

## REPORT

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### Approval for issue

Ben Slack



15 July 2021

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#### Prepared by:

##### RPS

Ben Slack  
Senior Heritage Consultant

Unit 2A, 45 Fitzroy Street  
Carrington NSW 2294

T +61 2 4940 4200  
E ben.slack@rpsgroup.com.au

#### Prepared for:

##### Barr Property and Planning

Stephen Barr  
Director

92 Young Street, Carrington NSW 2294

T +61 422 570 345  
E sbarr@barrplanning.com.au

# BLACK HILL

## Aboriginal Heritage Due Diligence Assessment



PR150040-1  
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## EXECUTIVE SUMMARY

RPS has been engaged by Barr Property and Planning to prepare an Aboriginal Heritage Due Diligence Assessment to accompany a land rezoning application. The proposed rezoning is located on 1134 John Renshaw Drive, Black Hill, NSW, in the Maitland City Council Local Government Area (LGA).

This due diligence assessment was conducted in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010).

The search of the AHIMS database revealed four previously recorded Aboriginal sites within the searched coordinates. However, three of these sites were test excavated in 2018 and concluded to have nil archaeological significance and recommended to be listed as Not a Site. Surface artefacts at AHIMS 38-4-1688 were salvaged and later test excavated with the finding that the area has nil archaeological significance and should be updated to Not a Site on the AHIMS. AHIMS 38-4-1289 was test excavated and also found to have nil archaeological significance and should be updated to Not a Site on the AHIMS. AHIMS 38-4-1290 was test excavated and also found to have nil archaeological significance and should be updated to Not a Site on the AHIMS.

The Project Area was inspected on foot on 14 July 2021. During the visual inspection no Aboriginal objects were identified and AHIMS 38-4-1687 was unable to be ground-truthed. Based on the AHIMS search, literature review, and visual inspection, it is considered that there is low possibility of sub-surface sites or objects within the Project Area and low possibility of harm to Aboriginal sites or objects from current rezoning. Nevertheless, prior to any future works, AHIMS 38-4-1687 will require salvage.

## Recommendations

### Recommendation 1: Record keeping

This due diligence assessment must be kept by Barr Property and Planning so that it can be presented, if needed, as a defence from prosecution under Section 86(2) of the *National Parks and Wildlife Act 1974*.

### Recommendation 2: Unexpected finds procedure, Aboriginal objects

As the A horizon is still intact, subsurface archaeological material may be encountered during works. If suspected Aboriginal objects are identified during construction the following procedures must be followed (**Appendix C**):

- 1) Immediately cease all activity at the location.
- 2) Ensure no further harm occurs, secure the area.
- 3) Notify Environment Protection Authority's Enviro Line on 131 555, Mindaribba LALC on +612 4015 7000 and an archaeologist (RPS +61 2 4940 4200).
- 4) No further action to be undertaken until Heritage NSW provides written consent.

### Recommendation 3: Unexpected finds procedure, human remains

All human remains in, on or under the land must not be harmed. If suspected human remains are located during any stage of the proposed works (**Appendix D**):

- 1) Immediately cease all activity at the site.
- 2) Ensure no further harm occurs, secure the area to avoid further harm to the remains.
- 3) Notify the NSW Police 000.
- 4) Notify the Environment Protection Authority's Enviro Line on 131 555, Mindaribba LALC on +612 4015 7000 and an archaeologist (RPS +61 2 4940 4200).

## GLOSSARY

**Table 1: Glossary and abbreviations**

Abbreviation/Term	Meaning
Aboriginal cultural heritage	The tangible (objects) and intangible (dreaming stories, legends and places) cultural practices and traditions associated with past and present-day Aboriginal communities.
ACHAR	Aboriginal Cultural Heritage Assessment Report
ACHCR	Aboriginal Cultural Heritage Consultation Requirements
Aboriginal object	Defined in the NPW Act as; "Any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises NSW, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains,"
Activity	A project, development, or work (this term is used in its ordinary meaning and is not restricted to an activity as defined by Part 5 EPA Act 1979).
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit. permit issued by the Director-General of Heritage NSW (or their delegate) authorising a person to harm or desecrate Aboriginal objects or places.
Archaeology	The scientific study of material traces of human history, particularly the relics and cultural remains of past human activities.
Archaeological deposit	A layer of soil material containing archaeological objects and/or human remains.
Archaeological investigation	The process of assessing the archaeological potential of an impact area by a qualified archaeologist.
Archaeological site	An area that contains surface or sub-surface material evidence of past human activity in which material evidence (artefacts) of past activity is preserved.
Artefact	An object made by human agency (e.g. stone artefacts).
Code of Practice	<i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i> (DECCW 2010)
Consultation Requirements	<i>Aboriginal cultural heritage consultation requirements for proponents</i> (DECCW 2010).
CHMP	Cultural Heritage Management Plan
DEC	New South Wales (NSW) Department of Environment and Conservation (restructured to become DECC)
DECC	NSW Department of Environment, Conservation and Climate (restructured to become DECCW)
DECCW	NSW Department of Environment, Climate Change and Water (restructured to become the Office of Environment and Heritage)
DPIE	NSW Department of Planning, Industry and Environment
Development	Development as defined by the <i>EPA Act</i> as the use or subdivision of land, building construction and the associated works, any other thing, matter or act that may be controlled by an environmental planning instrument..
Disturbed land	Defined in the NPW Act as; land that has been the subject of a human activity that has changed the land's surface being changes that remain clear and observable. Examples include: soil ploughing, construction of rural infrastructure (such as dams and fences), construction of roads, trails and tracks (including fire trails and tracks and walking tracks), clearing vegetation, construction of buildings and the erection of other structures, construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure) and construction of earthworks (such as previous drill sites or trenches).

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Due diligence	Taking reasonable and practicable steps to determine whether a person's actions will harm an Aboriginal object and, if so, what measures can be taken to avoid that harm.
EPA Act	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
The Guide	<i>Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW</i> (OEH, 2011)
Harm	With regard to Aboriginal objects this has the same meaning as the <i>NPW Act</i> : destroy, deface or damage an object; move an object from the land on which it is situated; cause or permit an object to be harmed.
Heritage NSW	Formerly OEH and Department of Planning, Industry and Environment, Biodiversity Conservation Division
Impact	Influence or effect exerted by a project or other activity on the natural, built and community environment.
Isolated artefact / find	A single artefact found in an isolated context.
LALC	Local Aboriginal Land Council
LEP	Local Environment Plan
LGA	Local Government Area
Methodology	The procedures used to undertake an archaeological investigation.
NPW Act	<i>National Parks and Wildlife Act 1974 (NSW)</i>
NPW Regulation	<i>National Parks and Wildlife Regulation 2019 (NSW)</i>
NPWS	NSW National Parks and Wildlife Service
OEH	NSW Government Office of Environment and Heritage (restructured to become the DPIE)
PADs	Potential archaeological deposit. A location considered to have a potential for subsurface archaeological material.
Project Area	Defined area of the current project, as seen in <b>Figure 1</b>
RAPs	Registered Aboriginal parties
REF	Review of Environmental Factors
RPS	RPS Australia East Pty Ltd
Site	A place where past human activity is identifiable.

NB. Abbreviations spelt out in the first instances, then abbreviated throughout the report



# 1 INTRODUCTION

RPS has been engaged by Barr Property and Planning to prepare an Aboriginal Heritage Due Diligence Assessment to accompany a land rezoning application. The proposed rezoning is located on 1134 John Renshaw Drive, Black Hill, NSW, in the Maitland City Council Local Government Area (LGA).

This Aboriginal heritage due diligence assessment has been undertaken in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (2010)*. The purpose of an Aboriginal heritage due diligence assessment is to demonstrate that reasonable and practicable measures have been taken to avoid harm to an Aboriginal object and/or place.

## 1.1 Project Area

The Project Area is located on 1134 John Renshaw Drive, Black Hill, in the Maitland Council LGA and is hereafter referred to as the 'Project Area' (see **Figure 1**).

## 1.2 Proposed activity

There are no current activities associated with the land rezoning, however, future activities would involve ground disturbance such as vegetation clearance, installation of structures and services, and residential construction.

It is noted this due diligence assessment specifically relates to the Project Area shown in **Figure 1** and does not consider the archaeological potential outside of the area.

## 1.3 Information and privacy

### 1.3.1 Restricted information

No restricted information provided in this report.

### 1.3.2 Confidentiality

The report was prepared by RPS Australia East Pty Ltd for Barr Property and Planning.

- a) Copyrighting of drawings, reports, specifications calculations and other documents provided by RPS. Australia East Pty Ltd in connection with the provision of the Services will remain the property of RPS Australia East Pty Ltd.
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## 1.4 Authorship and acknowledgment

This report has been prepared by RPS Heritage Consultant Kate Morris (BA/BSc Hons) and RPS Heritage Consultant Bengi Selvi-Lamb (MA Arch). GIS mapping was undertaken by RPS Senior Draftsperson, Natalie Wood. This report was reviewed and approved by RPS Senior Heritage Consultant/Archaeologist Ben Slack (BA Arch).

