

Bobs Farm Sand Project

Historic Heritage Assessment

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10-Aug-2020

Job No.: 60328699

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Quality Information

Document Bobs Farm Sand Project
60328699
Ref c:\aecom jobs\bobs farm 2020\aecom_60328699_bobs farm
historic_2015_03_27_fnl.docx
Date 10-Aug-2020
Prepared by Susan Lampard
Reviewed by A. McLaren / K. Pearsall

Revision History



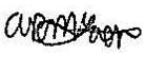

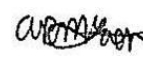
Rev	Revision Date	Details	Authorised	
			Name/Position	Signature
A	06-Nov-2014	Technical Review	A.McLaren / Archaeologist	
B	07-Nov-2014	QA Review	Kelly Pearsall / Associate Director - Environment	
C	05-Feb-2014	Revised Draft	A.McLaren / Archaeologist	
D	27-Mar-2015	Final	Kelly Pearsall / Associate Director - Environment	
E	10-Aug-2020	Final - Updated Project Area	A.McLaren / Principal Aboriginal Heritage Specialist	

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Executive Summary

AECOM Australia Pty Ltd (AECOM) was commissioned by Tattersall Lander Pty Ltd (Tattersall Lander), on behalf of Ammos Resource Management Pty Ltd (Ammos Resource Management), to undertake an historic heritage assessment for the Bobs Farm Sand Project (the Project), off Nelson Bay Road, at Bobs Farm, NSW. This assessment is to form part of an Environmental Impact Statement (EIS) being prepared by Tattersall Lander to support an application for State Significant Development Consent under Division 4.1 of Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the Project. The Project would involve the establishment of a sand quarry with an estimated extraction and processing rate of approximately 750,000 tonnes per annum. This report documents the results of AECOM's historic heritage assessment.

While there were European settlers in the Bob's Farm area from the 1820s, the northern portion of the Project area was not granted until the late 1870s or early 1880s to T.R Upton, later being transferred to Henry Upton. The southern portion of the Project area was not sold until 1948, following its use during World War II as a camp for Portuguese and Timorese evacuated from Timor before its fall to the Japanese. The Camp was almost certainly located towards the northern boundary of this grant, close to T.R. Upton's land and within the Project boundary. It is known that the Camp disposed of some waste off-site, however some was buried within walking distance. Archaeological deposits associated with the Camp therefore have the potential to be preserved within the Project area. These potential archaeological deposits have been assessed as holding historic, research and rarity values. There is no known plan of the Camp during its operation. The location of the huts, tents and refuse disposal area (which may have archaeological potential and significance) can therefore not be identified with any certainty. However, as Henry Upton offered to buy one of the water tanks associated with the Camp, which was located on his land, it can be presumed that the huts are likely to have been located in the northern section of the site.

A search of the relevant heritage registers was undertaken. No sites were identified within the Project area. One item, the Stockton Beach Dune System listed on the statutory *Port Stephens LEP 2013* and the non-statutory Register of the National Estate (RNE), is located directly adjacent to the Project area. Two further items of local interest were identified to the north of the Project area. The Bobs Farm School and the Bobs Farm Hall, which held a pivotal place in the local community, are located adjacent to the northern section of the Project area.

An impact assessment was undertaken, which determined that no direct impacts have been identified as a result of the Project at this time. However, there is potential for archaeological deposits or relics associated with the Bobs Farm Cadre Camp to be preserved within the Project area. The location, extent and nature of these deposits are unknown, as no surface expression has been located. Should deposits be located within the Project area, the Project would result in direct impacts to the deposits. No indirect impacts, as a result of increased vibrations or visual alterations, have been identified to items identified in the vicinity of the Project area. This is because the Project will not use blasting as an extraction method and the mine layout retains an adequate vegetation screen to ensure the mine is not visible from public space.

No Statements of Heritage Impact (SoHIs) are required as no quantifiable impacts have been determined. A Historic Heritage Management Plan (HHMP) is also not warranted as there are no items within the Project area that will require on-going management. It is therefore considered that the Project's Environmental Management Plan (EMP) will be able to adequately manage and protect the heritage values of the Project area. It is recommended that the EMP include contingency policies for the management of unexpected historic heritage finds and skeletal remains. It is also recommended that a suitably qualified archaeologist be engaged to prepare an Archaeological Research Design and Methodology prior to undertaking a watching brief with test and salvage excavation, if warranted, during vegetation clearance within areas of high archaeological potential.

1.0 Introduction and Background

1.1 Introduction

AECOM Australia Pty Ltd (AECOM) was commissioned by Tattersall Lander Pty Ltd (Tattersall Lander), on behalf of Ammos Resource Management Pty Ltd (Ammos Resource Management), to undertake an historic heritage impact assessment for the Bobs Farm Sand Project (the Project), off Nelson Bay Road, at Bobs Farm, NSW (**Figure 1**). This assessment is to form part of an Environmental Impact Statement (EIS) being prepared by Tattersall Lander to support an application for State Significant Development Consent under Division 4.1 of Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the Project, which will involve the establishment of a sand quarry with an estimated extraction and processing rate of approximately 750,000 tonnes per annum. This report documents the results of AECOM's historic heritage assessment.

1.2 Assessment Objectives

The overarching objectives of this assessment were as follows:

- to identify the historic heritage values of the Project area through background research and archaeological survey;
- to assess the potential impact(s) of the Project on these values;
- to provide an appropriate management strategy for avoiding and/or mitigating potential harm to identified values; and
- to compile an historic heritage assessment report that will assist the Director General of the DP&E in his/her assessment of the Project application.

1.3 Project Area

The Project area for this assessment, shown on **Figure 1**, is an irregularly-shaped 50 ha parcel of land located in the sparsely populated rural suburb of Bobs Farm, approximately 25 km east-northeast of the City of Newcastle and 7 km west-northwest of the township of Anna Bay on the Hunter Valley's Coastal Plain. The Project area is located within the Newcastle Bight embayment, the largest sedimentary basin of Quaternary age in the greater Port Stephens-Myall Lakes area (Thom *et al.* 1992). Aeolian sand dunes within the Project area form part of the Outer Barrier of the Newcastle Bight Sand Dune System, an intensively investigated geomorphological complex consisting of an inner Pleistocene barrier (the 'Inner Barrier'), an outer Holocene barrier (the 'Outer Barrier') and a broad interbarrier depression filled with Holocene estuarine swamp deposits (the 'Interbarrier Depression') (Thom *et al.* 1981, 1992).

Largely vegetated, the Project area is bounded to the south and east by Nelson Bay Road, to the north by Marsh Road and rural residential allotments and to the west by native bushland. Surrounding suburbs include Anna Bay to the east, Oyster Cove and Tanilba Bay to the north and Salt Ash to the west. Parks and reserves in the local area include Worimi National Park, which borders Nelson Bay Road to the immediate south of the Project area, Worimi Regional Park, which adjoins Worimi National Park to the east, Tilligerry National Park to the west, Tilligerry State Conservation Area to the northwest and Tilligerry Nature Reserve to the northeast.

Topographically, the Project area is dominated by steep stabilised aeolian sand dunes associated with the oldest of the Outer Barrier's three transgressive long-walled 'ridges' (i.e., Ridge I) (Thom *et al.* 1992). In the northeastern portion of the Project area, Thom *et al.*'s (1992) stabilised Ridge I dunes abruptly give way to flat, low-lying and formerly swampy terrain associated with the Interbarrier Depression's now heavily drained Holocene estuarine plain. A similarly abrupt topographic transition occurs in the and central and western portions of the Project area, with the Ridge I dune field rapidly transitioning, towards Nelson Bay Road, into a low relief sand plain now largely occupied by a commercial fig/olive orchard and associated buildings.

Reference to the Geographical Names Register of NSW indicates that the Project area falls wholly within the boundaries of the Port Stephens Local Government Area (Port Stephens LGA) and is situated in the Parish of Tomaree in the County of Gloucester. Land within the Project area has been registered as Lot 10 on DP1071458, Lot 254 on DP753204 and Lot 51 on DP1015671.

1.4 The Project

Ammos Resource Management is seeking State Significant Development Consent under Division 4.1 of Part 4 of the EP&A Act for the Project, which would involve:

- the establishment of a sand quarry to extract and process sand at a rate of approximately 750,000 tonnes per annum, from a total sand resource of 10 million tonnes;
- construction of extractive materials processing and transport infrastructure;
- transportation of extractive materials off-site via roads; and
- site rehabilitation.

Ammos Resource Management proposes to stage the development and operation of the Project as follows:

- 1) Development Stage - involving the installation of an access location on Nelson Bay Road, initial clearing of the quarry site, the setting up of screening operations and the construction of a loading ramp, storage shed and main exit road;
- 2) Operational Stage 1 - involving the clearing and stockpiling of topsoil and production of initial sand material that is likely to be processed into landscape soil base and sports field top-dress material;
- 3) Operational Stage 2 - involving the processing of extracted blonde sand material for various product uses; and
- 4) Operational Stage 3 - involving the setting up of dredging operations and winning of sand material for various product uses.

Site access throughout the life of the Project would be off Nelson Bay Road. Key project activities would include:

- construction of extractive materials processing and transport infrastructure;
- bulk handling of sand material using front end loaders and trucks;
- staged vegetation clearance employing logging and mulching;
- screening and sizing of extracted sand material;
- washing of selected extracted sand material;
- dredging of sand material below the economic reach of mechanical equipment. Approximately 50% of the recoverable resource would be dredged;
- transportation of extractive materials off-site via roads; and
- site rehabilitation.

The conceptual layout of the Project is shown on **Figure 2**.

1.5 The Proponent

The proponent for the Project, Ammos Resource Management, is a registered Australian company (ACN: 164 981 686; ABN: 50 164 981 686) based in Glenhaven, NSW.

1.6 Director-General's Requirements

The Director-General of the NSW Planning and Environment (DP&E) issued the Director-General's Environmental Assessment Requirements (DGRs) for the Project on 21 March 2014. For historic

heritage, the DGRs require the completion of an historic heritage assessment (including archaeology) which must:

- Include a statement of heritage impact (including significance assessment) for any State significant or locally significant historic heritage items; and
- Outline any proposed impact mitigation and management measures (including an evaluation of the effectiveness and reliability of the measures).

Attachment 1 (Technical and Policy Guidelines) of the DGRs lists the *NSW Heritage Manual* (NSW Heritage Office & NSW Department of Urban Affairs and Planning 1996) and *The Burra Charter* (ICOMOS (Australia) 2013) as the relevant guidelines for the historic heritage component of the Project's EIS.

1.7 Project Team

The core project team for this assessment included various personnel from AECOM. Background research was undertaken by Georgie Oakes (Archaeologist) and Dr Susan Lampard (Archaeologist). The field survey was completed by Georgie and Dr Andrew McLaren (Archaeologist). This report was prepared by Dr Lampard.

Other AECOM staff involved in this assessment included Kelly Pearsall (Principal Environmental Planner) and Tim Osborne (Designer). Unless otherwise specified, all figures within this report were created by Tim. Technical and QA review of this report was provided by Andrew and Kelly respectively.

