

Bobs Farm Sand Quarry

Statement of Heritage Impact Assessment

Prepared for ADW Johnson Pty Ltd

May 2026

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ADW Johnson Pty Ltd

E251092 RP1

May 2026

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Executive Summary

A desktop historic heritage assessment and Statement of Heritage Impact (SoHI) has been prepared for the proposed Bobs Farm Sand Quarry at 3631 Nelson Bay Road, Bobs Farm New South Wales (NSW). No statutory historic heritage items, historic archaeological relics, or areas of confirmed archaeological sensitivity occur within the Project area. The nearest statutory item is the Stockton Beach Dune System (Port Stephens LEP Item I34), located approximately 68 metres (m) to the southeast; the proposal will not modify its fabric, setting or landscape values. The Project area also intersects the boundary of the archival Register of the National Estate (RNE 19510) listing for the Newcastle Bight Coastal Area, which carries no statutory weight.

A residual, low-likelihood possibility exists for disturbed archaeological material associated with the short-lived 1943–1944 Bobs Farm evacuation camp, but any such material is unlikely to meet the statutory definition of a relic under the *Heritage Act 1977*.

The proposal is assessed as resulting in little to no heritage impact. Heritage risk will be appropriately managed through an Unexpected Finds Procedure implemented during construction.

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1 Introduction

1.1 Overview

The Proponent seeks to develop the site for an extractive industry as a sand quarry. Consent is sought for annual extraction of 530,000 tonnes per annum (tpa) for 10 years, equating to a total life-of-quarry of approximately 4.4 million tonnes. It is anticipated the proposal will average sales of 10,000 to 12,000 tonnes per week.

The site has an area of approximately 40.9 hectares (ha) with the proposal seeking to use most of the subject site for extractive industry purposes with the exception of:

- A minimum 15m buffer between the site boundary and any areas of extraction
- The existing right-of-carriage way including a 3m buffer in the north-east of the site and the area east of this right-of-carriageway
- The existing electricity easement including a 3m buffer at the southern end of the site and the vegetated area to the south of this easement.

No dredging is proposed with only dry (surface) sand extraction being employed.

Preparation of the site and proposed sand quarry operations would broadly comprise:

- Construction of a new left-in left-out intersection
- Establishment of processing and sales area including installation of onsite office (Atco structure), installation of screening and wash facilities, designation of stockpiling areas, associated ancillary structures, and use of the existing dwelling at the site for a manager's residence
- Staged vegetation clearing and topsoil stripping in accordance with the approved staging plan with topsoil stored onsite to be used for future rehabilitation works.
- Dry extraction down to a maximum of 0.7m above the ground water table
- Ongoing rehabilitation.

Day-to-day operations would require two (2) articulated haul trucks (Volvo A40G) loaded by a hydraulic excavator (Volvo EC350) to transport sand from the extraction area to the on-site processing facility being a full electric screen and wash plant. Equipment will include excavators, front-end loaders, haul trucks, conveyors and water carts. Operations will utilise modern, well-maintained equipment incorporating advanced noise attenuation and water saving measures as well as fuel efficiency technology to reduce operational impacts on the surrounding environment.

The site benefits from a Water Access Licence (WAL5960) for 40ML per annum which is proposed to be used for sand washing purposes. Approximately 85% of extracted sand will be washed requiring a total of approximately 32ML per annum which is within the current Water Access Licence.

All essential services are available, or able to be made available, at the site including electricity, water tanks for potable water, pump-out system for sewage management, stormwater drainage and suitable vehicular access.

Sales would be by haulage truck at a maximum of ten (10) loaded trucks per hour equating to a maximum of 120 loaded trucks per day but with an average of 46 loaded trucks per day. All transport trucks would travel east along Nelson Bay Road and complete a U-turn at the Port Stephens Drive roundabout. Haulage trucks will be prohibited from using Marsh Road.

The site will be accessed by way of a new left-in left-out intersection onto Nelson Bay Road. The existing access to the site at the electricity easement is proposed to be retained for light vehicle access for the quarry as well as for access to the manager's residence.

Progressive rehabilitation of exhausted areas will take place in accordance with the approved rehabilitation plan. The proposed post-quarry use of the site is to return the site to its current condition, being the same ratio of vegetated land and land used for the purpose of extensive agriculture.

1.2 Project area

The Project area comprises an irregularly shaped parcel of land located at 3631 Nelson Bay Road, Bobs Farm, within the Port Stephens Local Government Area (LGA). The site is situated approximately 25 kilometres (km) east northeast of the Newcastle city centre and approximately 7 km west northwest of Anna Bay, within a sparsely populated rural landscape on the coastal plain of the Hunter region.

The Project area is located within the Newcastle Bight embayment, which forms part of the broader Newcastle Bight sand dune system, a large Quaternary age sedimentary basin extending across the Port Stephens and Myall Lakes region. Aeolian sand dunes within the Project area form part of the Outer Barrier of this dune system, which comprises a sequence of stabilised Holocene dune ridges separated by lower lying inter dune and interbarrier areas.

Topographically, the Project area is characterised by stabilised aeolian sand dunes and areas of lower relief sand plain. In parts of the site, the dune landforms transition into flatter, low lying terrain associated with the former interbarrier depression, which has been historically modified through drainage and agricultural use. Land within the Project area has been substantially altered by past land use, including horticulture and associated infrastructure.

The Project area is bounded by Nelson Bay Road along its southern and eastern margins. Surrounding land uses include rural residential allotments, agricultural land and areas of native bushland. Conservation lands within the broader locality include Worimi National Park and Worimi Regional Park to the south and east, as well as Tilligerry National Park and associated conservation areas to the west and northwest. The location of the Project area within the regional context of the Port Stephens LGA is shown in Figure 1.1, with the local context and immediate surroundings shown in Figure 1.2.

For the purposes of this assessment, the Project area is limited to Lot 254 deposited plan (DP) 53204. Other land parcels previously included in a withdrawn SSD application for sand extraction at Bobs Farm do not form part of the current proposal.

1.3 Project boundary terms and definitions

For the purposes of this report, the Project area refers to the land within the defined project boundary to which the proposal applies. The study area encompasses the Project area, the development footprint and the surrounding local area. The study area has been used to provide historical context and to inform consideration of potential direct and indirect heritage impacts associated with the proposal.

No field assessment area or survey area has been defined for the historic heritage assessment. The assessment has been undertaken as a desktop study based on a review of existing documentation, heritage registers, spatial data and previous heritage investigations prepared for earlier proposals affecting the site. Should additional field investigation be required following confirmation of the final development footprint or in response to further agency requirements, the scope of any such work would be defined at that time.

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KEY

- Project area
- Existing environment
- Major road
- Minor road
- Vehicular track
- Named watercourse
- Named waterbody
- NPWS reserve
- Local government area

INSET KEY

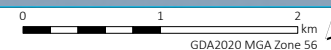
- Major road
- NPWS reserve
- State forest

Regional context

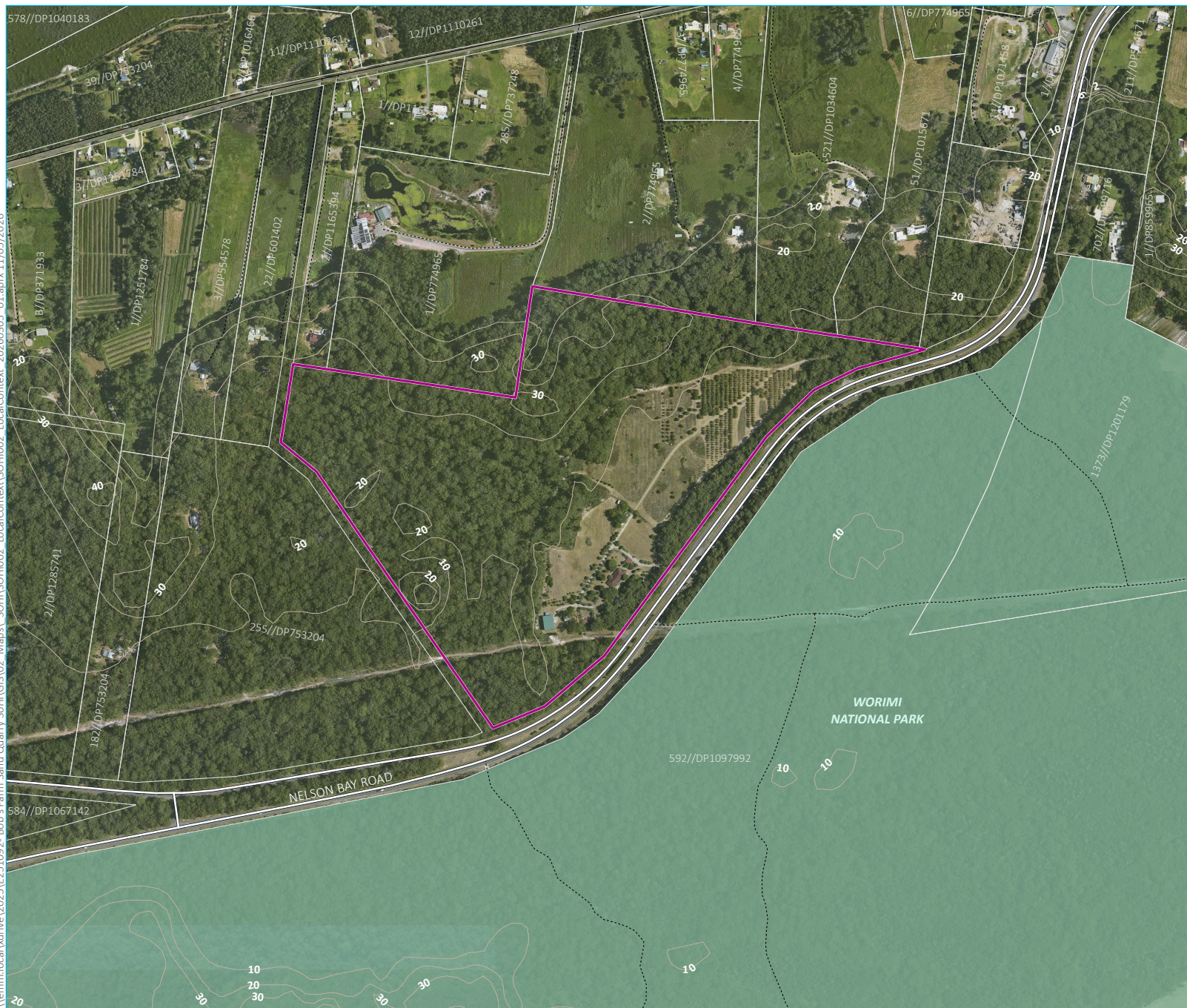
Bob's Farm Sand Quarry
Statement of Heritage Impact
Figure 1.1



Source: EMM (2026); ABS (2021); DCSSS (2024); GA (2009); MetroMap (2026)



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KEY

Project area

Existing environment

Major road

Minor road

Vehicular track

Named watercourse

Topographic contour (10 m)

Cadastral boundary

NPWS reserve

Local context

Bob's Farm Sand Quarry
Statement of Heritage Impact
Figure 1.2



Source: EMM (2026); DCSSS (2024); GA (2009); MetroMap (2026)



1.4 Assessment requirements

1.4.1 Department of Planning and Environment requirements

The historical heritage assessment and SoHI was prepared in accordance with the requirements of the NSW Department of Planning, Housing and Infrastructure (DPHI) and relevant agencies, which are set out in the Secretary's Environmental Assessment Requirements (SEARs) for the project, issued on December 18, 2025 (SSD-99860959). The SEARs identify matters which must be addressed in the Environmental Impact Statement (EIS). DPHI invited government agencies, including Heritage New South Wales (Heritage NSW), to recommend matters to be addressed in the EIS. These matters were considered by the Secretary for DPHI when preparing the SEARs. Table 1.1 lists the individual requirements relevant to this historical heritage assessment and SoHI and where they are addressed in this report.

Table 1.1 Historical heritage – relevant SEARs issued by DPHI

Requirement	Section addressed
Heritage – an assessment of the potential impacts on Aboriginal heritage (cultural and archaeological), including evidence of appropriate consultation with relevant Aboriginal communities/parties and documentation of the views of these stakeholders regarding the likely impact of the development on their cultural heritage; and	This report addresses the historical heritage values and impacts to those values as a result of the project.
identification of any historic heritage in the vicinity of the development and an assessment of the likelihood and significance of impacts on heritage items.	Identification of historic heritage items in vicinity of development is presented in Section 2.6.

1.4.2 State Significant Development Guidelines

The Bobs Farm Sand Quarry proposal is being assessed as a State Significant Development (SSD) under the *Environmental Planning and Assessment Act 1979* (EP&A Act). SSD proposals are subject to assessment by the NSW Minister for Planning or their delegate and require the preparation of an EIS in accordance with the *Environmental Planning and Assessment Regulation 2021* and the project specific SEARs.

SEARs for the project (SSD-99860959) have been issued by the NSW DPHI and set out the matters that must be addressed within the EIS. The EIS is required to include specialist technical studies, including an assessment of Aboriginal and historic heritage, to inform the consent authority's consideration of the proposal.

