

7 March 2018

Ms Sandra Hinchey  
Director  
Webber Architects  
Suite 3, L1, 426 Hunter St  
Newcastle NSW 2300

Dear Sandra

**Re: Aboriginal heritage advice: Catherine McAuley Catholic College, Medowie, NSW**  
**Our Ref: Matter 26830**

Biosis Pty Ltd has been commissioned by Webber Architects on behalf of the Catholic Schools Office Diocese of Maitland-Newcastle, to conduct an Aboriginal cultural heritage assessment for the proposed Catherine McAuley Catholic College at 507 Medowie Road, Medowie NSW (Lot 412 & 413, DP 1063902) (the study area) (Figure 1). The proposed development includes the following works:

- Demolition of existing dwelling, shed and out buildings.
- Construction of three stream primary school, seven stream high school, a place of worship, residential duplex and child care centre.
- Associated works including car park, retaining walls, landscaping, etc.
- Establishment and ongoing maintenance of Asset Protection Zones (APZs) necessary to meet bushfire protection requirements.

The project will be assessed as a State Significant Development under Section 89(c) of the *Environmental Planning and Assessment Act 1979* and Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011. The project will be assessed by the Planning Assessment Commission (PAC) under delegation from the Minister of Planning.

The *National Parks and Wildlife Act 1974* (NPW Act) provides specific protection for Aboriginal objects and declared Aboriginal places by establishing offences of harm. Harm is defined to mean destroying, defacing, damaging or moving an object from the land.

Biosis has undertaken the following tasks as part of this assessment (stage 1) in order to determine if Aboriginal cultural heritage values will be impacted on by the proposed works:

**Background research**

Biosis has undertaken a background review of available information in order to identify known Aboriginal sites, areas of potential archaeological sensitivity and previous disturbance, and inform the predictive modelling for the assessment area. The following steps have been undertaken as part of this assessment:

- Review and consolidation of background research including the following:

Biosis Pty Ltd  
**Newcastle Resource Group**

Suite 8, 27 Annie Street  
Wickham NSW 2293

Phone: 02 4911 4040

ACN 006 175 097  
ABN 65 006 175 097

Email: [newcastle@biosis.com.au](mailto:newcastle@biosis.com.au)

[biosis.com.au](http://biosis.com.au)

- Review of previous reports conducted in the area.
- Review of landforms, hydrology, and geology.
- Review of ethnographic sources.
- An extensive search of the Aboriginal Heritage Information System (AHIMS) to identify any recorded sites that may exist within the study area or surrounds.
- A review of AHIMS site cards.
- Review of aerial photographs and other resources to gauge the existing landscape and previous history of land disturbance.
- A review of the Port Stephens LEP.

The results of the background assessment indicate that four AHIMS sites are located within the study area; two of the sites identified are duplicate recordings (Figure 2). The AHIMS sites identified within the study area were recorded by Umwelt Pty Ltd in 2013 as part of the Tomago-Tomaree Electricity Supply Upgrades and are summarised below:

#### **AHIMS No.: 38-4-1618 (TP5 and TP4)**

Site 38-4-1618 is an open artefact site located on a crest landform unit proximately 170 east of a drainage line associated with permanent swampland. The site is located approximately 1200 metres north-east of the Medowie Road and Richardson Road intersection, on the west side of Medowie Road. The site is located adjacent to the residential dwelling within the study area and an electrical substation located immediately to the north east of the study area.

Site 38-4-1618 was identified during archaeological test excavations undertaken as part of an archaeological assessment for electricity supply upgrade works conducted by Ausgrid. Two 1x1 metre test pits spaced 75 metres apart were excavated at the proposed sites of electricity transmission poles. Two flakes and one broken flake were recovered and considered to be in-situ. Raw materials include ignimbrite, mudstone and silcrete. The assessment concluded that it is likely this site extends beyond the areas tested during the test excavations.

#### **AHIMS No.: 38-4-1627 (TP7, TP9, TP10 – Medowie Power)**

Site 38-4-1627 is an open artefact site identified within the lower slopes of a dune landform. This site was also identified during archaeological test excavations undertaken as part of an archaeological assessment for electricity supply upgrade works conducted by Ausgrid. The site is located approximately 550 metres north-east of the Medowie Road and Richardson Road intersection. Two of the test pits are located on the west side of Medowie Road, and the third is located on the east, within an electricity easement. The two test pits conducted on the western side of Medowie Road are located within the study area.

