

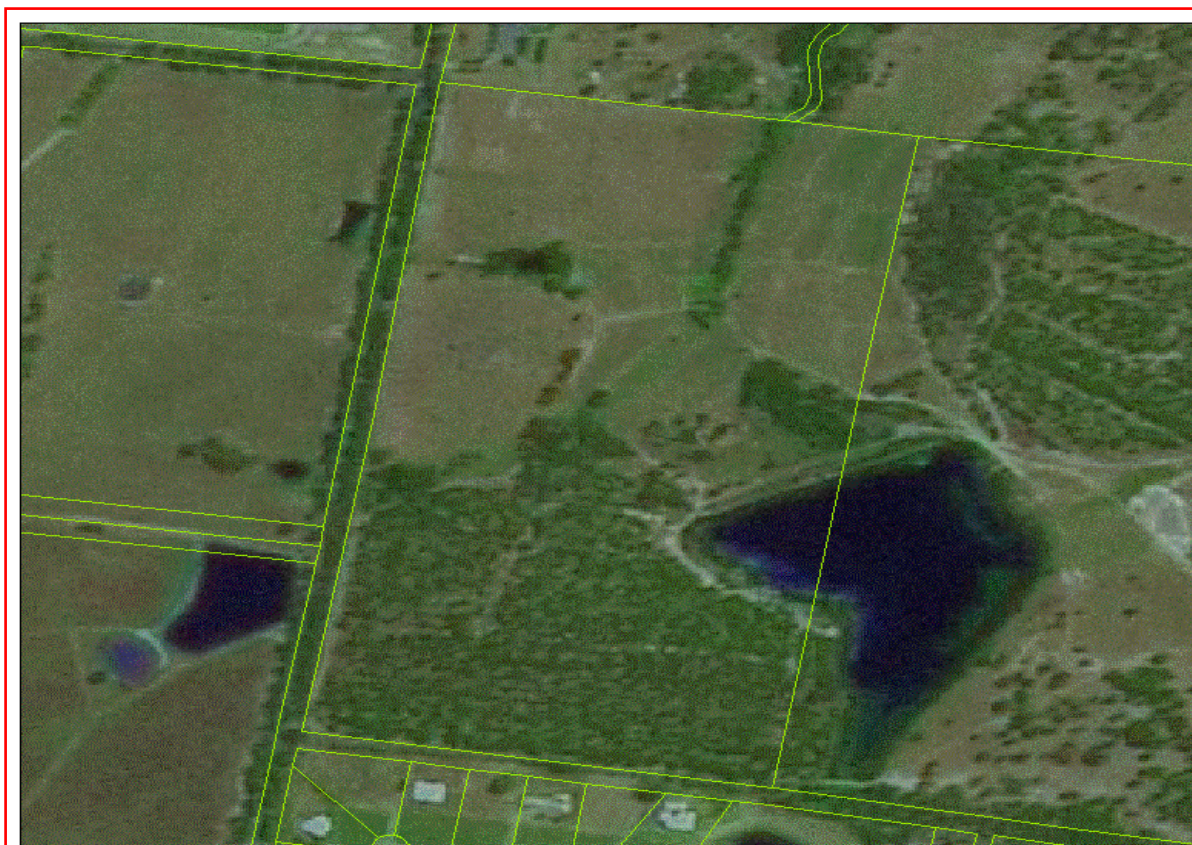
Chris McGillick  
173 Sussex Street  
Sydney 2000  
Attention: Chris McGillick  
Email: cmcgillick@jbaurban.com.au

Date: 29 September 2016

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 1, DP:DP1035135 with a Buffer of 50 meters, conducted by Chris McGillick on 29 September 2016.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

**If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

**Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.



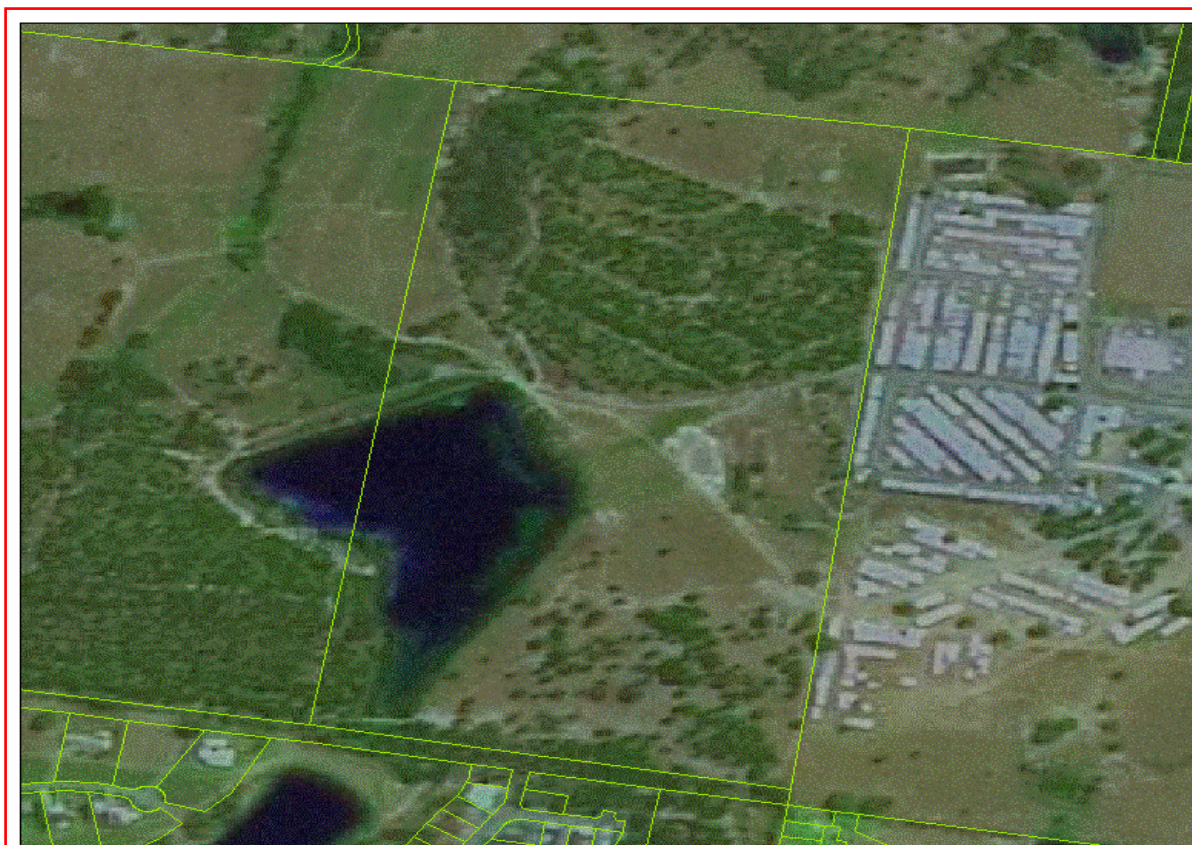
Chris McGillick  
173 Sussex Street  
Sydney 2000  
Attention: Chris McGillick  
Email: cmcgillick@jbaurban.com.au

Date: 29 September 2016

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 2, DP:DP76202 with a Buffer of 50 meters,  
conducted by Chris McGillick on 29 September 2016.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

**If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

**Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.



Justice Infrastructure  
Level 2, 50 Phillip Street  
Sydney New South Wales 2000  
Attention: Carlo Laba  
Email: carlo.laba@justice.nsw.gov.au

Date: 29 September 2016

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 3, DP:DP76202 with a Buffer of 0 meters,  
conducted by Carlo Laba on 29 September 2016.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

**If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

**Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.



## ARCHAEOLOGICAL & HERITAGE MANAGEMENT SOLUTIONS

SYDNEY	MELBOURNE	PERTH
349 Annandale St, Annandale, NSW 2038 P: (02) 9555 4000 F: (02) 9555 7005	PO Box 87, Highpoint City, VIC 3032 P: (03) 9378 3371 F: (03) 9378 3371	PO Box 9077, Nicholson Rd, Subiaco, WA 6008 P: (08) 9382 4657
W: <a href="http://www.ahms.com.au">www.ahms.com.au</a> E: <a href="mailto:info@arksolutions.com.au">info@arksolutions.com.au</a>	ACN: 088 058 388	ABN: 45 088 058 388

17 November 2009

Our Ref.: 091013-4

BBC Consulting Planners,  
PO Box 438,  
(Level 2, 55 Mountain Street),  
Broadway, NSW, 2007

Attention: Julie Horder

Re: Proposed Maximum Security Facility, Cessnock Correctional Centre -  
Preliminary Aboriginal Archaeological Assessment (Stage 1)

Dear Ms Horder,

This letter presents our preliminary Aboriginal Archaeological Assessment of the proposed maximum security facility at Cessnock Correctional Centre. The purpose of this report is to provide due diligence and Aboriginal archaeological constraints advice.

This report is not a formal Aboriginal Heritage Impact Assessment (AHIA) in accordance with NSW Department of Environment, Climate Change and Water (DECCW) guidelines, nor does it include any Aboriginal community consultation, as is required for an AHIA. In the event that an AHIA is necessary, Aboriginal community consultation would be required in accordance with the DECCW *Interim Community Consultation Requirements for Applicants* (2004). This report does not include any historical or non-Indigenous assessment.

The assessment is presented in **Appendix A** of this document. A summary of our findings and recommendations is presented below.

### Summary

While the likelihood of Aboriginal objects occurring is low, the DECCW have reviewed the Environmental Assessment (EA) and noted that the Applicant has not undertaken an Aboriginal Heritage Impact Assessment in accordance with DECCW guidelines. Based

on this assessment, it appears that a formal AHIA would be unnecessary, most likely re-iterating the conclusions outlined in this preliminary assessment.

However, this assessment does not constitute an investigation of the *cultural* values of the study area. While the heavy disturbance and use of the study area suggests any such values are unlikely, Aboriginal community consultation should be undertaken and considered prior to any works.

Given the highly disturbed nature of the study area, AHMS would recommend Department of Corrective Services considers one of the following actions:

1. Undertake a formal AHIA to address DECCWs and DoP requirements. This document would largely re-iterate the advice here, but would be conducted in accordance with the DECCW guidelines. This document would require formal Aboriginal consultation and take between six to eight working weeks to complete;
2. Undertake formal Aboriginal community consultation in accordance with DECCW's (2004) *Interim Community Consultation Requirements for Applicants* to identify any cultural values of the study area. This consultation could be integrated into this document and may satisfy DECCW and DoP requirements; or
3. Submit this preliminary assessment to DoP and seek modification of the DECCW and DoP requirements due to the extensive disturbance to the study area and the conclusions of this preliminary study.

