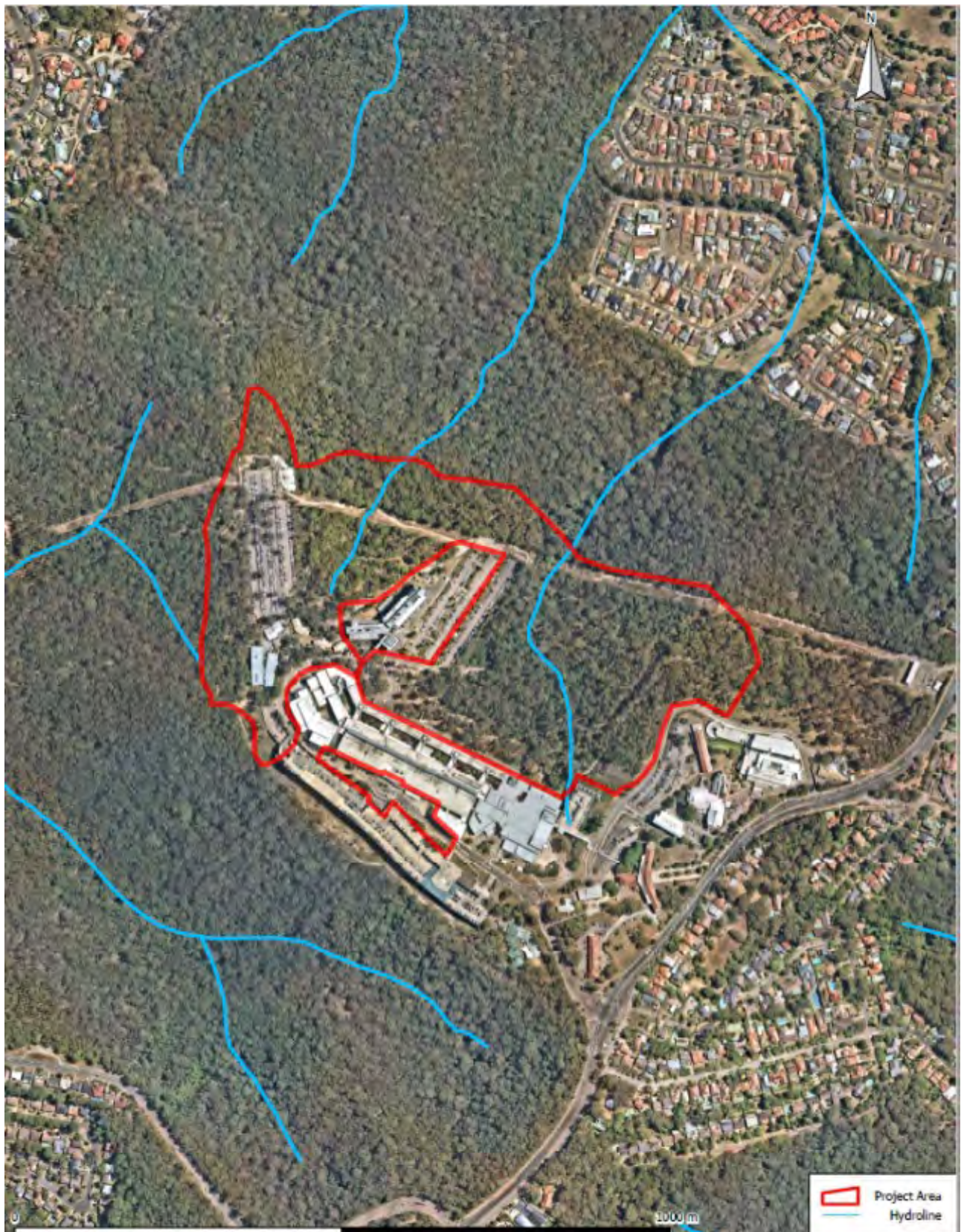


Figure 4.2 Hydrology

4.3 Flora and Fauna

Detailed ecological assessment of the Project Area has been undertaken both for the JHHIP project and the Newcastle Inner City Bypass that borders the project area to the west. The following reports and databases were reviewed by Umwelt (2020) in order to determine the likely vegetation communities occurring within the Project Area. The literature review included consideration of the following:

- A search of the Bionet Atlas of NSW Wildlife and the Department of the Environment and Energy (DoEE) Protected Matters Database, within a 10 kilometre radius of the Project Area to identify threatened and migratory species, endangered populations and Threatened Ecological Communities (TECs) previously recorded within the locality. The objective of the database searches is to identify threatened listings that could potentially occur but are difficult to detect without extensive and seasonal survey effort
- Umwelt Environmental Consultants 2006, Ecological Constraints for a Proposed New Route for State Highway 23 between Rankin Park and Jesmond. An unpublished Report prepared for the Roads and Traffic Authority, February 2006
- Parsons Brinckerhoff 2014, Newcastle Inner City Bypass, Rankin Park to Jesmond Preliminary Environmental Investigation
- GHD 2016, Newcastle Inner City Bypass, Rankin Park to Jesmond Biodiversity Assessment Report.

Following the review, the vegetation within the Project Area was stratified into preliminary Plant Community Types (PCTs) that were then sampled during field surveys.

Table 4.1 Plant Community Types within the Project Area

PCT ID	PCT Name Zone	Keith Class
1592	Spotted Gum - Red Ironbark - Grey Gum shrub - grass open forest of the Lower Hunter	Hunter Macleay Dry Sclerophyll Forest
1619	Smooth-barked Apple - Red Bloodwood - Brown Stringybark - Hairpin Banksia heathy open forest of coastal lowlands	Sydney Coastal Dry Sclerophyll
1627	Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast	Sydney Coastal Dry Sclerophyll Forest

In more general terms, the region surrounding the Project Area to the north, east and west is comprised of uncleared open forest with some open woodland. Urban development and road infrastructure has contributed towards contemporary clearing measures outside of the woodland buffer zone.

The native vegetation communities present in the vicinity of the Project Area would have provided a range of resources used by Aboriginal people for food, medicine and for making day to day items and would also have supported a range of mammal, reptile and bird species that provided food and other resources for Aboriginal people.

4.4 Historical Land Use

Lambton, the neighbouring suburb of the Project Area, was settled under the direction of the Scottish Australian Mining Company in 1862. Mining activities continued until 1936, at which point the area was regarded as primarily residential (Newcastle 2020). While mining subsidence is present throughout the local area, these activities are unlikely to have had significant impact on the surface landscape.

The Project Area includes Newcastle's primary hospital complex. Initially the site of Lambton Lodge, a historic meeting location for Lambton miners in the late 19th to early 20th century (Trove 2020), the land was purchased in 1923 by the Newcastle Hospital Board and expanded in 1926 by 60 acres. By 1942 the construction of the Rankin Park medical centre had begun (Lachlanwetherall 2020), followed by the John Hunter Hospital in 1991, Newcastle Private Hospital in 1994 and the Royal Newcastle Centre in 2006. The construction of the hospital precinct also included the construction of infrastructure such as access roads, numerous car park facilities and an extension of garden grounds.

The Project Area contains unsealed access tracks intersecting the surrounding Jesmond Bushland, which are associated with the Hospital complex. The proposed new building component of the Project Area will potentially overlie part of the existing Hunter Medical Research Institute car park. Furthermore, clearance of a corridor of bushland has been previously undertaken by AusGrid at the northern extent of the Project Area to facilitate the construction of a powerline easement. This easement stretches from Lookout Road to the east of the Project Area across the extent of the area to the north western carpark. It is likely that this clearance and construction of the associated maintenance tracks, has resulted in significant impact to any remnant topsoil profiles with the potential to contain Aboriginal objects.

Given the minimal historical land use of the Project Area outside the existing areas of hospital infrastructure and powerline easement clearance, it is possible that archaeological deposits would remain intact within the less disturbed portions of the Project Area.

4.5 Summary

The Project Area is situated within a broader local area that had access to freshwater within a moderate distance, and abundant flora and fauna resources within a 12km perimeter due to the locality of the swamp reserves and the Hunter River. This would be conducive with the possible temporary habitation of the broader area by Aboriginal communities.

The Project Area comprises a variety of landforms including moderate slopes and elevated crests without direct access to water, which were typically less frequently targeted as camping locations by Aboriginal people. This coupled with a lack of reliable water sources in the immediate vicinity would have made the area less attractive for prolonged occupation by Aboriginal communities. While the topography and hydrology indicates that the Project Area would not have been ideally suited for prolonged Aboriginal occupation, it may have been utilised in a more infrequent manner in which the immediate availability of a permanent fresh water source was not as critical.

5.0 Cultural and Archaeological Context

In order to adequately understand and assess the Aboriginal cultural heritage values of an area, it is necessary to also understand the cultural context of the area. The term cultural context encompasses both ethnographic information regarding how Aboriginal people lived in the region during the period of non-Aboriginal settlement and the historical context.

5.1 Ethnohistoric Context

The Project Area forms part of a landscape that was used by the traditional Aboriginal owners for many thousands of years prior to European contact and continues to be highly valued by Aboriginal people today. The occupation of the Newcastle area (known to the Awabakal as Mulubinba) by Aboriginal people is demonstrated by the presence of a range of archaeological sites that include evidence of varying levels of occupation and utilisation of different landscapes and resources within the Newcastle area. However, the physical archaeological record is only one part of the cultural context of the area and to gain further understanding, a review of available ethnohistoric records can provide insight that is not readily available from archaeological evidence.

Ethnohistoric accounts can be of use in gaining an understanding of how Aboriginal people lived in the Newcastle area at the time of early contact. However, in reviewing ethnohistoric accounts, it must be noted that many of these document Aboriginal society from the perspective of non-Aboriginal men who would not have had access to all aspects of Aboriginal society. As such these accounts are often written by those who viewed Aboriginal people from an entirely non-Aboriginal perspective. In addition, most ethnohistoric accounts date from a period when introduced diseases had already had an impact upon Aboriginal society (refer to Butlin 1982). These limitations must be considered with reference to all of the information presented below.

Perhaps the single-most important source of ethnohistoric information for the Awabakal people was the missionary, Lancelot Threlkeld, who lived for a time in a house on the Newcastle foreshore and subsequently established a mission at Belmont and then at Toronto on Lake Macquarie and collated a large body of information on the Awabakal people and their language between 1825 and 1841. Threlkeld's account included the story of Yi-ra-na-li, which he described as a sacred place 'near Newcastle on the sea-beach, beneath a high cliff'. He implied that this was connected to his Aboriginal informant's belief that Nobbys Island was the dwelling place of a giant kangaroo who, after breaching totemic rules was chased by flocks of wallabies and hid in Nobbys Island. From here he periodically shakes himself, resulting in the collapse of rocks from the cliff faces around Newcastle. While records also exist of corroborees or ceremonial events being undertaken in the Newcastle area (refer to Umwelt 2010), there are very few other written records of spiritual beliefs and practices of the Awabakal people (noting that where such beliefs and practices are known by modern Awabakal people, it is often not culturally appropriate to make this information available).

Records from the earliest European explorers and settlers within the Newcastle region, although limited, record the early interactions between the traditional Aboriginal owners of the area and the newly arrived Europeans. These early accounts include descriptions of encounters with Aboriginal people during Lieutenant Grant's expedition to the Hunter River in 1801. At this time Patterson wrote of the large quantity of oyster shell built up in middens along the Hunter River, writing to the King 'they are in some places for miles. These are four feet deep, without either sand or earth' (Patterson to King, 25 June 1801 in HRNSW IV), quoted in Dallas 2004: 48). More extensive interactions logically followed the establishment of the second penal settlement in 1804, including records of Aboriginal people returning escaped convicts to settlement officials, possibly in retribution for the manner in which escaped convicts attacked Aboriginal

families. This is typified by an account in the 1821 report of Commissioner Bigge (as quoted in AHMS 2008:63):

Many attempts are made by the prisoners to escape, and the natives who inhabit the Hunter River and Port Stephens Districts, have become very active in re-taking fugitive convicts. They accompany the soldiers sent in pursuit, and by their extraordinary site (sic) they can trace to a great distance with accuracy the imprint of a human foot. Nor are they afraid of meeting with the convicts in the woods, when sent in pursuit without the soldiers. By their skill in throwing the long painted darts, they wound and disable them, and bring them back prisoners, by unknown roads and paths, to the Coal River. They are rewarded for these enterprises by presents of blankets and maize, and not withstanding the apprehension of revenge from the convicts whom they bring back, they continue to live in Newcastle and its neighbourhood, but they are observed to prefer the company of soldiers to that of the convict.

Records exist of Aboriginal people receiving gifts of blankets, tobacco and other supplies in thanks for their involvement (Roberts 2003). Accounts from 1819 and 1820 record the punishment of non-Aboriginal men for the mistreatment of Aboriginal men, including the execution of John Kirby (refer to Umwelt 2010). In addition, early artworks from the period by T.R. Browne, Joseph Lycett, Walter Preson and Joseph Cross all show Aboriginal camps bordering the developing settlement between 1812 and 1828. This is particularly relevant in relation to the image painted by Lycett of Awabakal people camping on the Hunter River foreshore, potentially in the vicinity of present day Wickham (refer to **Plate 5.1**). This does not in any way imply that the ongoing development of Newcastle was positive for the Aboriginal people of the region. Rather as Newcastle expanded following the closure of the penal settlement in 1823, Aboriginal people were increasingly struggling to access their land and resources within the settlement itself. This is demonstrated by the records of violent clashes between the Awabakal and the European settlers in the 1830s in the Lake Macquarie area (Umwelt 2010).

A newspaper account in 1830 (in Turner 1997) indicated that the number of Aboriginal people within the Newcastle settlement at the time was equal to (if not greater than) the non-Aboriginal population and that Aboriginal people provided services to the 'lowest classes' such as carrying wood and water and received 'small pieces of tobacco or a cob of corn' in return. Records show that, with the continuation of European settlement within the Newcastle area, a decrease in the numbers of Aboriginal people living in the area was noted. This can be seen in the blanket distribution records from 1833 that list 117 Aboriginal people in the Newcastle district. However, by 1846 only 29 Aboriginal people were listed on a blanket return list (Umwelt 2010). This may indicate a significant decrease in the Aboriginal population in the area although it must be noted that these records may not be directly comparable.

The decrease in the Aboriginal population was evidenced by Threlkeld who noticed that the number of Aboriginal people occupying the Belmont and later Toronto missions, significantly decreased. Threlkeld attributed this decline as a result of the effects of disease, drought and the ongoing attraction of employment in Newcastle. Threlkeld stated that Aboriginal people were 'employed' in the Newcastle settlement as fishermen, water carriers, messengers, servants and ship hands (in Umwelt 2010). He also noted that while Aboriginal people were living in camps at Newcastle, it was 'being sold out from under their feet, and only the sea-beach, one hundred feet from the high water mark, is the place on which they may rest their heads beneath burning sun or pitiless storm' (refer to Umwelt 2010).

The historical accounts demonstrate the ongoing presence of Aboriginal people within proximity to the Project Area. However, subsequent records of Aboriginal people living or working within the Newcastle area are relatively rare until the modern period. This does not demonstrate the absence of Aboriginal people from the area but is symptomatic of the increasing marginalisation of Aboriginal people resulting from the expansion of the settlement.

The experience of Aboriginal people in NSW since European contact has also been one of movement, forced or otherwise, which has seen Aboriginal people from other traditional countries come to the area and develop their own attachments to Newcastle. The history of the Newcastle area therefore spans the traditional and ongoing connection to country, the attachment to place experienced by other Aboriginal people, European settlers and other migrant peoples since 1788 and the shared history of all.



Plate 5.1 Lycett image - 'Aborigines Resting by a Camp Fire near the Mouth of the Hunter River, Newcastle NSW'

Source: National Library of Australia: Call Number PIC MSR 12/1/4 #R5684

5.2 Aboriginal Archaeological Context

A review of available archaeological information is crucial to the cultural heritage assessment process, as it informs the understanding of archaeological site patterning, site survival and the potential for detection of extant archaeological sites. This information is discussed with reference to the outcomes of a search of the Aboriginal Heritage Information Management System (AHIMS) database (which documents the location and nature of sites for which site cards have been lodged) and a summary of the outcomes of previous archaeological investigations in the local area. This information is then considered with reference to key environmental characteristics discussed above with reference to the archaeological implications for the Project Area.

5.2.1 AHIMS Search

A search of the AHIMS database was conducted on 5 May in a 10km x 10km search area, which centred on the Project Area. A total of 88 sites were identified during the broader AHIMS search. Eight have been registered as 'destroyed' or 'partially destroyed', one has been 'deleted' and four were 'not a site'. Of the 75 remaining sites registered as valid, the majority (63) were comprised of stone artefacts. The remaining sites were grinding grooves (11), shell artefacts (5), modified trees (3) and potential archaeological deposit with artefacts (3), a grinding groove site associated with stone artefacts, an ochre quarry artefact and potential archaeological deposits. **Table 5.1** lists the results of the AHIMS search and **Appendix 2** provides the detailed results of the search.

Key sites are listed in **Table 5.2** below with reference to their proximity to the project area, with the location of these sites shown in **Figure 5.2**. Discussion on the outcomes of previous archaeological investigations (where information was made available), including those where investigations resulted in the identification of Aboriginal objects in proximity to the project area, can be found in **Section 5.2.2**.

Table 5.1 Results of the AHIMS Search

Site Features	Count	Percentage of Total
Artefact	63	71.59%
Artefact, Grinding Groove	1	1.14%
Artefact, Ochre Quarry	1	1.14%
Artefact., Potential Archaeological Deposit (PAD)	3	3.41%
Artefact, Shell	5	5.68%
Grinding Groove	11	12.50%
Modified Tree (Carved or Scarred)	3	3.41%
Potential Archaeological Deposit (PAD)	1	1.14%
Total	88	100.00%

Table 5.2 Summary of information for key sites

Site ID	Site name	Features	Proximity to project area	Relevant reports
38-4-1940	RP2J IF 2	Artefact	50m	Kelleher Nightingale Consulting 2018
38-4-1941	RP2J AFT 1	Artefact	90m	Kelleher Nightingale Consulting 2018
38-4-1943	RP2J AFT 3	Artefact	500m	Kelleher Nightingale Consulting 2018
38-4-1944	RP2J IF 1	Artefact	200m	Kelleher Nightingale Consulting 2018
38-4-1945	RP2J AFT 4	Artefact	1000m	Kelleher Nightingale Consulting 2018
38-4-0081	Wallsend;	Grinding Groove	2000m	Dyall 1971
38-4-0082	Lambton	Grinding Groove	1100m?	Dyall 1971

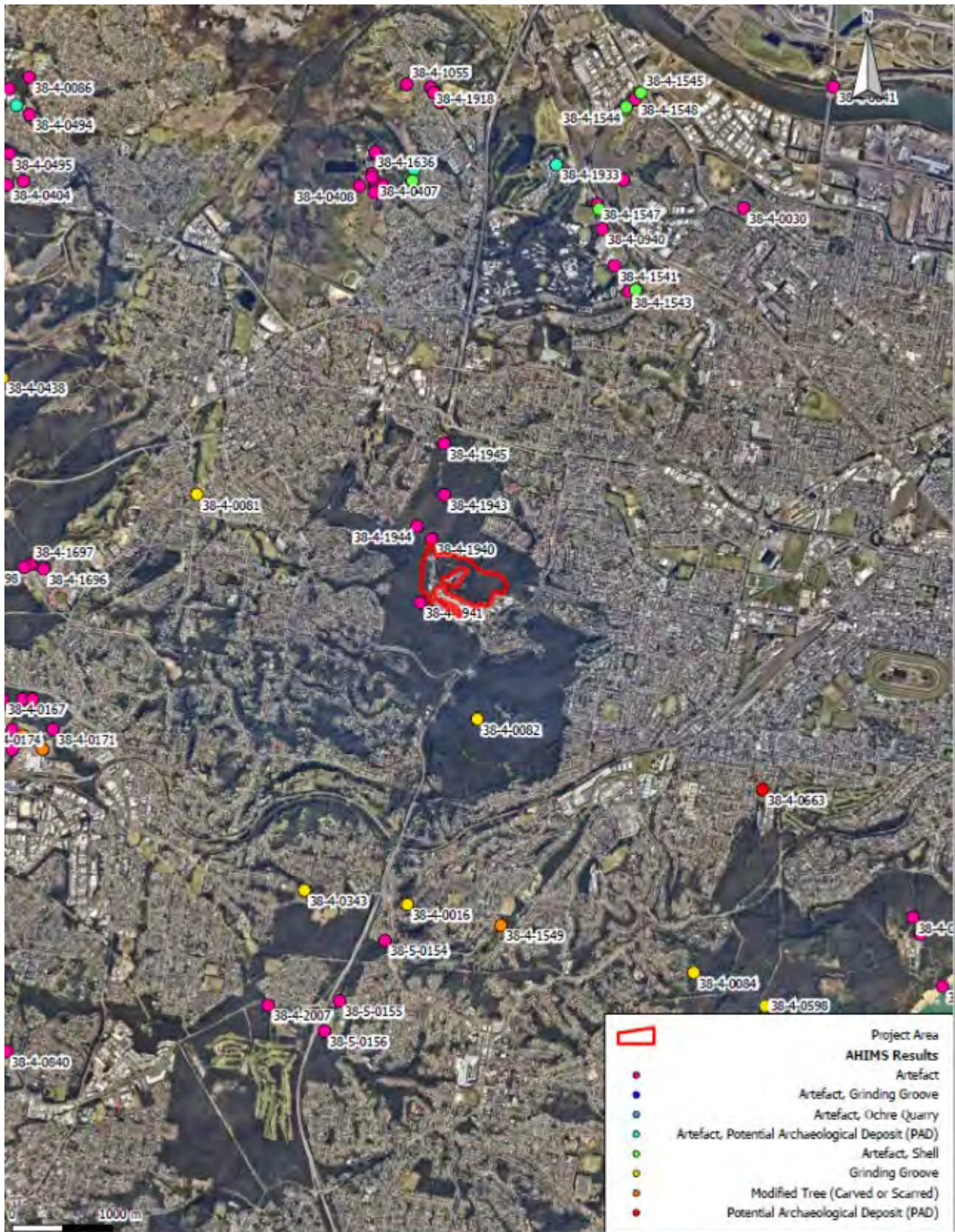


Figure 5.1 AHIMS Results



Figure 5.2 Site Curtilages in Proximity to the Project Area

5.2.2 Flora Previous Archaeological Assessments

The Newcastle LGA has been extensively assessed in recent years due to widespread infrastructure upgrades and developments. Assessment of the Project Area specifically has taken place, however the extent of prior assessment is more notable across the region as a whole. Nonetheless the Project Area and surrounds have been surveyed over multiple fieldwork programs and there is a reasonably sound understanding of the landforms and archaeological potential of the Project Area based on the results of these assessments.

Newcastle Coastline (Dyall 1971)

Dyall (1971) published results of archaeological fieldwork undertaken along the Newcastle coastline. The majority of Aboriginal sites identified were open camp sites comprising stone artefacts and/or shell midden while five axe-grinding groove locations were identified between Newcastle and Redhead. Open camp sites were generally found in close proximity to marine, estuarine and lagoon resources with large midden sites found where both ocean beach and tidal reef resources were available. He notes the once numerous abundances of waterfowl, shellfish, fish of tidal flats and bivalves in swamp areas, such as Hexham Swamp. The axe grinding groove sites were located on sandstone creek beds and included two locations (AHIMS ID 38-4-0081 and 38-4-0082) located within 2 kilometres of the Project Area. Stone artefacts were predominantly made from chert with tuff/mudstone and quartzite also identified. Dyall identified quarry sites with small boulders of good quality chert (also often described as tuff) at Nobbies, Merewether and Glenrock approximately six to nine kilometres east to southeast of the current Project Area. The quarry site at Glenrock was associated with broken boulders and implements made from the lumps of chert (ibid: 159). Dyall also notes the preferred sources of water amongst swamp areas as being what could be procured after digging into the sandy soil along the waterside.