This historical heritage assessment has been prepared as a technical input to the EIS and has been undertaken in accordance with the applicable legislative framework, relevant guidelines and the issued SEARs.

1.5 Assessment objectives

In accordance with the SEARs, the objectives of the historical heritage assessment and SoHI are to:

- Identify and describe historic heritage items, places and values within the vicinity of the Project area, drawing on existing listings and previous assessments.
- Summarise the established heritage significance of identified historic heritage items and places.
- Assess the likelihood and significance of potential direct and indirect impacts arising from the proposal, including visual, setting and vibration related impacts where relevant.

- Consider potential historical archaeological resources in accordance with the Heritage NSW guidelines *Archaeological Assessment and Assessing Significance for Historical Archaeological Sites and Relics (2009)*, including whether any relics are likely to be present and how their significance should inform management.
- Outline appropriate avoidance, mitigation or management measures proportionate to the level of identified impact.
- Provide recommendations for further assessment or management should future project refinements result in additional ground disturbance within areas of identified archaeological potential.

1.6 Report assessment methods

1.6.1 Heritage management guidelines

This historical heritage assessment and SoHI has been prepared in accordance with the relevant government assessment requirements, guidelines and policies. The report was undertaken using the principles of *The Australian International Council on Monuments and Sites, Charter for Places of Cultural Significance* (also known as the *Burra Charter*, Australia ICOMOS 2013) and the New South Wales (NSW) *Heritage Manual* (Heritage Office 1996 with regular additions). Use of these documents satisfies the requirements of the SEARs.

The Burra Charter: The Australian ICOMOS charter for places of cultural significance (ICOMOS (Australia) 2013) sets a standard of practice for those who provide advice, make decisions about, or undertake works to places of cultural significance including owners, managers and custodians. The Burra Charter defines the concept of cultural significance as ‘aesthetic, historic, scientific, social or spiritual value for past present, or future generations’ (ICOMOS (Australia) 2013). It identifies that conservation of an item of cultural significance should be guided by the item’s level of significance. The Charter provides specific guidance for physical and procedural actions that should occur in relation to significant places. A copy of the charter can be accessed online at <http://icomos.org/australia>.

The Burra Charter consists of 34 articles, arranged into four sections: preamble, conservation principles, conservation processes, and conservation practice. The principal articles of the Burra Charter are:

- conservation is based on significance
- a cautious approach is required – changing as much as necessary, but as little as possible
- maintenance is fundamental to conservation.

Further articles relate to preservation (maintaining fabric in its current state), restoration and reconstruction, adaptation and the introduction of new structures or extensions.

The *Heritage Manual* comprises the following guidance documents:

- *Guidelines for preparing a statement of heritage impact* (Department of Planning and Environment (NSW) 2023b)
- *Assessing heritage significance: Guidelines for assessing places and objects against the Heritage Council of NSW criteria* (Department of Planning and Environment (NSW) 2023a)
- *Investigating Heritage Significance* (NSW Heritage Office 2004)
- *Assessing Significance for Historical Archaeological Sites and ‘Relics’* (NSW Heritage Branch 2009)
- *Archaeological Assessments: Archaeological Assessment Guidelines* (NSW Heritage Office 1996).

1.6.2 Research sources

Research for this SoHI was conducted using a range of primary and secondary sources, including online archives, institutional collections, and local repositories. Sources consulted include:

- Historic Lands Records Viewer (hosted by the NSW Land Registry Services)
State Heritage Inventory (SHI) (hosted by Heritage NSW), which includes heritage items listed under:
 - the State Heritage Register (SHR)
 - Heritage and Conservation (Section 170) Registers
 - Aboriginal Places
 - Local Environmental Plan (LEP) heritage schedules
 - NSW Government Historical Imagery Viewer
 - TROVE (hosted by the National Library of Australia) for digitised newspapers, photographs, and oral history records
 - National Library of Australia (NLA) archival material and image collections
 - State Library of NSW (SLNSW)
 - NSW State Archives (SRNSW) and related surveyor sketchbooks and conditional purchase records
 - NSW Department of Mines and Mineral Resources Annual Reports and photographic archives
 - Local Council Libraries and Historical Societies
 - National Parks and Wildlife Service (NPWS) datasets, including the Historic Heritage Information Management System (HHIMS) and Aboriginal Heritage Information Management System (AHIMS).
 - Heritage assessments prepared for the former SSD-6395 Bobs Farm sand quarry proposal.

The list of references is provided at the end of this report.

1.7 Authorship and limitations

The report was prepared by Holly Hancock with assistance from Bianka Erdei. The historical summary was written by Amelia O'Donnell. The figures were created by Eloise Oakley. Quality assurance was provided by Delyna Baxter and Ashley Bridge.

This assessment is based on a desktop review only, drawing on historical records, heritage registers, aerial photography, previous studies and statutory datasets current at the time of preparation. No field survey or subsurface investigation was undertaken.

Archaeological conclusions are therefore predictive and rely on contextual land-use history, geomorphology, disturbance patterns, and the findings of previous work, including AECOM (2015).

This assessment addresses historic heritage only. Aboriginal cultural heritage is generally addressed in a separate specialist report in accordance with the SEARs.

Heritage findings are valid for the project description and footprint provided. If the project footprint changes, further heritage assessment may be required.

1.8 Acknowledgements

EMM acknowledges ADW Johnson Pty Ltd as the proponent for the Bobs Farm Sand Quarry project. EMM also acknowledges the contributions of the broader project team involved in the preparation of the EIS.

2 Statutory framework

2.1 Introduction

In NSW, heritage items and relics, that is archaeological sites assessed to be of local or State significance, are protected by two main pieces of legislation: the EP&A Act and the NSW *Heritage Act 1977* (Heritage Act). An additional layer of protection is added, in certain circumstances, by the Commonwealth *Environment Protection and Biodiversity Conservation Act* (EPBC Act) 1999.

2.2 Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)

The EPBC Act provides a legal framework to protect the environment. The EPBC Act definition of environment includes places of natural, Indigenous and historic heritage value. Under the EPBC Act, heritage places can be listed on:

- World Heritage List (WHL) – places inscribed on the United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage List.
- National Heritage List (NHL) – places of significance to the nation.
- Commonwealth Heritage List (CHL) – items belonging to the Commonwealth or its agencies.

The EPBC Act requires actions on Commonwealth land (Section 26) and actions undertaken by a Commonwealth agency (Section 28) to be assessed to determine whether they are likely to have a significant impact on the environment. Heritage places may be listed on a statutory register, such as the WHL, NHL, CHL or State-based registers, or may be an unlisted item identified by a Commonwealth agency.

Additionally, actions that may impact on Matters of National Environmental Significance (MNES) must also be assessed for impacts. MNES that relate to heritage include identification on the WHL or NHL. Under the EPBC Act, an action that may have a significant impact on a MNES is deemed to be a ‘controlled action’ and can only proceed with the approval of the Commonwealth Minister for the Environment. An action that has the potential to cause significant impacts to MNES is to be referred to the Department of Climate Change, Energy the Environment and Water (DCCEEW) for determination as to whether it is a controlled action. If deemed a controlled action the project is assessed under the EPBC Act for approval.

The project is unlikely to have a significant impact on any world heritage properties or places listed on the National Heritage Register, and the EPBC Act is not discussed further.

2.3 Heritage Act 1977 (NSW)

The Heritage Act is legislation for the promotion and conservation of the heritage places, items, and objects of NSW. The Heritage Act is administered by the Heritage Council of NSW whose role is to advise the Minister with responsibility for heritage on matters relating to the conservation of the State’s heritage. In practice, this power is largely delegated to Heritage NSW.

2.3.1 State Heritage Register

Under the Heritage Act, items of significance to the State can be recognised on the State Heritage Register (SHR). Items on the SHR cannot be demolished, nor can they be damaged, developed, altered or excavation undertake without approval from the Heritage Council of NSW (or its delegate) under Section 59 of the Act. Section 59 extends to relics inside the item’s curtilage.

2.3.2 Archaeology and Relics

The Heritage Act also protects 'relics', regardless of their listing status. It applies to all NSW land that is not listed on the SHR. Section 4(1) of the Heritage Act (as amended 2009) defines 'relic' as follows:

A "relic" means any deposit, artefact, object or material evidence that:

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- (b) is of State or local heritage significance.

Section 139(1) of the Heritage Act states that:

A person must not disturb or excavate any land knowingly or having reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, damaged or destroyed unless the disturbance or excavation is carried out in accordance with an excavation permit.

Section 146 requires persons to notify the Heritage Council of NSW within a reasonable time if an unanticipated relic is discovered. The Heritage Act identifies the category of 'works', which refers to historical infrastructure, and is viewed as separate to that of archaeological 'relics' under the Heritage Act. 'Works' may be buried, and are therefore archaeological in nature, but exposing a 'work' does not trigger reporting obligations under the Heritage Act unless it is of demonstrable significance.

2.3.3 State Government Heritage and Conservation (S170) Registers

Section 170 of the Heritage Act requires State government agencies establish and maintain a register of heritage items, to be known as a Heritage and Conservation Register. State agencies are required to undertake due diligence with regard to the care, control and management of items listed on their Section 170 Heritage and Conservation Register. Additionally, State agencies must notify the Heritage Council of NSW 14 days in advance if they intend to remove an item from their register, transfer ownership, cease occupation, demolish. Section 170 does not place statutory requirements on individuals or non-State government entities.

2.4 Environmental Planning and Assessment Act 1979 (NSW)

The *Environmental Planning and Assessment Act 1979* (EP&A Act) establishes the framework for development assessment within NSW, with one of the objects of the Act being to promote the sustainable management of built and cultural heritage, including Aboriginal cultural heritage.

As the majority of development assessment and consent is undertaken by Local Government (council), the EP&A Act directs council to prepare a local environmental plan (LEP) and development control plans (DCPs) for their local government. LEPs are to be developed under the standard instrument, which provides planning consistency across the State. Schedule 5 of the Standard Instrument provides a list of identified environmental heritage within the LGA, impacts to which are to be considered during the development assessment and approval process. DCPs provide policies that are specific to the local environment and character of the LGA or a subset of the LGA. The NSW department with responsibility for planning may also prepare state environmental planning policies (SEPPs) to guide planning across the State.

Government departments developing infrastructure such as roads, assess their proposed works through the preparation of a review of environmental factors (REF). This process is self-assessed and while council has the opportunity to comment, it does not have powers of approval. Other Acts, such as the Heritage Act, still apply in this instance.

Due to the size, economic value or impacts, some types of development are assessed as an SSD or State Significant Infrastructure (SSI). Where a project is identified as SSD or SSI, the NSW department with responsibility for planning is the consent authority and directs the proponent to prepare an application for the SEARs, which define the various studies and guidelines for the preparation of an EIS, and supporting technical reports.

The purpose of all assessment processes is to consider impacts to, among other things, cultural heritage items and places as well as archaeological sites and deposits associated with the proposal and to identify measures to avoid, mitigate or ameliorate impacts.

2.4.1 Port Stephens Local Environmental Plan

Part 5, Section 5.10 addresses the conservation of heritage significance within the LGA. The objectives of the LEP in relation to heritage are:

- a) to conserve the environmental heritage of Port Stephens
- b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views
- c) to conserve archaeological sites, and
- d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

To achieve these objectives, development consent is required to demolish, move, alter, disturb or excavate a heritage item, an Aboriginal object or a building, work, relic or tree within a heritage conservation area. Schedule 5 of the LEP provides a list of heritage items, conservation areas and archaeological sites within the LGA.

While the proposal is being assessed as SSD and is not prohibited by the LEP, the heritage objectives and considerations of the Port Stephens LEP remain relevant and have been considered as part of this assessment.

2.5 Identifying listed heritage items

Listing on statutory registers provides a basis under which the item or place is protected, and change is managed through project approval. Statutory listings provide legal protection for heritage items under the legislation outlined above.

Statutory registers reviewed as a part of this assessment include:

- World Heritage List (WHL) – the register is managed under the EPBC Act.
- National Heritage List (NHL) – the register is made under the EPBC Act.
- Commonwealth Heritage List (CHL) – the register is made under the EPBC Act.
- State Heritage Register (SHR) – this register is made under Part 3A of the Heritage Act.
- s170 register – this register is made under Section 170 of the Heritage Act.
- Schedule 5 of the Port Stephens LEP.
- State Heritage Inventory (SHI), which was cross-checked with Schedule 5 of the Port Stephens LEP and the s170 register. The SHI is not a single statutory register, but a central collection of locally listed statutory heritage items maintained by Heritage NSW.

Non-statutory listing is an acknowledgment of a site's or place's importance to sections of the community. Listings on such registers do not place legal requirements on development, but nevertheless influence the future of such listed items. Non-statutory registers reviewed as a part of this assessment include:

- National Trust of Australia, NSW (NT) – the NT is made up of autonomous state chapters. Each chapter is a community-based and non-government organisation, with a mandate to conserve and promote Australia's natural and cultural heritage. Classification by NT is a strong acknowledgment of heritage significance and while statutory constraints are not applicable, classification offers protection through visibility and community action.
- Register of the National Estate (RNE) – the RNE is an archived list of heritage items that were protected under the now repealed Commonwealth *Heritage Commission Act 1975*, which was replaced by the EPBC Act. While many items were transferred from the RNE to the NHL or CHL, those that did not remain on the RNE as an indication of their heritage value.

