Boral Resources (NSW) Pty Ltd

Italia Road, Balickera Intersection

LGA: Port Stephens

Archaeological Due Diligence Assessment

27 July 2023

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CULTURAL HERITAGE

Report No: J202295 DD	
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Signed:	
Date:	27 July 2023

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EXECUTIVE SUMMARY

McCardle Cultural Heritage Pty Ltd (MCH) has been engaged by Boral Resources (NSW) Pty Ltd to undertake an Archaeological Due Diligence Assessment for the proposed upgrade to the intersection of Italia Road and the Pacific Highway at Balickera.

Situated on Carboniferous Crawford Formation that includes sandstone, conglomerate, mudstone, chert and tuff, the project area consists of the Ten Mile Road Soil Landscape, this landscape includes an A_1 horizon of brown sandy loam up to 15 centimetres in depth which overlays the A_2 horizon of bleached sandy loamup to 25 centimetres deep and a B horizon of brown dense medium clay.

In terms of fresh water sources, the project area is located approximately 1.7 kilometres north of Grahamstown Lake with the closest fresh water source being the William River, located approximately 5.3 kilometres west of the project area and Mosman Swamp located approximately 3.8 kilometres to the west. As water is necessary for survival, the project area may be considered under-resourced in terms of water availability. With the absence of fresh water, the project area and immediate surrounds are unlikely to have been utilised for more than transitory activities such as travel and opportunistic hunting and gathering.

The project area has been cleared and likely to have been ploughed for improved pasture and grazing at some time and has been significantly impacted through extensive excavation and fill works associated with the road construction as well as utilities (water, electricity, telephone, NBN). and a driveway along Italia Road.

A search of the AHIMS register has identified 8 known Aboriginal sites currently recorded within two kilometres of the project area and include 4 artefact sites and 4 PADs. There are no registered sites or Aboriginal Places within the project area. Considering the AHIMS results, local and regional archaeological investigations as well as the environmental context, given that fresh water was necessary for survival and the project area is located 1.7 kilometres from fresh water, the absence reliable of fresh water indicates the project area and immediate surrounds may have been used no more than hunting and gathering opportunities rather that large-scale long-term camping. However, due to the large-scale excavation works for the construction of the Pacific Highway and Italia Road, no sites are expected to remain in the project area.

The project area, consisting of disturbed road reserves, was surveyed as one disturbed unit and confirmed the extensive previous clearing, excavation and fill works across the project area associated with road works. No sites or areas of potential archaeological sensitivity were identified in the project areas during the survey and this is due to the significantly high impacts from previous land uses across the project area (excavation and fill works during road construction and utilities). Additionally, being located at a distance from reliable fresh water and resources, indicates the project area may have been utilised for more transitory activities rather than camping. Evidence of such past Aboriginal land uses manifests in the archaeological record as a background scatter of discarded artefacts, which would have been disturbed/destroyed through past land uses.

As no sites or PADs were identified in the project area, there are no impacts to the archaeological record and the following recommendations are provided:

1) The persons responsible for the management of onsite works will ensure that all staff, contractors and others involved in construction and maintenance related activities are made aware of the statutory legislation protecting sites and places of significance. Of particular importance is the National Parks and Wildlife Regulation 2019, under the National Parks and Wildlife Act 1974;

2) Should any Aboriginal objects be uncovered during works, all work will cease in that location immediately and the Environmental Line contacted.

GLOSSARY

Aboriginal Place: are locations that have been recognised by the Minister (and gazetted under the *National Parks and Wildlife Act 1974*) as having special cultural significance to the Aboriginal community. An Aboriginal Place may or may not include archaeological materials.

Aboriginal Site: an Aboriginal site is the location of one or more Aboriginal archaeological objects, including flaked stone artefacts, midden shell, grinding grooves, archaeological deposits, scarred trees etc.

Artefact: any object that is physically modified by humans.

Artefact scatter: a collection of artefacts scattered across the surface of the ground (also referred to as open camp sites).

Assemblage: a collection of artefacts associated by a particular place or time, assumed generated by a single group of people, and can comprise different artefact types.

Backed artefact: a stone tool where the margin of a flake is retouched at a steep angle and that margin is opposite a sharp edge.

Background scatter: a term used to describe low density scatter of isolated finds that are distributed across the landscape without any obvious focal point.

Core: a chunk of stone from which flakes are removed and will have one or more negative flake scars but no positive flake scars. The core itself can be shaped into a tool or used as a source of flakes to be formed into tools.

Debitage: small pieces of stone debris that break off during the manufacturing of stone tools. These are usually considered waste and are the by-product of production (also referred to as flake piece).

Flake: any piece of stone struck off a core and has a number of characteristics including ring cracks showing where the hammer hit the core and a bulb of percussion. May be used as a tool with no further working, may be retouched or serve as a platform for further reduction.

Flaked piece/waste flake: an unmodified and unused flake, usually the by-product of tool manufacture or core preparation (also referred to as debitage).

Harm: is defined as an act that may destroy, deface or damage an Aboriginal object or place. In relation to an object, this means the movement or removal of an object from the land in which it has been situated

In situ: archaeological items are said to be "in situ" when they are found in the location where they were last deposited.

Retouched flake: a flake that has been flaked again in a manner that modified the edge for the purpose of resharpening that edge.

Typology: the systematic organization of artefacts into types on the basis of shared attributes.

ACRONYMS

ACHA	Aboriginal Cultural Heritage Assessment
ACHMP	Aboriginal Cultural Heritage Management Plan
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit

AHIMS SITE ACRONYMS

ACD	Aboriginal ceremonial and dreaming
AFT	Artefact (stone, bone, shell, glass, ceramic and metal)
ARG	Aboriginal resource and gathering
ART	Art (pigment or engraving)
BOM	Non-human bone and organic material
BUR	Burial
CFT	Conflict site
CMR	Ceremonial ring (stone or earth)
ETM	Earth mound
FSH	Fish trap
GDG	Grinding groove
HAB	Habitation structure
HTH	Hearth
OCQ	Ochre quarry
PAD	Potential archaeological deposit.
SHL	Shell
STA	Stone arrangement
STQ	Stone quarry
TRE	Modified tree (carved or scarred)
WTR	Water hole

1 INTRODUCTION

1.1 INTRODUCTION

McCardle Cultural Heritage Pty Ltd (MCH) has been engaged by Boral Resources (NSW) Pty Ltd to undertake an Archaeological Due Diligence Assessment for the proposed upgrade to the intersection of Italia Road and the Pacific Highway at Balickera.

The assessment has been undertaken to meet the Heritage NSW, Department of Premier & Cabinet Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW and the brief. The purpose of a due diligence assessment is to assist proponents to exercise due diligence when carrying out activities that may harm Aboriginal objects or Aboriginal places and to determine whether that should apply for a consent to harm Aboriginal objects or Places through an Aboriginal Heritage Impact Assessment (AHIP). The purpose of this due diligence report is to demonstrate that all reasonable and practicable measures have been undertaken to prevent harm to any Aboriginal objects and/or place within the project area. This report has met the Heritage NSW Due Diligence requirements and considered the relevant environmental and archaeological information, the project land condition, the nature of the proposed development activity and impacts, as well as preparing appropriate recommendations.