***This report acknowledges the Traditional Owners and Elders, past, present and future, on whose land this project is located.***



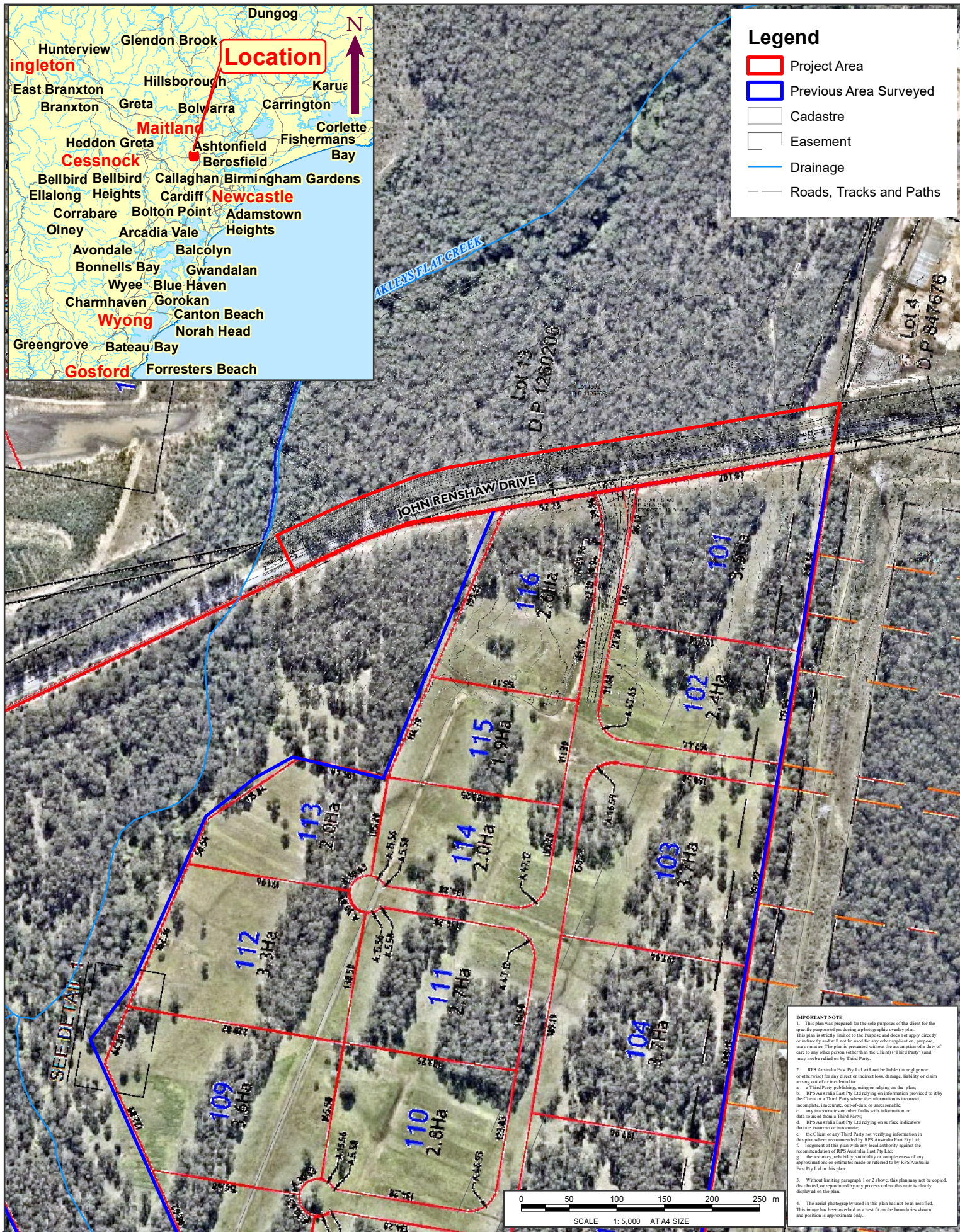


FIGURE 1: PROJECT AREA LOCATION

LOCATION:	BLACK HILL	DATUM:GDA2020
JOB NO.:	PR 150040	PROJECTION: GDA2020 MGA Zone 56
PURPOSE: HERITAGE		Data Sources: RPS, Client Land and Property 2020
Technician: Natalie Wood	Date: 4/08/2021	

CLIENT: BROADEN MANAGEMENT  
PTY LTD

RPS AUSTRALIA EAST PTY LTD (ABN 44 140 292 762)  
Unit 2A, 45 Fitzroy Street, Carrington, NSW, Australia, 2294 PO Box 120, Carrington, NSW, 2294  
T: 02 4940 4200 F: 02 4940 4299 www.rpsgroup.com.au





## 2 LEGISLATIVE CONTEXT

The following overview of the statutory framework is provided solely for information purposes for the client, it should not be interpreted as legal advice. The following overview of the statutory framework is relevant to this project and should not be reinterpreted or applied to other projects. RPS will not be liable for any actions taken by any person, body or group as a result of this general overview. RPS recommends that specific legal advice be obtained from a qualified legal practitioner prior to any action being taken as a result of the summary below.

### 2.1 National Parks and Wildlife Act 1974

Aboriginal cultural heritage (objects and places) in NSW are protected by the *National Parks and Wildlife Act 1974* which is overseen by Heritage NSW (formerly DECCW and OEH). In some cases, Aboriginal heritage may also be protected under the *Heritage Act 1977*, also overseen by Heritage NSW (formerly the Heritage Branch of the Department of Planning). The *Environmental Planning and Assessment Act 1979*, overseen by the Heritage NSW, and other environmental planning instruments trigger the requirement for the investigation and assessment of Aboriginal cultural heritage as part of the development approval process.

The *National Parks and Wildlife Act 1974* (NPW Act) is the principal Act providing protection for Aboriginal cultural heritage (objects and places) in NSW. It provides protection for Aboriginal cultural heritage irrespective of the level of archaeological or cultural heritage significance or land tenure. Heritage NSW is responsible for the administration of the NPW Act. The NPW Act provides protection for Aboriginal cultural heritage in NSW. Section 86 of the NPW Act states:

- “A person must not harm or desecrate an object that the person knows is an Aboriginal object”
- “A person must not harm an Aboriginal object”
- “A person must not harm or desecrate an Aboriginal place”

Under the NPW Act, it is an offence to harm an Aboriginal object or place. Harming an Aboriginal object or place may result in a fine of up to \$550,000 for an individual and imprisonment for two years; and in the case of a corporation, a fine of up to \$1.1 million. The fine for a strict liability offence (s86 [2]) is up to \$110,000 for an individual and \$220,000 for a corporation.

Harm under the NPW Act is defined as any act that: destroys defaces or damages the object; moves the object from the land on which it has been situated; causes or permits the object to be harmed. However, it is a defence from prosecution if the proponent can demonstrate 1) that harm was authorised under Section 90 of the NPW Act, or 2) that the proponent exercised due diligence in respect to Aboriginal cultural heritage. The due diligence defence states that if a person or company has exercised due diligence, liability from prosecution under the NPW Act will be removed or mitigated if it later transpires that an Aboriginal object was harmed. If an Aboriginal object is identified during the proposed activity, all activity within that area must cease and Heritage NSW notified (DECCW 2010:13). The due diligence defence does not authorise continuing harm.

#### 2.1.1 Notification of Aboriginal objects

Under Section 89A of the NPW Act, the proponent must report all Aboriginal objects and places to the Director General of the Heritage NSW within a reasonable time, unless already recorded on the Aboriginal Heritage Information Management System (AHIMS). Fines of \$11,000 for an individual and \$22,000 for a corporation may apply for each object not reported.

#### 2.1.2 Investigating and assessing Aboriginal cultural heritage

There is a number of procedural publications governing archaeological practice in NSW. The publications relevant to the investigation and assessment of Aboriginal cultural heritage include;

- *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (2011);
- *Code of practice for archaeological investigation of Aboriginal objects in New South Wales* (the Code) (DECCW 2010); and,



- *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010)

The *Aboriginal cultural heritage consultation requirements for proponents* (2010) codifies a process for consultation with Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal cultural heritage. The requirements are consistent with the NPW Act and seek, inter alia, to conserve Aboriginal objects and places of significance to Aboriginal people. Consultation is therefore a fundamental part of the Aboriginal cultural heritage assessment process.

## 2.2 National Parks and Wildlife Regulation 2019

The National Parks and Wildlife Regulation 2019 (NPW Regulation) provides a framework for undertaking activities and exercising due diligence in respect to Aboriginal heritage.

## 2.3 Due Diligence and Codes of Practice

The aims of a due diligence assessment are to:

- assist in avoiding unintended harm to Aboriginal objects;
- provide certainty to land managers and developers about appropriate measures for them to take;
- encourages a precautionary approach;
- provides a defence against prosecution if the process is followed; and
- results in more effective conservation outcomes for Aboriginal cultural heritage.

One of the benefits of the due diligence provisions are that they provide a simplified process of investigating the Aboriginal archaeological context of an area to determine if an Aboriginal Heritage Impact Permit (AHIP) is required. Under the s80A NPW Regulation a number of due diligence codes are recognised. This report has been written to meet the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (2010) (Due Diligence Code).

## 2.4 Due Diligence Code of Practice for the Protection of Aboriginal Objects New South Wales (DECCW, 2010c)

This publication sets out a minimum benchmark for acceptable due diligence investigations to be followed.

The purpose of the code is set out reasonable and practical steps in order to:

1. identify whether or not Aboriginal objects (and places) are, or are likely to be, present in an area;
2. determine whether or not their activities are likely to harm Aboriginal objects (if present); and
3. determine whether further Aboriginal consultation is required for site salvage under the Centennial Western Region Aboriginal Cultural Heritage Management Plan (DECCW 2010:2).

Investigations under the Due Diligence Code include the following:

- A search of the AHIMS database to identify if there are previously recorded Aboriginal objects or places in the Project Area;
- Identification of landscape features including land within 200 metres of water, dune systems, ridgetops, headlands, land immediately above or below cliff faces and/or rock shelters/caves;
- Desktop assessment including a review of previous archaeological and heritage studies and any other relevant material;
- Visual inspection of the Project Area to identify if there are Aboriginal objects present; and
- Assessment as to whether an AHIP is required.

This report has complied with the requirements of the Due Diligence Code listed above.

## 2.5 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EPA Act) regulates a system of environmental planning and assessment for NSW. Land use planning requires the consideration of environmental impact, including the potential impact on Aboriginal cultural heritage. The NPW Act therefore provides protection for Aboriginal objects or places, and the EPA Act necessitates an assessment of Aboriginal cultural heritage as part of the planning and approvals process.

### 3 ENVIRONMENTAL CONTEXT

This section provides a summary description of the environmental context of the Project Area including topography, soils, geology, flora and fauna, hydrology and previous disturbance.

An understanding of environmental context is important for the predictive modelling and interpretation of Aboriginal sites. The local environment provided natural resources for Aboriginal people, such as stone (for manufacturing stone tools), food and medicines, wood and bark (for implements such as shields, spears, canoes, bowls, shelters, amongst others), as well as landforms suitable for camping and other activities. The nature of Aboriginal occupation and resource procurement is inextricably linked to the local environment and, therefore, needs to be considered as part of the cultural heritage assessment process. The environmental context is provided in this section as required under the Due Diligence Code (DECCW 2010).