Should you have any questions regarding the findings or recommendations in this report, please do not hesitate to contact Alan Williams on 02 9555 4000 or 0408 203 180.

Yours faithfully,



Lisa Newell  
Associate Director  
AHMS



## Appendix A: Preliminary Aboriginal Archaeological Assessment for the Proposed Development at Cessnock Correctional Centre.

### Introduction

Archaeological and Heritage Management Solutions Pty Limited (AHMS) has been engaged by BBC Consulting Planners, on behalf of the Department of Commerce, to provide a preliminary Aboriginal archaeological assessment for the proposed new Maximum Security Facility at the existing Cessnock Correctional Centre, Lindsay Street, Cessnock, NSW (Figure 1).

Cessnock Correctional Centre's property description is Lot 1 in DP 939901, Lots 2 and 3 in DP 76202, Lots 156 and 186 in DP 755252, and Lot 3 in DP 226429 (Figure 2 and Figure 3). The Centre is in the Cessnock Local Government Area, and in the Parish of Cessnock, County of Northumberland.

The location of the proposed development falls within Lot 3 DP 76202. This is referred to as the 'study area' hereafter.

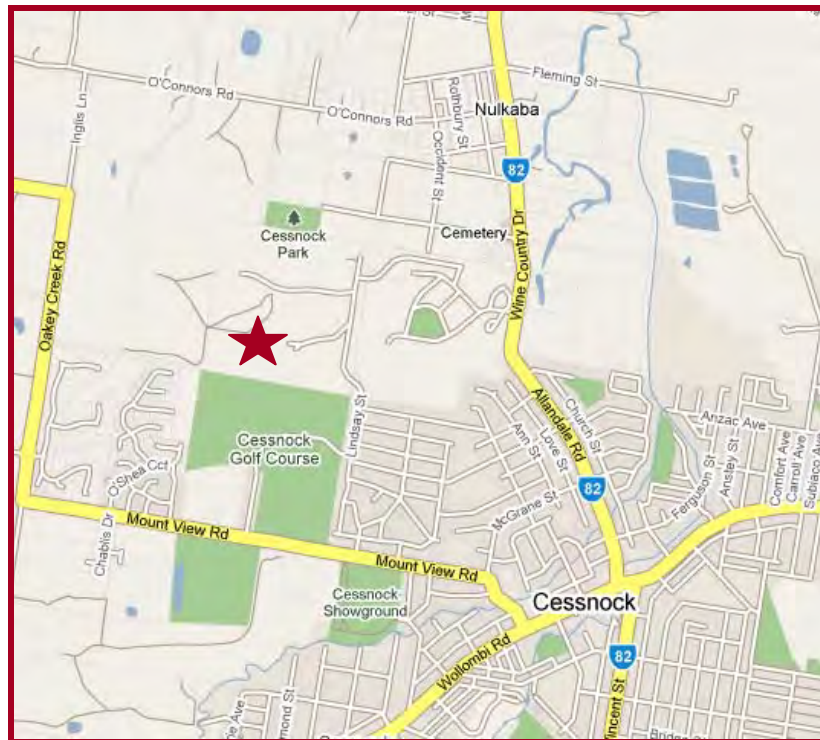


Figure 1. The general location of the study area, marked with a star (source: Google Maps).



## Background

The Department of Commerce, in conjunction with the Department of Corrective Services, proposes to construct a Maximum Security Facility within the existing Cessnock Correctional Centre property. The proposed development meets the criteria in Schedule 1 of *State Environmental Planning Policy (Major Projects) 2005*, and is therefore subject to Part 3A of the *Environmental Planning and Assessment Act 1979*.

The amended Director-General's requirements for the project were issued on the 26 September 2008. Aboriginal cultural heritage was not included as a Key Assessment Requirement. The Environmental Assessment was completed and lodged with the Development Application (# MP06\_0282). In response to the EA, the Department of Environment, Climate Change and Water (DECCW) recommended that an Aboriginal Cultural Heritage Assessment be carried out in accordance with the *Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation* (DEC 2005), the *Part 3A EP&A Act Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation* (DEC 2007), and the *Interim Community Consultation Requirements for Applicants* (DECC 2004).

BBC Consulting Planners has commissioned AHMS to undertake a preliminary Aboriginal archaeological assessment, as the initial stage in the fulfilment of the DECCW recommendations. This report provides advice regarding the management of Aboriginal heritage potential of the proposed development. Please note that it does not conform to the Department of Environment, Climate Change and Water's (DECCW) (1997) *Cultural Heritage Standards and Guidelines Kit* or (2004) *Interim Community Consultation Requirements for Applicants* or other pertinent State legislation. It should be noted that this report addresses only Aboriginal heritage. It does not address, or provide advice regarding historic heritage.

This study was undertaken by Fenella Atkinson and Anna Biggs. The report was reviewed by Alan Williams and Lisa Newell. The assistance provided by Patrick Towns, of the Department of Corrective Services, is gratefully acknowledged.

## Report Objectives

- To undertake a search of the Aboriginal Heritage Information Management System database, to determine whether any registered Aboriginal sites are within or in the immediate vicinity of the study area;



- To undertake a basic review of registered sites and previous archaeological work in the locality;
- To carry out a site inspection to re-locate any registered sites, identify any visible sites and objects, and assess the level of ground disturbance in the study area;
- To assess the potential for the presence of further sites or objects within the study area;
- To identify any Aboriginal archaeological constraints and opportunities with regard to the proposed development; and
- To identify any further investigation that may be required prior to the development of the site, and provide advice regarding this process.

### Statutory Context

All Aboriginal objects are afforded blanket statutory protection under the *National Parks & Wildlife Act 1974*. Under Section 90 of the Act, it is an offence to disturb, destroy or deface Aboriginal objects without the Consent of the NSW Department of Environment & Climate Change and Water (DECCW). The Act defines 'Aboriginal object' to mean:

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

Under the Act it is an offence if a person, without the consent of the Director-General:

*knowingly destroys, defaces or damages, or knowingly causes or permits the destruction or defacement of or damage to, an Aboriginal object or Aboriginal place ...*

Part 3A of the *Environmental Protection and Assessment Act 1979* in effect switches off this protection. Section 75U specifies that neither an approval under section 87 nor a consent under section 90 of the *National Parks and Wildlife Act 1974* is required for an approved project. However, measures to address the potential Aboriginal

cultural heritage impact of a particular Part 3A project should be included as part of the Statement of Commitment for the project and in the Director-General's Requirements for that project.

### Aboriginal Archaeological Context

In a study of known sites in the Hunter region, Hughes concluded that<sup>1</sup>:

- sites would be found across the entire Hunter Valley;
- several site types exist, the most common being open artefact scatters;
- artefact scatters are most likely to occur on creek banks, especially at creek junctions, with low frequencies found over 100 metres from creeks and on hillslopes and crests;
- sites will generally reduce in size as associated watercourses decrease in catchment (stream order) size; and
- most archaeological evidence dates to the mid to late Holocene (last 5,000 years); and
- technological analysis of stone artefacts may assist in relatively dating sites that cannot be directly dated.

Investigations carried out since Hughes' study have tended to confirm the patterns described above. Environmental and topographic context is an important determinant of the size and nature of archaeological sites in the Hunter Valley. The most commonly reported pattern in the lower Hunter is the frequency of open artefact scatters found near watercourses. Surveys in the Hunter Valley indicate a high density of open artefact scatters along the Hunter River and associated drainage networks. As a result of cyclical flooding, notably the 1949 and 1955 floods, archaeological material is often buried by more recent alluvial and colluvial deposits. This means that archaeological material is often found in areas of sub-surface exposure, such as those caused by erosion.

Evidence of Pleistocene occupation in the Hunter Valley has been found at Glennies Creek, north of Singleton, where evidence suggests artefacts were deposited between

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<sup>1</sup> Hughes, 1984.

10,000 and 13,000 years before the present (BP).<sup>2</sup> In the Lower Hunter, occupation has been dated to as early as 17,376 years BP at Moffats Swamp.<sup>3</sup>

However, the vast majority of dated sites in the Hunter Valley are less than 5,000 years old. It has been argued that this is a result of increased populations and 'intensification' of site use by Aboriginal people during this period. The prevalence of sites dating to the last 5000 years may be a result of the last significant rise in sea level, approximately 6000 years ago. The sea level rise would have submerged many of the older sites along the coastal fringe and forced Aboriginal groups westward of the current coastline.

### Existing Environment

The study area is situated within an area of the Pokolbin Soil Landscape.<sup>4</sup> The main soils are yellow podzolic soils on the mid to upper slopes, with red clays and red podzolic soils on the higher slopes. The parent rock includes siltstone, mudstone and tuff. The topography of this soil landscape is generally undulating low hills. The original vegetation was a tall woodland community with shrub or grass understorey.

A tributary of Oaky Creek rises immediately to the north of the northern boundary of the study area, and a tributary of Black Creek rises to the north-east. In the past a creek ran roughly north-south through the Correctional Centre property, approximately 50 m to the east of the study area.<sup>5</sup>

Historical aerial photographs indicate that the study area had been cleared of vegetation, probably for use as pasture, by the mid-twentieth century (Figure 4). Construction of Stage 1 of the Cessnock Correctional Centre began in 1969. The Centre was opened in 1972. Stage 2 of the Centre was completed in 1973. Further development was carried out after 1993, to create facilities for maximum security inmates.<sup>6</sup>

The study area itself remained undeveloped through to 1975 (Figure 5 and Figure 6). By 1984 the present playing field had been created in the northern part of the study area, and work had also commenced in the south-eastern part of the study area

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<sup>2</sup> Koettig 1986a and 1986b.

<sup>3</sup> Baker 1994.

<sup>4</sup> Kovac, M & JW Lawrie, 1991, *Soil Landscapes of the Singleton 1:250,000 Sheet*, Soil Conservation Service of NSW, Sydney, pp. 308-314.

<sup>5</sup> Patrick Towns, pers. comm., 11 November 2009.

<sup>6</sup> BBC Consulting Planners, August 2009, p. 13.



(Figure 7). Levelling of the remainder of the study area, and the construction of the present work shed, has taken place since 1984.