2.6 Heritage listings

A search of statutory and non-statutory heritage registers identified no historic heritage items within the Project area.

The nearest statutory item is the Stockton Beach Dune System, listed under Schedule 5 of the Port Stephens LEP 2013 (Item I34). The LEP entry describes this as a landscape-scale listing encompassing dunes, shipwrecks, WWII ramparts, tank traps, and associated coastal features.

The listing does not extend into the Project area. The nearest point of the LEP item lies approximately 68 m southeast of the Project boundary.

One non-statutory heritage listing intersects the southern margin of the Project area:

- Newcastle Bight Coastal Area (RNE ID 19510) – an archival entry on the former RNE which no longer carries statutory effect but remains an indication of broad landscape values.

No discrete historical archaeological sites, built heritage items, or locally listed heritage places are present within the Project area.

Results of heritage register searches are presented in Table 2.1 and Figure 2.1.

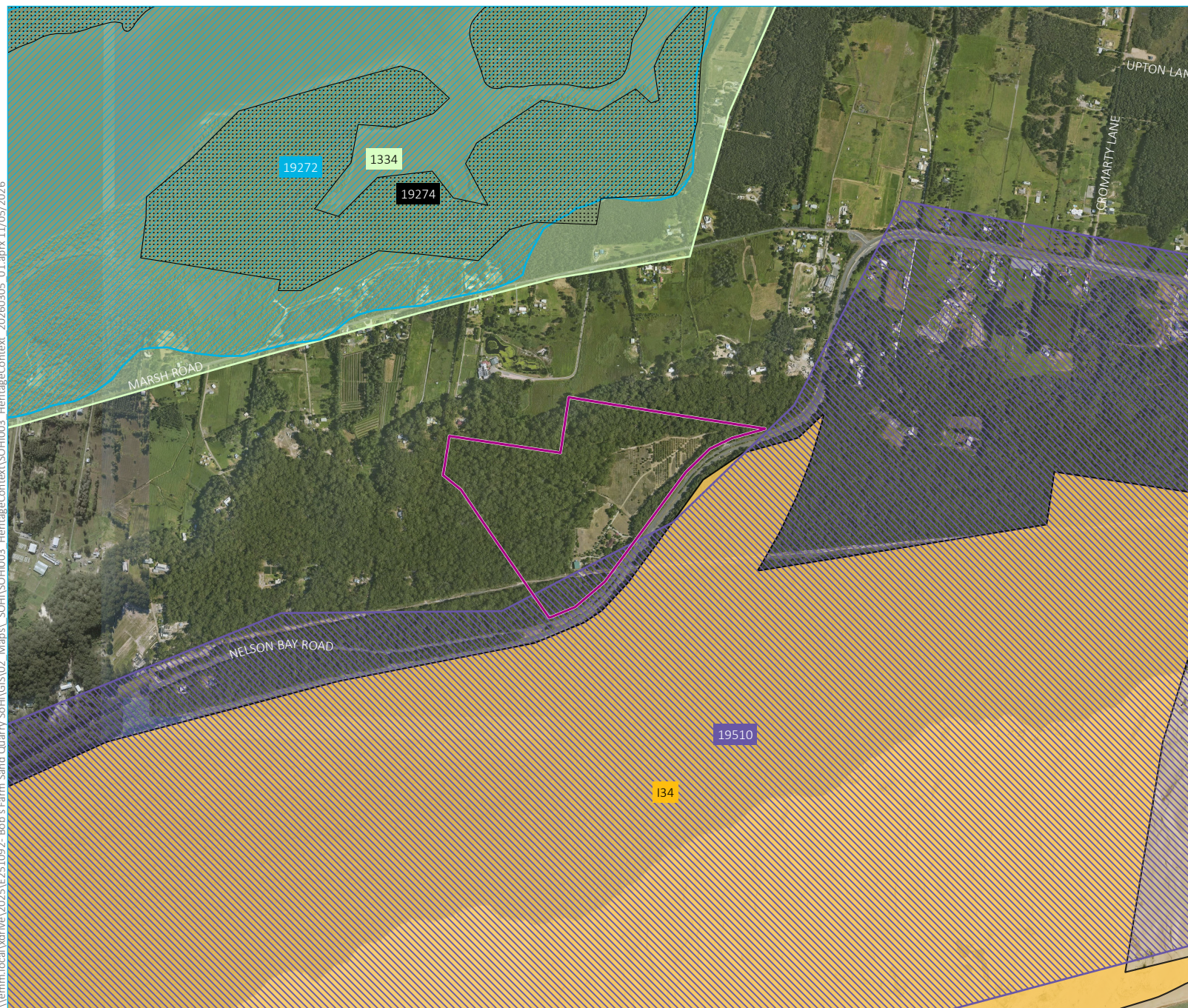
See Section 2.6.1 for information on listings within or directly adjacent to the Project area.

Table 2.1 Heritage register search

Jurisdiction	Heritage Register	ID	Item	Distance from Project area
Federal	World Heritage List (WHL)	-	-	-
	Commonwealth Heritage Register (CHR)	-	-	-
	National Heritage Register (NHR)	-	-	-
	Register of the National Estate (non-statutory) (RNE)	1334	Port Stephens	400 m north of proposed Project area
		19272	Port Stephens Estuary	420 m north-west of proposed Project area
		19274	Tilligerry Creek Area	1 km north of proposed Project area

Jurisdiction	Heritage Register	ID	Item	Distance from Project area
		19510	Newcastle Bight Coastal Area	Curtilage intersects southern portion of proposed Project area
State	State Heritage Register (SHR)	-	-	-
	Section 170 Heritage and Conservation Register (S170)	-	-	-
Local	Port Stephens Environmental Plan 2013 Heritage items	134	Stockton Beach Dune System, including shipwrecks, WWII ramparts, tank traps and tin hut	68 m from eastern boundary of proposed Project area

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KEY

Project area

LEP listing

Port Stephens Environmental Plan 2013

I34- Stockton Beach Dune System

Non-statutory listing

Register of the National Estate

1334- Port Stephens

19272- Port Stephens Estuary

19274- Tilligerry Creek Area

19510- Newcastle Bight Coastal Area

Heritage context

Bob's Farm Sand Quarry
Statement of Heritage Impact
Figure 2.1

2.6.1 Heritage item descriptions

The following summaries have been informed by information listed on the SHI.

i Stockton Beach Dune System (LEP I34)

The Stockton Beach Dune System, also known as Stockton Bight, is listed as a heritage item under the relevant LEP (Item I34). The listing applies to the dune system as a broad coastal landscape and recognises its environmental, geomorphological and cultural heritage values.

The dune system is the largest continuous mobile sand mass in New South Wales, extending approximately 30 km from Stockton to Birubi Point. It comprises an active transgressive dune field that has evolved over approximately 17,000 years, shaped by sea level rise, coastal processes and the shifting Hunter River delta. The system represents an uninterrupted coastal sedimentary sequence dating back to the Pleistocene and is recognised for its scientific value in demonstrating long term coastal and climatic change.

The Stockton Beach Dune System is an environmentally rich landscape characterised by extensive mobile and semi mobile dunes, foredunes and associated coastal landforms. Ongoing aeolian reworking, erosion and redeposition of sediments are defining features of the landscape and continue to influence its form and ecology.

The dune system also holds strong Aboriginal cultural heritage values. It forms part of the traditional territory of the Worimi people, specifically the Maaingal Clan, who maintain longstanding cultural connections to the area. The dunes have historically been used as sacred burial places and remain an important cultural landscape.

The LEP listing recognises the Stockton Beach Dune System as a place of local and regional heritage significance expressed at a landscape scale.

This assessment does not seek to reassess or reinterpret the heritage significance of the Stockton Beach Dune System, which has been established through statutory listing.

ii Newcastle Bight Coastal Area (RNE 19510)

The Newcastle Bight Coastal Area, also referred to as the Newcastle Bight Sand Dune System, was formerly listed on the RNE as an indicative place prior to the Register's closure. The listing is non statutory and retained for archival and reference purposes only. It does not confer legal protection or impose statutory constraints.

The listed area encompasses approximately 5,000 ha extending from Birubi Point in the north to the Hunter River Estuary at Fern Bay in the south, bounded by the Pacific Ocean to the east and Nelson Bay Road to the west. The place is defined primarily by the Newcastle Bight Sand Dune System and forms part of a broader coastal embayment within the Port Stephens–Myall Lakes region.

The principal values identified in the RNE record relate to geomorphology, natural environments, Aboriginal cultural heritage and broad historical associations. Newcastle Bight is described as a well-preserved example of a dual barrier dune system that records late Quaternary sea level and climate change. Ongoing aeolian reworking, dune mobility and periodic revegetation are identified as defining characteristics of the landscape.

The listing also acknowledges landscape scale Aboriginal cultural values associated with the Worimi people, including the presence of midden sites, burial areas and places of cultural importance across the broader coastal environment. Non-Indigenous historical associations are noted in general terms, particularly in relation to coastal defence and military activity during World War I (WWI) and World War II (WWII), without identification of specific archaeological relics or defined heritage sites.

Information presented in this section is drawn from the RNE record and is supplemented by descriptions contained within previous investigations, including the AECOM (2015) assessment prepared for the withdrawn SSD application. The RNE listing does not identify discrete historic archaeological relics or areas of archaeological sensitivity, and the significance of the Newcastle Bight Coastal Area is expressed at a landscape scale rather than through individual heritage items.

2.7 Conservation management plans

The following section summarises relevant content from existing conservation management plans (CMPs) that intersect or are in proximity to the Project area.

2.7.1 Stockton Bight Environmental Study and Management Plan Part B Resource Inventory (1995)

This CMP undertaken by HLA Environment in 1995 provides a comprehensive baseline assessment of environmental, cultural, and land use values across the Stockton Bight coastal dune system. Historic heritage values were considered as part of the broader resource inventory, with detailed discussion contained in Section 9 History of Stockton Bight and associated appendices.

The study identifies that historic land use within the Stockton Bight area has been limited in intensity and largely transient. European historic activity across the dune system included coastal navigation, maritime incidents, defence related use during the Second World War, sand extraction, and informal recreational use. These activities were generally episodic and did not result in the formation of permanent historic structures or intact historic archaeological deposits within the dune landscape.

No discrete historic heritage items, buildings, structures, or places of European heritage significance were identified within the proposed Project area. The study notes that the highly mobile Holocene dune system has undergone extensive geomorphic reworking, which has significantly reduced the potential for survival of stratified historic archaeological material. Any historic artefacts identified within the broader Stockton Bight area are described as scattered, disturbed, and lacking archaeological integrity.

Maritime heritage values, including shipwrecks and strandings, are documented for the wider Stockton Bight coastal zone. These features are located within the nearshore and offshore environment and do not extend into the terrestrial Project area. Accordingly, maritime heritage values were not identified as a constraint to land based development within the project footprint.

The study concludes that historic heritage sensitivity within Stockton Bight is low and that the dominant cultural heritage values of the area relate to Aboriginal archaeology rather than historic heritage. No specific historic heritage management measures or mitigation strategies were recommended for ground disturbing works beyond general due diligence.

On this basis, the Stockton Bight Environmental Study does not identify any historic heritage constraints relevant to the proposed Project area, nor does it recommend further historic heritage assessment or impact mitigation.

2.7.2 Archaeological Assessment of a Proposed Mineral Sand Mine (2000)

A CMP was prepared for the Stockton Bight area in association with the proposed extension of the Fullerton mineral sand mining operation. The CMP primarily addresses Aboriginal cultural heritage values. No items of European historic heritage significance were identified within the proposed Project area.

The study area comprises mobile Holocene sand dunes along Stockton Bight. Historic land use of the area has been limited and intermittent, including coastal defence activities during the Second World War, recreational use, and minor subsistence activities. These historic activities were generally ephemeral in nature and have not resulted in the identification of discrete historic heritage places, structures, or archaeological deposits within the Project area.

Evidence of historic activity within the wider dune system includes scattered metal fragments and landscape disturbance associated with former military use. These materials are not considered to constitute intact or significant historic archaeological sites and are widely dispersed within a highly dynamic geomorphic environment characterised by ongoing dune migration, deflation, and deposition.

The CMP concludes that the primary heritage sensitivity of Stockton Bight relates to Aboriginal cultural heritage rather than historic heritage. The mobile dune environment has resulted in substantial reworking of land surfaces over time, limiting the potential for preservation of historic heritage fabric or stratified deposits within the Project area.

On this basis, the CMP identifies no specific historic heritage constraints relevant to the proposed project. No historic heritage management measures, mitigation strategies, or further assessment were recommended beyond standard due diligence during ground disturbing activities.

2.7.3 Stockton Thematic History (2009)

This CMP undertaken by Rosemary Meville in 2009 provides a broad thematic overview of Aboriginal and European occupation, land use, and development across the Stockton Peninsula and Stockton Bight, aligned with the NSW Historical Themes framework.