Three 1x1 metre test pits were excavated at the proposed sites of electricity transmission poles. These test pits are located approximately 20 metres from a modified drainage line associated with permanent swampland. All artefacts identified during the excavation came from within the A2 sand horizons of the Tea Gardens soil landscape. The artefacts recovered were of tuff, silcrete and mudstone. Tool types varied from broken flakes, flakes, flaked pieces, and a single core. Manuports and retouched flakes were also recorded. The assessment concluded that it is likely this site extends beyond the areas tested during the test excavations.

#### **AHIMS No.: 38-4-1619 (TP7, TP9, TP10 – Medowie Power) - Duplicate of 38-4-1627**

Site 38-4-1619 is a duplicate recording of site 38-4-1627.

#### **AHIMS No.: 38-4-1628 (TP5) - Duplicate of 38-4-1618**

Site 38-4-1628 is a duplicate recording of site 38-4-1618.

### **Preliminary Aboriginal community consultation**

As part of the Stage 1 Aboriginal heritage assessment, Biosis has undertaken preliminary consultation with the Worimi Local Aboriginal Land Council (Woromi LALC). This consultation involved inviting the Worimi LALC to attend the Aboriginal field survey and to provide information on the cultural significance of the study area. No specific Aboriginal cultural values were identified during the field survey.

### **Field survey**

A field survey of the study area was undertaken on 13 February 2018, by Taryn Gooley, Consultant Archaeologist and Jamie, a site officer from Woromi LALC. The principal aims of the survey were to identify Aboriginal heritage values associated with the study area. This included inspecting AHIMS sites located within the study area as well as identifying any areas of archaeological potential or previous disturbance.

The study area consists of cleared paddocks and regrowth swampland adjacent to Medowie Road. A residential building and sheds are located on a crest landform within the north eastern portion of the study area. A number of sealed and unsealed roadways are located within the study area. Contour banks and evidence of bulk earthworks were also noted in the areas adjacent to the sealed and unsealed roadways within the study area. An electricity transmission line is also located along the eastern boundary of the study area, while a tennis court is located in the southern portion of the study area.

A large portion of the study area was found to have been subject to previous ground disturbance through land clearance, and the construction of access tracks, residential buildings, tennis courts, and sheds. An inspection of the recorded AHIMS sites in the study area found that there has been superficial ground disturbance through activities such as vegetation clearance. No evidence of major disturbance such as bulk earth works which would result in the destruction of archaeological deposits were noted in the areas marked as high or moderate in Figure 3 below.

Surface visibility and ground exposure were noted to be 0-5% throughout the entire property due to high levels of grass cover. Regrowth vegetation in the western portions of the study area also impacted on the levels of surface visibility and ground exposure noted during the survey. This limited the ability of the surveyors to identify any Aboriginal objects or sites that may be present.

Based on the results of previous test excavations conducted at sites 38-4-1618/38-4-1627, and 38-4-1619/38-4-1628, and the observations made during the field survey it is likely further subsurface archaeological deposits exist within the study area. Figure 3 outlines areas of high and moderate archaeological potential identified during stage 1 of this assessment. Areas of low potential include areas of high disturbance such as the access tracks and residential buildings observed during the survey. Areas of low potential also include the low lying swamplands in the southern portion of the study area.

### **Results**

Based on the results of the background research, the preliminary Aboriginal community consultation, and the field survey, it has been determined that the proposed works will impact on Aboriginal cultural heritage values.

Further assessment in the form of an Aboriginal Cultural Heritage Assessment and test excavations in line with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010), and the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010) is therefore required.

Biosis has begun the consultation process in line with the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010), and will be undertaking test excavations as part of the Aboriginal cultural heritage assessment which is currently underway.