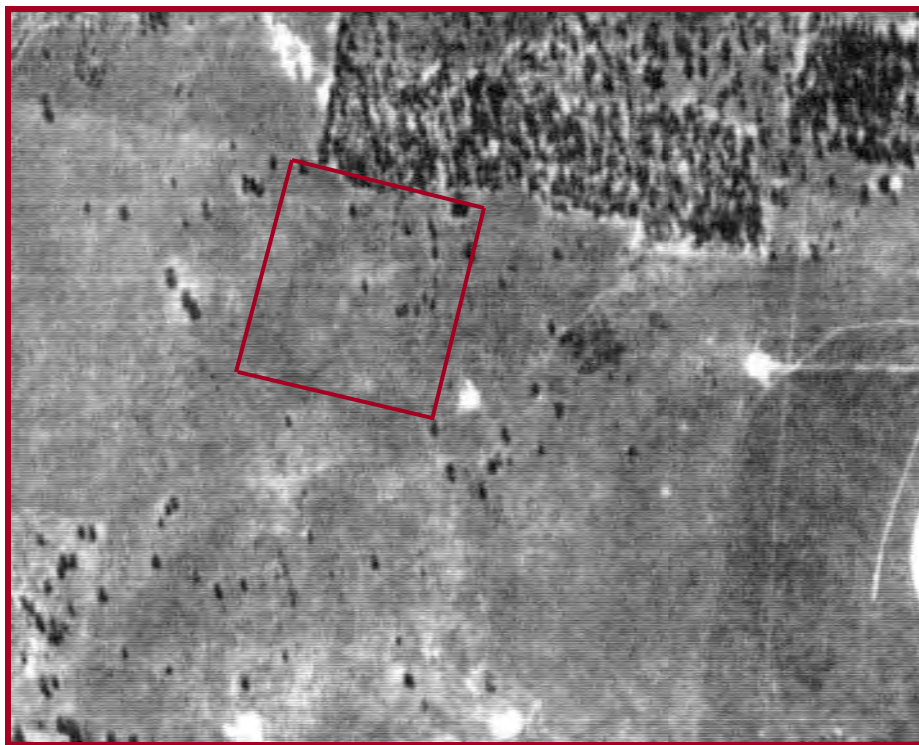
Twenty-four boreholes were drilled for a geotechnical study of the study area. Material described as topsoil was encountered by only two of these bores, to depths of 20 and 30 cm, in the north-eastern corner of the playing field, and on the southern boundary of the field. Material described as fill was encountered by all of the bores, with depths ranging from 0 m to 3.5 m. The deepest fill was found in the north-western part of the study area.<sup>7</sup> In most cases, the fill overlaid clay, however, a silty sand, possibly an earlier topsoil, was encountered in a bore just north-west of the centre of the playing field. This was located at a depth of 3.5 m and was 0.2 m in depth.<sup>8</sup>



*Figure 4. 1951 aerial photograph showing the study area, with approximate boundaries indicated in red (source: NSW Department of Lands).*

<sup>7</sup> Douglas Partners, November 2007, 'Report on Geotechnical Investigation: Proposed Redevelopment of Cessnock Correctional Facility, Cessnock', for the NSW Department of Commerce, p. 8.

<sup>8</sup> Douglas Partners, Borelog 311.



*Figure 5. 1961 aerial photograph showing the study area, with approximate boundaries indicated in red (source: NSW Department of Lands).*



*Figure 6. 1975 aerial photograph showing the study area, with approximate boundaries indicated in red (source: NSW Department of Lands).*



*Figure 7. 1984 aerial photograph showing the study area, with approximate boundaries indicated in red (source: NSW Department of Lands).*

## AHIMS Database

DECCW maintains the Aboriginal Heritage Information Management System (AHIMS) as a register of known Aboriginal objects and places. A search of AHIMS was carried out on 3 November 2009. The search covered a 6 km square centred on the study area (Figure 8).

Thirty-three Aboriginal sites are registered in this area. Of the 33 sites, 28 (85%) consist of one or more artefacts, three (9%) are potential archaeological deposits, and two (6%) consist of both one or more artefacts and potential archaeological deposit.

The AHIMS data indicates that five registered sites are in close proximity to the study area; one site within the Correctional Centre property to the east of the study area (AHIMS #37-6-1732), and four sites in the property immediately to the north of the study area (AHIMS #37-6-1731, #37-6-1733, #37-6-1734, #37-6-1456). The location of only one of these sites is correct; #37-6-1456, in the vegetated area to the north of



the study area (Site Card reproduced as an appendix). Reference to the Site Cards reveals that the other four registered sites (AHIMS #37-6-1731, #37-6-1732, #37-6-1733, #37-6-1734) are actually located in the Oaks Golf Course, to the south of the Correctional Centre property. The locations of these four sites have been incorrectly recorded in the AHIMS database.

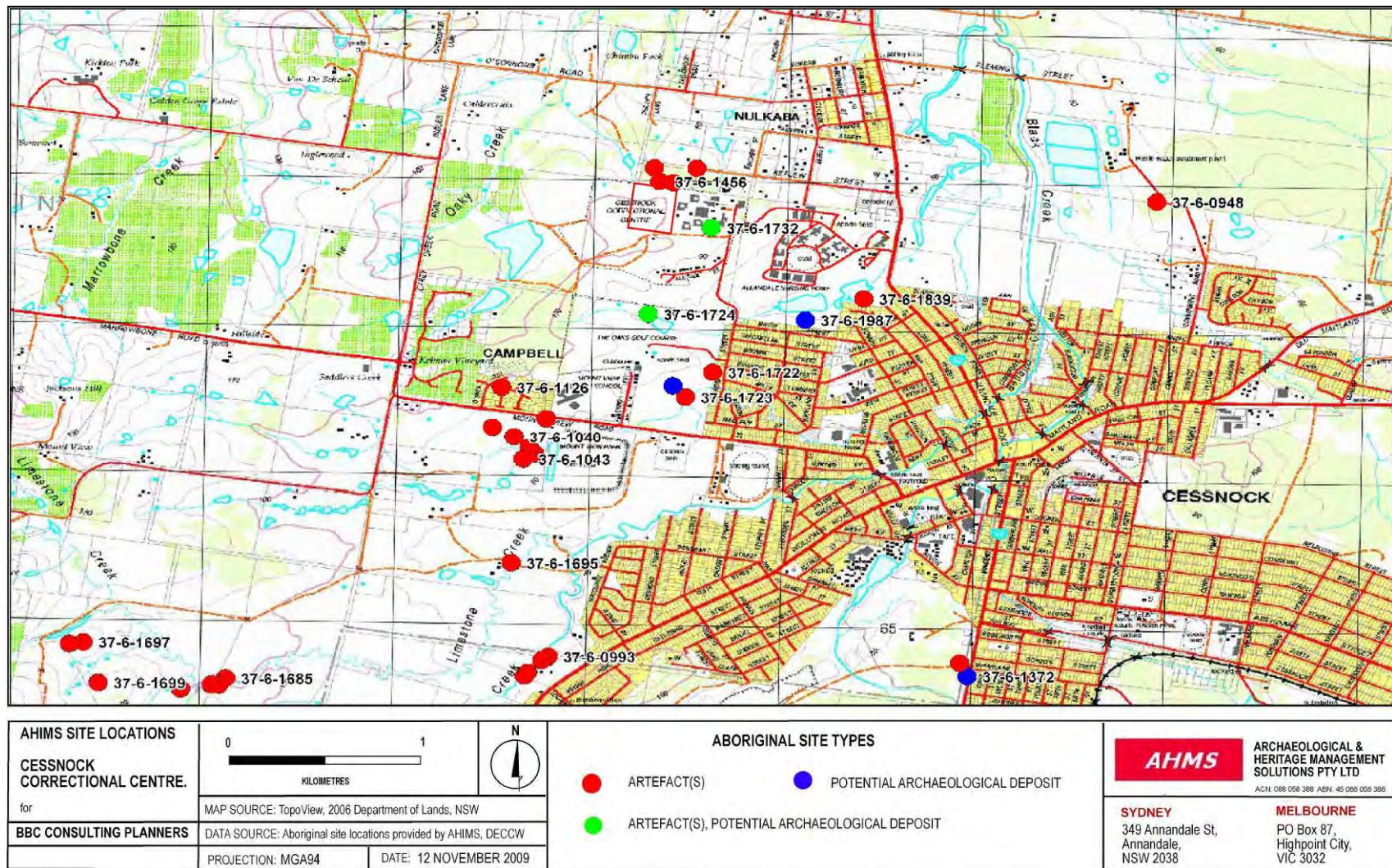


Figure 8. Aboriginal sites registered in the AHIMS database in the vicinity of the study area, with approximate boundaries marked in red.

## Site Inspection

The site inspection was undertaken by Anna Biggs and Fenella Atkinson, Consultants, AHMS, on 11 November 2009. The northern part of the study area, just over half, is occupied by a grassed playing field (**Figure 9**). The southern part of the study area is occupied by a large workshed, and several yards where shipping containers, demountable buildings and associated items, such as sink units, are stored.

The playing field is grassed, almost entirely covering the ground (**Figure 10**). A sandy loam is exposed in some small areas. A strip of bitumen runs roughly north-south across the eastern side of the field. This is a continuation of the driveway leading into the study area and ends at the northern boundary where there presumably once was an access point into the property. To the west of this is another, shorter, strip of concrete. There is a steep slope up along the western and southern boundaries of the field, and a steep slope down along the eastern boundary (**Figure 11**). A concrete spoon drain runs north-south along the eastern boundary. The grass is sparse in this area, exposing the ground, which is a silty clay with a variety of gravel, including sandstone and bluestone, and some modern artefacts including glass and plastic (**Figure 14**). There are no trees in the playing field area.

The southern part of the study area again has a steep slope up to the west along the western boundary, and a steep slope down to the east along the eastern boundary. Another slope, running north-south and rising to the west, divides the workshed and storage areas. There is some sparse grass in this area, but in general the surface of the ground is exposed (**Figure 12** and **Figure 13**). It consists of a silty clay with gravel, including sandstone, bluestone and ironstone, along with some modern artefacts such as glass, plastic, metal, etc. Along the southern boundary of the study area, the gravel was more consistent, although it still contained modern artefacts in the form of fragments of bitumen (**Figure 15**). There are several medium to large sized trees in the southern part of the study area. None show signs of human modification.

In general, it appears that ground originally sloped down to the north and the east. A substantial amount of fill has been introduced to the study area to create level ground surfaces. It is probable that almost the entire surface of the study area is covered with fill, as the ground exposed in the lowest part, along the eastern boundary, appears to be modern fill. However, it is possible that the ground exposed along the southern boundary of the study area is a disturbed *in situ* subsoil. No Aboriginal objects were found in this area.





*Figure 9. A recent aerial photograph of the study area, with approximate boundaries indicated in red (source: Google Maps).*



*Figure 10. Looking south-west across the playing field.*



*Figure 11. The break in slope running along the southern boundary of the playing field.*



*Figure 12. The storage area.*



*Figure 13. The storage area.*





Figure 14. Detail of the ground surface in a filled area.



Figure 15. Detail of the ground surface in the south of the study area, showing possibly natural soil.