1.8 Limitations

A summary of the statutory requirements regarding historical heritage is provided in **Section 3.0**. This is provided based on experience with the heritage system in NSW and does not purport to be legal advice. It should be noted that legislation, regulations and guidelines change over time and users of the report should satisfy themselves that the statutory requirements have not changed since the report was written.





1.9 Report Structure

This report contains eight sections and is structured as follows:

- **Chapter 1 – Introduction.** This chapter introduces the Project and the proponent and describes the Project area.
- **Chapter 2 – Methodology.** This chapter defines the Project area assessed in this report and describes the steps undertaken in the assessment.
- **Chapter 3 – Legislative context.** This chapter outlines the relevant Commonwealth and State legislation relating to the assessment.
- **Chapter 4 – Historical Context.** This chapter summarises the historical development of the Project area in order to make predictions regarding the potential type and distribution of sites.
- **Chapter 5 - Existing environment.** This chapter describes the existing environmental values of the Project area relevant to historic heritage and archaeology; including results the of the field survey.
- **Chapter 6 – Impact assessment.** This chapter examines the potential impacts to historic heritage and archaeology associated with the construction and operation of the Project.
- **Chapter 7 – Mitigation measures.** This chapter outlines the proposed mitigation strategies to be implemented during the life of the Project to manage the potential impacts to historic heritage and archaeology.
- **Chapter 8 – Conclusion.** This chapter presents a conclusion to the report and presents the next steps in the advancement of the Project.

2.0 Methodology

This chapter describes the methodology used in preparing this historic heritage assessment, including heritage register searches, field survey of the Project area and significance assessment criteria.

2.1 Heritage Register Search

The following method was used to determine the listed heritage items within and adjacent to the Project area. A search was undertaken of the heritage schedules below through the Australian Heritage Database, the NSW State Heritage Inventory, maintained by the NSW Heritage Division, and the *Port Stephens Local Environment Plan 2013* (Port Stephens LEP) Environmental Heritage Schedule:

- World Heritage List;
- National Heritage List;
- Commonwealth Heritage List;
- Register of the National Estate (non-statutory);
- State Heritage Register;
- Section 170 Registers of relevant Government Agencies; and
- Schedule 5 of the Port Stephens LEP.

2.2 Field Survey Methodology

The field survey was undertaken on the 1st and 2nd October 2014 in conjunction with the Aboriginal heritage survey. The historical context did not indicate any areas of potential archaeological or historical significance and a general survey of the Project area was therefore considered to be appropriate.

Archaeological survey of Project area was undertaken over two days by a combined field team of two AECOM archaeologists and three Registered Aboriginal Party (RAP) field representatives per day. The survey focussed on enhanced areas of ground surface visibility, specifically, the light vehicle tracks that dissect the elevated ridge dune field area, the cleared power-line easement in the south western portion of the site and the heavily modified orchard area. The estuarine flat was visually inspected from Marsh Road. However, in view of universally poor ground surface visibility conditions (owing to a thick cover of native and introduced grasses) and the area's low archaeological potential, this area was not subject to pedestrian survey.

All survey was conducted on foot, with a total of 23 transects completed over the course of the survey. The location of each transect completed during survey, including start and end points, was recorded using one of two handheld differential GPS units, with associated transect data (e.g., levels of visibility and exposure) entered directly into the same unit upon the completion of each transect. Completed transects ranged from 62 to 793 m in length, with individual transect widths (1-20 m) conditioned largely by the width of pre-existing vehicle tracks and easements. Recorded transect data indicate that a total survey coverage of approximately 2.8 ha was achieved.

2.3 Significance Assessment Criteria

In order to understand how a development will impact on a heritage item it is essential to understand why that item is significant. An assessment of significance is undertaken to explain why a particular item is important and to enable the appropriate site management and curtilage to be determined. Cultural significance is defined in the Australia International Council on Monuments and Sites Charter for the conservation of places of Cultural Significance (the Burra Charter) as meaning "aesthetic, historic, scientific or social value for past, present or future generations" (Article 1.2). Cultural significance may be derived from a place's fabric, association with a person or event, or for its research potential. The significance of a place is not fixed for all time, and what is of significance to us

now may change as similar sites are located, more historical research is undertaken and community tastes change.

The process of linking this assessment with an item's historical context has been developed through the NSW Heritage Management System and is outlined in the guideline *Assessing Heritage Significance* (NSW Heritage Office 2001), part of the *NSW Heritage Manual* (NSW Heritage Office & NSW Department of Urban Affairs and Planning 1996). The *Assessing Heritage Significance* guidelines establish seven evaluation criteria (which reflect four categories of significance and whether an item is rare or representative) under which a place can be evaluated in the context of State or local historical themes. Similarly, a heritage item can be significant at a local level (i.e. to the people living in the vicinity of the site), at a State level (i.e. to all people living within NSW) or be significant to the country as a whole and be of National or Commonwealth significance.

In accordance with in the guideline *Assessing Heritage Significance* (NSW Heritage Office 2001) and the *Heritage Act 1977*, an item will be considered to be of State significance if it meets two or more of the assessment criteria at a State level. An item is assessed as being of local heritage significance if it meets one or more of the following criteria:

Criterion (a) – *an item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).*

The item must show evidence of significant human activity or maintain or show the continuity of historical process or activity. An item is excluded if it has been so altered that it can no longer provide evidence of association.

Criterion (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 cultural or natural history (or the cultural or natural history of the local area).*

The site must show evidence of significant human occupation. An item is excluded if it has been so altered that it can no longer provide evidence of association.

Criterion (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).*

An item can be excluded on the grounds that it has lost its design or technical integrity or its landmark qualities have been more than temporarily degraded.

Criterion (d) – *an item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.*

This criterion does not cover importance for reasons of amenity or retention in preference to proposed alternative.

Criterion (e) – *an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area). Significance under this criterion must have the potential to yield new or further substantial information.*

Under the guideline, an item can be excluded if the information would be irrelevant or only contains information available in other sources.

Criterion (f) – *an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area). The site must show evidence of the element/function etc proposed to be rare.*

Criterion (g) – *an item is important in demonstrating the principal characteristics of a class of NSW's (or local area's):*

- *Cultural or natural places; or*
- *Cultural or natural environments.*

An item is excluded under this criterion if it is a poor example or has lost the range of characteristics of a type.

The Heritage Council require the summation of the significance assessment into a succinct paragraph, known as a Statement of Significance. The Statement of Significance is the foundation for future management and impact assessment.

2.4 Statements of Heritage Impact

The objective of a Statement of Heritage Impact (SoHI) is to evaluate and explain how the proposed development, rehabilitation or land use change will affect the value of an historic heritage item. A Statement of Heritage Impact should also address how the heritage value of the site/place can be conserved or maintained, or preferably enhanced by the proposed works.

This report has been prepared in accordance with the NSW Heritage Office and Department of Urban Affairs and Planning's *NSW Heritage Manual* (1996) and the NSW Heritage Office *Statements of Heritage Impact* (NSW Heritage Office 2002). These guidelines pose a series of questions as prompts to aid in the consideration of impacts to identified historic heritage items. The questions vary in the guideline, depending on the nature of proposed impacts.

3.0 Legislative Context

3.1 Introduction

A number of planning and legislative documents govern how heritage is managed in NSW and Australia. The following section provides an overview of the requirements under each as they apply to the project.

3.2 Federal Controls

3.2.1 Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) took effect on 16 July 2000.

Under Part 9 of the EPBC Act, any action that is likely to have a significant impact on a matter of National Environmental Significance (known as a controlled action under the Act), may only progress with approval of the Commonwealth Minister for the Department of the Environment. An action is defined as a project, development, undertaking, activity (or series of activities), or alteration. An action will also require approval if:

- It is undertaken on Commonwealth land and will have or is likely to have a significant impact on the environment on Commonwealth land; and
- It is undertaken by the Commonwealth and will have or is likely to have a significant impact.

The EPBC Act defines 'environment' as both natural and cultural environments and therefore includes Aboriginal and non-Aboriginal heritage items. Under the Act protected heritage items are listed on the National Heritage List (items of significance to the nation) or the Commonwealth Heritage List (items belonging to the Commonwealth or its agencies). These two lists replaced the Register of the National Estate (RNE). The RNE has been suspended and is no longer a statutory list, however it remains as an archive.

The statutory registers mandated by the EPBC Act have been searched and there are no items listed within or adjacent to the Project area. The 'Newcastle Bight Coastal Area, Nelson Bay Rd, Fern Bay, NSW, Australia' is listed as an Indicative Place on the non-statutory RNE (ID #19510). The Indicative Place status indicates the item was under consideration for listing when the RNE was suspended. The item does not result in any statutory obligations for the Project.

3.3 State Controls

3.3.1 Environmental Planning and Assessment Act 1979

The EP&A Act allows for the preparation of planning instruments to direct development within NSW. This includes Local Environment Plans (LEP), which are administered by local government, and principally determine land use and the process for development applications. LEPs usually include clauses requiring that heritage be considered during development applications and a schedule of identified heritage sites be provided. The Port Stephens LEP 2013 applies to the project and is discussed further in Section 3.4.

Upon repeal of Part 3A of the EP&A Act on 1 October 2011, the *Environmental Planning and Assessment Amendment (Part 3A Repeal) Act 2011* inserted a new Division 4.1 in Part 4 of the EP&A Act. Division 4.1 provides for a new planning assessment and determination regime for State Significant Development (SSD). Section 89C of the EP&A Act stipulates that a development will be considered SSD if it declared to be such by the new *State Environmental Planning Policy (State and Regional Development) 2011* (SEPP SRD).

Under Clause 8(1) of SEPP SRD, a development is declared to be SSD if:

- The development on the land concerned is, by the operation of an environmental planning instrument, is permissible only with development consent under Part 4 of the EP&A Act, and
- The development is specified in Schedule 1 or 2 of the SEPP SRD.

The Project was declared to be a SSD as it meets both of these criteria.

Section 89J of the EP&A Act provides that an approval under Part 4, or an excavation permit under Section 139, of the *Heritage Act 1977*, is not required for the project as it is an approved SSD.

3.3.2 The Heritage Act 1977

The NSW *Heritage Act 1977* (as amended) was enacted to conserve the environmental heritage of NSW. Under Section 32, places, buildings, works, relics, moveable objects or precincts of heritage significance are protected by means of either Interim Heritage Orders or by listing on the NSW State Heritage Register (SHR). Sites that are assessed as having State heritage significance can be listed on the SHR by the Minister on the recommendation of the NSW Heritage Council.

Archaeological relics (any relics that are buried) are protected by the provisions of Section 139. Under this section it is illegal to disturb or excavate any land knowing or suspecting that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed. In such cases an excavation permit under Section 140 is required. Note that no formal listing is required for archaeological relics; they are automatically protected if they are of local significance or higher.

