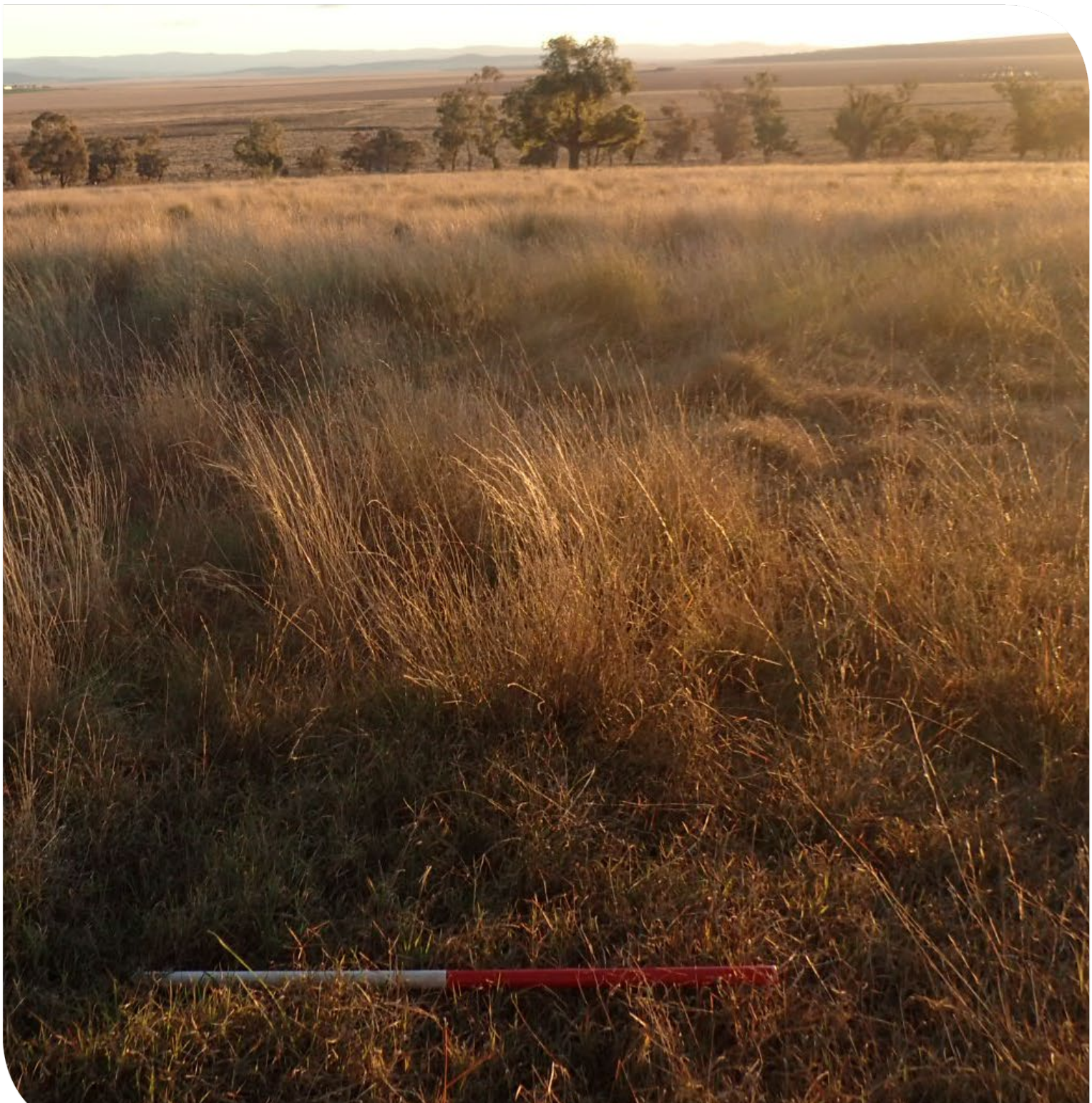


**Aboriginal Objects Due Diligence Assessment
Warrah Ridge Free Range Egg Farm- Farm 1
Warrah Ridge, NSW**

Liverpool Plains Local Government Area

Prepared for PSA Consulting Pty Ltd on behalf of Pace Farm

Prepared by Niche Environment and Heritage Pty Ltd | 24 June 2021



24 June 2021

Pace Farm
c/o PSA Consulting Pty Ltd
PO Box 10824
Adelaide Street
BRISBANE QLD 4000
Via email: david@psaconsult.com.au

Dear Mr Ireland,

Re: Warrah Ridge Free Range Egg Farm-Farm 1, Warrah Ridge, NSW - Aboriginal Objects Due Diligence Assessment (Niche ref #6646)

Based on this Aboriginal Objects Due Diligence Assessment (DD), it is unlikely that Aboriginal objects have survived within the Activity Area due to ground disturbances associated with de-vegetation and installation of existing infrastructure including fence lines, farm dams and livestock feeding areas. Despite the location of the Activity Area within an archaeologically sensitive landscape (i.e. within 200 m of water), the high level of past disturbance has modified to the ground surface to the extent that the potential for *in situ* archaeological deposits is considered low. No Aboriginal heritage constraints were identified for the proposed activity and no further investigation or impact assessment is required.

The proposed activity may therefore proceed with caution without a further Aboriginal Cultural Heritage Assessment (ACHA) or Aboriginal Heritage Impact Permit (AHIP). It is recommended that:

- Should earthworks be undertaken outside the footprint assessed in this document, further impact assessment should be undertaken prior to work in those areas.
- All site workers and contractors should be inducted to the area and informed of their obligations under the *National Parks and Wildlife Act 1974*.
- In the unlikely event that any Aboriginal objects are found, all activities with the potential to impact the objects must stop. A temporary fence is to be erected around the Aboriginal cultural heritage site, with a buffer zone of at least 10 metres around the known edge. An appropriately qualified archaeologist is to be engaged to assess the findings, and notification is provided to Heritage NSW (Aboriginal Cultural Heritage Regulation) in the Department of Premier and Cabinet. Works should not proceed without advice from Heritage NSW or an appropriately qualified archaeologist.
- In the unlikely event that suspected human remains are encountered during construction, all work in the area that may cause further impact, must cease immediately and:
 - The location, including a 20 m curtilage, should be secured using barrier fencing to avoid further harm.
 - The NSW Police must be contacted immediately.
 - No further action is to be undertaken until the NSW Police provide written notification to Transport for Tomorrow.
 - If the skeletal remains are identified as Aboriginal, Transport for Tomorrow or their agent must contact: The Heritage NSW Enviroline on 131 555; and representatives of the Nungaroo Local Aboriginal Land Council and Walhallow Local Aboriginal Land Council/s.
 - No works are to continue until the Heritage NSW provides written notification to the proponent or their Agent.

Please do not hesitate to contact me on **0488 774 501** or via email: cfreeman@niche-eh.com if you would like to clarify and details of this assessment.