## Conclusions

Based on previous archaeological work in the vicinity of the study area, along with the topography of the area, Aboriginal archaeological site types that could be expected at the subject site are scarred trees, artefact scatters, and potential archaeological deposits. The trees in the study area are too young to show scarring of Aboriginal cultural origin. Where the ground surface is visible, this consists almost entirely of modern fill. Geotechnical information generally confirms this with up to 3.5 m of modern fill being situated across the study area, largely for levelling purposes. The one area where a relatively *in situ* soil profile was evident revealed only the lower part of a soil profile (the topsoil and likely location of Aboriginal objects being removed) and no Aboriginal objects were identified.

In addition, while there may be some potential for an *in situ* soil profile to occur beneath the modern fill, the geotechnical information suggests that the fill lies immediately over basal clay (i.e. the topsoil has been removed prior to or during the fill process). Based on AHMS' experience of such sites, while a soil profile may still be evident in places, it is likely to be extensively impacted and any archaeology to be highly disturbed. It is therefore considered that the study area has a low risk of

retaining *in situ* or significant Aboriginal objects. It is not considered that there are any Aboriginal archaeological constraints within the study area.

In the area where the geotechnical investigation suggests the possible presence of an earlier topsoil beneath the fill, the proposed development involves the introduction of further fill. This would not disturb the earlier topsoils.

While the likelihood of Aboriginal objects occurring is low, the DECCW and DoP comments on the EA require a formal Aboriginal Heritage Impact Assessment to be undertaken in accordance with DECCW guidelines. Based on this assessment, a formal AHIA appears to be unnecessary, most likely re-iterating the conclusions outlined here.

However, this assessment does not include an investigation of the *cultural* (non-archaeological) values of the study area. While the heavy disturbance and use of the study area suggests any such values are unlikely, Aboriginal community consultation to identify those values (should they occur within the study area) should be considered as part of any subsequent works.

Given the highly disturbed nature of the study area, AHMS would recommend Department of Corrective Services considers one of the following actions:

1. Undertake a formal AHIA to address the DECCW and DoP requirements. This document would largely re-iterate the advice here, but would be conducted in accordance with the DECCW guidelines. This document would require formal Aboriginal consultation and take between six to eight working weeks to complete;
2. Undertake formal Aboriginal community consultation in accordance with DECCW's (2004) *Interim Community Consultation Requirements for Applicants* to identify any cultural values of the study area. This consultation could be integrated into this document and may satisfy the DECCW and DoP requirements; or
3. Submit this preliminary assessment to DoP and seek modification of the DECCW and DoP requirements due to the extensive disturbance to the study area and the conclusions of this preliminary study.



## References

Baker, N 1994, 'Moffat's Swamp Dune: Preliminary report on archaeological site salvage, testing and artefact analysis', for RZM Mines Pty Ltd.

BBC Consulting Planners, August 2009, 'Environmental assessment of a new maximum security correctional centre to accommodate 250 inmates at the Cessnock Correctional Centre', for the NSW Department of Corrective Services.

Douglas Partners, November 2007, 'Report on Geotechnical Investigation: Proposed redevelopment of Cessnock Correctional Facility, Cessnock', for the NSW Department of Commerce.

Hughes, PJ 1984, *An overview of the archaeology of the Hunter Valley, its environmental setting and the impact of development*, NSW National Parks and Wildlife Service, Hunter Valley Region Archaeology Project Stage 1, Vol. 1.

Koettig, M 1986a, 'Assessment of archaeological sites along the proposed Singleton to Glennies Creek water pipeline route and the reservoir site at Apex Lookout, Hunter Valley, NSW', for the Department of Public Works.

Koettig, M 1986b, 'Test excavations at six locations along the proposed pipeline route between Singleton and Glennies Creek Dam, Hunter Valley, NSW, for the Department of Public Works.

Kovak, M and JW Lawrie, 1991, *Soil landscapes of the Singleton 1:250,000 Sheet*, Soil Conservation Service of NSW, Sydney.

Site Card: AHIMS #37-6-1456



# National Parks and Wildlife Service Aboriginal Site Recording Form



AHIMS Registrar  
PO Box 1967, Hurstville NSW 2220



Office Use Only

Site Number 37-6-1456

Date received

Date entered into system 21/12/01

Date catalogued

Entered by (I.D.)

CF

## Information Access

☐ Gender/male ☐ Gender/female ☐ Location restriction ☐ General restriction ☐ No access

Office Use Only

## For Further Information Contact:

### ☒ Nominated Trustee

Title Surname First Name Initials  
MR GRIFFITHS RICK  
Organisation MINDARIBBA LALC  
Address CHELMSFORD DRIVE METFORD  
Phone number 0249348511 Fax 49348544

Client on system

### ☒ Knowledge Holder

Title Surname First Name Initials  
MR ANDERSON BARRY  
Organisation LOWE WONNARUA TRIBAL COUNCIL  
Address ST ANDREWS ST EAST MAITLAND  
Phone number 0249348106 Fax 0249348107

Client on system

## Aboriginal Heritage Unit or Cultural Heritage Division Contacts

## Geographic Location

Site Name KERLEW I

Easting 344229 Northing 6367808 X AMG ☐ GDA

Mapsheet CESSNOCK

Zone ☐ 54 ☒ 1:25k topographic map ☒ Non differential GPS  
☐ 55 ☐ 1:50k topographic map ☐ Differential GPS  
☒ 56 ☐ 1:100k topographic map ☐ Engineering survey plan or map  
☐ Client GIS or CAD system

## Primary Recorder

Title Surname First Name Initials  
MRS BESANT ANGELA L  
Organisation  
Address 295 DOBELL DRIVE WANGI WANGI  
Phone number 0249755818 Fax  
Date recorded 13/8/02

Client on system

# NPWS Aboriginal Site Recording Form - Site Information

page 2

☐ CLOSED SITE ☒ OPEN SITE

## Site Context

### Landform

- ☐ Mountainous  
☐ Plain  
☒ Rolling hills  
☐ Steep hills  
☒ Undulating plain

### Slope

☒ 25 degrees

### Landform Unit

- ☐ Beach  
☐ Coastal rock platform  
☐ Dune  
☐ Intertidal flat  
☐ Lagoon  
☐ Tidal Creek

- ☐ Tidal Flat  
☐ Cliff  
☐ Crest  
☐ Flat  
☐ Lower slope  
☐ Mid slope  
☐ Upper slope  
☐ Plain  
☒ Ridge  
☐ Tor  
☐ Valley flat  
☐ Levy

- ☐ Stream bank  
☐ Stream channel  
☐ Swamp  
☐ Terrace  
☐ Terrace flat

### Vegetation

- ☐ Closed forest  
☐ Grasslands  
☐ Isolated clumps of trees  
☐ Open forest  
☐ Open woodland  
☐ Scrub  
☒ Woodland  
☐ Cleared  
☐ Revegetated  
☐ N/A

### Land use

- ☐ Conservation  
☐ Established urban  
☐ Farming-intensive  
☐ Farming-low intensity  
☐ Forestry  
☐ Industrial  
☐ Mining  
☐ Pastoral/grazing  
☐ Recreation  
☐ Semi-rural  
☐ Service corridor  
☐ Transport corridor  
☒ Urban expansion  
☐ N/A

### Water

Distance to permanent water source  metres  
 Distance to temporary water source  metres  
 Name of nearest permanent water source   
 Name of nearest temporary water

### Directions for Relocation

Lot 150 Kerlew st Nulkaba  
 North boundary of Cessnock jail  
 mid way adjacent to oval - note  
 dirt track about 20m into bush  
 artefact on the track

### Current Land Tenure

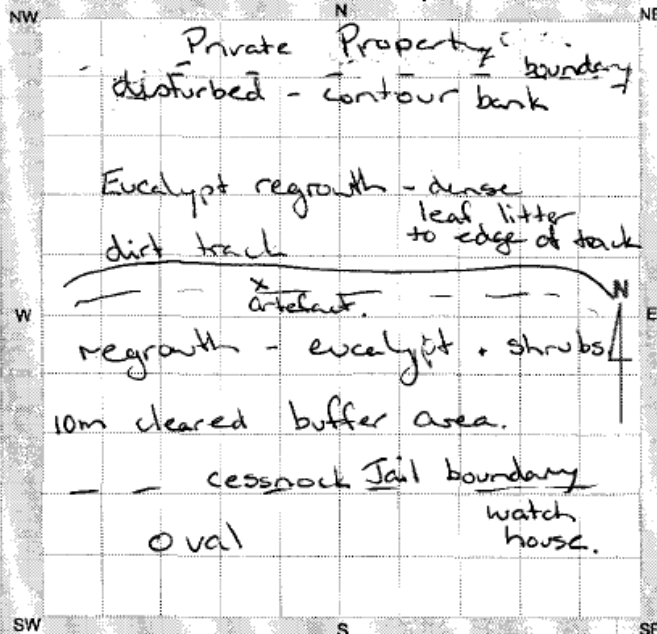
☐ Public National Park / other Government Dept.  
☒ Private

### Primary report

I.D.  (I.D. Office Use only)

ARCHAEOLOGICAL ASSESSMENT OF PROPOSED SUBSTATION LOCATIONS CESSNOCK NSW  
 REPORT TO RPK

### Site Location Map





# NPWS Aboriginal Site Recording Form - Site Information

page 3

## General Site Information

### Closed Site

#### Shelter/Cave Formation

- ☐ Boulder
- ☐ Wind erosion
- ☐ Water erosion
- ☐ Rock collapse

#### Rock Surface Condition

- ☐ Boulder
- ☐ Sandstone platform
- ☐ Silica gloss
- ☐ Tessellated
- ☐ Weathered
- ☐ Other platform

### Open Site

#### Site Orientation

- ☐ N-S
- ☐ NE-SW
- ☐ E-W
- ☐ SE-NW
- ☒ N/A

#### Condition of Ceiling

- ☐ Boulder
- ☐ Sandstone platform
- ☐ Silica gloss
- ☐ Tessellated
- ☐ Weathered
- ☐ Other platform