#### 3.1 Geology

Geological formations are relevant to this type of assessment as the nature of a particular formation can be assessed with reference to the stone materials available – certain rock types would be suitable for the manufacture and maintenance of stone artefacts, and others are not.

The Project Area is located on the Permian Tomago Coal Measures, characterised by shale, sandstone, mudstone, tuff and coal. Mudstone and tuff were both suitable materials for the knapping of stone tools and would likely have been available in the form of cobbles or boulders on the ground surface. Sandstone, where it outcropped on the surface near water sources, was often used for the maintenance of tools (Rose et.al. 1966).

Silcrete is also a stone type which occurs commonly in the local area, as shown through studies undertaken at Beresfield (RPS 2009, 2011, 2013, Kuskie 2005, 2008 and South East Archaeology 2004).

#### 3.2 Soils

An understanding of the soil landscape which characterises the project area is important in order to understand the probability that archaeological deposits, where present, will be in situ or whether they are more likely to occur as surface scatters which have been moved by the effects of erosion. The primary soil landscape in the project area is the Beresfield landscape, which covers the entire property with the exception of a small strip of land adjacent to John Renshaw Drive in the north. This portion of land is characterised by the Shamrock Hill soil landscape. The relevant characteristics of these landscapes are outlined in **Table 2** and **Table 3** below. If subsurface Aboriginal objects are present, it is expected that they would be restricted to the topsoils which are up to 30 centimetres in depth.

**Table 2: Beresfield Soil Landscape (Matthei 1995:30-33)**

Soil Layer	Characteristics
Be1 – Friable brownish black loam (A1 horizon)	Brownish black sandy loam to loam fine sandy or silt loam; 0-10cm depth.
Be2 – Hard setting dull yellowish brown sandy loam (A2 horizon)	Dull yellowish brown to dark brown, ranges from sandy loam through clay loam to fine sandy clay loam. 10-15cm depth.
Be3 – Pedal brown plastic mottled clay (B2 horizon)	Brown to yellowish brown medium clay, to heavy plastic clay and occasionally fine sandy clay. 15-120cm depth
Be4 – Reddish brown plastic pedal clay (B2, B3 horizon)	Reddish brown medium to heavy plastic clay. 40-85cm depth, occurs directly under be2 or under be3.
Be5 – Gleyed “puggy” silty clay (B2, B3 or C horizon)	Dull yellow orange silty clay, or sandy clay to light medium clay. 85-144cm depth; occurs directly under be2 or under be4.



**Table 3: Shamrock Hill Soil Landscape (Matthei 1995:148-150)**

Soil Layer	Characteristics
Sh1 – Brownish black friable loam (A1 horizon)	Brownish black loam sandy or sandy clay loam. 0-10cm depth.
Sh2 – Bleached, hard setting sandy clay loam (A2 horizon)	Dull yellowish brown sandy clay loam. 10-30cm depth; sometimes directly atop bedrock.
Sh3 – Pedal bright reddish-brown mottled clay (B2 horizon)	Bright reddish brown light-medium to medium clay. 30-70cm depth.
Sh4 – Mottled grey puggy clay (B3/C horizon)	Dull yellow or dull yellow orange silty to medium clay. 70-120cm depth; occurs directly beneath sh2 or beneath sh3.

### 3.3 Topography and hydrology

The topography of the locality comprises undulating hills and low rises with local relief of 10-50 metres; elevation is 20-50 metres with slope gradients between 3-15% (Matthei 1995:30). The local topography is moderately undulating, which would have allowed ease of movement across the landscape by past Aboriginal people.

Weakleys Flat Creek in the east and Viney Creek in the west would have been permanent sources of freshwater and may have provided other resources including animals and plants, as well as possible sandstone outcrops and cobbles of suitable material for knapping. A number of unnamed 1<sup>st</sup> order tributaries of these two creeks run through the project area and would have provided ephemeral sources of freshwater.

### 3.4 Flora and fauna

Past Aboriginal communities would have likely encountered the vegetation of the Hunter-Macleay Dry Sclerophyll Forest in the Project Area. This community is characterised by open forest dominated by eucalypts which may exceed 40 metres in height, with denser areas dominated by casuarina and melaleuca of up to 20 metres in height (Keith 2006:124-125). The open understorey of this vegetation community includes shrubs such as swamp paperbark, grasses and flowering grasses such as couch, blady grass, sea rush, common reed and tussock sedge.

Plants provided food and raw materials for manufacturing purposes. Wood was used for the manufacture of tools and other implements such as bowls, and bark was also used to form shelters and fashion fishing lines, fish nets and baskets. Sap was used for binding and hafting and as a treatment to add strength to lines and nets (Stewart and Percival 1997).

The Project Area provided habitat for fauna such as kangaroos, echidnas, possums and gliders. Early accounts of 'possum trees' indicate that possum was a major source of food, with other accounts indicating fauna was used for clothing, ornamentation and manufacturing purposes (Barrallier in Attenbrow 2010:71; Attenbrow 2010: 89, 117).

### 3.5 Land Use and Disturbance

The dominant non-Aboriginal historical land use has been pastoral for livestock grazing, and chicken farming including the construction of large sheds to house the fowl, with several residential structures and other small sheds also scattered around the Project Area. Semi-rural properties occur to the west of the Project Area, with residential and commercial developments to the east.

The Project Area is partially cleared and has a moderate level of disturbance through natural processes such as foundation hazard, water erosion hazard, high run-on (localised), seasonal waterlogging (localised), localised steep slopes with mass movement hazard. Installed dwellings, electricity easements, and cattle paddocks exist within the Project Area. The wider region has been partially previously cleared for residential use (residential construction), mining, and installation of infrastructure and services.

## 4 HERITAGE CONTEXT

The purpose of reviewing the relevant heritage information is to assist in identifying whether Aboriginal objects or places are present, or likely to be present within the Project Area. It also assists in defining areas of archaeological potential.

### 4.1 Aboriginal Heritage Management System (AHIMS)

An extensive search of the AHIMS was undertaken on 15 July 2021 (ID: 606627) encompassing Eastings: 368400 - 371680, Northings: 6365370 - 6368440. This extensive search identified thirty (30) sites within the search parameters, four (4) of which are located within the Project Area (**Figure 2**).

**Table 4: Summary of AHIMS within searched co-ordinates**

Site Type	Number of Sites	Percentage of Sites
Artefact Scatter	7	24%
Artefact Site	9	30%
Isolated Find	8	27%
PAD	1	3%
PAD and Isolated Find	1	3%
Aboriginal Resource and Gathering	1	3%
Shell	1	3%
Grinding Groove	2	7%
<b>Total</b>	<b>30</b>	<b>100%</b>

Source: 15 July 2021 (ID: 606627) search eastings: 368400 - 371680, northings: 6365370 - 6368440.

**Table 5: AHIMS within the searched coordinates**

Site ID	Site name	Site types	Site status	Easting	Northing
38-4-0668	FMC6 Donaldson Mine	Artefact Scatter	Valid	368400	6366100
38-4-0639	Donaldson Monitoring Site 5 (DMS5)	Isolated Find	Valid	370665	6368177
38-4-0640	Donaldson Monitoring Site 4 (DMS4)	Isolated Find	Valid	368649	6368181
38-4-0620	Donaldson Monitoring Site 3 (DMS3)	Isolated Find	Valid	369090	6367962
38-4-0621	Donaldson Monitoring Site 2 (DMS2)	Isolated Find	Destroyed	370966	6368184
38-4-1009	F2/A	Artefact Scatter	Valid	368810	6366880
38-4-0987	A22/A	Grinding Groove	Valid	368730	6367650
38-4-1288	CTGM2 BL	Artefact Site	Destroyed	370364	6368087
38-4-1289	CTGM3 AT3	Artefact Site	Partially Destroyed	370646	6368123
38-4-1290	CTGM4 MC	Isolated Find	Valid	370764	6368013
38-4-1215	Beresfield WP AS 2	Artefact Scatter	Destroyed	370765	6368186
38-4-1741	AVC5/A	Artefact Site	Valid	370457	6366402
38-4-1742	AVC13/A	Artefact Site	Valid	370524	6366621
38-4-1743	DIOCESE 1	Artefact Site	Valid	370732	6366463
38-4-1744	DIOCESE 3	Artefact Site	Valid	370202	6366294
38-4-0684	ERM site 1-3	Artefact Site	Destroyed	368360	6367205
38-4-0685	ERM site 5-6	Artefact Site	Destroyed	369148	6367385
38-4-0686	ERM site 4	Artefact Site	Destroyed	369275	6367572
38-4-1503	AMA2/A	Artefact Scatter	Valid	368590	6366390
38-4-1504	AMA2/B	Artefact Scatter	Valid	368703	6366603
38-4-1505	AMA2/C	Isolated Find	Valid	368640	6366511
38-4-0339	Ironbark 2;	Isolated Find	Valid	369190	6367890

## REPORT

38-4-0552	South Beresfield Freeway Industrial Estate	PAD	Valid	371575	6368060
38-4-0909	Weakleys 7 Locus A (W7/A)	Isolated Find	Destroyed	371340	6368240
38-4-0958	A20/C	Aboriginal Resource and Gathering : 1	Valid	368730	6367910
38-4-0981	F1/A	Grinding Groove	Valid	368760	6367030
38-4-1687	Beresfield WP-AS2 artefacts	Artefact Scatter	Valid	371048	6368217
38-4-1688	CTGM PAD1 artefacts	Artefact Scatter	Valid	370698	6368094
38-4-1823	RPS MY MD1	Shell	Valid	369143	6366997
38-4-1809	Hunter River AS2 with PAD	PAD and Isolated Find	Valid	368904	6368061
Site ID	Site name	Site types	Site status	Easting	Northing
38-4-0668	FMC6 Donaldson Mine	Artefact Scatter	Valid	368400	6366100
38-4-0639	Donaldson Monitoring Site 5 (DMS5)	Isolated Find	Valid	370665	6368177
38-4-0640	Donaldson Monitoring Site 4 (DMS4)	Isolated Find	Valid	368649	6368181

Source: 15 July 2021 (ID: 606627) search eastings: 368400 - 371680, northings: 6365370 - 6368440.