Yours sincerely,



Chelsea Freeman
Heritage Consultant
Niche Environment and Heritage

Table of Contents

1. Introduction	5
1.1 The Proponent and the activity area	5
1.2 The proposed activity	5
1.3 Statutory controls.....	5
1.4 Planning legislation.....	6
1.5 Objectives	6
1.6 Assessment methodology	6
2. Aboriginal Objects Due Diligence Assessment.....	10
Is the proposed activity a low impact activity as defined by the Regulation?	10
Step 1 – Will the activity disturb the ground surface or any culturally modified trees?	10
Step 2a – Are there any relevant confirmed site records or other associated landscape feature information on AHIMS (or other heritage registers)?	10
Step 2b – Are there landscape features that are likely to indicate the presence of Aboriginal objects?	13
Step 3 – Can the harm or the activity be avoided?	17
Step 4 – Does a desktop assessment and site inspection confirm that there are Aboriginal Objects or that they are likely?	17
Step 5 – Further investigations and impact assessment	20
3. Conclusions and recommendations	21
References.....	22
Attachment 1 – Extensive AHIMS Search Results.....	23

List of Figures

Figure 1: Location of activity area within a regional context (Source: PSA Consulting and Niche)	8
Figure 2: Location of the activity area (Source: PSA Consulting and Niche)	9
Figure 3: Location of AHIMS sites in or near the activity area (Source: PSA Consulting Heritage NSW and Niche).....	12
Figure 4: Soil landscapes and hydrology in the local area (Source: PSA Consulting and Niche)	15
Figure 5: Historical aerial photographs of the activity area (Source: PSA Consulting and Niche)	16
Figure 6: Site Inspection Results.....	19

List of Plates

Plate 1: The due diligence assessment process.....	7
Plate 2. Sandstone outcropping at the location of non-perennial tributary of Big Jack Creek, facing west...	17
Plate 3. Overgrowth of vegetation at the location of non-perennial tributary of Big Jack Creek, facing east.	17
Plate 4. General Photograph of man-made dam within Activity Area, facing south.	18
Plate 5. General photograph of fence line and previous use for livestock within the Activity Area, facing east.	18
Plate 6. General Photograph of fence lines within Activity Area, facing east.	18
Plate 7. General photograph of disturbance within the Activity Area, facing south-east.	18
Plate 8. General Photograph of overgrown vegetation within Activity Area, facing east.	18
Plate 9. General Photograph of man-made dam within Activity Area, facing south-east.	18

List of Tables

Table 1: Statutory Controls.....	5
Table 2: Summary of heritage listings within the wider region of the activity area	11

1. Introduction

1.1 The Proponent and the activity area

Niche Environment and Heritage Pty Ltd (Niche) was commissioned by PSA Consulting Pty Ltd ('the Proponent'), on behalf of Pace Farm, to conduct an Aboriginal Objects Due Diligence Assessment (DD) in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (DECCW 2010; 'The Due Diligence Code') for the proposed development of the Warrah Ridge Free Range Egg Farm - Farm 1, Warrah Ridge, NSW (Figure 1; the 'Activity Area'). The Proponent is preparing to submit a Local Development Application (DA) for the construction of two (2) rearing sheds located in Lot 391 DP 556635 (Farm 1) (Figure 2). The activity is situated within the Liverpool Plains Local Government Area (LGA) and within the boundary of the Nungaroo Local Aboriginal Land Council and bordering the Walhallow Local Aboriginal Land Council.

1.2 The proposed activity

The proposed activity includes the construction of two (2) rearing sheds, both approximately 270 m x 45 m in size, at the north-western end of the existing property. The proposed works are limited to the sheds, immediate surrounds, and access roads.

Figure 1 shows the location of the Activity Area in a regional context while Figure 2 illustrates the location of proposed activity.

1.3 Statutory controls

Table 1 below provides a summary of additional statutory controls and guidelines applicable to this assessment that are used to guide the protection and management of Aboriginal cultural heritage in NSW.

Table 1: Statutory Controls

Control/ Guideline	Description
The <i>National Parks and Wildlife Act 1974</i> (NPW Act)	<p>The NPW Act, administered by Heritage NSW of the Department of Premier and Cabinet, is the primary legislation for the protection of some aspects of Aboriginal cultural heritage in NSW¹. Part 6 of the NPW Act provides specific protection for Aboriginal objects and declared Aboriginal places by establishing offences of harm.</p> <p>The Act provides that a person who exercises due diligence in determining that their actions will not harm Aboriginal objects has a defence against prosecution if they later unknowingly harm an object without an Aboriginal Heritage Impact Permit (AHIP).</p> <p>Anyone proposing to carry out an activity that may harm an Aboriginal object or a declared Aboriginal Place must investigate, assess and report on the harm that may be caused by the activity they propose.</p>
The <i>Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW</i> (DECCW, 2010) (The Due Diligence Code)	<p>The Due Diligence Code sets out a process for individuals and organisations to follow to determine whether an Aboriginal object is likely to be harmed by an activity, whether further investigation is needed, and whether an AHIP is required.</p>

¹ For further information visit: <https://www.environment.nsw.gov.au/licences/achregulation.htm>

Control/ Guideline	Description
<p><i>Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW</i> (OEH, 2011).</p> <p><i>Aboriginal Cultural Heritage Consultation Requirements for Proponents</i> (DECCW, 2010).</p> <p><i>The Code of Practice for Archaeological Investigation in NSW</i> (DECCW, 2010).</p> <p><i>Applying for an Aboriginal heritage impact permit: guide for applicants 2010</i> (OEH, 2011).</p>	<p>These guidelines provide further guidance for undertaking investigation and impact assessment for Aboriginal cultural heritage in NSW.</p>

1.4 Planning legislation

1.4.1 The Environmental Planning & Assessment Act, 1979

The NSW *Environmental Planning and Assessment Act 1979* (*The EPA Act*) establishes the framework for cultural heritage values to be formally assessed in the land use planning and development consent process and requires that environmental impacts are considered prior to land development; this includes impacts on heritage items. *The EPA Act* also requires that local governments prepare planning instruments (such as Local Environmental Plans) in accordance with the principles of the legislation to provide guidance on the level of environmental assessment required.

1.4.2 Liverpool Plains Development Control Plan (DCP) 2012

The Liverpool Plains DCP outlines detailed local provisions for all land within the Liverpool Plains LGA. Section 4 outlines the general development specifications; including the requirements around Heritage Conservation (subsection 4.1.6) and Aboriginal Heritage (subsection 4.2.8).

1.4.3 Liverpool Plains Local Environmental Plan (LEP) 2011

Clause 5.10 of the Liverpool Plains LEP outlines the controls for heritage conservation including the conservation of Aboriginal objects and Aboriginal places of heritage significance.

Heritage items within the LGA can also be found listed and described in Schedule 5 of the LEP.

1.5 Objectives

The aim of the assessment is to assess whether Aboriginal objects and/or places are present and/or are likely to occur within or in close proximity to the activity area and, if present, whether they may be harmed by the proposed works and if further investigation is required.

1.6 Assessment methodology

This DD follows the process outlined in Plate 1.