Proposals to alter, damage, move or destroy places, buildings, works, relics, moveable objects or precincts protected by an IHO or listed on the SHR require an approval under Section 60. Demolition of whole buildings will not normally be approved except under certain conditions (Section 63). Some of the sites listed on the SHR or on LEPs may either be 'relics' or have relics associated with them. In such cases, a Section 60 approval is also required for any disturbance to relics *associated* with a listed site.

Under Section 170 of the *Heritage Act 1977*, NSW Government agencies are required to maintain a register of heritage assets. The Register places obligations on the agencies, but not on non-government proponents, beyond their responsibility to assess the impact on surrounding heritage sites. AECOM searched Section 170 registers to determine whether there are listed sites within the Project area.

No items listed on the SHR or an agency Section 170 Register were identified within or adjacent to the Project area.

3.4 Local Controls

3.4.1 Port Stephens Local Environmental Plan 2013

Clause 5.10 of the Port Stephens LEP 2013 provides specific provisions for the protection of heritage items, heritage conservation areas, Aboriginal objects and Aboriginal places of heritage significance within the Port Stephens LGA. These are defined in the LEP as:

- A *heritage item* means a building, work, place, relic, tree, object or archaeological site, the location and nature of which is described in Schedule 5 of the LEP;
- A *heritage conservation area* means an area of land of heritage significance:
 - shown on the Heritage Map as a heritage conservation area, and
 - the location and nature of which is described in Schedule 5 of the LEP,
 - and includes any heritage items situated on or within that area.

Under the Port Stephens LEP, development consent is required for any of the following:

- demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):
 - a heritage item,
 - an Aboriginal object,
 - a building, work, relic or tree within a heritage conservation area,

- altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- disturbing or excavating an Aboriginal place of heritage significance,
- erecting a building on land:
 - on which a heritage item is located or that is within a heritage conservation area, or
 - on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
- (f) subdividing land:
 - on which a heritage item is located or that is within a heritage conservation area, or
 - on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

Schedule 5 of the Port Stephens LEP 2013 provides a list of heritage items, heritage conservation areas and archaeological sites within the Port Stephens LGA. An examination of Schedule 5 indicated that no listed items are within the Project area. The southern and eastern boundary of the Project area is formed by Nelson Bay Road. The Road forms the northern boundary of the 'Stockton Beach Dune System, including Aboriginal site and shell middens, ship wrecks, WWII ramparts, tank traps, proofing range, rifle range and tin huts' listing (#134). The Project area is therefore separated from the item by the Road.

While the requirements of the Port Stephens LEP are not statutorily binding on the Project by virtue of the operation of Part 4 of the EP&A Act, the heritage-related provisions of the LEP have been considered as part of this assessment, where relevant.

3.5 Summary

Table 1 summarises the historic heritage register listings within and adjacent to the Project area.

Table 1 Heritage items Identified on heritage inventories

Register	Items within the Project area	Items in vicinity of Project area
World Heritage List	0	0
Commonwealth Heritage List	0	0
National Heritage List	0	0
Register of the National Estate	0	Newcastle Bight Coastal Area, Nelson Bay Rd, Fern Bay, NSW, Australia (ID #19510).
State Heritage Register	0	0
Section 170 Registers	0	0

Register	Items within the Project area	Items in vicinity of Project area
Port Stephens LEP 2013	0	Stockton Beach Dune System, including Aboriginal site and shell middens, ship wrecks, WWII ramparts, tank traps, proofing range, rifle range and tin huts (#134).

4.0 Historical Context

4.1 Introduction

The following sections provide an overview of the historical development of the locality in order to provide an indication of the probably type and location of historic sites that may be present in the Project area.

4.2 Aboriginal Land Use

The Project area is located within the traditional country of the Worimi people, who spoke the Kattang (also spelt Kutthung, Kuttang, Gadhang, Gadang and Gathang) language described by Enright (1900). Tindale (1974) describes the territory of the Worimi as a 3,900 km² area extending from the Hunter River to Forster, near Cape Hawke, inland to near Gresford and south to Maitland, although other sources (e.g., Enright 1933 ; Elkin 1932) provide different boundaries.

In common with other regions of New South Wales (e.g., Attenbrow, 2010) and Australia more broadly (Peterson, 1976), available historical records suggest that the primary units of social organisation amongst the Aboriginal language groups present in the Lower Hunter at contact were the clan and band. Although these terms are often used interchangeably (e.g., Kohen, 1993), following Attenbrow (2010), a distinction can, in fact, be drawn between the two, with clans comprising local descent groups and bands, land-using groups who, though not necessarily all of the same clan¹, camped together and cooperated daily in hunting, fishing and gathering activities. Individual bands will have habitually occupied and exploited the resources of particular tracts of land within the overall territory of their clan. However, the territorial boundaries of each band will have been permeable or elastic in the sense of complex kinship ties facilitating inter-band territorial movements and the reciprocal use and/or exchange of resources (Brayshaw, 1987: 36).

The size of the individual bands occupying the lower Hunter at contact appears to have varied considerably and was no doubt activity and season dependent (Brayshaw 1987). However, an upper limit of around 70 individuals, consisting of several families, is suggested by available historical records (see, in particular, Table B in Brayshaw, 1987). Individual band sizes notwithstanding, much larger groups of Aboriginal people, numbering in the hundreds, are known to have come together for events such as corroborees, ritual combats and feasts (e.g., Scott 1929: 32; Threlkeld in Gunson 1974: 55).

For the Worimi, Elkin (1932) and Enright (1932) report the existence of four ‘named local groups’, two of which - the Garugal and Maiangal - were ‘salt-water’ groups and two - the Gamipinal and Buraigal - ‘inland’ groups. Following Attenbrow (2010), it is possible that these named groups comprised bands. However, it is noted that they are commonly referred to as clans or “nurras”. Regardless, Elkin (1932: 360) notes that each occupied “a definite area” within the overall territory of the Worimi. Reference to Elkin (1932) and Enright (Enright 1936) indicates that the current Project area falls within the territory of the *Maiangal* nurra, which extended from the Hunter River/Fullerton Cove in the south, to Tomaree Head in the north and eastward from the Pacific Ocean to Tilligerry Creek.

Available historical records attest to exploitation, for food and other resources (e.g., skins for clothing), of a large and diverse range of terrestrial, avian and aquatic fauna by Aboriginal peoples occupying the Lower Hunter Valley at contact. A broad economic division between ‘coastal’ and ‘inland’ groups is also evidenced, with the subsistence regimes of those living along the coast geared principally towards the exploitation of marine foods.

4.3 European Discovery

The first European sighting of Port Stephens occurred on 11 May of 1770, when Captain James Cook noted:

Wind southerly in the day and in the night westerly, a gentle breeze and clear weather. At 4p.m. past at the distance of 1 mile a low rocky point which I named Point Stephens ... on the north

¹ Some individuals may have been related through marriage.

side of this point is an inlet which I called Port Stephens that appears from the masthead to be sheltered from all winds.

(Bartlett, 1980:5)

Following the establishment of European penal settlement on Norfolk Island, the ship *Salamander* entered and explored the Port in 1791 after returning from a visit to the penal colony. The next exploration occurred in 1795 when Deputy Surveyor Charles Grimes entered Port Stephens in the *Francis*. Grimes landed and made what is now understood to be an inaccurate map of the Port. His report back to Lieutenant Governor Captain Paterson was unfavourable and it was concluded that no further time was to be spent investigating the area. On 23 August 1795, Captain W.R. Broughton in the *HMS Providence* encountered bad weather and was forced to take shelter in the Port. The Captain discovered four convicts who had escaped from Parramatta four years earlier. It appeared as though the convicts were living with or were aided by local Aboriginal people (Wilkinson 2000).

Searching for escaped convicts, Lieutenant Shortland landed at the mouth of the Hunter River in 1797 and identified coal, which was to lead to increased European visitation to the area and the establishment of penal settlements at Newcastle in 1801 and 1804

From the early 1800s, Chinese fishermen are reported to have sporadically used Fly Point, Nelson Bay as a base from which to catch and process fish and lobsters for local and Chinese markets (Wilkinson, 2000). Cedar getters frequented the northern side of Port Stephens to extract timber from around 1816 (Browne *et al.*, 1986)

4.4 Early Settlement

The first permanent European settler in the area was Captain William Cromarty. Cromarty was granted 300 acres of land at Salamander Bay in 1824. This grant was located to the north of the Project area, on Soldiers Point (Wilkinson, 2000).

According to Bartlett (1980:45) the name Bobs Farm remembers a convict servant of a landholder called "Gentleman Smith". Bob apparently had his eye on a piece of land, which he was determined to acquire once his sentence had expired. Bob reportedly died before his dreams could be fulfilled. Bartlett reports that Magnus Cromarty, William's son, took over Smith's herd of sheep. Magnus was granted land in the Bobs Farm area to the south of Fenningham's Island and fronting onto Bob's Creek in the 1850s, apparently the land Bob had coveted. Magnus reportedly grew wheat and arrowroot and kept sheep, pigs and poultry.

Fourteen year old Elizabeth Cromarty, presumably Magnus's daughter, wrote to Dame Durden's Post Office, a column in the *Town and Country Journal* that invited young readers to send in letters with interesting tid-bits. Elizabeth's letter was published in 1894 and described Bob's Farm thus:

"Dear Dame Durden, - I will tell you a little about the place where I live; it is called Bob's Farm. Bob's Farm consists of 361 acres. It is situated about 20 miles from Newcastle, which is the nearest town. The chief occupation of the people is dairy farming. There are two ways of taking the produce to market. One way is taking it down the beach, and the other down the road. The chief kind of trees that grow here are oak, eucalyptus, wattle, and many other different kinds. There are many pretty kinds of flowers also..."

(Cromarty, 1894:33e)

The *Raymond Terrace Examiner and Lower Hunter and Port Stephens Advertiser* reports on the erection of a public hall at Bob's Farm in 1922 stating:

"The building will fill a most needful purpose, and will enable residents to meet in public, and so more openly ventilate their wants and wishes. A concert and dance will be held soon to obtain funds to help wipe off the debt cost of erecting. The hall is erected close to the school, and Bob's Farm is assuming quite an air of importance. There are about 30 children attending the school."

(Raymond Terrace Examiner and Lower Hunter and Port Stephens Advertiser 1922:3d)

From this date on, the above newspaper frequently reported on social events held at the hall, including children's picnics, concerts, dances and cricket games. The school mentioned had been opened in

1918 as the Anna Bay Lower School. The school was rebadged as the Bobs Farm Provisional School in 1919 (**Plate 1**). It remains an active school community to the present (NSW Department of Education and Communities, 2014). The Bobs Farm Hall and Bobs Farm School are located on Marsh Road, near the northern portion of the Project area.



Plate 1 Bobs Farm School, no date. Source Bobs Farm School website.

The first parish plan for the Tomaree parish was published in 1926. It is therefore difficult to determine how much activity was in the area prior to this time. The early newspaper reports do not provide a sense of how densely populated the area was. However, Elizabeth Cromarty's letter to Dame Durden indicates there were a sufficient number of dairy farmers operating within her sphere to rate a mention.