1.2 THE PROJECT AREA

The project area proposed upgrade to the intersection of Italia Road and the Pacific Highway at Balickera. The location of the project area, consisting mainly of road reserve, is shown in Figures 1.1 and 1.2.

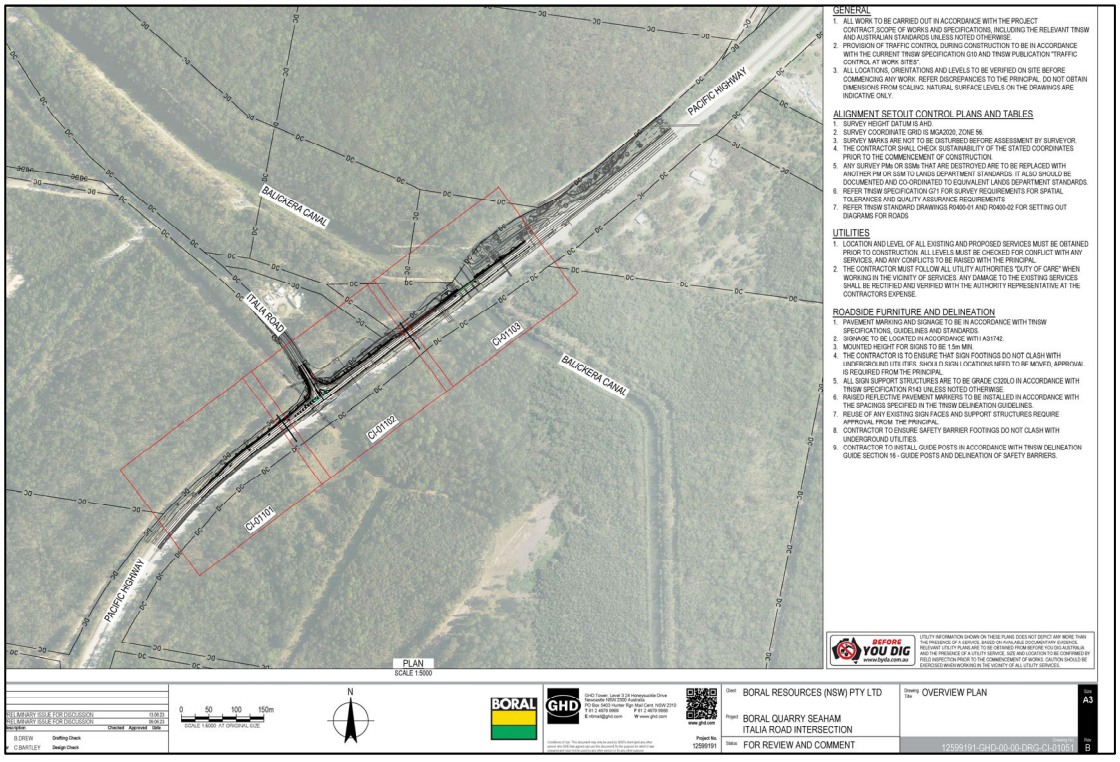
Figure 1.1 Location of the project area

Figure 1.2 Aerial photograph of the project area (Nearmap April 2022)

1.3 DESCRIPTION OF THE PROPOSED DEVELOPMENT

The project will include an acceleration Lane northbound on pacific highway (Figure 3.1) and includes the area to the west from highway to property boundary (but not onto private property).

Figure 1.3 Plan



1.4 OBJECTIVES OF THE DUE DILIIGENCE ASSESSMENT

The objectives and primary tasks of this due diligence assessment were to:

- undertake a search of the Aboriginal Heritage Management System (AHIMS) and other relative registers;
- undertake research into the environmental and archaeological contexts of the project area;
- develop a predictive model of site location for the project area;
- undertake a field survey of the project area;
- assess the potential impacts of the proposed development on any identified Aboriginal sites or potential archaeological deposits (PADs) identified within the project area;
- assess the significance of any identified Aboriginal objects or sites identified within the project area;
- complete and submit site cards to AHIMS for any Aboriginal sites identified; and
- provide appropriate recommendations.

1.5 LEGISLATIVE CONTEXT

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

Land managers are required to consider the effects of their activities or proposed development on the environment under several pieces of legislation. Although there are a number of Acts and regulations protecting Aboriginal heritage, including places, sites and objects, within NSW, the three main ones include:

- National Parks and Wildlife Act (1974, as amended)
- National Parks and Wildlife Regulation (2019)
- Environmental Planning and Assessment Act (1979)

1.5.1 NATIONAL PARKS AND WILDLIFE ACT (1974, AS AMENDED)

The National Parks and Wildlife Act (1974), Amended 2019, is the primary legislation for the protection of Aboriginal cultural heritage in New South Wales. The NPW Act protects Aboriginal heritage (places, sites and objects) within NSW and the protection of Aboriginal heritage is outlined in s86 of the Act, as follows:

- "A person must not harm or desecrate an object that the person knows is an Aboriginal object" s86(1)
- "A person must not harm an Aboriginal object" s86(2)
- "A person must not harm or desecrate an Aboriginal place" s86(4)

Penalties apply for harming an Aboriginal object, site or place. The penalty for knowingly harming an Aboriginal object (s86[1]) and/or an Aboriginal place (s86[4]) is up to $550,000 for an individual and/or imprisonment for 2 years; and in the case of a corporation the penalty is up to $1.1 million.

The penalty for a strict liability offence (s86[2]) is up to $110,000 for an individual and $220,000 for a corporation.

Harm under the National Parks and Wildlife Act (1974, as amended) 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 that;

1) harm was authorised under an Aboriginal Heritage Impact Permit (AHIP) (and the permit was properly followed), or
2) the proponent exercised due diligence in respect to Aboriginal heritage.

The 'due diligence' defence (s87[2]), states that if a person or company has applied due diligence to determine that no Aboriginal object, site or place was likely to be harmed as a result of the activities proposed for the Project Area, then liability from prosecution under the NPW Act 1974 will be removed or mitigated if it later transpires that an Aboriginal object, site or place was harmed. If any Aboriginal objects are identified during the activity, then works should cease in that area and Heritage NSW, Department of Premier & Cabinet notified (DECCW 2010:13). The due diligence defence does not allow for continuing harm or as defence to s.86(1) or (4).

The archaeological due diligence assessment and report has been carried out in compliance with the Heritage NSW (DECCW 2010) Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW.

1.5.2 NATIONAL PARKS AND WILDLIFE REGULATION (2019)

The National Parks and Wildlife Regulation 2019 provides a framework for undertaking activities and exercising due diligence in respect to Aboriginal heritage. The Regulation (201909) recognises various due diligence codes of practice, including the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW, but it also outlines procedures for Aboriginal Heritage Impact Permit (AHIP) applications and Aboriginal Cultural Heritage Consultation Requirements (ACHCRs); amongst other regulatory processes.