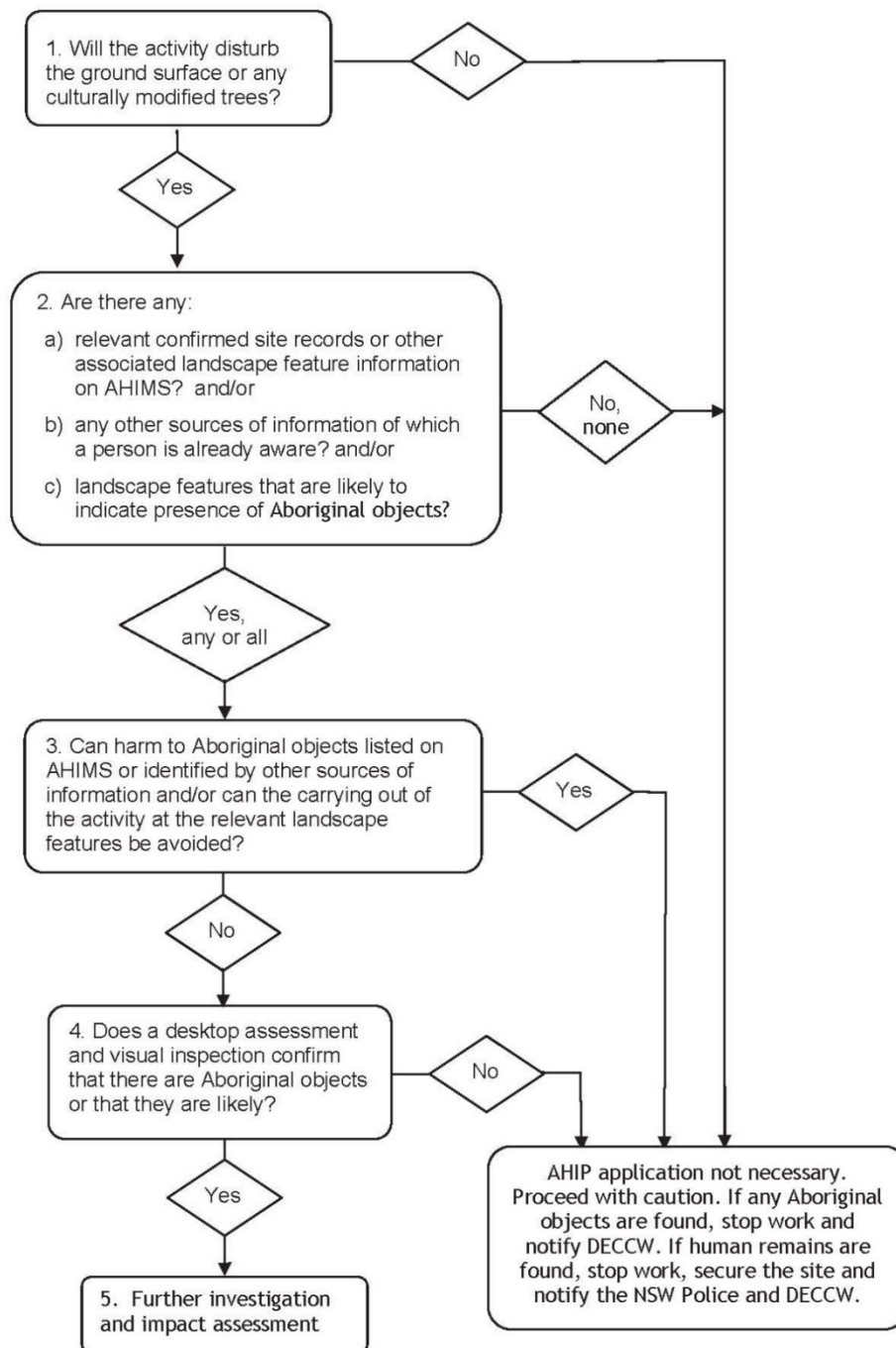
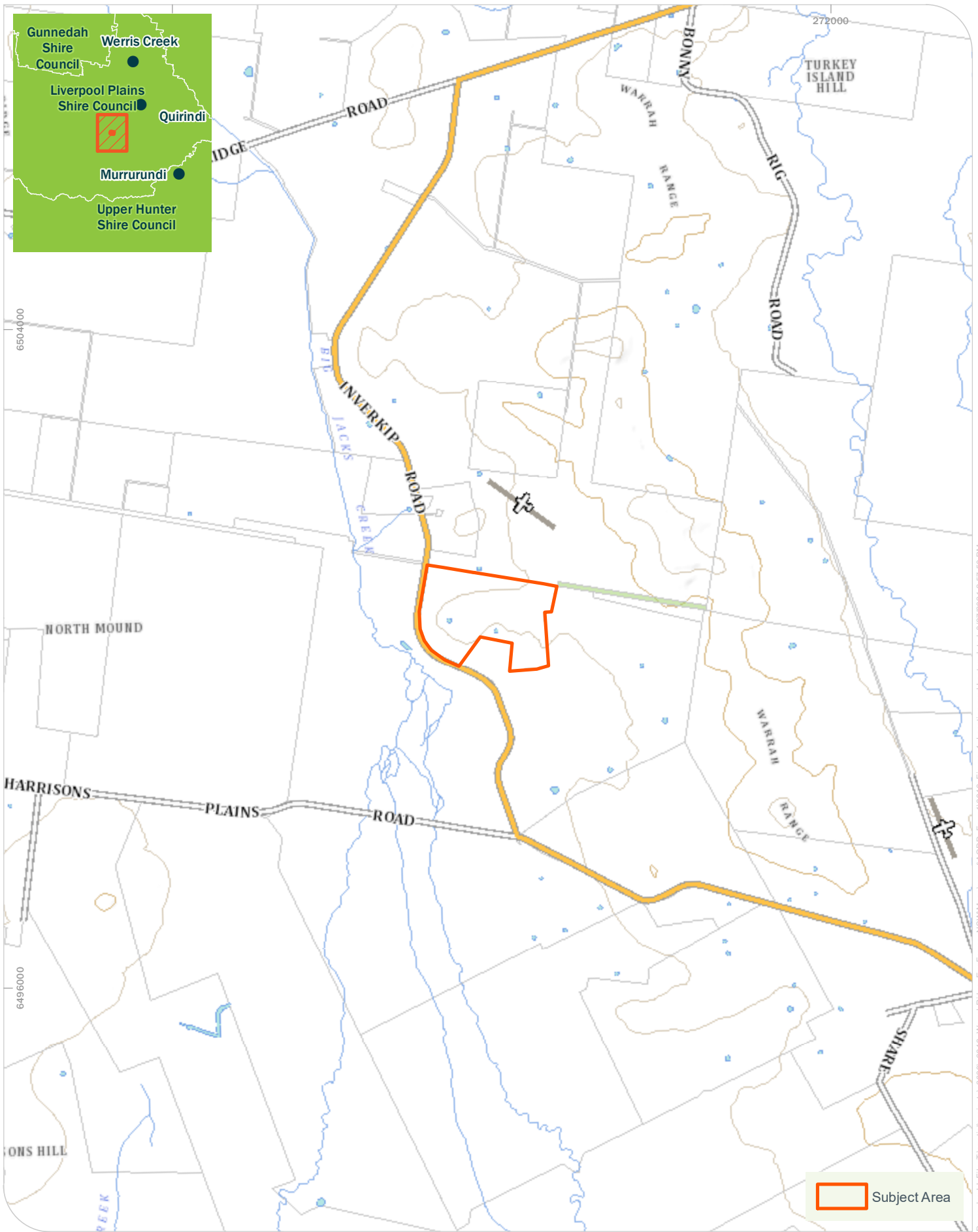
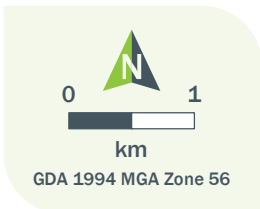