Newcastle LGA (AMBS 2005)

An Aboriginal Heritage Study of the Newcastle Local Government Area (LGA) was undertaken by AMBS in 2005. The study aimed to provide a greater understanding of the Aboriginal heritage of the Newcastle Area, and to develop a framework for the strategic conservation and management of Aboriginal cultural heritage. This study referred to both the tangible (archaeological sites) and intangible (social/cultural) aspects of Aboriginal culture. The spatial distribution of recorded sites within the region were characterised as low density along ridges and hillslopes with increased site complexity and density in proximity to wetlands and watercourses. The study found that although vital resources such as water, stone, flora and fauna were available across the Newcastle LGA, areas such as the Hunter estuary delta and Hexham swamp were key locations for Aboriginal occupation of the region. Smaller quantities of axe grinding grooves, quarries and ceremonial sites were also identified within the region and the study noted that sources of tuff/mudstone were present within the Glenrock Nature Reserve approximately six kilometres south east of the current Project Area. The archaeological sensitivity modelling determined that the lower slopes of the Glenrock Nature Reserve had moderate sensitivity while the upper slopes were assessed as having low archaeological potential (AMBS 2005; 89).

Bluegum Vista (Umwelt 2002)

In 2002, Umwelt undertook an archaeological excavation for the Fletcher Bluegum Vista residential estate project approximately seven kilometres to the northwest of the Project Area. An area of 316 square metres was investigated with 3001 flaked stone artefacts being uncovered, including flakes, broken flakes, retouched flakes, flaked pieces, cores, hammerstones, an anvil and grinding stone fragments. The dominant raw material type of the artefacts was fine grained siliceous tuff/mudstone and silcrete. Three areas of significance were identified, being a hillock/headland, open spur crest and a sheltered spur crest. The hillock/headland and sheltered spur crest were recommended for conservation due to their cultural heritage and possible archaeological potential.

Glendale (Dean-Jones 1989)

Dean-Jones (1989) conducted an archaeological constraints assessment of 90 hectares of lands following Winding Creek, which runs for approximately 5 kilometres through Cardiff South, Cardiff and Glendale where the assessment was based. A field survey identified nine Aboriginal archaeological sites within 4 kilometres of the current Project Area. The sites contained eight artefact scatters and one culturally modified tree. Of the eight sites identified, one contained a concentration of 53 artefacts, made up of tuff/mudstone flakes, flaked pieces and cores, whilst the remaining sites contained fewer than 10 pieces of flakes stone each.

John Hunter Hospital (Brayshaw and Kerr 1983, Umwelt 2002)

Prior to the construction of John Hunter Hospital, Brayshaw and Kerr (1983) conducted an archaeological survey of Rankin Park Hospital, which is located within the property boundary of the current Project Area. No archaeological evidence was discovered; however, it was suggested that unrecorded grinding grooves may be found along the creek lines transecting the site.

Archaeological investigations were also carried out by Umwelt (2002) to assess the impact of a new access road to John Hunter Hospital, within the current Project Area. Due to the high level of activity, the area was found to be heavily disturbed and no Aboriginal archaeological deposits were located. No sites of archaeological potential were found and the area was deemed of low archaeological significance.

Newcastle Inner City Bypass (formerly State Highway 23) (Brayshaw and Associates 1984, ERM 2002, Umwelt 2006)

Brayshaw and Associates (1984) conducted an archaeological survey of three potential routes for the Newcastle City Bypass (formerly Highway 23). The survey took place from Lookout Road in New Lambton Heights, the location of the current Project Area, to Newcastle Road in Jesmond Park. No sites of archaeological significance were identified, although it was noted that the subject area had low visibility below 5%.

ERM (2002) conducted an archaeological survey of the intersection of McCaffrey Drive and Lookout Road, New Lambton, located approximately 750 metres to the south of the current Project Area. Due to the past land use of the area, as well as the disturbance to the landscape as a result of high activity and development, no Aboriginal archaeological sites were identified.

Umwelt (2006) conducted an Aboriginal archaeological assessment of potential routes for the Newcastle City Bypass (formerly Highway 23). No Aboriginal archaeological sites were discovered; however, it was noted that visibility was below 10% across all landforms. No sandstone outcropping was found, and it was determined that due to the past land use, vegetation clearance, steep slopes and levels of erosion soil that the area's archaeological potential had been severely reduced. It found that any archaeological sites would likely consist of artefact scatters or open campsites and axe grinding grooves. Predictive modelling suggested the region, including parts of the current Project Area, would have been in transient use by Aboriginal communities with low levels of artefact discard.

Newcastle Inner City Bypass, Rankin Park – Jesmond (Kelleher Nightingale Consulting 2018)

In 2018 an Aboriginal Cultural Heritage Assessment Report was prepared by Kelleher Nightingale Consulting Pty Ltd for the construction of the fifth section of the Newcastle Inner City Bypass. The section involves the construction of a 3.4 kilometre four laned divided road between Lookout Road, New Lambton Heights and Newcastle Road, Jesmond. The report referenced that the region between Jesmond and New Lambton Heights is historically known as an important and extensively used region utilised by the Awabakal people. The bypass construction does not include the Project Area, however, does immediately border and circumvent the site.

The investigation identified a total of four Aboriginal archaeological sites. Sites RP2J AFT 3 and RP2J AFT 4 were located on raised landforms overlooking ephemeral creek lines and were investigated due to low level disturbance and being located near a creek junction, and due to surface artefact identification and undisturbed deep deposits, respectively. Two areas of potential archaeological deposit (RP2J PAD 1 and RP2J PAD 2) were located on crests, and investigated due to favourable topography, soils, proximity to water and proximity to known archaeological sites. These sites were subject to test excavations, with excavation depth ranging from 18-50cm. Site RP2J AFT 3 exhibited intact moderate archaeological potential and the remaining three sites exhibited low archaeological potential and disturbed soil profiles. All four sites are located within 1.5 kilometres to the north of the Project Area. The report reaffirms that archaeological sites in the region are predominantly artefact scatters that are spatially more frequent and contain higher densities of stone artefacts in close proximity to freshwater resources. Lower density sites occur along ridges and hillslopes, landforms which are common within the Project Area.

5.3 Predictive Model

The environmental context of the Project Area demonstrates that the area is comprised predominately of gently to moderately sloping landforms, with a chance of steeper slopes and crests. There are multiple ephemeral water sources within the confines of the Project Area, with a substantial perennial water source 7 kilometres to the north.

Based on this context, it is unlikely that the Project Area was used as a location for any long term or permanent Aboriginal occupation. The lack of available year-round fresh water in combination with the lack of flat terrain and the highly erosional soil found within the Project Area means the potential for intact deposits is limited. Any artefacts or significant features identified are likely to be the result of short-term site use.

Based on the information provided in **Section 4** and **Section 5**, the following predictive model has been prepared for the Project Area:

- Isolated artefacts and artefact scatters are the most likely site type to occur. These are expected to occur in relative low densities due to the lack of reliable water sources. Based on the soil landscape information and expected levels of erosion within the project area, it is considered unlikely that deep, stratified artefact deposits will occur. However, there is some potential for shallow low density artefact deposits where erosion and modern disturbance has not impacted the remnant soil profile.
- Grinding grooves are considered unlikely to occur, as these sites are generally found along perennial watercourses. If suitable sandstone outcrops are identified within the Project Area, there may be some potential for these to occur, however it is considered that these site types would more commonly be identified on more substantial watercourses within the local area such as Dark Creek, Ironbark Creek or Styx Creek.
- Given the minimal historic land use of parts the Project Area, it is possible that modified trees (scarred or carved) may be present where suitable older growth trees remain. However, given the level of clearance within the Project Area, these site types are unlikely.
- Based on the landforms within the Project Area, it is considered unlikely that rock shelters will occur.

6.0 Archaeological Site Inspection

6.1 Survey Methodology

A survey of the Project Area was conducted by Umwelt archaeologist Ashley O’Sullivan and representatives of the registered Aboriginal parties. During the survey, information was recorded relating to:

- Landform
- Vegetation
- Geomorphology and soils
- Ground surface visibility
- Information provided by the registered Aboriginal parties in relation to cultural values
- Occurrence of Aboriginal resources (food and medicinal plants, prey animals, stone resources, water sources etc.)
- The presence and location of existing previously recorded Aboriginal sites
- The presence and location of culturally significant monuments and sites.

The aim of the survey of the Project area was, as far as practical, to record sufficient information to satisfy Requirement 5 of the Code of Practice and to provide the registered Aboriginal parties participating in the survey with an opportunity to discuss the archaeological and Aboriginal cultural significance of the Project area, and any sites/objects that may be observed. These discussions extended to the archaeological materials that may remain below the surface of the Project area.

6.2 Results

The survey of the Project Area was conducted on 31 August 2020 by Ashley O’Sullivan (Senior Archaeologist, Umwelt) with the Aboriginal parties listed in **Table 6.1** below. It was agreed with the registered Aboriginal parties that the field survey would be conducted as a walking inspection across the Project Area, focusing on areas of exposure or in proximity to the two watercourses that run through the Project Area.

Table 6.1 Registered Aboriginal Party representatives that attended the site inspection

Date	Organisation	Name
31 August 2020	Awabakal and Guringai	Tracey Howie
	ADTOAC	Peter Leven
	ATOAC	Kyle Howie
	Awabakal LALC	Peter Townsend
	Lower Hunter Aboriginal Incorporated	John Wegener
	Worimi Traditional Owners Corporation	Tamara Towers

The Project Area was divided into survey units according to both landform and location. Five primary survey units were identified in the Project Area (SU1 – SU5, refer to **Figure 6.1**). The ground surface visibility (GSV) and exposures were recoded and analysed for each survey unit, as shown in **Table 6.1**.

As previously discussed, much of the project area has been subject to previous disturbance through hospital construction and associated infrastructure or tracks, as well as natural disturbances such as erosion. This is discussed further in **Section 4.4**. As a result, it was determined that much of the survey effort would be focused on areas of exposure (where evident) within the survey units subject to the least disturbance (SU1 and SU3) with other survey units (SU2, 4 and 5) subject to lower priority survey.

SU1 can generally be described as moderately inclined slopes leading towards the tributary creek line that runs through the centre of the survey area. Examples of the vegetation, slope incline and surface visibility can be seen in **Plate 6.1 – 6.5**. Visibility throughout this area was generally poor, with limited exposure present along poorly maintained tracks through the centre of the survey unit, or along larger formed tracks (containing significant amounts of introduced materials). The landforms within SU1 were generally considered not conducive to retaining intact A horizon soils, given the slope and evidence of historical clearing through the lack of old growth vegetation. Some larger sandstone outcrops were identified at the northern extent of SU1, however these outcrops were of poor quality (largely conglomerate sandstone materials) and were not considered conducive for sites such as grinding grooves. No overhangs or shelters were observed where sandstone outcrops were present. SU1 was generally considered the area with the highest potential for Aboriginal objects or sites prior to site survey, however the in-field investigations identified that it is unlikely for objects or sites to be located within this survey unit due to the factors outlined in this paragraph.

SU2 can be largely described as track and retention basin associated with the recent development in the John Hunter Hospital campus, located on the south side of SU1. The track was primarily comprised of introduced materials, with several services evident on the north side of the track. The retention basin, associated within one of the existing buildings, has resulted in significant impacts within SU2, as it would have removed any remnant soils through construction. While this area was surveyed, it was determined that any potential for Aboriginal objects or sites to be present had been removed through this disturbance.

SU3 can be largely described as the top of a ridgeline that gently declines to the west away from the project area. The areas within SU3 were largely flat, with ground surface visibility generally poor and exposures limited to existing vehicle tracks. An example of the vegetation, slope incline and surface visibility can be seen in **Plate 6.6**. Given the level of visibility within this area when compared to other parts of the Project Area, prior to survey it was identified as having high potential for surface Aboriginal objects or sites to be identified (in comparison to the Project Area more generally). The tracks within SU3 appear to be subject to ongoing use as there was evidence of recent vehicle movement observed. Based on the level of disturbance within the tracks, the nature of the landforms within the remainder of the survey unit and the lack of reliable water within the survey unit, it is assessed as having low archaeological potential.

SU4 can be generally described as gently inclined slopes associated with one of the minor tributaries within the Project Area. Examples of the vegetation, slope incline and surface visibility can be seen in **Plate 6.7 – 6.8**. The area comprised a number of poorly maintained pedestrian tracks, predominantly associated with the Yallarwah Memorial Walk). The landforms within SU4 were generally considered not conducive to retaining intact A horizon soils, given the slope and evidence of historical clearing through the lack of old growth vegetation. Further, the presence and maintenance of the tracks within SU4 has resulted in further disturbance and removal of any previously existing topsoil. Given the lack of topsoil observed across this survey unit, it was determined that it is unlikely for objects or sites to be located within this survey unit.

SU5 comprises areas subject to significant disturbance throughout the Project Area, such as the powerline easement, carparks and other infrastructure. Examples of this disturbance can be seen in **Plate 6.9 – 6.10**. Given the heavily disturbed nature of these areas, it was determined during survey that any potential for Aboriginal objects or sites to be present had been removed through this disturbance.

Overall, the Project Area, while retaining some areas of limited disturbance (such as SU1 and SU3), generally did not display landforms or features such as perennial watercourses that would have been attractive to Aboriginal people. No culturally modified trees were observed during the archaeological survey of the Project Area. While the ground surface visibility was generally poor throughout the Project Area (outside of formed vehicle or pedestrian tracks), it is considered unlikely that Aboriginal objects or sites would be present within the Project Area in detectable quantities. The Project Area is assessed as having low archaeological potential.

6.3 Effective Coverage

Generally, the level of effective coverage within the Project Area was low. The main factor contributing to the low coverage was grass cover or modern disturbances such as track sealing, carpark sealing or building cover. Areas with the highest levels of effective coverage were the modified landforms that had been significantly disturbed, such as access tracks and infilled banks.

Table 6.2 Survey Coverage

Survey Unit	Landform	Survey unit area (m ²)	Visibility %	Exposure %	Effective coverage area (m ²)	Effective coverage %
SU1	Mostly undisturbed slopes towards watercourse	93,721	5	5	234	0.25%
SU2	Unsolidified Tracks, Retention Basin and Constructed Bank	26,676	10	10	267	1%
SU3	Mostly undisturbed areas	54,523	5	5	136	0.25%
SU4	Modified banks of creek line in proximity to Yallarwah Memorial	24,760	10	10	247	1%
SU5	Heavily modified landforms	79,775	5	10	199.5	0.5%

6.4 Yallarwah Memorial Walk and Circle of Reflection

During the site survey, the Yallarwah Memorial Walk and Circle of Reflection was visited. While not proposed to be impacted by the Project, it was determined that inspection of this site was necessary given its potential cultural significance to Aboriginal people. The memorial walk generally comprises areas within SU4, while the memorial itself is located within the cut-out in the NW of the project area. The memorial walk, including plaques and general condition of the Yallarwah Circle of Reflection, can be found in **Plate 6.11 – 6.14**.

The registered Aboriginal parties made a number of comments on the contents of the signage within the memorial walk and the significance of the Yallarwah Memorial more generally.



Figure 6.1 Survey Units and Tracks within the Project Area



Plate 6.1 Example of general coverage and vegetation within SU1

© Umwelt, 2020



Plate 6.2 Slope towards creek line evident within SU1

© Umwelt, 2020



Plate 6.3 Example of the dense vegetation growth and low visibility within the site

© Umwelt, 2020



Plate 6.4 Example of sandstone outcrop found within SU1

© Umwelt, 2020



Plate 6.5 Example of exposure along poorly maintained track within SU1

© Umwelt, 2020



Plate 6.6 Tracks and recent vehicle disturbance within SU3, with view towards carpark in SU5

© Umwelt, 2020



Plate 6.7 Example of vegetation growth and type within SU4

© Umwelt, 2020



Plate 6.8 Example of moderate sloping gradient landscape, vegetation type and growth of the site within SU4

© Umwelt, 2020



Plate 6.9 Example of erosion and topsoil disturbance as a result of ongoing track use on the slope in SU5

© Umwelt, 2020



Plate 6.10 Example of site disturbance as seen through the eroded dirt track, vegetation clearance and overhead powerline within a powerline easement in SU5

© Umwelt, 2020



Plate 6.11 Detailed view of the Yallarwah Bicentenary Walk monument

© Umwelt, 2020



Plate 6.12 View of the Yallarwah Circle of Reflection monument and stone circle

© Umwelt, 2020



Plate 6.13 Detailed view of the Yallarwah Circle of Reflection monument plaque

© Umwelt, 2020



Plate 6.14 Stone circle arrangement located within the site, with central stone supporting the above monument plaque

© Umwelt, 2020

7.0 Significance Assessment

The assessment of significance is critical in establishing mitigation and management strategies for cultural heritage (refer to Pearson and Sullivan 1995:21). Cultural significance is defined by the Burra Charter in terms of aesthetic, scientific, historic and social values. In NSW, Aboriginal cultural heritage is typically assessed according to its social and scientific significance and is assessed against archaeological criteria outlined in the *Code of Practice for Archaeological Investigations of Aboriginal Objects in New South Wales* (DECCW 2010b).

7.1 Cultural Value

Cultural value refers to the spiritual, traditional, historical or contemporary associations and attachments a place has for Aboriginal people (OEH 2011:8). There is not always consensus about the cultural value of a place as people experience places and events differently, and in some instances cultural values may be in direct conflict. Cultural significance can only be determined by Aboriginal people and is identified through Aboriginal community consultation.

During previous assessments undertaken in the vicinity of the project area, registered Aboriginal parties have identified that the Newcastle area more broadly is a very important location for Aboriginal people due to its association with key physical and spiritual aspects of Aboriginal culture, including key oral traditions relating to this region.

7.2 Archaeological Significance

Archaeological significance is determined by assessing Aboriginal sites/places/objects against criteria as set out by the OEH in *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*. The assessment of the Aboriginal archaeological significance is used to develop a series of cultural heritage management and impact mitigation strategies. The key criteria for the assessment of archaeological significance are outlined below in **Table 7.1**.

Table 7.1 Criteria for the Assessment of Archaeological Significance

Criterion	Low	Moderate	High
Rarity	The site within the surrounding landscape, its integrity, contents and/or potential for sub-surface artefacts, are common within the local and regional context.	The site within the surrounding landscape, its integrity, contents and/or potential for sub-surface artefacts, are common within the regional context but not the local context.	The site within the surrounding landscape, its integrity, contents and/or potential for sub-surface artefacts, are rare within the local and regional context.
Representativeness	This site, when viewed in relation to its integrity, contents and/or potential for sub-surface artefacts, is common within a local and regional context and sites of similar nature (or in better condition) are already set aside for conservation within the region.	This site, when viewed in relation to its integrity, contents and/or potential for sub-surface artefacts, is uncommon within a local context but common in a regional context and sites of similar nature (or in better condition) are already set aside for conservation within the region.	This site, when viewed in relation to its integrity, contents and/or potential for sub-surface artefacts, is uncommon within a local and regional context and sites of similar nature (or in better condition) are not already set aside for conservation within the locality or region.

Criterion	Low	Moderate	High
Research potential	The site, when viewed in relation to its integrity, contents and/or potential for sub-surface artefacts has limited potential to contribute to a greater understanding of how Aboriginal people lived within this area or region.	The site, when viewed in relation to its integrity, contents and/or potential for sub-surface artefacts has moderate potential to contribute to a greater understanding of how Aboriginal people lived within this area or region.	The site, when viewed in relation to its integrity, contents and/or potential for sub-surface artefacts has high potential to contribute to a greater understanding of how Aboriginal people lived within this area or region.
Education potential	The site is not readily accessible and/or when viewed in relation to its contents, integrity and location in the landscape has limited suitability to be used for educational purposes. Other sites with higher education potential are known to be present in the local area and region.	The site is not readily accessible and/or when viewed in relation to its contents, integrity and location in the landscape provides a tangible example that is suitable to assist in educating people regarding how Aboriginal people lived in this area or region. However, other sites with higher education potential are known or expected to be present in the local area or region.	The site is readily accessible and/or when viewed in relation to its contents, integrity and location in the landscape, provides a very good tangible example that is suitable to assist in educating people regarding how Aboriginal people lived in this area or region. Other sites of higher education potential are generally not known to exist in the local area or region.
Integrity	Stratigraphic integrity of the site has clearly been destroyed due to major disturbance/loss of topsoil. The level of disturbance is likely to have removed all spatial and chronological information.	The site appears to have been subject to moderate levels of disturbance, however, there is a moderate possibility that useful spatial information can still be obtained from sub-surface investigation of the site, even if it is unlikely that any useful chronological evidence survives.	The site appears relatively undisturbed and there is a high possibility that useful spatial information can still be obtained from sub-surface investigation of the site, even if it is still unlikely that any useful chronological evidence survives.

Due to the partially disturbed nature of the landscape and landforms and a lack of newly identified sites of significance, the Project Area predominately rates as low when assessed against the criteria above in **Table 7.1**. It is noted that the wider landscape contains Aboriginal objects or sites which hold significance to Aboriginal people, however the disturbed nature of the Project Area did not reflect areas similar to those described in other assessments. It is likely that the Project Area was used transiently by Aboriginal people in order to access these more preferable locations surrounding the Project Area, however this use does not hold scientific or archaeological significance.

As discussed in **Section 6.4**, while not located within the Project Area, the Yallarwah Memorial holds contemporary cultural significance to Aboriginal people. As such, the proposed works within the Project Area are not currently planned to have any impact on the Yallarwah Memorial or associated walk. Given the contemporary significance of such a site, any opportunity to recognise this significance through the project should be considered.

8.0 Impact Assessment

The purpose of this section is to identify whether the Project will result in impacts to Aboriginal cultural heritage within the Project Area.

8.1 Intergenerational Equity

Intergenerational equity is the principle whereby the present generation should ensure the health, diversity and productivity of the environment for the benefit of future generations (Commonwealth of Australia, 2002:5).

When assessing likely harm on Aboriginal objects and places, it is important to consider the principles of ecologically sustainable development (ESD), in particular the precautionary principle and the principle of intergenerational equity. Intergenerational equity is:

“...the principle whereby the present generation should ensure the health, diversity and productivity of the environment for the benefit of future generations.

In terms of Aboriginal heritage, intergenerational equity can be considered in terms of the cumulative impacts to Aboriginal objects and places in a region. If few Aboriginal objects and places remain in a region (for example, because of impacts under previous AHIPs), fewer opportunities remain for future generations of Aboriginal people to enjoy the cultural benefits of those Aboriginal objects and places.

Information about the integrity, rarity or representativeness of the Aboriginal objects and places proposed to be impacted, and how they illustrate the occupation and use of land by Aboriginal people across the region, will be relevant to the consideration of intergenerational equity and the understanding of the cumulative impacts of a proposal. Where there is uncertainty, the precautionary principle should also be followed (DECC 2009: 26)”.

While it is likely that Aboriginal people utilised the area transiently in the past, no evidence of this use was evident during the site survey. This is likely due to a number of contributing factors, such as erosion or historical clearance and disturbance, as described above and observed during the site inspection. While the project will result in clearance of bushland to facilitate new road construction and a new acute services building, much of the bushland observed across the Project Area was observed as being recent regrowth as opposed to old growth. This suggests, as identified in the historical land use section of the report, that the area has been subject to significant historical clearance.

As a result, it is determined that there will be minimal impact on future generations through access to the area. Rather, the increase in footprint to the hospital and allowance for further services to be made available while only impacting on a largely disturbed footprint is seen as a positive community outcome.

8.2 Ecologically Sustainable Development

Australia's *National Strategy for Ecologically Sustainable Development (1992)* defines ecologically sustainable development as: 'using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased'. Put more simply, ESD is development which aims to meet the needs of Australians today, while conserving our ecosystems for the benefit of future generations.

The JHHIP project is subject to significant ecological assessment and will be responsible for following strict environmental guidelines as required by the SEARs. Based on the information presented in this report, the Project will not have an impact on any identified Aboriginal archaeological sites.

9.0 Management Recommendations

The following recommendations have been developed in light of the archaeological context of the region, the potential impacts of the project within the Project Area, current cultural heritage legislation and the outcomes of in-field consultation with representatives of the registered Aboriginal parties. It was noted that the registered Aboriginal parties may wish to provide additional recommendations in response to the draft report.

- Based on the results of this assessment, it is recommended that the proposed works may proceed without a requirement to undertake further archaeological investigation provided that the impacts and extent of the proposed works are consistent with those discussed in this report. Works, however, should proceed with caution.
- Health Infrastructure should ensure that its employees and contractors are aware that it is an offence under Section 86 of the NPW Act to harm or desecrate an Aboriginal object unless that harm or desecration is the subject of an AHIP or approved management plan.
- In the unlikely event that an Aboriginal object is exposed during works, all works in the vicinity of the object should cease and advice should be sought from an archaeologist and the registered Aboriginal parties in regard to management of the object(s).
- In the unlikely the event that suspected human skeletal material be identified within the Project Area, all works should cease immediately and the NSW Police Department, NSW Heritage, DPC and the registered Aboriginal parties should be contacted so that appropriate management strategies can be identified.