Destroyed artefact scatters, artefact sites, isolated finds and PAD are in proximity to the Project Area and four AHIMS sites are located within the Project Area. However, most of these sites have been identified through test excavation and require their status to be updated to Not a Site. The test excavations were conducted by RPS in 2018 and comprised a total of 59 test pits including over AHIMS 38-4-1688, 38-4-1289 and 38-4-1290. Only one artefact retrieved from one test pits (SU1 TP5). The artefact was a banded chert flake and was recovered near the surface. It was concluded that the artefact was likely washed down slope from a higher area.

### AHIMS 38-4-1688

In 2018 RPS inspected this site (PAD with artefacts) and found a highly disturbed area with no artefacts identified (2018 ACHAR). RPS noted imported gravels, both A and B soil horizons, the electricity easement, and vehicle tracks. RPS found that the site card states the artefacts have been collected, however, RPS conducted test excavations at the site and concluded that the area has nil archaeological significance and should be updated to Not a Site on the AHIMS.

### AHIMS 38-4-1289

In 2018 RPS inspected this site (Partially Destroyed Artefact Site) that had comprised silcrete and chert cores and flakes, however, no artefacts were identified in the 2018 inspection. This site was test excavated by RPS in the same investigation as AHIMS 38-4-1688, and it was concluded that the area has nil archaeological significance and should be updated to Not a Site on the AHIMS.

### AHIMS 38-4-1290

In 2018 RPS inspected this site (Isolated Find), near the sandstone outcrop, however, no artefacts were identified in the 2018 inspection. This site was also test excavated by RPS in the same investigation as AHIMS 38-4-1289 and 38-4-1688, and it was concluded that the area has nil archaeological significance and should be updated to Not a Site on the AHIMS.

### AHIMS 38-4-1687

In 2018 RPS inspected this site (Artefact Scatter), however, the site could not be ground-truthed as no artefacts were identified at this location during the 2018 inspection. No excavation was undertaken by RPS at AHIMS 38-4-1687 as it was observed that there were no topsoils present at this location. Two surface artefacts remain at this site to be ground-truthed.



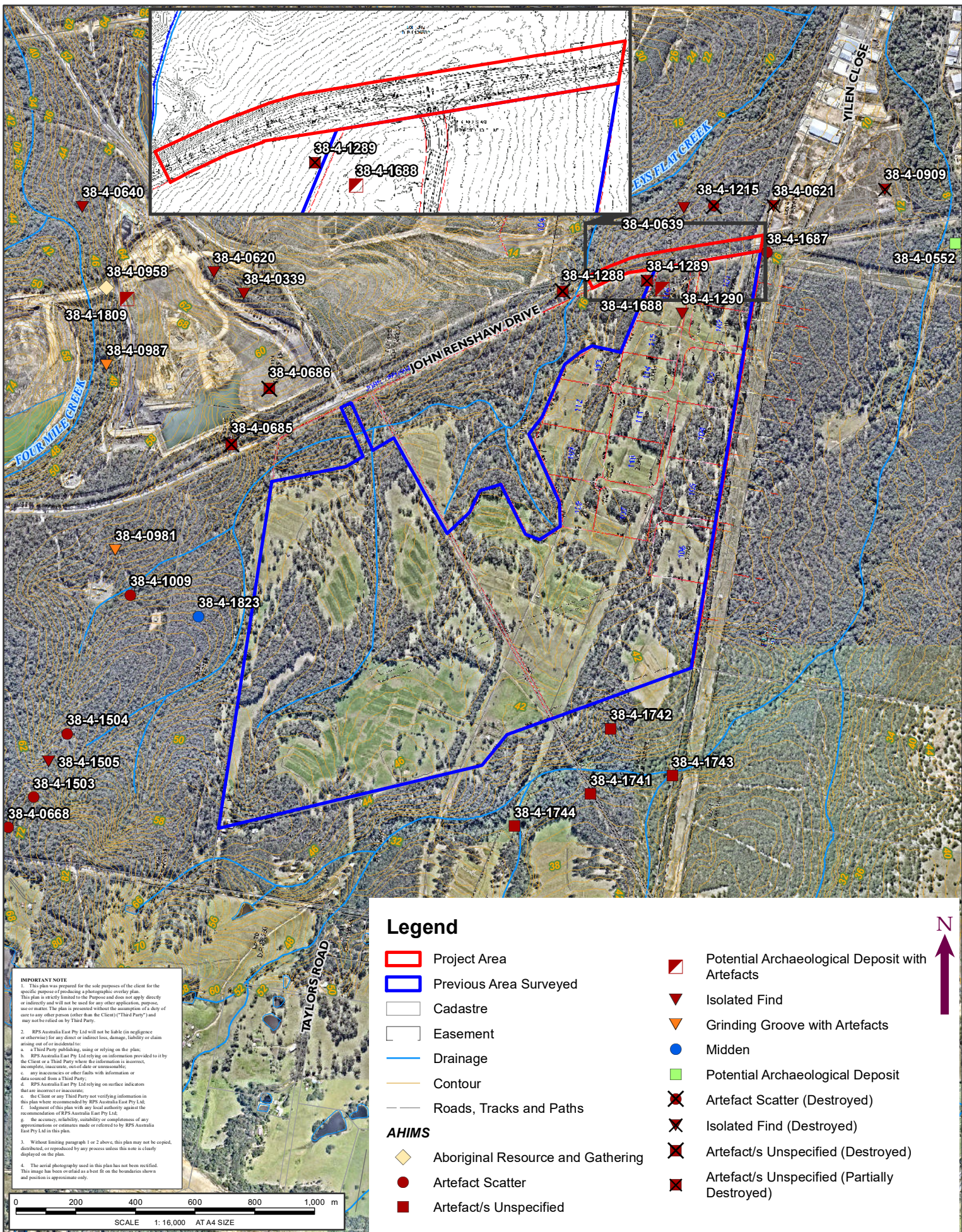


FIGURE 2: PROJECT AREA WITH AHIMS

LOCATION: BLACK HILL

DATUM: GDA2020

JOB NO.: PR 150040

PROJECTION: GDA2020 MGA Zone 56

PURPOSE: HERITAGE

Data Sources:  
RPS, Client  
Land and Property 2020

Technician: Natalie Wood

Date: 4/08/2021

CLIENT: BROADEN MANAGEMENT  
PTY LTD

RPS AUSTRALIA EAST PTY LTD (ABN 44 140 292 762)  
Unit 2A, 45 Fitzroy Street, Carrington, NSW, Australia, 2294 PO Box 120, Carrington, NSW, 2294  
T: 02 4940 4200 F: 02 4940 4299 www.rpsgroup.com.au





## 5 ARCHAEOLOGICAL LITERATURE REVIEW

A review of previous studies undertaken in the area, including archaeological surveys and excavations, is used to establish a better understanding of the archaeological potential of the Project Area.

### **RPS, 2018, Aboriginal Cultural heritage Assessment and Archaeological Test Excavation Report**

RPS prepared and undertook a test excavation and an Aboriginal Cultural Heritage Assessment Report for the proposed Black Hill development adjacent to the current Project Area at Black Hill.

The test excavation program focused on three survey unit areas. A total of 59 test pits were excavated across the Project Area including over AHIMS 38-4-1688, 38-4-1289 and 38-4-1290. Only one artefact was retrieved from one of the test pits (SU1 TP5). The artefact was a banded chert flake. The artefact was retrieved near to the surface, and it is likely that it washed down the slope from a high area.

The testing program determined the nature of the archaeological deposits or lack thereof. Based on the results of the archaeological survey and test excavation program, the area encompassing Lot 1131, DP1057179 John Renshaw Drive, Black Hill, NSW was considered to be of low archaeological significance, including the areas of AHIMS sites 38-4-1688, 38-4-1289 and 38-4-1290.

### **ERM, 2010a, CTGM Stoney Pitch to Beresfield Upgrade**

ERM was commissioned in 2010 by Hunter Water Corporation to prepare an Aboriginal Heritage Assessment for land at Beresfield, NSW. This land was subject to a proposed upgrade of the Beresfield to Stoney Pinch Chichester Trunk Gravity Main. The aim of the AHA was to ascertain whether there were any heritage values associated with the study area that could potentially be affected by the proposed pipeline upgrade, and to provide appropriate mitigation measures for any identified values that may be impacted by the proposed work.

The study area was located parallel to John Renshaw Drive and was approximately 30 metres wide and 3.6 kilometres long. During the archaeological survey, six Aboriginal heritage sites (including one that had been previously registered with AHIMS) were identified within the study area. Additionally, one area of moderate archaeological potential was identified.

The six Aboriginal heritage sites comprised four isolated artefacts and two artefact scatters. Artefacts at these sites included eight artefacts (predominately flakes) and 16 heat shattered objects. Red silcrete was the dominant material, though mudstone and tuff artefacts were also identified. Sites were generally positioned on lower or upper slopes and crests.

An assessment of significance for the six sites concluded that all of the sites had a low to moderate level of archaeological and scientific significance. The Aboriginal social significance of all sites was assessed as high. It was also determined that all of the six sites would be impacted by the proposed works. As such, ERM recommended that Section 90 consent to destroy permits be obtained for five of the sites, and a Section 87 Preliminary Research Permit and Section 90 consent to destroy permit be obtained for one of the artefact scatter sites (WP AS 2) (ERM 2010a).

### **Kuskie, P., 2008, Aboriginal Heritage Assessment at Beresfield**

In 2008a Kuskie of South East Archaeology Pty Ltd prepared an Aboriginal Heritage Impact Assessment for the Proposed Stage 3 Extension to the Freeway Business Park at Beresfield. As part of this assessment Kuskie undertook an archaeological survey of the area within nine discrete survey units. Eleven sites were identified during this survey comprising a total of 23 artefacts. Artefacts were primarily of silcrete (91%) and volcanic tuff (9%). The recorded assemblage comprised flakes (43%), cores and core fragments (30%) and flake portions (26%).