Plate 1: The due diligence assessment process



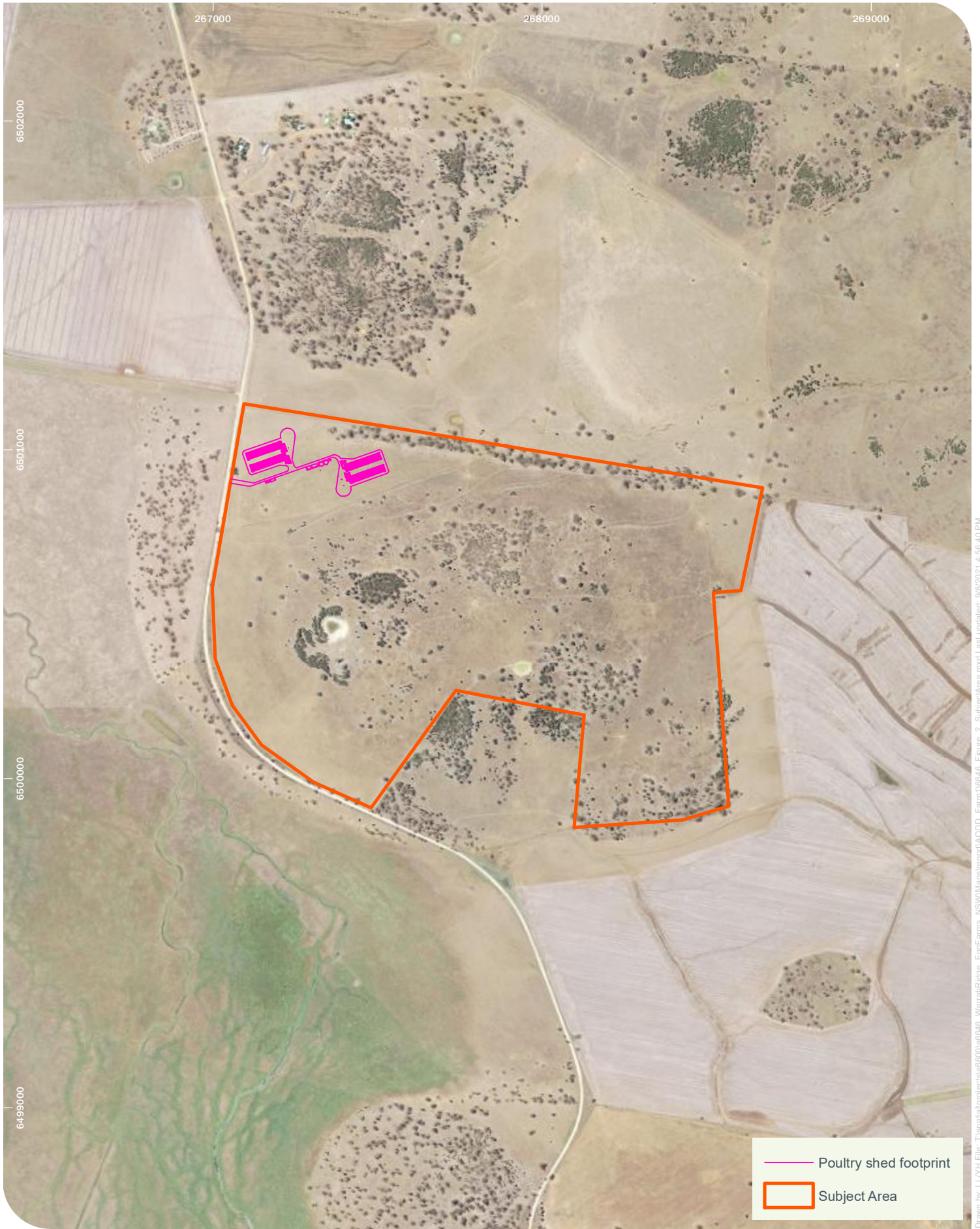
Drawn by: LL File: T:\spatial\projects\sa600\sa6046_WarrahRidge_EggFarms_NSWMaps\report\AODD_Farm1\6646_Figure_1_Location.mxd Last updated: 8/27/2021 2:57:50 PM



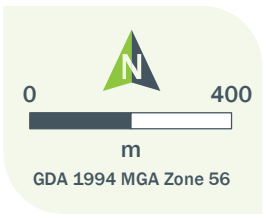
Niche PM: Chelsea Freeman
 Niche Proj. #: 6646
 Client: PSA Consulting

Location Map
 Warrah Ridge Free Range Egg Farm - Farm 1

Figure 1



Drawn by: LLYH File: Thispatialproject\6600\6646_WarrahRidge_EggFarms_NSW\Mapreport\AODD_Farm1\6646_Figure_2_SubjectArea.mxd Last updated: 9/9/2021 4:56:40 PM



Location of the Subject Area
Warrah Ridge Free Range Egg Farm - Farm 1

Niche PM: Chelsea Freeman
Niche Proj. #: 6646
Client: PSA Consulting

Figure 2

2. Aboriginal Objects Due Diligence Assessment

Is the proposed activity a low impact activity as defined by the Regulation?

No.

The proposed activity is not a low impact activity as defined under section 87 (4) clause 80B of the National Parks and Wildlife Regulation 2009 ('the Regulation') because:

- It involves earthworks associated with the construction of two (2) rearing sheds.
- It involves associated impacts to the immediate surroundings and access roads.

Step 1 – Will the activity disturb the ground surface or any culturally modified trees?

Yes.

The proposed works will involve earthworks and ground disturbance associated with the construction of the two (2) rearing sheds, immediate surroundings, and access roads. No culturally modified trees will be harmed by the proposed activity.

Step 2a – Are there any relevant confirmed site records or other associated landscape feature information on AHIMS (or other heritage registers)?

No.

Heritage Registers

AHIMS

An extensive Aboriginal Heritage Management System (AHIMS) search was conducted on 04 June 2021 (AHIMS Search ID 596617) for the following area: Lat, Long From : -31.624, 150.4874 - Lat, Long To : -31.5519, 150.6017 with a Buffer of 1000 meters (Attachment 1). The search area covers the Activity Area and approximately 4 km of the wider surrounding region. This allows for an assessment of the site features that can be expected based on those that are currently recorded in the wider regional context.

From this search, there were no Aboriginal cultural heritage sites found within the Activity Area or in close proximity. Outside of the Activity Area, a total of four (4) AHIMS sites were found, which comprised of three (3) open sites with axe grinding grooves, and one (1) culturally modified tree. Of these, one axe grinding groove sites is approximately 3km north (AHIMS ID#29-5-001), and two are approximately 5km north-east of the Activity Area. One culturally modified tree located approximately 7.5km north-west of the Activity Area.

It must be noted that care should be taken when using the AHIMS database to reach conclusions about site prevalence or distribution. The distribution of registered sites does not reflect patterns of occupation, but rather is often indicative of survey coverage and conditions.