4.5 Bobs Farm Cadre Camp

During WWII, some Portuguese Timorese and local Timorese assisted Australian soldiers by providing information, food, acting as guides and sometimes fighting alongside them. The Dutch Timorese, on the other hand, had largely aligned themselves with the Japanese force and following directives from the Japanese, began killing and torturing Portuguese Timorese. Given the service of the locals, the Australian Army determined to evacuate some people to Australia in advance of the fall of Timor to the Japanese in late 1942. The first evacuation of Portuguese officials and Timorese is difficult to determine, but evacuations had commenced by September 1942. Australian led evacuations continued throughout the later months of 1942, with the final operation occurring on the night of 9 January 1943. A month later, on 10 February 1943 the remainder of Australian forces who had stayed behind to gather intelligence, and some Portuguese officials were evacuated in the US submarine *Gudgeon* (Fraser 2014). In all, around 600 evacuees were taken from Timor.

Initially, the evacuated Timorese were held in quarantine, many suffering from malaria and worms or were sent to various refugee camps in Brisbane, Melbourne and elsewhere. However, there was a strong desire to keep Timorese refugees with knowledge of the Allied operations isolated from the media and the general community. A partially completed Cadre Camp (a camp used by those with the highest skill to train subsequent recruits to form commando companies) at Bobs Farm was seen as an ideal location.

Prior to the evacuations, the Department of Defence had commenced construction of the Camp at Bob's Farm for the 41st Battalion. The camp was established on 69 acres of crown land, but also encroached on Henry Upton's free-hold of Portions 4 and 5 (**Figure 3**). Upton's land had been secured by November of 1941, with Upton waving his right to compensation for the use of the land for the duration of the war (Fraser 2014:17-18). The sum of £13,481 was approved on 29 June 1943 for the construction of the necessary buildings and services. Works commenced and the sullage, treatment works and water reticulation systems were completed, as were 18 or 19 huts. However, it seems that the majority of the work was not carried out as it had already been commandeered to house the Timorese.

The first group of refugees travelled by train from Brisbane to the camp on 10 January 1943², accompanied by four Army nurses, 12 Roman Catholic priests and 20 Sisters of the Daughters of Charity (Fraser 2014:19). The majority of other Timorese housed in other facilities around the country were transferred to Bobs Farm during January 1943, with the last group arriving in September of the same year following their evacuation earlier that month.

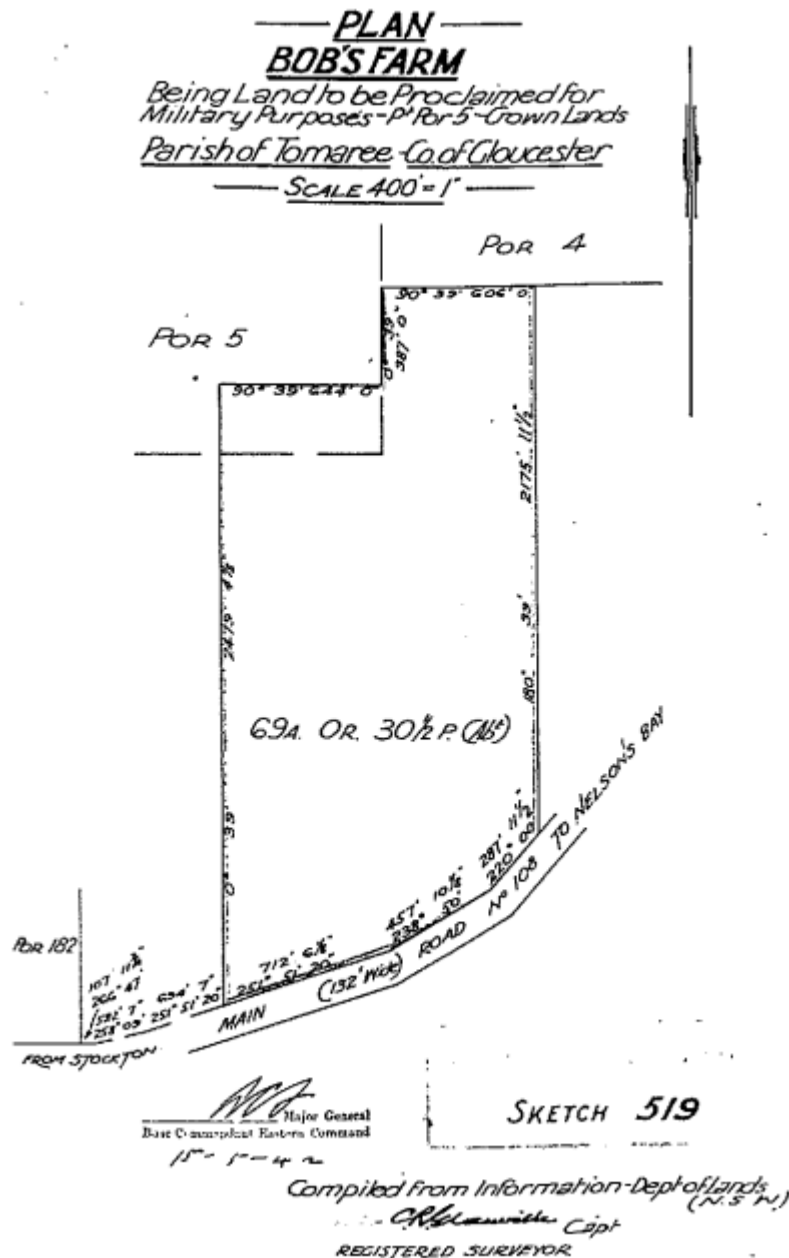


Figure 3 Plan indicating the land proposed for the Bob's Farm Cadre Camp. Source: National Archives of Australia SP857/6 PH1862 in Fraser 2014:17

The Local Army Staff Camp Office at Raymond Terrace was initially charged with the responsibility for the Camp and Mr Symonds from the Department of Labour was appointed Camp Commandant. In March 1943 this responsibility was given to William V. Crothers. Crothers did not reside in the camp,

² The funds for the works were approved after the first group of refugees arrived in the camp. The reason for this inconsistency in the records is not clear.

but kept the hours of 11am to 5pm Monday to Friday. Other personnel included a Hygiene Sergeant, a butcher, cook and canteen steward. The Raymond Terrace Camp Quartermaster, Lieutenant Behets, was tasked with ensuring the safety of Army property in the Camp. The cook's duties as such were short-lived, with the evacuees taking over this task by April 1943 – probably due to a preference for more traditional fare than was provided by the Australian cook (Fraser 2014:20).

The standard number of huts provided for a Cadre Camp was 18 and these were originally intended to be used as school rooms, recreation huts and hospital facilities. Despite being ordered to treat all the evacuees equally, Mr Symonds assigned the huts to Portuguese senior officials and army personnel, who were also provided with beds and bedding, which was issued as hospital equipment. The remainder of the evacuees were accommodated in tents with straw mattresses, a bucket, basin and kerosene lamps (the huts having electric lights and tables and chairs). This preferential treatment caused considerable discontent amongst the evacuees.

Clothing was provided to the evacuees by the Red Cross and the Civilian Aid Services established a hospital of 16 beds. The funding for the hospital seems to have been supplied by the Portuguese government, who initially had been indignant that its Government representatives and Army officers had left Timor, believing they should have stayed at their posts despite the Japanese invasion. Their position was that the officials should be redeployed to what is now Mozambique, another Portuguese colony; however, this plan was dropped when it became apparent that there was no suitable means of transportation.

Tension in the camp between the evacuees due to racial and class distinctions was a continuing problem. While some groups refused to cook for themselves, other groups refused to cook for them. There were several outbreaks of violence arising from these tensions. From May 1943 some of the families were found employment in Armidale, several locations in Victoria or locally. Still others went to commando or other military training facilities before being deployed back to Timor on secret missions (Fraser 2014:33-34).

The racial and class differences also compounded the health and hygiene issues experienced in the Camp. While the sandy nature of the area, together with the climate, was causing some illness, this was exacerbated by unwillingness amongst the evacuees to clean or properly dispose of waste. The officials refused to do this work themselves, while others considered it no longer their job, as they were guests of the Australian Government. Refuse disposal was a constant issue, as the incinerator was not up to the task. Mr Upton was employed to collect the refuse, but this service was suspended for a short time as his facilities did not meet the National Security Regulations. In the interval, four work parties were formed. They were to bury the rubbish in kerosene tins to suppress the insects “over the hill from the camp” (Fraser 2014:23). Mr Upton's service was resumed to supplement the efforts of the work parties.

By May 1943 options to remove the remaining 300 evacuees from Bobs Farm were being assessed. Rental accommodation for 95 evacuees was found in Narrabri. This was followed by further accommodation being found in Narrabri and Glen Innes for the remaining evacuees in February 1944. The accommodation in Narrabri included Coleman's Private Hotel and the Imperial Hotel. Arrangements had been made that the Camp would be handed back to the Army on 5 March 1944, but an inspection on the 28 February determined that there was still 16 evacuees in residence tasked with cleaning the facilities. The Camp was eventually handed back on 22 March.

In November 1944, Henry Upton wrote to the Army indicating he was willing to buy one of the water tanks still located on his property and that the Raymond Terrace Methodist Church was interested in one of the smaller huts. In January of the following year the 5th Australian Maintenance Platoon dismantled the electrical wiring, insulators, cross arms and poles, together with the buildings. In June 1945, the components of the Camp's water system were offered for sale. By the end of July 1945, the land was back in the possession of the Crown.

4.6 Project Area

The first Parish Plan was published in 1926 and indicates majority of the Project area remaining the property of the Crown, with an early unsealed incarnation of the current Nelson Bay Road being marked to the south (**Figure 4**). The northern sections of the Project area had been purchased by T.R.

Upton. An obituary for his wife, who passed away in 1943, indicated she had been in the area for 64 years (*Dungog Chronicle*, 1943:3a). This would place the Upton's land grant to around 1879.

The Deposited Plan for Lot 254 indicates that following the closure of the Cadre Camp, the land was granted to Harold James Upton under a Special Lease in 1948 (**Figure 6**). The 1943 Parish Plan (**Figure 5**) has had a later annotation, indicating the Lot was under the ownership of H.R. Upton. It would appear that the parish plan references ownership by Henry Raymond Phillip Upton, who subsequently took over the property. The relationship between T.R. and Harold and Henry is unclear, but the parish plans, together with the newspaper reports on Bob's Farm indicate the family was prominent in the local community.

The earliest aerial photography for the project area was flown in 1951 (**Figure 7**). It shows the Project area as vegetated, the exception being the northern extents, which had been cleared. The Bob's Farm School and Bob's Farm Hall can be seen on Marsh Road, adjacent to the Project area. Based on this evidence, it would appear that Upton did not proceed with whole-sale land clearance. The 1973 Parish Plan (**Figure 8**) provides the owner of the southern portion of the site as the Worimi Local Aboriginal Land Council (LALC). The aerial photography from 1975 indicates that the vegetation was denser than in 1951 (**Figure 9**). This probably indicates there was regeneration of the vegetation following the removal of the evacuees. The area is likely to have been selectively cleared for firewood and the undergrowth reduced during the use of the area by the Timorese.