### **Kuskie, P., 2005, Aboriginal Heritage Assessment at Beresfield**

In January 2005, Kuskie of South East Archaeology Pty Ltd prepared an Aboriginal Heritage Impact Assessment for the proposed Freeway North Business Park at Beresfield, in the lower Hunter Valley in NSW. The study area applied to Lot 23 DP 532814 and Lot 226 DP 1054242, with an approximate area of 90 hectares. As part of this assessment, Kuskie undertook an archaeological survey of the area that was subdivided and inspected within 17 environmentally discrete survey areas. Eighteen Aboriginal sites were identified during the survey, comprising of 178 artefacts. Artefacts were primarily silcrete (87%) and volcanic tuff (12%) with one quartz artefact also recorded. The recorded assemblage comprised of flakes (38%),

cores and core fragments (7%) and flaked fragments (51%). One microblade core was identified, along with six retouched flakes (3%).

Kuskie concluded that Aboriginal occupation of the study area was likely to have been widespread and of low density. This occupation was mostly related to food procurement (hunting, gathering) and/or transitory movement across the landscape. Kuskie also noted that short-term temporary camps may have occurred on the basal slopes and flats bordering Scotch Dairy Creek, Weakleys Flat Creek and Viney Creek.

Based on the results of this assessment and findings from other archaeological recordings in the area, Kuskie found that there was a low to very low potential for evidence of Aboriginal cultural heritage to occur within the study area. The exceptions were stone artefact scatters and stone quarries, based on their potential for exploitation of local silcrete gravels or cobbles. Kuskie divided the study area into two distinct zones of archaeological potential:

- Moderate to highly disturbed elevated erosional landform units. These areas have shallow 'A' unit soils, varying levels of ground disturbance, suggested use for low intensity activities (background discard) and low potential for sub surface deposits, particularly deposits that maybe classed as in situ and/ or of research value (Kuskie 2005:ii); and
- The flats of Scotch Dairy Creek, Weakleys Flat Creek/ Viney Creek. These areas are associated with higher order watercourses. The basal slope portions of the survey contained deeper soils and the potential for more focused activity, such as camp sites, having occurred. These areas have a potential for further heritage evidence in the form of artefact deposits of sufficient integrity to be of possible research value (Kuskie 2008a:ii).

Subsequent to this, Kuskie had prepared a significance assessment of the sites identified during these works. Kuskie noted that all Aboriginal heritage evidence is considered culturally significant by Aboriginal people as it represents a tangible links to their past and to the landscape. Scientific or archaeological significance was also assessed for previously recorded sites. Sites W15/B, W15/C, W15/D, W15/E, W15/F, W18/A, W20/A, W20/B, W21/A, W22/A, W23/A, W23/B, W23/C and W23/D were assessed as being of low archaeological significance within the local context. Site W20/A had low archaeological significance and comprised a relatively high number of artefacts at a relatively high density, within high levels of ground disturbance. Site W22/A had low archaeological significance comprising a moderately high number of artefacts at a moderate to high relative density. Levels of ground disturbance were moderate to high, limiting the potential for subsurface deposits.

Sites W23/E, W23/F, W15/A and W15/G were located on basal slopes bordering higher order watercourses. These sites were assessed as having potentially moderate archaeological significance. Although visible evidence reflected low numbers of artefacts with relatively common stone material and artefact types, it was considered that there was high potential for subsurface deposits of artefacts to occur in the 'A' unit soil. Kuskie predicted that further archaeological investigations of these deposits could possibly determine local settlement patterns, stone artefact manufacturing technology and the organisation of stone production and distribution (Kuskie 2005).

## 5.1 Summary and analysis of background information

A review of the AHIMS data, survey reports and previous archaeological work in the area suggests that there are raw materials in the local area which were suitable for the manufacture of stone tools, though such resources have not been identified within the Project Area.

The AHIMS demonstrate that a number of stone artefact sites have been recorded in the wider landscape surrounding the Project Area. Previous studies show that across the local area, sites vary in size and nature from isolated finds on the ground surface to sparse archaeological deposits such as that excavated by RPS (2018) adjacent to the Project Area. However, it is also noted that during other studies, Kuskie noted that erosional soil landscapes with shallow A horizon layers, were less likely to contain extensive deposits. On the basis of the AHIMS results and literature reviews in vicinity of the Project Area, the dominant site type that may be likely to be present are isolated finds, low density artefact scatters and PADs.



## 6 VISUAL INSPECTION

A visual inspection of the Project Area was undertaken to identify whether Aboriginal objects are present on the ground surface or are likely to be present below the ground surface. In accordance with the *Due Diligence Codes* a qualified archaeologist undertook the visual inspection (DECCW 2010). The due diligence visual inspection was undertaken on 14 July 2021 by RPS Heritage Consultant Kate Morris. The site inspection was undertaken on foot and included the proposed subdivision lot layout within Project Area in Lot 13 DP1260203 (**Figure 3**).

### 6.1 Field Results

During the visual inspection two main landforms were observed, comprising cleared fields and open woodland (Plates 1 and 2). The ground surface visibility was low (<25%) along with low ground surface exposure (<30%) (Plates 3 and 4). Few exposures were present in the open woodland and fields with long grass, dense leaf litter, shrubs and logs. Mature native trees were abundant but none showed signs of cultural modification.



Plate 1: Open cattle field



Plate 2: Open Woodland



Plate 3: Low visibility



Plate 4: Low visibility

Different soil types were observed on exposures that were mostly located in the north by the John Renshaw Road; the topsoil was present in the east comprised of dark brown clayey silt and degraded in the north exposing yellow-brown silty clay (Plates 5 and 6). Ground surface exposures had inclusions of ironstone, angular pebbles, sandstone and redeposited blue gravels (Plate 7). Yellow brown mud was exposed mostly on vehicle tracks and at gates (Plate 8).





**Plate 5: Dark brown clayey silt GSE**



**Plate 6: Yellow brown silty clay**



**Plate 7: GSE in north with subangular pebbles, sandstone, ironstone, and imported blue gravels on tarpaulin**



**Plate 8: GSE by gate to field with yellow brown clay and cattle tracks**

Weakleys Flat Creek, a natural creek, and connected drainage lines run north to south in the north western corner of the inspected area. Two sandstone outcrops were identified in the creek with natural grooves and fissures (Plate 9). A large ant nest and termite mound were also noted.



**Plate 9: Sandstone crops in Weakleys Flat Creek with no cultural modifications**



**Plate 10: Gate, fences, vehicle and cattle tracks**

Other disturbances include cattle, kangaroos, tree cutting, vehicle tracks, fences, gates, telephone wiring and towers, electricity easements and underground fiber optic cables (Plates 10-12).





**Plate 11: Easement that runs north to south through Project Area**



**Plate 12: Sign for underground optical fibre cables**

AHIMS 38-4-1687 was unable to be ground-truthed during the inspection and other present AHIMS have been previously destroyed and were therefore unidentifiable. No Aboriginal objects or sites were identified in the area and no raw material types suitable for stone tool manufacture noted.

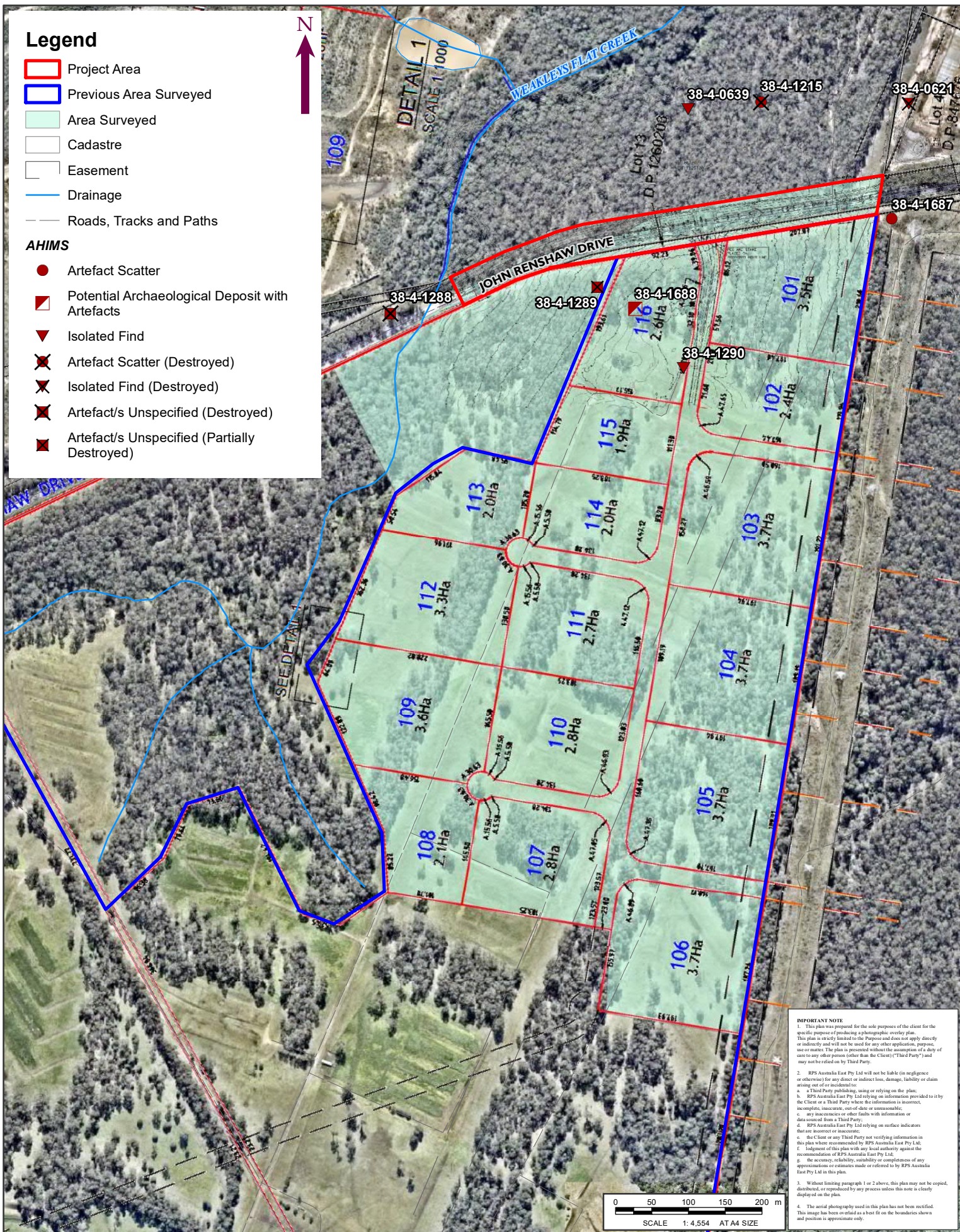
## 6.2 Visual Inspection Summary

The visual inspection began in the northwest of the proposed subdivision area. The northern and eastern boundaries of the proposed area was inspected along the fence lines followed by a transect in the center of the proposed area. Different soil types were noted comprising dark brown clayey-silt topsoil and yellow brown silty clay subsoil. Weakleys creek runs in a north to south direction in the NW corner of the inspected area and contained two sandstone outcrops.