1.5.3 ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979 (EP&A ACT)

EP&A Act establishes the statutory framework for planning and environmental assessment in NSW and the implementation of the EP&A Act is the responsibility of the Minister for Planning, statutory authorities and local councils. The EP&A Act contains three parts which impose requirements for planning approval:

- Part 3 of the EP&A Act relates to the preparation and making of Environmental Planning Instruments (EPIs), State Environmental Planning Policies (SEPPs) and Local Environmental Plans (LEPs).
- Part 4 of the EP&A Act establishes the framework for assessing development under an EPI. The consent authority for Part 4 development is generally the local council, however the consent authority may by the Minister, the Planning Assessment Commission or a joint regional planning panel depending upon the nature of the development.
- Part 4, Division 4.1 of the EP&A Act establishes the assessment pathway for State Significant Development (SSD) declared by the State Environmental Planning Policy (State and Regional Development) 2011 (NSW). Once a development is declared as SSD, the Secretary's Environmental Assessment Requirements (SEARs) will be issued outlining what issues must be considered in the EIS.

- Part 5 of the EP&A Act provides for the control of 'activities' that do not require development consent and are undertaken or approved by a determining authority. Development under Part 5 that are likely to significantly affect the environment is required to have an EIS prepared for the proposed activity.
- Part 5.1 of the EP&A Act establishes the assessment pathways for State Significant Infrastructure (SSI). Development applications made for SSI can only be approved by the Minister. Once a development is declared as SSI, the SEARs will be issued outlining what issues must be addressed in the EIS.

The applicable approval process is determined by reference to the relevant environmental planning instruments and other controls, LEPs and State Environmental Planning Policies (SEPPs). This project is a current SSD application that has never been determined. The process we are doing is amending the development application pursuant to clause 37 of the EP&A Regulation Aboriginal community consultation

A due diligence assessment relates to the physical identification of Aboriginal objects, sites and places. Community consultation is only required once Aboriginal objects, sites or places have been identified and an Aboriginal Heritage Impact Permit (AHIP) is deemed necessary. Section 5.2 of the Heritage NSW (DECCW 2010) Due Diligence Code of Practice for the protection of Aboriginal Objects in NSW specifically states that;

> *'consultation with the Aboriginal community is not a formal requirement of the due diligence process' (2010:8).*

1.6 QUALIFICATIONS OF THE INVESTIGATOR

Dr. Penny McCardle: Principal Archaeologist & Forensic Anthropologist has 22 years experience in Indigenous archaeological assessments, excavation, research, reporting, analysis and consultation and 19 years in skeletal identification, biological profiling and skeletal trauma identification for NPWS, NSW Police and the NSW Department of Forensic Medicine.

- BA (Archaeology and Palaeoanthropology): Indigenous archaeology, University of New England 1999
- Hons (Archaeology and Palaeoanthropology): Physical Anthropology, University of New England 2001
- Forensic Anthropology Course, University of New England 2003
- Armed Forces Institute of Pathology Forensic Anthropology Course, Ashburn, VA 2008
- Analysis of Bone trauma and Pseudo-Trauma in Suspected Violent Death Course, Erie College, Pennsylvania, 2009
- Documenting Scenes of War and Human Rights Violations. Institute for International Criminal Investigations, 2018
- PhD, University of Newcastle, 2019

1.7 REPORT STRUCTURE

The report includes Section 1 which outlines the project, Section 2 presents the environmental and archaeological context, Section 3 provides the results and discussion and Section 4 presents the Impact Assessment, Section 5 discusses the mitigation measures and Section 6 provides the management recommendations.

2 ENVIRONMENTAL AND ARCHAEOLOGICAL CONTEXT

The archaeological due diligence process and assessment requires that the available knowledge and information in relation to the environmental and archaeological contexts are considered. The purpose of this is to assist in identifying whether Aboriginal objects, sites or places are likely to be present within the project area based on archaeological predictive modelling and in what condition they may be found in given the environmental impacts, both natural and anthropogenic.

2.1 LOCAL ENVIRONMENT

Past site location and land use are closely linked to the environment including the landform, geology, geomorphology, soils, waterways and associated resources. The environmental context is important to identify potential factors relating to past Aboriginal land use patterns.

Story et al (1963) divided the Hunter Valley into eight main sub-regions including the Southern Mountains, Central Goulburn Valley, Merriwa Plateau, Liverpool and Mt Royal Ranges, Barrington tops, North-Eastern Mountains, Central lowlands and the Coastal Zone. The project area is situated the in the Central Lowlands (a broad lowland belt of lowlands approximately 15 kilometres wide) which lies at the centre of the region extending from Murrurundi to Newcastle. The project area is situated on Carboniferous Crawford Formation that includes sandstone, conglomerate, mudstone, chert and tuff (Newcastle Geological Map 1966). The presence of tuff, mudstone and chert within the geology of the project area indicates that stone materials suitable for manufacturing stone artefacts may occur in various locations throughout the project area.

Consisting of the Ten Mile Road Soil Landscape, this landscape includes an A_1 horizon of brown sandy loam up to 15 centimetres in depth which overlays the A_2 horizon of bleached sandy loamup to 25 centimetres deep and a B horizon of brown dense medium clay (Mattehi 1995:151-153). The geomorphology of the Hunter Valley is complex and include texture contrast soils that mantle the undulating to hilly landscapes on Permian and Carboniferous rocks and the older alluvial terraces and valley fills. These soils consist of an upper soil Horizon A and underlying B (referred to as duplex soils (Galloway 1963; Hughes 1984). Unit A and Unit B are interpreted as being Holocene and Pleistocene in age respectively. Within the region, sites tend to occur on or within soil Horizon A or are often present at the interface of the A and B horizons. Within the A horizon the lowermost (in terms of vertical positioning) artefact assemblages tend to contain artefacts that are typically attributed to the mid-Holocene, as characterised by an increase in the number of backed artefacts.

Whilst the A horizon of the project Soil Landscape of the project area are generally up to 25cm in depth, the project area has been subject to extensive large-scale excavation and fill as a result of road works and as such none of the original soils are expected to remain within the project area.

In terms of fresh water sources, the project area is located approximately 1.7 kilometres north of Grahamstown Lake with the closest fresh water source being the William River, located approximately 5.3 kilometres west of the project area and Mosman Swamp located approximately 3.8 kilometres to the west. As water is necessary for survival, the project area may be considered under-resourced in terms of water availability. With the absence of fresh water, the project area and immediate surrounds are unlikely to have been utilised for more than transitory activities such as travel and opportunistic hunting and gathering.

In relation to land uses and associated impacts, Heritage NSW (DECCW 2010) defines disturbed lands as land that has been the subject of human activity that has changed the lands' surface and, or subsurface, these changes being changes that remain clear and observable. This definition is based on the types of disturbances classified in The Australian Soil and Land Survey Field Handbook (CSIRO 2010) and Table 2.1 provides a scale formulated by the CSIRO of the levels of disturbances

and their classification, which will assist in determining the level of disturbance across the project area and its impact on potential cultural material that may be present.