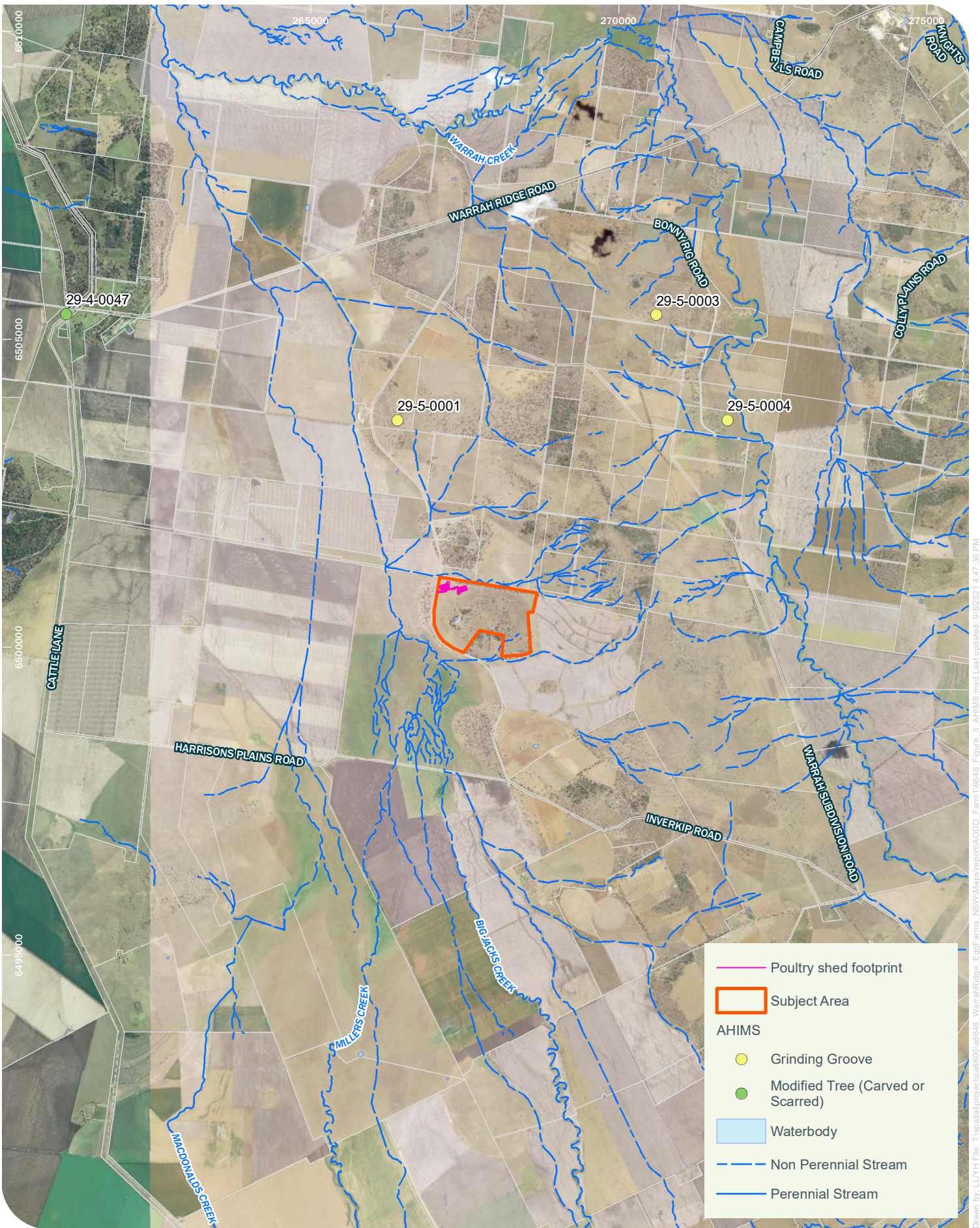
Other heritage registers

Searches of the Australian World Heritage Database, the Commonwealth Heritage List, National Heritage List, State Heritage Register, State Heritage Inventory, the Liverpool Plains LEP (2011), and the Liverpool Plains DCP (2012) were conducted on the 7 June 2021. Clause 5.10 of the Liverpool Plains LEP (2011) outlines the controls for heritage conservation including the conservation of Aboriginal objects and Aboriginal places of heritage significance.

The searches concluded that there are no Aboriginal heritage items within, or directly adjacent to, the Activity Area. Heritage Items of national, state and local significance that were identified to be associated with the activity area and/or surrounding area are summarised in Table 2 below and illustrated in Figure 3. An assessment of historical heritage times associated with the activity area is outside the scope of this DD.

Table 2: Summary of heritage listings within the wider region of the activity area

Heritage Register	Items in the activity area	Items within 14km of the activity area	
Australian World Heritage Database	N/A	N/A	
Commonwealth Heritage List	N/A	N/A	
National Heritage List	N/A	N/A	
State Heritage Register	N/A	N/A	
Schedule 5 of Liverpool Plains LEP	N/A	ID	NAME
		I106	Old Warrah Station



Drawn by: LLYYH File: Thispatialproject\6600\6646_WarrahRidge_EggFarm\Mapreport\AODD_Farm1\6646_Figure_3_AHIMS.mxd Last updated: 9/9/2021 4:47:30 PM



Location of AHIMS Sites and Heritage Items
Warrah Ridge Free Range Egg Farm - Farm 1

Niche PM: Chelsea Freeman
 Niche Proj. #: 6646
 Client: PSA Consulting

Figure 3

Step 2b – Are there landscape features that are likely to indicate the presence of Aboriginal objects?

Yes.

The following landscape features listed in the Due Diligence Code signify a high potential for the presence of Aboriginal objects:

- Within 200 m of waters, or
- Located within a sand dune system, or
- Located on a ridge top, ridge line or headland, or
- Located within 200 m below or above a cliff face, or
- Within 20 m of or in a cave, rock shelter, or a cave mouth.

The archaeological characteristics and potential of an area are additionally defined through a range of factors, including the availability of past resources, stability of the soil matrix, underlying geology, and land use history. The potential for *in-situ* Aboriginal objects is lower on land that has been disturbed by more recent European land use. The Activity Area has been heavily modified during historic and recent times as demonstrated in historical aerial imagery which reveals that the area had been cleared as far back as 1953 (Figure 5). The historical clearing of vegetation making up for 90% cleared for grazing represents the main disturbance factor within the Activity Area (McInnes-Clarke 2002:184).

The proposed development is associated with the landscape features that are classified by the Code of Practice as features that are likely to indicate presence of Aboriginal objects:

- Within 200m of waters²

The entire Activity Area, for instance, is located within 200 m of non-perennial tributaries of Big Jacks Creek. The closest permanent water source to the Activity Area includes Big Jacks Creek, a perennial stream that is located to the west and south-west of the Activity Area.

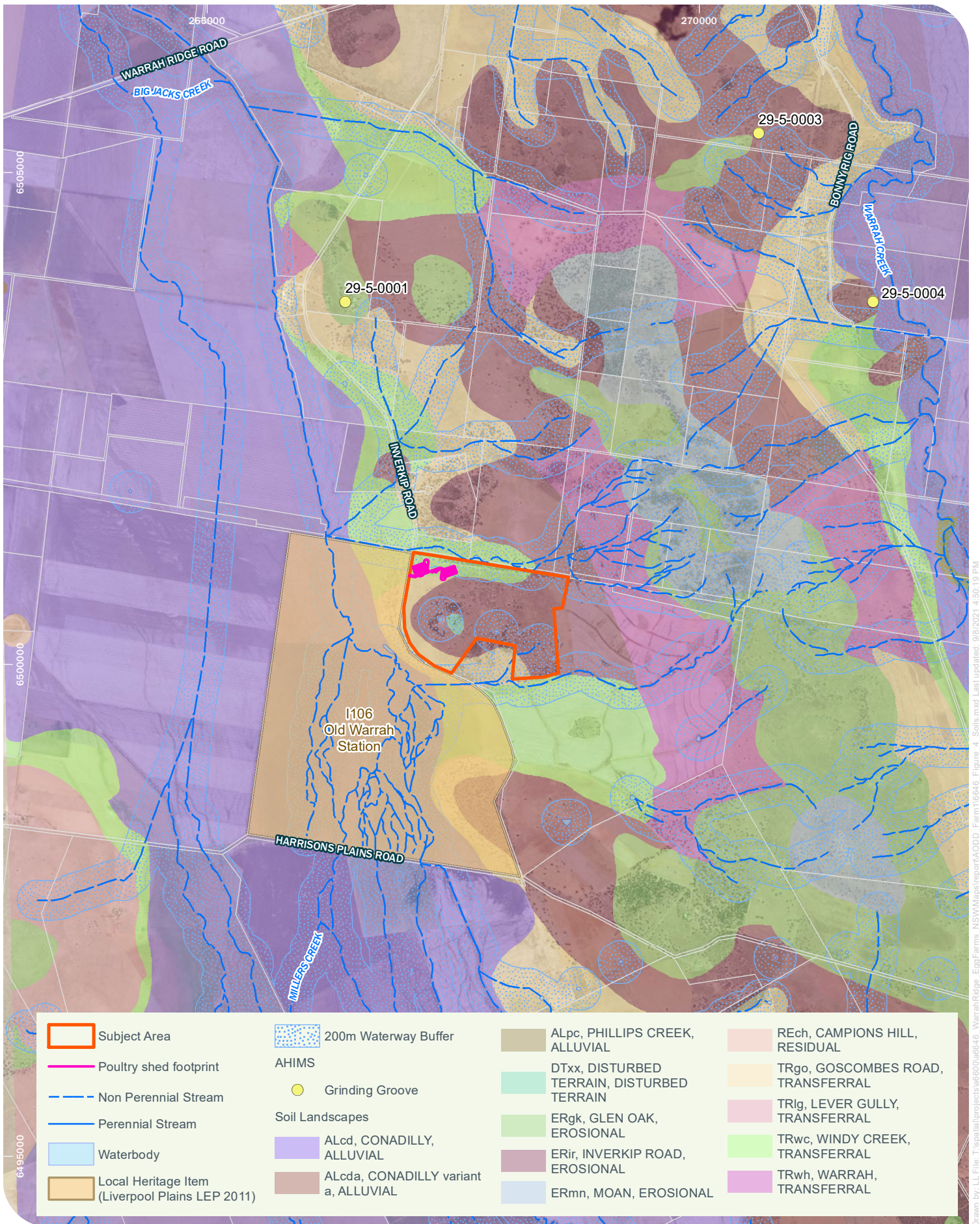
The Activity Area is located along the footslopes of the Quaternary and Tertiary alluvial landforms forming broad drainage plains and fan systems of the Liverpool Range Beds (McInnes-Clarke 2002: 206). This landscape is characterised by undulating low rises to rolling low hills on sandy alluvium with long convex footslopes, alluvial fans and broad drainage plains (McInnes-Clarke 2002:184). The underlying geology consists of the transect between three separate complex soil landscapes: the Inverkip Road (ir), Windy Creek (we), and Goscomes Road (go). Soils within this landscape are generally shallow with the A1 horizon occurring within the top 10 cm, consisting of dark brown sandy clay to fine clay loamy deposits. Both the Inverkip Road (ir) and Goscomes Road (go) are transferral soil landscapes where typically fine and coarse sandy clay loam deposits extend to sandy loam, clay loam, fine sand and rarely clay loam (McInnes-Clarke 2002: 185). Soil depths range from <50 cm upper slopes, to >110 cm on lower slopes before encountering weathered sandstones and conglomerates (McInnes-Clarke 2002: 121). Within the Windy Creek (we) soil landscape black heavy clay characterise the A1 horizon (10cm) with heavy grey clays to depths of >140cm (McInnes-Clarke 2002: 185). This characterises the Activity Area as a transitional soil landscape where shallow transferral soils are coupled with past disturbances of pastoralism and agriculture practices.