10.0 References

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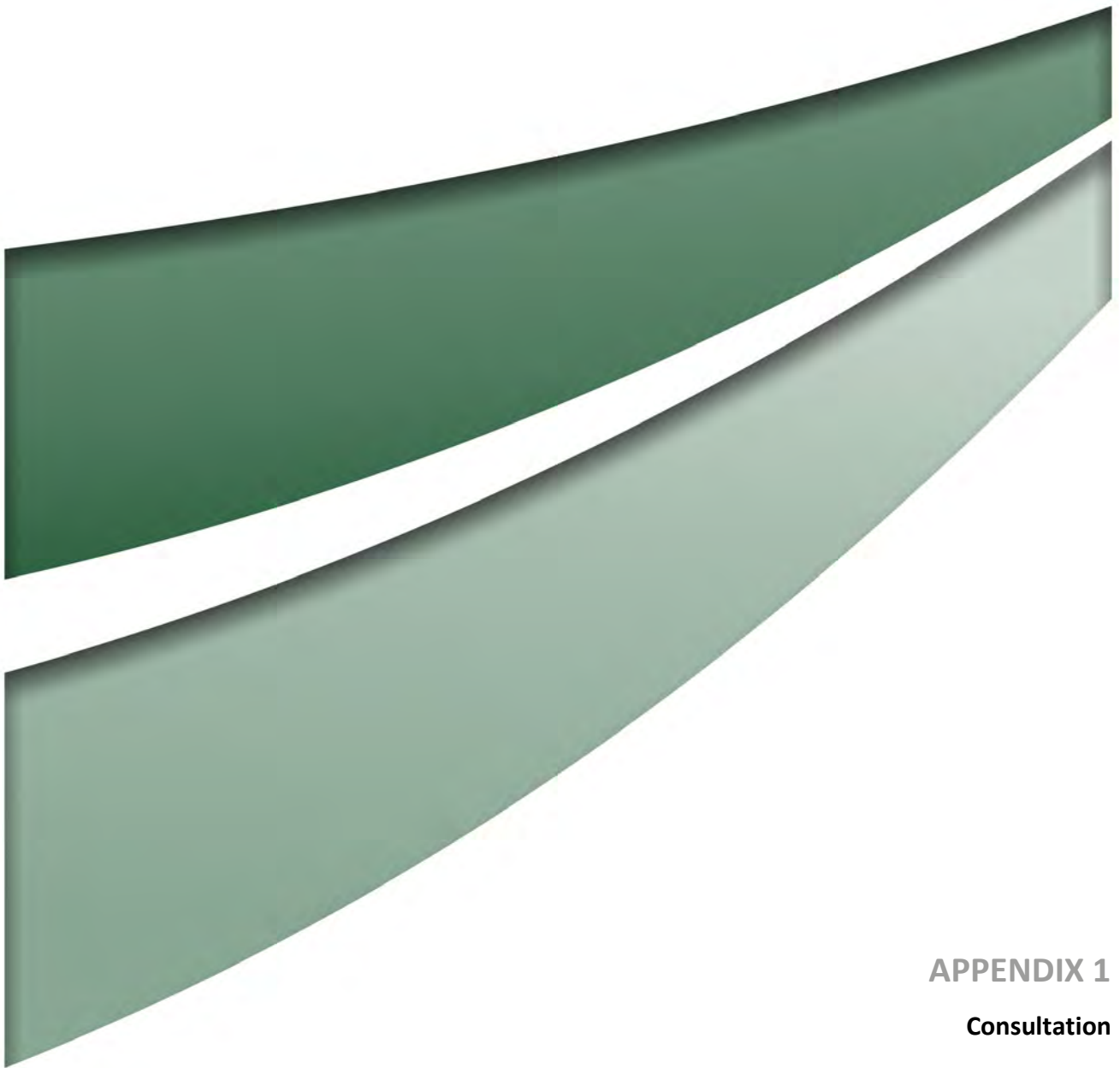
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APPENDIX 1

Consultation

Our Ref: 4965/NR/AO/AF/16042020

16 April 2020

Newcastle City Council
PO Box 489
Newcastle NSW 2300

Email: mail@ncc.nsw.gov.au

Dear Sir/Madam

Re: Notification of commencement of Aboriginal party consultation for proposed development associated with the John Hunter Health and Innovation Precinct (JHHIP) project

Umwelt Environmental and Social Consultants (Umwelt) have been engaged by TSA Management on behalf of NSW Health Infrastructure to prepare an Aboriginal Cultural Heritage Assessment (ACHA) in relation to the proposed redevelopment and expansion of the John Hunter and John Hunter Children's Hospital. The proposed redevelopment forms part of the John Hunter Health and Innovation Precinct (JHHIP) project, consisting of Lot 9 and 11 DP 826092, Lot 41 DP 1176191, Lot 202 1176551, Lots 1 and 2 DP 1228246. The lot boundaries in which the project area is located are shown in **Figure 1**, with current disturbance footprint and maximum footprint shown in **Figure 2**. Please note that the current disturbance footprint (highlighted in blue) is subject to further development of the concept design and may change, but is not likely to extend beyond the maximum footprint (shaded red) in **Figure 2**. Of note is the presence of the Yallarwah reconciliation memorial within the curtilage of the project footprint, highlighted by the green marker in **Figure 2**. A minimum buffer of 25m will be established around this location throughout the proposed works to ensure there is no impact to the memorial. Access to the memorial area will remain throughout project.

The planning pathway for the project is an application under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979*. In preparing the Aboriginal Cultural Heritage Assessment, Umwelt (on behalf of the proponent) will be undertaking Aboriginal community consultation in accordance with the *Aboriginal Cultural Heritage Consultation Requirements (2010)*. This consultation will assist in the preparation of the ACHA for the project area, and if necessary, assist the Department of Planning, Industry and Environment (DPIE) in consideration and comment on the assessment and any management recommendations made.

The Aboriginal cultural heritage assessment will address the requirements of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010a), *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010c) and *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011). In accordance with Section 4.1.2 of the

Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010), Umwelt are seeking to identify Aboriginal people or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the project area. If your organisation is aware of any such Aboriginal people or groups who you think may want to be involved in the project, please forward the relevant contact details by no later than 30 April 2020 to:

Alison Fenwick
Umwelt Environmental and Social Consultants
75 York Street
Teralba NSW 2284
P: +612 4950 5322
E: afenwick@umwelt.com.au

In compliance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010) the contact details for the proponent are as follows:

Leigh Gilshenan
TSA Management
Level 15, 207 Kent Street
Sydney NSW 2000
Office: +612 9276 1400
E; Leigh.Gilshenan@tsamgt.com

If you have any questions regarding this correspondence or wish to discuss the proposed project further, please do not hesitate to contact myself via email or on 02 4950 5322.

Yours sincerely

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Ashley O'Sullivan
Senior Archaeologist



Figure 1 Lot boundaries relevant to the proposed works.



Figure 2 The current proposed works footprint is shown in blue (subject to change). Shown in red is the maximum area that may be subject to impact through changes to the proposed works footprint. The approximate location of the Yallarwah memorial is shown by the green marker, with a minimum 25m buffer to be established around this marker to ensure no disturbance occurs during the project.

Our Ref: 4965/NR/AO/AF/16042020

16 April 2020

National Native Title Tribunal
GPO Box 9973
Sydney NSW 2001

Email: enquiries@nntt.gov.au

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Our Ref: 4965/NR/AO/AF/16042020

16 April 2020

NSW Local Land Services
Hunter Region - Paterson Office
816 Tocal Road (Private Bag 2010)
Paterson NSW 2421

Email: admin.hunter@lls.nsw.gov.au

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16 April 2020

NTSCORP Ltd
PO Box 2105
Strawberry Hills NSW 2012

Email: information@ntscorp.com.au

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E: afenwick@umwelt.com.au

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Yours sincerely

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Ashley O'Sullivan
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Our Ref: 4965/NR/AO/AF/16042020

16 April 2020

Department of Primary Industry and Environment
Senior Team Leader, Planning
Locked Box 1002
Dangar NSW 2301

Email: rog.hcc@environment.nsw.gov.au

Dear Sir/Madam

Re: Notification of commencement of Aboriginal party consultation for proposed development associated with the John Hunter Health and Innovation Precinct (JHHIP) project

Umwelt Environmental and Social Consultants (Umwelt) have been engaged by TSA Management on behalf of NSW Health Infrastructure to prepare an Aboriginal Cultural Heritage Assessment (ACHA) in relation to the proposed redevelopment and expansion of the John Hunter and John Hunter Children's Hospital. The proposed redevelopment forms part of the John Hunter Health and Innovation Precinct (JHHIP) project, consisting of Lot 9 and 11 DP 826092, Lot 41 DP 1176191, Lot 202 1176551, Lots 1 and 2 DP 1228246. The lot boundaries in which the project area is located are shown in **Figure 1**, with current disturbance footprint and maximum footprint shown in **Figure 2**. Please note that the current disturbance footprint (highlighted in blue) is subject to further development of the concept design and may change, but is not likely to extend beyond the maximum footprint (shaded red) in **Figure 2**. Of note is the presence of the Yallarwah reconciliation memorial within the curtilage of the project footprint, highlighted by the green marker in **Figure 2**. A minimum buffer of 25m will be established around this location throughout the proposed works to ensure there is no impact to the memorial. Access to the memorial area will remain throughout project.

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Our Ref: 4965/NR/AO/AF/16042020

16 April 2020

Office of the Registrar
Aboriginal Land Rights Act 1983 (NSW)
PO Box 112
Glebe NSW 2037

Email: adminofficer@oralra.nsw.gov.au

Dear Sir/Madam

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Our Ref: 4965/NR/AO/AF/16042020

16 April 2020

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PO Box 111
Islington NSW 2296

Email: culture@awabakallalc.com.au

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

A1 Indigenous Services
Carolyn Hickey
10 Marie Pitt Place
GLENMORE PARK NSW 2745

Email: Cazadirect@live.com

Dear Carolyn

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

We are writing to let you know that planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct. The John Hunter Health and Innovation Precinct will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Arwarbukarl Cultural Resource Association, Miromaa Aboriginal Language and
Technology Centre
Darren McKenny
840 Hunter St
NEWCASTLE WEST NSW 2302

Email: contact@acra.org.au

Dear Darren

**Re: Consultation for a proposed development associated with the John Hunter
Health and Innovation Precinct project**

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Awabakal Descendants Traditional Owners
Peter Leven
PO Box 137
BUDGEWOI NSW 2262

Email: awabakal.to@gmail.com

Dear Peter

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

AGA Services
Ashley, Gregory & Adam Sampson
22 Ibis Parade
WOODBERRY NSW 2322

Email: aga.services@hotmail.com

Dear Ashley, Gregory & Adam

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Awabakal Local Aboriginal Land Council
CEO
127 Maitland Road
ISLINGTON NSW 2296

Email: reception@awabakallalc.com.au

Dear CEO

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Yours sincerely

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Ashley O'Sullivan
Senior Archaeologist



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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Aliera French Trading
Aliera French
17 Kalinda St
BLACKSMITHS NSW 2281

Email: alierafrenchtrading@outlook.com

Dear Aliera

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

We are writing to let you know that planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct. The John Hunter Health and Innovation Precinct will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

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Umwelt Environmental and Social Consultants
75 York Street
Teralba NSW 2284
P: +612 4950 5322
E: afenwick@umwelt.com.au

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TSA Management
Level 15, 207 Kent Street
Sydney NSW 2000
P: +612 9276 1400
E: Leigh.Gilshenan@tsamgt.com

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Awabakal Traditional Owners Aboriginal Corporation
Kerrie Brauer
PO Box 122
RUTHERFORD NSW 2320

Email: Kerrie@awabakal.com.au

Dear Kerrie

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Awabakal & Guringai Pty Ltd
Tracey Howie & Kerrie Brauer
PO Box 4061
WYONGAH NSW 2259

Email: traceyhowie@icloud.com, kerrie@awabakal.com.au

Dear Tracey Howie

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Awabakal & Guringai Pty.Ltd
Tracey Howie
PO Box 122
RUTHERFORD NSW 2320 NSW 2320

Email: kerrie@awabakal.com.au

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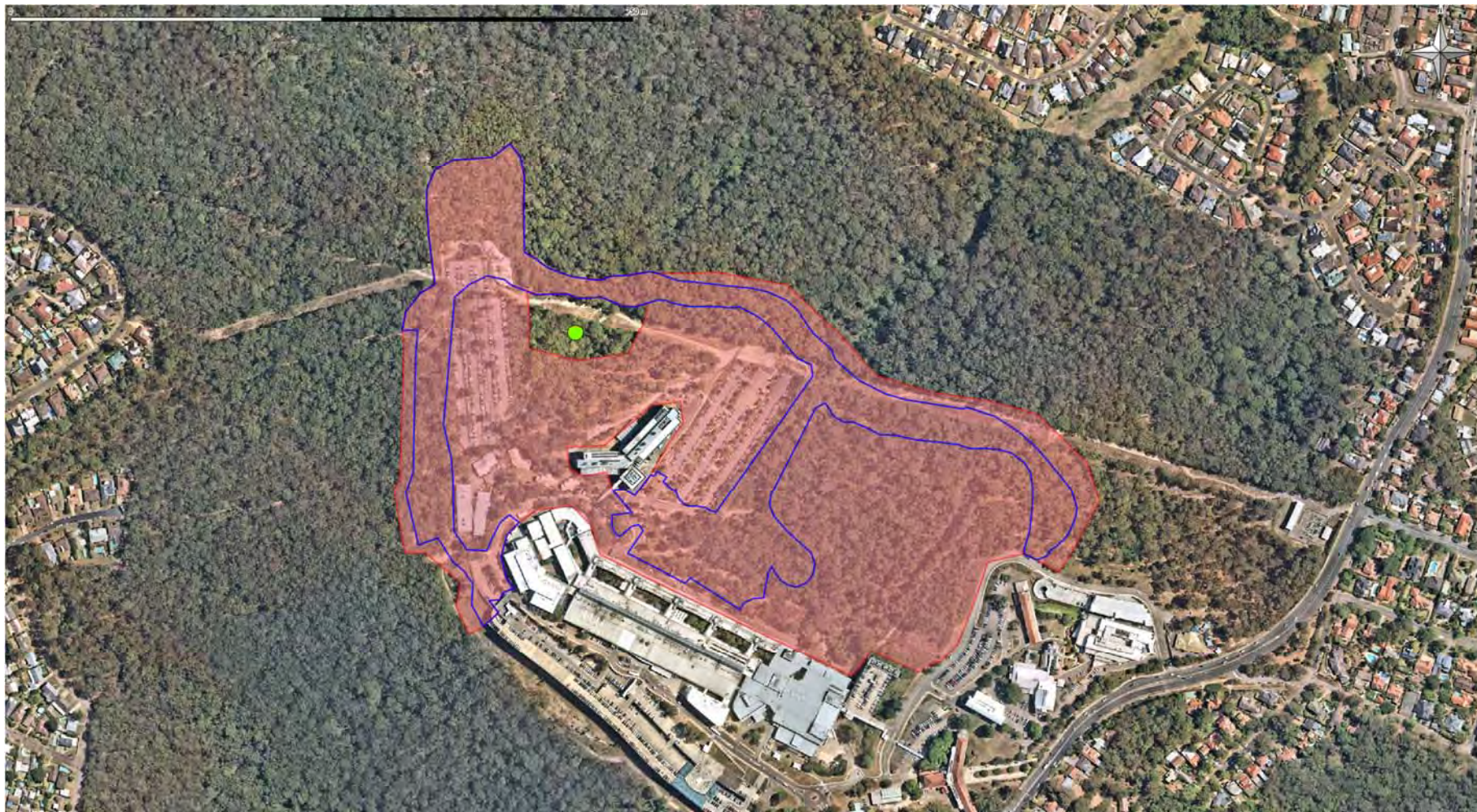


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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

B-H Heritage Consultants
Nola Hampton, Darren Hampton & Ralph Hampton
95 Mount Ettalong Road
UMINA BEACH NSW 2257

Email: kinghampton77@gmail.com (Nola), darrenhampton4@gmail.com (Darren), hamptonralph46@gmail.com (Ralph)

Dear Nola Hampton, Darren Hampton & Ralph Hampton

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Cacatua Culture Consultants
Donna & George Sampson
22 Ibis Parade
WOODBERRY NSW 2322

Email: cacatua4service@tpg.com.au

Dear Donna & George

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Corroboree Aboriginal Corporation
Marilyn Carroll- Johnson
PO Box 3340
ROUSE HILL NSW 2155

Email: corroboreecorp@bigpond.com

Dear Marilyn

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

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6 May 2020

Crimson-Rosie
Jeffery Matthews
6 Eucalypt Avenue
MUSWELLBROOK NSW 2333

Email:

Dear Jeffery

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E: Leigh.Gilshenan@tsamgt.com

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Deslee Talbott Consultants
Deslee Matthews
Unit 2 / 19 South Street
GUNNEDAH NSW 2380

Email: m-desley@hotmail.com

Dear Deslee

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

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E: afenwick@umwelt.com.au

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6 May 2020

D F T V Enterprises
Derrick Vale Snr
5 Mountbatten Close
RUTHERFORD NSW 2320

Email: deckavale@hotmail.com

Dear Derrick

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Didge Ngunawal Clan
Paul Boyd & Lilly Carroll
7 Siskin St
QUAKERS HILL NSW 2763

Email: didgengunawalclan@yahoo.com.au

Dear Paul Boyd

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Divine Diggers Aboriginal Cultural Consultants
Deidre Perkins
6 Ashleigh Street
HEDDON GRETA NSW 2321

Email: dedemaree3@hotmail.com

Dear Deidre

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6 May 2020

Gidawaa Walang & Barkuma Neighbourhood Centre Inc.
Craig Horne Debbie Dacey- Sullivan
76 Lang Street
KURRI KURRI NSW 2327

Email: gidawaa.walang@hotmail.com

Dear Craig Horne

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Hunter Valley Cultural Surveying
Luke Hickey
165 Susan Street
SCONE NSW 2337

Email: Microlith99@gmail.com

Dear Luke

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6 May 2020

Indigenous Learning
Craig Archibald
2 Victoria Street
BELLBIRD HEIGHTS NSW 2325

Email: indiglearning@gmail.com

Dear Craig

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6 May 2020

Jarban & Mugrebea
Les Atkinson
11 Nelson Street
CESSNOCK NSW 2325

Email: Les.atkinson@hotmail.com

Dear Les

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Yours sincerely

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Jumbunna Traffic Management Group Pty Ltd
Norm Archibald
17 Flobern Ave
WAUCHOPE NSW 2446

Email: jtmanagement@live.com.au

Dear Norm

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

We are writing to let you know that planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct. The John Hunter Health and Innovation Precinct will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

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75 York Street
Teralba NSW 2284
P: +612 4950 5322
E: afenwick@umwelt.com.au

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Kauma Pondee Inc.
Jill Green
Unit 6/1 Central Street
LAMBTON NSW 2305

Email: kaumapondee@live.com.au

Dear Jill

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

We are writing to let you know that planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct. The John Hunter Health and Innovation Precinct will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Kawul Cultural Services
Vicky Slater
33 Gardner Circuit
SINGLETON NSW 2330

Email: Vicki.slater@hotmail.com

Dear Vicky

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Kawul Pty Ltd trading as Wonn1 Sites
Arthur Fletcher
619 Main Road
GLENDALE NSW 2285

Email: Wonn1sites@gmail.com

Dear Arthur

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Kevin Duncan
95 Moala Parade
CHARMHAVEN NSW 2263

Email: kevin.duncan@bigpond.com

Dear Kevin

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Kyle Howie
25 Athol Street
TOUKLEY NSW 2263

Email: kyle@guringai.com.au

Dear Kyle

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Lower Hunter Aboriginal Incorporated
David Ahoy
5 Killara Drive
CARDIFF SOUTH NSW 2285

Email: lowerhunterai@gmail.com

Dear David

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Lower Hunter Wonnarua Cultural Services
Lea-Anne Ball and Uncle Tommy Miller
51 Bowden Street
HEDDON GRETA NSW 2321

Email: tn.miller@southernphone.com.au

Dear Lea-Anne Ball and Uncle Tommy Miller

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Murra Bidgee Mullangari Aboriginal Corporation
Ryan Johnson & Darleen Johnson-Carroll
PO Box 246
SEVEN HILLS NSW 2147

Email: murrabidgeemullangari@yahoo.com.au

Dear Ryan Johnson

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

We are writing to let you know that planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct. The John Hunter Health and Innovation Precinct will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

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75 York Street
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P: +612 4950 5322
E: afenwick@umwelt.com.au

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Mur-Roo-Ma Inc.
Anthony Anderson
7 Vardon Road
FERN BAY NSW NSW 2295

Email: murroomainc1@gmail.com

Dear Anthony

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Myland Cultural & Heritage Group
Warren Schillings
30 Taurus Street
ELERMORE VALE NSW 2287

Email: warren@yarnteen.com.au

Dear Warren

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Nur-Run-Gee Pty Ltd
Leonard Anderson OAM
22 Popplewell Road
FERN BAY NSW NSW 2295

Email: lennie.anderson011@bigpond.com

Dear Leonard

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

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6 May 2020

Roger Matthews Consultancy
Roger Matthews
105 View Street
GUNNEDAH NSW 2380

Email:

Dear Roger

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6 May 2020

Ron Smith
Flat 8, 19-21
Burrawan St
PORT MACQUARIE NSW 2444

Email: scottosmith@live.com.au

Dear Ron

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6 May 2020

Steve Talbott
73 Kiah Road
GILLIESTON HEIGHTS NSW 2321

Email: gomeri.namoi@outlook.com

Dear Steve

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Tamara Towers
Unit 4, 16-18
Simpson Court
MAYFIELD NSW 2304

Email: worimiacs@gmail.com

Dear Tamara

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Yours sincerely

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Senior Archaeologist



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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Trudy Smith
PO Box 141
TOUKLEY NSW 2263

Email: hunters_1@bigpond.com

Dear Trudy

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

We are writing to let you know that planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct. The John Hunter Health and Innovation Precinct will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

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Alison Fenwick
Umwelt Environmental and Social Consultants
75 York Street
Teralba NSW 2284
P: +612 4950 5322
E: afenwick@umwelt.com.au

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Yvette and Jackson Walker
19 Wakehurst Drive
WYONG NSW 2259

Email: yvettewalker1@hotmail.com

Dear Yvette and Jackson

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

We are writing to let you know that planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct. The John Hunter Health and Innovation Precinct will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Wonnarua Culture Heritage
Gordon Griffiths
19 O'Donnell Crescent
METFORD NSW 2323

Email:

Dear Gordon

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Wonnarua Elders Council
Richard Edwards
PO Box 844
CESSNOCK NSW 2325

Email:

Dear Richard

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Widescope Indigenous Group
Steven Hickey
73 Russell Street
EMU PLAINS NSW 2750

Email: Widescope.group@live.com

Dear Steven

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Worimi Local Aboriginal Land Council
CEO
2163 Nelson Bay Road
WILLIAMTOWN NSW 2318

Email: andrew@worimi.org.au

Dear CEO

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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Worimi Traditional Owners Indigenous Corporation
Candy Lee Towers
36 Avon St
MAYFIELD NSW 2304

Email: worimitoc@hotmail.com

Dear Candy Lee

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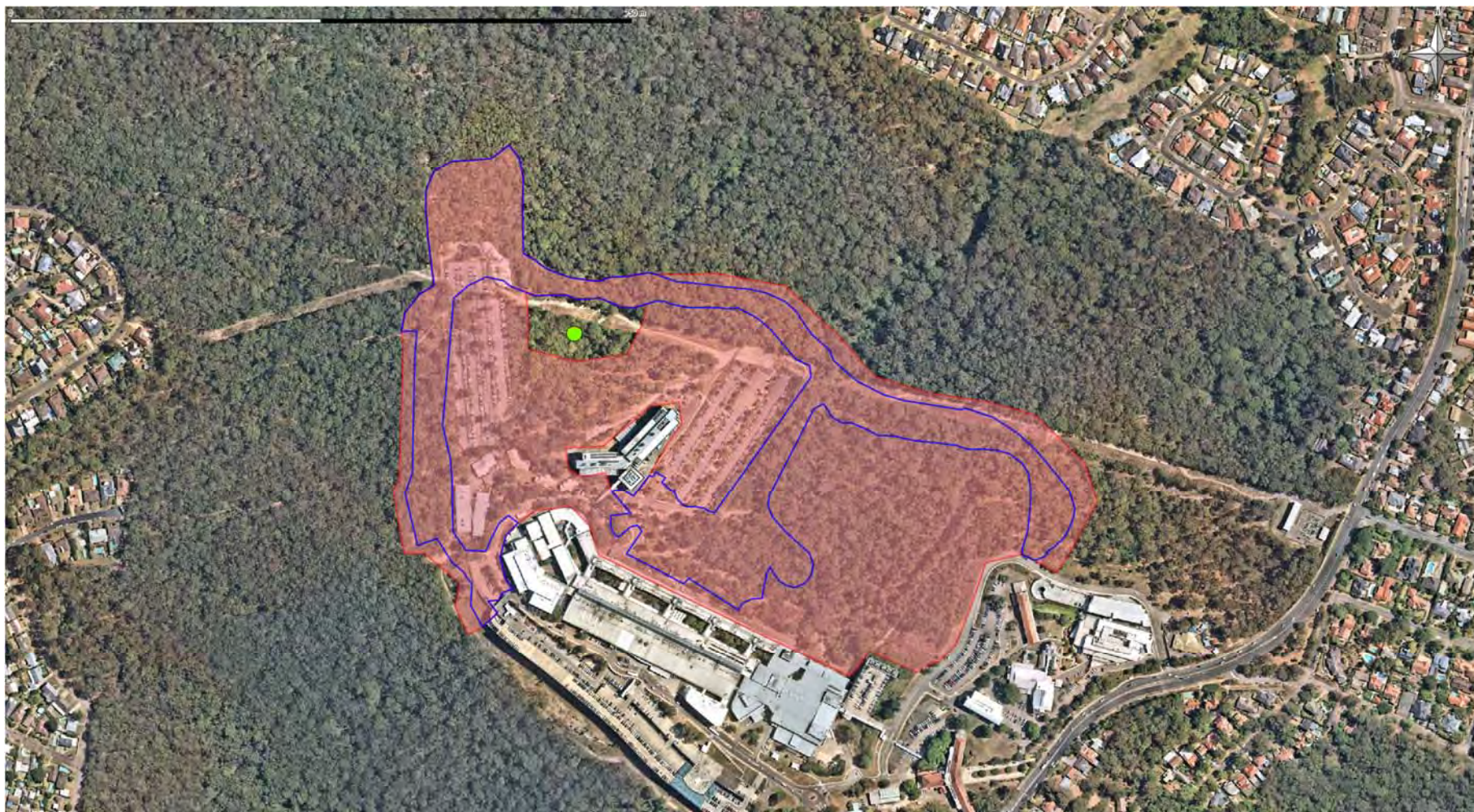


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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Wattaka Wonnarua CC Service
Des Hickey
4 Kennedy Street
SINGLETON NSW 2330

Email: deshickey@bigpond.com

Dear Des

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Of note is the presence of the Yallarwah reconciliation memorial within the curtilage of the project footprint, highlighted by the green marker in **Figure 2**. A minimum buffer of 25 metres will be established around this location throughout the proposed works ensuring there is no impact to the memorial and that access to the memorial area will remain throughout project.