Table 2.1 Land use scale (CSIRO 2010)

Minor disturbance		Moderate disturbance		Major disturbance	
Cleared and/or grazed at some time, but apparently never ploughed		Cleared and/or grazed at some time, with ploughing also attested		Severe disturbance to natural soil profiles; complete-to-near complete topsoil loss/disturbance	
0	No effective disturbance; natural	3	Extensive clearing (e.g., poisoning and ringbarking	6	Cultivation: grain fed
1	No effective disturbance other than grazed by hoofed animals	4	Complete clearing: pasture native or improved, but never cultivated	7	Cultivation: irrigated, past and present
2	Limited clearing (e.g., selected logging)	5	Complete clearing: pasture native or improved, cultivated at some stage	8	Highly disturbed: e.g., quarry, road works, mining, landfill, urban

Regionally, following European settlement of the area in the 1820s, the regional landscape has been subjected to a range of different modifactory activities including extensive logging and clearing, agricultural cultivation (ploughing), pastoral grazing, residential developments and other construction works. The associated high degree of landscape disturbance has resulted in the alteration of large tracts of land and the cultural materials contained within these areas.

Based on aerial photography (Nearmap 2000 – 2021), the project area has been subject to a high impact landuses disturbances and impacts. The project area has been cleared and likely to have been ploughed for improved pasture and grazing at some time and has been significantly impacted through extensive excavation and fill works associated with the road construction as well as utilities (water, electricity, telephone, NBN). and a driveway along Italia Road. These landuses and how they impact on the landscape and deposits are discussed below.

Early vegetation clearing included the uprooting of trees by chaining which disturbed or destroyed that may be present near, or underneath trees and vegetation (Wood 1982). Farming and agricultural activities also disturbed the landscape. Pastoralism activities result in disturbances due to vegetation clearance and the trampling and compaction of grazed areas which accelerate the natural processes of sheet and gully erosion, which in turn can cause the horizontal and lateral displacement of artefacts. Furthermore, grazing by hoofed animals can affect the archaeological record due to the displacement and breakage of artefacts resulting from trampling (Yorston et al 1990). Pastoral land uses are also closely linked to alterations in the landscape due to the construction of dams, fence lines and associated structures. As a sub-set of agricultural land use, ploughing typically disturbs the top 10-12 centimetres of topsoil (Koettig 1986) depending on the method and machinery used during the process. Ploughing increases the occurrence of erosion and can also result in the direct horizontal (up to 18 metres per plough run) and vertical movement of artefacts, thus causing artificial changes in artefact densities and distributions (e.g., Roper 1976; Odell and Cowan 1987; Lewarch and O'Brien 1981). Ploughing activities are typically evidenced through 'ridges and furrows' however a lengthy cessation in ploughing activities dictates that these features may no longer be apparent on the surface.

Excavation works required for developments, including but not limited to business, residential, industrial, works depos and associated infrastructure and utilities, require excavation, cut and fill methods. These direct impacts to the land and associated cultural materials that may be present are easy to see and understand. Any form of construction or resource exploitation that involves the removal of, relocation of or compaction or soils sediments or minerals, requires the modification of the topography, thus displacing and/or destroying any cultural materials that may have been present (Wood 1982). Theses significant disturbances have results in none of the original topsoils remining in situ.

Additional disturbances would have derived from natural processes. The patterns of deposition and erosion within a locality can influence the formation and/or destruction of archaeological sites. Within an environment where the rate of erosion is generally high, artefacts deposited in such an environment will be eroded downslope after being abandoned (Waters 2000; Waters and Kuehn 1996). If erosion occurs after cultural material is deposited, it will disturb or destroy sections, or all of, archaeological sites even if they were initially in a good state of preservation. The more frequent and severe the episodes of erosional events the more likely it is that the archaeological record in that area will be disturbed or destroyed. Additionally, bioturbation processes such as the redistribution and mixing of cultural deposits occurs as a result of burrowing and mounding by earthworms, ants and other species of burrowing animals. Artefacts can move downwards through root holes as well as through sorting and settling due to gravity, and translocation can also occur as a result of tree falls (Balek 2002; Peacock and Fant 2002; Canti 2003; Stein 2003:).

The project area is located within an environment that provided limited resources. Without a fresh water supply to enable camping, the project area may have been utilised for more transitory activities such as travel and hunting and gathering on the way to reliable water and associated subsistence resources. Such past Aboriginal land uses are manifest in the archaeological record as a background scatter of discarded artefacts (such as isolated artefacts and/or very low-density artefact scatters). In relation to modern alterations to the landscape, the previous large-scale clearing, excavation and fill works associated with the road construction and utilities can be expected to have had high impacts upon the archaeological record at those locations.

2.2 ARCHAEOLOGICAL CONTEXT

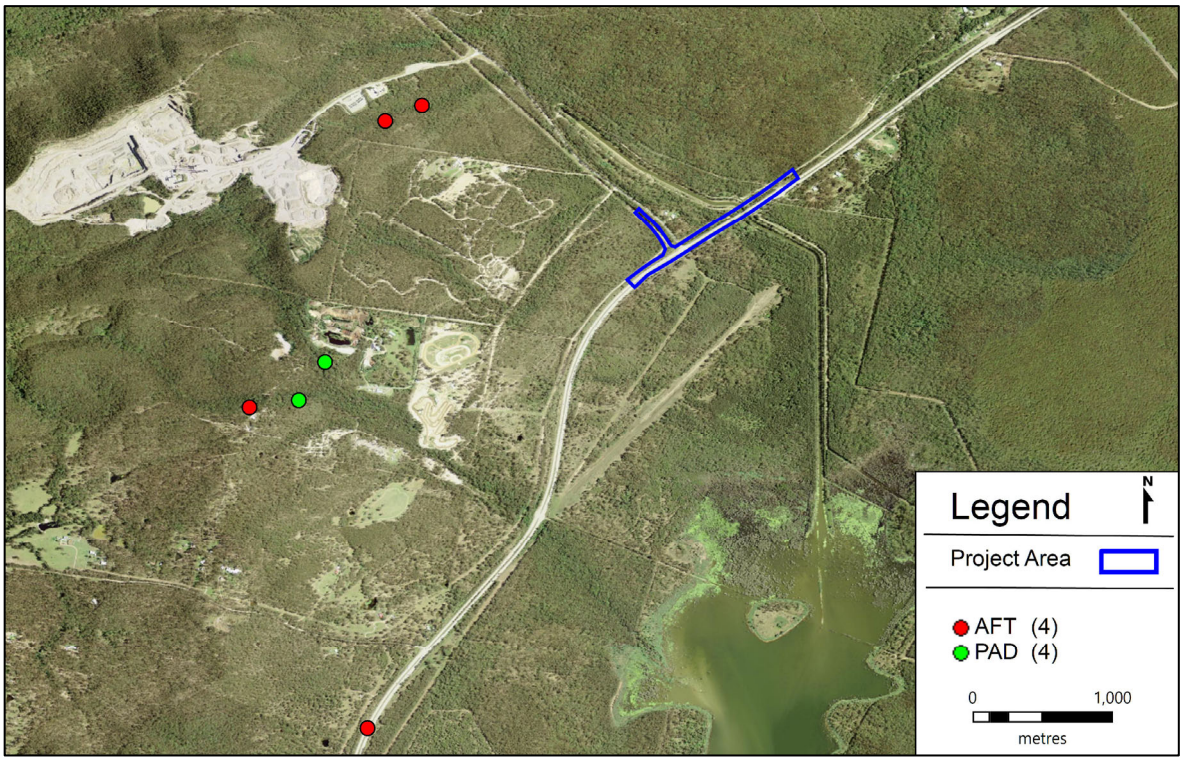
A review of the archaeological literature of the region, and more specifically the local area and the results of an AHIMS search provide essential contextual information for the current assessment.