Animal and human disturbances were noted including termite and ant nests, cattle and kangaroo impacts, vehicular traffic, and easements. Mature native trees were abundant, but none showed signs of cultural modification. The ground surface visibility and exposures were low with most exposures contained to the north along the roadside.

No Aboriginal objects or sites were identified in the area and no raw material types suitable for stone tool manufacture were noted. The two surface artefacts at AHIMS 38-4-1687 were unable to be ground-truthed during the inspection and other present AHIMS have been previously investigated through excavation and were therefore unidentifiable.





**FIGURE 3: SURVEY RESULTS**



## 7 CONSIDERATION OF THE PROPOSED WORKS AGAINST THE DUE DILIGENCE CODE OF PRACTICE

The purpose of a due diligence assessment is to identify whether Aboriginal objects are present, or likely to be present, in the Project Area; to determine whether proposed activities are likely to harm Aboriginal objects (if present).

In response to Section 8 of the Due Diligence Code outlines the process to guide due diligence assessments, summarised below in relation to the proposed works.

### 1. *Will the activity disturb the ground surface or any culturally modified trees?*

No. The current activity is a land rezoning application. However, future works will involve ground disturbance. No culturally modified trees have been registered within the Project Area and none were identified as part of the visual inspection undertaken to inform this assessment.

### 2. *Are there any:*

- a) *Relevant confirmed site records or other associated landscape feature information on AHIMS?*
- b) *Any other sources of information of which a person is already aware?*
- c) *Landscape features that are likely to indicate the presence of Aboriginal objects?*

As discussed in **Section 4**, four sites have been previously recorded within the Project Area, however three have been previously test excavated and determined to be of nil archaeological significance and recommended to be listed as Not a Site in the AHIMS.

No Aboriginal objects were located during the site inspection, however, AHIMS 38-4-1687 was unable to be ground-truthed in both 2018 and 2021 and will need to be salvaged prior to any future works. There is a low likelihood Aboriginal objects will be impacted during the current rezoning, however, AHIMS 38-4-1687 would be impacted in future works.

The closest site outside of the Project Area AHIMS site is 38-4-1823 which is midden site, around 200 m to the west of the Project Area. Additionally, the cluster of artefacts in proximity of the southern boundary indicates possibility of Aboriginal occupation in the Project Area, however, these sites will not be impacted by the proposed works.

Based on the environmental context, as well as the results of previous archaeological investigations undertaken in proximity to the Project Area, it is considered the most likely site type to occur in the area would be:

- Isolated find;
- Artefact scatters;
- Potential Archaeological Deposit (PAD).

The Due Diligence Code identifies sensitive landscapes features that indicate the likely existence of Aboriginal objects. These include landscapes features within 200 metres of waters, within 20 metres of a cave/cave mouth/rock shelter, located on a ridgeline/headland, located within 200 metres of a cliff face and located within a sand dune.

The Project Area is not located within 200m of the closest water courses (tributaries that form part of the Wallis catchment). The Project Area is not located within 20 metres of a known shelter, on a ridgeline, within proximity to a cliff face or on a sand dune. It is therefore determined that the proposed works will not occur in a Heritage NSW defined sensitive landscape.

The broader landscape of which the Project Area is likely to have been utilised by Aboriginal people accessing the resources seasonally of these ephemeral creeks, and other nearby resources procurement areas in the past. This is demonstrated by the results of the extensive AHIMS search. In order to clarify the potential sensitivities of the project area specifically, it was considered necessary to undertake a visual inspection.

### 3. Desktop assessment and visual inspection:

**Sections 3 to 6** of this report provide the details of the desktop assessment and visual inspection of the Project Area. The desktop assessment found that while there were four previously recorded AHIMS sites within the Project Area, its environment would have been conducive to transient Aboriginal use due to the surrounding landforms.

During the visual inspection it was noted that the site was disturbed due to the electrical and fibre optic services and easements, vehicle tracks, and cattle and kangaroo impacts. The Due Diligence Code specifies:

*'Land is disturbed if it has been the subject of human activity that's has changed the lands surface, being changes that remain clear and observable'*

The results of the AHIMS search, literature review, and the visual inspection indicate that there is a low likelihood that the current rezoning will result in harm to Aboriginal objects.

## 8 CONCLUSION AND RECOMMENDATIONS

This report has considered the environmental and archaeological information available for the Project Area, previous disturbances and the condition of the land and the nature of the proposed activities in order to assess potential impacts to Aboriginal objects.

The search of the AHIMS database revealed four previously recorded Aboriginal sites within the searched coordinates. However, three of these sites were test excavated in 2018 and concluded to have nil archaeological significance and recommended to be listed as Not a Site. Surface artefacts at AHIMS 38-4-1688 were salvaged and later test excavated with the finding that the area has nil archaeological significance and should be updated to Not a Site on the AHIMS. AHIMS 38-4-1289 was test excavated and also found to have nil archaeological significance and should be updated to Not a Site on the AHIMS. AHIMS 38-4-1290 was test excavated and also found to have nil archaeological significance and should be updated to Not a Site on the AHIMS.

The Project Area was inspected on foot on 14 July 2021. During the visual inspection no Aboriginal objects were identified and AHIMS 38-4-1687 was unable to be ground-truthed. Based on the AHIMS search, literature review, and visual inspection, it is considered that there is low possibility of sub-surface sites or objects within the Project Area and low possibility of harm to Aboriginal sites or objects from current rezoning. Prior to any future works, AHIMS 38-4-1687 will require salvage.

### Recommendations

#### Recommendation 1: Record keeping

This due diligence assessment must be kept by Barr Property and Planning so that it can be presented, if needed, as a defence from prosecution under Section 86(2) of the *National Parks and Wildlife Act 1974*.

#### Recommendation 2: Unexpected finds procedure, Aboriginal objects

As the A horizon is still intact, subsurface archaeological material may be encountered during works. If suspected Aboriginal objects are identified during construction the following procedures must be followed (**Appendix C**):

- 1) Immediately cease all activity at the location.
- 2) Ensure no further harm occurs, secure the area.
- 3) Notify Environment Protection Authority's Enviro Line on 131 555, Mindaribba LALC on +61240157000 and an archaeologist (RPS +61 2 4940 4200).

No further action to be undertaken until Heritage NSW provides written consent.

#### Recommendation 3: Unexpected finds procedure, human remains

All human remains in, on or under the land must not be harmed. If suspected human remains are located during any stage of the proposed works (**Appendix D**):

- 1) Immediately cease all activity at the site.
- 2) Ensure no further harm occurs, secure the area to avoid further harm to the remains.
- 3) Notify the NSW Police 000.
- 4) Notify the Environment Protection Authority's Enviro Line on 131 555, Mindaribba LALC on +612 4015 7000 and an archaeologist (RPS +61 2 4940 4200).



## 9 REFERENCES

AHMS (2008). Aboriginal Heritage Impact Assessment: Salt Ash, N.S.W., Insite Planning Engineering and Environmental.

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

DECCW (2010). Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales. DECCW.

Heritage, I. (2019). North Gingers Lane Investigation Area: Briefing Report.

OEH (2011). Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW, State of NSW and the Office of Environment and Heritage, Department of Premier and Cabinet.

RPS (2015). Aboriginal Heritage Due Diligence Assessment, Thornton.

RPS (2017). Aboriginal Cultural Heritage Assessment, Lots 1, 2 and 3 DP1224086, Chisholm NSW.

RPS (2018). Lot 11 DP 1057179 John Renshaw Drive, Black Hill NSW Aboriginal Cultural Heritage Assessment and Archaeological Test Excavation Report.

RPS (2020). Aboriginal Heritage Due Diligence Assessment: Cessnock Road, Gillieston Heights.