The planning pathway for the project is an application under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979*. In preparing the Aboriginal Cultural Heritage Assessment, Umwelt (on behalf Health Infrastructure) will be undertaking Aboriginal community consultation in accordance with the *Aboriginal Cultural Heritage Consultation Requirements (2010)*. This consultation will assist in the preparation of the Aboriginal Cultural Heritage Assessment for the project area, and if necessary, assist the Department of Planning, Industry and Environment in consideration and comment on the assessment and any management recommendations made.

The Aboriginal cultural heritage assessment will address the requirements of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010a), *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010c) and *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011).

If you have any questions regarding this correspondence or wish to discuss the proposed project further, please do not hesitate to contact myself via email or on 02 4950 5322.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ashley O'Sullivan', written in a cursive style.

Ashley O'Sullivan
Senior Archaeologist



Figure 1 Lot boundaries relevant to the proposed works.



Figure 2 The current proposed works footprint is shown in blue (subject to change). Shown in red is the maximum area that may be subject to impact through changes to the proposed works footprint. The approximate location of the Yallarwah memorial is shown by the green marker, with a minimum 25 meter buffer to be established around this marker to ensure no disturbance occurs during the project.



Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Yarrawalk (A division of Tocomwall Pty Ltd), Tocomwall Pty Ltd on behalf of
Scott Franks and Anor on behalf of the Plains Clans of the Wonnarua People
NSD1680/2013
Scott Franks
PO Box 76
CARINGBAH NSW 1495

Email: scott@tocomwall.com.au
Dear Scott

**Re: Consultation for a proposed development associated with the John Hunter
Health and Innovation Precinct project**

We are writing to let you know that planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct. The John Hunter Health and Innovation Precinct will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

Health Infrastructure have engaged Umwelt Environmental and Social Consultants (Umwelt) to prepare the Aboriginal Cultural Heritage Assessment as part of the preparation works for a State Significant Development application.

In accordance with Section 4.1.3 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010), Umwelt are seeking to identify Aboriginal people or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the below project area. If your organisation holds such knowledge and wishes to be involved in the project, please register your interest by **21 May 2020** to:

Alison Fenwick
Umwelt Environmental and Social Consultants
75 York Street
Teralba NSW 2284
P: +612 4950 5322
E: afenwick@umwelt.com.au

In compliance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010) the contact details for the relevant Project Manager are as follows:

Leigh Gilshenan
TSA Management
Level 15, 207 Kent Street
Sydney NSW 2000
P: +612 9276 1400
E: Leigh.Gilshenan@tsamgt.com

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Ashley O'Sullivan
Senior Archaeologist



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Our Ref: 4965/NR/AO/AF/06052020

6 May 2020

Yinarr Cultural Services
Kathleen Steward Kinchela
Lot 5 Westwood Estate
MERRIWA NSW 2329

Email: yinarculturalservices@bigpond.com dontminemeay@gmail.com

Dear Kathleen

Re: Consultation for a proposed development associated with the John Hunter Health and Innovation Precinct project

We are writing to let you know that planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct. The John Hunter Health and Innovation Precinct will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

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Alison Fenwick
Umwelt Environmental and Social Consultants
75 York Street
Teralba NSW 2284
P: +612 4950 5322
E: afenwick@umwelt.com.au

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Leigh Gilshenan
TSA Management
Level 15, 207 Kent Street
Sydney NSW 2000
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E: Leigh.Gilshenan@tsamgt.com

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Senior Archaeologist



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Death Notices



DOOLEY
Daniel Byrne

Daniel (Tom) our Beloved Father, Grandfather, Brother in law, Brother, Uncle and Father in law passed away peacefully 5/5/20 on the Gold Coast QLD. Formerly of Karuah, Dungog and Clarence town NSW.

Private cremation in QLD and a Memorial will be held in Newcastle when coronavirus restrictions are lifted (to be advised) to celebrate Daniels life, a great man who will be sadly missed by all his family and friends both here and overseas.

Your with Bubbles now Pappa x

Funeral Notices

TWEEDIE Dr Sandra Mary

15th July, 1939 - 4th May, 2020
of Raworth

formerly West Pymble
Loving wife of FRANK. Cherished mother of SEAN and FIONA. Mother in law to CHARLOTTE. Grandmother to AIDAN, KAI, CORINNE and LUCA.

After a brave fight and long illness, Sandra quietly passed away in the loving arms of her family on Monday, 4th May.

In lieu of flowers, you may make a donation to Ovarian Cancer Australia.

Due to current restrictions, a private Ceremony will take place at Newcastle Memorial Park.



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In Memoriam

Hayter William (Bill) 7.5.2019

To some you are a memory but to those who loved and lost you, you are always in our hearts. Greatly missed, Pat and families.

NICHOLLS Kelvin (Hank) 27.7.38 7.5.2017

Sadly missed, loved by all, always in our hearts. Love Brad, Mandie, Kellie, Steve, Natalie, Glen and Families.



In Memoriam

GOULD Kenneth

6.5.1924 - 7.5.2011

In our hearts forever

Love always

Bernice, Brian,
Jennifer, Elizabeth
and their families

In Memoriam

In Memory of a loving and devoted mother
June O'Donnell
27 June 1941 - 7 May 2019
*Everyday you are in our thoughts
and will be forever in our hearts*
Love David, Jamie & Families



PEPPERALL Jannette Fay 28/7/33 - 7/5/12

If memories bring us closer we are never far apart, because you're always in our thoughts and forever in our hearts.

Your loving husband Ray, Stephen and Jill, Raymond and Jennifer, Karen and Ian, and all your grandchildren and great-grandchildren.

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Public Notices

Notification of commencement of Aboriginal consultation for proposed development associated with the John Hunter Health and Innovation Precinct.

Health Infrastructure has engaged Umwelt Environmental and Social Consultants (Umwelt) to prepare an Aboriginal Cultural Heritage Assessment in relation to the proposed redevelopment and expansion of the NSW Government's \$780 million John Hunter and John Hunter Children's Hospital.

Umwelt invite Aboriginal people or groups who hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the Newcastle area to register an interest in being consulted. This consultation will assist the Department of Planning, Industry and Environment in consideration and comment on the assessment and any management recommendations made.

The planning pathway for the project is an application under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979*. In preparing the Aboriginal Cultural Heritage Assessment, Umwelt are undertaking the consultation in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010)*. The land consists of Lot 9 and 11 DP 826092, Lot 41 DP 1176191, Lot 202 1176551, Lots 1 and 2 DP 1228246.

Registrations should be submitted by **21 May 2020** to:

Alison Fenwick
P: 02 4950 5322
E: afenwick@umwelt.com.au

The contact details for the relevant Project Manager are as follows:

Leigh Gilshenan
TSA Management
P: +612 9276 1400
E: Leigh.Gilshenan@tsamgt.com

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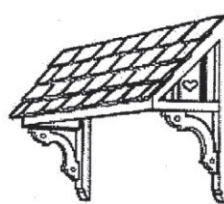
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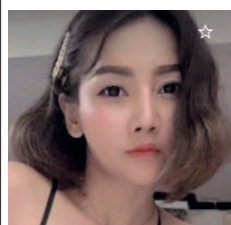
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ABBIE
10am-10pm Aussie blonde 28 in/out calls. No priv numbers
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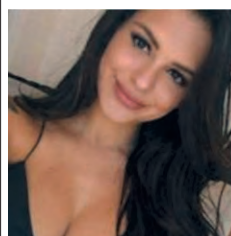
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16 June 2020

Dear Sir/Madam

Re: Aboriginal cultural heritage assessment methodology – proposed development associated with the John Hunter Health and Innovation Project

Planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct (JHHIP) that will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

Health Infrastructure have engaged Umwelt Environmental and Social Consultants (Umwelt) to prepare the Aboriginal Cultural Heritage Assessment (ACHA) as part of the preparation works for a State Significant Development application. We are writing to provide you with the draft methodology for the ACHA for your review and comment.

The planning pathway for the project is an application under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979*. The ACHA will be undertaken in accordance with the requirements of the *National Parks and Wildlife Act 1974* (NPW Act), the *National Parks and Wildlife Regulation 2009* (NPW Regulation), the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage [OEH] 2011), the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (Department of Environment, Climate Change and Water [DECCW] 2010) (the consultation requirements) and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice).

1.0 Description of the Project

In June 2019, the NSW Budget 2019/20 confirmed a significant expansion of the John Hunter Hospital with the \$780 million commitment to the JHHIP project.

The JHHIP will deliver updated and enhanced facilities providing additional capacity to meet the demand of the Greater Newcastle, Hunter New England, and northern NSW Regions. The JHHIP will enable a more integrated service encouraging partnership with key health, education and research partners from within and beyond the immediate region. The project will include the development of clinical and non-clinical services infrastructure to expand, integrate, enhance and optimise current capacity at the John Hunter Hospital Campus (JHHC) to provide contemporary patient centred care that is evidence based.

The John Hunter Hospital Campus (JHHC) is located in New Lambton Heights in Newcastle and is situated 9 kilometres to the west of Newcastle CBD. The Hospital is located on Lookout Road and there are two entrances providing access to the JHHC from Lookout Road. The primary access is known as Kookaburra Circuit and connects to the internal road network via a major signalised intersection on Lookout Road. The secondary access is known as Jacaranda Drive and connects to the internal road network via a signalised intersection on Lookout Road.

The lot boundaries in which the project area is located are shown in **Figure 1**, with the current footprint and maximum footprint shown in **Figure 2**. The proposed redevelopment consists of Lot 9 and 11 DP 826092, Lot 41 DP 1176191, Lot 202 1176551, Lots 1 and 2 DP 1228246. Please note that the current footprint (highlighted in blue) is subject to further development of the concept design and may change, however is unlikely to extend beyond the maximum footprint (shaded red) in **Figure 2**.

To date a Precinct Master Plan Report has been completed which provides a framework for the Redevelopment Project. The Master Plan addresses specific issues such as the significant population pressure on the campus as one of the busiest hospitals in NSW, the unique sloping bushland site, car parking needs and easing existing traffic congestion by harnessing additional access points as a result of the Inner-city bypass to ultimately create an inspiring environment for patients, visitors, researchers, staff and the community.

The planning pathway for the project involves the preparation of a stage State Significant Development Application (SSDA), and comprises the following components:

- a) Stage 1 – Concept and Enabling Works (concept envelope height / Gross Floor Area / massing and likely utility adjustments and improvements to precinct internal road network); and
- b) Stage 2 – Main Works (new acute services building).

This Aboriginal Cultural Heritage Assessment (ACHA) will be undertaken in fulfillment of likely Aboriginal heritage requirements received in the Secretary's Environmental Assessment Requirements (SEARs) for both Stage 1 and Stage 2.

The following activities are deemed likely to impact the existing landscape, and are therefore discussed as part of this assessment:

- Road network upgrades
- Utility adjustments
- New building construction
- Equipment laydown areas
- Site compound establishment

2.0 Context of the Project Area

The Newcastle region has been intensively investigated in the last 10 years, due to the prevalence of modern development and mining practices. Much of this investigation has centred on the Newcastle foreshore area, known to contain significant Aboriginal archaeological deposits. However, less information is known about landforms similar to those identified within the project area. Of significance to this assessment is the archaeological investigation undertaken by Kelleher Nightingale Consultants (KNC 2018) for the Jesmond Bypass, which abuts the JHHIP project area on the western boundary. Based on this assessment, background research and an understanding of the local context, the following environmental contextual information is provided:

- The project area is located within the Lower Hunter Valley, a northern physiogeographic region of the Sydney Basin. The underlying geology of the project area comprises the Lambton Subgroup (northern extent of the project area) and the Adamstown Subgroup (southern extent and majority of the project area) of the Newcastle Coal Measures.
- The project area is entirely underlain by the Killingsworth Soil Landscape (including Variant A). The Killingsworth soil landscape can be described as undulating to rolling hills and low hills and is an erosional soil landscape (particularly susceptible to water erosion) which primarily comprises shallow (up to 60cm, on crests and hillslopes) to moderately deep (150cm, primarily in drainage lines) topsoil. This topsoil is made up of a brownish black pedal loam (A₁, usually 5-25cm) that overlies a bleached hardsetting loamy sand to sandy clay loam (A₂, usually 10-150cm). These topsoils generally overlie a pedal yellowish-brown clay (B horizon).
- Two waterways originate in the project area, these being Jesmond Creek (easternmost waterway) and an unnamed tributary of Flats Creek (potentially created through modern run off). Both of these creeklines are non-perennial and are considered to have a limited catchment area. Higher order watercourses in proximity to the project area include Dark Creek to the north, Ironbark Creek to the west and Styx Creek to the east.
- The project area has been subject to varying disturbances, both natural and human in origin. The construction of roads, utilities and structures in addition to historic mining, clearance of native vegetation, landscaping and natural process such as erosion has disturbed both subsurface deposits and removed old growth trees.

A summary of the archaeological contextual information is provided below:

- Aboriginal sites within the local context are most likely to be located on elevated area such as ridge lines or crests in close proximity to perennial watercourses. While areas further from perennial watercourses still retain the potential for Aboriginal objects or sites, these are likely to comprise isolated finds or low density artefact scatters and are generally considered lower significance.
- A search of the Aboriginal Heritage Information Management System (AHIMS) database has identified four Aboriginal sites within 1km of the project area. These are all associated with the KNC 2018 assessment of the Jesmond Bypass, and include two areas containing subsurface deposit. One surface isolated find is located within 100m of the NW corner of the project area.
- Should the project area contain evidence of Aboriginal occupation or use, this would likely come in the form of isolated finds or low density artefact scatters. While subsurface deposits are considered unlikely based on the landforms in the project area, should these be identified, similarly they are likely to contain low artefact densities.

The environmental and archaeological contextual information has been taken into consideration in developing the survey methodology that is provided in **Section 5**. Overall, it is anticipated that should the project area contain evidence of Aboriginal occupation, this would come in the form of isolated finds or low-density scatter upon eroded topsoils. As subsurface deposits are not anticipated across the project area, a pre-emptive methodology for test excavations under the Code of Practice has not been provided below. Should the archaeological survey result in the identification of subsurface deposits, a methodology for test excavation will be provided.

3.0 Methodology for the Aboriginal Cultural Heritage and Archaeological Assessment

As discussed in **Section 1.0**, the consultation process will be undertaken in accordance with the consultation requirements (DECCW 2010). The proposed methodology for the ACHA (pending comments from registered Aboriginal parties) is as follows:

1. Provide information to all registered Aboriginal parties regarding the project, including a draft methodology for review and comment (this letter).
2. Provision of a review period during which Aboriginal parties can provide comment and propose amendments to the draft methodology (up to 28 days from receipt of this letter, with comments due by close of business **15 July 2020**).
3. Completion of a survey of the proposed impact areas in accordance with the draft methodology provided in this assessment (refer to **Section 4.0**).
4. Develop a draft ACHA report to include:
 - details of the project
 - a description of the potential impacts
 - full details of the registered Aboriginal party consultation process
 - the results of an Aboriginal Heritage Information Management System (AHIMS) search and Native Title search
 - a review of the cultural context of the area that will draw heavily on information provided by registered Aboriginal parties and the results of previous cultural heritage and archaeological assessments undertaken in the area
 - a review of background information related to the environmental characteristics of the project area that may have influenced how Aboriginal people may have occupied/utilised the area and the likelihood of site survival
 - the preparation of a predictive model drawing on all of the above
 - details of the survey methodology and results
 - details of any sites/objects/potential archaeological deposits located during the survey
 - an assessment of the Aboriginal cultural heritage significance (as provided by the registered Aboriginal parties) of the project area
 - an assessment of the archaeological significance of any sites/objects/potential archaeological deposits identified within the project area
 - an assessment of the potential impact by the project to any sites/objects/potential archaeological deposits identified within the project area

- a discussion of management options and
 - management recommendations.
5. The provision of the draft ACHA report to registered Aboriginal parties for review and comment (comment period extends for 28 days from date of provision of the draft ACHA).
 6. Discussion/incorporation of comments/responses received from Aboriginal parties to develop and finalise the ACHA report.
 7. Provision of the final ACHA report to registered Aboriginal parties and to the proponent.
 8. Submission of the final ACHA alongside the SSDA for the project.

4.0 Consultation with Aboriginal Parties During the Assessment Process

Umwelt acknowledges and understands that cultural values, by definition, relate to values outside those associated with specific archaeological sites/objects. Throughout the assessment process, we invite comment from Aboriginal parties regarding any cultural values associated with the project area and will ensure that any information provided regarding cultural values (be they associated with a specific site or provided with reference to a landscape feature or within a broader context) are documented and recorded in accordance with the wishes of the relevant Aboriginal party for inclusion in the ACHA report. We note that the inclusion of any such information in the final assessment is dependent on its provision by the Aboriginal parties.

We note that Section 3.2 of the consultation requirements specifies that the objective of consultation is to ensure 'that Aboriginal people have the opportunity to improve assessment outcomes. Factors specified as assisting in meeting this objective include providing Aboriginal parties with the opportunity to provide information on cultural values (as invited in this draft methodology), influence methods regarding assessment of significance for Aboriginal objects/places (which can be undertaken in response to this draft methodology, during fieldwork and in commenting on the draft ACHA report) and commenting on the draft ACHA report. Our approach is designed to ensure compliance with this objective, including the potential for in-field consultation with Aboriginal party representatives during fieldwork. Umwelt archaeologists are trained to seek and document cultural feedback provided by Aboriginal party representatives during fieldwork. This is not limited to cultural values associated with archaeological sites but may encompass any values identified by Aboriginal people.

We look forward to working with your organisation throughout the project to ensure that we adequately document any information you wish to provide regarding Aboriginal cultural values. Please feel free to contact us to request any additional information or assistance you may require to facilitate the provision of your input.

5.0 Survey Methodology

The draft survey methodology is designed to ensure compliance with requirements for archaeological survey as established in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice). This includes development of an appropriate sampling strategy and recording of information during survey.

5.1 Sampling Strategy

The survey will be undertaken to ensure that a representative sample of all landforms within the project area are surveyed, as required to ensure compliance with Code of Practice. Based on the curtilage of the works within the project area, it is proposed to undertake a full coverage survey. It is intended that the survey will be conducted over the course of one day by one archaeologist and a limited number of Aboriginal community representatives. We anticipate that no more than 4-5 groups will be able to participate in the survey, given the size and nature of the area to be surveyed, as well as limitations due to social distancing guidelines. However, the duration of survey time may be subject to change based on the number of sites recorded, ground surface visibility and other variables.

5.2 Recording of Information During Survey

Survey units will be defined and named with reference to Requirement 5c of the Code of Practice, including recording start and finish points and/or boundaries for all survey units using a hand-held GPS receiver (set to allow recording of data with datum MGA94) and topographic mapping (where relevant), with track logs to be recorded for all pedestrian transects. Start and finish points/boundaries for survey units will be defined based on landforms, study area boundaries, access or other arbitrary terminations (as specified in the Code of Practice). The spacing between individuals will also be recorded for each survey unit.

Photographs will be undertaken for landforms/survey units (where informative). Information recorded for each survey unit will include:

- Landform (in units based on those established by McDonald et al 2009)
- Gradient (where relevant)
- Vegetation (unlikely, but recorded where relevant)
- Geology and soils (where suitable areas of exposure/visibility are present)
- Identified Aboriginal resources (food and medicine plants, prey animals, stone and water)
- Levels of average ground surface visibility within the survey unit (in accordance with the Requirement 9 of the Code of Practice)
- Extent and type of exposures within the survey unit (unlikely given the modern disturbances within the project area)
- Any information provided by the registered Aboriginal parties in relation to cultural values, noting that such information will be recorded in accordance with the wishes of the party providing the information and
- Any site, area of Potential Archaeological Deposit (PAD) or landscape feature of Aboriginal cultural value present within the survey unit (see below for further information on site/PAD recording).

Any Aboriginal archaeological sites identified during the survey will be assessed with reference to the site boundaries. Factors that will be taken into consideration in defining and mapping site boundaries may include the distribution of surface artefacts, landforms or physical boundaries and cultural information.

Sufficient information will be recorded for all sites to meet Requirement 7 of the Code of Practice. The archaeological and Aboriginal and cultural significance of any site will be discussed with the registered Aboriginal parties participating in the survey.

The archaeological potential of landforms/specific areas within the project area will be assessed with reference to factors including the archaeological context of the local area, the evaluation of the soil profile (based on soil landscape mapping, exposed soil profiles identified during the survey and geomorphic understandings of the area) and the identification of landforms that may have greater archaeological sensitivity. The extent of any area of identified archaeological potential will be defined and documented for inclusion in subsequent reporting. The archaeological and Aboriginal and cultural significance of any area of identified archaeological potential will be discussed with the registered Aboriginal parties participating in the survey.

5.3 Survey Arrangements

At this stage, it is proposed to undertake the survey in mid-July 2020, however this is subject to confirmation. Further correspondence regarding survey arrangements will be provided at least two weeks prior to the proposed survey date. Additional information relating to engagement is provided in the attached correspondence.

As specified in the attached correspondence, expressions of interest are invited from Aboriginal parties for paid engagement for the proposed archaeological survey.