2.2.1 ABORIGINAL HERITAGE INFORMATION MANAGEMENT SYSTEM (AHIMS)

It must be noted that there are many limitations with an AHIMS search including incorrect site coordinates due to errors and changing of computer systems at AHIMS over the years that failed to correctly translate old coordinate systems to new systems. Secondly, AHIMS will only provide up to 110 sites per search, thus limiting the search area surrounding the project area and limiting a more comprehensive analysis and finally, few sites have been updated on the AHIMS register to notify if they have been subject to a s87 or s90 and as such what sites remain in the local area and what sites have been destroyed, to assist in determining the cumulative impacts, is unknown.

A search of the AHIMS register (Appendix A) has identified 8 known Aboriginal sites currently recorded within two kilometres of the project area and include 4 artefact sites and 4 PADs (Figure 2.1). There are no registered sites or Aboriginal Places within the project area.

Figure 2.1 Location of AHIMS sites



2.2.2 HERITAGE REGISTER LISTINGS

The National Heritage List, the Commonwealth Heritage List, the Australian Heritage Database, Australia's National Heritage List, The National Trust Heritage Register State Heritage Inventory the and the relevant Local Environmental Plan have no Aboriginal objects, sites or places listed.

2.2.3 SUMMARY OF THE REGIONAL ARCHAEOLOGICAL CONTEXT

The majority of archaeological surveys and excavations throughout the region have been undertaken in relation to environmental assessments for various developments, including but not limited to, residential and industrial, infrastructure, utilities, mining and quarrying. A review of the of the most relevant investigations (Davidson et al 1993; Dean-Jones and Mitchell 1993; Koettig and Hughes 1984; McDonald 1997; Haglund 1999; Kuskie 2000; HLA-Envirosciences 2002; AMBS 2002; MCH 2004a, b) provides a regional archaeological context in terms of site location and distribution.

Based on the available information it is possible to identify a number of trends in site location and patterning within the regional area. Open campsites are by far the most common site type with isolated finds also comparatively well represented. A variety of other site types have been identified in far lower concentrations and include grinding grooves, scarred trees, rock shelters, shelters with art and burials. The high representation of sites containing stone artefacts is to be expected due to the durability of stone in comparison to other raw materials. Raw materials used for tool manufacture include mudstone (also called tuff by some) which is the most common lithic artefactual material found in the region, followed by silcrete and in lesser quantities chert, quartz, quartzite, petrified wood, porcellanite, basalt, limestone, sandstone, rhyolite, basalt, European glass and other non-specific lithic types also occur in smaller quantities. The most common stone artefacts include flakes, flake fragments and flaked pieces. Cores, edge ground axes, millstones, grindstones, hammer

stones and backed artefacts including backed blades, bondi points, geometric microliths and eloueras also occur though in lower frequencies. In general, the stone artefact assemblage in the area has been relatively dated to what was previously known as the Small Tool Tradition (10,000 years BP). On the basis of stone tool technology, the overwhelming majority of Aboriginal open sites within the region are attributed to the Holocene period. However, at Glennies Creek, north of Singleton, based on radiocarbon dated charcoal and geomorphological evidence it is suggested that artefacts found in the B-horizon may have been deposited between 10,000 and 13,000 BP (Koettig 1986a, 1986b).

2.2.4 SUMMARY OF THE LOCAL ARCHAEOLOGICAL CONTEXT

All archaeological surveys throughout the local area have been undertaken in relation to environmental assessments for developments. The most relevant investigations indicate differing results and observations based on surface visibility and exposure, alterations to the landscape, proximity to water sources and geomorphology.

Previous assessments of the local area (ERM 1999, MCH 2012, 2017, 2020) have identified that artefact scatters and isolated finds are the most prominent site type. These assessments have also identified that both landform and distance to water were important factors in past Aboriginal land use with elevated landforms within 50 metres of reliable water to have been the most favoured. The higher the stream order (and more reliable water source) the higher the numbers of sites and site densities, and both decrease with distance from the water source, and a decrease in stream order. A number of sites were also found on slopes; however, it is likely they were eroded down slope and not found in their original location. All sites were noted to have been disturbed through past landuses including but not limited to clearing, agricultural and pastoral activities, residential developments, utilities, infrastructure and erosion.

The following is a summary of the previous investigations and it is noted that there are various factors which will have skewed the results. Therefore, the summary provides an indication of what may be expected in terms of site location and distribution.

- a wide variety of site types are represented in the project area with open campsites and isolated artefacts by far the most common;
- lithic artefacts are primarily manufactured from mudstone and silcrete with a variety of other raw materials also utilised but in smaller proportions;
- sites in proximity to ephemeral water sources or located in the vicinity of headwaters of upper tributaries (1st order streams) have a sparse distribution and density and contain little more than a background scatter;
- sites located in the vicinity of the upper reaches of minor tributaries (2nd order streams) also have a relatively sparse distribution and density and may represent evidence of localised one-off behaviour;
- sites located in the vicinity of the lower reaches of tributaries (3rd order creeks) have an increased distribution and density and contain evidence that may represent repeated occupation or concentration of activity;
- sites located in the vicinity of major tributaries (4th and 5th order streams/rivers) have the highest distribution and densities. These sites tend to be extensive and complex in landscapes with permanent and reliable water and contain evidence representative of concentrated activity; and

- sites located within close vicinity at the confluence of any order stream may be a focus of activity and may contain a relatively higher artefact distribution and density.

These findings are consistent with models developed for the area.

2.3 SYNTHESIS OF ENVIRONMENTAL AND ARCHAEOLOGICAL CONTEXTS

When assessing sites in terms of distance to water, in the Hunter Valley there is a clear pattern of past land uses whereby the majority of high-density sites are situated within 50 metres of reliable fresh water (high order) and reduce in both numbers and densities with a decrease in stream order. Thus, it is apparent that open campsites/isolated finds are most concentrated in number and size within 50 metres of reliable fresh water.