The study confirms that European historic activity within the wider Stockton Bight and coastal dune system was generally transient and low intensity. Early historic use of the area included exploration, timber cutting, lime burning, fishing, maritime activity, defence related works, and limited mining associated with the broader Newcastle region. These activities were primarily focused along the harbour foreshore, river margins, and within the established township of Stockton, rather than within the mobile dune landscapes to the north and east.

Historic industrial and extractive activities, including lime burning and timber getting, occurred intermittently within the wider Stockton area during the early nineteenth century. However, the study notes that these activities left little tangible physical evidence within the dune system, due to their ephemeral nature and the ongoing reworking of land surfaces by coastal and aeolian processes. The dynamic geomorphology of Stockton Bight is identified as a key factor limiting the survival of intact historic archaeological deposits.

Maritime heritage values, including shipwrecks along Stockton Bight and the Oyster Bank, are recognised as significant elements of the area's history. These values are largely located within the offshore and nearshore environment or incorporated into harbour infrastructure such as the Stockton breakwater. They do not extend into the terrestrial Project area and are not identified as constraints to land based development within the dunes.

The thematic history does not identify any discrete historic heritage items, structures, or archaeological sites within the Project area. The dominant historic heritage values of Stockton are associated with the established township, harbour infrastructure, and mining and industrial development south of the Project area.

Overall, the study indicates that historic heritage sensitivity within the Stockton Bight dune system is low. No specific historic heritage management measures or further assessment are recommended for areas characterised by mobile sands and extensive landscape disturbance.

3 Historical summary

3.1 Key findings

The Project area has been subject to prior investigation by AECOM Australia Pty Ltd (AECOM) (2015). The following section summaries and builds upon the previous study.

The Project area is located in the traditional Country of the *Maiangal* nurra of the Worimi language group (Tindale 1974:201–202). Port Stephens was subject to exploration from 1788 with fishing and cedar getting occurring in the region from the early years of NSW settlement (Hunter 2001). Port Stephens was open for free settlement following the closure of the Newcastle penal settlement in 1822 (Hunter 2001). The Bobs Farm locality was first settled in the 1850s, c.2 km north-east of the Project area.

The Department of Defence took over a portion of the Project area in November 1941 with the intention of establishing a cadre training camp (AECOM 2015). The cadre camp was never realised as the Bobs Farm camp became a residential camp for individuals and families evacuated from Portuguese Timor as part of the withdrawal Australian and Dutch troops from the island in late 1942 to early 1943. Evacuees were housed at Bobs Farm between January 1943 and March 1944 and the camp was dismantled in 1945 (AECOM 2015, Conway 2024).

The Project area returned to form part of the Upton family's leasehold following the closure of the camp (AECOM 2015). In 1973, the property was granted to the Worimi Local Aboriginal Land Council and little development occurred until the Project area was sold to Patra Holdings in c.2000 (AECOM 2015:22). The current olive and fig farm was constructed on the east portion of the Project area from c. 2000/2001.

3.2 Key phases

Historical analysis has allowed for the division of the Project area development into phases. These phases and the themes below provide a framework for understanding the Project area and therefore its significance:

- Phase 1: Exploration and early of Port Stephens
- Phase 2: Early settlement at Bobs Farm
- Phase 3: Bobs Farm cadre and evacuation camp
- Phase 4: Post-camp land use.

3.3 Historic themes

The Australian and NSW heritage systems employ a series of historic themes to guide the understanding of history and historical investigation in the nation and state. As part of any historic heritage assessment, it is important to review the historic themes when undertaking research on an area or place to provide proper context. The state and national themes are complementary to enable the historian to present a unified understanding of how an area fits into Australian history. The historic themes are also an important guide when assessing an item's heritage significance. They provide information on how an item may be historically significant at the local, state or national level.

Finally, historic themes help to develop interpretation and management strategies for items of heritage significance. A full list of these themes can be found on the Heritage NSW website. Historic themes in the study area were identified based on the historical background (as described below). The Australian and NSW historic themes relevant to the project boundary that have been used in this report are listed in Table 3.1.

Table 3.1 **Historic themes**

Australian historic themes	NSW historic themes
1. Tracing the natural evolution of Australia	Environment – naturally evolved.
2. Peopling Australia	Aboriginal cultures and interactions with other cultures; ethnic influences; migration.
3. Developing local, regional and national economies	Commerce; environment – cultural landscape; events; health; transport.
4. Building settlements, towns and cities	Towns, suburbs and villages; land tenure; utilities; accommodation;
5. Working	Labour.
6. Educating	Education.
7. Governing	Defence; government and administration; welfare.
8. Developing Australia's cultural life	Domestic life; religion; social institutions.
9. Marking the phases of life	Birth and death; persons.

3.4 Historical Context

3.4.1 The environment of pre and early contact

Information about the socio-cultural structure of Aboriginal society prior to European contact largely comes from ethno-historical accounts made by colonial settlers. These accounts and observations were often made after significant social disruption due to disease and displacement. As a result, this information is often contentious, particularly in relation to language group boundaries. Therefore, it is likely that language group boundaries were far more diffuse than the arbitrary demarcations drawn by colonial observers – this is a consideration when reading the historical summary of the Project area as it pertains to the contact period.

Bobs Farm has traditional links to the Worimi people (Tindale 1974). Tindale (1974:201–202) records Worimi Country covering 3,900 km² from the Hunter River to Forster, with Gresford marking the west boundary. The Worimi were divided into smaller clan groups, known as *nurras* (AECOM 2015:14). The Project area is located in the territory of the *Maiangal nurra*, who are recorded residing on the spit of land bordered by the Hunter River/Fullerton Cove in the south, Tomaree Head in the north, and Tilligerry Creek to the west (AECOM 2015:14). The Worimi people exploited and managed the aquatic and terrestrial food, medicinal, and material resources around Post Stephens (Hunter 2001:123). People moved around country, targeting resources based on seasonal availability (Hunter 2001:17). Colonial observers noted the importance of fish and shellfish in the Worimi diet with fishing performed by both men and women, although methods were gender specific (Eric Martin and Associates 2002:6).

European contact in the Newcastle region began shortly after the establishment of the Sydney colony, with the Worimi clans known to have sheltered escaped convicts (Collins 1798:356). European settlement resulted in the forced removal from traditional lands and conflict and disease changed the socio-cultural fabric of Aboriginal groups with many moving away from their traditional Country (Hunter 2001:17–18, 123–124). A Mission/Aboriginal Reserve was established at Karuah in 1884 and many Worimi people were relocated to the mission, which continued to run through the twentieth century (Hunter 2001:17–18, 123–124, Worimi Conservation Lands 2021).

Today, the contemporary traditional custodians of the Project area maintain their cultural links Country, family and aspects of traditional life (Hunter 2001:17–18). The Project area was under the ownership of the Worimi Local Aboriginal Land Council from c.1973 and until it was sold in c.2000 (AECOM 2015:18, NSW Land Registry Service n.d.). Worimi custodians continue to fulfil their cultural responsibilities to care for Country and for their cultural heritage places across the Port Stephens region

3.4.2 Exploration and settlement of Port Stephens

Captain James Cook (Lieutenant Cook at the time) noted the presence of and named Port Stephens on 11 May 1770 (AECOM 2015:14, Hunter 2001:18). Following the arrival of the First Fleet, Lieutenant John Shotland Senior surveyed the coast north of the Port Jackson settlement in July 1788 and, upon returning to England the following year, recommended to the Admiralty that Port Stephens be formally charted (Hunter 2001:19). The first Europeans to make land in the Port Stephens area, however, were not official explorers but five escaped convicts (Hunter 2001:19–20). On 26 September 1790, John Tarwood, Joseph Sutton, George Lee, George Connoway, and John Watson commandeered a punt on the Parramatta River and, exchanging the punt for a sailing vessel near the Sydney Heads, sailed out of Sydney harbour coming ashore north of Newcastle (Hunter 2001:19–20). The men were adopted into a Worimi clan, where they lived for four years (Hunter 2001:20, 24). The following year, the Bryant escaped convict group landed at Port Stephens for a short period of time and fishermen began travelling into the area to exploit the region's rich fishing grounds (Hunter 2001:22).

Further official exploration occurred in 1791 when the *Salamander* entered Port Stephens on return from Norfolk Island in 1791, and in 1794 and 1795 Deputy Surveyor Charles Grimes of the *Francis* charted the Port (Hunter 2001:23). On 23 August 1795, *HMS Providence* was forced to shelter at Port Stephens during bad weather (Hunter 2001:24). During the stop the four surviving 1790 escapees surrendered themselves to Captain W.R. Broughton to be returned to Sydney (Hunter 2001:24). In 1797, Lieutenant John Shortland surveyed the Hunter River and Fullerton Cove, reporting the area was rich in natural resources and had potential for settlement (Suters Architects 2007:1). Shortland's positive report led to Governor King sending troops and convicts to Newcastle in 1801 to establish a penal settlement. The settlement, however, was abandoned the following year (Melville 2009:9). In 1804, Governor King once again sent troops to Newcastle and the 'King's Town' penal settlement was successfully established (Suters Architects 2007:2–3). Between 1804 and 1822, the Newcastle settlement functioned as a penal colony and in the later years it became the principal penal settlement, essentially functioning as an industrial labour camp (Suters Architects 2007:2).

Fishermen continued to exploit resources around Port Stephens during the Penal Settlement period with Chinese fisherman using Fly Point, Nelson Bay as their processing centre (AECOM 2015:15). Governor Macquarie visited Port Stephens as part of survey expeditions of the region in 1811 and 1812 and noted the inferior agricultural potential of the land around the Port (AECOM 2015:15). Commercial cedar getting began on the north side of Port Stephens from c.1816 (Hunter 2001:23, 28, 34). In 1822, Governor Macquarie reclassified Newcastle as a free settlement and opened the surrounding districts for free settlement (Suters Architects 2007:3–4).

The first settler in the Port Stephens district was Captain William Cromarty, who was initially granted 300 acres (121.4 ha) of land on the Karuah River in 1822 (Hunter 2001:32). Cromarty relocated his grant to Soldiers Point in 1824 following the London-based merchant firm the Australian Agricultural (A.A.) Company declaring their interest in land north of the Karuah River/Port (AECOM 2015:15, Hunter 2001:32). The A.A. Company established a headquarters at Carrington, originally known as Carribeen, in 1826 to oversee their million-acre pastoral estate that stretched to the Manning River (Hunter 2001:37–38). As part of their interests in the region, the A.A. Company surveyed the land around Port Stephens (Eric Martin and Associates 2002). An A.A. Company map from 1828 indicated the Project area was not occupied and was dominated by swamp and marshland.

3.4.3 Settlement of Bobs Farm

The suburb Bobs Farm is said to be named after a convict, assigned to “Gentleman Smith”, who coveted the land to establish a farm once his term expired but died before his sentence ended (AECOM 2015:15). Magnus Cromarty, son of William Cromarty, was granted a c. 350 acre (141.6 ha) portion of land on Bobs Farm Creek, south of Fenningham’s Island in the 1850s (AECOM 2015:15). Magnus took over Gentleman Smith’s sheep herds and kept pigs and poultry as well as growing wheat and arrowroot (AECOM 2015:15, Hunter 2001:112). By 1894, the Cromarty family were focused on dairy farming (AECOM 2015:15).

A 1906 map of the County of Gloucester illustrates that the Project area sat across Mineral Lease portions 30 and 31, which were gazetted on 14 September 1889 (Plate 3.2). In addition, the Parish of Tomaree had been subdivided into settlement lots and mineral leases and Marsh Road had been established as the primary road between Salt Ash and Nelson Bay. Despite subdivision, a map from 1911 indicates the Project area remained timbered, however, a telephone line and early phase of Nelson Bay Road were present in/ in close proximity to the property boundary (Plate 3.3). Nelson Bay Road was formalised in the early 1920s (Hunter 2001:113). The area north-east of the Project area had been cleared for farmland by the c.1911 survey and this area formed the centre of the Bobs Farm community with a provisional school was established in that area in 1918, which was reclassified as a public school in 1932 (Hunter 2001:113).