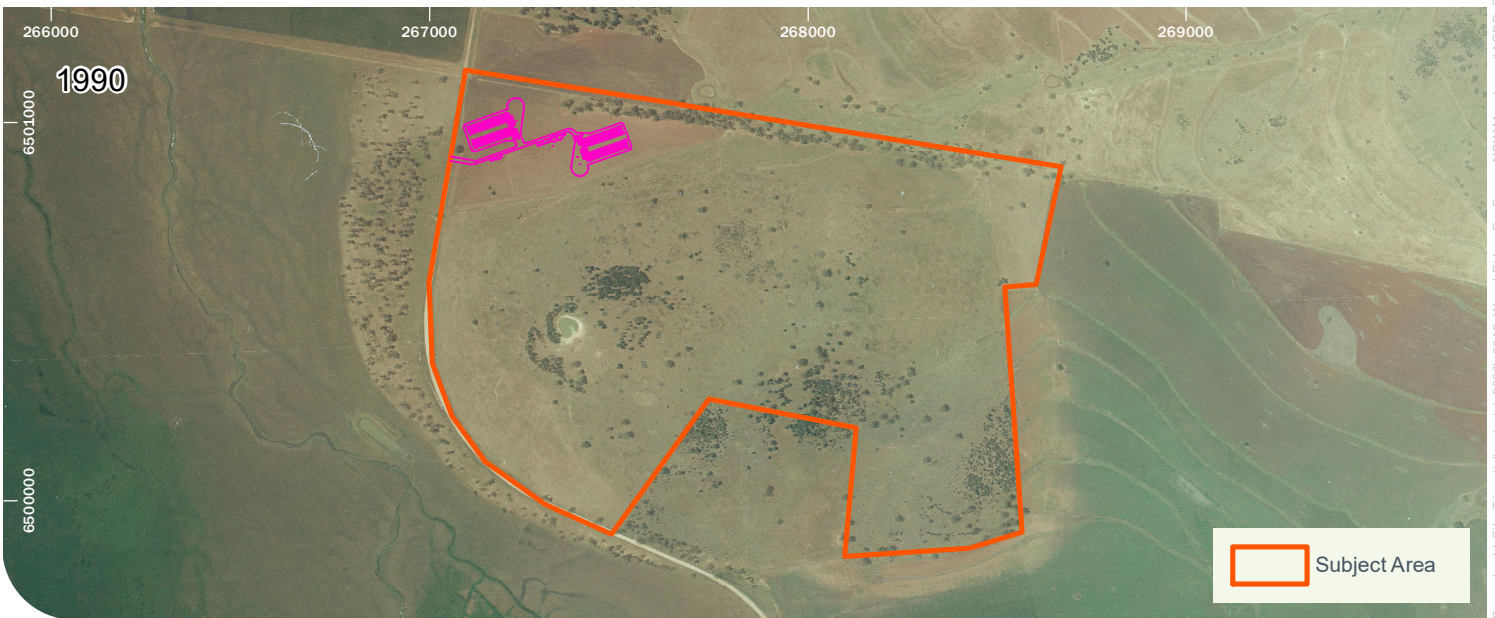
Under the legislation, land is considered disturbed “if it has been the subject of human activity that has changed the land’s surface, being changed that remain clear and visible” (DECCW 2010c: 7). Examples of

² ‘Waters’ means the whole or any part of any: river, stream, lake, lagoon, swamp, wetlands, natural water course, tidal waters (including the sea).

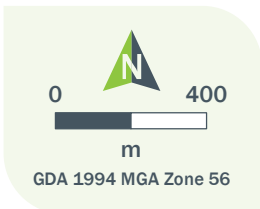
activities that may disturbed land include soil ploughing, vegetation clearing and the construction of buildings, structures, roads, tracks and trails. The general land use of the Activity Area has historically been used for grazing on native and improved pastures with small areas on better soils used for cropping (McInnes-Clarke 2002: 185). Overall, the environment has been extensively modified by European land use practices with the widespread clearing of vegetation particularly during the second half of the twentieth century to make way for grazing, agricultural cropping and the construction of roads and utilities.

Although the activity area falls within 200 m of water, a landscape type recognised as one that is likely associated with a high potential for Aboriginal objects, the soil landscape, underlying geology, and historical land use, means that the likelihood of finding significant in situ surface and subsurface cultural deposits is reduced.





Drawn by: LL File: T:\spatial\projects\660\6646_WarrahRidge_EggFarms_NSWMaps\report\AODD_Farm1\6646_Figure_5_HisIAP.mxd Last updated: 9/8/2021 4:49:47 PM



Historical aerial photographs
Warrah Ridge Free Range Egg Farm - Farm 1

Niche PM: Chelsea Freeman
Niche Proj. #: 6646
Client: PSA Consulting

Figure 5

Step 3 – Can the harm or the activity be avoided?

No

Although the proposed activity will involve earthworks within an area associated with an archaeologically sensitive landscape feature (i.e. within 200 m of waters), the potential to disturb Aboriginal objects is considered low as the Activity Area is already disturbed. This disturbance can be attributed to the extensive clearing of vegetation associated with farming within and adjacent to the Activity Area, as visible in historical imagery of the area and confirmed during a site inspection (See Step 4). This assessment indicates that *in situ* Archaeological deposits are unlikely to occur within the Activity Area due the high degree of disturbance and as such there is no compelling reason to move or avoid the activity.

Step 4 – Does a desktop assessment and site inspection confirm that there are Aboriginal Objects or that they are likely?

Based on the desktop assessment above (Section 2, Steps 2a and 2b) and an assessment of the landscape features and level of past disturbance associated with the Activity Area, the entire Activity Area is associated with an archaeologically sensitive landscape feature (i.e. within 200 m of water) and a site inspection was therefore warranted.