As is to be expected, the majority of sites within 50 metres of water are present on elevated landforms in association with creek lines whilst slopes and crest/ridge formations are also common site locations, although with an absence of reliable fresh water, were used for more transitory activities. The frequent presence of sites on crest/ridges and slopes is also noticeable for sites located over 50 metres from water. Due to the importance of water in the grinding process, it is not surprising that sites of this type are situated close to water. Based on information gained from previous studies, both regionally and locally, and the environmental context, within atwo-kilometre radius of our project area, it can be expected that:

- the likelihood of locating sites increases with proximity to available water;
- the likelihood of finding large sites of high densities increases markedly with proximity to reliable water and decreases with a reduction in stream order;
- grinding grooves may be located along or near water sources within sandstone formations;
- a variety of stone artefact types will be located though the majority will be flakes, flaked pieces and debitage;
- a variety of raw materials utilised in stone tool manufacture will be represented, though the majority of sites will be predominated by mudstone and silcrete;
- the likelihood of finding scarred trees is dependent on the level of clearing in an area; and
- the majority of sites will be subject to disturbances including human and natural.

2.4 MODELS OF PAST ABORIGINAL LAND USE

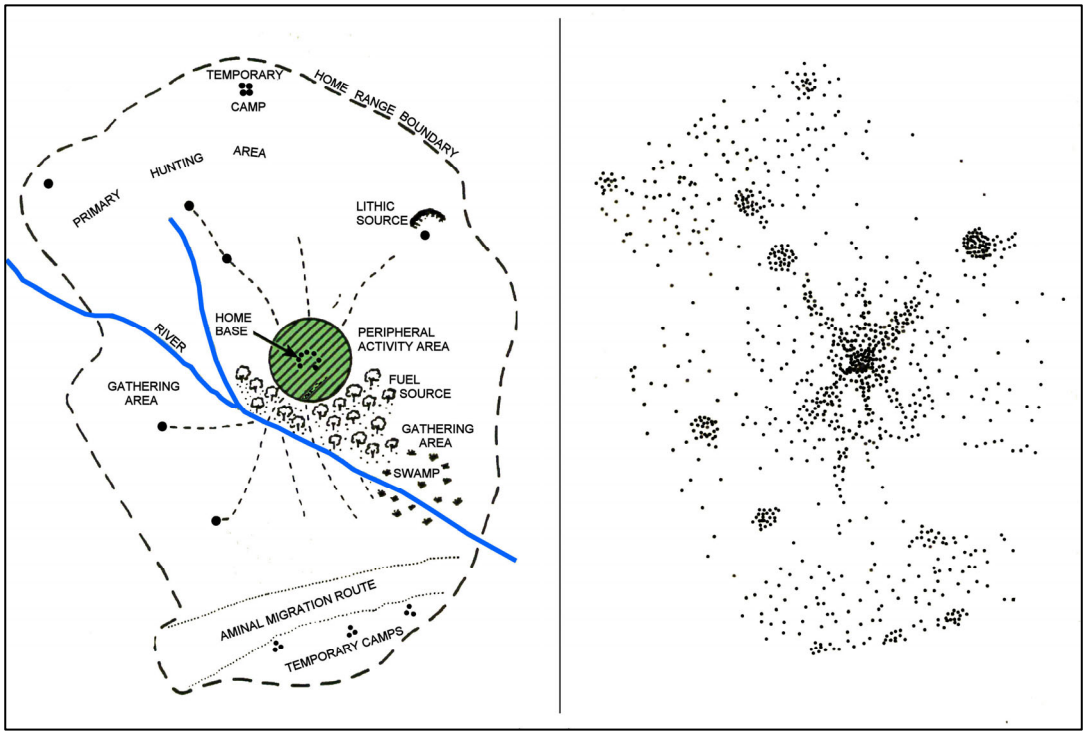
The main aim of this project is to attempt to define both the nature and extent of occupation across the area. As a result, the nature of the analysis will focus on both the landform units and sites. The purpose of this strategy is to highlight any variations between sites and associated assemblages, landforms and resources across the area treating assemblages as a continuous scatter of cultural material across the landscape. In doing this, it is possible to identify variation across the landscape, landforms and assemblages that correspond with variation in the general patterns of landscape use and occupation. Thus, the nature of activities and occupation can be identified through the analysis of stone artefact distributions across a landscape. A general model of forager settlement patterning in the archaeological record has been established by Foley (1981). This model distinguishes the residential 'home base' site with peripheral "activity locations".

Basically, the home base is the focus of attention and many activities and the activity locations are situated away from the home base and are the focus of specific activities (such as tool manufacturing). This pattern is illustrated in Figure 2.2. Home base sites generally occur in areas

with good access to a wide range of resources (reliable water, raw materials etc). The degree of environmental reliability, such as reliable water and subsistence resources, may influence the rate of return to sites and hence the complexity of evidence. Home base sites generally show a greater diversity of artefacts and raw material types (which represent a greater array of activities performed at the site and immediate area). Activity locations occur within the foraging radius of a home base camp (approximately 10 km); (Renfrew and Bahn 1991).

Based on the premise that these sites served as a focus of a specific activity, they will show a low diversity in artefacts and are not likely to contain features reflecting a base camp (such as hearths). However, it is also possible that the location of certain activities cannot be predicted or identified, adding to the increased dispersal of cultural material across the landscape. If people were opting to carry stone tools during hunting and gathering journeys throughout the area rather than manufacturing tools at task locations, an increased number of used tools should be recovered from low density and dispersed assemblages.

Figure 2.2 Foley's model (L) and its manifestation in the archaeological record (R), (Foley 1981).



2.5 MODEL OF OCCUPATION FOR THE LOCAL AREA

Work throughout NSW has aimed to understand the nature of Aboriginal occupation and to identify the nature of past Aboriginal land uses. This theme often aims to identify and explain archaeological patterning in site type, content and distribution. General theories have been developed outlining the relationship between land use patterns and the resulting archaeological evidence. A number of models developed for the region have been reviewed (McBryde 1976; Koettig 1994; Dean-Jones and Mitchell 1993; Rich 1995; Kuskie and Kamminga 2000). All models state that the primary requirements for repeated, concentrated or permanent occupation is access to reliable fresh water. Brief and possible repeated occupation may be represented in areas that have unreliable access to ephemeral water sources, however, these areas will not contain high archaeological evidence or potential (Goodwin 1999).

Kuskie and Kamminga (2000) established a general model of occupation strategies based primarily upon ethnographic research. Used as a starting point, it makes a general set of factors that are consistent with other studies (e.g., McDonald and White 2010, Nelson 1991). The model distinguishes between short-term or extended long-term occupation and makes some predictions about the likely location of different foraging and settlement activities. Combining this information with a review of assemblage contents from a sample of excavated sites within the region, a baseline of settlement activities may be determined (Barton 2001).

The model provides a number of archaeological expectations that may be tested. For example, the presence of features requiring a considerable labour investment (e.g., stone-lined ovens or heat-treatment pits) are likely to occur at places where occupation occurred for extended periods of time. The presence of grindstones is also a reliable indicator of low mobility and extended occupation as seed grinding requires a large investment of time and effort (Cane 1989). In most ethnographic examples, seed grinding is an activity that takes place over an entire day to provide adequate energetic returns (Cane 1989; Edwards and O'Connell 1995).