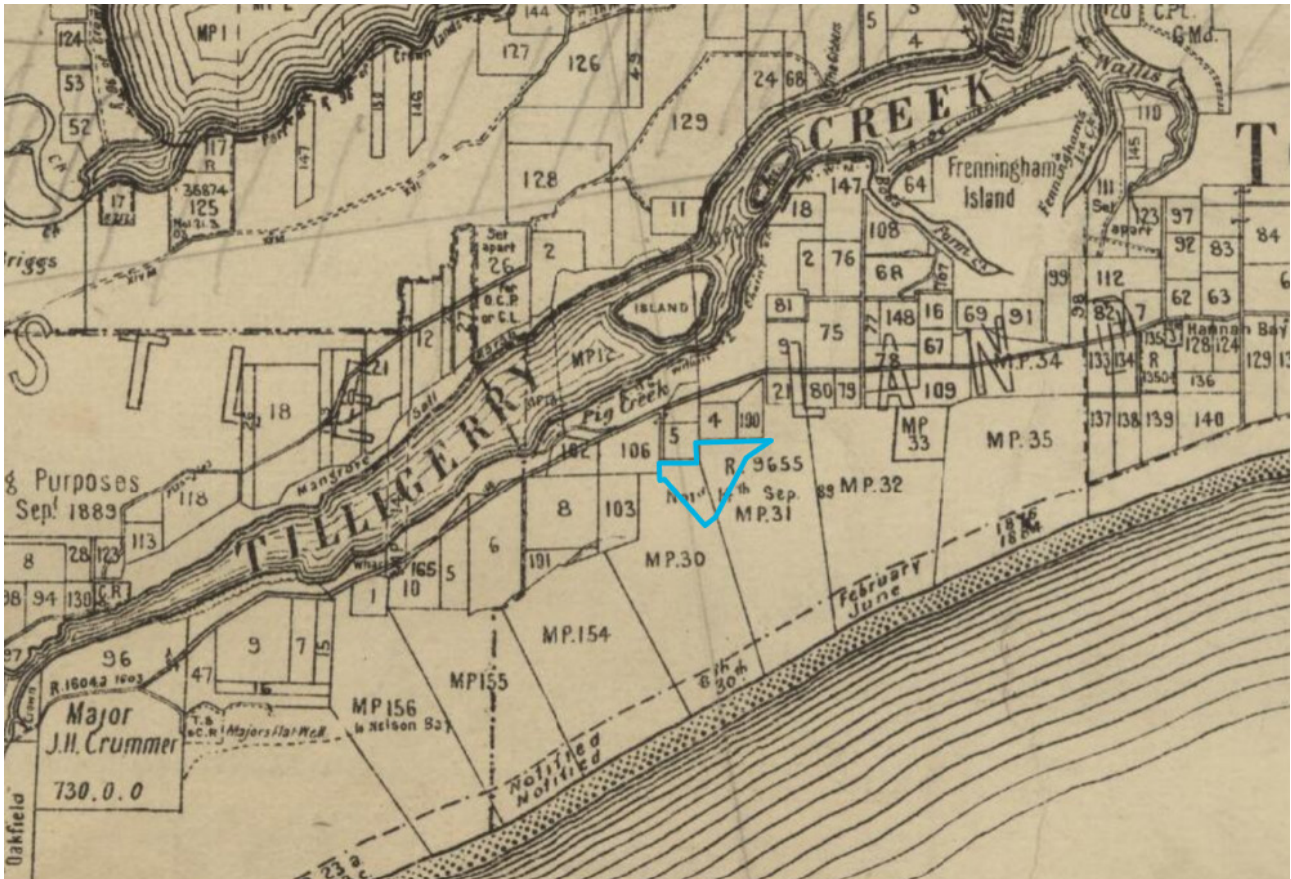
Parish of Tomaree show the current boundaries of the 101 acre (40.9 ha) Lot 254 DP753204 were established between 1932 and 1942 (NSW Land Registry Service n.d.). The 1942 Parish map notes H.R Upton held the Special Leasehold on the Project area, but the leasehold pre-dates the map date (NSW Land Registry Service n.d.). The Upton family had a farm that covered multiple property lots abutting the north and east of the Project area from c.1880 (AECOM 2015:1, 18, NSW Land Registry Service n.d.). Upton forfeited the lease of Lot 254 to the Department of Defence for the establishment of a Cadre Camp for the 41st Battalion by November 1941 (AECOM 2015:16).



Source: Australian Agricultural Company 1828 via ANU Open Research Repository

Note: Approximate location of the Project area shown by the blue circle.

Plate 3.1 Detail of the Project area from map of the *Australian Agricultural Company's Estate/Clergy and School Estate*, New, 1828



Source: NLA MAP G8971.G46 svar (Copy 1)

Note: Approximate location of the Project area shown in blue.

Plate 3.2 **Detail of the Project area from *Map of the County of Gloucester, Eastern Division, NSW/compiled, drawn and printed at the Department of Lands, c.1906***



Source: NLA MAP RASC 37

Note: Approximate location of the Project area shown by the blue circle.

Plate 3.3 Detail of the Project area from *West portion of Tomaree; South portion of Sutton* by the Australian Survey Corps, 1911

3.4.4 Bobs Farm cadre and evacuation camp

In November 1941, the Department of Defence secured c.69 acres (27.9ha) of crown land at Bobs Farm, comprising portions of Lot 254 and Lot 5 in the Parish of Tomaree (Plate 3.4), for the establishment of a cadre camp (AECOM 2015:16). The Cadre Camp was to train recruits for commando units and was to be overseen by the 41st Battalion, who had been manning coastal defences between Newcastle and Port Stephens (41/2 Infantry Battalion n.d., AECOM 2015:16). But Australia's engagement with the Japanese in Timor meant the camp was never used for its intended purpose (AECOM 2015:14).

At the time of the Second World War the island of Timor was divided between two colonial powers – the Dutch controlled the west half of the island as part of the Netherlands East Indies (now Indonesia) and the Portuguese held the east (now Timor-Leste) (Conway 2024:2). Although Portugal declared neutrality in the War, the Australian and Dutch Governments were concerned Japan may take the oil-rich Portuguese colony and use it as a base to invade Australia (Conway 2024:2). Despite objections by the Portuguese Government, the bombing of Pearl Harbour on 7 December 1941 motivated the Australian and Dutch to land 155 Australian commandos and 260 Dutch troops in Dili on 17 December 1941 (Conway 2024:3–4). The act incited the Japanese, who landed forces in both Dutch and Portuguese Timor territories on the 19 and 20 February 1942 (Conway 2024:4). Dutch Timor fell to the Japanese on 23 February and the Australian commandos in Portuguese Timor retreated to the mountains to conduct guerrilla warfare against the Japanese (Conway 2024:4).

In defiance of the local Governor's orders Portuguese and Timorese residents, including Catholic clergy, assisted the Australian commandos as interpreters, guides, and intelligence gathers, and provided shelter, food, transport and medical care for the Australians (Conway 2024:4). A number of Timorese boys formed close working relationships with Australian soldiers and became known as *criados* (Conway 2024:4). In addition, Portuguese citizens, many of whom were *deportados* exiled to Timor for anarchist and Communist agitation, volunteered to fight alongside the Australians (Conway 2024:1, 4). Australia sent a reinforcement of 250 commandos from 2/4 company to Portuguese Timor in September 1942 (Conway 2024:5). But the Japanese continued to send thousands of troops to Timor as part of their scorched earth policy and offered bounties to the local population for killing "whites" (Conway 2024:5). Sensing the escalating danger Portuguese officials aligned with the Australian forces requested the evacuation of their families and civilians (Conway 2024:5–6).

The first evacuation occurred on 30 November 1942 with three subsequent evacuations, which included the withdrawing Dutch and Australian soldiers, occurring in December (Conway 2024:5–7). The evacuations focused on individuals and the families of those who had assisted the allied forces (Conway 2024:5–7). The final evacuation took place on 9 January 1943 (Conway 2024:5–7). The lack of space, however, meant many of the locals wanting to flee were left behind as Major Callinan, basing his decision on the White Australia Policy which restricted residence in Australia to people of European descent, ordered they could only take 50 'pure-blooded' Portuguese starting with woman and children (Conway 2024:5–7). The White Australia Policy also resulted in the Timorese *criados* being left behind, much to the anguish of the Australian commandos (Conway 2024:6–7). The final troops were evacuated on 10 February 1943 (AECOM 2015:16). The c.600 people evacuated from Timor were initially quarantined or sent to various refugee camps around Australia but as many had knowledge of Australian and allied operations it was in the best interest of the Department of Defence to keep the evacuees together, away from the general public (AECOM 2015:16). As such, the partially complete but unoccupied Bobs Farm Cadre Camp was chosen to house the evacuees (AECOM 2015:16).

On 9 January 1943, the first 190 evacuees, including 13 priests, 20 nuns and the Attorney General of Portuguese Timor were transported from Brisbane to Bobs Farm (*The Newcastle Sun*, 30 July 1943; *Newcastle Morning Herald and Miners' Advocate*, 29 November 1945, p. 4; Conway, 2024, p. 8). The remaining evacuees were brought to Bobs Farm between January and September resulting in a total population of 540 men, women and children (c.200) at the camp (AECOM 2015:16, Conway 2024:1). At the time of their arrival the camp featured 18 or 19 wooden huts fitted with electric lighting, tables and chairs and beds and mattresses, sewage works and water reticulation systems (AECOM 2015:17, Conway 2024:8). The huts were supposed to act as public/community buildings but the Camp Commandant, Mr Symonds from the Department of Labour, designated the huts as housing for Portuguese senior officials, army personnel, priests and nuns (AECOM 2015:17, Conway 2024:8). The remaining evacuees were housed in army tents, which included a floor sheet, bucket, a basin and a kerosene lamp and straw filled hessian bags as mattresses (Plate 3.5)(Conway 2024:8). The tents were supplied by the Local Army Staff Camp Office at Raymond Terrace, who also supplied personnel including a hygiene sergeant, butcher, and cook (Conway 2024:8). The Civilian Aid Services constructed a 16 bed hospital at the camp within 24 hours after the evacuee's arrival (Plate 3.6) and a school and church were later added to the camp (Conway 2024:8–9).

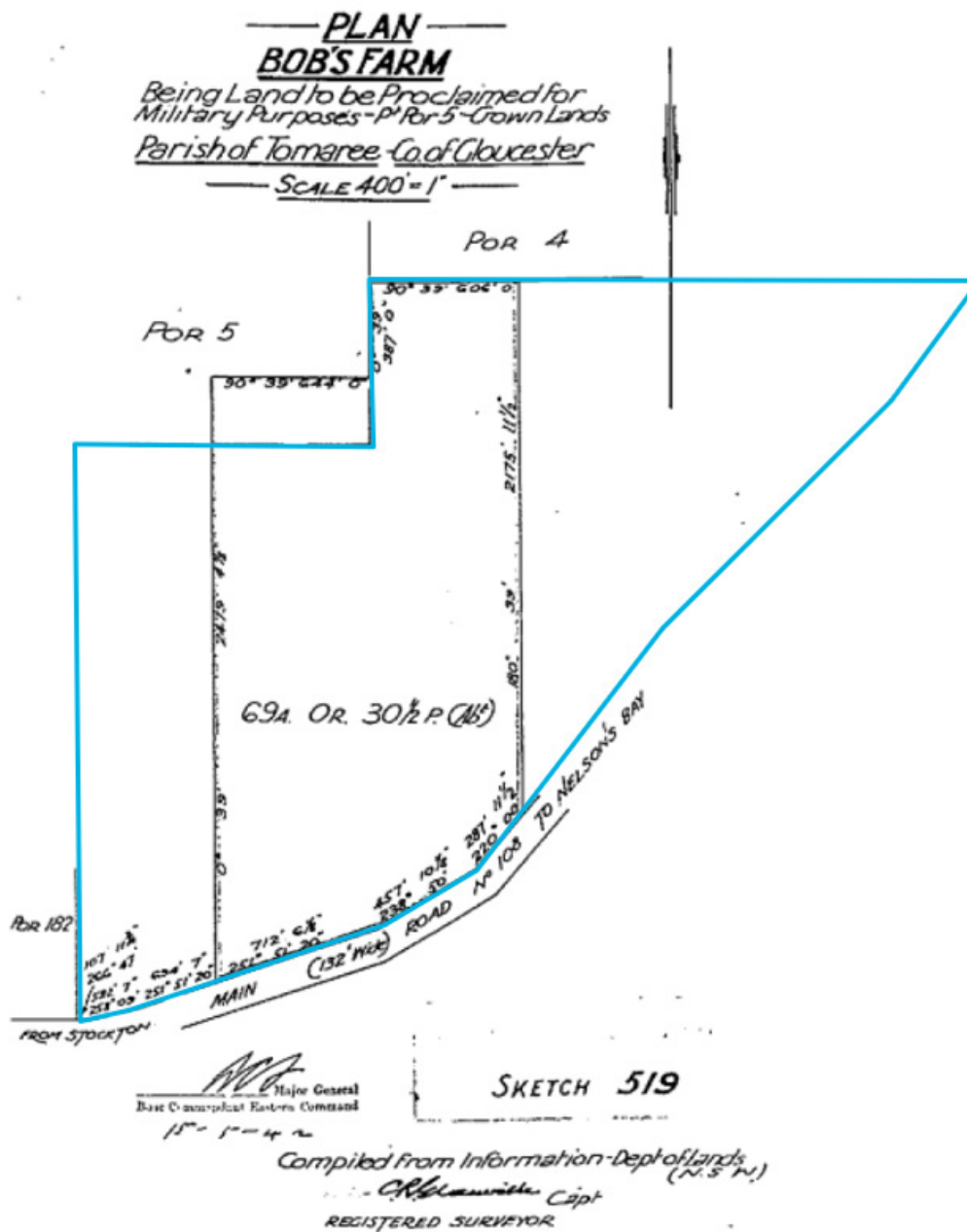
Serious medical cases were transferred to local public hospitals and evacuees who died while residing at the camp were buried at Stockton cemetery (Conway 2024). It is believed the camp site itself sat towards the north boundary of the Department of Defence property (AECOM 2015:22).