A visual inspection was conducted on 17 June 2021 by Chelsea Freeman (Heritage Consultant NSW, Niche). The inspection involved walking over the proposed areas of disturbance and inspecting the ground surface for Aboriginal objects and/or features (Figure 6). No Aboriginal objects or Aboriginal cultural heritage constraints were identified during the visual inspection.

The locations of the non-perennial tributary of Big Jack Creek that passes through the Activity Area was identified during the visual inspection. Small sandstone outcropping was identified within the location, however no Aboriginal objects or Aboriginal cultural heritage constraints were identified (Plate 2 - Plate 3).



Plate 2. Sandstone outcropping at the location of non-perennial tributary of Big Jack Creek, facing west.



Plate 3. Overgrowth of vegetation at the location of non-perennial tributary of Big Jack Creek, facing east.

The visual inspection confirmed that the entire Activity Area has been subject to extensive disturbance (see Plate 4 - Plate 9). Previous construction including fence lines, vehicle tracks, dams and livestock feeding areas and previous use of the Activity Area for livestock grazing, have resulted in the clearing of existing native vegetation. Ground visibility within the Activity Area was zero due to an overgrowth of vegetation.



Plate 4. General Photograph of man-made dam within Activity Area, facing south.



Plate 5. General photograph of fence line and previous use for livestock within the Activity Area, facing east.



Plate 6. General Photograph of fence lines within Activity Area, facing east.



Plate 7. General photograph of disturbance within the Activity Area, facing south-east.

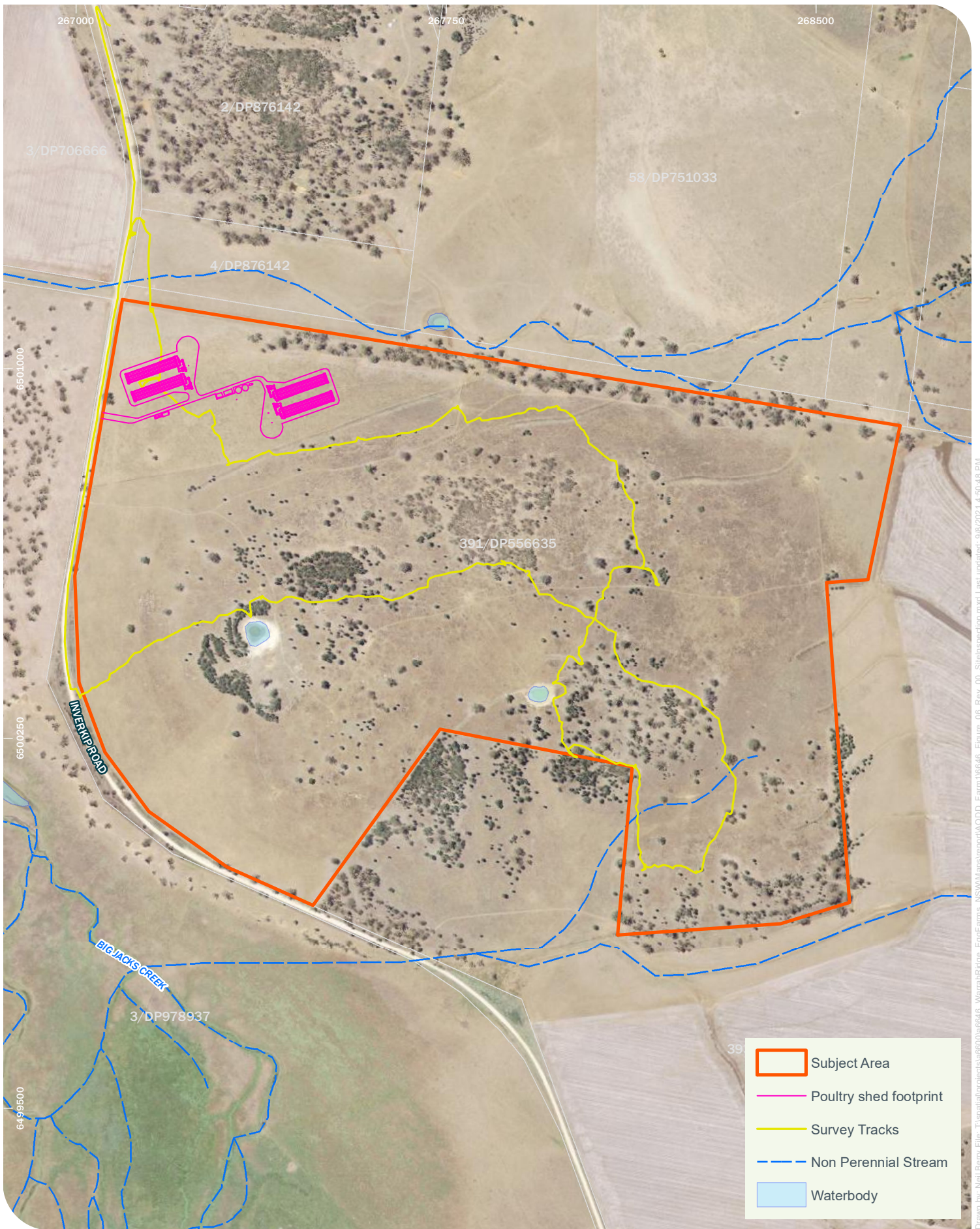







Plate 8. General Photograph of overgrown vegetation within Activity Area, facing east.



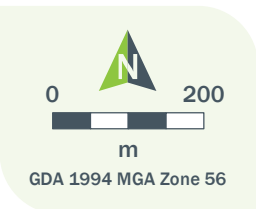
Plate 9. General Photograph of man-made dam within Activity Area, facing south-east.

The desktop assessment and visual inspection confirmed that there are no known Aboriginal cultural heritage objects or sites within the Activity Area, and that the entire Activity Area has experienced previous disturbance as defined by the *National Parks and Wildlife Regulation 2009* under Clause 80B.



	Subject Area
	Poultry shed footprint
	Survey Tracks
	Non Perennial Stream
	Waterbody

Drawn by: Neil Berry File: T:\spatial\projects\ae600\ae6646_WarrahRidge_EggFarm\NSWM\maps\report\AODD_Farm\6646_Figure_06_Rev_00_Steinspection.mxd Last updated: 9/8/2021 4:50:48 PM



Site inspection results and Aboriginal heritage constraints
Warrah Ridge Free Range Egg Farm - Farm 1

Niche PM: Chelsea Freeman
 Niche Proj. #: 6646
 Client: PSA Consulting

Figure 6

Step 5 – Further investigations and impact assessment

No.

This assessment confirmed that Aboriginal objects are unlikely due to significant disturbances within the Activity Area and the fact that no Aboriginal sites or features have been identified within the Activity Area.

On the basis of this assessment, it is unlikely that Aboriginal objects have survived within the Activity Area due to ground disturbances associated with de-vegetation and installation of existing infrastructure including fence lines, farm dams and livestock feeding areas.

No Aboriginal heritage constraints were identified for the proposed activity and no further investigation or impact assessment is required.

3. Conclusions and recommendations

Based on the background review it was determined that the proposed activity would involve ground disturbance within areas associated with archaeologically sensitive landforms (i.e. within 200 m of water) and a site-inspection was therefore warranted. As described in Step 4, the results of the site inspection identified a high level of disturbance and modification to the ground surface within the Activity Area. Previous use of the land for livestock farming has lowered the potential for *in situ* archaeological remains.

No additional Aboriginal heritage constraints were identified for the proposed activity and no further investigation or impact assessment is required.

