

15.1 Introduction

New South Wales Archaeology Pty Ltd was commissioned in May 2009 to undertake an indigenous cultural heritage assessment of the proposed Power Plant.

The Director General's Requirements require that the Environmental Assessment:

- assesses the potential impact of project components on indigenous heritage values; and
- must demonstrate effective consultation with indigenous stakeholders during the assessment and in developing mitigation options.

The NSW Department of Environment, Climate Change and Water (DECCW) manages Aboriginal cultural heritage in NSW in accordance with the *National Parks and Wildlife Act 1974* (NPW Act). Part 6 of the Act provides protection for Aboriginal objects and Aboriginal Places. When an activity is likely to impact Aboriginal objects or declared Aboriginal Places approval of the Director-General of DECCW under s90 or s87 of the NPW Act is usually required.

DECCW requires proponents to undertake consultation with the Aboriginal community "...as an integral part of the impact assessment" process (DEC 2004). Although Part 6 approvals under the NPW Act are not required when a project is assessed under Part 3A of the EP&A Act, the consultation process outlined in the DEC policy document was nevertheless implemented for this project.

15.2 Methodology

The Heritage Assessment sought to identify and record any Aboriginal objects and indigenous cultural values which may be present in the proposal area, to assess the archaeological potential of the landform elements and to formulate management measures based on the results of background research, field survey and site significance assessment. The full assessment is presented in **Appendix I**.

15.2.1 Literature Review

Background research was conducted in order to determine if known Aboriginal objects were located in the vicinity of the proposal area. In addition, a literature review of previous investigations was undertaken to facilitate site prediction based upon known regional and local site patterns. This was a necessary step in order to place the area of proposed works within an archaeological research and heritage management context.

Information sources accessed for this study included:

- DECCW Aboriginal Heritage Information Management System (AHIMS);
- relevant archaeological reports held in DECCW archives;
- Eden 1:25,000 topographic map; and
- a plan of the SEFE mill site.

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15.2.2 Consultation

The SEFE site area falls within the boundaries of the Eden Local Aboriginal Land Council (ELALC) as defined under the NSW *Aboriginal Land Rights Act 1983*.

The community consultation process aimed to improve the assessment by providing the Aboriginal community with an opportunity to influence the design of the assessment, to provide relevant information about cultural significance values of objects / places, and to contribute to the development of cultural heritage management recommendations.

Consultation was conducted in compliance with the *Interim Guidelines for Aboriginal Community Consultation - Requirements for Applicants* (DEC 2004) and involved the following steps:

- Notification and registration of interests. SEFE actively sought to identify stakeholder groups or people wishing to be consulted about the proposal and invited them to register their interest. Written notification about the proposal was supplied to the following bodies on 12th May 2009:
 - The Eden Local Aboriginal Land Council;
 - Native Title Services;
 - Bega Valley Shire Council; and
 - DECCW.
- An advertisement was placed in the Magnet newspaper (28th May 2009) providing notification of the cultural heritage study.
- Eden Local Aboriginal Land Council registered an interest in this project.
- The draft report was provided to the Eden Local Aboriginal Land Council for review and comment.

15.2.3 Survey

The field survey was designed to encompass the entire proposal area. A field survey was undertaken in June 2009 with the assistance of Laurence Bamblett and Bobbie Maher from the ELALC.

The survey team accessed all areas of the site on foot, accompanied by SEFE personnel who were able to clarify the nature of the proposed facility and locate the areas of likely impact. The survey focused on inspecting ground surfaces for evidence of stone artefacts and midden material. Ground exposures inspected during the survey included roads, erosional features and bare earth exposures.

While the field survey was aimed at locating archaeological and cultural heritage material an assessment was also made of prior land disturbance, survey coverage variables (ground exposure, archaeological visibility and so on) and the potential archaeological sensitivity of the land.

15.3 Existing Environment

15.3.1 Results of Heritage Register Searches

The AHIMS search was undertaken on the 14th May 2009 (#25862). The search was undertaken for an area of 4 km² around the existing SEFE site. Five previously recorded artefact scatters are situated to the south of the site. No previously recorded Aboriginal objects are present in the proposal area.

15.3.2 Aboriginal Context

Prior to European settlement the area of the SEFE mill is likely to have been forested. Flora species that would have been present in the area are known to have been utilised by Aboriginal people. Native cherry, pigface, cumbungi, lomandra and bracken are recognised food plants while eucalypts such as stringy bark would have had their bark used for shelter, canoes and implements.

The study area is situated at the confluence of a variety of resource bases including a supply of reliable fresh water. Accordingly, the local area would have been targeted by Aboriginal land users for the exploitation of both coastal and terrestrial resources. It is predicted that the area now occupied by the SEFE mill is likely to have sustained high levels of Aboriginal occupation.

At the time of European occupation, the study area is understood to have been occupied by the Thaua people who occupied lands between Wallagoot Lake and Green Cape, and inland to the escarpment of the Great Divide. Tindale (1974) describes two groups of Thaua; the Katungal, or 'sea coast people' and the Baianbal or Paianbara, the inland 'tomahawk people'. Both 'tribes' belonged to the Yuin 'cultural area' whose groups shared cultural characteristics such as a common initiation ceremony and closely related languages. The Dyirringan language was spoken in the area between Wallaga Lake and Twofold Bay with the Thawa language spoken south of Twofold Bay (Eades 1976).

