Dear Sean,

RE: ABORIGINAL AND EURPOEAN HERITAGE ASSESSMENT - PROPOSED RURAL RESIDENTIAL SUBDIVISION GREEN ST, GUYRA, NSW.

Thankyou for the opportunity to provide advice on Aboriginal Heritage for the proposed rural residential subdivision located at Green St, Guyra NSW (the ‘Project Area’ see Appendix 1 below). A field inspection was undertaken on Tuesday 19 April by Senior Archaeologist Tim Hill and Guyra Local Aboriginal Land Council (GLALC) Senior Sites Officer Mr Clive Ahoy.

The survey was significantly constrained by grass growth, the result being that the effective survey coverage was close to 0. However based on proximity to known water, the deep nature of soils and the presence of sub-surface archaeological sites nearby it is concluded that there exists the potential for sub-surface materials (Potential Archaeological Deposits) associated to the drainage line and associated alluvial benches. One Aboriginal site was recorded as a result of the survey, being a modified tree (Guyra East Scar Tree AHIMS Site #17-1-0259) located adjacent to the northern boundary of the Project Area within proposed Lot 25. Additional information and management recommendations are attached below.

Please contact Senior Archaeologist Tim Hill on 0422 309 822 or thill@everick.com.au to further discuss the results of the site inspection and recommendations.

Yours faithfully,

Tim Robins
Director
Everick Heritage Consultants
1. DUE DILIGENCE STATEMENTS- PROPOSED RURAL RESIDENTIAL SUBDIVISION GREEN ST, GUYRA, NSW.

The purpose of the Due Diligence Assessment is to determine if there are areas that have a particular potential to contain Aboriginal cultural heritage and to assess whether the proposed development will destructively impact upon known and or concealed heritage sites. The Due Diligence Code recommends a staged analysis of cultural and archaeological factors. This section discusses the analysis of the Project Area when compared against these guidelines.

1.1 Step 1: Will the activity disturb the ground surface?

Yes. The proposed works will involve excavation of a series of road and essential infrastructure including sewerage, electricity and telecommunications which will affect the topsoil layer (A Horizon). Additional impacts to the A Horizon are reasonably expected to result from subsequent construction activities of future landowners and will include construction of dwellings, sheds, driveways and landscaping.

1.2 Step 2a: Search of AHIMS Database

A search of the Aboriginal Heritage Information Management System (AHIMS) was undertaken on 20 February 2015 (Client Service ID 215525, 215530, 215533 and 251534). This search returned no known archaeological sites within the Project Area.

One modified (scar) tree was identified during the site inspection (AHIMS # ). This tree is currently dead and laying on the ground. The modification consists of a heavily overgrown scar of a shape consistent with a shield or possibly a ‘coolamon’ or large bowl. Similar trees are known to occur in the Area and the open forests of the tablelands generally.

1.3 Step 2b: Is the activity in an area where landscape features indicate the presence of Aboriginal cultural heritage?

Having regard to:

a) the nature of Aboriginal occupation in the region;

b) the Project Area’s proximity to resources; and

c) the Project Area’s original vegetation, soils and topography.
The Project Area is located within a broad alluvial gully at the headwaters of a small east draining creek and consists of relatively deep black alluvial soils with a series of alluvial benches associated to the creek. Clive Ahoy indicated that archaeological sites are known to occur within similar soil deposits around Guyra. While it is expected that nearby areas (Mother of Ducks Lagoon and the Gara River) may provide better access to resources it is reasonable to conclude that the Project Area was inhabited by Aboriginal people and that this occupation has resulted in the discard of stone tools and other artefacts.

1.4 Step 2c: Is there evidence of past ground disturbance?
Yes. It is reasonable to form the conclusion that the Project Area is disturbed as a result of the tree clearing and grazing. Some disturbance of soil profiles is evident, in the form of vehicle tracks, in the south-western portion of the Project Area.

1.5 Additional Steps
The Project Area has undergone land uses constituting ‘disturbance’ under the meaning of the Due Diligence Code however it is reasonable to conclude that archaeological materials may occur on alluvial benches associated with the small creek which runs through the Project Area. Sub-surface archaeological materials would likely comprise stone artefacts.