The Due Diligence Code states that where a desktop and visual inspection has occurred and concluded that Aboriginal objects are unlikely to occur, an Aboriginal Heritage Impact Permit (AHIP) application will not be necessary. The proposed activity may therefore proceed with caution without a further Aboriginal Cultural Heritage Assessment (ACHA) or AHIP. It is recommended that:

- Should earthworks be undertaken outside the footprint assessed in this document, further impact assessment should be undertaken prior to work in those areas.
- All site workers and contractors should be inducted to the area and informed of their obligations under the *National Parks and Wildlife Act 1974*.
- In the unlikely event that any Aboriginal objects are found, all activities with the potential to impact the objects must stop. A temporary fence is to be erected around the Aboriginal cultural heritage site, with a buffer zone of at least 10 metres around the known edge. An appropriately qualified archaeologist is to be engaged to assess the findings, and notification is provided to Heritage NSW (Aboriginal Cultural Heritage Regulation) in the Department of Premier and Cabinet. Works should not proceed without advice from Heritage NSW or an appropriately qualified archaeologist.
- In the unlikely event that suspected human remains are encountered during construction, all work in the area that may cause further impact, must cease immediately and:
 - The location, including a 20 m curtilage, should be secured using barrier fencing to avoid further harm.
 - The NSW Police must be contacted immediately.
 - No further action is to be undertaken until the NSW Police provide written notification to Transport for Tomorrow.
 - If the skeletal remains are identified as Aboriginal, Transport for Tomorrow or their agent must contact: The Heritage NSW Enviroline on 131 555; and representatives of the Nungaroo Local Aboriginal Land Council and Walhallow Local Aboriginal Land Council/s.
 - No works are to continue until the Heritage NSW provides written notification to the proponent or their Agent.

References

Department of Environment Climate Change and Water (DECCW). 2010. *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*, produced for the Department of Environment Climate Change and Water, NSW.

Department of Environment Climate Change and Water (DECCW). 2010. *Aboriginal Cultural Heritage Consultation Requirements for Proponents*. Part 6 National Parks and Wildlife Act 1974. Department of Environment, Climate Change and Water.

Department of Environment Climate Change and Water (DECCW). 2010. *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*. Part 6 National Parks and Wildlife Act 1974, Department of Environment, Climate Change and Water NSW.

Liverpool Plains Shire Council. 2011. *Local Environmental Plan*

Liverpool Plains Shire Council. 2012. *Development Control Plan*

McInnes-Clarke, S.K. 2002. *Soil Landscapes of the Murrurundi 1:100 000 Sheet*. Department of Land and Water Conservation, Sydney.

Office of Environment and Heritage (OEH). 2011. *Guide to investigating, assessing, and reporting on Aboriginal Cultural heritage in NSW: Part 6 National Parks and Wildlife Act 1974*, Office of Environment and Heritage, Sydney South, N.S.W.

Office of Environment and Heritage (OEH). 2011. *Applying for an Aboriginal heritage impact permit: guide for applicants 2010*.

Attachment 1 – Basic AHIMS Search Results

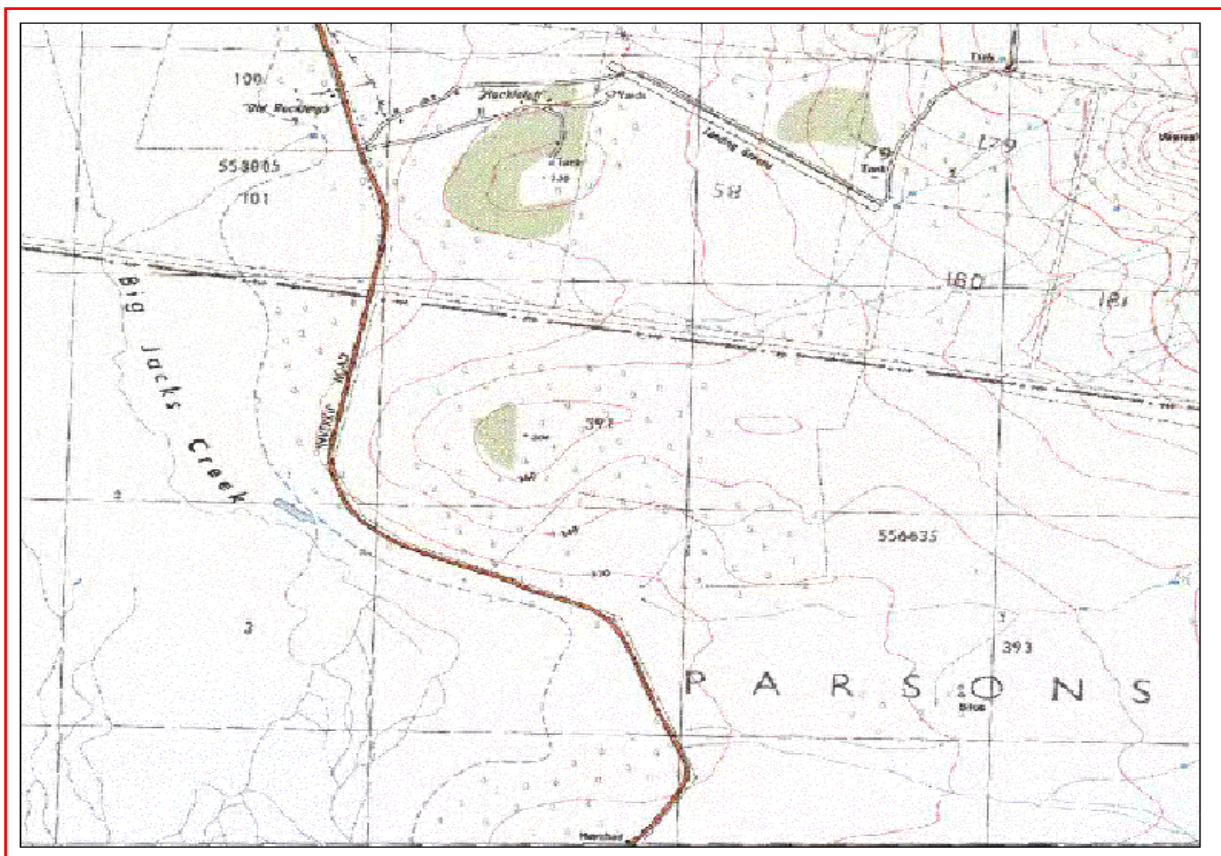
Niche Environment and Heritage
PO Box 3104
Umina Beach New South Wales 2257
Attention: Riley Finnerty
Email: rfinnerty@niche-eh.com

Date: 04 June 2021

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 391, DP:DP556635 with a Buffer of 1000 meters, conducted by Riley Finnerty on 04 June 2021.

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.

Contact Us

Niche Environment and Heritage
02 9630 5658
info@niche-eh.com

NSW Head Office – Sydney
PO Box 2443 North Parramatta
NSW 1750 Australia

QLD Head Office – Brisbane
PO Box 540 Sandgate
QLD 4017 Australia

Sydney
Brisbane
Cairns
Port Macquarie
Illawarra
Coffs Harbour
Central Coast
Gold Coast
Canberra



Our services

Ecology and biodiversity

Terrestrial
Freshwater
Marine and coastal
Research and monitoring
Wildlife Schools and training

Heritage management

Aboriginal heritage
Historical heritage
Conservation management
Community consultation
Archaeological, built and landscape values

Environmental management and approvals

Impact assessments
Development and activity approvals
Rehabilitation
Stakeholder consultation and facilitation
Project management

Environmental offsetting

Offset strategy and assessment (NSW, QLD, Commonwealth)
Accredited BAM assessors (NSW)
Biodiversity Stewardship Site Agreements (NSW)
Offset site establishment and management
Offset brokerage
Advanced Offset establishment (QLD)