The Civilian Aid Services also coordinated the distribution of aid in the form of goods and volunteers from other organisations (*Newcastle Morning Herald and Miners' Advocate*, 29 November 1945, p. 4; Conway, 2024, pp. 8–9). Organisations including St Vicent De Paul Society, Red Cross, Bomb Victims Auxiliaries, RAAF Comforts Fund, Catholic United Services Auxiliary, Newcastle based women's organisations, field ambulance units, doctors and dentists contributed to supporting the camp's residents (Conway 2024:8–10). The camp, however, was heavily camouflaged making it difficult for volunteers to find so a white painted tin was wedged in a tree fork at the entry the gravel road as a signpost (Conway 2024:10). The Upton family was also friendly with the camp residents (Conway 2024:11). Residents would visit the Upton's Post Office shop and home and the family allowed Timorese residents to take pumpkin runners and Prince's Feather, a species of Amaranth but considered a weed, from their market garden to supplement the army's rations (Conway 2024:12).

Established caste systems and differing political beliefs caused interpersonal tensions within the camp (AECOM 2015:18, Conway 2024:11–15). The tensions not only resulted in violent outbursts but also caused issues with the day to day running of the camp (AECOM 2015:18, Conway 2024:11–15). For example, some residents refused to clean or dispose of waste resulting in Mr Upton then later four working parties being employed to collect refuse and bury it in kerosene cans "over the hill from the camp" (AECOM 2015:18). In addition, 15 *deportados* were taken into custody by the army and relocated to Liverpool Internment Camp on 23 September 1943 due to their Communist sympathies and connections to Newcastle Trades Hall activities (Conway 2024:15).

In contrast, from May 1943 families began to be moved away from the camp as employment opportunities were made available locally and further afield (AECOM 2015:18, Conway 2024:16). Eighteen Timorese men were also chosen for Special Operations training at Fraser Island Commando School and returned to Portuguese Timor to work with Australian soldiers (AECOM 2015:18, Conway 2024:15). On 22 March 1944, the last evacuees departed Bobs Farm for private accommodation in Armidale, Narrabri, and Glen Innes and the camp was handed back to the Department of Defence (AECOM 2015:18, Conway 2024:16). The camp was dismantled by the 5th Australian Maintenance Platoon in January 1945 and components offered for sale (AECOM 2015:18). Camp commandant Bill Crothers visited the site of the Bobs Farm camp a few years after its closure and noted that all trace of habitation had been removed, including the white tin in the tree (Conway 2024:19). The property reverted to Crown Land in July 1945 and the Upton family took up the leasehold once again (NSW Land Registry Service n.d.).

With the surrender of the Japanese in August 1945, the White Australia Policy dictated that the Timor evacuees be repatriated back to their homeland (Conway 2024:17). The "moral habits" of the Portuguese *deportados* meant the majority were refused residence and were repatriated back to Timor with the native Timorese and mixed-race evacuees (Conway 2024:17). On 27 November 1945, 562 evacuees were brought to Newcastle by train and departed Lee Wharf on the *SS Angola* the following day to fanfare and fond goodbyes from the community and volunteers who supported the evacuees during their time in Australia (Conway 2024:17).



Source: AECOM 2015:27

Note: Eastern section of the Project area is shown in blue.

Plate 3.4 **Plan of the proposed Bobs Farm Cadre Camp area, 15/5/1942**



Source: Conway 2024 p.12

Note: The resident's tents can be seen in the background, and the ground has been cleared of flora and the sandy surface looks to have been raked or swept.

Plate 3.5 Children playing at the Bobs Farm evacuation camp, 1943



Source: Conway 2024 p.9

Note: It is likely the photograph was taken in front of the camp hospital. The building is a timber construction raised on brick piers.

Plate 3.6 Portuguese Dr Elvira Teles with Australian nurses and a doctor, 1943

3.4.5 Post-camp land use

Parish of Tomoree maps indicates the Upton retained the Special Lease for Lot 254 following the property being handed back to the Crown in 1945 (NSW Land Registry Service n.d.). The lease was forfeit in 1972 and the Project area was granted to the Worimi Local Aboriginal Land Council by 1973 (AECOM 2015:18, NSW Land Registry Service n.d.). The 1973 Parish of Tomoree map indicates Lot 254 had been also been gazetted as Mineral Lease 16 for Zircon and Rutile at the time of the map survey, although it is not clear if mining occurred in the Project area (NSW Land Registry Service n.d.). The Worimi LALC sold the lot to Patra Holdings in c.2000 (AECOM 2015:22). Patra Holdings developed an olive and fig farm on the property and constructed a homestead group in the south-east of the Project area, which remains extant into the present (AECOM 2015:22, Conway 2024).

3.5 Chronology

Table 3.2 presents a summary of the above historical context for the Project area.

Table 3.2 Chronology of land use for the Project area

Date	Event
Exploration and early of Port Stephens	
Pre-1788	The Project area is located in the traditional Country of the <i>Maiangal</i> nurra of the Worimi nation.
1770	Lieutenant James Cook notes the presence of and names Port Stephens.
1788-1795	Various European exploration expeditions of the Port Stephens region by sea.
1790-1794	Five escaped convicts come ashore north of Newcastle and reside with the Worimi until they return to Sydney.
1797	Lieutenant John Shortland surveys the Hunter River and Fullerton Cove and reports the area is rich in natural resources and has potential for settlement.
1801-1802	Governor King sends troops and convicts to Newcastle to establish a penal settlement. The expedition is unsuccessful.
1804-1822	Governor King once again sends troops to establish the “King’s Town” penal settlement at Newcastle. Newcastle functions as a penal settlement.
e. 1800s	Fisherman work in the Port Stephens area.
1811 and 1812	Governor Macquarie visits the Port Stephens area and notes the land around the Port is not suited for agriculture.
1816	Commercial cedar getting begins on the north side of Port Stephens.
1822	The Newcastle penal settlement is closed and the surrounding districts area open for free settlement. Captain William Cromarty is granted 300 acres on the north of the Karuah River, but his grant is relocated to Soldiers Point in 1824.
1826	The Australian Agricultural Company establishes a headquarters at Carrington to oversee their 1-million-acre Port Stephens grant.
Settlement of Bobs Farm	
c. 1820s-1850s	A convict by the name of Bob is said to covert land at Bobs Farm to settle upon but dies before he is freed.
1850s- c.1920s	Magnus Cromarty is granted a c. 350 acres (141.6 ha) at Bobs Farm, north-east of the Project area and the Cromarty family establish a farm.
c. 1889	The Project area forms part of Mineral Lease potions 30 and 31 in the parish of Tomaree.
1911	Nelson Bay Road is established by this time and is improved in the 1920s.

Date	Event
pre-1941	HR Upton is named as leaseholder of the Project area. The Upton family resided north of the Project area from c. 1880.
Bobs Farm cadre and evacuation camp	
November 1941	Upton forfeits the lease of Lot 254, and the Project area is taken up by the Department of Defence for the establishment of a Cadre Camp.
17 December 1941	Australian and Dutch troops land in the neutral Portuguese Timor.
February 1942	Japan lands troops in both Portuguese and Dutch controlled Timor. Dutch Timor falls to the Japanese on 23 February, and allied troops are pushed into the mountains of Portuguese Timor to fight guerrilla warfare and area assisted by locals.
November 1942-February 1943	Evacuations of individuals and the families of the Portuguese, Timorese and mixed-race locals, who assisted Australian commandos. Australia and Dutch forces withdraw from Timor.
January-September 1943	Timor evacuees are brought to Bobs Farm camp. The evacuees reside in huts or tents, and a hospital, school and church are established in camp. The Defence Force, local charitable organisations, and the local community support the day to day running of the camp.
22 March 1944	The last evacuees leave Bobs Farm to be relocated to private residences across northern NSW.
January 1945	The Bobs farm camp is dismantled.
July 1945	The Project area reverts to Crown Land.
Post-camp land use	
c.1945	The Upton family retains the leasehold for the Project area.
c.1972	The Project area is granted to the Worimi Local Aboriginal Land Council.
c.2000- present	The project area is sold to Patra Holdings and an olive and fig farm is established on the property, fronting Nelson Bay Road.

3.6 Land disturbance

A review of the available historical imagery in Table 3.3 provides insights into the transformation of the Project area and its surroundings.

The Project area is located in the traditional Country of the *Maiangal* nurra of the Worimi language group (1974:201–202). Although Port Stephens was subject to exploration and commercial enterprises from 1788, settlement did not occur in the region until 1822 (Hunter 2001). Moreover, settlement of Bobs Farm did not occur until the 1850s, with the first grant c.2 km north-east of the Project area. Settlement in and/or around the Project area did not occur until the Upton family established their farm north of the Project area in the c. 1880s (AECOM 2015:18).

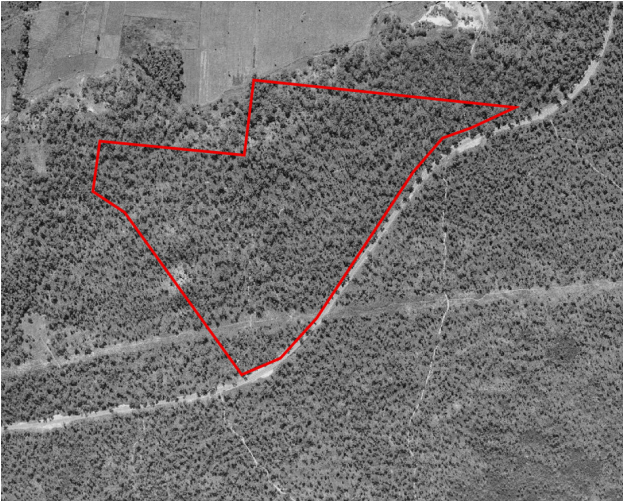
The Project area formed part of Mineral Lease portions 30 and 31 from c.1889 but it is not clear what the mineral lease pertained to and if mining occurred in the Project area. The Upton family leased the Project area from the Crown prior to 1941 (AECOM 2015, p. 16). It is likely the Project area formed and extension of the Upton family's farming activity, perhaps as grazing land, but the Department of Defence's interest in the property as a potential cadre training camp site suggests high bushland coverage over the property in 1941.

The cadre camp became a residential camp for evacuees from Portuguese Timor between January 1943 and March 1944. The evacuation camp is believed to have been located in the north portion of the Defence site and connected to Nelsons Bay Road via a gravel driveway (AECOM 2015, Conway 2024). As part of camp works an area was cleared of native flora and 18–19 wood huts and an unknown number of tents were erected over the clearing (AECOM 2015, Conway 2024). Sewage treatment facilities and water reticulation systems were present in the camp and, despite an on-site incinerator, refuse was disposed of through burial in kerosene cans “over the hill from the camp” (AECOM 2015:18). The camp was dismantled in 1945 and a few years after its closure traces of the camp were no longer visible above ground.

The Project area returned to form part of the Upton family’s leasehold following the closure of the camp and it is likely similar activities to those seen pre-war occurred on the property. Aerial photographs of the Project area are available from 1954 and show post-camp development. The 1954 aerial shows the Project area was heavily vegetated and one north/south track was visible leading into lot from Nelson Bay Road. An east-west clearing was cut through the property by that time, likely representing the telephone/transmission line seen in the 1911 map of the Project area. Little change occurred in the Project area over the decades following the widening of the transmission line between 1954 and 1966. The beginning phases of the current olive farm are visible in the 2001 aerial photograph. At present the olive and fig farm covers a large portion of the east of the Project area but the north and west of the property appears to be undisturbed bushland.

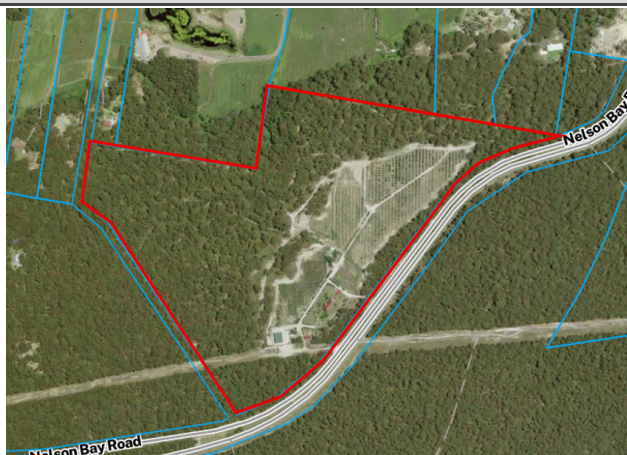
Table 3.3 Historical aerial imagery

Aerial photograph – Project area outlined in red	Year of photograph and description
	1954 • The Project area is heavily vegetated. Areas to the east, west and south of the Project area are also bushland. • A north/south track is visible running into the property from Nelson Bay Road (shown by the white arrows). • An east-west track or siding is visible running parallel to Nelson Bay Road at the north-east boundary of the property. • A straight clearing, likely for a telephone line, cuts through the Project area. • Nelson Bay Road is present east of the Project area. • Land north of the Project area has been cleared for farmland. Source: Historical Imagery Viewer 253_E_KEY_N_041
	1966 • Few visible changes to the Project area beyond widening of the telephone/transmission line. Source: Historical Imagery Viewer 1464_1N_138

Aerial photograph – Project area outlined in red	Year of photograph and description
	1975 • No visible change within the Project area. • Nelson Bay Road is paved. Source: Historical Imagery Viewer 2299_05_112
	1998 • No visible change within the Project area. • Development to Nelson Bay Road south-west of the Project area. • Development of the farmland north of the project boundary. Source: Historical Imagery Viewer 4455_04_043
	2001 • A homestead group has been constructed in the south-east of the Project area. These buildings form part of the current homestead. • A portion of the north-east of the Project area has been cleared and turned over to plantation. • The current property lot boundary has been cleared and fenced. Source: Historical Imagery Viewer 253_E_KEY_N_041

Aerial photograph – Project area outlined in red

Year of photograph and description



Current

- The homestead group and plantation have been extended along the east boundary of the Project area.
- The north and west of the Project area continues to be covered by bushland.