2. EUROPEAN HISTORY

a) A search of the NSW Historic Heritage Register did not identify any historic heritage items within the Project Area.

b) A search of The State Heritage Inventory did not identify any historic heritage items within the project area.

c) A search of the Guyra Shire Local Environment Plan 2012 did not identify any historic heritage items within the Project Area.

No Items of potential heritage significance where identified during the site inspection.

3. RECOMMENDATIONS
The Consultant is of the opinion that the construction of the proposed residential subdivision may result in significant further harm to Aboriginal Heritage. This Harm would be in the form of damage to the Guyra East Scar
Tree (#17-1-0259) and potentially sub-surface archaeological deposits. The following recommendations are provided to mitigate these potential impacts.

Recommendation 1: Aboriginal Objects Find Procedure

It is recommended that if suspected Aboriginal material has been uncovered as a result of development activities within the Project Area:

   a) work in the surrounding area is to stop immediately;
   b) a temporary fence is to be erected around the site, with a buffer zone of at least 10 metres around the known edge of the site;
   c) an appropriately qualified archaeological consultant is to be engaged to identify the material; and
   d) if the material is found to be of Aboriginal origin, the Aboriginal community is to be consulted in a manner as outlined in the OEH guidelines: Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010).

It is advised that the proponent works with Guyra LALC to develop a monitoring program or strategy to ensure that appropriate trained personnel are available to monitor ground disturbing works in priority areas. This would include clearly defining the spatial extent of areas to be monitored and criteria to determine when sub-surface deposits are considered culturally sterile.

Recommendation 2: Scar Tree

It is noted that the scar tree is outside the area of proposed works, however it is recommended that a temporary fence is place around the scar tree (#17-1-0259) during construction works. Should the proponent wish to relocate the tree during construction and prior to sale, advice from the Office of Environment and Heritage (OEH) should be sought as to requirements for an AHIP. Additional consultation with the Aboriginal community would be required should an AHIP be required.

Recommendation 3: Aboriginal Human Remains

Although it is unlikely that Human Remains will be located at any stage during earthworks within the Project Area, should this event arise it is recommended that all works must halt in the immediate area to prevent any further impacts to the remains. The Site should be cordoned off and the remains themselves should be left untouched. The nearest police station (Guyra), the Guyra Local Aboriginal Land Council and the OEH Regional Office (Coffs Harbour) are all to be notified as soon as possible. If the remains are found to be of Aboriginal origin and the police do not wish to investigate the Site for criminal activities, the Aboriginal community and the OEH should be consulted as to how the remains should be dealt with. Work may only resume after agreement is reached between all notified parties, provided it is in accordance with all parties’ statutory obligations.
It is also recommended that in all dealings with Aboriginal human remains, the Proponent should use respectful language, bearing in mind that they are the remains of Aboriginal people rather than scientific specimens.

Recommendation 4: Notifying the OEH

It is recommended that if Aboriginal cultural materials are uncovered as a result of development activities within the Project Area, they are to be registered as Sites in the Aboriginal Heritage Information Management System (AHIMS) managed by the OEH. Any management outcomes for the site will be included in the information provided to the AHIMS.

Recommendation 5: Conservation Principles

It is recommended that all effort must be taken to avoid any impacts on Aboriginal Cultural Heritage values at all stages during the development works. If impacts are unavoidable, mitigation measures should be negotiated between the Proponent, OEH and the Aboriginal community.
Figure 1: Looking from the north-west corner to the south-west corner showing typical grass cover.

Figure 2: Survey of alluvial bench in north-west corner adjacent to the creek line.
Figure 3: Example of eroding black soil associated to the creek.

Figure 4: Looking across the north-west alluvial bench
Figure 5: Potential scar tree adjacent to the northern boundary fence.

Figure 6: Location of scar on trunk.
Figure 7: Detail of the scar tree.
Figure 8: Proposed subdivision concept plan.
Figure 9: Location of Guyra East Scar Tree (#17-1-0259).