6.0 Summary

This letter provides details of the proposed methodology for an Aboriginal Cultural Heritage Assessment associated with the proposed SSDA. In accordance with the consultation requirements (DECCW 2010), we ask that your group provides comments on the draft methodology by no later than close of business **15 July 2020**. Comments regarding the draft methodology can be provided verbally or in writing to:

Alison Fenwick
Archaeologist
Umwelt Environmental and Social Consultants (Umwelt)
afenwick@umwelt.com.au
Phone: 02 4950 5322

Should you require any further information or wish to discuss any aspect of the Project, please do not hesitate to contact Alison or Health Infrastructure's project manager Leigh Gilshenan at Leigh.Gilshenan@tsamgt.com.au.

Yours sincerely

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Figure 1 Lot boundaries relevant to the proposed works.



Figure 2 The current proposed works footprint is shown in blue (subject to change). Shown in red is the maximum area that may be subject to impact through changes to the proposed works footprint. The approximate location of the Yallarwah memorial is shown by the green marker, with a minimum 25 metre buffer to be established around this marker to ensure no disturbance occurs during the project.

Our Ref: 4965/NR/AO/16062020

16 June 2020

A1 Indigenous Services
Carolyn Hickey
10 Marie Pitt Place
GLENMORE PARK NSW 2745

Email: Cazadirect@live.com

Dear Sir/Madam

Re: Aboriginal cultural heritage assessment methodology – proposed development associated with the John Hunter Health and Innovation Project

Planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct (JHHIP) that will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

Health Infrastructure have engaged Umwelt Environmental and Social Consultants (Umwelt) to prepare the Aboriginal Cultural Heritage Assessment (ACHA) as part of the preparation works for a State Significant Development application. We are writing to provide you with the draft methodology for the ACHA for your review and comment.

The planning pathway for the project is an application under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979*. The ACHA will be undertaken in accordance with the requirements of the *National Parks and Wildlife Act 1974* (NPW Act), the *National Parks and Wildlife Regulation 2009* (NPW Regulation), the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage [OEH] 2011), the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (Department of Environment, Climate Change and Water [DECCW] 2010) (the consultation requirements) and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice).

1.0 Description of the Project

In June 2019, the NSW Budget 2019/20 confirmed a significant expansion of the John Hunter Hospital with the \$780 million commitment to the JHHIP project.

The JHHIP will deliver updated and enhanced facilities providing additional capacity to meet the demand of the Greater Newcastle, Hunter New England, and northern NSW Regions. The JHHIP will enable a more integrated service encouraging partnership with key health, education and research partners from within and beyond the immediate region. The project will include the development of clinical and non-clinical services infrastructure to expand, integrate, enhance and optimise current capacity at the John Hunter Hospital Campus (JHHC) to provide contemporary patient centred care that is evidence based.

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The John Hunter Hospital Campus (JHHC) is located in New Lambton Heights in Newcastle and is situated 9 kilometres to the west of Newcastle CBD. The Hospital is located on Lookout Road and there are two entrances providing access to the JHHC from Lookout Road. The primary access is known as Kookaburra Circuit and connects to the internal road network via a major signalised intersection on Lookout Road. The secondary access is known as Jacaranda Drive and connects to the internal road network via a signalised intersection on Lookout Road.

The lot boundaries in which the project area is located are shown in **Figure 1**, with the current footprint and maximum footprint shown in **Figure 2**. The proposed redevelopment consists of Lot 9 and 11 DP 826092, Lot 41 DP 1176191, Lot 202 1176551, Lots 1 and 2 DP 1228246. Please note that the current footprint (highlighted in blue) is subject to further development of the concept design and may change, however is unlikely to extend beyond the maximum footprint (shaded red) in **Figure 2**.

To date a Precinct Master Plan Report has been completed which provides a framework for the Redevelopment Project. The Master Plan addresses specific issues such as the significant population pressure on the campus as one of the busiest hospitals in NSW, the unique sloping bushland site, car parking needs and easing existing traffic congestion by harnessing additional access points as a result of the Inner-city bypass to ultimately create an inspiring environment for patients, visitors, researchers, staff and the community.

The planning pathway for the project involves the preparation of a stage State Significant Development Application (SSDA), and comprises the following components:

- a) Stage 1 – Concept and Enabling Works (concept envelope height / Gross Floor Area / massing and likely utility adjustments and improvements to precinct internal road network); and
- b) Stage 2 – Main Works (new acute services building).

This Aboriginal Cultural Heritage Assessment (ACHA) will be undertaken in fulfillment of likely Aboriginal heritage requirements received in the Secretary's Environmental Assessment Requirements (SEARs) for both Stage 1 and Stage 2.

The following activities are deemed likely to impact the existing landscape, and are therefore discussed as part of this assessment:

- Road network upgrades
- Utility adjustments
- New building construction
- Equipment laydown areas
- Site compound establishment

2.0 Context of the Project Area

The Newcastle region has been intensively investigated in the last 10 years, due to the prevalence of modern development and mining practices. Much of this investigation has centred on the Newcastle foreshore area, known to contain significant Aboriginal archaeological deposits. However, less information is known about landforms similar to those identified within the project area. Of significance to this assessment is the archaeological investigation undertaken by Kelleher Nightingale Consultants (KNC 2018) for the Jesmond Bypass, which abuts the JHHIP project area on the western boundary. Based on this assessment, background research and an understanding of the local context, the following environmental contextual information is provided:

- The project area is located within the Lower Hunter Valley, a northern physiogeographic region of the Sydney Basin. The underlying geology of the project area comprises the Lambton Subgroup (northern extent of the project area) and the Adamstown Subgroup (southern extent and majority of the project area) of the Newcastle Coal Measures.
- The project area is entirely underlain by the Killingsworth Soil Landscape (including Variant A). The Killingsworth soil landscape can be described as undulating to rolling hills and low hills and is an erosional soil landscape (particularly susceptible to water erosion) which primarily comprises shallow (up to 60cm, on crests and hillslopes) to moderately deep (150cm, primarily in drainage lines) topsoil. This topsoil is made up of a brownish black pedal loam (A₁, usually 5-25cm) that overlies a bleached hardsetting loamy sand to sandy clay loam (A₂, usually 10-150cm). These topsoils generally overlie a pedal yellowish-brown clay (B horizon).
- Two waterways originate in the project area, these being Jesmond Creek (easternmost waterway) and an unnamed tributary of Flats Creek (potentially created through modern run off). Both of these creeklines are non-perennial and are considered to have a limited catchment area. Higher order watercourses in proximity to the project area include Dark Creek to the north, Ironbark Creek to the west and Styx Creek to the east.
- The project area has been subject to varying disturbances, both natural and human in origin. The construction of roads, utilities and structures in addition to historic mining, clearance of native vegetation, landscaping and natural process such as erosion has disturbed both subsurface deposits and removed old growth trees.

A summary of the archaeological contextual information is provided below:

- Aboriginal sites within the local context are most likely to be located on elevated area such as ridge lines or crests in close proximity to perennial watercourses. While areas further from perennial watercourses still retain the potential for Aboriginal objects or sites, these are likely to comprise isolated finds or low density artefact scatters and are generally considered lower significance.
- A search of the Aboriginal Heritage Information Management System (AHIMS) database has identified four Aboriginal sites within 1km of the project area. These are all associated with the KNC 2018 assessment of the Jesmond Bypass, and include two areas containing subsurface deposit. One surface isolated find is located within 100m of the NW corner of the project area.
- Should the project area contain evidence of Aboriginal occupation or use, this would likely come in the form of isolated finds or low density artefact scatters. While subsurface deposits are considered unlikely based on the landforms in the project area, should these be identified, similarly they are likely to contain low artefact densities.

The environmental and archaeological contextual information has been taken into consideration in developing the survey methodology that is provided in **Section 5**. Overall, it is anticipated that should the project area contain evidence of Aboriginal occupation, this would come in the form of isolated finds or low-density scatter upon eroded topsoils. As subsurface deposits are not anticipated across the project area, a pre-emptive methodology for test excavations under the Code of Practice has not been provided below. Should the archaeological survey result in the identification of subsurface deposits, a methodology for test excavation will be provided.

3.0 Methodology for the Aboriginal Cultural Heritage and Archaeological Assessment

As discussed in **Section 1.0**, the consultation process will be undertaken in accordance with the consultation requirements (DECCW 2010). The proposed methodology for the ACHA (pending comments from registered Aboriginal parties) is as follows:

1. Provide information to all registered Aboriginal parties regarding the project, including a draft methodology for review and comment (this letter).
2. Provision of a review period during which Aboriginal parties can provide comment and propose amendments to the draft methodology (up to 28 days from receipt of this letter, with comments due by close of business **15 July 2020**).
3. Completion of a survey of the proposed impact areas in accordance with the draft methodology provided in this assessment (refer to **Section 4.0**).
4. Develop a draft ACHA report to include:
 - details of the project
 - a description of the potential impacts
 - full details of the registered Aboriginal party consultation process
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 - a review of the cultural context of the area that will draw heavily on information provided by registered Aboriginal parties and the results of previous cultural heritage and archaeological assessments undertaken in the area
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 - the preparation of a predictive model drawing on all of the above
 - details of the survey methodology and results
 - details of any sites/objects/potential archaeological deposits located during the survey
 - an assessment of the Aboriginal cultural heritage significance (as provided by the registered Aboriginal parties) of the project area
 - an assessment of the archaeological significance of any sites/objects/potential archaeological deposits identified within the project area
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- a discussion of management options and
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 6. Discussion/incorporation of comments/responses received from Aboriginal parties to develop and finalise the ACHA report.
 7. Provision of the final ACHA report to registered Aboriginal parties and to the proponent.
 8. Submission of the final ACHA alongside the SSDA for the project.

4.0 Consultation with Aboriginal Parties During the Assessment Process

Umwelt acknowledges and understands that cultural values, by definition, relate to values outside those associated with specific archaeological sites/objects. Throughout the assessment process, we invite comment from Aboriginal parties regarding any cultural values associated with the project area and will ensure that any information provided regarding cultural values (be they associated with a specific site or provided with reference to a landscape feature or within a broader context) are documented and recorded in accordance with the wishes of the relevant Aboriginal party for inclusion in the ACHA report. We note that the inclusion of any such information in the final assessment is dependent on its provision by the Aboriginal parties.

We note that Section 3.2 of the consultation requirements specifies that the objective of consultation is to ensure 'that Aboriginal people have the opportunity to improve assessment outcomes. Factors specified as assisting in meeting this objective include providing Aboriginal parties with the opportunity to provide information on cultural values (as invited in this draft methodology), influence methods regarding assessment of significance for Aboriginal objects/places (which can be undertaken in response to this draft methodology, during fieldwork and in commenting on the draft ACHA report) and commenting on the draft ACHA report. Our approach is designed to ensure compliance with this objective, including the potential for in-field consultation with Aboriginal party representatives during fieldwork. Umwelt archaeologists are trained to seek and document cultural feedback provided by Aboriginal party representatives during fieldwork. This is not limited to cultural values associated with archaeological sites but may encompass any values identified by Aboriginal people.

We look forward to working with your organisation throughout the project to ensure that we adequately document any information you wish to provide regarding Aboriginal cultural values. Please feel free to contact us to request any additional information or assistance you may require to facilitate the provision of your input.

5.0 Survey Methodology

The draft survey methodology is designed to ensure compliance with requirements for archaeological survey as established in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice). This includes development of an appropriate sampling strategy and recording of information during survey.

5.1 Sampling Strategy

The survey will be undertaken to ensure that a representative sample of all landforms within the project area are surveyed, as required to ensure compliance with Code of Practice. Based on the curtilage of the works within the project area, it is proposed to undertake a full coverage survey. It is intended that the survey will be conducted over the course of one day by one archaeologist and a limited number of Aboriginal community representatives. We anticipate that no more than 4-5 groups will be able to participate in the survey, given the size and nature of the area to be surveyed, as well as limitations due to social distancing guidelines. However, the duration of survey time may be subject to change based on the number of sites recorded, ground surface visibility and other variables.

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Photographs will be undertaken for landforms/survey units (where informative). Information recorded for each survey unit will include:

- Landform (in units based on those established by McDonald et al 2009)
- Gradient (where relevant)
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Our Ref: 4965/NR/AO/16062020

16 June 2020

Alier French Trading
Alier French
17 Kalinda St
BLACKSMITHS NSW 2281

Email: alierafrenchtrading@outlook.com

Dear Sir/Madam

Re: Aboriginal cultural heritage assessment methodology – proposed development associated with the John Hunter Health and Innovation Project

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Any Aboriginal archaeological sites identified during the survey will be assessed with reference to the site boundaries. Factors that will be taken into consideration in defining and mapping site boundaries may include the distribution of surface artefacts, landforms or physical boundaries and cultural information.

Sufficient information will be recorded for all sites to meet Requirement 7 of the Code of Practice. The archaeological and Aboriginal and cultural significance of any site will be discussed with the registered Aboriginal parties participating in the survey.

The archaeological potential of landforms/specific areas within the project area will be assessed with reference to factors including the archaeological context of the local area, the evaluation of the soil profile (based on soil landscape mapping, exposed soil profiles identified during the survey and geomorphic understandings of the area) and the identification of landforms that may have greater archaeological sensitivity. The extent of any area of identified archaeological potential will be defined and documented for inclusion in subsequent reporting. The archaeological and Aboriginal and cultural significance of any area of identified archaeological potential will be discussed with the registered Aboriginal parties participating in the survey.

5.3 Survey Arrangements

At this stage, it is proposed to undertake the survey in mid-July 2020, however this is subject to confirmation. Further correspondence regarding survey arrangements will be provided at least two weeks prior to the proposed survey date. Additional information relating to engagement is provided in the attached correspondence.

As specified in the attached correspondence, expressions of interest are invited from Aboriginal parties for paid engagement for the proposed archaeological survey.

6.0 Summary

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Archaeologist
Umwelt Environmental and Social Consultants (Umwelt)
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Phone: 02 4950 5322

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Our Ref: 4965/NR/AO/16062020

16 June 2020

Awabakal & Guringai Pty Ltd
Tracey Howie & Kerrie Brauer
PO Box 4061
WYONGAH NSW 2259

Email: traceyhowie@icloud.com, kerrie@awabakal.com.au

Dear Sir/Madam

Re: Aboriginal cultural heritage assessment methodology – proposed development associated with the John Hunter Health and Innovation Project

Planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct (JHHIP) that will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

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1.0 Description of the Project

In June 2019, the NSW Budget 2019/20 confirmed a significant expansion of the John Hunter Hospital with the \$780 million commitment to the JHHIP project.

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The lot boundaries in which the project area is located are shown in **Figure 1**, with the current footprint and maximum footprint shown in **Figure 2**. The proposed redevelopment consists of Lot 9 and 11 DP 826092, Lot 41 DP 1176191, Lot 202 1176551, Lots 1 and 2 DP 1228246. Please note that the current footprint (highlighted in blue) is subject to further development of the concept design and may change, however is unlikely to extend beyond the maximum footprint (shaded red) in **Figure 2**.

To date a Precinct Master Plan Report has been completed which provides a framework for the Redevelopment Project. The Master Plan addresses specific issues such as the significant population pressure on the campus as one of the busiest hospitals in NSW, the unique sloping bushland site, car parking needs and easing existing traffic congestion by harnessing additional access points as a result of the Inner-city bypass to ultimately create an inspiring environment for patients, visitors, researchers, staff and the community.

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The following activities are deemed likely to impact the existing landscape, and are therefore discussed as part of this assessment:

- Road network upgrades
- Utility adjustments
- New building construction
- Equipment laydown areas
- Site compound establishment

2.0 Context of the Project Area

The Newcastle region has been intensively investigated in the last 10 years, due to the prevalence of modern development and mining practices. Much of this investigation has centred on the Newcastle foreshore area, known to contain significant Aboriginal archaeological deposits. However, less information is known about landforms similar to those identified within the project area. Of significance to this assessment is the archaeological investigation undertaken by Kelleher Nightingale Consultants (KNC 2018) for the Jesmond Bypass, which abuts the JHHIP project area on the western boundary. Based on this assessment, background research and an understanding of the local context, the following environmental contextual information is provided:

- The project area is located within the Lower Hunter Valley, a northern physiogeographic region of the Sydney Basin. The underlying geology of the project area comprises the Lambton Subgroup (northern extent of the project area) and the Adamstown Subgroup (southern extent and majority of the project area) of the Newcastle Coal Measures.
- The project area is entirely underlain by the Killingsworth Soil Landscape (including Variant A). The Killingsworth soil landscape can be described as undulating to rolling hills and low hills and is an erosional soil landscape (particularly susceptible to water erosion) which primarily comprises shallow (up to 60cm, on crests and hillslopes) to moderately deep (150cm, primarily in drainage lines) topsoil. This topsoil is made up of a brownish black pedal loam (A₁, usually 5-25cm) that overlies a bleached hardsetting loamy sand to sandy clay loam (A₂, usually 10-150cm). These topsoils generally overlie a pedal yellowish-brown clay (B horizon).
- Two waterways originate in the project area, these being Jesmond Creek (easternmost waterway) and an unnamed tributary of Flats Creek (potentially created through modern run off). Both of these creeklines are non-perennial and are considered to have a limited catchment area. Higher order watercourses in proximity to the project area include Dark Creek to the north, Ironbark Creek to the west and Styx Creek to the east.
- The project area has been subject to varying disturbances, both natural and human in origin. The construction of roads, utilities and structures in addition to historic mining, clearance of native vegetation, landscaping and natural process such as erosion has disturbed both subsurface deposits and removed old growth trees.

A summary of the archaeological contextual information is provided below:

- Aboriginal sites within the local context are most likely to be located on elevated area such as ridge lines or crests in close proximity to perennial watercourses. While areas further from perennial watercourses still retain the potential for Aboriginal objects or sites, these are likely to comprise isolated finds or low density artefact scatters and are generally considered lower significance.
- A search of the Aboriginal Heritage Information Management System (AHIMS) database has identified four Aboriginal sites within 1km of the project area. These are all associated with the KNC 2018 assessment of the Jesmond Bypass, and include two areas containing subsurface deposit. One surface isolated find is located within 100m of the NW corner of the project area.
- Should the project area contain evidence of Aboriginal occupation or use, this would likely come in the form of isolated finds or low density artefact scatters. While subsurface deposits are considered unlikely based on the landforms in the project area, should these be identified, similarly they are likely to contain low artefact densities.

The environmental and archaeological contextual information has been taken into consideration in developing the survey methodology that is provided in **Section 5**. Overall, it is anticipated that should the project area contain evidence of Aboriginal occupation, this would come in the form of isolated finds or low-density scatter upon eroded topsoils. As subsurface deposits are not anticipated across the project area, a pre-emptive methodology for test excavations under the Code of Practice has not been provided below. Should the archaeological survey result in the identification of subsurface deposits, a methodology for test excavation will be provided.

3.0 Methodology for the Aboriginal Cultural Heritage and Archaeological Assessment

As discussed in **Section 1.0**, the consultation process will be undertaken in accordance with the consultation requirements (DECCW 2010). The proposed methodology for the ACHA (pending comments from registered Aboriginal parties) is as follows:

1. Provide information to all registered Aboriginal parties regarding the project, including a draft methodology for review and comment (this letter).
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4. Develop a draft ACHA report to include:
 - details of the project
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 - a review of the cultural context of the area that will draw heavily on information provided by registered Aboriginal parties and the results of previous cultural heritage and archaeological assessments undertaken in the area
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 - the preparation of a predictive model drawing on all of the above
 - details of the survey methodology and results
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 - an assessment of the Aboriginal cultural heritage significance (as provided by the registered Aboriginal parties) of the project area
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- a discussion of management options and
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 8. Submission of the final ACHA alongside the SSDA for the project.

4.0 Consultation with Aboriginal Parties During the Assessment Process

Umwelt acknowledges and understands that cultural values, by definition, relate to values outside those associated with specific archaeological sites/objects. Throughout the assessment process, we invite comment from Aboriginal parties regarding any cultural values associated with the project area and will ensure that any information provided regarding cultural values (be they associated with a specific site or provided with reference to a landscape feature or within a broader context) are documented and recorded in accordance with the wishes of the relevant Aboriginal party for inclusion in the ACHA report. We note that the inclusion of any such information in the final assessment is dependent on its provision by the Aboriginal parties.

We note that Section 3.2 of the consultation requirements specifies that the objective of consultation is to ensure 'that Aboriginal people have the opportunity to improve assessment outcomes. Factors specified as assisting in meeting this objective include providing Aboriginal parties with the opportunity to provide information on cultural values (as invited in this draft methodology), influence methods regarding assessment of significance for Aboriginal objects/places (which can be undertaken in response to this draft methodology, during fieldwork and in commenting on the draft ACHA report) and commenting on the draft ACHA report. Our approach is designed to ensure compliance with this objective, including the potential for in-field consultation with Aboriginal party representatives during fieldwork. Umwelt archaeologists are trained to seek and document cultural feedback provided by Aboriginal party representatives during fieldwork. This is not limited to cultural values associated with archaeological sites but may encompass any values identified by Aboriginal people.

We look forward to working with your organisation throughout the project to ensure that we adequately document any information you wish to provide regarding Aboriginal cultural values. Please feel free to contact us to request any additional information or assistance you may require to facilitate the provision of your input.

5.0 Survey Methodology

The draft survey methodology is designed to ensure compliance with requirements for archaeological survey as established in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice). This includes development of an appropriate sampling strategy and recording of information during survey.

5.1 Sampling Strategy

The survey will be undertaken to ensure that a representative sample of all landforms within the project area are surveyed, as required to ensure compliance with Code of Practice. Based on the curtilage of the works within the project area, it is proposed to undertake a full coverage survey. It is intended that the survey will be conducted over the course of one day by one archaeologist and a limited number of Aboriginal community representatives. We anticipate that no more than 4-5 groups will be able to participate in the survey, given the size and nature of the area to be surveyed, as well as limitations due to social distancing guidelines. However, the duration of survey time may be subject to change based on the number of sites recorded, ground surface visibility and other variables.

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Survey units will be defined and named with reference to Requirement 5c of the Code of Practice, including recording start and finish points and/or boundaries for all survey units using a hand-held GPS receiver (set to allow recording of data with datum MGA94) and topographic mapping (where relevant), with track logs to be recorded for all pedestrian transects. Start and finish points/boundaries for survey units will be defined based on landforms, study area boundaries, access or other arbitrary terminations (as specified in the Code of Practice). The spacing between individuals will also be recorded for each survey unit.

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Our Ref: 4965/NR/AO/16062020

16 June 2020

Awabakal Local Aboriginal Land Council
CEO
127 Maitland Road
ISLINGTON NSW 2296

Email: reception@awabakallalc.com.au

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At this stage, it is proposed to undertake the survey in mid-July 2020, however this is subject to confirmation. Further correspondence regarding survey arrangements will be provided at least two weeks prior to the proposed survey date. Additional information relating to engagement is provided in the attached correspondence.

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6.0 Summary

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Alison Fenwick
Archaeologist
Umwelt Environmental and Social Consultants (Umwelt)
afenwick@umwelt.com.au
Phone: 02 4950 5322

Should you require any further information or wish to discuss any aspect of the Project, please do not hesitate to contact Alison or Health Infrastructure's project manager Leigh Gilshenan at Leigh.Gilshenan@tsamgt.com.au.

Yours sincerely

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Our Ref: 4965/NR/AO/16062020

16 June 2020

Awabakal Traditional Owners Aboriginal Corporation
Kerrie Brauer
PO Box 122
RUTHERFORD NSW 2320

Email: Kerrie@awabakal.com.au

Dear Sir/Madam

Re: Aboriginal cultural heritage assessment methodology – proposed development associated with the John Hunter Health and Innovation Project

Planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct (JHHIP) that will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

Health Infrastructure have engaged Umwelt Environmental and Social Consultants (Umwelt) to prepare the Aboriginal Cultural Heritage Assessment (ACHA) as part of the preparation works for a State Significant Development application. We are writing to provide you with the draft methodology for the ACHA for your review and comment.

The planning pathway for the project is an application under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979*. The ACHA will be undertaken in accordance with the requirements of the *National Parks and Wildlife Act 1974* (NPW Act), the *National Parks and Wildlife Regulation 2009* (NPW Regulation), the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage [OEH] 2011), the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (Department of Environment, Climate Change and Water [DECCW] 2010) (the consultation requirements) and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice).

1.0 Description of the Project

In June 2019, the NSW Budget 2019/20 confirmed a significant expansion of the John Hunter Hospital with the \$780 million commitment to the JHHIP project.