Source: SixMaps

4 Archaeological potential

4.1 Introduction

The purpose of this report, at least in part, is to determine whether archaeological resources and or relics are likely to exist within the Project area that may be impacted by the proposed activity (Chapter 6) and to assess whether these resources are of heritage significance (Chapter 5). The assessment of archaeological potential is based on the definition of ‘relics’ set out in Section 4(1) of the *Heritage Act 1977* (NSW), as amended, as it applies to the historical context of the Project area.

This assessment has been undertaken as a desktop study and draws on the known historical development of the Project area, results of the 2015 AECOM investigation, interpretation of historical mapping and aerial photography, the regional archaeological context, and evidence of post-occupation disturbance. The definitions of archaeological potential and disturbance presented in Table 4.1 and Table 4.2 are provided as a reference framework only and have not been applied to formally grade archaeological sensitivity in the absence of site inspection or subsurface investigation.

Where the assessment identifies a residual or unverified possibility for archaeological material to be present, the likelihood that such material would meet the statutory definition of a relic is addressed through consideration of heritage significance in Chapter 5.

Table 4.1 Levels of archaeological potential applied to potential resources in the Project area

Level of archaeological potential	Explanation
High	Known, intensive activity has occurred (during the historical phase) that is likely to result in an archaeological resource. The activity is geographically constrained and is not likely to have been subject to subsequent disturbance.
Moderate	Known activity likely to result in an archaeological resource has occurred (during the historical phase). The activity is geographically constrained but may have been subject to subsequent disturbance.
Low	Known activity that may have resulted in an archaeological resource has occurred (during the historical phase). The activity is not geographically constrained and/or is likely to have been subject to substantial subsequent disturbance.
Unlikely	No known historical activity has been identified within a geographically constrained area that is likely to result in an archaeological resource and/or an area where subsequent subsurface impacts have been extensive.

Table 4.2 Definitions of disturbance levels informing assessment of archaeological potential

Level of disturbance	Definition
High	The historical site or feature has been subject to subsequent development that clearly demonstrates subsurface disturbance has taken place that would have a major impact on any archaeological deposits or relics.
Moderate	The historical site or feature has been subject to subsequent development that clearly demonstrates subsurface disturbance that would have an impact on any archaeological deposits or relics; however, archaeological evidence may remain.
Low	The historical site or feature has been subject to subsequent development however known subsurface disturbance has not been identified.

Level of disturbance	Definition
Nil	The historical site or feature has been subject to no known subsequent development of subsurface impacts that would have a direct impact on any archaeological deposits or relics.

4.2 Archaeological potential

Desktop analysis indicates that there are no known or confirmed historic archaeological resources within the Project area. A localised and unverified possibility for subsurface material associated with the former Bobs Farm Cadre and Timor Evacuation Camp, occupied between 1943 and 1944, has been identified in the northern region of the Project area based on previous investigations undertaken by AECOM in 2015 (Plate 4.1).

Regional investigations across the Stockton Bight dune system consistently characterise historic European land use as transient and low intensity, with limited formation and survival of intact archaeological deposits. Ongoing dune mobility and geomorphic reworking have substantially reduced the likelihood that stratified or intact historic deposits are preserved within this landscape, a regional context that is directly applicable to the Project area.

The Project area intersects the curtilage of the former RNE listing for the Newcastle Bight Coastal Area and is located approximately 68 m west of the Stockton Beach Dune System, which is recognised under local environmental planning controls. These listings acknowledge the broader coastal landscape as having scientific, scenic and historical associations at a regional scale. However, the RNE listing does not identify discrete historic archaeological sites or relics within the Project area, nor does it define areas of archaeological sensitivity. Similarly, recognition of the Stockton Beach Dune System under the LEP relates primarily to natural, geomorphic and Aboriginal cultural heritage values rather than historic archaeological remains. Proximity to these listed landscapes does not indicate an elevated likelihood of historic archaeological relics within the Project area.

Interpretation of historical aerial photography indicates the presence of a possible former track or path visible in the 1954 aerial imagery, extending generally southeast to north-west and terminating within the Project area. This feature is not associated with known structures or facilities and does not intersect the Area of Archaeological Potential (AOP) identified by AECOM (2015). While linear movement features can, in some contexts, be associated with minor ancillary activity, there is no evidence to suggest that this feature represents durable infrastructure or activity likely to result in the formation of archaeological relics. Any material potentially associated with the former track would be expected to be ephemeral, disturbed and of limited integrity.

The AECOM AOP relates to the inferred location of the former Bobs Farm Cadre and Timor Evacuation Camp. That assessment did not identify confirmed archaeological deposits or surface evidence and did not apply graded levels of archaeological potential. Review of the current proposal confirms that only a small portion of the northeastern section of the Project area intersects this inferred area, with the majority of the Project area located outside it.

Within the limited area of overlap, there remains a residual and unconfirmed possibility for subsurface material associated with the former camp. However, the short duration of occupation, dismantling of the camp, absence of surface evidence, highly mobile dune environment and subsequent land disturbance substantially reduce the likelihood that intact or significant archaeological deposits survive. While the inferred camp area represents the most plausible location for historic material within the broader landscape, the likelihood of encountering archaeological relics within the current Project area is low.

Post-war land use across the Project area has generally been low intensity. However, later agricultural activity, plantation establishment, clearing, building works and service installation, particularly toward the eastern portion of the site, have resulted in varying levels of subsurface disturbance. This disturbance history further limits the potential for survival of intact historic archaeological deposits.

Based on available desktop information, no confirmed archaeological sites of the historic period are recorded within the Project area.

A localised, unverified possibility exists for subsurface material associated with the 1943–1944 Bobs Farm Cadre and Timor Evacuation Camp, limited to the northeastern edge of the Project area where it overlaps with the AOP identified by AECOM (2015). No surface evidence or structural remnants have been recorded.

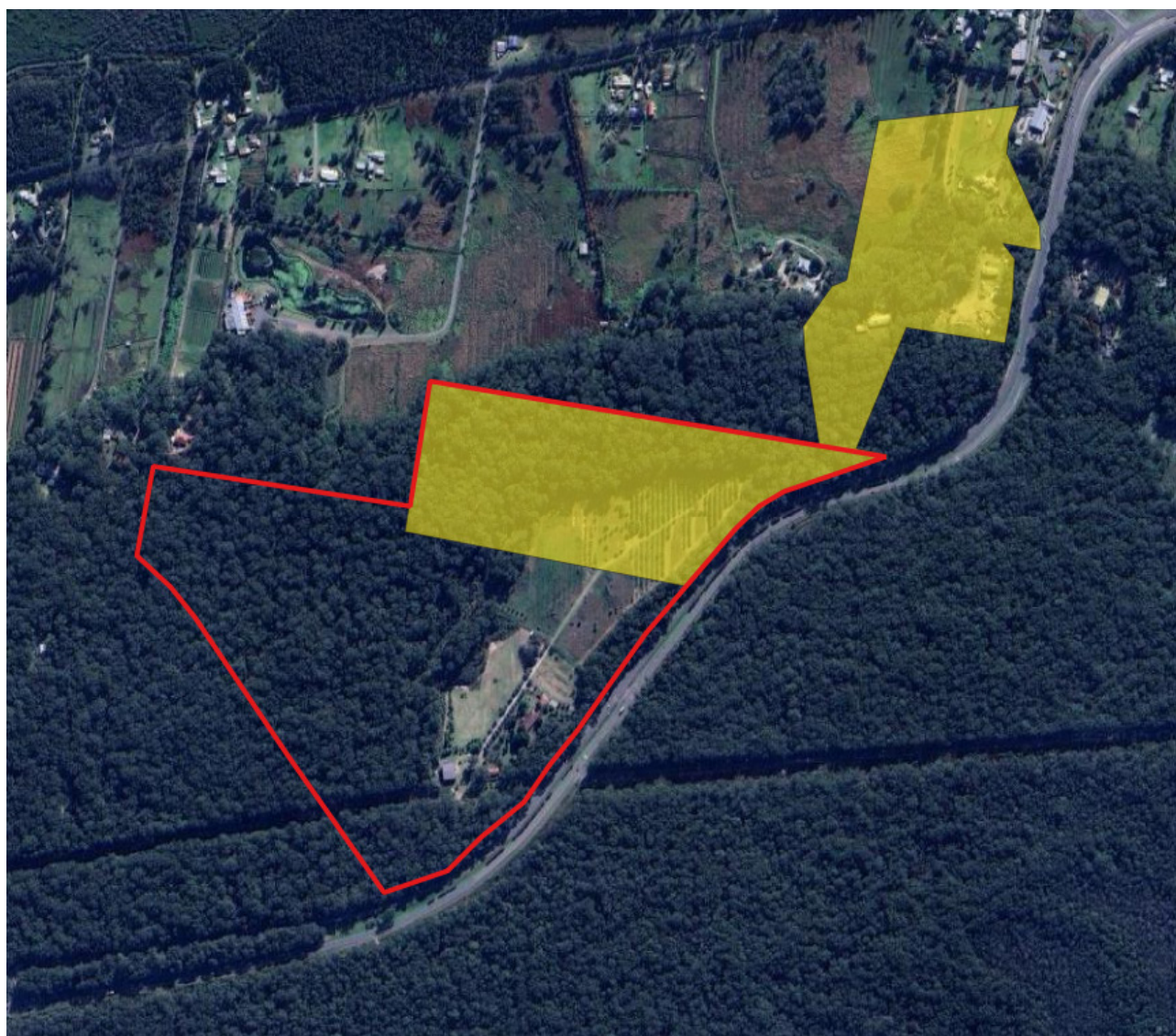
The archaeological integrity of any such material is expected to be very low due to:

- short duration of occupation
- documented dismantling of the camp
- highly mobile Holocene dune system
- post-war agricultural use and recent horticultural development
- absence of intact surface indicators.

Under the Heritage Act 1977, an item is only a ‘relic’ if it relates to non-Aboriginal settlement and is of State or local heritage significance.

Given the low likelihood of survival, expected disturbance, and limited research potential, any material (if present) is unlikely to meet this significance threshold and therefore unlikely to constitute a relic under the Act.

Archaeological risk is therefore considered low and is appropriately managed through a project-wide Unexpected Finds Procedure (UFP) (see Section 7.3).



Source: AECOM (2015); Metromaps (2026)

Note: Approximate location of the Project area shown in red, AECOM AOP in yellow.

Plate 4.1 Approximate area of archaeological potential (AECOM 2015)

Table 4.3 Summary of archaeological potential in the Project area

Historical phase	Archaeological potential	Possible resources	Disturbance levels
Pre European settlement	Unlikely	Nil	Low to moderate, due to natural dune mobility and geomorphic reworking.
Early European rural use	Limited	Isolated subsurface artefact scatters or minor activity related deposits.	Moderate, associated with agricultural use, clearing and land modification.

Historical phase	Archaeological potential	Possible resources	Disturbance levels
WWII military use (1943–1944)	Localised and conditional	Dispersed subsurface artefact scatters, minor structural remnants such as brick piers or footings, and localised refuse deposits associated with the former Bobs Farm Cadre and Timor Evacuation Camp (limited to the northeastern portion of the Project area where the AECOM AOP intersects).	Moderate to high, due to short term occupation, camp dismantling, dune mobility and subsequent land use.
Post war agricultural and rural use	Unlikely	Nil.	Moderate to high in developed and modified areas; low in less disturbed areas.

5 Significance assessment

5.1 Key findings

No historic heritage items or confirmed archaeological relics have been identified within the Project area. In the absence of identified items or relics, a formal item-based assessment against the NSW heritage criteria (A–G) has not been undertaken, as no heritage items or relics have been identified. The criteria have instead been applied at a threshold level to determine whether any potential material would be capable of meeting the statutory definition of a relic under the *Heritage Act 1977* (NSW).

Previous assessment by AECOM (2015) concluded that any archaeological remains associated with the former Bobs Farm Cadre and Timor Evacuation Camp, should such material exist, would be of local heritage significance at most. That conclusion was based on the short duration of occupation, dismantling of the camp, absence of confirmed deposits, and limited research potential.

Review of the current proposal confirms that these conclusions remain applicable, noting the reduced project footprint, limited overlap with the inferred AOP, subsequent land disturbance, and the highly mobile dune environment.

On this basis, any material potentially encountered within the Project area would be unlikely to satisfy the threshold for local or State heritage significance required to constitute a relic under the *Heritage Act 1977* (NSW).