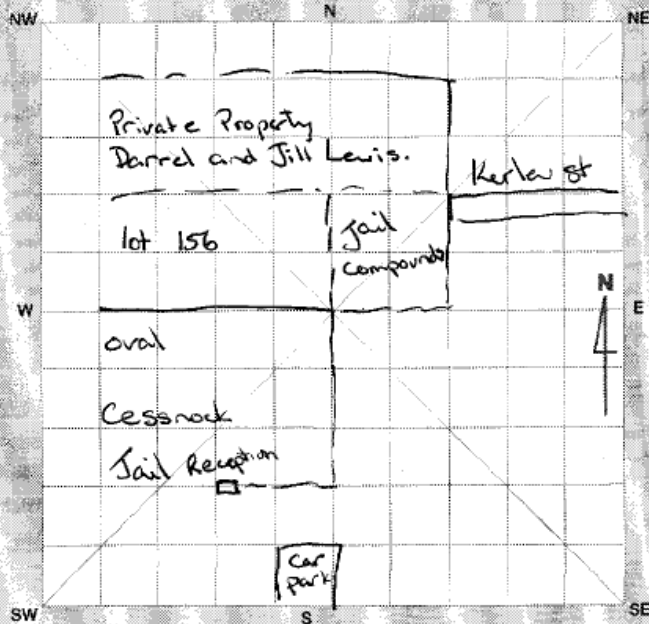
#### Shelter Aspect

- ☐ North
- ☐ North East
- ☐ East
- ☐ South East
- ☐ South
- ☐ South West
- ☐ West
- ☐ North West

## Features

- ☐ 1. Aboriginal Ceremony & Dreaming
- ☐ 2. Aboriginal Resource & Gathering
- ☐ 3. Art
- ☒ 4. Artefact
- ☐ 5. Burial
- ☐ 6. Ceremonial Ring
- ☐ 7. Conflict
- ☐ 8. Earth Mound
- ☐ 9. Fish Trap
- ☐ 10. Grinding Groove
- ☐ 11. Habitation Structure
- ☐ 12. Hearth
- ☐ 13. Non Human Bone & Organic Material
- ☐ 14. Ochre quarry
- ☐ 15. Potential Archaeological Deposit
- ☐ 16. Stone Quarry
- ☐ 17. Shell
- ☐ 18. Stone Arrangement
- ☐ 19. Modified Tree
- ☐ 20. Water Hole

## Location Site Plan



## Site Dimensions

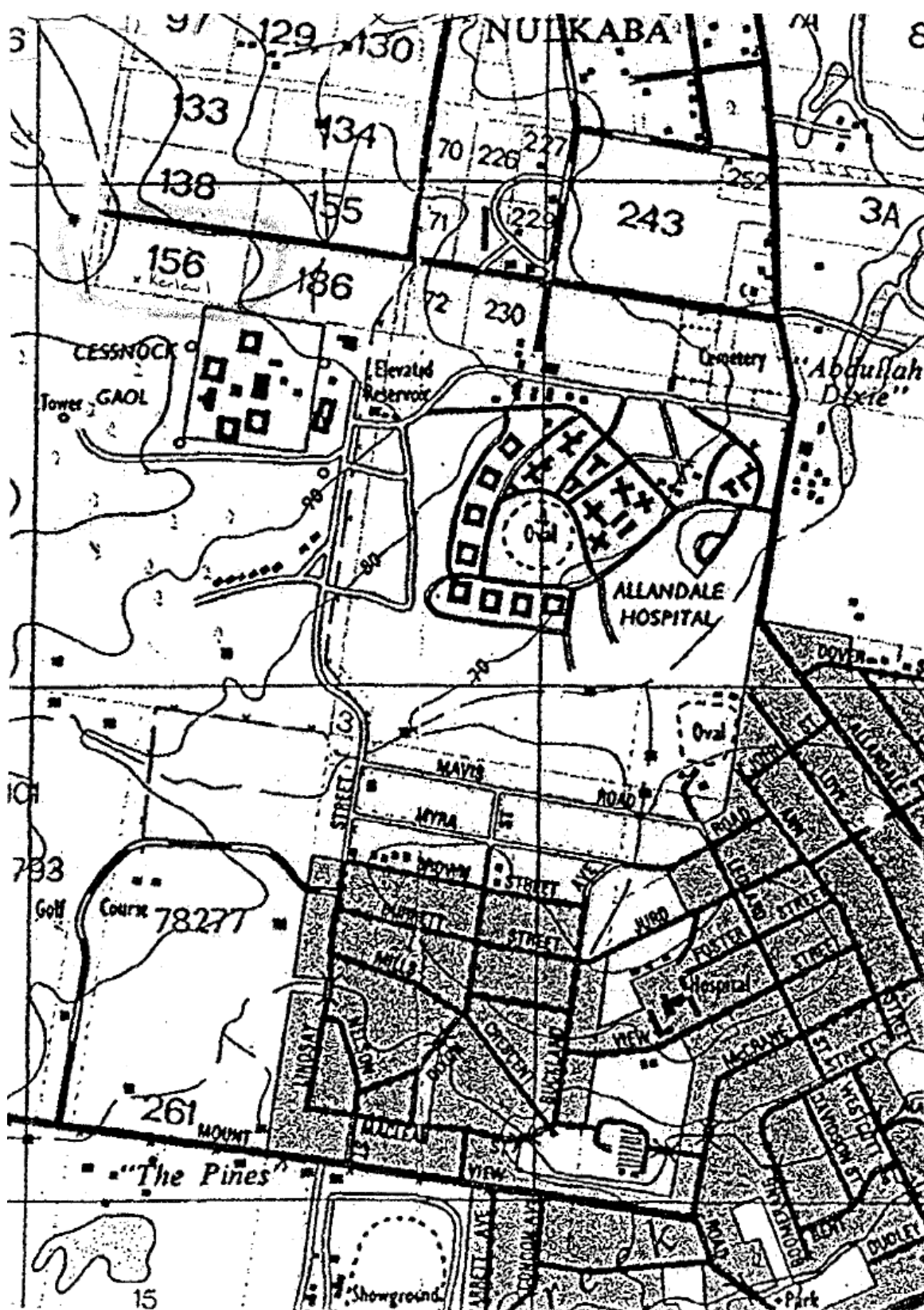
### Closed Site Dimensions (m)

- Internal length
- Internal width
- Shelter height
- Shelter floor area

### Open Site Dimensions (m)

- <1m<sup>2</sup> Total length of visible site
- <1m Average width of visible site
- <1m Estimated area of visible site
- 100m<sup>2</sup> Length of assessed site area











## ARCHAEOLOGICAL & HERITAGE MANAGEMENT SOLUTIONS

SYDNEY	MELBOURNE	PERTH
349 Annandale St, Annandale, NSW 2038 P: (02) 9555 4000 F: (02) 9555 7005	PO Box 87, Highpoint City, VIC 3032 P: (03) 9378 3371 F: (03) 9378 3371	PO Box 9077, Nicholson Rd, Subiaco, WA 6008 P: (08) 9382 4657
W: <a href="http://www.ahms.com.au">www.ahms.com.au</a> E: <a href="mailto:info@arksolutions.com.au">info@arksolutions.com.au</a>	ACN: 088 058 388	ABN: 45 088 058 388

17 November 2009

Our Ref.: 091013-4

BBC Consulting Planners,  
PO Box 438,  
(Level 2, 55 Mountain Street),  
Broadway, NSW, 2007

Attention: Julie Horder

Re: Proposed Maximum Security Facility, Cessnock Correctional Centre -  
Preliminary Aboriginal Archaeological Assessment (Stage 1)

Dear Ms Horder,

This letter presents our preliminary Aboriginal Archaeological Assessment of the proposed maximum security facility at Cessnock Correctional Centre. The purpose of this report is to provide due diligence and Aboriginal archaeological constraints advice.

This report is not a formal Aboriginal Heritage Impact Assessment (AHIA) in accordance with NSW Department of Environment, Climate Change and Water (DECCW) guidelines, nor does it include any Aboriginal community consultation, as is required for an AHIA. In the event that an AHIA is necessary, Aboriginal community consultation would be required in accordance with the DECCW *Interim Community Consultation Requirements for Applicants* (2004). This report does not include any historical or non-Indigenous assessment.

The assessment is presented in **Appendix A** of this document. A summary of our findings and recommendations is presented below.

### Summary

While the likelihood of Aboriginal objects occurring is low, the DECCW have reviewed the Environmental Assessment (EA) and noted that the Applicant has not undertaken an Aboriginal Heritage Impact Assessment in accordance with DECCW guidelines. Based

on this assessment, it appears that a formal AHIA would be unnecessary, most likely re-iterating the conclusions outlined in this preliminary assessment.

However, this assessment does not constitute an investigation of the *cultural* values of the study area. While the heavy disturbance and use of the study area suggests any such values are unlikely, Aboriginal community consultation should be undertaken and considered prior to any works.

Given the highly disturbed nature of the study area, AHMS would recommend Department of Corrective Services considers one of the following actions:

1. Undertake a formal AHIA to address DECCWs and DoP requirements. This document would largely re-iterate the advice here, but would be conducted in accordance with the DECCW guidelines. This document would require formal Aboriginal consultation and take between six to eight working weeks to complete;
2. Undertake formal Aboriginal community consultation in accordance with DECCW's (2004) *Interim Community Consultation Requirements for Applicants* to identify any cultural values of the study area. This consultation could be integrated into this document and may satisfy DECCW and DoP requirements; or
3. Submit this preliminary assessment to DoP and seek modification of the DECCW and DoP requirements due to the extensive disturbance to the study area and the conclusions of this preliminary study.

Should you have any questions regarding the findings or recommendations in this report, please do not hesitate to contact Alan Williams on 02 9555 4000 or 0408 203 180.

Yours faithfully,



Lisa Newell  
Associate Director  
AHMS

## Appendix A: Preliminary Aboriginal Archaeological Assessment for the Proposed Development at Cessnock Correctional Centre.

### Introduction

Archaeological and Heritage Management Solutions Pty Limited (AHMS) has been engaged by BBC Consulting Planners, on behalf of the Department of Commerce, to provide a preliminary Aboriginal archaeological assessment for the proposed new Maximum Security Facility at the existing Cessnock Correctional Centre, Lindsay Street, Cessnock, NSW (Figure 1).

Cessnock Correctional Centre's property description is Lot 1 in DP 939901, Lots 2 and 3 in DP 76202, Lots 156 and 186 in DP 755252, and Lot 3 in DP 226429 (Figure 2 and Figure 3). The Centre is in the Cessnock Local Government Area, and in the Parish of Cessnock, County of Northumberland.

The location of the proposed development falls within Lot 3 DP 76202. This is referred to as the 'study area' hereafter.