The JHHIP will deliver updated and enhanced facilities providing additional capacity to meet the demand of the Greater Newcastle, Hunter New England, and northern NSW Regions. The JHHIP will enable a more integrated service encouraging partnership with key health, education and research partners from within and beyond the immediate region. The project will include the development of clinical and non-clinical services infrastructure to expand, integrate, enhance and optimise current capacity at the John Hunter Hospital Campus (JHHC) to provide contemporary patient centred care that is evidence based.

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The John Hunter Hospital Campus (JHHC) is located in New Lambton Heights in Newcastle and is situated 9 kilometres to the west of Newcastle CBD. The Hospital is located on Lookout Road and there are two entrances providing access to the JHHC from Lookout Road. The primary access is known as Kookaburra Circuit and connects to the internal road network via a major signalised intersection on Lookout Road. The secondary access is known as Jacaranda Drive and connects to the internal road network via a signalised intersection on Lookout Road.

The lot boundaries in which the project area is located are shown in **Figure 1**, with the current footprint and maximum footprint shown in **Figure 2**. The proposed redevelopment consists of Lot 9 and 11 DP 826092, Lot 41 DP 1176191, Lot 202 1176551, Lots 1 and 2 DP 1228246. Please note that the current footprint (highlighted in blue) is subject to further development of the concept design and may change, however is unlikely to extend beyond the maximum footprint (shaded red) in **Figure 2**.

To date a Precinct Master Plan Report has been completed which provides a framework for the Redevelopment Project. The Master Plan addresses specific issues such as the significant population pressure on the campus as one of the busiest hospitals in NSW, the unique sloping bushland site, car parking needs and easing existing traffic congestion by harnessing additional access points as a result of the Inner-city bypass to ultimately create an inspiring environment for patients, visitors, researchers, staff and the community.

The planning pathway for the project involves the preparation of a stage State Significant Development Application (SSDA), and comprises the following components:

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This Aboriginal Cultural Heritage Assessment (ACHA) will be undertaken in fulfillment of likely Aboriginal heritage requirements received in the Secretary's Environmental Assessment Requirements (SEARs) for both Stage 1 and Stage 2.

The following activities are deemed likely to impact the existing landscape, and are therefore discussed as part of this assessment:

- Road network upgrades
- Utility adjustments
- New building construction
- Equipment laydown areas
- Site compound establishment

2.0 Context of the Project Area

The Newcastle region has been intensively investigated in the last 10 years, due to the prevalence of modern development and mining practices. Much of this investigation has centred on the Newcastle foreshore area, known to contain significant Aboriginal archaeological deposits. However, less information is known about landforms similar to those identified within the project area. Of significance to this assessment is the archaeological investigation undertaken by Kelleher Nightingale Consultants (KNC 2018) for the Jesmond Bypass, which abuts the JHHIP project area on the western boundary. Based on this assessment, background research and an understanding of the local context, the following environmental contextual information is provided:

- The project area is located within the Lower Hunter Valley, a northern physiogeographic region of the Sydney Basin. The underlying geology of the project area comprises the Lambton Subgroup (northern extent of the project area) and the Adamstown Subgroup (southern extent and majority of the project area) of the Newcastle Coal Measures.
- The project area is entirely underlain by the Killingsworth Soil Landscape (including Variant A). The Killingsworth soil landscape can be described as undulating to rolling hills and low hills and is an erosional soil landscape (particularly susceptible to water erosion) which primarily comprises shallow (up to 60cm, on crests and hillslopes) to moderately deep (150cm, primarily in drainage lines) topsoil. This topsoil is made up of a brownish black pedal loam (A₁, usually 5-25cm) that overlies a bleached hardsetting loamy sand to sandy clay loam (A₂, usually 10-150cm). These topsoils generally overlie a pedal yellowish-brown clay (B horizon).
- Two waterways originate in the project area, these being Jesmond Creek (easternmost waterway) and an unnamed tributary of Flats Creek (potentially created through modern run off). Both of these creeklines are non-perennial and are considered to have a limited catchment area. Higher order watercourses in proximity to the project area include Dark Creek to the north, Ironbark Creek to the west and Styx Creek to the east.
- The project area has been subject to varying disturbances, both natural and human in origin. The construction of roads, utilities and structures in addition to historic mining, clearance of native vegetation, landscaping and natural process such as erosion has disturbed both subsurface deposits and removed old growth trees.

A summary of the archaeological contextual information is provided below:

- Aboriginal sites within the local context are most likely to be located on elevated area such as ridge lines or crests in close proximity to perennial watercourses. While areas further from perennial watercourses still retain the potential for Aboriginal objects or sites, these are likely to comprise isolated finds or low density artefact scatters and are generally considered lower significance.
- A search of the Aboriginal Heritage Information Management System (AHIMS) database has identified four Aboriginal sites within 1km of the project area. These are all associated with the KNC 2018 assessment of the Jesmond Bypass, and include two areas containing subsurface deposit. One surface isolated find is located within 100m of the NW corner of the project area.
- Should the project area contain evidence of Aboriginal occupation or use, this would likely come in the form of isolated finds or low density artefact scatters. While subsurface deposits are considered unlikely based on the landforms in the project area, should these be identified, similarly they are likely to contain low artefact densities.

The environmental and archaeological contextual information has been taken into consideration in developing the survey methodology that is provided in **Section 5**. Overall, it is anticipated that should the project area contain evidence of Aboriginal occupation, this would come in the form of isolated finds or low-density scatter upon eroded topsoils. As subsurface deposits are not anticipated across the project area, a pre-emptive methodology for test excavations under the Code of Practice has not been provided below. Should the archaeological survey result in the identification of subsurface deposits, a methodology for test excavation will be provided.

3.0 Methodology for the Aboriginal Cultural Heritage and Archaeological Assessment

As discussed in **Section 1.0**, the consultation process will be undertaken in accordance with the consultation requirements (DECCW 2010). The proposed methodology for the ACHA (pending comments from registered Aboriginal parties) is as follows:

1. Provide information to all registered Aboriginal parties regarding the project, including a draft methodology for review and comment (this letter).
2. Provision of a review period during which Aboriginal parties can provide comment and propose amendments to the draft methodology (up to 28 days from receipt of this letter, with comments due by close of business **15 July 2020**).
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 - details of the project
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- a discussion of management options and
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 7. Provision of the final ACHA report to registered Aboriginal parties and to the proponent.
 8. Submission of the final ACHA alongside the SSDA for the project.

4.0 Consultation with Aboriginal Parties During the Assessment Process

Umwelt acknowledges and understands that cultural values, by definition, relate to values outside those associated with specific archaeological sites/objects. Throughout the assessment process, we invite comment from Aboriginal parties regarding any cultural values associated with the project area and will ensure that any information provided regarding cultural values (be they associated with a specific site or provided with reference to a landscape feature or within a broader context) are documented and recorded in accordance with the wishes of the relevant Aboriginal party for inclusion in the ACHA report. We note that the inclusion of any such information in the final assessment is dependent on its provision by the Aboriginal parties.

We note that Section 3.2 of the consultation requirements specifies that the objective of consultation is to ensure 'that Aboriginal people have the opportunity to improve assessment outcomes. Factors specified as assisting in meeting this objective include providing Aboriginal parties with the opportunity to provide information on cultural values (as invited in this draft methodology), influence methods regarding assessment of significance for Aboriginal objects/places (which can be undertaken in response to this draft methodology, during fieldwork and in commenting on the draft ACHA report) and commenting on the draft ACHA report. Our approach is designed to ensure compliance with this objective, including the potential for in-field consultation with Aboriginal party representatives during fieldwork. Umwelt archaeologists are trained to seek and document cultural feedback provided by Aboriginal party representatives during fieldwork. This is not limited to cultural values associated with archaeological sites but may encompass any values identified by Aboriginal people.

We look forward to working with your organisation throughout the project to ensure that we adequately document any information you wish to provide regarding Aboriginal cultural values. Please feel free to contact us to request any additional information or assistance you may require to facilitate the provision of your input.

5.0 Survey Methodology

The draft survey methodology is designed to ensure compliance with requirements for archaeological survey as established in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice). This includes development of an appropriate sampling strategy and recording of information during survey.

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Our Ref: 4965/NR/AO/16062020

16 June 2020

Corroboree Aboriginal Corporation
Carroll- Johnson Marilyn
PO Box 3340
ROUSE HILL NSW 2155

Email: corroboreecorp@bigpond.com

Dear Sir/Madam

Re: Aboriginal cultural heritage assessment methodology – proposed development associated with the John Hunter Health and Innovation Project

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We look forward to working with your organisation throughout the project to ensure that we adequately document any information you wish to provide regarding Aboriginal cultural values. Please feel free to contact us to request any additional information or assistance you may require to facilitate the provision of your input.

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Sufficient information will be recorded for all sites to meet Requirement 7 of the Code of Practice. The archaeological and Aboriginal and cultural significance of any site will be discussed with the registered Aboriginal parties participating in the survey.

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Our Ref: 4965/NR/AO/16062020

16 June 2020

D F T V Enterprises
Derrick Vale Snr
5 Mountbatten Close
RUTHERFORD NSW 2320

Email: deckavale@hotmail.com

Dear Sir/Madam

Re: Aboriginal cultural heritage assessment methodology – proposed development associated with the John Hunter Health and Innovation Project

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Health Infrastructure have engaged Umwelt Environmental and Social Consultants (Umwelt) to prepare the Aboriginal Cultural Heritage Assessment (ACHA) as part of the preparation works for a State Significant Development application. We are writing to provide you with the draft methodology for the ACHA for your review and comment.

The planning pathway for the project is an application under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979*. The ACHA will be undertaken in accordance with the requirements of the *National Parks and Wildlife Act 1974* (NPW Act), the *National Parks and Wildlife Regulation 2009* (NPW Regulation), the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage [OEH] 2011), the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (Department of Environment, Climate Change and Water [DECCW] 2010) (the consultation requirements) and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice).

1.0 Description of the Project

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The lot boundaries in which the project area is located are shown in **Figure 1**, with the current footprint and maximum footprint shown in **Figure 2**. The proposed redevelopment consists of Lot 9 and 11 DP 826092, Lot 41 DP 1176191, Lot 202 1176551, Lots 1 and 2 DP 1228246. Please note that the current footprint (highlighted in blue) is subject to further development of the concept design and may change, however is unlikely to extend beyond the maximum footprint (shaded red) in **Figure 2**.

To date a Precinct Master Plan Report has been completed which provides a framework for the Redevelopment Project. The Master Plan addresses specific issues such as the significant population pressure on the campus as one of the busiest hospitals in NSW, the unique sloping bushland site, car parking needs and easing existing traffic congestion by harnessing additional access points as a result of the Inner-city bypass to ultimately create an inspiring environment for patients, visitors, researchers, staff and the community.

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The following activities are deemed likely to impact the existing landscape, and are therefore discussed as part of this assessment:

- Road network upgrades
- Utility adjustments
- New building construction
- Equipment laydown areas
- Site compound establishment

2.0 Context of the Project Area

The Newcastle region has been intensively investigated in the last 10 years, due to the prevalence of modern development and mining practices. Much of this investigation has centred on the Newcastle foreshore area, known to contain significant Aboriginal archaeological deposits. However, less information is known about landforms similar to those identified within the project area. Of significance to this assessment is the archaeological investigation undertaken by Kelleher Nightingale Consultants (KNC 2018) for the Jesmond Bypass, which abuts the JHHIP project area on the western boundary. Based on this assessment, background research and an understanding of the local context, the following environmental contextual information is provided:

- The project area is located within the Lower Hunter Valley, a northern physiogeographic region of the Sydney Basin. The underlying geology of the project area comprises the Lambton Subgroup (northern extent of the project area) and the Adamstown Subgroup (southern extent and majority of the project area) of the Newcastle Coal Measures.
- The project area is entirely underlain by the Killingsworth Soil Landscape (including Variant A). The Killingsworth soil landscape can be described as undulating to rolling hills and low hills and is an erosional soil landscape (particularly susceptible to water erosion) which primarily comprises shallow (up to 60cm, on crests and hillslopes) to moderately deep (150cm, primarily in drainage lines) topsoil. This topsoil is made up of a brownish black pedal loam (A₁, usually 5-25cm) that overlies a bleached hardsetting loamy sand to sandy clay loam (A₂, usually 10-150cm). These topsoils generally overlie a pedal yellowish-brown clay (B horizon).
- Two waterways originate in the project area, these being Jesmond Creek (easternmost waterway) and an unnamed tributary of Flats Creek (potentially created through modern run off). Both of these creeklines are non-perennial and are considered to have a limited catchment area. Higher order watercourses in proximity to the project area include Dark Creek to the north, Ironbark Creek to the west and Styx Creek to the east.
- The project area has been subject to varying disturbances, both natural and human in origin. The construction of roads, utilities and structures in addition to historic mining, clearance of native vegetation, landscaping and natural process such as erosion has disturbed both subsurface deposits and removed old growth trees.

A summary of the archaeological contextual information is provided below:

- Aboriginal sites within the local context are most likely to be located on elevated area such as ridge lines or crests in close proximity to perennial watercourses. While areas further from perennial watercourses still retain the potential for Aboriginal objects or sites, these are likely to comprise isolated finds or low density artefact scatters and are generally considered lower significance.
- A search of the Aboriginal Heritage Information Management System (AHIMS) database has identified four Aboriginal sites within 1km of the project area. These are all associated with the KNC 2018 assessment of the Jesmond Bypass, and include two areas containing subsurface deposit. One surface isolated find is located within 100m of the NW corner of the project area.
- Should the project area contain evidence of Aboriginal occupation or use, this would likely come in the form of isolated finds or low density artefact scatters. While subsurface deposits are considered unlikely based on the landforms in the project area, should these be identified, similarly they are likely to contain low artefact densities.

The environmental and archaeological contextual information has been taken into consideration in developing the survey methodology that is provided in **Section 5**. Overall, it is anticipated that should the project area contain evidence of Aboriginal occupation, this would come in the form of isolated finds or low-density scatter upon eroded topsoils. As subsurface deposits are not anticipated across the project area, a pre-emptive methodology for test excavations under the Code of Practice has not been provided below. Should the archaeological survey result in the identification of subsurface deposits, a methodology for test excavation will be provided.

3.0 Methodology for the Aboriginal Cultural Heritage and Archaeological Assessment

As discussed in **Section 1.0**, the consultation process will be undertaken in accordance with the consultation requirements (DECCW 2010). The proposed methodology for the ACHA (pending comments from registered Aboriginal parties) is as follows:

1. Provide information to all registered Aboriginal parties regarding the project, including a draft methodology for review and comment (this letter).
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 - an assessment of the archaeological significance of any sites/objects/potential archaeological deposits identified within the project area
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- a discussion of management options and
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5. The provision of the draft ACHA report to registered Aboriginal parties for review and comment (comment period extends for 28 days from date of provision of the draft ACHA).
 6. Discussion/incorporation of comments/responses received from Aboriginal parties to develop and finalise the ACHA report.
 7. Provision of the final ACHA report to registered Aboriginal parties and to the proponent.
 8. Submission of the final ACHA alongside the SSDA for the project.

4.0 Consultation with Aboriginal Parties During the Assessment Process

Umwelt acknowledges and understands that cultural values, by definition, relate to values outside those associated with specific archaeological sites/objects. Throughout the assessment process, we invite comment from Aboriginal parties regarding any cultural values associated with the project area and will ensure that any information provided regarding cultural values (be they associated with a specific site or provided with reference to a landscape feature or within a broader context) are documented and recorded in accordance with the wishes of the relevant Aboriginal party for inclusion in the ACHA report. We note that the inclusion of any such information in the final assessment is dependent on its provision by the Aboriginal parties.

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Our Ref: 4965/NR/AO/16062020

16 June 2020

Lower Hunter Aboriginal Incorporated
David Ahoy
5 Killara Drive
CARDIFF SOUTH NSW 2285

Email: lowerhunterai@gmail.com

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 7. Provision of the final ACHA report to registered Aboriginal parties and to the proponent.
 8. Submission of the final ACHA alongside the SSDA for the project.

4.0 Consultation with Aboriginal Parties During the Assessment Process

Umwelt acknowledges and understands that cultural values, by definition, relate to values outside those associated with specific archaeological sites/objects. Throughout the assessment process, we invite comment from Aboriginal parties regarding any cultural values associated with the project area and will ensure that any information provided regarding cultural values (be they associated with a specific site or provided with reference to a landscape feature or within a broader context) are documented and recorded in accordance with the wishes of the relevant Aboriginal party for inclusion in the ACHA report. We note that the inclusion of any such information in the final assessment is dependent on its provision by the Aboriginal parties.

We note that Section 3.2 of the consultation requirements specifies that the objective of consultation is to ensure 'that Aboriginal people have the opportunity to improve assessment outcomes. Factors specified as assisting in meeting this objective include providing Aboriginal parties with the opportunity to provide information on cultural values (as invited in this draft methodology), influence methods regarding assessment of significance for Aboriginal objects/places (which can be undertaken in response to this draft methodology, during fieldwork and in commenting on the draft ACHA report) and commenting on the draft ACHA report. Our approach is designed to ensure compliance with this objective, including the potential for in-field consultation with Aboriginal party representatives during fieldwork. Umwelt archaeologists are trained to seek and document cultural feedback provided by Aboriginal party representatives during fieldwork. This is not limited to cultural values associated with archaeological sites but may encompass any values identified by Aboriginal people.

We look forward to working with your organisation throughout the project to ensure that we adequately document any information you wish to provide regarding Aboriginal cultural values. Please feel free to contact us to request any additional information or assistance you may require to facilitate the provision of your input.

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The draft survey methodology is designed to ensure compliance with requirements for archaeological survey as established in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice). This includes development of an appropriate sampling strategy and recording of information during survey.

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5.3 Survey Arrangements

At this stage, it is proposed to undertake the survey in mid-July 2020, however this is subject to confirmation. Further correspondence regarding survey arrangements will be provided at least two weeks prior to the proposed survey date. Additional information relating to engagement is provided in the attached correspondence.

As specified in the attached correspondence, expressions of interest are invited from Aboriginal parties for paid engagement for the proposed archaeological survey.

6.0 Summary

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Alison Fenwick
Archaeologist
Umwelt Environmental and Social Consultants (Umwelt)
afenwick@umwelt.com.au
Phone: 02 4950 5322

Should you require any further information or wish to discuss any aspect of the Project, please do not hesitate to contact Alison or Health Infrastructure's project manager Leigh Gilshenan at Leigh.Gilshenan@tsamgt.com.au.

Yours sincerely

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Figure 1 Lot boundaries relevant to the proposed works.



Figure 2 The current proposed works footprint is shown in blue (subject to change). Shown in red is the maximum area that may be subject to impact through changes to the proposed works footprint. The approximate location of the Yallarwah memorial is shown by the green marker, with a minimum 25 metre buffer to be established around this marker to ensure no disturbance occurs during the project.

Our Ref: 4965/NR/AO/16062020

16 June 2020

Murra Bidgee Mullangari Aboriginal Corporation
Ryan Johnson & Darleen Johnson-Carroll
PO Box 246
SEVEN HILLS NSW 2147

Email: murrabidgeemullangari@yahoo.com.au

Dear Sir/Madam

Re: Aboriginal cultural heritage assessment methodology – proposed development associated with the John Hunter Health and Innovation Project

Planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct (JHHIP) that will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

Health Infrastructure have engaged Umwelt Environmental and Social Consultants (Umwelt) to prepare the Aboriginal Cultural Heritage Assessment (ACHA) as part of the preparation works for a State Significant Development application. We are writing to provide you with the draft methodology for the ACHA for your review and comment.

The planning pathway for the project is an application under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979*. The ACHA will be undertaken in accordance with the requirements of the *National Parks and Wildlife Act 1974* (NPW Act), the *National Parks and Wildlife Regulation 2009* (NPW Regulation), the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage [OEH] 2011), the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (Department of Environment, Climate Change and Water [DECCW] 2010) (the consultation requirements) and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice).

1.0 Description of the Project

In June 2019, the NSW Budget 2019/20 confirmed a significant expansion of the John Hunter Hospital with the \$780 million commitment to the JHHIP project.

The JHHIP will deliver updated and enhanced facilities providing additional capacity to meet the demand of the Greater Newcastle, Hunter New England, and northern NSW Regions. The JHHIP will enable a more integrated service encouraging partnership with key health, education and research partners from within and beyond the immediate region. The project will include the development of clinical and non-clinical services infrastructure to expand, integrate, enhance and optimise current capacity at the John Hunter Hospital Campus (JHHC) to provide contemporary patient centred care that is evidence based.

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The John Hunter Hospital Campus (JHHC) is located in New Lambton Heights in Newcastle and is situated 9 kilometres to the west of Newcastle CBD. The Hospital is located on Lookout Road and there are two entrances providing access to the JHHC from Lookout Road. The primary access is known as Kookaburra Circuit and connects to the internal road network via a major signalised intersection on Lookout Road. The secondary access is known as Jacaranda Drive and connects to the internal road network via a signalised intersection on Lookout Road.

The lot boundaries in which the project area is located are shown in **Figure 1**, with the current footprint and maximum footprint shown in **Figure 2**. The proposed redevelopment consists of Lot 9 and 11 DP 826092, Lot 41 DP 1176191, Lot 202 1176551, Lots 1 and 2 DP 1228246. Please note that the current footprint (highlighted in blue) is subject to further development of the concept design and may change, however is unlikely to extend beyond the maximum footprint (shaded red) in **Figure 2**.

To date a Precinct Master Plan Report has been completed which provides a framework for the Redevelopment Project. The Master Plan addresses specific issues such as the significant population pressure on the campus as one of the busiest hospitals in NSW, the unique sloping bushland site, car parking needs and easing existing traffic congestion by harnessing additional access points as a result of the Inner-city bypass to ultimately create an inspiring environment for patients, visitors, researchers, staff and the community.

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This Aboriginal Cultural Heritage Assessment (ACHA) will be undertaken in fulfillment of likely Aboriginal heritage requirements received in the Secretary's Environmental Assessment Requirements (SEARs) for both Stage 1 and Stage 2.

The following activities are deemed likely to impact the existing landscape, and are therefore discussed as part of this assessment:

- Road network upgrades
- Utility adjustments
- New building construction
- Equipment laydown areas
- Site compound establishment

2.0 Context of the Project Area

The Newcastle region has been intensively investigated in the last 10 years, due to the prevalence of modern development and mining practices. Much of this investigation has centred on the Newcastle foreshore area, known to contain significant Aboriginal archaeological deposits. However, less information is known about landforms similar to those identified within the project area. Of significance to this assessment is the archaeological investigation undertaken by Kelleher Nightingale Consultants (KNC 2018) for the Jesmond Bypass, which abuts the JHHIP project area on the western boundary. Based on this assessment, background research and an understanding of the local context, the following environmental contextual information is provided:

- The project area is located within the Lower Hunter Valley, a northern physiogeographic region of the Sydney Basin. The underlying geology of the project area comprises the Lambton Subgroup (northern extent of the project area) and the Adamstown Subgroup (southern extent and majority of the project area) of the Newcastle Coal Measures.
- The project area is entirely underlain by the Killingsworth Soil Landscape (including Variant A). The Killingsworth soil landscape can be described as undulating to rolling hills and low hills and is an erosional soil landscape (particularly susceptible to water erosion) which primarily comprises shallow (up to 60cm, on crests and hillslopes) to moderately deep (150cm, primarily in drainage lines) topsoil. This topsoil is made up of a brownish black pedal loam (A₁, usually 5-25cm) that overlies a bleached hardsetting loamy sand to sandy clay loam (A₂, usually 10-150cm). These topsoils generally overlie a pedal yellowish-brown clay (B horizon).
- Two waterways originate in the project area, these being Jesmond Creek (easternmost waterway) and an unnamed tributary of Flats Creek (potentially created through modern run off). Both of these creeklines are non-perennial and are considered to have a limited catchment area. Higher order watercourses in proximity to the project area include Dark Creek to the north, Ironbark Creek to the west and Styx Creek to the east.
- The project area has been subject to varying disturbances, both natural and human in origin. The construction of roads, utilities and structures in addition to historic mining, clearance of native vegetation, landscaping and natural process such as erosion has disturbed both subsurface deposits and removed old growth trees.

A summary of the archaeological contextual information is provided below:

- Aboriginal sites within the local context are most likely to be located on elevated area such as ridge lines or crests in close proximity to perennial watercourses. While areas further from perennial watercourses still retain the potential for Aboriginal objects or sites, these are likely to comprise isolated finds or low density artefact scatters and are generally considered lower significance.
- A search of the Aboriginal Heritage Information Management System (AHIMS) database has identified four Aboriginal sites within 1km of the project area. These are all associated with the KNC 2018 assessment of the Jesmond Bypass, and include two areas containing subsurface deposit. One surface isolated find is located within 100m of the NW corner of the project area.
- Should the project area contain evidence of Aboriginal occupation or use, this would likely come in the form of isolated finds or low density artefact scatters. While subsurface deposits are considered unlikely based on the landforms in the project area, should these be identified, similarly they are likely to contain low artefact densities.