5.2 Comparative analysis

A formal comparative analysis has not been undertaken as part of this assessment, as no historic heritage items or confirmed archaeological relics have been identified within the Project area.

In lieu of item based comparison, regional and site-specific contextual studies, including AECOM (2015) and broader investigations of the Stockton Bight dune system, have been relied upon to assess whether any hypothetical archaeological material would demonstrate rarity, representativeness, or research potential sufficient to meet local or State significance thresholds.

Those studies consistently indicate that historic European activity within the dune system was transient and low intensity, and that the survival of intact archaeological deposits is unlikely due to geomorphic reworking and subsequent land use.

5.3 The significance framework

The heritage significance criteria are reproduced to provide context for how significance would be assessed if historic heritage items or archaeological relics were identified.

In the absence of identified items and in the absence of field-based investigation, the criteria have been applied conceptually to assess whether any unanticipated material would reasonably be expected to demonstrate historical, associative, aesthetic, social, research, rarity or representative values at a level sufficient to meet statutory relic thresholds.

This approach is consistent with Heritage NSW guidance for desktop assessments where archaeological potential is assessed as low and where prior investigations have not identified intact deposits.

The criteria against which heritage significance has been assessed are reproduced in Table 5.1.

Table 5.1 **NSW heritage assessment criteria**

Criterion	Explanation
a)	An item is important in the course or pattern of NSW's (or the local area's) cultural or natural history (Historical Significance).
b)	An item has strong or special association with the life or works of a person, or group of persons of importance in NSW's (or the local area's) cultural or natural history (Associative Significance).
c)	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area) (Aesthetic Significance).
d)	An item has a strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons (Social Significance).
e)	An item has the potential to yield information that will contribute to an understanding of NSW's (or the local area's) cultural or natural history (Research Significance).
f)	An item possesses uncommon, rare or endangered aspects of NSW's (or the local area's) cultural or natural history (Rarity).
g)	An item is important in demonstrating the principal characteristics of a class of NSW's (or the local area's) cultural or natural places or environments (Representativeness).

Source: Assessing heritage significance (NSW Heritage Office 2001:9).

5.4 Significant cultural landscapes

Cultural landscapes come in different forms, from having the appearance of wilderness to countryside to urban areas. The common factor that all cultural landscapes possess is they are a moment in time in a continuum of change created by human action (Meinig 1979).

Cultural landscapes can be broadly defined as designed, evolved or associative (ICOMOS (Australia) 2013), with designed landscapes being largely represented by gardens; evolved landscapes by development; and associative landscapes being more indebted to the intangible, the religious or sacred. Cultural landscapes are also dynamic (Iain Stuart 1997:28), regardless of the pace of change.

The significance of a landscape is dependent on how it reflects values of the heritage standards in Australia and the Burra Charter, which was developed to reflect the values of the community. Interpretability is an important factor, i.e. the ability of a landscape to tell a story is a socially and scientifically valuable attribute. So, while all human interactions with nature result in the formation of cultural landscapes, significance varies depending on what values can be identified and interpreted.

The dominant cultural landscape type within and around the Project area is an evolved landscape, reflecting historical patterns of coastal navigation, resource use, defence related activity, recreation, and infrastructure development in the broader Stockton and Newcastle region. These activities have influenced the landscape indirectly and intermittently, without creating permanent or legible built form within the dune system. Any physical traces have been repeatedly reworked or removed by ongoing coastal and aeolian processes.

Associative cultural landscape values occur at a regional scale, particularly in relation to Aboriginal cultural connections to Stockton Bight and Worimi Country. Within the Project area, however, these values are not expressed through visible or intact historic landscape elements associated with European settlement. Designed cultural landscapes are not present.

While landscape scale heritage values are recognised at a regional level, including for the Stockton Beach Dune System and Newcastle Bight Coastal Area, these values are not expressed within the Project area through identifiable historic fabric, spatial organisation, or interpretable landscape elements associated with European settlement. Accordingly, the Project area does not constitute a significant historic cultural landscape.

5.5 Assessment of sites in the development footprint

No historic heritage items or archaeological sites have been identified within the Project area and, accordingly, no new item-based assessment against the NSW heritage criteria has been undertaken.

Previous investigations, including AECOM (2015), indicate that any archaeological material potentially associated with the former Bobs Farm Cadre and Timor Evacuation Camp would, if present, be of local heritage significance at most and unlikely to meet the statutory threshold for significance as a relic under the Heritage Act (NSW). That conclusion remains applicable to the current proposal, noting the absence of surface evidence and the limited intersection between the Project area and the inferred AOP.

While a residual possibility remains that subsurface archaeological material may be encountered, no material has previously been identified that meets the statutory definition of a relic and any such material is unlikely to meet the threshold for heritage significance under the Heritage Act (NSW).

6 Heritage impact assessment

This section constitutes the Statement of Heritage Impact for the Project in accordance with the NSW Heritage Council's *Guidelines for Preparing a Statement of Heritage Impact* (Department of Planning and Environment (NSW) 2023b).

6.1 Background to assessing impacts

The assessment of a project's impacts to the heritage significance of a place or an item is to understand change, if it is beneficial to the place or item, and how changes can be managed to best retain significance. The historical landscape in Australia, be it rural or urban, is by social agreement, a significant aspect of our identity. That agreement is codified in legislation, the intent of which is to encourage the conservation of cultural heritage by incorporating it into development where feasible. In many situations avoiding impacts is impossible, but the aim is to reduce those impacts by either project re-design or managing the loss of information through methods that reduce and/or record significance before it is removed.

The framework around assessing significance and therefore suitable levels of impact is to understand how the place or item came to be, how important it was (and may be still) in the development of the local area or the state (the colony at the time) and providing guidance on its management. This is what this report aims to do.

In the absence of identified historic heritage items or archaeological relics within the Project area, the assessment of heritage impacts focuses on the potential for unanticipated archaeological material to be encountered during ground-disturbing works and the appropriate management of that risk. While the NSW heritage criteria have not been applied to a specific item, the framework has been used to assess whether any unanticipated material would reasonably be expected to meet local or State significance thresholds.

6.2 Consideration of Alternatives

No historic heritage items or archaeological sites have been identified within the Project area that would require avoidance or alternative design responses. The Project area has been refined and downsized since the 2015 assessment, resulting in a reduced footprint and limiting overlap with the inferred AOP associated with the former Bobs Farm Cadre and Timor Evacuation Camp.

Given the absence of identified heritage constraints, no heritage-driven alternatives were required as part of the project design.

6.3 Types and sources of impact

In the absence of identified historic heritage items or archaeological sites, the primary potential heritage impact associated with the proposal relates to the disturbance of land surfaces and subsurface deposits during construction activities, which may result in the unanticipated discovery of archaeological material.

Ground disturbance will be limited to staged surface extraction areas and associated infrastructure zones, with extraction confined to shallow depths and avoiding defined buffer areas.

Table 6.1 Summary of project activities

Phase	Activity	Description
Construction	Site preparation	Vegetation clearance and topsoil removal
Construction	Earthworks	Excavation for infrastructure and services
Commissioning	Minor works	Trenching and reinstatement

Phase	Activity	Description
Operation	Maintenance	Occasional shallow ground disturbance

6.4 Levels of impact

Under the *Material Threshold Policy* (Heritage NSW 2020), the impact assessment must assess the proposed works against the listed criteria. The listed criteria are defined as the assessment against the heritage significance criteria in the SHR listing. For example, if a site is listed criteria a) historical, b) association, e) research potential and f) rarity, then the impact assessment needs to determine whether the project would erode (or impact) the ability of the item to demonstrate significance under those four criteria.

No historic heritage items or archaeological relics have been identified within the Project area and, accordingly, no assessment of impacts against heritage significance criteria has been undertaken.

In the event that unanticipated archaeological material is encountered during works, the scale of impact would be determined at that time based on the nature, extent and significance of the material identified, in consultation with Heritage NSW and in accordance with the Heritage Act (NSW).

The likely impacts identified below are expressed in relation to heritage significance, noting that no historic heritage items or archaeological relics have been identified within the Project area.

6.5 Direct impacts

No direct impacts to historic heritage items or archaeological relics are predicted because no such items occur within the Project area.

Ground-disturbing works have a residual potential to encounter unanticipated archaeological material of low significance. This does not constitute a predicted direct impact but is a manageable project risk to be addressed through an Unexpected Finds Procedure.

Table 6.2 Potential direct impacts to items of historical heritage within the Project area

ID	Heritage Item Name	Potential impact	Matters for consideration impacted	Likely scale impact
-	None identified	No direct impacts to known historic heritage items. Residual risk of encountering unanticipated archaeological material during ground disturbance.	Historic archaeology (unanticipated finds only)	Little to no impact (managed through Unexpected Finds Procedure in accordance with the Heritage Act and Material Threshold Policy).

6.6 Indirect impacts

The proposal will not affect the fabric, setting, views or significance of any statutory historic heritage item.

For LEP Item I34 (Stockton Beach Dune System), the Project area lies outside the listed boundary and will not modify dune landforms, heritage fabric, or landscape processes. Any potential indirect effects (e.g. dust) will be mitigated through standard construction controls, and impacts are assessed as little to none.

For the Newcastle Bight Coastal Area (RNE 19510), heritage values are expressed at a broad landscape scale. As an archival, non-statutory listing, it does not impose constraints at this stage. No values identified in the RNE record would be materially affected by the proposal.

Overall indirect impact rating: Little to no impact.

Table 6.3 **Potential indirect impacts to items of historical heritage within the study area**

ID	Heritage Item Name	Potential unmitigated impact	Likely impact
RNE 19510	Newcastle Bight Coastal Area	No change to landscape-scale values or identified heritage attributes.	Little to no impact on the heritage values for which the place is recognised.
I34	Stockton Beach Dune System	No change to fabric, setting or significance.	Little to no impact on the heritage values for which the place is recognised.

6.7 Statement of heritage impact

The proposed development will result in little to no impact on historic heritage significance. No historic heritage items or confirmed archaeological relics have been identified within the Project area, and the proposal will not modify the significance, fabric, views, or setting of any statutory heritage item.

A residual possibility exists for unanticipated archaeological material to be encountered during excavation. Based on available evidence, any such material is unlikely to meet the statutory definition of a relic under the Heritage Act and can be appropriately managed through the implementation of an Unexpected Finds Procedure.

The Project does not have the potential to alter the heritage values recognised in the nearby Stockton Beach Dune System (LEP Item I34) or the archival Newcastle Bight Coastal Area (RNE 19510).

Accordingly, the Project is assessed as having little to no heritage impact, consistent with the NSW *Guidelines for preparing a Statement of Heritage Impact* (2023b).

7 Conclusions and management

7.1 Conclusions

This heritage assessment identified no historic heritage items, no confirmed archaeological relics, and no areas of high archaeological sensitivity have been identified based on available desktop evidence.

A small portion of the northeastern boundary overlaps the AOP for the former 1943–1944 camp identified by AECOM (2015). The current proposal has a reduced development footprint compared to the 2015 assessment and archaeological integrity is expected to be low.

Given the dismantling of the former camp, the mobile dune environment, later agricultural modification, and current horticultural development, the likelihood of encountering intact or significant archaeological relics is low.

The proposal lies outside the boundary of the nearest statutory heritage item (LEP I34 Stockton Beach Dune System) and will not affect its significance. No material effects are predicted for the non-statutory Newcastle Bight Coastal Area.

Overall, the proposed development will result in little to no impact on historic heritage significance.

7.2 Heritage management objectives

The overarching objective in managing historic heritage is the avoidance of impacts to heritage significance, consistent with the principles of the Burra Charter (ICOMOS (Australia) 2013).

Where avoidance is not practicable, heritage risk should be managed in a manner proportionate to the level of significance and certainty. In this case, no confirmed heritage items or defined areas of archaeological sensitivity have been identified within the Project area. Accordingly, management focuses on precautionary procedures to address the residual possibility of unanticipated discoveries rather than pre-emptive investigation or mitigation.

7.3 Proposed management measures

The management measures outlined in Table 7.1 are recommended.

Table 7.1 Proposed mitigation and management measures

Phase	Mitigation and management measures
Detailed design	No heritage specific design changes required. Project design maintains physical separation from the Stockton Beach Dune System (LEP Item I34) boundary.
Pre-construction	Incorporate an Unexpected Finds Procedure into the Construction Environmental Management Plan (CEMP).
Construction	Implement the Unexpected Finds Procedure. If potential archaeological material is encountered: (1) stop work; (2) secure the area; (3) consult a qualified archaeologist; (4) determine significance and correct statutory pathway (s139(4) exception or s140 permit); and (5) notify Heritage NSW under s146 if a potential relic is identified.
Operation	No ongoing historic heritage management measures required.

Particular attention should be given to the northern portion of the Project area during ground-disturbing works, where it overlaps the inferred AOP identified by AECOM (2015), noting that management of any unanticipated discoveries will be addressed through the Unexpected Finds Procedure. While archaeological risk is assessed as low, statutory obligations under the Heritage Act apply if material is encountered, irrespective of the predicted likelihood of occurrence.

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