Where group mobility was high and campsites frequently shifted throughout the landscape, artefact assemblages are not expected to contain elements such as grindstones, heat-treatment pits, ovens and the diversity of implements frequently discarded at places of extended residential occupation. It may also have been the case that the location of particular activities could not be predicted by tool users, adding to the increased low-density scattering of artefacts over the landscape. Also, if individuals were opting to carry a number of stone tools during hunting and gathering activities and maintaining these tools rather than manufacturing new tools at each task location, the ratio of used tools to unworn flakes in these assemblages should be high. Table 2.2 has been adapted from Kuskie and Kamminga (2000).

Table 2.2 Site descriptions (Kuskie & Kamminga 2000).

Occupation Pattern	Activity Location	Proximity to water	Proximity to food	Archaeological expectations
Transitory movement	all landscape zones	not important	not important	• assemblages of low density & diversity • evidence of tool maintenance & repair • evidence for stone knapping
Hunting &/or gathering without camping	all landscape zones	not important	near food resources	• assemblages of low density & diversity • evidence of tool maintenance & repair • evidence for stone knapping • high frequency of used tools
Camping by small groups	associated with permanent & temporary water	near (within 100m)	near food resources	• assemblages of moderate density & diversity • evidence of tool maintenance & repair • evidence for stone knapping & hearths
Nuclear family base camp	level or gently undulating ground	near reliable source (within 50m)	near food resources	• assemblages of high density &diversity • evidence of tool maintenance, repair, casual knapping • evidence for stone knapping • heat treatment pits, stone lined ovens • grindstones
Community base camp	level or gently undulating ground	near reliable source (within 50m)	near food resources	• assemblages of high density & diversity • evidence of tool maintenance, repair, casual knapping • evidence for stone knapping • heat treatment pits, stone lined ovens • grindstones & ochre • large area >100sqm with isolated camp sites

2.6 PREDICTIVE MODEL FOR THE PROJECT AREA

An archaeological predictive model is established to identify areas of archaeological sensitivity so it can be used as a basis for the planning and management of Aboriginal heritage. It involves reviewing existing literature to identify basic site distribution patters. These patterns are then modified according to the specific environment of the project area to form a predictive model for site location within the current project area. A sampling strategy is then used to test the model and the results of the survey used to confirm, refute or modify the model.

Land-systems and environmental factors are commonly used factors in predictive modelling based on the assumption that they provide distinctive sets of constraints and opportunities that influenced past Aboriginal land use patterns. As land use patterns may differ between zones (due to different environmental conditions), this may result in the physical manifestation of different spatial distributions and forms of archaeological evidence. The predictive model presented here is based on landform units, previous archaeological assessments conducted within the region, distribution of known sites and site densities and traditional Aboriginal land use patterns. Also taken into consideration are land use impacts (both natural and anthropomorphic) that may have resulted in a disturbed landscape and associated archaeological record.

Considering the AHIMS results, local and regional archaeological investigations as well as the environmental context, given that fresh water was necessary for survival and the project area is located 1.7 kilometres from fresh water, the absence reliable of fresh water indicates the project area and immediate surrounds may have been used no more than hunting and gathering opportunities rather that large-scale long-term camping. Evidence of such past Aboriginal land uses manifest in the archaeological record as low-density shell middens and/or artefact scatters and isolated finds.

The site types that may have been be present within the project area prior to excavation works, include very low-density artefact scatters and, or isolated artefacts. However, due to the large-scale excavation works for the construction of the Pacific Highway and Italia Road, no sites are expected to remain in the project area.

3 RESULTS AND DISCUSSION

To comply with the due diligence requirement that a visual inspection of the project area be undertaken, an archaeological survey across the project area was undertaken by MCH archaeologist Dr. Penny McCardle on 28th October 2022. The survey focused on areas of high ground surface visibility and exposures (erosional features, cleared areas).

3.1 SURVEY UNITS

The project area, consisting of disturbed road reserves (up to 10 metres in width), was surveyed as one disturbed unit. The survey identified that the project area had been significantly disturbed with the disturbance and removal of all topsoils, excavated and filled for road works and utilities. Examples of the project area are provided in Figures 3.1 to 3.3.

Figure 3.1 Western end of the project area (Italia Rd) facing the intersection

Figure 3.2 Intersection facing west

Figure 3.3 Intersection facing east

As shown if Table 3.1 the total effective coverage for the project area was 6,500m², or 65% reflecting the high visibility and exposures.

Table 3.1 Effective coverage for the investigation area

SU	Landform	Area (m2)	Vis. %	Exp. %	Exposure type	Previous disturbances	Present disturbances	Limiting visibility factors	Effective coverage (m2)
1	disturbed	10,000	65%	100%	erosion, road works	clearing, road works	rubbish dumping, erosion, road	grass, leaf litter	6,500
Totals		**10,000**							**6,500**
								Effective coverage %	**65.00%**

The level and nature of the effective survey coverage is considered satisfactory to provide an effective assessment of the project area. The coverage was comprehensive for obtrusive site types (e.g., grinding grooves and scarred trees) as well as for the less obtrusive surface stone artefact sites by surface visibility constraints that included vegetation cover and minimal exposures.

In relation to land uses and the associated impacts on the landscape and any cultural materials that may have been present, the project area has been subject to large scale excavation and fill works associated with road construction and utilities and as indicated in Table 3.2, these disturbances are high.

Table 3.2 Land use scale (CSIRO 2010) and land uses in the project area

Minor disturbance		Project area	Moderate disturbance		Project area	Major disturbance		Project area
0	No effective disturbance; natural		3	Extensive clearing (e.g., poisoning and ringbarking		6	Cultivation: grain fed	

1	No effective disturbance other than grazed by hoofed animals		4	Complete clearing: pasture native or improved, but never cultivated		7	Cultivation: irrigated, past and present	
2	Limited clearing (e.g., selected logging)		5	Complete clearing: pasture native or improved, cultivated at some stage		8	Highly disturbed: e.g., quarry, road works, mining, landfill, urban	yes

3.2 ARCHAEOLOGICAL SITES AND ARCHAEOLOGICAL SENSITIVITY

No sites or areas of potential archaeological sensitivity were identified in the project areas during the survey and this is due to the significantly high impacts from previous land uses across the project area (excavation and fill works during road construction and utilities). Additionally, being located at a distance from reliable fresh water and resources, indicates the project area may have been utilised for more transitory activities rather than camping. Evidence of such past Aboriginal land uses manifests in the archaeological record as a background scatter of discarded artefacts, which would have been disturbed/destroyed through past land uses.

In view of the predictive modelling and the results obtained from the effective coverage and disturbance rating, it is concluded that the survey provides a valid basis for determining the probable impacts of the proposal and formulating recommendations for the project. The survey results demonstrate the absence of Aboriginal objects within the project area. The results are consistent with those obtained from other studies in the local area. The results indicate a number of possible past Aboriginal land use within the project area;

- No Aboriginal occupation
- Ground disturbances having disturbed or removed evidence

Considering general models of occupation for the locality, the results of this and local investigations, the locality may have been utilised by Aboriginal people. As the project area itself is located over 1.7 kilometres from reliable water and associated resources, the project area is unlikely to have been utilised more than a low intensity usage such as transitory movement or hunting/gathering activities.