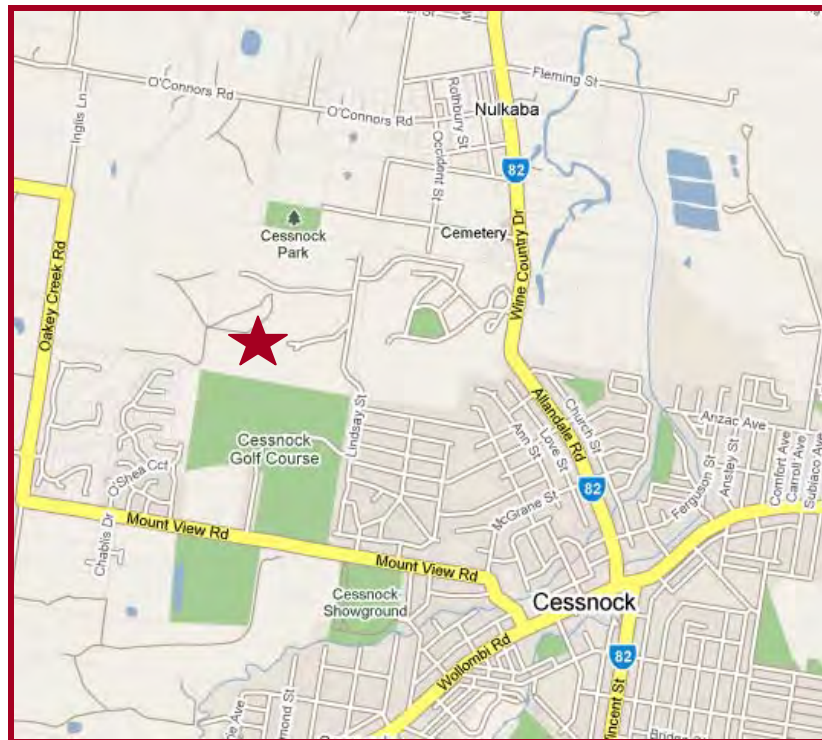


Figure 1. The general location of the study area, marked with a star (source: Google Maps).

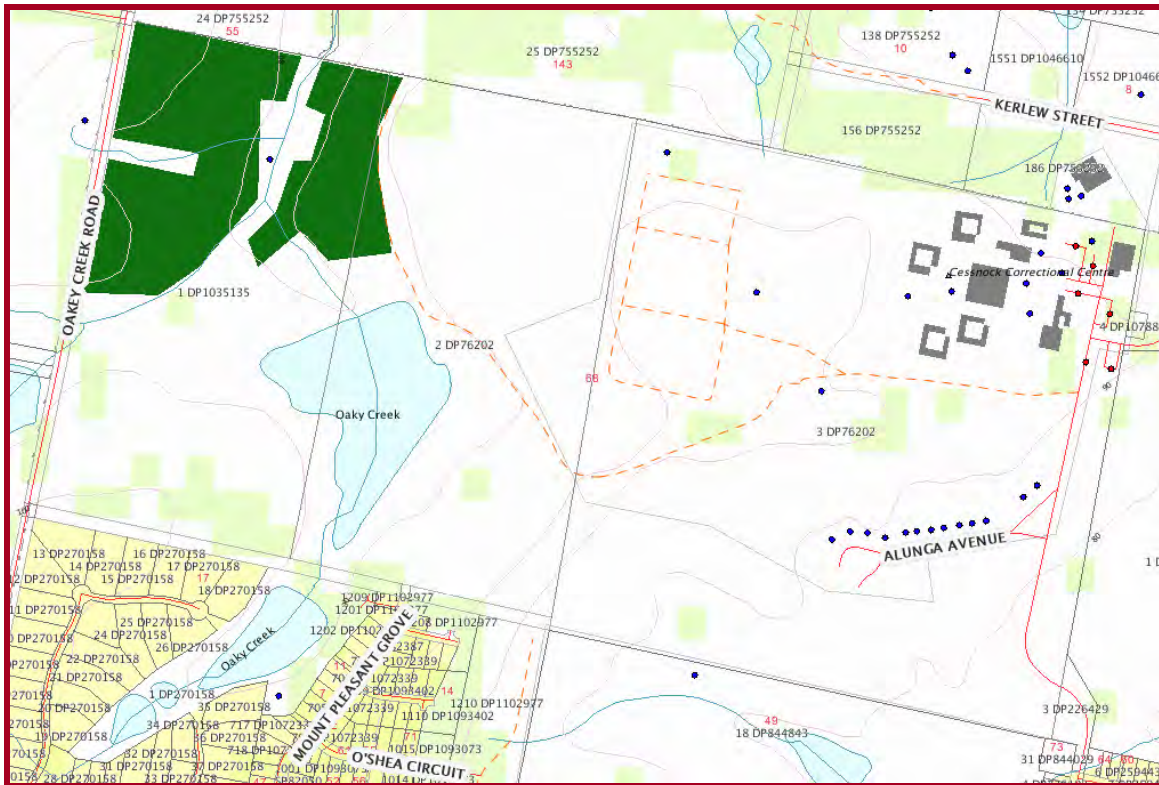


Figure 2. Cessnock Correctional Centre (source: Department of Lands, SIX Viewer).



*Figure 3. A recent aerial photograph, with the boundaries of Cessnock Correctional Centre indicated in pink, and the location of the proposed development (the study area) shaded in green (source: BBC Consulting Planners, August 2009, p. 9).*



## Background

The Department of Commerce, in conjunction with the Department of Corrective Services, proposes to construct a Maximum Security Facility within the existing Cessnock Correctional Centre property. The proposed development meets the criteria in Schedule 1 of *State Environmental Planning Policy (Major Projects) 2005*, and is therefore subject to Part 3A of the *Environmental Planning and Assessment Act 1979*.

The amended Director-General's requirements for the project were issued on the 26 September 2008. Aboriginal cultural heritage was not included as a Key Assessment Requirement. The Environmental Assessment was completed and lodged with the Development Application (# MP06\_0282). In response to the EA, the Department of Environment, Climate Change and Water (DECCW) recommended that an Aboriginal Cultural Heritage Assessment be carried out in accordance with the *Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation* (DEC 2005), the *Part 3A EP&A Act Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation* (DEC 2007), and the *Interim Community Consultation Requirements for Applicants* (DECC 2004).

BBC Consulting Planners has commissioned AHMS to undertake a preliminary Aboriginal archaeological assessment, as the initial stage in the fulfilment of the DECCW recommendations. This report provides advice regarding the management of Aboriginal heritage potential of the proposed development. Please note that it does not conform to the Department of Environment, Climate Change and Water's (DECCW) (1997) *Cultural Heritage Standards and Guidelines Kit* or (2004) *Interim Community Consultation Requirements for Applicants* or other pertinent State legislation. It should be noted that this report addresses only Aboriginal heritage. It does not address, or provide advice regarding historic heritage.

This study was undertaken by Fenella Atkinson and Anna Biggs. The report was reviewed by Alan Williams and Lisa Newell. The assistance provided by Patrick Towns, of the Department of Corrective Services, is gratefully acknowledged.

## Report Objectives

- To undertake a search of the Aboriginal Heritage Information Management System database, to determine whether any registered Aboriginal sites are within or in the immediate vicinity of the study area;

- To undertake a basic review of registered sites and previous archaeological work in the locality;
- To carry out a site inspection to re-locate any registered sites, identify any visible sites and objects, and assess the level of ground disturbance in the study area;
- To assess the potential for the presence of further sites or objects within the study area;
- To identify any Aboriginal archaeological constraints and opportunities with regard to the proposed development; and
- To identify any further investigation that may be required prior to the development of the site, and provide advice regarding this process.

### Statutory Context

All Aboriginal objects are afforded blanket statutory protection under the *National Parks & Wildlife Act 1974*. Under Section 90 of the Act, it is an offence to disturb, destroy or deface Aboriginal objects without the Consent of the NSW Department of Environment & Climate Change and Water (DECCW). The Act defines 'Aboriginal object' to mean:

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

Under the Act it is an offence if a person, without the consent of the Director-General:

*knowingly destroys, defaces or damages, or knowingly causes or permits the destruction or defacement of or damage to, an Aboriginal object or Aboriginal place ...*

Part 3A of the *Environmental Protection and Assessment Act 1979* in effect switches off this protection. Section 75U specifies that neither an approval under section 87 nor a consent under section 90 of the *National Parks and Wildlife Act 1974* is required for an approved project. However, measures to address the potential Aboriginal

cultural heritage impact of a particular Part 3A project should be included as part of the Statement of Commitment for the project and in the Director-General's Requirements for that project.

### Aboriginal Archaeological Context

In a study of known sites in the Hunter region, Hughes concluded that<sup>1</sup>:

- sites would be found across the entire Hunter Valley;
- several site types exist, the most common being open artefact scatters;
- artefact scatters are most likely to occur on creek banks, especially at creek junctions, with low frequencies found over 100 metres from creeks and on hillslopes and crests;
- sites will generally reduce in size as associated watercourses decrease in catchment (stream order) size; and
- most archaeological evidence dates to the mid to late Holocene (last 5,000 years); and
- technological analysis of stone artefacts may assist in relatively dating sites that cannot be directly dated.

Investigations carried out since Hughes' study have tended to confirm the patterns described above. Environmental and topographic context is an important determinant of the size and nature of archaeological sites in the Hunter Valley. The most commonly reported pattern in the lower Hunter is the frequency of open artefact scatters found near watercourses. Surveys in the Hunter Valley indicate a high density of open artefact scatters along the Hunter River and associated drainage networks. As a result of cyclical flooding, notably the 1949 and 1955 floods, archaeological material is often buried by more recent alluvial and colluvial deposits. This means that archaeological material is often found in areas of sub-surface exposure, such as those caused by erosion.

Evidence of Pleistocene occupation in the Hunter Valley has been found at Glennies Creek, north of Singleton, where evidence suggests artefacts were deposited between

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<sup>1</sup> Hughes, 1984.

10,000 and 13,000 years before the present (BP).<sup>2</sup> In the Lower Hunter, occupation has been dated to as early as 17,376 years BP at Moffats Swamp.<sup>3</sup>

However, the vast majority of dated sites in the Hunter Valley are less than 5,000 years old. It has been argued that this is a result of increased populations and 'intensification' of site use by Aboriginal people during this period. The prevalence of sites dating to the last 5000 years may be a result of the last significant rise in sea level, approximately 6000 years ago. The sea level rise would have submerged many of the older sites along the coastal fringe and forced Aboriginal groups westward of the current coastline.

### Existing Environment

The study area is situated within an area of the Pokolbin Soil Landscape.<sup>4</sup> The main soils are yellow podzolic soils on the mid to upper slopes, with red clays and red podzolic soils on the higher slopes. The parent rock includes siltstone, mudstone and tuff. The topography of this soil landscape is generally undulating low hills. The original vegetation was a tall woodland community with shrub or grass understorey.