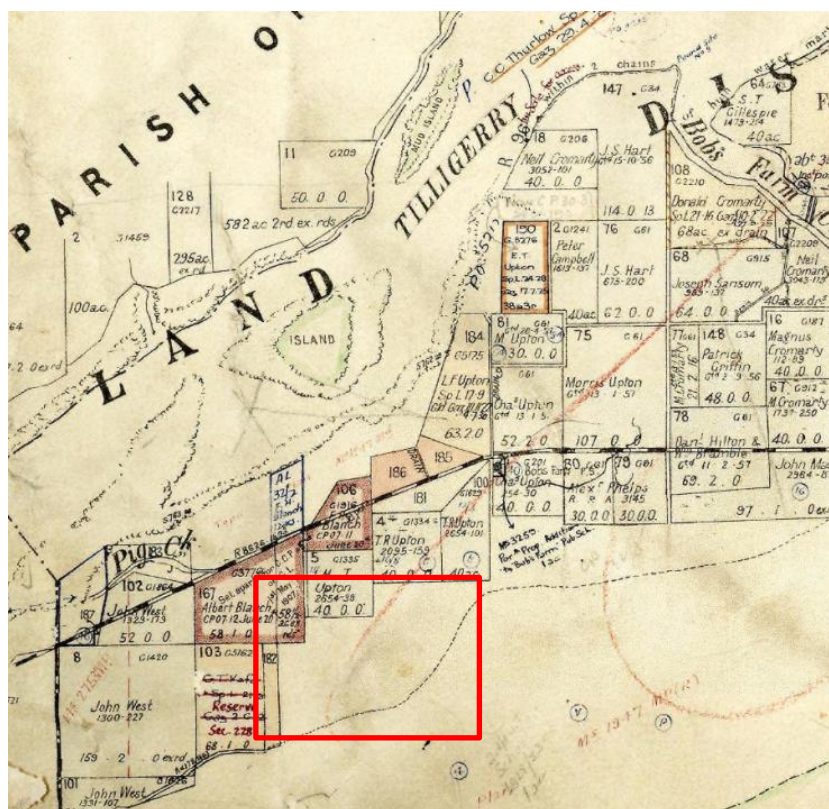


Figure 4 Tomaree Parish Plan 1926. Approximate Project area highlighted. (Source: Land & Property Information NSW)

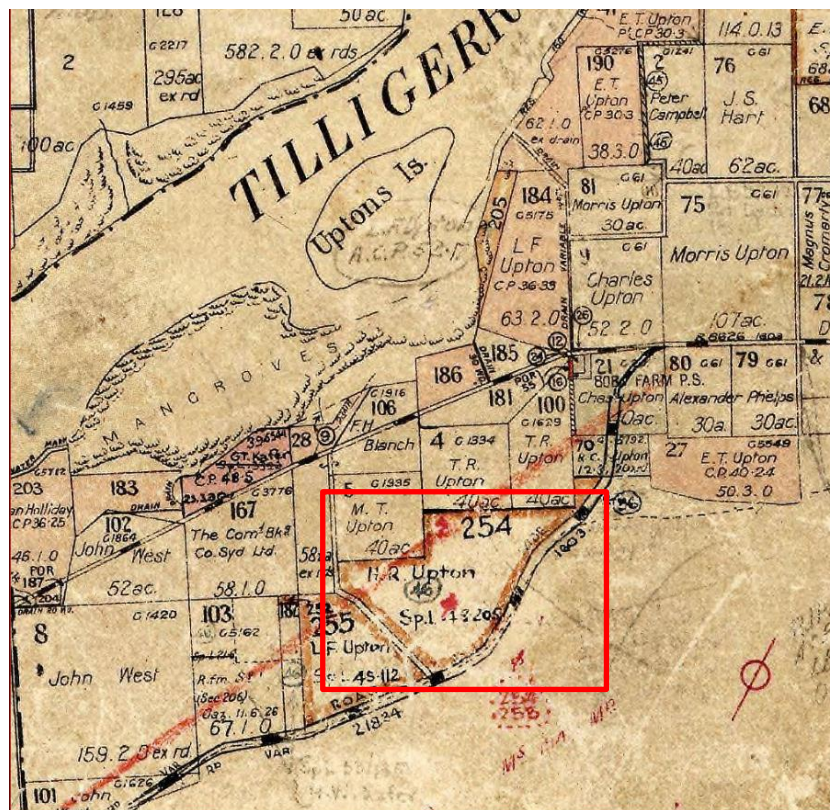


Figure 5 Tomaree Parish Plan 1943. Approximate Project area highlighted (Source: Land & Property Information NSW)

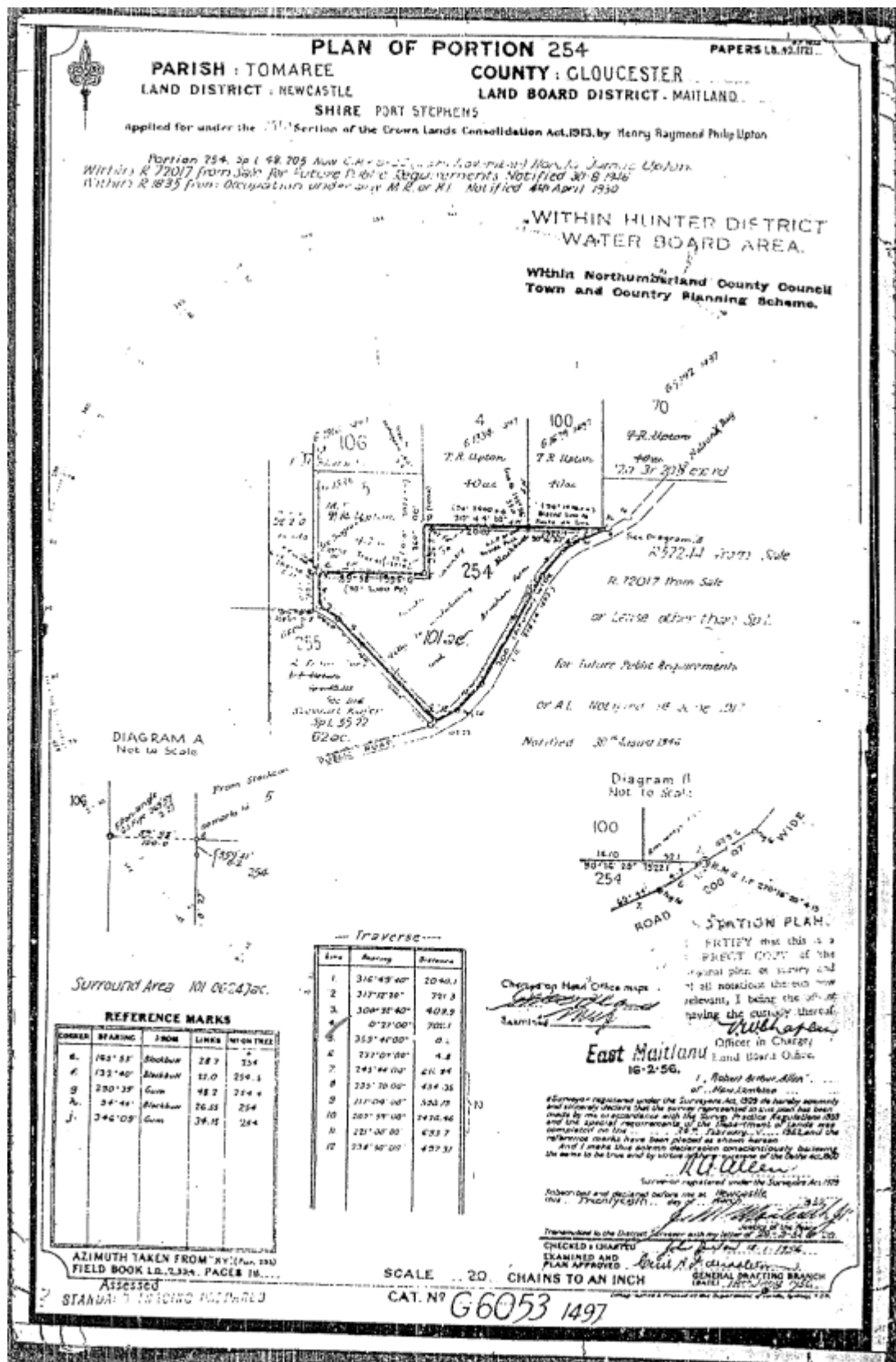


Figure 6 Excerpt from Deposited Plan for Lot 254. Source: Lands & Property Information NSW. Ref:G6053-1497



Figure 7 Aerial photograph of Project area, 1951 (Source: Land & Property Information NSW).

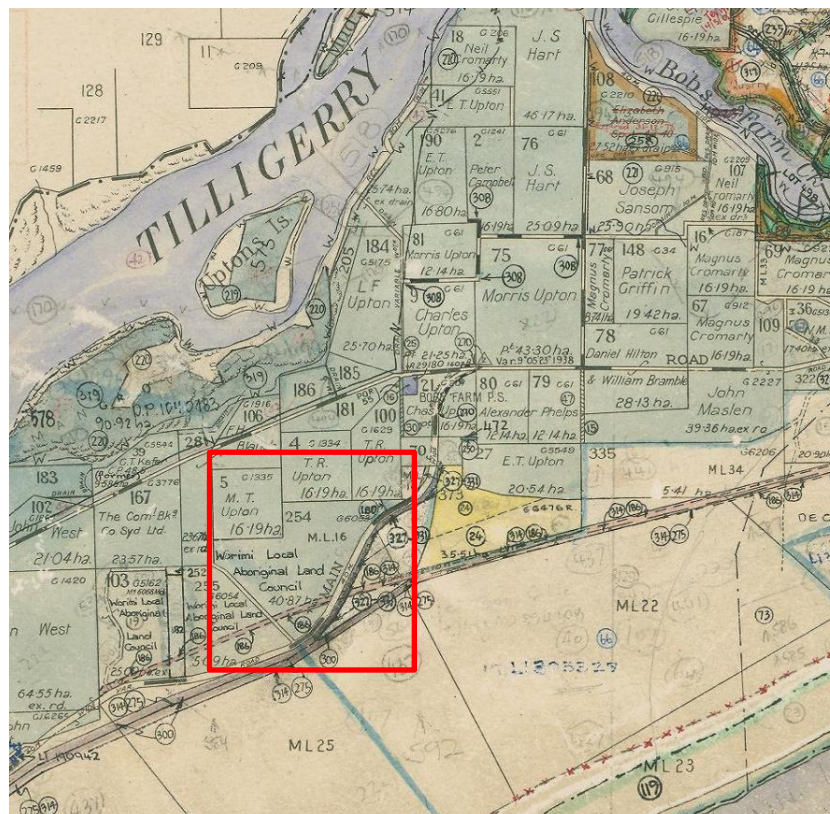


Figure 8 Tomaree Parish Plan 1973 Approximate Project area highlighted. (Source: Land & Property Information NSW)



Figure 9 Aerial photograph of Project area, 1975 (Source: Land & Property Information NSW).