## Recommendations

The following management recommendations have been developed relevant to the study area and influenced by:

- Predicted impacts to Aboriginal cultural heritage.
- The planning approvals framework.
- Current best conservation practise, widely considered to include:
  - Ethos of the Australia ICOMOS Burra Charter (2013)
  - The code

Prior to any impacts occurring within the study area, the following is recommended:

- Four recorded AHIMS sites have been identified within the study area as part of the assessment. An Aboriginal Cultural Heritage Assessment (ACHA) must therefore be prepared. The ACHA must be prepared in accordance with the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011). This includes an Archaeological Report prepared in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010) and consultation with Aboriginal community in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010). Biosis has commenced Aboriginal community consultation in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010), and is currently completing the Aboriginal cultural heritage assessment on behalf of Webber Architects.
- In order to assess the extent and significance of the archaeological deposits identified at sites 38-4-1618/38-4-1627, and 38-4-1619/38-41628, archaeological test excavations must be undertaken as part of the Aboriginal cultural heritage assessment.
- All Aboriginal objects and Places are protected under the NSW National Parks and Wildlife Act 1974. It is an offence to knowingly disturb an Aboriginal site without a consent permit issued by the Office of Environment and Heritage (OEH). Should any Aboriginal objects be encountered during works associated with this proposal, works must cease in the vicinity and the find should not be moved until assessed by a qualified archaeologist. If the find is determined to be an Aboriginal object the archaeologist will provide further recommendations. These may include notifying the OEH and Aboriginal stakeholders.
- Aboriginal ancestral remains may be found in a variety of landscapes in NSW, including middens and sandy or soft sedimentary soils. If any suspected human remains are discovered during any activity you must:

1. Immediately cease all work at that location and not further move or disturb the remains
2. Notify the NSW Police and OEH's Environmental Line on 131 555 as soon as practicable and provide details of the remains and their location
3. Not recommence work at that location unless authorised in writing by OEH.

Please contact me if you have any enquiries.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Taryn Gooley'.

Taryn Gooley  
Consultant Archaeologist





# Legend

Study area

Figure 1: Study area

0 40 80 120 160 200  
Metres

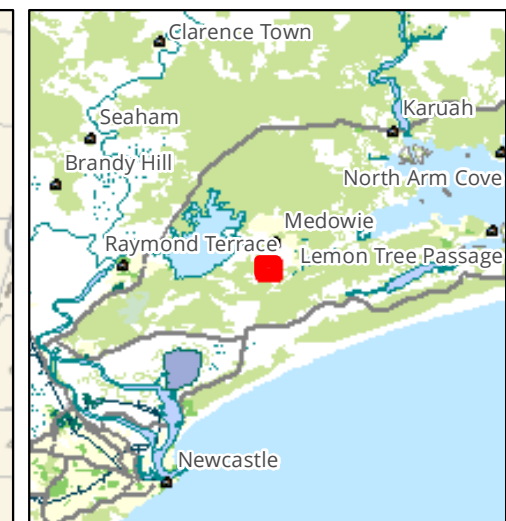
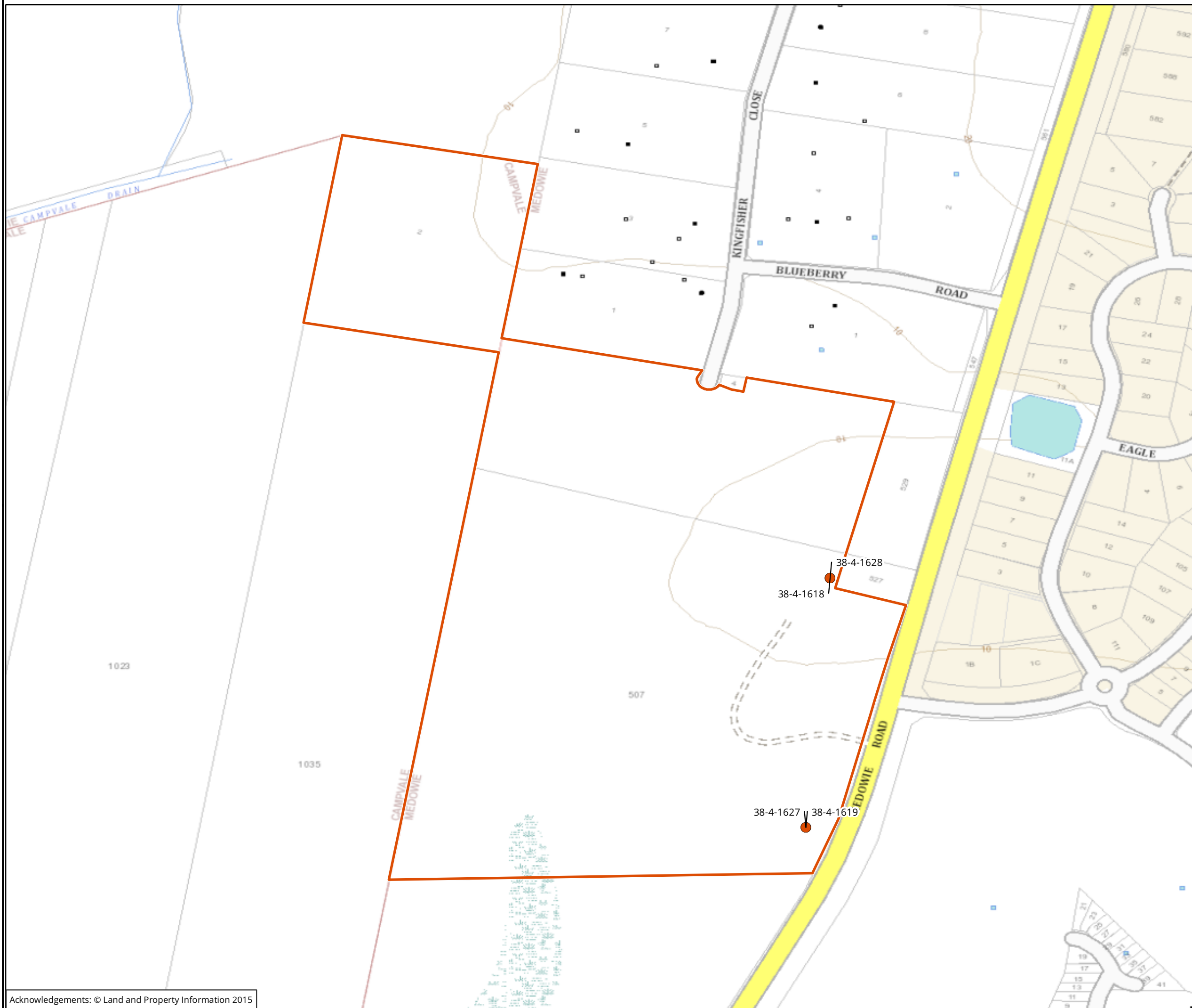
Scale: 1:4,000 @ A3  
Coordinate System: GDA 1994 NSW Lambert