The environmental and archaeological contextual information has been taken into consideration in developing the survey methodology that is provided in **Section 5**. Overall, it is anticipated that should the project area contain evidence of Aboriginal occupation, this would come in the form of isolated finds or low-density scatter upon eroded topsoils. As subsurface deposits are not anticipated across the project area, a pre-emptive methodology for test excavations under the Code of Practice has not been provided below. Should the archaeological survey result in the identification of subsurface deposits, a methodology for test excavation will be provided.

3.0 Methodology for the Aboriginal Cultural Heritage and Archaeological Assessment

As discussed in **Section 1.0**, the consultation process will be undertaken in accordance with the consultation requirements (DECCW 2010). The proposed methodology for the ACHA (pending comments from registered Aboriginal parties) is as follows:

1. Provide information to all registered Aboriginal parties regarding the project, including a draft methodology for review and comment (this letter).
2. Provision of a review period during which Aboriginal parties can provide comment and propose amendments to the draft methodology (up to 28 days from receipt of this letter, with comments due by close of business **15 July 2020**).
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 - details of the project
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 - a review of the cultural context of the area that will draw heavily on information provided by registered Aboriginal parties and the results of previous cultural heritage and archaeological assessments undertaken in the area
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 - the preparation of a predictive model drawing on all of the above
 - details of the survey methodology and results
 - details of any sites/objects/potential archaeological deposits located during the survey
 - an assessment of the Aboriginal cultural heritage significance (as provided by the registered Aboriginal parties) of the project area
 - an assessment of the archaeological significance of any sites/objects/potential archaeological deposits identified within the project area
 - an assessment of the potential impact by the project to any sites/objects/potential archaeological deposits identified within the project area

- a discussion of management options and
 - management recommendations.
5. The provision of the draft ACHA report to registered Aboriginal parties for review and comment (comment period extends for 28 days from date of provision of the draft ACHA).
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Our Ref: 4965/NR/AO/16062020

16 June 2020

Awabakal & Guringai Pty.Ltd
Tracey Howie
PO Box 122
RUTHERFORD NSW 2320 NSW 2320

Email: kerrie@awabakal.com.au

Dear Sir/Madam

Re: Aboriginal cultural heritage assessment methodology – proposed development associated with the John Hunter Health and Innovation Project

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 - the preparation of a predictive model drawing on all of the above
 - details of the survey methodology and results
 - details of any sites/objects/potential archaeological deposits located during the survey
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We note that Section 3.2 of the consultation requirements specifies that the objective of consultation is to ensure 'that Aboriginal people have the opportunity to improve assessment outcomes. Factors specified as assisting in meeting this objective include providing Aboriginal parties with the opportunity to provide information on cultural values (as invited in this draft methodology), influence methods regarding assessment of significance for Aboriginal objects/places (which can be undertaken in response to this draft methodology, during fieldwork and in commenting on the draft ACHA report) and commenting on the draft ACHA report. Our approach is designed to ensure compliance with this objective, including the potential for in-field consultation with Aboriginal party representatives during fieldwork. Umwelt archaeologists are trained to seek and document cultural feedback provided by Aboriginal party representatives during fieldwork. This is not limited to cultural values associated with archaeological sites but may encompass any values identified by Aboriginal people.

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At this stage, it is proposed to undertake the survey in mid-July 2020, however this is subject to confirmation. Further correspondence regarding survey arrangements will be provided at least two weeks prior to the proposed survey date. Additional information relating to engagement is provided in the attached correspondence.

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6.0 Summary

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Alison Fenwick
Archaeologist
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Phone: 02 4950 5322

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Our Ref: 4965/NR/AO/16062020

16 June 2020

Wattaka Wonnarua CC Service
Des Hickey
4 Kennedy Street
SINGLETON NSW 2330

Email: deshickey@bigpond.com

Dear Sir/Madam

Re: Aboriginal cultural heritage assessment methodology – proposed development associated with the John Hunter Health and Innovation Project

Planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct (JHHIP) that will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

Health Infrastructure have engaged Umwelt Environmental and Social Consultants (Umwelt) to prepare the Aboriginal Cultural Heritage Assessment (ACHA) as part of the preparation works for a State Significant Development application. We are writing to provide you with the draft methodology for the ACHA for your review and comment.

The planning pathway for the project is an application under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979*. The ACHA will be undertaken in accordance with the requirements of the *National Parks and Wildlife Act 1974* (NPW Act), the *National Parks and Wildlife Regulation 2009* (NPW Regulation), the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage [OEH] 2011), the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (Department of Environment, Climate Change and Water [DECCW] 2010) (the consultation requirements) and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice).

1.0 Description of the Project

In June 2019, the NSW Budget 2019/20 confirmed a significant expansion of the John Hunter Hospital with the \$780 million commitment to the JHHIP project.

The JHHIP will deliver updated and enhanced facilities providing additional capacity to meet the demand of the Greater Newcastle, Hunter New England, and northern NSW Regions. The JHHIP will enable a more integrated service encouraging partnership with key health, education and research partners from within and beyond the immediate region. The project will include the development of clinical and non-clinical services infrastructure to expand, integrate, enhance and optimise current capacity at the John Hunter Hospital Campus (JHHC) to provide contemporary patient centred care that is evidence based.

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The John Hunter Hospital Campus (JHHC) is located in New Lambton Heights in Newcastle and is situated 9 kilometres to the west of Newcastle CBD. The Hospital is located on Lookout Road and there are two entrances providing access to the JHHC from Lookout Road. The primary access is known as Kookaburra Circuit and connects to the internal road network via a major signalised intersection on Lookout Road. The secondary access is known as Jacaranda Drive and connects to the internal road network via a signalised intersection on Lookout Road.

The lot boundaries in which the project area is located are shown in **Figure 1**, with the current footprint and maximum footprint shown in **Figure 2**. The proposed redevelopment consists of Lot 9 and 11 DP 826092, Lot 41 DP 1176191, Lot 202 1176551, Lots 1 and 2 DP 1228246. Please note that the current footprint (highlighted in blue) is subject to further development of the concept design and may change, however is unlikely to extend beyond the maximum footprint (shaded red) in **Figure 2**.

To date a Precinct Master Plan Report has been completed which provides a framework for the Redevelopment Project. The Master Plan addresses specific issues such as the significant population pressure on the campus as one of the busiest hospitals in NSW, the unique sloping bushland site, car parking needs and easing existing traffic congestion by harnessing additional access points as a result of the Inner-city bypass to ultimately create an inspiring environment for patients, visitors, researchers, staff and the community.

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This Aboriginal Cultural Heritage Assessment (ACHA) will be undertaken in fulfillment of likely Aboriginal heritage requirements received in the Secretary's Environmental Assessment Requirements (SEARs) for both Stage 1 and Stage 2.

The following activities are deemed likely to impact the existing landscape, and are therefore discussed as part of this assessment:

- Road network upgrades
- Utility adjustments
- New building construction
- Equipment laydown areas
- Site compound establishment

2.0 Context of the Project Area

The Newcastle region has been intensively investigated in the last 10 years, due to the prevalence of modern development and mining practices. Much of this investigation has centred on the Newcastle foreshore area, known to contain significant Aboriginal archaeological deposits. However, less information is known about landforms similar to those identified within the project area. Of significance to this assessment is the archaeological investigation undertaken by Kelleher Nightingale Consultants (KNC 2018) for the Jesmond Bypass, which abuts the JHHIP project area on the western boundary. Based on this assessment, background research and an understanding of the local context, the following environmental contextual information is provided:

- The project area is located within the Lower Hunter Valley, a northern physiogeographic region of the Sydney Basin. The underlying geology of the project area comprises the Lambton Subgroup (northern extent of the project area) and the Adamstown Subgroup (southern extent and majority of the project area) of the Newcastle Coal Measures.
- The project area is entirely underlain by the Killingsworth Soil Landscape (including Variant A). The Killingsworth soil landscape can be described as undulating to rolling hills and low hills and is an erosional soil landscape (particularly susceptible to water erosion) which primarily comprises shallow (up to 60cm, on crests and hillslopes) to moderately deep (150cm, primarily in drainage lines) topsoil. This topsoil is made up of a brownish black pedal loam (A₁, usually 5-25cm) that overlies a bleached hardsetting loamy sand to sandy clay loam (A₂, usually 10-150cm). These topsoils generally overlie a pedal yellowish-brown clay (B horizon).
- Two waterways originate in the project area, these being Jesmond Creek (easternmost waterway) and an unnamed tributary of Flats Creek (potentially created through modern run off). Both of these creeklines are non-perennial and are considered to have a limited catchment area. Higher order watercourses in proximity to the project area include Dark Creek to the north, Ironbark Creek to the west and Styx Creek to the east.
- The project area has been subject to varying disturbances, both natural and human in origin. The construction of roads, utilities and structures in addition to historic mining, clearance of native vegetation, landscaping and natural process such as erosion has disturbed both subsurface deposits and removed old growth trees.

A summary of the archaeological contextual information is provided below:

- Aboriginal sites within the local context are most likely to be located on elevated area such as ridge lines or crests in close proximity to perennial watercourses. While areas further from perennial watercourses still retain the potential for Aboriginal objects or sites, these are likely to comprise isolated finds or low density artefact scatters and are generally considered lower significance.
- A search of the Aboriginal Heritage Information Management System (AHIMS) database has identified four Aboriginal sites within 1km of the project area. These are all associated with the KNC 2018 assessment of the Jesmond Bypass, and include two areas containing subsurface deposit. One surface isolated find is located within 100m of the NW corner of the project area.
- Should the project area contain evidence of Aboriginal occupation or use, this would likely come in the form of isolated finds or low density artefact scatters. While subsurface deposits are considered unlikely based on the landforms in the project area, should these be identified, similarly they are likely to contain low artefact densities.

The environmental and archaeological contextual information has been taken into consideration in developing the survey methodology that is provided in **Section 5**. Overall, it is anticipated that should the project area contain evidence of Aboriginal occupation, this would come in the form of isolated finds or low-density scatter upon eroded topsoils. As subsurface deposits are not anticipated across the project area, a pre-emptive methodology for test excavations under the Code of Practice has not been provided below. Should the archaeological survey result in the identification of subsurface deposits, a methodology for test excavation will be provided.

3.0 Methodology for the Aboriginal Cultural Heritage and Archaeological Assessment

As discussed in **Section 1.0**, the consultation process will be undertaken in accordance with the consultation requirements (DECCW 2010). The proposed methodology for the ACHA (pending comments from registered Aboriginal parties) is as follows:

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 - a review of background information related to the environmental characteristics of the project area that may have influenced how Aboriginal people may have occupied/utilised the area and the likelihood of site survival
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Our Ref: 4965/NR/AO/16062020

16 June 2020

Widescope Indigenous Group
Steven Hickey
73 Russell Street
EMU PLAINS NSW 2750

Email: Widescope.group@live.com

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At this stage, it is proposed to undertake the survey in mid-July 2020, however this is subject to confirmation. Further correspondence regarding survey arrangements will be provided at least two weeks prior to the proposed survey date. Additional information relating to engagement is provided in the attached correspondence.

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6.0 Summary

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Alison Fenwick
Archaeologist
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afenwick@umwelt.com.au
Phone: 02 4950 5322

Should you require any further information or wish to discuss any aspect of the Project, please do not hesitate to contact Alison or Health Infrastructure's project manager Leigh Gilshenan at Leigh.Gilshenan@tsamgt.com.au.

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Our Ref: 4965/NR/AO/16062020

16 June 2020

Worimi Local Aboriginal Land Council
CEO
2163 Nelson Bay Road
WILLIAMTOWN NSW 2318

Email: andrew@worimi.org.au

Dear Sir/Madam

Re: Aboriginal cultural heritage assessment methodology – proposed development associated with the John Hunter Health and Innovation Project

Planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct (JHHIP) that will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

Health Infrastructure have engaged Umwelt Environmental and Social Consultants (Umwelt) to prepare the Aboriginal Cultural Heritage Assessment (ACHA) as part of the preparation works for a State Significant Development application. We are writing to provide you with the draft methodology for the ACHA for your review and comment.

The planning pathway for the project is an application under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979*. The ACHA will be undertaken in accordance with the requirements of the *National Parks and Wildlife Act 1974* (NPW Act), the *National Parks and Wildlife Regulation 2009* (NPW Regulation), the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage [OEH] 2011), the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (Department of Environment, Climate Change and Water [DECCW] 2010) (the consultation requirements) and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice).

1.0 Description of the Project

In June 2019, the NSW Budget 2019/20 confirmed a significant expansion of the John Hunter Hospital with the \$780 million commitment to the JHHIP project.

The JHHIP will deliver updated and enhanced facilities providing additional capacity to meet the demand of the Greater Newcastle, Hunter New England, and northern NSW Regions. The JHHIP will enable a more integrated service encouraging partnership with key health, education and research partners from within and beyond the immediate region. The project will include the development of clinical and non-clinical services infrastructure to expand, integrate, enhance and optimise current capacity at the John Hunter Hospital Campus (JHHC) to provide contemporary patient centred care that is evidence based.

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The John Hunter Hospital Campus (JHHC) is located in New Lambton Heights in Newcastle and is situated 9 kilometres to the west of Newcastle CBD. The Hospital is located on Lookout Road and there are two entrances providing access to the JHHC from Lookout Road. The primary access is known as Kookaburra Circuit and connects to the internal road network via a major signalised intersection on Lookout Road. The secondary access is known as Jacaranda Drive and connects to the internal road network via a signalised intersection on Lookout Road.

The lot boundaries in which the project area is located are shown in **Figure 1**, with the current footprint and maximum footprint shown in **Figure 2**. The proposed redevelopment consists of Lot 9 and 11 DP 826092, Lot 41 DP 1176191, Lot 202 1176551, Lots 1 and 2 DP 1228246. Please note that the current footprint (highlighted in blue) is subject to further development of the concept design and may change, however is unlikely to extend beyond the maximum footprint (shaded red) in **Figure 2**.

To date a Precinct Master Plan Report has been completed which provides a framework for the Redevelopment Project. The Master Plan addresses specific issues such as the significant population pressure on the campus as one of the busiest hospitals in NSW, the unique sloping bushland site, car parking needs and easing existing traffic congestion by harnessing additional access points as a result of the Inner-city bypass to ultimately create an inspiring environment for patients, visitors, researchers, staff and the community.

The planning pathway for the project involves the preparation of a stage State Significant Development Application (SSDA), and comprises the following components:

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This Aboriginal Cultural Heritage Assessment (ACHA) will be undertaken in fulfillment of likely Aboriginal heritage requirements received in the Secretary's Environmental Assessment Requirements (SEARs) for both Stage 1 and Stage 2.

The following activities are deemed likely to impact the existing landscape, and are therefore discussed as part of this assessment:

- Road network upgrades
- Utility adjustments
- New building construction
- Equipment laydown areas
- Site compound establishment

2.0 Context of the Project Area

The Newcastle region has been intensively investigated in the last 10 years, due to the prevalence of modern development and mining practices. Much of this investigation has centred on the Newcastle foreshore area, known to contain significant Aboriginal archaeological deposits. However, less information is known about landforms similar to those identified within the project area. Of significance to this assessment is the archaeological investigation undertaken by Kelleher Nightingale Consultants (KNC 2018) for the Jesmond Bypass, which abuts the JHHIP project area on the western boundary. Based on this assessment, background research and an understanding of the local context, the following environmental contextual information is provided:

- The project area is located within the Lower Hunter Valley, a northern physiogeographic region of the Sydney Basin. The underlying geology of the project area comprises the Lambton Subgroup (northern extent of the project area) and the Adamstown Subgroup (southern extent and majority of the project area) of the Newcastle Coal Measures.
- The project area is entirely underlain by the Killingsworth Soil Landscape (including Variant A). The Killingsworth soil landscape can be described as undulating to rolling hills and low hills and is an erosional soil landscape (particularly susceptible to water erosion) which primarily comprises shallow (up to 60cm, on crests and hillslopes) to moderately deep (150cm, primarily in drainage lines) topsoil. This topsoil is made up of a brownish black pedal loam (A₁, usually 5-25cm) that overlies a bleached hardsetting loamy sand to sandy clay loam (A₂, usually 10-150cm). These topsoils generally overlie a pedal yellowish-brown clay (B horizon).
- Two waterways originate in the project area, these being Jesmond Creek (easternmost waterway) and an unnamed tributary of Flats Creek (potentially created through modern run off). Both of these creeklines are non-perennial and are considered to have a limited catchment area. Higher order watercourses in proximity to the project area include Dark Creek to the north, Ironbark Creek to the west and Styx Creek to the east.
- The project area has been subject to varying disturbances, both natural and human in origin. The construction of roads, utilities and structures in addition to historic mining, clearance of native vegetation, landscaping and natural process such as erosion has disturbed both subsurface deposits and removed old growth trees.

A summary of the archaeological contextual information is provided below:

- Aboriginal sites within the local context are most likely to be located on elevated area such as ridge lines or crests in close proximity to perennial watercourses. While areas further from perennial watercourses still retain the potential for Aboriginal objects or sites, these are likely to comprise isolated finds or low density artefact scatters and are generally considered lower significance.
- A search of the Aboriginal Heritage Information Management System (AHIMS) database has identified four Aboriginal sites within 1km of the project area. These are all associated with the KNC 2018 assessment of the Jesmond Bypass, and include two areas containing subsurface deposit. One surface isolated find is located within 100m of the NW corner of the project area.
- Should the project area contain evidence of Aboriginal occupation or use, this would likely come in the form of isolated finds or low density artefact scatters. While subsurface deposits are considered unlikely based on the landforms in the project area, should these be identified, similarly they are likely to contain low artefact densities.

The environmental and archaeological contextual information has been taken into consideration in developing the survey methodology that is provided in **Section 5**. Overall, it is anticipated that should the project area contain evidence of Aboriginal occupation, this would come in the form of isolated finds or low-density scatter upon eroded topsoils. As subsurface deposits are not anticipated across the project area, a pre-emptive methodology for test excavations under the Code of Practice has not been provided below. Should the archaeological survey result in the identification of subsurface deposits, a methodology for test excavation will be provided.

3.0 Methodology for the Aboriginal Cultural Heritage and Archaeological Assessment

As discussed in **Section 1.0**, the consultation process will be undertaken in accordance with the consultation requirements (DECCW 2010). The proposed methodology for the ACHA (pending comments from registered Aboriginal parties) is as follows:

1. Provide information to all registered Aboriginal parties regarding the project, including a draft methodology for review and comment (this letter).
2. Provision of a review period during which Aboriginal parties can provide comment and propose amendments to the draft methodology (up to 28 days from receipt of this letter, with comments due by close of business **15 July 2020**).
3. Completion of a survey of the proposed impact areas in accordance with the draft methodology provided in this assessment (refer to **Section 4.0**).
4. Develop a draft ACHA report to include:
 - details of the project
 - a description of the potential impacts
 - full details of the registered Aboriginal party consultation process
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 - a review of the cultural context of the area that will draw heavily on information provided by registered Aboriginal parties and the results of previous cultural heritage and archaeological assessments undertaken in the area
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Our Ref: 4965/NR/AO/16062020

16 June 2020

Worimi Traditional Owners Indigenous Corporation
Candy Lee Towers
36 Avon St
MAYFIELD NSW 2304

Email: worimitoc@hotmail.com

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 - details of the project
 - a description of the potential impacts
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The archaeological potential of landforms/specific areas within the project area will be assessed with reference to factors including the archaeological context of the local area, the evaluation of the soil profile (based on soil landscape mapping, exposed soil profiles identified during the survey and geomorphic understandings of the area) and the identification of landforms that may have greater archaeological sensitivity. The extent of any area of identified archaeological potential will be defined and documented for inclusion in subsequent reporting. The archaeological and Aboriginal and cultural significance of any area of identified archaeological potential will be discussed with the registered Aboriginal parties participating in the survey.

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6.0 Summary

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Alison Fenwick
Archaeologist
Umwelt Environmental and Social Consultants (Umwelt)
afenwick@umwelt.com.au
Phone: 02 4950 5322

Should you require any further information or wish to discuss any aspect of the Project, please do not hesitate to contact Alison or Health Infrastructure's project manager Leigh Gilshenan at Leigh.Gilshenan@tsamgt.com.au.

Yours sincerely

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Ashley O'Sullivan
Senior Archaeologist



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Figure 2 The current proposed works footprint is shown in blue (subject to change). Shown in red is the maximum area that may be subject to impact through changes to the proposed works footprint. The approximate location of the Yallarwah memorial is shown by the green marker, with a minimum 25 metre buffer to be established around this marker to ensure no disturbance occurs during the project.

Our Ref: 4965/NR/AO/16062020

16 June 2020

Yarrawalk (A division of Tocomwall Pty Ltd), Tocomwall Pty Ltd on behalf of
Scott Franks and Anor on behalf of the Plains Clans of the Wonnarua People
NSD1680/2013

Scott Franks
PO Box 76
CARINGBAH NSW 1495

Email: scott@tocomwall.com.au

Dear Sir/Madam

**Re: Aboriginal cultural heritage assessment methodology – proposed development
associated with the John Hunter Health and Innovation Project**

Planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct (JHHIP) that will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

Health Infrastructure have engaged Umwelt Environmental and Social Consultants (Umwelt) to prepare the Aboriginal Cultural Heritage Assessment (ACHA) as part of the preparation works for a State Significant Development application. We are writing to provide you with the draft methodology for the ACHA for your review and comment.

The planning pathway for the project is an application under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979*. The ACHA will be undertaken in accordance with the requirements of the *National Parks and Wildlife Act 1974* (NPW Act), the *National Parks and Wildlife Regulation 2009* (NPW Regulation), the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage [OEH] 2011), the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (Department of Environment, Climate Change and Water [DECCW] 2010) (the consultation requirements) and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice).

1.0 Description of the Project

In June 2019, the NSW Budget 2019/20 confirmed a significant expansion of the John Hunter Hospital with the \$780 million commitment to the JHHIP project.

The JHHIP will deliver updated and enhanced facilities providing additional capacity to meet the demand of the Greater Newcastle, Hunter New England, and northern NSW Regions. The JHHIP will enable a more integrated service encouraging partnership with key health, education and research partners from within and beyond the immediate region. The project will include the development of clinical and non-clinical services infrastructure to expand, integrate, enhance and optimise current capacity at the John Hunter Hospital Campus (JHHC) to provide contemporary patient centred care that is evidence based.

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The John Hunter Hospital Campus (JHHC) is located in New Lambton Heights in Newcastle and is situated 9 kilometres to the west of Newcastle CBD. The Hospital is located on Lookout Road and there are two entrances providing access to the JHHC from Lookout Road. The primary access is known as Kookaburra Circuit and connects to the internal road network via a major signalised intersection on Lookout Road. The secondary access is known as Jacaranda Drive and connects to the internal road network via a signalised intersection on Lookout Road.

The lot boundaries in which the project area is located are shown in **Figure 1**, with the current footprint and maximum footprint shown in **Figure 2**. The proposed redevelopment consists of Lot 9 and 11 DP 826092, Lot 41 DP 1176191, Lot 202 1176551, Lots 1 and 2 DP 1228246. Please note that the current footprint (highlighted in blue) is subject to further development of the concept design and may change, however is unlikely to extend beyond the maximum footprint (shaded red) in **Figure 2**.

To date a Precinct Master Plan Report has been completed which provides a framework for the Redevelopment Project. The Master Plan addresses specific issues such as the significant population pressure on the campus as one of the busiest hospitals in NSW, the unique sloping bushland site, car parking needs and easing existing traffic congestion by harnessing additional access points as a result of the Inner-city bypass to ultimately create an inspiring environment for patients, visitors, researchers, staff and the community.

The planning pathway for the project involves the preparation of a stage State Significant Development Application (SSDA), and comprises the following components:

- a) Stage 1 – Concept and Enabling Works (concept envelope height / Gross Floor Area / massing and likely utility adjustments and improvements to precinct internal road network); and
- b) Stage 2 – Main Works (new acute services building).

This Aboriginal Cultural Heritage Assessment (ACHA) will be undertaken in fulfillment of likely Aboriginal heritage requirements received in the Secretary's Environmental Assessment Requirements (SEARs) for both Stage 1 and Stage 2.