The aerial photography from 1992 indicates that between 1975 and 1992, two residential structures were constructed in the northern portion of the Project area (**Figure 10**).

Prior to 2000, the Worimi LALC sold the land to Patra Holdings, who developed an olive farm and associated house on the southern portion of the Project area. The olive farm was extended in the early 2000s.

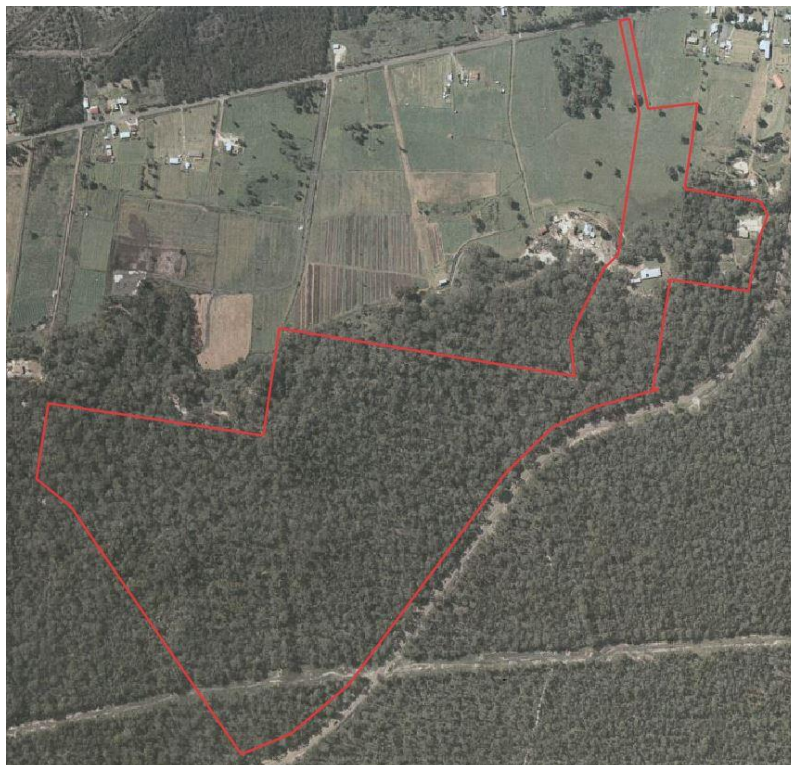


Figure 10 Aerial photograph of Project area, 1992 (Source: Land & Property Information NSW).

4.7 Summary

While there were European settlers in the Bob's Farm area from the 1820s, the northern portion of the Project area was not granted until the late 1870s or early 1880s. The southern portion of the Project area was not sold until 1948, following its use during World War II as a camp for Portuguese and Timorese evacuated from Timor before its fall to the Japanese. The Camp is likely to have been located towards the northern boundary of this grant, close to T.R. Upton's land and within the Project boundary. While some vegetation and farming occurred in the northern portion, it would appear that the southern section of the Project area was never cleared and the thickening of the vegetation indicated on the aerial photography is probably indicative of regeneration following the closure of the Bobs Farm Cadre Camp.

The above account of the Bobs Farm Cadre Camp has been summarised from a secondary source (Fraser 2014), which was largely based on inter-departmental correspondence and some oral history. There is no known plan of the Camp during its operation. The location of the huts, tents and refuse disposal area (which may have archaeological potential and significance) can therefore not be identified with any certainty. However, as Henry Upton offered to buy one of the water tanks associated with the Camp, which was located on his land, it can be presumed that the huts are likely to have been located in the northern section of the site. Photographs included in the report provide some indication of the physical form of the huts. They were demountable weatherboard structures, which were placed on brick piers, as indicated in **Plate 2**. Another image of the Camp (**Plate 3**) shows the tent accommodation and also indicates that the site was not cleared of vegetation, tents instead being placed between the trees.



Plate 2 L to R: unknown nurse, unknown nurse, Dr. Elvira Correia Teles, Nurse Sally Blain, Dr Ron Bonnette, Nurse Dorothy Mills, 1943. From Fraser 2014:23. Note the weatherboard structure on brick piers behind.



Plate 3 Australian Army Nurses Sally Blain (left) and Dorothy Mills at Bob's Farm Camp, 1943. From Fraser 2014:19. Note tents and vegetation behind.

5.0 Existing Environment

5.1 Introduction

The field survey was undertaken on 1st and 2nd October 2014, using the methodology outlined in **Section 2.0**. No sites were identified within the Project area, while four items were identified in the vicinity.

5.2 Project Area

The western portion of the Project area is covered in native vegetation, through which various unsealed tracks have been created (**Plate 4**). Part of Lot 254 has been developed into a commercial olive and fig orchard, with associated sheds and a residence (**Plate 5**). This operation was established in the early 2000s and is not of heritage significance.

The northern portion of the Project area has been partially cleared and contains two residences and some sheds (**Plate 6**). Aerial imagery (see **Section 4.5**) indicates these residences were constructed between 1975 and 1992 and are not considered to be of heritage significance.

The survey of the Project area identified that the structures within the boundary are recent and hold no heritage significance when assessed against the NSW Heritage Division guidelines (NSW Heritage Office, 2001).



Plate 4 Indicative view of area of native vegetation and an unsealed track in the west of the Project area.



Plate 5 Olive grove (on left in foreground) and fig plantation (on right at rear) on Lot 254 on DP753204.



Plate 6 Example of residence the northern portion of the Project area

5.3 Bob's Farm Cadre Camp

Despite extensive survey of the Project area, no evidence associated with the Bobs Farm Cadre Camp could be identified. Any evidence of the Camp is likely to consist of artefact scatters across the area where the huts and tents were erected, plus possibly some of the brick piers associated with the huts. Additionally, the area used to dispose of refuse is likely to retain sub-surface archaeological deposits. **Section 4.5** identified that there is no known plan of the Camp that indicates the layout and location of the huts. It is possible that the huts were located towards the north of the Project area, within the tree line. **Figure 11** indicates the area considered most likely to have contained the Camp and therefore have potential to contain archaeological deposits or relics associated with the use of the Camp. **Table 2** provides an assessment of the potential archaeological deposits against the NSW heritage significance criteria. The archaeological deposits, should they exist, would be of local historic,

research and rarity significance. The potential impact of the Project on the potential archaeological deposits is discussed in **Section 6.4** and a management strategy provided in **Section 7.1**.

Table 2 Bobs Farm Cadre Camp potential archaeological site – application of heritage significance criteria.

APPLICATION OF CRITERIA	
Historical significance NSW criterion (a)	The Bobs Farm Cadre Camp is of local historical significance, having played a little known role in World War II. The Camp was commandeered to meet a need to house refugees evacuated from Timor prior to its fall to Japan. The loss of the majority of the physical evidence associated with the Camp has diminished the Camp's significance under this criterion.
Historical association significance NSW criterion (b)	The Bobs Farm Cadre Camp is not of historical associative significance on a state or local level as it does not have a strong or special association with the life or works of a person, or group of persons, of importance in state or local cultural history. This is demonstrated by the almost total lack of local knowledge regarding the Camp.
Aesthetic significance NSW criterion (c)	The Bobs Farm Cadre Camp is not of aesthetic significance on a state or local level as it does not demonstrate aesthetic characteristics and/or a high degree of technical achievement in the state or the local area.
Social significance NSW criterion (d)	The Bobs Farm Cadre Camp may be of social significance to the Timorese and their descendants, as well as those who worked at the Camp. Confirmation of the significance of the site under this criterion would require further research with the local community should evidence of the site be uncovered.
Technical/Research significance NSW criterion (e)	The Bobs Farm Cadre Camp is of local research significance. The potential archaeological deposits associated with the Camp could provide evidence of the location and use of the Camp not available from other sources. The exact location of the Camp is not located on any map located to date and local knowledge places the Camp only within a general area. Archaeological evidence may provide a more exact location. The deposits themselves may provide an insight into the lives of the evacuees in the Camp, including how they adapted to their surroundings. This may be particularly evident in the preparation of food as indicated by faunal remains.
Rarity NSW criterion (f)	The Bobs Farm Cadre Camp is of local significance under this criterion. It is the only refugee camp specifically housing Timorese evacuated during World War II in Australia. The loss of physical fabric demonstrating the use of the Camp has diminished the Camp's significance under this criterion.
Representativeness NSW criterion (g)	The Bobs Farm Cadre Camp is not of representative significance as it does not demonstrate the principal characteristics of a class of state or local places or environments due to the loss of the physical of the buildings and associated infrastructure.