**Appendix A**  
**Extensive AHIMS**

# AHIMS Web Services (AWS)

## Extensive search - Site list report

Your Ref/PO Number : PR150040BlackHill

Client Service ID : 606627

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
38-4-0668	FMC6 Donaldson Mine	AGD	56	368400	6366100	Open site	Valid	Artefact : 5		98344
	<b>Contact</b>	<b>Recorders</b>	Sue Effenberger							
38-4-0639	Donaldson Monitoring Site 5 (DMS5)	AGD	56	370665	6368177	Open site	Valid	Artefact : 1		102222
	<b>Contact</b>	<b>Recorders</b>	Umwelt (Australia) Pty Limited - Individual users							
38-4-0640	Donaldson Monitoring Site 4 (DMS4)	AGD	56	368649	6368181	Open site	Valid	Artefact : 1		100960
	<b>Contact</b>	<b>Recorders</b>	Umwelt (Australia) Pty Limited - Individual users							
38-4-0620	Donaldson Monitoring Site 3 (DMS3)	AGD	56	369090	6367962	Open site	Valid	Artefact : 1		100960
	<b>Contact</b>	<b>Recorders</b>	Umwelt (Australia) Pty Limited - Individual users							
38-4-0621	Donaldson Monitoring Site 2 (DMS2)	AGD	56	370966	6368184	Open site	Destroyed	Artefact : 1		102222,102398
	<b>Contact</b>	<b>Recorders</b>	Umwelt (Australia) Pty Limited - Individual users,RPS Australia East Pty Ltd - Ham							
38-4-1009	F2/A	AGD	56	368810	6366880	Open site	Valid	Artefact : 2		
	<b>Contact</b>	<b>Recorders</b>	South East Archaeology							
38-4-0987	A22/A	AGD	56	368730	6367650	Open site	Valid	Artefact : -, Grinding Groove : -		
	<b>Contact</b>	<b>Recorders</b>	Mr.Edward Clarke							
38-4-1288	CTGM2 BL	GDA	56	370364	6368087	Open site	Destroyed	Artefact : -		103089
	<b>Contact</b>	<b>Recorders</b>	ERM Australia Pty Ltd- Sydney CBD,Doctor.Diana Neuweiger,Mr.John Simpson							
38-4-1289	CTGM3 AT3	GDA	56	370646	6368123	Open site	Partially Destroyed	Artefact : -		103089
	<b>Contact</b>	<b>Recorders</b>	ERM Australia Pty Ltd- Sydney CBD,Doctor.Diana Neuweiger,Mr.John Simpson							
38-4-1290	CTGM4 MC	GDA	56	370764	6368013	Open site	Valid	Artefact : 1		103089
	<b>Contact</b>	<b>Recorders</b>	ERM Australia Pty Ltd- Sydney CBD,Doctor.Diana Neuweiger							
38-4-1215	Beresfield WP AS 2	AGD	56	370765	6368186	Open site	Destroyed	Artefact : 15		101939,103089
	<b>Contact</b>	<b>Recorders</b>	Doctor.Tim Owen,Mr.John Simpson							
38-4-1741	AVC5/A	GDA	56	370457	6366402	Open site	Valid	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>	Mr.Corey O'Driscoll							
38-4-1742	AVC13/A	GDA	56	370524	6366621	Open site	Valid	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>	Mr.Jason Barr							
38-4-1743	DIOCESE 1	GDA	56	370732	6366463	Open site	Valid	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>	Mr.Corey O'Driscoll							
38-4-1744	DIOCESE 3	GDA	56	370202	6366294	Open site	Valid	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>	Mr.Corey O'Driscoll							
38-4-0684	ERM site 1-3	AGD	56	368360	6367205	Open site	Destroyed	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>	ERM - Thornton							

Report generated by AHIMS Web Service on 15/07/2021 for Rps - Newcastle Team Administrator for the following area at Datum :GDA, Zone : 56, Eastings : 368400 - 371680, Northings : 6365370 - 6368440 with a Buffer of 0 meters. Additional Info : Due Diligence. Number of Aboriginal sites and Aboriginal objects found is 30

This information is not guaranteed to be free from error omission. Office of Environment and Heritage (NSW) and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.

# AHIMS Web Services (AWS)

## Extensive search - Site list report

Your Ref/PO Number : PR150040BlackHill

Client Service ID : 606627

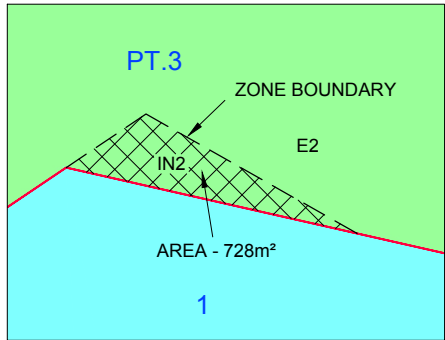
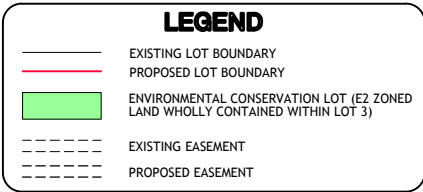
SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
38-4-0685	ERM site 5-6	AGD	56	369148	6367385	Open site	Destroyed	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>	ERM - Thornton					<b>Permits</b>	1695,1696	
38-4-0686	ERM site 4	AGD	56	369275	6367572	Open site	Destroyed	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>	ERM - Thornton					<b>Permits</b>	1695,1696	
38-4-1503	AMA2/A	GDA	56	368590	6366390	Open site	Valid	Artefact : 6		
	<b>Contact</b>	<b>Recorders</b>	South East Archaeology					<b>Permits</b>		
38-4-1504	AMA2/B	GDA	56	368703	6366603	Open site	Valid	Artefact : 3		
	<b>Contact</b>	<b>Recorders</b>	South East Archaeology					<b>Permits</b>		
38-4-1505	AMA2/C	GDA	56	368640	6366511	Open site	Valid	Artefact : 1		
	<b>Contact</b>	<b>Recorders</b>	South East Archaeology					<b>Permits</b>		
38-4-0339	Ironbark 2;	AGD	56	369190	6367890	Open site	Valid	Artefact : -	Isolated Find	2681
	<b>Contact</b>	<b>Recorders</b>	Ms.Jill Ruig					<b>Permits</b>	1902	
38-4-0552	South Beresfield Freeway Industrial Estate	AGD	56	371575	6368060	Open site	Valid	Potential Archaeological Deposit (PAD) : -		97572,102222
	<b>Contact</b>	<b>Recorders</b>	Janice Wilson					<b>Permits</b>		
38-4-0909	Weakleys 7 Locus A (W7/A)	AGD	56	371340	6368240	Open site	Destroyed	Artefact : 1		102398
	<b>Contact</b> T Russell	<b>Recorders</b>	Mr.Peter Kuskie,RPS Australia East Pty Ltd - Hamilton,Miss.Philippa Sokol					<b>Permits</b>	3144,3431	
38-4-0958	A20/C	AGD	56	368730	6367910	Open site	Valid	Aboriginal Resource and Gathering : 1		
	<b>Contact</b> S Scanlon	<b>Recorders</b>	Mr.Edward Clarke					<b>Permits</b>		
38-4-0981	F1/A	AGD	56	368760	6367030	Open site	Valid	Artefact : -, Grinding Groove : -		
	<b>Contact</b>	<b>Recorders</b>	Mr.Edward Clarke					<b>Permits</b>		
38-4-1687	Beresfield WP-AS2 artefacts	GDA	56	371048	6368217	Open site	Valid	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>	Mr.John Simpson					<b>Permits</b>	4400	
38-4-1688	CTGM PAD1 artefacts	GDA	56	370698	6368094	Open site	Valid	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>	Mr.John Simpson					<b>Permits</b>	4400	
38-4-1823	RPS MY MD1	GDA	56	369143	6366997	Open site	Valid	Shell : -		
	<b>Contact</b>	<b>Recorders</b>	RPS Australia East Pty Ltd - Hamilton,Mr.Ben Slack					<b>Permits</b>		
38-4-1809	Hunter River AS2 with PAD	GDA	56	368904	6368061	Open site	Valid	Artefact : 1, Potential Archaeological Deposit (PAD) : 1		
	<b>Contact</b>	<b>Recorders</b>	Virtus Heritage - Pottsville,Mrs.Mary-Jean Sutton					<b>Permits</b>	4421	

Report generated by AHIMS Web Service on 15/07/2021 for Rps - Newcastle Team Administrator for the following area at Datum :GDA, Zone : 56, Eastings : 368400 - 371680, Northings : 6365370 - 6368440 with a Buffer of 0 meters. Additional Info : Due Diligence. Number of Aboriginal sites and Aboriginal objects found is 30

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**Appendix B**  
**Proposed Project Plans**