3.3 CONCLUSION

It is well established that proximity to water was an important factor in past occupation of the area, with sites reducing in number significantly away from water with most sites located within 50 metres of the tributaries. The project area is located approximately 1.7 kilometres from fresh water and associated subsistence resources. The project area was unsuitable for sustained camping but may have been utilised for transitory movement or hunting/gathering activities only.

In relation to modern alterations to the landscape, previous large-scale clearing, excavation and fill works for road construction as well as utilities can be expected to have had high impacts upon the archaeological record. Natural factors such as erosion would also have impacted on the archaeological record, all of which would have displaced cultural materials and the likelihood of in situ cultural materials is very low to nil.

4 ASSESSMENT OF IMPACTS

The archaeological record is a non-renewable resource that is affected by many processes and activities. As outlined in Section 2 and Section 3, the various natural processes and human activities have impacted on archaeological deposits through both site formation and taphonomic processes.

4.1 IMPACTS

The Heritage NSW Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (2010:21) describes impacts to be rated as follows:

1) Type of harm: is either direct, indirect or none
2) Degree of harm is defined as either total, partial or none
3) Consequence of harm is defined as either total loss, partial loss, or no loss of value

As no sites or PADs were identified, there are no impacts on the archaeological record.

5 MITIGATION AND MANAGEMENT STRATEGIES

Specific strategies, as outlined through the Heritage NSW Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010b), the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH 2011), and the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (DECCW 2010c), are considered below for the management of the identified site(s) within the project area.

5.1 CONSERVATION/PROTECTION

Conservation is the first avenue and is suitable for all sites, especially those considered high archaeological significance and/or cultural significance. Conservation includes the processes of looking after an indigenous site or place so as to retain its significance and managed in a way that is consistent with the nature of peoples' attachment to them.

As no sites or PADs were identified conservation/protection is not required.

5.2 FURTHER INVESTIGATION

An Aboriginal Heritage Impact Permit (AHIP) is no longer required to undertake test excavations (providing the excavations are in accordance with the Code of Practice for Archaeological Investigations in NSW). Subsurface testing is appropriate when a PAD has been identified, and it can be demonstrated that sub-surface Aboriginal objects with potential conservation value have a high probability of being present, and that the area cannot be substantially avoided by the proposed activity.

As no sites or PADs were identified further investigations are not justified.

5.3 AHIP

If harm will occur to an Aboriginal object or Place, then an AHIP should be sought from Heritage NSW, Department of Premier & Cabinet as a defence to that harm. If a systematic excavation of the known site could provide benefits and information for the Aboriginal community and/or archaeological study of past Aboriginal occupation, a salvage program, and, or community collection, may be an appropriate strategy to enable the salvage of cultural objects.

As no sites or PADs were identified an AHIP is not required.

6 RECOMMENDATIONS

6.1 GENERAL

1) The persons responsible for the management of onsite works will ensure that all staff, contractors and others involved in construction and maintenance related activities are made aware of the statutory legislation protecting sites and places of significance. Of particular importance is the National Parks and Wildlife Regulation 2019, under the National Parks and Wildlife Act 1974;

2) Should any Aboriginal objects be uncovered during works, all work will cease in that location immediately and the Environmental Line contacted.

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APPENDIX A

AHIMS Search Results

AHIMS Web Services (AWS)
Search Result

Your Ref/PO Number : Balickera

Client Service ID : 725952

Penny Mccardle

Po Box 166
Adamstown New South Wales 2289

Attention: Penny Mccardle

Email: penny@mcheritage.com.au

Date: 24 October 2022

Dear Sir or Madam:

AHIMS Web Service search for the following area at Datum :GDA, Zone : 56, Eastings : 386000.0 - 391000.0, Northings : 6380000.0 - 6385000.0 with a Buffer of 0 meters, conducted by Penny Mccardle on 24 October 2022.

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 Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

8	**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 (https://www.legislation.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW 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 Heritage NSW 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.

Level 6, 10 Valentine Ave, Parramatta 2150
Locked Bag 5020 Parramatta NSW 2124
Tel: (02) 9585 6345

ABN 34 945 244 274
Email: ahims@environment.nsw.gov.au
Web: www.heritage.nsw.gov.au

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : Balickera

Client Service ID : 725952

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
38-4-0533	Seaham Quarry	AGD	56	387552	6383989	Open site	Valid	Artefact : -	Isolated Find	104530
	Contact	**Recorders**	Megan Mebberson					**Permits**		
38-4-0534	Seaham Quarry	AGD	56	387714	6384076	Open site	Valid	Artefact : -	Isolated Find	104530
	Contact	**Recorders**	Megan Mebberson					**Permits**		
38-4-0439	Isolated Artefact	AGD	56	387510	6380800	Open site	Valid	Artefact : -	Isolated Find	
	Contact	**Recorders**	Helen Brayshaw,Ms.Laila Haglund					**Permits**		
38-4-1585	BQ1	AGD	56	386967	6382480	Open site	Valid	Artefact : 1		
	Contact	**Recorders**	Ms.Penny Mccardle					**Permits**		
38-4-1586	BQ PAD1	AGD	56	387300	6382720	Open site	Valid	Potential Archaeological Deposit (PAD) : 1		
	Contact	**Recorders**	Ms.Penny Mccardle					**Permits**		
38-4-1584	BQ PAD 2	GDA	56	387185	6382520	Open site	Valid	Potential Archaeological Deposit (PAD) : 1		
	Contact	**Recorders**	Ms.Penny Mccardle					**Permits**		
38-4-1629	BQ PAD2	AGD	56	387185	6382520	Open site	Valid	Potential Archaeological Deposit (PAD) : 1		
	Contact	**Recorders**	Ms.Penny Mccardle					**Permits**		
38-4-1630	BQ PAD1-1	AGD	56	387300	6382720	Open site	Valid	Potential Archaeological Deposit (PAD) : 1		
	Contact	**Recorders**	Ms.Penny Mccardle					**Permits**		

**** Site Status**

Valid - The site has been recorded and accepted onto the system as valid

Destroyed - The site has been completely impacted or harmed usually as consequence of permit activity but sometimes also after natural events. There is nothing left of the site on the ground but proponents should proceed with caution.

Partially Destroyed - The site has been only partially impacted or harmed usually as consequence of permit activity but sometimes also after natural events. There might be parts or sections of the original site still present on the ground

Not a site - The site has been originally entered and accepted onto AHIMS as a valid site but after further investigations it was decided it is NOT an aboriginal site. Impact of this type of site does not require permit but Heritage NSW should be notified

Report generated by AHIMS Web Service on 24/10/2022 for Penny Mccardle for the following area at Datum :GDA, Zone : 56, Eastings : 386000.0 - 391000.0, Northings : 6380000.0 - 6385000.0 with a Buffer of 0 meters.. Number of Aboriginal sites and Aboriginal objects found is 8