

**New South Wales Archaeology Pty Ltd ACN 106044366**

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**Bega Valley Shire Council**  
**Various Works**  
**Aboriginal Cultural Heritage Assessment Report**

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**Local Government Area:** Bega Valley Shire Council



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## SUMMARY

This summary presents an overview of the legislative context, proposed impacts, subject area, study aims and recommendations.

The National Parks and Wildlife Act 1974 (NPW Act) is the primary legislation for the protection of some aspects of Aboriginal cultural heritage in NSW. One of the objectives of the NPW Act is:

*... the conservation of objects, places or features (including biological diversity) of cultural value within the landscape, including but not limited to: (i) places, objects and features of significance to Aboriginal people ... (s.2A(1)(b)).*

Part 6 of the NPW Act is administered by the NSW Office of Environment and Heritage (NSW OEH) and provides specific protection for Aboriginal objects and declared Aboriginal places by establishing offences of harm. Harm is defined to mean destroying, defacing or damaging an Aboriginal object or declared Aboriginal place, or moving an object from the land. Anyone proposing to carry out an activity that may harm an Aboriginal object or declared Aboriginal place must investigate, assess and report on harm that may be caused by the impact.

An Aboriginal Heritage Impact Permit (AHIP) may be required if harm to Aboriginal objects and/or declared Aboriginal places is proposed. When this is the case, an Aboriginal Cultural Heritage Assessment Report (ACHAR) is necessary to support the AHIP application.

This report is prepared for Bega Valley Shire Council (BVSC), the proponent, in respect of several projects in the Bega Valley Shire (the subject areas).

Previously recorded Aboriginal object sites are known to be present in certain areas. BVSC has engaged NSW Archaeology Pty Ltd to prepare an ACHAR to support an AHIP application which will be submitted to the NSW OEH.

The assessment has been conducted in accordance with the NSW Office of Environment and Heritage's *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011) and *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (NSW DECCW 2010a).

A process of Aboriginal community consultation has been undertaken in accordance with the guidelines as set out in OEH's *Aboriginal cultural heritage consultation requirements for proponents 2010* (NSW DECCW 2010b). There are three Registered Aboriginal Parties for the project.

The study has sought to identify and record Aboriginal cultural areas, objects or places, assess the archaeological potential of the subject areas and formulate management

recommendations based on the results of the community consultation, background research, assessment and a significance assessment.

The following conclusions and recommendations are made:

- There are no overall heritage constraints regarding the proposed impacts.
- Aboriginal objects are known to be present in certain areas. An AHIP is required for the following sites (see Tables 3-4):
  - Beauty Point at Wallaga Lake;
  - Tathra Headland;
  - Merimbula Lake Boardwalk;
  - Short Point, Merimbula; and
  - Bar Beach, Merimbula.
- This ACHAR should be provided to the NSW OEH to support the AHIP determination process.
- No works should take place in the areas where Aboriginal objects are present until an AHIP is obtained.
- No Aboriginal objects are present at the following sites and an AHIP is not required (see Tables 3-4):
  - The proposed Wallaga Lake Estuary Walkway (note, however, the presence of an Aboriginal object site near the east end).
  - The area of proposed road works at Eden.
- Impact management and mitigation strategies are proposed for the consideration of all stakeholders (see Sections 7 and 9).

#### *Acknowledgments*

*Archaeological evidence confirms that Aboriginal people have had a long and continuous association with the region for thousands of years. We would like to acknowledge and pay our respects to the traditional owners of the country which is encompassed by the proposal.*

## 1. INTRODUCTION

Bega Valley Shire Council has engaged NSW Archaeology Pty Ltd to conduct an Aboriginal cultural heritage assessment of various proposed works in the shire as described below (see Section 6 for further details):

- Wallaga Lake Walking Track      Construction of a new walking track along a short section of the estuary near the lake entrance.
- Beauty Point Boat Ramp and Carpark      Upgrade the existing boat ramp, access road and formalisation of carpark.
- Tathra Headland      Construction of a walking track and installation of new bollards, pathway gardens, tables, seats and so on, at the Lions Park.
- Merimbula Lake Boardwalk/Track      Conduct asset renewal, upgrade and/or maintenance work at the existing boardwalk and pathway. Associated carpark upgrade at east end at road/carpark and installation of recreational facilities at the west end.
- Bar Beach, Merimbula      Road widening, carpark works, installation/upgrade of picnic tables and seats, walking tracks, fences and so on.
- Short Point, Merimbula      Carpark works, construction of a viewing platform, concrete pathway and installation of signage and seats, and other. Conservation works to protect the midden at the east end of Short Point.
- Eden Port Road and Carpark Upgrades      Road upgrades at the intersection of Imlay Street/Museum Street and Albert Terrace.