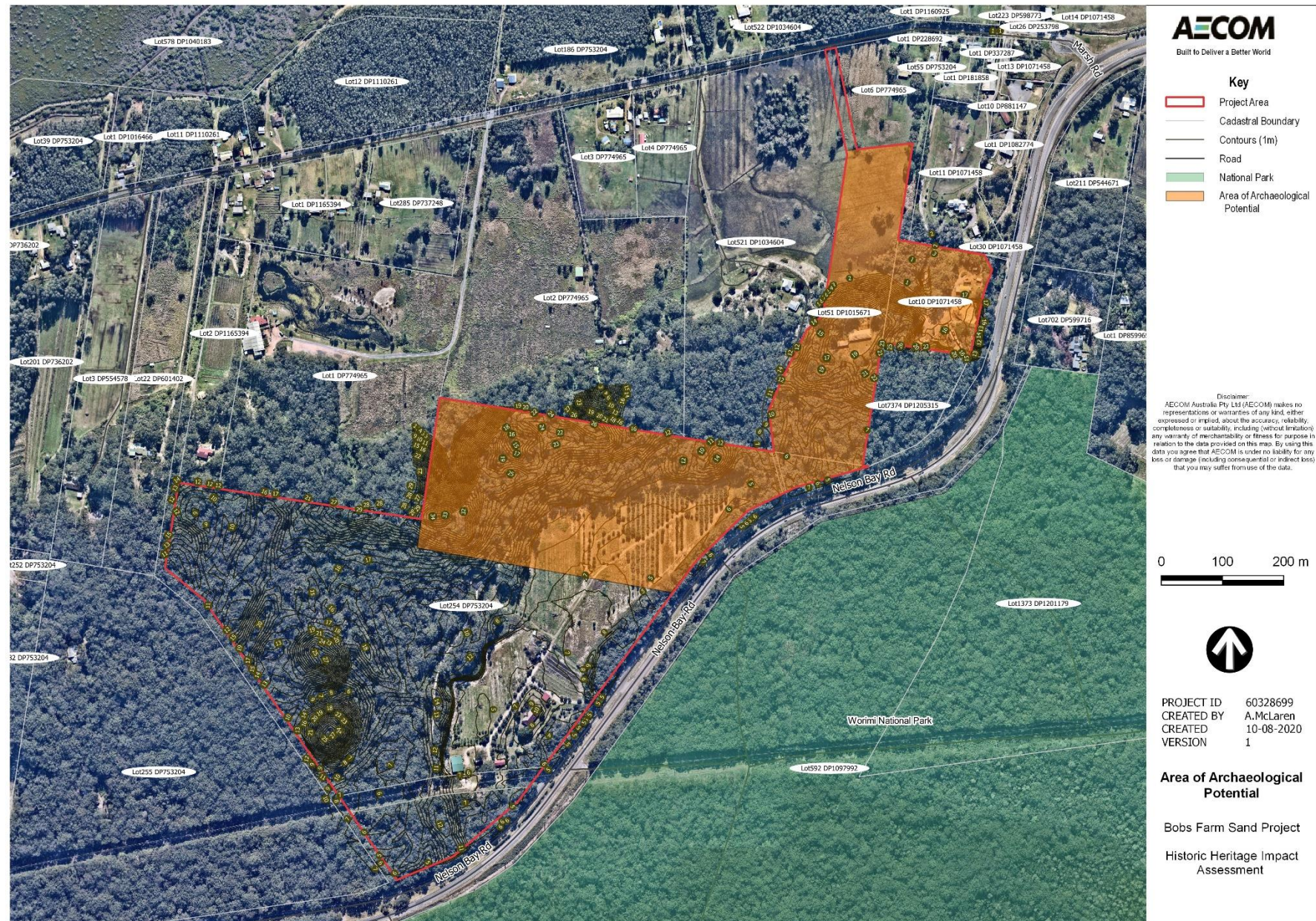


Figure 11 Area of Archaeological Potential

5.4 Project Area Vicinity

One item of heritage significance was identified from the heritage registers adjacent to the Project area. The Stockton Beach Dune System, including Aboriginal site and shell middens, ship wrecks, WWII ramparts, tank traps, proofing range, rifle range and tin huts (#134) is listed on the Port Stephens LEP (**Figure 12**). The same area also has a non-statutory listing on the RNE as the 'Newcastle Bight Coastal Area, Nelson Bay Rd, Fern Bay, NSW, Australia' (ID #19510). The listed area extends from Birubi Point in the north to Fern Bay in the south. The WWII ramparts, tank traps, proofing range, rifle range and tin huts are located near Fern Bay, approximately 15 km to the south of the Project area. No assessment against the heritage significance criteria was available for either listing.

The historical context (**Section 4.5**) identified two items of local interest: Bobs Farm Primary School and Bobs Farm Hall. The school is located on Marsh Road (**Figure 12**). The school could not be inspected due to restricted access to operational schools for the protection of the students. It was not considered necessary to obtain access as there will be no direct impacts to the school as a result of the Project. It is also considered unlikely that the original school building (**Plate 1**), or evidence of it, is retained on the site. AECOM currently has insufficient information with which to assess the heritage significance of the school against Heritage Division guidelines.

The Bobs Farm Hall is located to the west of the School on Marsh Road (**Figure 12**). The rectangular building is covered with metal weatherboard cladding and has a pitched, corrugated iron roof. The roof and cladding appear to be replacements of earlier fabric. The northern and western elevations contain aluminium framed windows, which are also not original to the Hall. An amenities block has been added to the western elevation (**Plate 7**). On the eastern side of the building, a skillion roofed verandah has been appended, the southern portion of which has been enclosed and provides kitchen facilities for the hall. The interior space is open, with a stage area at the southern end (**Plate 8**). The heritage significance of the Hall has been assessed in **Table 3** using the Heritage Division guidelines as outlined in **Section 2.3**.

Table 3 Bobs Farm Hall – application of heritage significance criteria.

APPLICATION OF CRITERIA	
Historical significance NSW criteria (a)	The Bobs Farm Hall is of local historical significance as it demonstrates the growth of the local Bobs Farm community. The Hall was the scene of local social gatherings that solidified the local community spirit.
Historical association significance NSW criteria (b)	The Bobs Farm Hall is not of historical associative significance on a state or local level as it does not have a strong or special association with the life or works of a person, or group of persons, of importance in state or local cultural history.
Aesthetic significance NSW criteria (c)	The Bobs Farm Hall is not of aesthetic significance on a state or local level as it does not demonstrate aesthetic characteristics and/or a high degree of technical achievement in the state or the local area.
Social significance NSW criteria (d)	The Bobs Farm Hall is likely to be of local social significance to the residents of Bobs Farm. Confirmation of this significance would need to be confirmed through consultation with the local community.
Technical/Research significance NSW criteria (e)	The Bobs Farm Hall is not of technical or research significance as it is unlikely to yield information that will contribute to an understanding of NSW's cultural or natural history at a local or State level.
Rarity NSW criteria (f)	The Bobs Farm Hall does not possess uncommon, rare, or endangered aspects of state or local cultural history and so does not qualify as significant under this criterion.
Representativeness NSW criteria (g)	The Bobs Farm Hall is not of representative significance as it does not demonstrate the principal characteristics of a class of state or local places or environments due to the significant intervention into the fabric of the building.

Statement of Significance:

The Bobs Farm Hall is of local historical significance as it demonstrates the growth of the local Bobs Farm community from the 1920s onwards. The Hall was the scene of local social gatherings that solidified the local community spirit. The Hall may also have local social significance to the present community.



Plate 7 Bobs Farm Hall - Exterior



Plate 8 Bobs Farm Hall - Interior

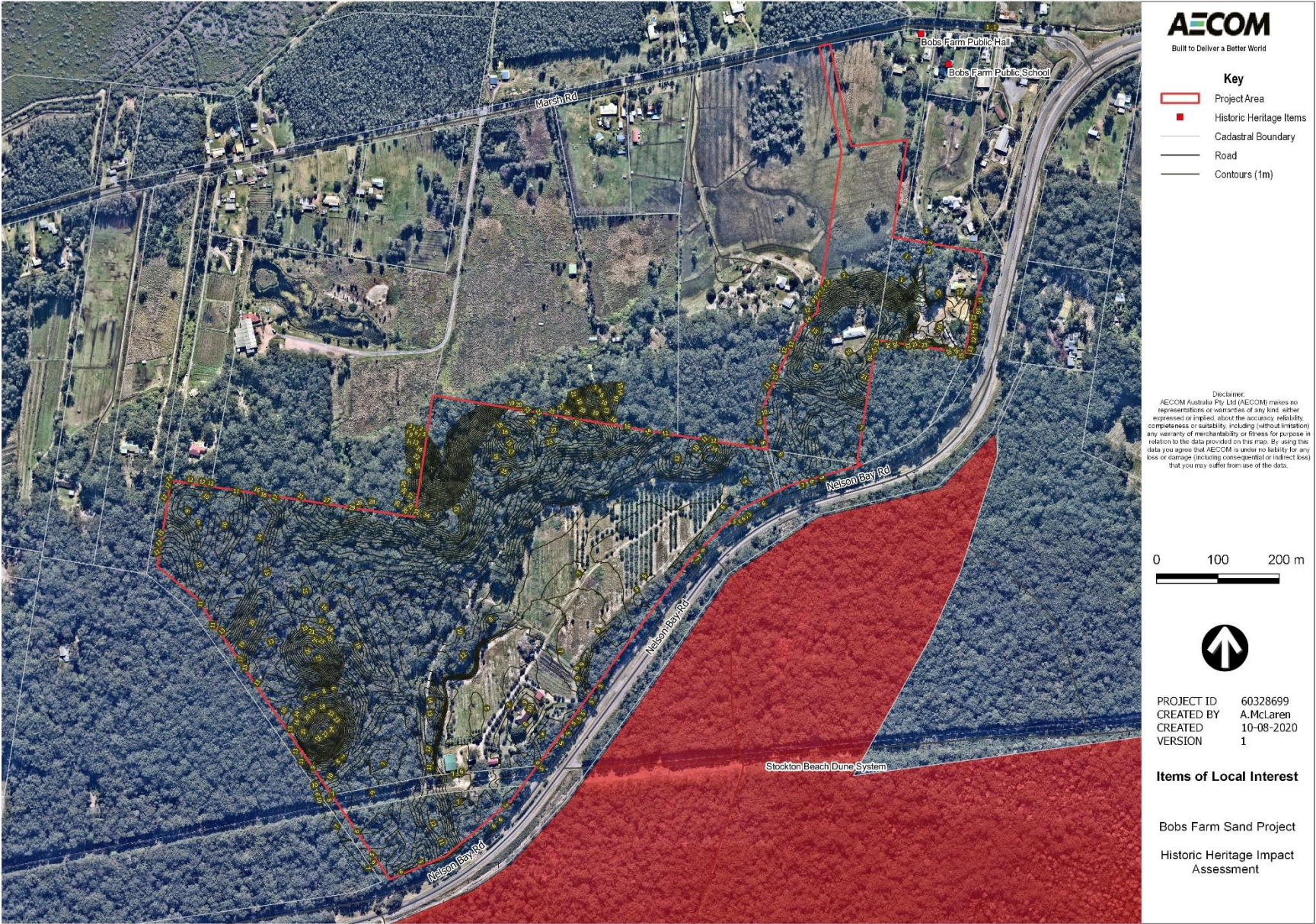


Figure 12 Items of local interest

5.5 Summary

No items of heritage significance were identified within the Project area, however, there is potential for archaeological deposits associated with the Bobs Farm Cadre Camp to be retained within the Project area. The area of highest potential is indicated on **Figure 11**. One listed heritage item was identified to the south of the Project area: the 'Stockton Beach Dune System', which is listed on the Port Stephens LEP and the non-statutory RNE. A further two items of local interest, the Bobs Farm School and Hall are located on Marsh Road to the west of the Project's proposed egress point onto Marsh Road.

6.0 Impact Assessment

6.1 Introduction

The following section assesses the potential impacts to historic heritage and archaeology arising from the Project. The Project is first outlined and then the potential impacts assessed.

6.2 The Project

Ammos Resource Management is seeking approval for:

- The establishment of a sand quarry to extract and process sand at a rate of approximately 750,000 tonnes per annum, from a total sand resource of 10 million tonnes;
- Construction of extractive materials processing and transport infrastructure;
- Transportation of extractive materials off-site via roads; and
- Site rehabilitation.

Ammos Resource Management proposes to stage the development and operation of the Project as follows:

1. Development Stage - involving the installation of an access location on Nelson Bay Road, initial clearing of the quarry site, the setting up of screening operations and the construction of a loading ramp, storage shed and main exit road;
2. Operational Stage 1 - involving the clearing and stockpiling of topsoil and production of initial sand material that is likely to be processed into landscape soil base and sports field top-dress material;
3. Operational Stage 2 - involving the processing of extracted blonde sand material for various product uses; and
4. Operational Stage 3 - involving the setting up of dredging operations and winning of sand material for various product uses.

Site access throughout the life of the Project would be off Nelson Bay Road.

Key project activities would include:

- Construction of extractive materials processing and transport infrastructure;
- Bulk handling of sand material using front end loaders and trucks;
- Staged vegetation clearance employing logging and mulching;
- Screening and sizing of extracted sand material;
- Washing of selected extracted sand material;
- Dredging of sand material below the economic reach of mechanical equipment. Approximately 50% of the recoverable resource would be dredged;
- Transportation of extractive materials off-site via roads; and
- Site rehabilitation.