A tributary of Oaky Creek rises immediately to the north of the northern boundary of the study area, and a tributary of Black Creek rises to the north-east. In the past a creek ran roughly north-south through the Correctional Centre property, approximately 50 m to the east of the study area.<sup>5</sup>

Historical aerial photographs indicate that the study area had been cleared of vegetation, probably for use as pasture, by the mid-twentieth century (Figure 4). Construction of Stage 1 of the Cessnock Correctional Centre began in 1969. The Centre was opened in 1972. Stage 2 of the Centre was completed in 1973. Further development was carried out after 1993, to create facilities for maximum security inmates.<sup>6</sup>

The study area itself remained undeveloped through to 1975 (Figure 5 and Figure 6). By 1984 the present playing field had been created in the northern part of the study area, and work had also commenced in the south-eastern part of the study area

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<sup>2</sup> Koettig 1986a and 1986b.

<sup>3</sup> Baker 1994.

<sup>4</sup> Kovac, M & JW Lawrie, 1991, *Soil Landscapes of the Singleton 1:250,000 Sheet*, Soil Conservation Service of NSW, Sydney, pp. 308-314.

<sup>5</sup> Patrick Towns, pers. comm., 11 November 2009.

<sup>6</sup> BBC Consulting Planners, August 2009, p. 13.



(Figure 7). Levelling of the remainder of the study area, and the construction of the present work shed, has taken place since 1984.

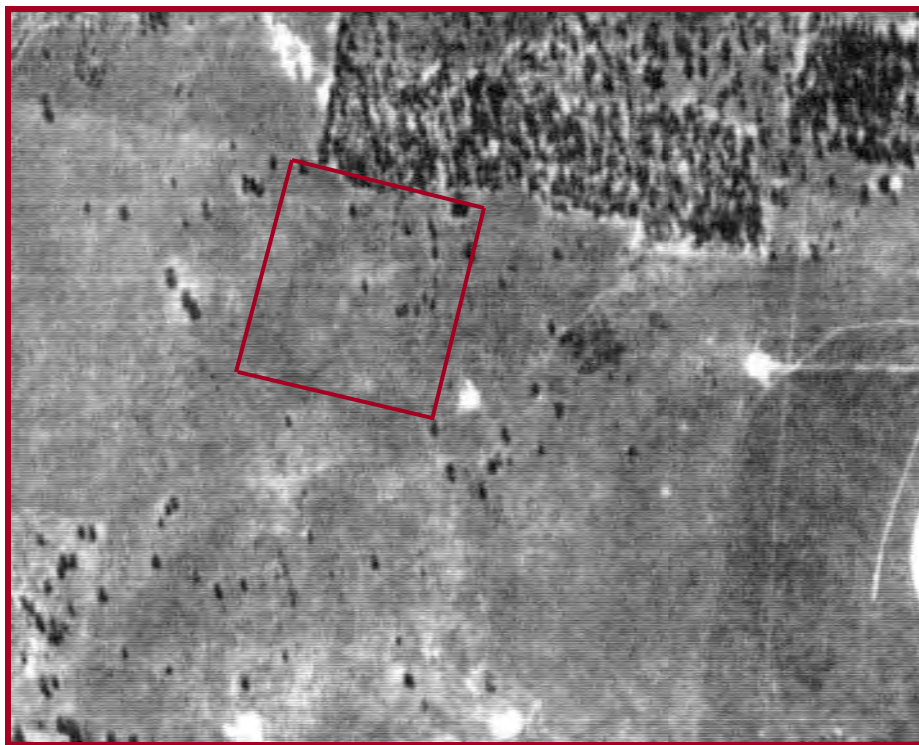
Twenty-four boreholes were drilled for a geotechnical study of the study area. Material described as topsoil was encountered by only two of these bores, to depths of 20 and 30 cm, in the north-eastern corner of the playing field, and on the southern boundary of the field. Material described as fill was encountered by all of the bores, with depths ranging from 0 m to 3.5 m. The deepest fill was found in the north-western part of the study area.<sup>7</sup> In most cases, the fill overlaid clay, however, a silty sand, possibly an earlier topsoil, was encountered in a bore just north-west of the centre of the playing field. This was located at a depth of 3.5 m and was 0.2 m in depth.<sup>8</sup>



*Figure 4. 1951 aerial photograph showing the study area, with approximate boundaries indicated in red (source: NSW Department of Lands).*

<sup>7</sup> Douglas Partners, November 2007, 'Report on Geotechnical Investigation: Proposed Redevelopment of Cessnock Correctional Facility, Cessnock', for the NSW Department of Commerce, p. 8.

<sup>8</sup> Douglas Partners, Borelog 311.



*Figure 5. 1961 aerial photograph showing the study area, with approximate boundaries indicated in red (source: NSW Department of Lands).*



*Figure 6. 1975 aerial photograph showing the study area, with approximate boundaries indicated in red (source: NSW Department of Lands).*



*Figure 7. 1984 aerial photograph showing the study area, with approximate boundaries indicated in red (source: NSW Department of Lands).*

## AHIMS Database

DECCW maintains the Aboriginal Heritage Information Management System (AHIMS) as a register of known Aboriginal objects and places. A search of AHIMS was carried out on 3 November 2009. The search covered a 6 km square centred on the study area (Figure 8).

Thirty-three Aboriginal sites are registered in this area. Of the 33 sites, 28 (85%) consist of one or more artefacts, three (9%) are potential archaeological deposits, and two (6%) consist of both one or more artefacts and potential archaeological deposit.

The AHIMS data indicates that five registered sites are in close proximity to the study area; one site within the Correctional Centre property to the east of the study area (AHIMS #37-6-1732), and four sites in the property immediately to the north of the study area (AHIMS #37-6-1731, #37-6-1733, #37-6-1734, #37-6-1456). The location of only one of these sites is correct; #37-6-1456, in the vegetated area to the north of

the study area (Site Card reproduced as an appendix). Reference to the Site Cards reveals that the other four registered sites (AHIMS #37-6-1731, #37-6-1732, #37-6-1733, #37-6-1734) are actually located in the Oaks Golf Course, to the south of the Correctional Centre property. The locations of these four sites have been incorrectly recorded in the AHIMS database.



Image has been redacted

*Figure 8. Aboriginal sites registered in the AHIMS database in the vicinity of the study area, with approximate boundaries marked in red.*

## Site Inspection

The site inspection was undertaken by Anna Biggs and Fenella Atkinson, Consultants, AHMS, on 11 November 2009. The northern part of the study area, just over half, is occupied by a grassed playing field (**Figure 9**). The southern part of the study area is occupied by a large workshed, and several yards where shipping containers, demountable buildings and associated items, such as sink units, are stored.

The playing field is grassed, almost entirely covering the ground (**Figure 10**). A sandy loam is exposed in some small areas. A strip of bitumen runs roughly north-south across the eastern side of the field. This is a continuation of the driveway leading into the study area and ends at the northern boundary where there presumably once was an access point into the property. To the west of this is another, shorter, strip of concrete. There is a steep slope up along the western and southern boundaries of the field, and a steep slope down along the eastern boundary (**Figure 11**). A concrete spoon drain runs north-south along the eastern boundary. The grass is sparse in this area, exposing the ground, which is a silty clay with a variety of gravel, including sandstone and bluestone, and some modern artefacts including glass and plastic (**Figure 14**). There are no trees in the playing field area.

The southern part of the study area again has a steep slope up to the west along the western boundary, and a steep slope down to the east along the eastern boundary. Another slope, running north-south and rising to the west, divides the work-shed and storage areas. There is some sparse grass in this area, but in general the surface of the ground is exposed (**Figure 12** and **Figure 13**). It consists of a silty clay with gravel, including sandstone, bluestone and ironstone, along with some modern artefacts such as glass, plastic, metal, etc. Along the southern boundary of the study area, the gravel was more consistent, although it still contained modern artefacts in the form of fragments of bitumen (**Figure 15**). There are several medium to large sized trees in the southern part of the study area. None show signs of human modification.

In general, it appears that ground originally sloped down to the north and the east. A substantial amount of fill has been introduced to the study area to create level ground surfaces. It is probable that almost the entire surface of the study area is covered with fill, as the ground exposed in the lowest part, along the eastern boundary, appears to be modern fill. However, it is possible that the ground exposed along the southern boundary of the study area is a disturbed *in situ* subsoil. No Aboriginal objects were found in this area.



*Figure 9. A recent aerial photograph of the study area, with approximate boundaries indicated in red (source: Google Maps).*



*Figure 10. Looking south-west across the playing field.*



*Figure 11. The break in slope running along the southern boundary of the playing field.*



*Figure 12. The storage area.*



*Figure 13. The storage area.*





Figure 14. Detail of the ground surface in a filled area.



Figure 15. Detail of the ground surface in the south of the study area, showing possibly natural soil.

## Conclusions

Based on previous archaeological work in the vicinity of the study area, along with the topography of the area, Aboriginal archaeological site types that could be expected at the subject site are scarred trees, artefact scatters, and potential archaeological deposits. The trees in the study area are too young to show scarring of Aboriginal cultural origin. Where the ground surface is visible, this consists almost entirely of modern fill. Geotechnical information generally confirms this with up to 3.5 m of modern fill being situated across the study area, largely for levelling purposes. The one area where a relatively *in situ* soil profile was evident revealed only the lower part of a soil profile (the topsoil and likely location of Aboriginal objects being removed) and no Aboriginal objects were identified.

In addition, while there may be some potential for an *in situ* soil profile to occur beneath the modern fill, the geotechnical information suggests that the fill lies immediately over basal clay (i.e. the topsoil has been removed prior to or during the fill process). Based on AHMS' experience of such sites, while a soil profile may still be evident in places, it is likely to be extensively impacted and any archaeology to be highly disturbed. It is therefore considered that the study area has a low risk of

retaining *in situ* or significant Aboriginal objects. It is not considered that there are any Aboriginal archaeological constraints within the study area.

In the area where the geotechnical investigation suggests the possible presence of an earlier topsoil beneath the fill, the proposed development involves the introduction of further fill. This would not disturb the earlier topsoils.

While the likelihood of Aboriginal objects occurring is low, the DECCW and DoP comments on the EA require a formal Aboriginal Heritage Impact Assessment to be undertaken in accordance with DECCW guidelines. Based on this assessment, a formal AHIA appears to be unnecessary, most likely re-iterating the conclusions outlined here.

However, this assessment does not include an investigation of the *cultural* (non-archaeological) values of the study area. While the heavy disturbance and use of the study area suggests any such values are unlikely, Aboriginal community consultation to identify those values (should they occur within the study area) should be considered as part of any subsequent works.