This report documents the assessment and presents a series of strategies for the management and mitigation of impacts.

The proposal area is within the Bega Valley Local Government Area. Bega Valley Shire Council is the consent authority for the proposed works.

The content and format of this report is set out in accordance with the NSW OEH (2011) *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* document. The report aims to document:

- The Aboriginal objects and declared Aboriginal places (as relevant) located within the area of the proposed activity;
- The cultural heritage values, including the significance of the Aboriginal objects and declared Aboriginal places that exist across the whole area that will be affected



by the proposed activity, and the significance of these values for the Aboriginal people who have a cultural association with the land, as relevant;

- How the requirements for consultation with Aboriginal people have been met (as specified in clause 80C of the NPW Regulation);
- The views of those Aboriginal people regarding the likely impact of the proposed activity on their cultural heritage (if relevant);
- The actual or likely harm posed to the Aboriginal objects or declared Aboriginal places from the proposed activity, with reference to the cultural heritage values identified;
- Any practical measures that may be taken to protect and conserve those Aboriginal objects or declared Aboriginal places (if relevant); *and*
- Any practical measures that may be taken to avoid or mitigate any actual or likely harm, alternatives to harm, or, if this is not possible, to manage (minimise) harm (if relevant).

This ACHAR has been prepared by Dr Julie Dibden (ANU: BA honours; PhD) and Dr Bec Parkes (ANU: BA honours; PhD). Fieldwork was conducted in July and August 2017 with field assistance provided by Eric Naylor, Merrimans Local Aboriginal Land Council, Ron Thomas, Bega Local Aboriginal Land Council and BJ Cruse, Eden Local Aboriginal Land Council. John Turville and Graham Moore, BVSC, and Jackie Taylor, OEH, participated in various field inspections.

## 2. DESCRIPTION OF THE AREA – BACKGROUND INFORMATION

In this section, background and relevant contextual information is compiled, analysed and synthesized. The purpose of presenting this material is to gain an initial understanding of the cultural landscape; the following topics are addressed (*cf.* NSW OEH 2011: 5):

- The physical setting or landscape;
- History of peoples living on that land; *and*
- Material evidence of Aboriginal land use.

### 2.1 The Physical Setting or Landscape

Aboriginal people have occupied NSW for more than 42,000 years (Bowler *et al.* 2003); evidence and cultural meanings relating to occupation are present throughout the landscape (NSW OEH 2011: iii).

A consideration of landscape is particularly valuable in archaeological modelling for the purposes of characterising and predicting the nature of Aboriginal occupation across the land. In Aboriginal society, landscape could be both the embodiment of Ancestral Beings and the basis of a social geography and economic and technological endeavour. The various features and elements of the landscape are/were physical places that are known and understood within the context of social and cultural practice.

Given that the natural resources that Aboriginal people harvested and utilised were not evenly distributed across landscapes, Aboriginal occupation and the archaeological manifestations of that occupation will not be uniform across space. Therefore, the examination of environmental context is valuable for predicting the type and nature of archaeological sites which might be expected to occur. Factors that typically inform the archaeological potential of landscape include the presence or absence of water, animal and plant foods, stone and other resources, the nature of the terrain and the cultural meaning associated with a place.

Additionally, geomorphological and humanly activated processes need to be defined as these will influence the degree to which archaeological sites may be visible and/or conserved. Land which is heavily grassed and geomorphologically stable will prevent the detection of archaeological material, while places which have suffered disturbance may no longer retain artefacts or stratified deposits. A consideration of such factors is necessary in assessing site significance and formulating mitigation and management recommendations.