15.3.3 Historical Context

George Bass and his crew in the longboat 'Tom Thumb' were the first Europeans in 1797 to visit Twofold Bay (Toghill 1984). By the late 1820s, the area was occupied by squatters and cattle were brought into the district in 1830 at which time conflict between Aboriginal people and the cattlemen (and their stockmen) is recorded to have occurred (Bayley 1942). By the early 1830s land on the Monaro and to the south and north of Bega was occupied by squatters and their cattle. The first squatters to arrive took up the best land in terms of its fertility and proximity to water. This land would also have been favoured land occupied by Aboriginal people. By 1834 Governor Bourke reported that the use of the land was already contributing significantly to the wealth of the colony (Bayley 1942).

During the 1830s and 1840s the Imlay brothers held properties extending from Bittangabee, south of Eden, to Murrah and Cobargo situated north of Bega (Wellings 1966). Cattle, sheep and fine horses were bred and exported to other Australian colonies, New Zealand and England. Fruit and vegetables were also produced and shipped elsewhere. Aboriginal people were employed by the Imlays in their agricultural and whaling ventures on the far south coast. It is likely that by the late 1830s to early 1840s Aboriginal people began to find both employment and other advantages by forging close relationships with individual European men and women. It was reported in 1842 that 'a good many' Aboriginal people were employed on coastal properties, hoeing and reaping maize, and sheep washing. Aboriginal people were known to alternate between farm / whaling work and 'bush' life.

Observations from the Bega / Eden region made at the time of early European occupation indicates that Aboriginal people relied heavily on coastal resources such as fish and shellfish and that camps were located on coastal dunes or in forests within close proximity to the coast (Sullivan 1982). By the 1820s commentators were remarking upon clashes between Aboriginal people and Europeans.

Ben Boyd commenced whaling near Boydtown in 1842 and Boydtown was established in 1844. The arrival of Ben Boyd heralded a period of building and expansion in Twofold Bay (Pearson 1985). Aboriginal people continued to work in whaling ventures at Eden into the early 1900s (Mead 1977).

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15.3.4 Current Site Use

All impacts relating to the proposal are located within areas which have been subject to intensive and high levels of previous disturbance (**Plate 15-1**). These include vegetation clearance, mechanical modification of the land surfaces, construction of a waste burner and associated storage areas, construction of access roads and installation of services such as electricity and water. These impacts have served to effectively remove and /or cause excessive disturbance to original land surfaces.



Plate 15-1 Location of Proposed Power Plant (left) and Water Pipelines (right)

15.3.5 Aboriginal Survey Results

The AHIMS register only includes sites reported to DECCW and a search cannot be considered an actual or exhaustive inventory of Aboriginal objects within a local area. Generally, sites are only recorded during targeted surveys undertaken in either development or research contexts.

Archaeological Potential of the Study Area

The Heritage Assessment reviewed previous archaeological work carried out in the region to develop a predictive model of site type and location. The review indicated that in coastal environments middens and stone artefact scatters are commonly recorded sites. Human burials and scarred trees are also recorded, albeit in low numbers. Middens, artefact scatters and burials are well documented site types found. Midden deposits can be found on headlands, in shelters, and adjacent to estuaries and wetlands. Artefact scatters are found across the full range of environmental zones, and their size and nature can be expected to reflect different landuse patterns of exploitation. Large and complex artefact scatters are most likely to be found in areas where a number of different resource zones and a source of reliable fresh water are present. Human burials are typically found in sandy deposits.

With the study area located on a headland within a relatively short distance of various resource zones, it is possible that the area has been utilised on a repeated and / or semi regular basis. Investigations on neighbouring sections of Munganno Point (Navin Officer Heritage Consultants 1999, 2000, 2002) indicate that artefacts are present at low to moderate densities and that some areas immediately adjacent to the shoreline contain evidence of marine exploitation in the form of midden deposits.

It is noted that European land use including the construction and operation of the existing mill have resulted in extremely high levels of ground disturbance. This disturbance is likely to have either removed or significantly reduced the integrity of the archaeological resource in the proposal area.

Based on the above the following site predictions were made:

- stone artefacts are likely to be present although the potential for *in situ* artefacts is low;
- grinding grooves are unlikely to be recorded given the absence of sandstone exposures;
- there is a moderate to high potential for midden material to occur, however it is unlikely that *in situ* midden deposits will be present;
- burials are unlikely to be present given the topographic context of the proposal area and the nature of sediment deposits present;
- rock shelters are unlikely to be recorded given the absence of large vertical stone exposures;
- the potential for scarred trees to occur is negligible given the absence of mature trees; and
- stone quarries and procurement sites are unlikely given the absence of suitable stone outcrops.

Survey Findings

No Aboriginal objects were recorded during the site survey. The proposed impact area has low to negligible archaeological sensitivity based on the extent and nature of previous disturbance. The site is assessed to possess negligible potential to contain subsurface archaeological deposits.

15.4 Assessment of Potential Impacts

The Heritage Study concluded that:

- no Aboriginal objects or indigenous heritage values were identified in the proposal area;
- the proposed impact areas have been subject to extensive and high levels of previous disturbance and the archaeological and cultural sensitivity of the proposal area is very low;
- the proposal area has very low to negligible potential to contain subsurface archaeological deposits. Accordingly no further archaeological investigations are warranted; and
- there are no indigenous heritage constraints relating to the proposed Power Plant construction.

15.5 Mitigation Measures

Table 15-1 Mitigation Measures

Mitigation Measure	Project Stage		
	Pre construction	Construction	Operations
If Aboriginal objects or historic relics are uncovered work would cease in the vicinity of the find/s and advice sought from DECCW on a suitable course of action.		✓	