DETAIL 1  
SCALE 1:1000

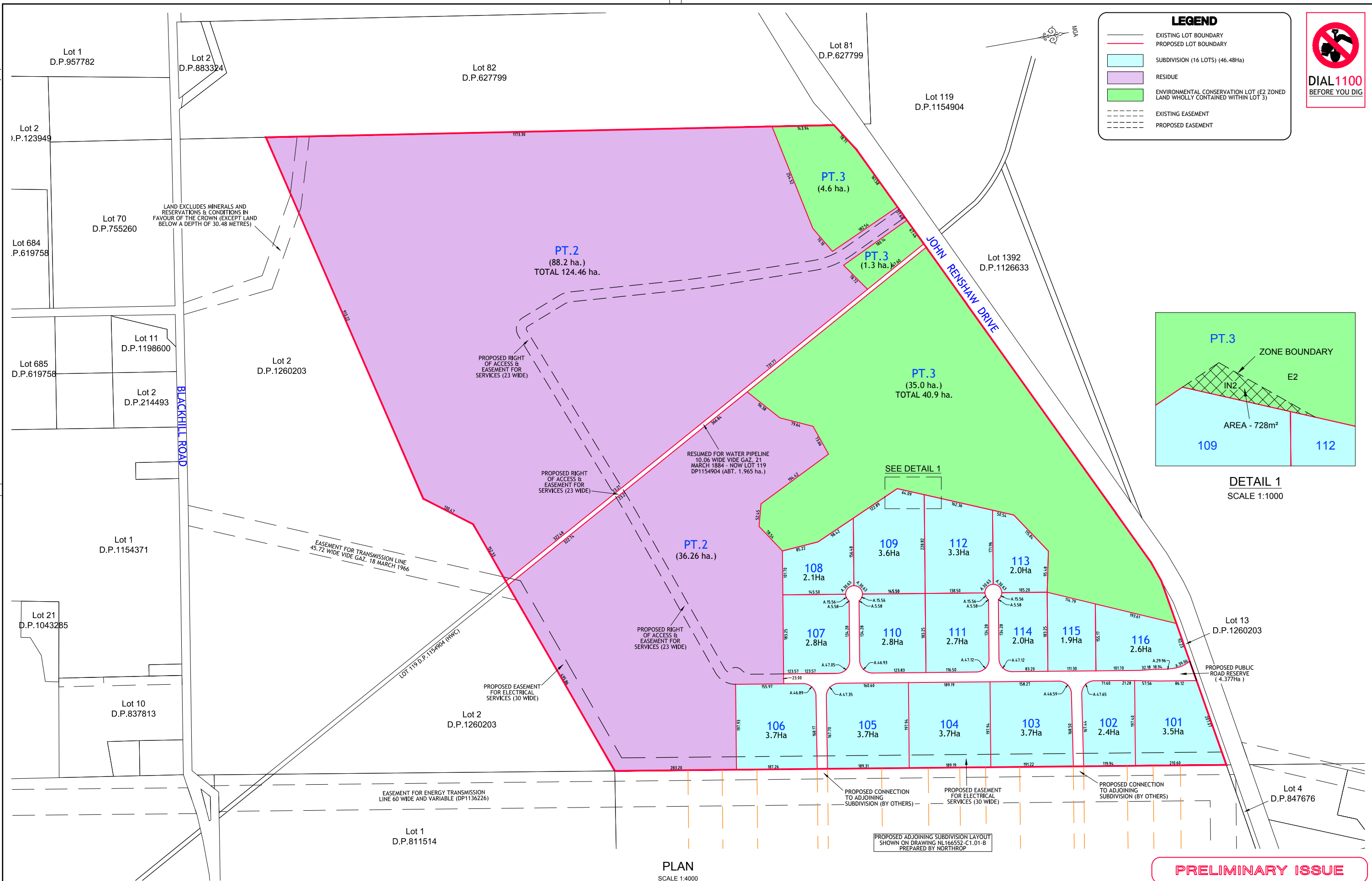
PRELIMINARY ISSUE

REV.	DATE	AMENDMENT	DRAWN	CHECK	DESIGN	VERIFY	SCALES		Hunter Office Unit 7/335 Hillsborough Rd Warners Bay N.S.W. 2282 Phone: (02) 4978 5100 Fax: (02) 4978 5199 email.hunter@adwjohnson.com.au www.adwjohnson.com.au ABN 62 129 445 398	CLIENT  BROADEN MANAGEMENT PTY LTD	PROPERTY DESCRIPTION		PROJECT BLACKHILL INDUSTRIAL			
A B C D E	17.12.2018 10.05.2021 21.05.2021 24.05.2021 24.05.2021	INTERSECTION UPDATED BOUNDARY AMENDMENTS BOUNDARY AMENDMENTS UPDATE PART AREAS UPDATE SUBDIVISION LOT NUMBERS	D.W. A.M. A.M. R.C. Z.J.	R.K. R.K. R.K. R.K. R.K.	M.A. M.A. M.A. M.A. M.A.	R.K. R.K. R.K. R.K. R.K.					INDUSTRIAL SUBDIVISION LOT 1 D.P.1260203 JOHN RENSHAW DRIVE, BLACK HILL	PLAN TITLE  PHASE 1 SUPERLOT SUBDIVISION PLAN				
DESIGN FILE N:\JOB\NUMBER\Design\12D\							ALL DIMENSIONS ARE IN METRES. DO NOT SCALE				SURVEYED ADW Johnson	DATUM A.H.D.	PROJECT No. 239590	DISCIPLINE - ESK	NUMBER - 004	REV. E

Plotted By: Zachary Jarvie Plot Date: 24/05/21 6:39:55PM Cad File: N:\239590\DRAWINGS\ENGINEERING\CIVIL\CONCEPT\239590-ESK-004(E).DWG

239590-ESK-004(E)

100mm AT FULL SIZE



LEGEND

EXISTING LOT BOUNDARY

PROPOSED LOT BOUNDARY

SUBDIVISION (16 LOTS) (46.48Ha)

RESIDUE

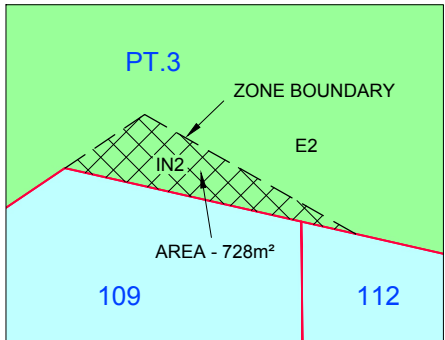
ENVIRONMENTAL CONSERVATION LOT (E2 ZONED LAND WHOLLY CONTAINED WITHIN LOT 3)

EXISTING EASEMENT

PROPOSED EASEMENT

DIAL1100

BEFORE YOU DIG



DETAIL 1  
SCALE 1:1000

REV.	DATE	AMENDMENT	DRAWN	CHECK	DESIGN	VERIFY	SCALES	CLIENT	PROPERTY DESCRIPTION	PROJECT
A	17.12.2018	INTERSECTION UPDATED	D.W.	R.K.	M.A.	R.K.	0 100 200 A1 / A3	Hunter Office	BLACK HILL	BLACKHILL INDUSTRIAL
B	10.05.2021	BOUNDARY AMENDMENTS	A.M.	R.K.	M.A.	R.K.	1:4000 / 1:8000	Unit 7/335 Hillsborough Rd	INDUSTRIAL SUBDIVISION	PLAN TITLE
C	21.05.2021	BOUNDARY AMENDMENTS	A.M.	R.K.	M.A.	R.K.		Warners Bay N.S.W. 2282	LOT 1 D.P.1260203	PROPOSED SUBDIVISION PLAN
D	24.05.2021	UPDATE PART AREAS	R.C.	R.K.	M.A.	R.K.		Phone: (02) 4978 5100	JOHN RENSHAW DRIVE, BLACK HILL	
E	24.05.2021	UPDATE SUBDIVISION LOT NUMBERS	Z.J.	R.K.	M.A.	R.K.		Fax: (02) 4978 5199		
DESIGN FILE: N:\JOBNUMBER\Design\12D\								PROJECT No. 239590 - DISCIPLINE ESK - NUMBER 004 - REV. E		

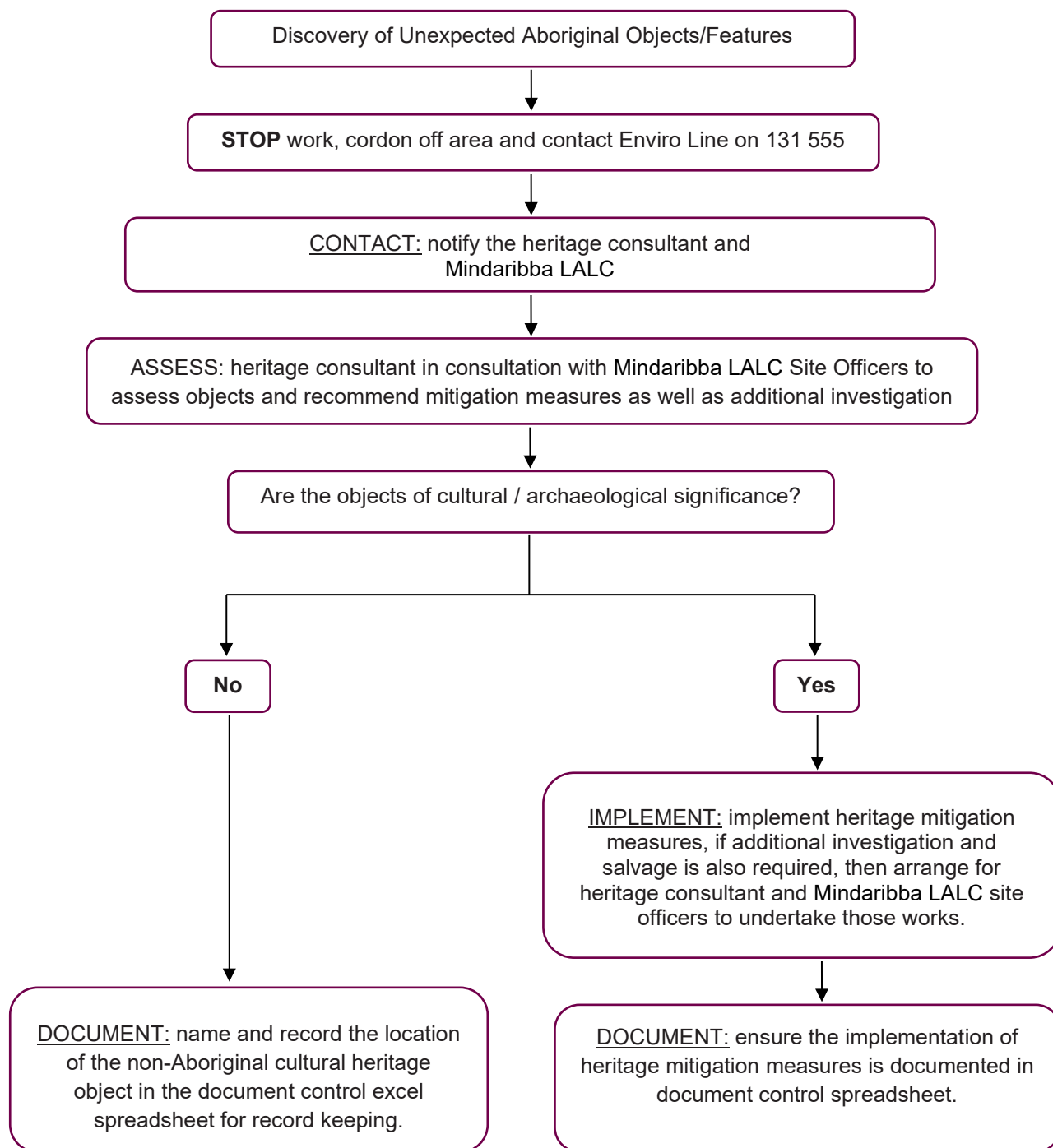
Plotted By: Zachary Jarvie Plot Date: 24/05/21 4:39:57PM Cad File: N:\239590\DRAWINGS\ENGINEERING\CIVIL\CONCEPT\239590-ESK-004(E).DWG

## Appendix C

### Unexpected Finds



## UNEXPECTED FINDS PROCEDURE FOR ABORIGINAL OBJECTS ENCOUNTERED DURING SITE WORKS



## Appendix D

# Unexpected Finds, Human Remains

## UNEXPECTED FINDS PROCEDURE FOR DISCOVERY OF HUMAN SKELETAL REMAINS

Human skeletal remains are of the highest importance to Aboriginal peoples and all care, caution, respect and dignity will be utilised by all parties should such remains be discovered.