Given the highly disturbed nature of the study area, AHMS would recommend Department of Corrective Services considers one of the following actions:

1. Undertake a formal AHIA to address the DECCW and DoP requirements. This document would largely re-iterate the advice here, but would be conducted in accordance with the DECCW guidelines. This document would require formal Aboriginal consultation and take between six to eight working weeks to complete;
2. Undertake formal Aboriginal community consultation in accordance with DECCW's (2004) *Interim Community Consultation Requirements for Applicants* to identify any cultural values of the study area. This consultation could be integrated into this document and may satisfy the DECCW and DoP requirements; or
3. Submit this preliminary assessment to DoP and seek modification of the DECCW and DoP requirements due to the extensive disturbance to the study area and the conclusions of this preliminary study.

## References

Baker, N 1994, 'Moffat's Swamp Dune: Preliminary report on archaeological site salvage, testing and artefact analysis', for RZM Mines Pty Ltd.

BBC Consulting Planners, August 2009, 'Environmental assessment of a new maximum security correctional centre to accommodate 250 inmates at the Cessnock Correctional Centre', for the NSW Department of Corrective Services.

Douglas Partners, November 2007, 'Report on Geotechnical Investigation: Proposed redevelopment of Cessnock Correctional Facility, Cessnock', for the NSW Department of Commerce.

Hughes, PJ 1984, *An overview of the archaeology of the Hunter Valley, its environmental setting and the impact of development*, NSW National Parks and Wildlife Service, Hunter Valley Region Archaeology Project Stage 1, Vol. 1.

Koettig, M 1986a, 'Assessment of archaeological sites along the proposed Singleton to Glennies Creek water pipeline route and the reservoir site at Apex Lookout, Hunter Valley, NSW', for the Department of Public Works.

Koettig, M 1986b, 'Test excavations at six locations along the proposed pipeline route between Singleton and Glennies Creek Dam, Hunter Valley, NSW, for the Department of Public Works.

Kovak, M and JW Lawrie, 1991, *Soil landscapes of the Singleton 1:250,000 Sheet*, Soil Conservation Service of NSW, Sydney.

Site Card: AHIMS #37-6-1456





# National Parks and Wildlife Service Aboriginal Site Recording Form



AHIMS Registrar  
PO Box 1967, Hurstville NSW 2220



37-6-1456

Office Use Only

Site Number 37-6-1456

Date received

Date entered into system 21/12/01

Date catalogued

Entered by (I.D.)

CT

## Information Access

☐ Gender/male ☐ Gender/female ☐ Location restriction ☐ General restriction ☐ No access

Office Use Only

## For Further Information Contact:

### ☒ Nominated Trustee

Title Surname First Name Initials  
MR GRIFFITHS RICK  
Organisation MINDARIBBA LALC  
Address CHELMSFORD DRIVE METFORD  
Phone number 0249348511 Fax 49348544

Client on system  
☐

### ☒ Knowledge Holder

Title Surname First Name Initials  
MR ANDERSON BARRY  
Organisation LOWE WONNARUA TRIBAL COUNCIL  
Address ST ANDREWS ST EAST MAITLAND  
Phone number 0249348106 Fax 0249348107

Client on system  
☐

## Aboriginal Heritage Unit or Cultural Heritage Division Contacts

## Geographic Location

Site Name KERLEW I

Easting 344229

Northing 6367808

X AMG ☐ GDA

Mapsheet CESSNOCK

Zone ☐ 54

☒ 1:25k topographic map

☒ Non differential GPS

☐ 55

☐ 1:50k topographic map

☐ Differential GPS

☒ 56

☐ 1:100k topographic map

☐ Engineering survey plan or map

☐ Client GIS or CAD system

## Primary Recorder

Title Surname First Name Initials  
MRS BESANT ANGELA L  
Organisation  
Address 295 DOBELLE DRIVE WANGI WANGI  
Phone number 0249755818 Fax  
Date recorded 13/8/02

Client on system  
☐

# NPWS Aboriginal Site Recording Form - Site Information

page 2

☐ CLOSED SITE ☒ OPEN SITE

## Site Context

### Landform

- ☐ Mountainous  
☐ Plain  
☒ Rolling hills  
☐ Steep hills  
☒ Undulating plain

### Slope

☒ 25 degrees

### Landform Unit

- ☐ Beach  
☐ Coastal rock platform  
☐ Dune  
☐ Intertidal flat  
☐ Lagoon  
☐ Tidal Creek

- ☐ Tidal Flat  
☐ Cliff  
☐ Crest  
☐ Flat  
☐ Lower slope  
☐ Mid slope  
☐ Upper slope  
☐ Plain  
☒ Ridge  
☐ Tor  
☐ Valley flat  
☐ Levy

- ☐ Stream bank  
☐ Stream channel  
☐ Swamp  
☐ Terrace  
☐ Terrace flat

### Vegetation

- ☐ Closed forest  
☐ Grasslands  
☐ Isolated clumps of trees  
☐ Open forest  
☐ Open woodland  
☐ Scrub  
☒ Woodland  
☐ Cleared  
☐ Revegetated  
☐ N/A

### Land use

- ☐ Conservation  
☐ Established urban  
☐ Farming-intensive  
☐ Farming-low intensity  
☐ Forestry  
☐ Industrial  
☐ Mining  
☐ Pastoral/grazing  
☐ Recreation  
☐ Semi-rural  
☐ Service corridor  
☐ Transport corridor  
☒ Urban expansion  
☐ N/A

### Water

Distance to permanent water source  metres  
 Distance to temporary water source  metres  
 Name of nearest permanent water source   
 Name of nearest temporary water

### Directions for Relocation

Lot 150 Kerley st Nulkaba  
 North boundary of Cessnock jail  
 mid way adjacent to oval - note  
 dirt track about 20m into bush  
 artefact on the track

### Current Land Tenure

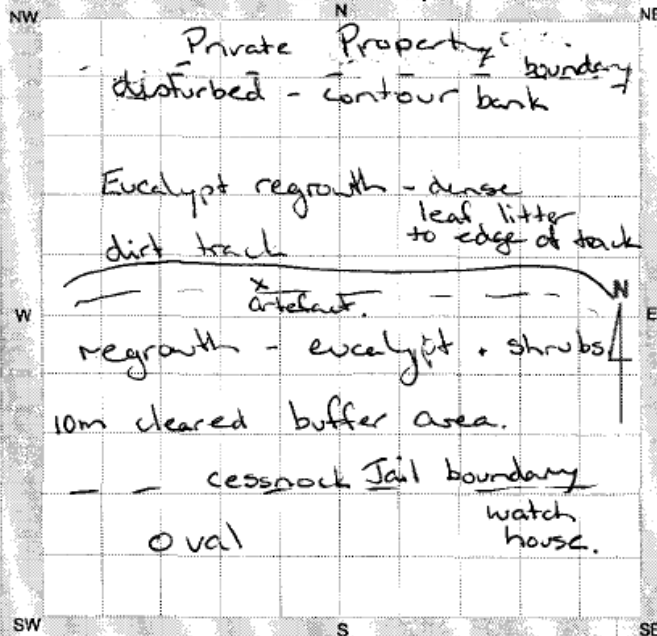
☐ Public National Park / other Government Dept.  
☒ Private

### Primary report

I.D.  (I.D. Office Use only)

ARCHAEOLOGICAL ASSESSMENT OF PROPOSED SUBSTATION LOCATIONS CESSNOCK NSW  
 REPORT TO RPK

### Site Location Map



# NPWS Aboriginal Site Recording Form - Site Information

page 3

## General Site Information

### Closed Site

#### Shelter/Cave Formation

- ☐ Boulder
- ☐ Wind erosion
- ☐ Water erosion
- ☐ Rock collapse

#### Rock Surface Condition

- ☐ Boulder
- ☐ Sandstone platform
- ☐ Silica gloss
- ☐ Tessellated
- ☐ Weathered
- ☐ Other platform

### Open Site

#### Site Orientation

- ☐ N-S
- ☐ NE-SW
- ☐ E-W
- ☐ SE-NW
- ☒ N/A

#### Condition of Ceiling

- ☐ Boulder
- ☐ Sandstone platform
- ☐ Silica gloss
- ☐ Tessellated
- ☐ Weathered
- ☐ Other platform

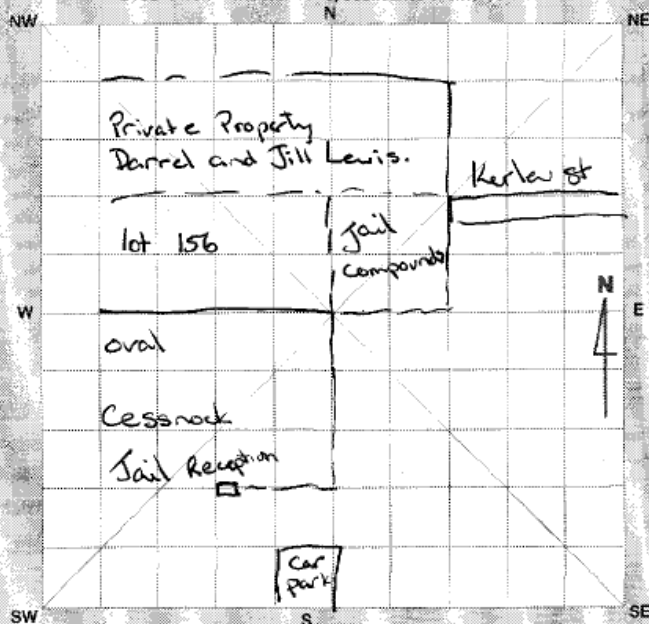
#### Shelter Aspect

- ☐ North
- ☐ North East
- ☐ East
- ☐ South East
- ☐ South
- ☐ South West
- ☐ West
- ☐ North West

## Features

- ☐ 1. Aboriginal Ceremony & Dreaming
- ☐ 2. Aboriginal Resource & Gathering
- ☐ 3. Art
- ☒ 4. Artefact
- ☐ 5. Burial
- ☐ 6. Ceremonial Ring
- ☐ 7. Conflict
- ☐ 8. Earth Mound
- ☐ 9. Fish Trap
- ☐ 10. Grinding Groove
- ☐ 11. Habitation Structure
- ☐ 12. Hearth
- ☐ 13. Non Human Bone & Organic Material
- ☐ 14. Ochre quarry
- ☐ 15. Potential Archaeological Deposit
- ☐ 16. Stone Quarry
- ☐ 17. Shell
- ☐ 18. Stone Arrangement
- ☐ 19. Modified Tree
- ☐ 20. Water Hole

## Location Site Plan



## Site Dimensions

### Closed Site Dimensions (m)

- Internal length
- Internal width
- Shelter height
- Shelter floor area

### Open Site Dimensions (m)

- < 1m<sup>2</sup> Total length of visible site
- < 1m Average width of visible site
- < 1m Estimated area of visible site
- 100m<sup>2</sup> Length of assessed site area