Biosis Pty Ltd  
Albury, Ballarat, Melbourne,  
Newcastle, Sydney, Wangaratta & Wollongong

Matter: 26830  
Date: 13 February 2018,  
Checked by: AKE, Drawn by: GD, Last edited by: gdavies  
Location: \\bio-data-01\matters\26830s\26830\mapping\26830\_CatherineMcAuleyCollege\_F2\_StudyArea





#### Legend

- AHIMS Records
- Study area

Figure 2: AHIMS records near the study area

**NOT TO BE MADE PUBLIC**

0 30 60 90 120 150  
Metres

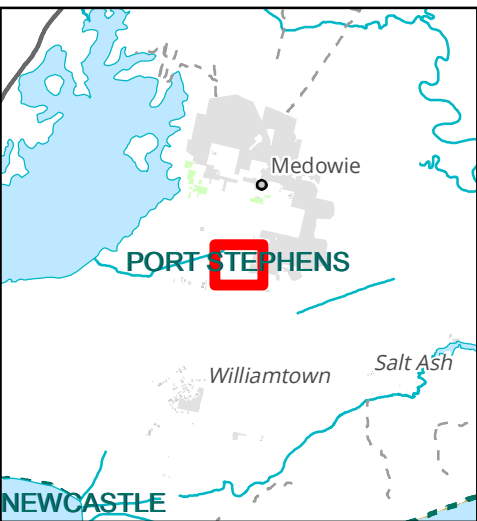
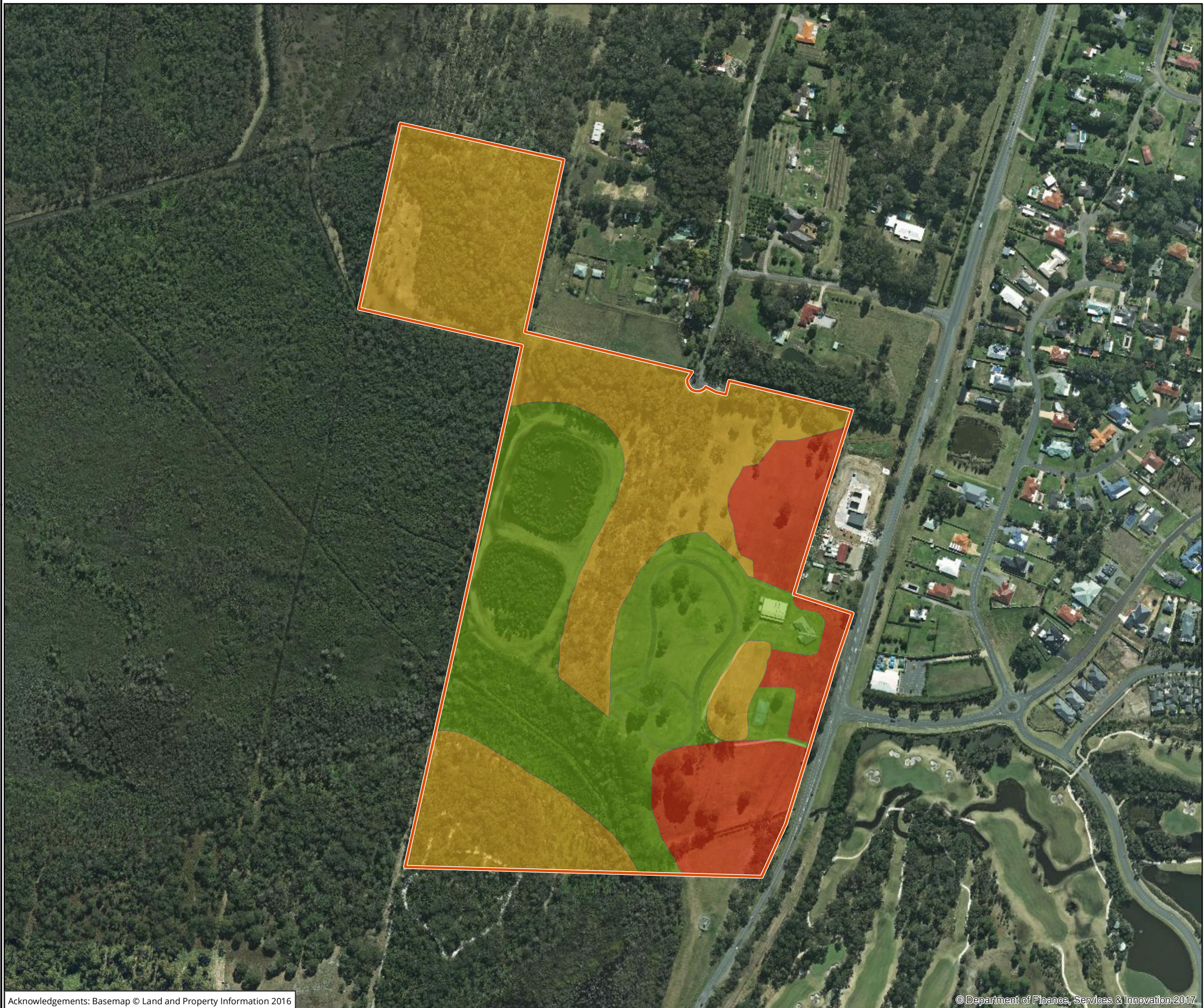
Scale: 1:4,000 @ A3  
Coordinate System: GCS GDA 1994



Biosis Pty Ltd  
Albury, Ballarat, Melbourne,  
Sydney, Wangaratta & Wollongong

Matter:  
Date: 13 February 2018,  
Checked by: gdavies, Generated by: gdavies  
Location: \\bio-data-01\matters\126800s\26830\Mapping\26830\_F5\_AHIMS.mxd





- Legend**
- Study area
- Aboriginal archaeological potential**
- High
  - Moderate
  - Low

Figure 3: Aboriginal archaeological potential

0 40 80 120 160 200  
Metres  
Scale: 1:4,000 @ A3  
Coordinate System: GDA 1994 NSW Lambert

**biosis**  
Biosis Pty Ltd

Albury, Ballarat, Melbourne,  
Newcastle, Sydney, Wangaratta & Wollongong

Matter: 26830  
Date: 07 March 2018,  
Checked by: TG, Drawn by: GD, Last edited by: gdavies  
Location: \\bio-data-01\matters\26800s\26830\Mapping\26830\_FX\_AboriginalPotential