The following activities are deemed likely to impact the existing landscape, and are therefore discussed as part of this assessment:

- Road network upgrades
- Utility adjustments
- New building construction
- Equipment laydown areas
- Site compound establishment

2.0 Context of the Project Area

The Newcastle region has been intensively investigated in the last 10 years, due to the prevalence of modern development and mining practices. Much of this investigation has centred on the Newcastle foreshore area, known to contain significant Aboriginal archaeological deposits. However, less information is known about landforms similar to those identified within the project area. Of significance to this assessment is the archaeological investigation undertaken by Kelleher Nightingale Consultants (KNC 2018) for the Jesmond Bypass, which abuts the JHHIP project area on the western boundary. Based on this assessment, background research and an understanding of the local context, the following environmental contextual information is provided:

- The project area is located within the Lower Hunter Valley, a northern physiogeographic region of the Sydney Basin. The underlying geology of the project area comprises the Lambton Subgroup (northern extent of the project area) and the Adamstown Subgroup (southern extent and majority of the project area) of the Newcastle Coal Measures.
- The project area is entirely underlain by the Killingsworth Soil Landscape (including Variant A). The Killingsworth soil landscape can be described as undulating to rolling hills and low hills and is an erosional soil landscape (particularly susceptible to water erosion) which primarily comprises shallow (up to 60cm, on crests and hillslopes) to moderately deep (150cm, primarily in drainage lines) topsoil. This topsoil is made up of a brownish black pedal loam (A₁, usually 5-25cm) that overlies a bleached hardsetting loamy sand to sandy clay loam (A₂, usually 10-150cm). These topsoils generally overlie a pedal yellowish-brown clay (B horizon).
- Two waterways originate in the project area, these being Jesmond Creek (easternmost waterway) and an unnamed tributary of Flats Creek (potentially created through modern run off). Both of these creeklines are non-perennial and are considered to have a limited catchment area. Higher order watercourses in proximity to the project area include Dark Creek to the north, Ironbark Creek to the west and Styx Creek to the east.
- The project area has been subject to varying disturbances, both natural and human in origin. The construction of roads, utilities and structures in addition to historic mining, clearance of native vegetation, landscaping and natural process such as erosion has disturbed both subsurface deposits and removed old growth trees.

A summary of the archaeological contextual information is provided below:

- Aboriginal sites within the local context are most likely to be located on elevated area such as ridge lines or crests in close proximity to perennial watercourses. While areas further from perennial watercourses still retain the potential for Aboriginal objects or sites, these are likely to comprise isolated finds or low density artefact scatters and are generally considered lower significance.
- A search of the Aboriginal Heritage Information Management System (AHIMS) database has identified four Aboriginal sites within 1km of the project area. These are all associated with the KNC 2018 assessment of the Jesmond Bypass, and include two areas containing subsurface deposit. One surface isolated find is located within 100m of the NW corner of the project area.
- Should the project area contain evidence of Aboriginal occupation or use, this would likely come in the form of isolated finds or low density artefact scatters. While subsurface deposits are considered unlikely based on the landforms in the project area, should these be identified, similarly they are likely to contain low artefact densities.

The environmental and archaeological contextual information has been taken into consideration in developing the survey methodology that is provided in **Section 5**. Overall, it is anticipated that should the project area contain evidence of Aboriginal occupation, this would come in the form of isolated finds or low-density scatter upon eroded topsoils. As subsurface deposits are not anticipated across the project area, a pre-emptive methodology for test excavations under the Code of Practice has not been provided below. Should the archaeological survey result in the identification of subsurface deposits, a methodology for test excavation will be provided.

3.0 Methodology for the Aboriginal Cultural Heritage and Archaeological Assessment

As discussed in **Section 1.0**, the consultation process will be undertaken in accordance with the consultation requirements (DECCW 2010). The proposed methodology for the ACHA (pending comments from registered Aboriginal parties) is as follows:

1. Provide information to all registered Aboriginal parties regarding the project, including a draft methodology for review and comment (this letter).
2. Provision of a review period during which Aboriginal parties can provide comment and propose amendments to the draft methodology (up to 28 days from receipt of this letter, with comments due by close of business **15 July 2020**).
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Our Ref: 4965/NR/AO/16062020

16 June 2020

Yinarr Cultural Services
Kathleen Steward Kinchela
Lot 5 Westwood Estate
MERRIWA NSW 2329

Email: yinarculturalservices@bigpond.com dontminemeay@gmail.com

Dear Sir/Madam

Re: Aboriginal cultural heritage assessment methodology – proposed development associated with the John Hunter Health and Innovation Project

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The environmental and archaeological contextual information has been taken into consideration in developing the survey methodology that is provided in **Section 5**. Overall, it is anticipated that should the project area contain evidence of Aboriginal occupation, this would come in the form of isolated finds or low-density scatter upon eroded topsoils. As subsurface deposits are not anticipated across the project area, a pre-emptive methodology for test excavations under the Code of Practice has not been provided below. Should the archaeological survey result in the identification of subsurface deposits, a methodology for test excavation will be provided.

3.0 Methodology for the Aboriginal Cultural Heritage and Archaeological Assessment

As discussed in **Section 1.0**, the consultation process will be undertaken in accordance with the consultation requirements (DECCW 2010). The proposed methodology for the ACHA (pending comments from registered Aboriginal parties) is as follows:

1. Provide information to all registered Aboriginal parties regarding the project, including a draft methodology for review and comment (this letter).
2. Provision of a review period during which Aboriginal parties can provide comment and propose amendments to the draft methodology (up to 28 days from receipt of this letter, with comments due by close of business **15 July 2020**).
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4. Develop a draft ACHA report to include:
 - details of the project
 - a description of the potential impacts
 - full details of the registered Aboriginal party consultation process
 - the results of an Aboriginal Heritage Information Management System (AHIMS) search and Native Title search
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Umwelt acknowledges and understands that cultural values, by definition, relate to values outside those associated with specific archaeological sites/objects. Throughout the assessment process, we invite comment from Aboriginal parties regarding any cultural values associated with the project area and will ensure that any information provided regarding cultural values (be they associated with a specific site or provided with reference to a landscape feature or within a broader context) are documented and recorded in accordance with the wishes of the relevant Aboriginal party for inclusion in the ACHA report. We note that the inclusion of any such information in the final assessment is dependent on its provision by the Aboriginal parties.

We note that Section 3.2 of the consultation requirements specifies that the objective of consultation is to ensure 'that Aboriginal people have the opportunity to improve assessment outcomes. Factors specified as assisting in meeting this objective include providing Aboriginal parties with the opportunity to provide information on cultural values (as invited in this draft methodology), influence methods regarding assessment of significance for Aboriginal objects/places (which can be undertaken in response to this draft methodology, during fieldwork and in commenting on the draft ACHA report) and commenting on the draft ACHA report. Our approach is designed to ensure compliance with this objective, including the potential for in-field consultation with Aboriginal party representatives during fieldwork. Umwelt archaeologists are trained to seek and document cultural feedback provided by Aboriginal party representatives during fieldwork. This is not limited to cultural values associated with archaeological sites but may encompass any values identified by Aboriginal people.

We look forward to working with your organisation throughout the project to ensure that we adequately document any information you wish to provide regarding Aboriginal cultural values. Please feel free to contact us to request any additional information or assistance you may require to facilitate the provision of your input.

5.0 Survey Methodology

The draft survey methodology is designed to ensure compliance with requirements for archaeological survey as established in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice). This includes development of an appropriate sampling strategy and recording of information during survey.

5.1 Sampling Strategy

The survey will be undertaken to ensure that a representative sample of all landforms within the project area are surveyed, as required to ensure compliance with Code of Practice. Based on the curtilage of the works within the project area, it is proposed to undertake a full coverage survey. It is intended that the survey will be conducted over the course of one day by one archaeologist and a limited number of Aboriginal community representatives. We anticipate that no more than 4-5 groups will be able to participate in the survey, given the size and nature of the area to be surveyed, as well as limitations due to social distancing guidelines. However, the duration of survey time may be subject to change based on the number of sites recorded, ground surface visibility and other variables.

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Sufficient information will be recorded for all sites to meet Requirement 7 of the Code of Practice. The archaeological and Aboriginal and cultural significance of any site will be discussed with the registered Aboriginal parties participating in the survey.

The archaeological potential of landforms/specific areas within the project area will be assessed with reference to factors including the archaeological context of the local area, the evaluation of the soil profile (based on soil landscape mapping, exposed soil profiles identified during the survey and geomorphic understandings of the area) and the identification of landforms that may have greater archaeological sensitivity. The extent of any area of identified archaeological potential will be defined and documented for inclusion in subsequent reporting. The archaeological and Aboriginal and cultural significance of any area of identified archaeological potential will be discussed with the registered Aboriginal parties participating in the survey.

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At this stage, it is proposed to undertake the survey in mid-July 2020, however this is subject to confirmation. Further correspondence regarding survey arrangements will be provided at least two weeks prior to the proposed survey date. Additional information relating to engagement is provided in the attached correspondence.

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6.0 Summary

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Alison Fenwick
Archaeologist
Umwelt Environmental and Social Consultants (Umwelt)
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Phone: 02 4950 5322

Should you require any further information or wish to discuss any aspect of the Project, please do not hesitate to contact Alison or Health Infrastructure's project manager Leigh Gilshenan at Leigh.Gilshenan@tsamgt.com.au.

Yours sincerely

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Senior Archaeologist



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Our Ref: 4965/NR/AO/16062020

16 June 2020

Tamara Towers
Unit 4, 16-18
Simpson Court
MAYFIELD NSW 2304

Email: worimiaccs@gmail.com

Dear Sir/Madam

Re: Aboriginal cultural heritage assessment methodology – proposed development associated with the John Hunter Health and Innovation Project

Planning has recently begun on the NSW Government's \$780 million John Hunter Health and Innovation Precinct (JHHIP) that will deliver an expansion to the John Hunter and John Hunter Children's Hospitals.

Health Infrastructure have engaged Umwelt Environmental and Social Consultants (Umwelt) to prepare the Aboriginal Cultural Heritage Assessment (ACHA) as part of the preparation works for a State Significant Development application. We are writing to provide you with the draft methodology for the ACHA for your review and comment.

The planning pathway for the project is an application under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979*. The ACHA will be undertaken in accordance with the requirements of the *National Parks and Wildlife Act 1974* (NPW Act), the *National Parks and Wildlife Regulation 2009* (NPW Regulation), the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage [OEH] 2011), the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (Department of Environment, Climate Change and Water [DECCW] 2010) (the consultation requirements) and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice).

1.0 Description of the Project

In June 2019, the NSW Budget 2019/20 confirmed a significant expansion of the John Hunter Hospital with the \$780 million commitment to the JHHIP project.

The JHHIP will deliver updated and enhanced facilities providing additional capacity to meet the demand of the Greater Newcastle, Hunter New England, and northern NSW Regions. The JHHIP will enable a more integrated service encouraging partnership with key health, education and research partners from within and beyond the immediate region. The project will include the development of clinical and non-clinical services infrastructure to expand, integrate, enhance and optimise current capacity at the John Hunter Hospital Campus (JHHC) to provide contemporary patient centred care that is evidence based.

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The John Hunter Hospital Campus (JHHC) is located in New Lambton Heights in Newcastle and is situated 9 kilometres to the west of Newcastle CBD. The Hospital is located on Lookout Road and there are two entrances providing access to the JHHC from Lookout Road. The primary access is known as Kookaburra Circuit and connects to the internal road network via a major signalised intersection on Lookout Road. The secondary access is known as Jacaranda Drive and connects to the internal road network via a signalised intersection on Lookout Road.

The lot boundaries in which the project area is located are shown in **Figure 1**, with the current footprint and maximum footprint shown in **Figure 2**. The proposed redevelopment consists of Lot 9 and 11 DP 826092, Lot 41 DP 1176191, Lot 202 1176551, Lots 1 and 2 DP 1228246. Please note that the current footprint (highlighted in blue) is subject to further development of the concept design and may change, however is unlikely to extend beyond the maximum footprint (shaded red) in **Figure 2**.

To date a Precinct Master Plan Report has been completed which provides a framework for the Redevelopment Project. The Master Plan addresses specific issues such as the significant population pressure on the campus as one of the busiest hospitals in NSW, the unique sloping bushland site, car parking needs and easing existing traffic congestion by harnessing additional access points as a result of the Inner-city bypass to ultimately create an inspiring environment for patients, visitors, researchers, staff and the community.

The planning pathway for the project involves the preparation of a stage State Significant Development Application (SSDA), and comprises the following components:

- a) Stage 1 – Concept and Enabling Works (concept envelope height / Gross Floor Area / massing and likely utility adjustments and improvements to precinct internal road network); and
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This Aboriginal Cultural Heritage Assessment (ACHA) will be undertaken in fulfillment of likely Aboriginal heritage requirements received in the Secretary's Environmental Assessment Requirements (SEARs) for both Stage 1 and Stage 2.

The following activities are deemed likely to impact the existing landscape, and are therefore discussed as part of this assessment:

- Road network upgrades
- Utility adjustments
- New building construction
- Equipment laydown areas
- Site compound establishment

2.0 Context of the Project Area

The Newcastle region has been intensively investigated in the last 10 years, due to the prevalence of modern development and mining practices. Much of this investigation has centred on the Newcastle foreshore area, known to contain significant Aboriginal archaeological deposits. However, less information is known about landforms similar to those identified within the project area. Of significance to this assessment is the archaeological investigation undertaken by Kelleher Nightingale Consultants (KNC 2018) for the Jesmond Bypass, which abuts the JHHIP project area on the western boundary. Based on this assessment, background research and an understanding of the local context, the following environmental contextual information is provided:

- The project area is located within the Lower Hunter Valley, a northern physiogeographic region of the Sydney Basin. The underlying geology of the project area comprises the Lambton Subgroup (northern extent of the project area) and the Adamstown Subgroup (southern extent and majority of the project area) of the Newcastle Coal Measures.
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- The project area has been subject to varying disturbances, both natural and human in origin. The construction of roads, utilities and structures in addition to historic mining, clearance of native vegetation, landscaping and natural process such as erosion has disturbed both subsurface deposits and removed old growth trees.

A summary of the archaeological contextual information is provided below:

- Aboriginal sites within the local context are most likely to be located on elevated area such as ridge lines or crests in close proximity to perennial watercourses. While areas further from perennial watercourses still retain the potential for Aboriginal objects or sites, these are likely to comprise isolated finds or low density artefact scatters and are generally considered lower significance.
- A search of the Aboriginal Heritage Information Management System (AHIMS) database has identified four Aboriginal sites within 1km of the project area. These are all associated with the KNC 2018 assessment of the Jesmond Bypass, and include two areas containing subsurface deposit. One surface isolated find is located within 100m of the NW corner of the project area.
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Our Ref: 4965/NR/AO/16062020

16 June 2020

Gunjeewong Cultural Heritage Corporation
Cherie Carroll Turrise
1 Bellevue Place
Portland NSW 2847

Email: gunjeewong@yahoo.com.au

Dear Sir/Madam

Re: Aboriginal cultural heritage assessment methodology – proposed development associated with the John Hunter Health and Innovation Project

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- The project area has been subject to varying disturbances, both natural and human in origin. The construction of roads, utilities and structures in addition to historic mining, clearance of native vegetation, landscaping and natural process such as erosion has disturbed both subsurface deposits and removed old growth trees.

A summary of the archaeological contextual information is provided below:

- Aboriginal sites within the local context are most likely to be located on elevated area such as ridge lines or crests in close proximity to perennial watercourses. While areas further from perennial watercourses still retain the potential for Aboriginal objects or sites, these are likely to comprise isolated finds or low density artefact scatters and are generally considered lower significance.
- A search of the Aboriginal Heritage Information Management System (AHIMS) database has identified four Aboriginal sites within 1km of the project area. These are all associated with the KNC 2018 assessment of the Jesmond Bypass, and include two areas containing subsurface deposit. One surface isolated find is located within 100m of the NW corner of the project area.
- Should the project area contain evidence of Aboriginal occupation or use, this would likely come in the form of isolated finds or low density artefact scatters. While subsurface deposits are considered unlikely based on the landforms in the project area, should these be identified, similarly they are likely to contain low artefact densities.

The environmental and archaeological contextual information has been taken into consideration in developing the survey methodology that is provided in **Section 5**. Overall, it is anticipated that should the project area contain evidence of Aboriginal occupation, this would come in the form of isolated finds or low-density scatter upon eroded topsoils. As subsurface deposits are not anticipated across the project area, a pre-emptive methodology for test excavations under the Code of Practice has not been provided below. Should the archaeological survey result in the identification of subsurface deposits, a methodology for test excavation will be provided.

3.0 Methodology for the Aboriginal Cultural Heritage and Archaeological Assessment

As discussed in **Section 1.0**, the consultation process will be undertaken in accordance with the consultation requirements (DECCW 2010). The proposed methodology for the ACHA (pending comments from registered Aboriginal parties) is as follows:

1. Provide information to all registered Aboriginal parties regarding the project, including a draft methodology for review and comment (this letter).
2. Provision of a review period during which Aboriginal parties can provide comment and propose amendments to the draft methodology (up to 28 days from receipt of this letter, with comments due by close of business **15 July 2020**).
3. Completion of a survey of the proposed impact areas in accordance with the draft methodology provided in this assessment (refer to **Section 4.0**).
4. Develop a draft ACHA report to include:
 - details of the project
 - a description of the potential impacts
 - full details of the registered Aboriginal party consultation process
 - the results of an Aboriginal Heritage Information Management System (AHIMS) search and Native Title search
 - a review of the cultural context of the area that will draw heavily on information provided by registered Aboriginal parties and the results of previous cultural heritage and archaeological assessments undertaken in the area
 - a review of background information related to the environmental characteristics of the project area that may have influenced how Aboriginal people may have occupied/utilised the area and the likelihood of site survival
 - the preparation of a predictive model drawing on all of the above
 - details of the survey methodology and results
 - details of any sites/objects/potential archaeological deposits located during the survey
 - an assessment of the Aboriginal cultural heritage significance (as provided by the registered Aboriginal parties) of the project area
 - an assessment of the archaeological significance of any sites/objects/potential archaeological deposits identified within the project area
 - an assessment of the potential impact by the project to any sites/objects/potential archaeological deposits identified within the project area

- a discussion of management options and
 - management recommendations.
5. The provision of the draft ACHA report to registered Aboriginal parties for review and comment (comment period extends for 28 days from date of provision of the draft ACHA).
 6. Discussion/incorporation of comments/responses received from Aboriginal parties to develop and finalise the ACHA report.
 7. Provision of the final ACHA report to registered Aboriginal parties and to the proponent.
 8. Submission of the final ACHA alongside the SSDA for the project.

4.0 Consultation with Aboriginal Parties During the Assessment Process

Umwelt acknowledges and understands that cultural values, by definition, relate to values outside those associated with specific archaeological sites/objects. Throughout the assessment process, we invite comment from Aboriginal parties regarding any cultural values associated with the project area and will ensure that any information provided regarding cultural values (be they associated with a specific site or provided with reference to a landscape feature or within a broader context) are documented and recorded in accordance with the wishes of the relevant Aboriginal party for inclusion in the ACHA report. We note that the inclusion of any such information in the final assessment is dependent on its provision by the Aboriginal parties.

We note that Section 3.2 of the consultation requirements specifies that the objective of consultation is to ensure 'that Aboriginal people have the opportunity to improve assessment outcomes. Factors specified as assisting in meeting this objective include providing Aboriginal parties with the opportunity to provide information on cultural values (as invited in this draft methodology), influence methods regarding assessment of significance for Aboriginal objects/places (which can be undertaken in response to this draft methodology, during fieldwork and in commenting on the draft ACHA report) and commenting on the draft ACHA report. Our approach is designed to ensure compliance with this objective, including the potential for in-field consultation with Aboriginal party representatives during fieldwork. Umwelt archaeologists are trained to seek and document cultural feedback provided by Aboriginal party representatives during fieldwork. This is not limited to cultural values associated with archaeological sites but may encompass any values identified by Aboriginal people.

We look forward to working with your organisation throughout the project to ensure that we adequately document any information you wish to provide regarding Aboriginal cultural values. Please feel free to contact us to request any additional information or assistance you may require to facilitate the provision of your input.

5.0 Survey Methodology

The draft survey methodology is designed to ensure compliance with requirements for archaeological survey as established in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice). This includes development of an appropriate sampling strategy and recording of information during survey.

5.1 Sampling Strategy

The survey will be undertaken to ensure that a representative sample of all landforms within the project area are surveyed, as required to ensure compliance with Code of Practice. Based on the curtilage of the works within the project area, it is proposed to undertake a full coverage survey. It is intended that the survey will be conducted over the course of one day by one archaeologist and a limited number of Aboriginal community representatives. We anticipate that no more than 4-5 groups will be able to participate in the survey, given the size and nature of the area to be surveyed, as well as limitations due to social distancing guidelines. However, the duration of survey time may be subject to change based on the number of sites recorded, ground surface visibility and other variables.

5.2 Recording of Information During Survey

Survey units will be defined and named with reference to Requirement 5c of the Code of Practice, including recording start and finish points and/or boundaries for all survey units using a hand-held GPS receiver (set to allow recording of data with datum MGA94) and topographic mapping (where relevant), with track logs to be recorded for all pedestrian transects. Start and finish points/boundaries for survey units will be defined based on landforms, study area boundaries, access or other arbitrary terminations (as specified in the Code of Practice). The spacing between individuals will also be recorded for each survey unit.

Photographs will be undertaken for landforms/survey units (where informative). Information recorded for each survey unit will include:

- Landform (in units based on those established by McDonald et al 2009)
- Gradient (where relevant)
- Vegetation (unlikely, but recorded where relevant)
- Geology and soils (where suitable areas of exposure/visibility are present)
- Identified Aboriginal resources (food and medicine plants, prey animals, stone and water)
- Levels of average ground surface visibility within the survey unit (in accordance with the Requirement 9 of the Code of Practice)
- Extent and type of exposures within the survey unit (unlikely given the modern disturbances within the project area)
- Any information provided by the registered Aboriginal parties in relation to cultural values, noting that such information will be recorded in accordance with the wishes of the party providing the information and
- Any site, area of Potential Archaeological Deposit (PAD) or landscape feature of Aboriginal cultural value present within the survey unit (see below for further information on site/PAD recording).

Any Aboriginal archaeological sites identified during the survey will be assessed with reference to the site boundaries. Factors that will be taken into consideration in defining and mapping site boundaries may include the distribution of surface artefacts, landforms or physical boundaries and cultural information.

Sufficient information will be recorded for all sites to meet Requirement 7 of the Code of Practice. The archaeological and Aboriginal and cultural significance of any site will be discussed with the registered Aboriginal parties participating in the survey.

The archaeological potential of landforms/specific areas within the project area will be assessed with reference to factors including the archaeological context of the local area, the evaluation of the soil profile (based on soil landscape mapping, exposed soil profiles identified during the survey and geomorphic understandings of the area) and the identification of landforms that may have greater archaeological sensitivity. The extent of any area of identified archaeological potential will be defined and documented for inclusion in subsequent reporting. The archaeological and Aboriginal and cultural significance of any area of identified archaeological potential will be discussed with the registered Aboriginal parties participating in the survey.

5.3 Survey Arrangements

At this stage, it is proposed to undertake the survey in mid-July 2020, however this is subject to confirmation. Further correspondence regarding survey arrangements will be provided at least two weeks prior to the proposed survey date. Additional information relating to engagement is provided in the attached correspondence.

As specified in the attached correspondence, expressions of interest are invited from Aboriginal parties for paid engagement for the proposed archaeological survey.

6.0 Summary

This letter provides details of the proposed methodology for an Aboriginal Cultural Heritage Assessment associated with the proposed SSDA. In accordance with the consultation requirements (DECCW 2010), we ask that your group provides comments on the draft methodology by no later than close of business **15 July 2020**. Comments regarding the draft methodology can be provided verbally or in writing to:

Alison Fenwick
Archaeologist
Umwelt Environmental and Social Consultants (Umwelt)
afenwick@umwelt.com.au
Phone: 02 4950 5322

Should you require any further information or wish to discuss any aspect of the Project, please do not hesitate to contact Alison or Health Infrastructure's project manager Leigh Gilshenan at Leigh.Gilshenan@tsamgt.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ashley O'Sullivan', with a stylized flourish at the end.

Ashley O'Sullivan
Senior Archaeologist