The conceptual layout of the Project is shown on **Figure 2**.

6.3 Identified Sites

The heritage register searches, historical research and field survey did not identify any items of historic heritage significance within the Project area. However, the area has potential to contain archaeological deposits associated with the Bobs Farm Cadre Camp, which have been assessed as holding historic, research and rarity values.

One listed item has been identified to the south of the Project area, across Nelson Bay Road – ‘Stockton Beach Dune System’ listed on the Port Stephens LEP and the non-statutory RNE. The Bobs Farm Primary School, which was established in 1918, and the Bobs Farm Hall constructed in 1922 are in proximity to the northern portion of the Project area. The location of the Bobs Farm School and Bobs Farm Hall in relation to the Project area is indicated in **Figure 12**. There was insufficient information to assess the heritage significance of the school, however the Bobs Farm Hall was assessed as being of local significance, holding historic and possibly social significance.

6.4 Potential Direct Impacts

No sites were identified within the Project area, however, there is potential for archaeological deposits or relics associated with the Bobs Farm Cadre Camp to be preserved within the Project area. The extent and nature of these deposits are unknown, as no surface expression has been located. Should deposits be located within the Project area, the Project would result in direct impacts to the deposits. A management strategy is provided in **Section 7.1**. As the preservation and extent of the potential archaeological deposits cannot be determined at this time, it is difficult to assess the potential impacts formerly within a Statement of Heritage Impact, as required by the Director-General’s Requirements (refer **Section 1.6**).

6.5 Potential Indirect Impacts

The Stockton Beach Dune System, Bobs Farm School and Bobs Farm Hall are located near the Project area; however, the Project is unlikely to result in any indirect impacts to these items. The Project will not be using blasting as an extraction method and the items will therefore not be subject to additional vibration as a result of the Project.

The Stockton Beach Dune System will not be subject to indirect visual impacts as a result of the Project. Nelson Bay Road and the 15 m vegetation buffer will ensure the extraction area is not visible from the Stockton Beach Dune System.

There will be no indirect visual impacts to the items. The Bobs Farm School and Bobs Farm Hall are oriented towards Marsh Road, facing away from the Project area. In addition, the Project area will not be visible to or from the items as there is an existing vegetation screen. In addition, the Project proposes to maintain a 15 m vegetation buffer between the Project area boundary and the extraction area.

6.6 Summary

No items have been identified within the Project area but there remains potential for archaeological deposits to be preserved within the Project area. The location, extent and preservation of these deposits are currently unknown, making it difficult to assess the impact. As outlined in Section 7.1, it is recommended that the potential impacts be managed through a program of archaeological monitoring. Archaeological testing and salvage excavation may also be required if large and/or intact deposits are uncovered.

The two items of local interest are located to the north of the Project area and will not be directly or indirectly impacted by the Project. There will be no increased vibrations as a result of the Project and there will be no visual impacts as there are no view-lines between the items and the Project area. Likewise the historic heritage significance of the one statutory listed item in the vicinity of the Project area, the Stockton Beach Dune System, will not be directly or indirectly impacted by the Project as there are no view-lines or increase in vibrations.

7.0 Management Strategy

No direct or indirect impacts to historic heritage items have been identified, however there is potential for archaeological deposits associated with the Cadre Camp to exist within the Project area. Recommendations to deal with this possibility are provided in **Section 7.1**. Historic Heritage Management Plan (HHMP) is not warranted as there are no standing structures that will require on-going maintenance and consideration. It is, however, recommended that the Project's Environmental Management Plan (EMP) include contingency policies for the management of unexpected historic heritage finds and skeletal remains. Suggested policies are detailed in **Sections 7.2** and **7.3** below.

7.1 Bobs Farm Cadre Camp

As the nature and extent of the potential archaeological deposits associated with Bobs Farm Cadre Camp are unknown, it is recommended that archaeological monitoring be undertaken during the clearing of vegetation within the area archaeological potential shown on **Figure 11**. Ammos Resources should engage a suitably qualified archaeologist to prepare an Archaeological Research Design and Methodology, which should be approved by the Heritage Council of NSW prior to ground disturbance works. The methodology should include provision for archaeological testing or salvage should deposits or relics be uncovered during works. Evaluation of the proposed mitigation measures is required by the Director-General's Requirements (refer **Section 1.6**). This is considered to be an effective mitigation measure, as it will enable the identification of the location of the Camp as well as its archaeological investigation once it is identified.

7.2 Suggested Unexpected Finds Policy

The following procedure guides the management of any unexpected historic heritage finds encountered the course of sand mining operations outside of the scope of works covered by the Bobs Farm Cadre Camp. Finds include artefact scatters (glass, animal bone, ceramic, brick, metal etc), building foundations and earthworks of unknown origin (i.e. not associated with mining operations):

- All work in the area is to cease immediately;
- Alert the Environmental Manager to the find;
- If necessary, protect the area with fencing;
- Engage a suitably qualified archaeologist to undertake an assessment of the finds;
- The assessment should be undertaken using the guidelines Assessing Significance for Historical Archaeological Sites and 'Relics' (NSW Heritage Branch 2009);
- On the advice of the archaeologist, if necessary, prepare an Impact Assessment and Research design and methodology to submit to the Heritage Branch for a Section 140 excavation permit or exception;
- Undertake the archaeological mitigation in accordance with the prepared documents and the permit/exception issued by the Heritage Division; and
- Once the site has been mitigated to the satisfaction of the archaeologist and the Heritage Branch, works may resume in the area.

7.3 Suggested Management of Human Remains Policy

This section outlines the procedure proposed for inclusion in the EMP in the event that human remains are discovered during sand mining operations. The procedure takes into account the following documents:

- Burials - *Exhumation of Human Remains NSW Health Policy Directive PD2008_022* (NSW Health 2008) available at : http://www.health.nsw.gov.au/policies/pd/2008/pdf/PD2008_022.pdf
- *Manual for the Identification of Aboriginal Remains* (NSW Department of Environment & Conservation 2006);

- Skeletal Remains – *Guidelines for the management of human skeletal remains* under the *Heritage Act 1977* (NSW Heritage Office 1998); and
- The *Aboriginal Cultural Heritage Standards and Guidelines Kit* (NSW National Parks and Wildlife Service 1997).

In the event that development or operations reveal possible human skeletal material (remains), the following procedure is to be followed:

- When suspected human remains are exposed, all construction work is to cease immediately in the near vicinity of the find location and the General Manager on site is to be immediately notified. The General Manager will contact the Police at the earliest reasonable time;
- An area of 5 m radius is to be cordoned off by temporary fencing around the exposed human remains site - work can continue outside of this area as long as there is no risk of interference to the human remains or the assessment of human remains. Assessment of risk may utilise the risk matrix provided within the NSW Health Policy directive on the exhumation of human burials;
- Contact the OEH Environment line on 131 555 and the Heritage Division on 02 9873 8500; and
- A physical or forensic anthropologist should be commissioned by Ammos Resource Management to inspect the remains in situ (unless otherwise directed by the police), and make a determination of ancestry (Aboriginal or non-Aboriginal) and antiquity (pre-contact, historic or modern);
 - if the remains are identified as modern the area is deemed as crime scene; or
 - if the remains are identified as Aboriginal, the Environmental Specialist will notify OEH and representatives of the local Aboriginal community and appropriate management measures will be determined through consultation with them. Representatives of the Aboriginal community will be present during all investigations of Aboriginal remains; or
 - if the remains are as non-Aboriginal (historical) remains, the site is to be secured and the Heritage Division is to be contacted.

This process functions only to appropriately identify the remains and secure the site. From this time, the management of the area and remains are to be determined through one of the following means:

- If the remains are identified as a modern matter, liaise with the police and/or the Coroner's Office and/or NSW Health with respect to the exhumation of the remains;
- If the remains are identified as Aboriginal, liaise with OEH and Aboriginal stakeholders;
- If the remains are identified as non-Aboriginal (historical), liaise with the Heritage Division; and
- If the remains are identified as not being human then work can recommence without delay.

8.0 Conclusion

AECOM was commissioned by Tattersall Lander on behalf of Ammos Resource Management, to undertake an historic heritage impact assessment for the Bobs Farm Sand Project, off Nelson Bay Road, at Bobs Farm, NSW. This assessment is to form part of an EIS being prepared by Tattersall Lander to support an application for State Significant Development Consent under Division 4.1 of Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the Project, which will involve the establishment of a sand quarry with an estimated extraction and processing rate of approximately 750,000 tonnes per annum.

While there were European settlers in the Bob's Farm area from the 1820s, the northern portion of the Project area was not granted until the late 1870s or early 1880s to T.R Upton, later being transferred to Henry Upton. The southern portion of the Project area was not sold until 1948, following its use during World War II as a camp for Portuguese and Timorese evacuated from Timor before its fall to the Japanese. The Camp was almost certainly located towards the northern boundary of this grant, close to T.R. Upton's land and within the Project boundary. It is known that the Camp disposed of some waste off-site, however some was buried within walking distance. Archaeological deposits associated with the Camp therefore have the potential to be preserved within the Project area. These potential archaeological deposits have been assessed as holding historic, research and rarity values. There is no known plan of the Camp during its operation. The location of the huts, tents and refuse disposal area (which may have archaeological potential and significance) can therefore not be identified with any certainty. However, as Henry Upton offered to buy one of the water tanks associated with the Camp, which was located on his land, it can be presumed that the huts are likely to have been located in the northern section of the site.

A search of the relevant heritage registers was undertaken. No statutory listed sites were identified within the Project area. One item, the 'Stockton Beach Dune System', listed on the statutory Port Stephens LEP and the non-statutory RNE, is located directly adjacent to the Project area. Two further items of local interest were identified to the north of the Project area. The Bobs Farm School and the Bobs Farm Hall, which held a pivotal place in the local community, are located near the northern egress of the Project area.

An impact assessment was undertaken, which determined that no direct impacts have been identified as a result of the Project. No indirect impacts, as a result of increased vibrations or visual alterations, have been identified to items in the vicinity of the Project. This is because the Project will not use blasting as an extraction method and the mine layout retains an adequate vegetation screen to ensure the mine is not visible from public space, including the LEP item, the 'Stockton Beach Dune System'.

No Statements of Heritage Impact (SoHIs) are required as no quantifiable impacts have been determined. A Historic Heritage Management Plan (HHMP) is also not warranted. It is therefore considered that the Project's Environmental Management Plan (EMP) will be able to adequately manage and protect the heritage values of the Project area. It is recommended that the EMP include contingency policies for the management of unexpected historic heritage finds and skeletal remains. Suggested policies have been included in **Section 7.0**. It is also recommended that a suitably qualified archaeologist be engaged to prepare an Archaeological Research Design and Methodology prior to undertaking a watching brief with test and salvage excavation, if warranted, during vegetation clearance within areas of high archaeological potential.

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