The following information describes the landscape context of the subject areas:

- |  |  |   |
|--|--|---|
| ○ Wallaga Lake Walking Track               | Map sheet: Central Tilba 8925-3N 3rd ed. Zone 56<br>County of Dampier;<br>Parish: Bermagui | The proposed walkway would traverse a low lying, estuarine sand deposit. The site is immediately adjacent to the lake water and, at the time of field survey, much of the area was inundated. The sand is recently deposited and geomorphologically active.   |
| ○ Beauty Point Boat Ramp, road and Carpark | Map sheet: Bermagui 8925-3S 3rd ed. Zone 56<br>County of Dampier;<br>Parish: Bermagui      | The existing boat ramp is at the lake edge. The foreshore is eroded to shale bedrock. The site is erosional and geomorphologically active.<br><br>The boat ramp access road (existing) traverses a short, moderate gradient slope. The road would be widened into the adjacent land to the north in an eroded, disturbed gully.<br><br>The area of existing informal car park is a low elevation, very gently sloping headland/terminal crest. It is cleared, grassed land with regenerating trees and shrubs. The ground is highly eroded to clay.   |
| ○ Tathra Headland                          | Map sheet: Bega 8824-1S 2nd ed. Zone 55<br>County of Dampier;<br>Parish: Wallagoot         | The area of existing car park and recreational parkland is on a low elevation, very gently sloping headland/terminal crest. It is cleared, grassed land with regenerating trees shrubs and gardens. The ground is highly disturbed and eroded to clay in many places. A shallow, dark sandy loam is present near the carpark.<br><br>The proposed walkway would traverse the old eroded two-lane road which extends from the carpark down to the Tathra Wharf at the edge of the headland. The road is largely gone from storm and high sea impacts. The area is covered with regenerating Teatree. |
| ○ Merimbula Lake Boardwalk/                | Map sheet: Wolumla 8824-2N 3rd ed. Zone 55<br>County of Auckland;<br>Parish: Wallagoot     | The boardwalk/walkway traverses lake/low lying, estuarine sand deposit. The walkway is immediately in or adjacent to the lake water.  |

## track

			<p>The adjacent land is a series of low elevation, low gradient, sloping simple slopes and headlands which adjoin the lake. In some areas, the landforms terminate as short steep cliffs. Minor drainage lines separate the low rises.</p> <p>The area is generally disturbed.</p>
○ Bar Beach, Merimbula	<p>Map sheet: Pambula 8824-2S 2nd ed. Zone 55  County of Auckland;  Parish: Pambula</p>		<p>The landform is a moderate gradient simple slope which gives way to a cliff or the estuary/sea edge which has been largely reinforced with imported fill.</p> <p>The area is highly eroded and disturbed.</p>
○ Short Point, Merimbula	<p>Map sheet: Pambula 8824-2S 2nd ed. Zone 55  County of Auckland;  Parish: Pambula</p>		<p>The area of existing car park and recreational parkland is on a low elevation, moderately sloping simple slope which falls from the Short Point headland. It is cleared, grassed land with a large carpark. The ground is highly disturbed and eroded to clay in many places.</p> <p>At the east end of the headland, the land is eroded to bedrock.</p>
○ Eden Port Road and Carpark Upgrades	<p>Map sheet: Eden 8823-1N 2nd ed. Zone 55  County of Auckland;  Parish: Bimmil</p>		<p>The existing Imlay Street and Albert Terrace intersection is a low to moderate gradient, spur crest with southerly aspect and associated moderate gradient, upper slope interface.</p> <p>Albert Terrace is moderate to very steep, simple slopes with an easterly aspect.</p> <p>The southern section of Imlay Street, between Albert Terrace and Weecoon Street is low gradient basal slopes and isthmus, with a southerly to open aspect.</p>

The topographic context of the subject areas is shown in Figures 1-4.



Figure 1 Location of the impact areas at Wallaga Lake in a topographic context (Central Tilba 8925-3N 3<sup>rd</sup> ed. and Bermagui 8925-3S 3<sup>rd</sup> ed. 25,000 topographic maps: GDA).



Figure 2 Location of the impact area at Tathra in a topographic context (Bega 8824-1S 2<sup>nd</sup> ed. 25,000 topographic map: GDA).





Figure 3 Location of the impact areas at Merimbula in a topographic context (Pambula 8824-2S 2<sup>nd</sup> ed. 25,000 topographic map: GDA).





Figure 4 Location of the impact area at Eden in a topographic context (Eden 8823-1N 2<sup>nd</sup> ed. 25,000 topographic map: GDA).



## 2.2 History of Peoples Living on the Land

Aboriginal people have occupied Australia for at least 40,000 years and possibly as long as 60,000 (Bowler *et al.* 2003; Mulvaney and Kamminga 1999: 2). By 35,000 years before present (BP), all major environmental zones in Australia, including periglacial environments of Tasmania were occupied (Mulvaney and Kamminga 1999: 114). At the time of early occupation Australia experienced moderate temperatures. However, between 25,000 and 12,000 years BP (the Last Glacial Maximum), dry and either intensely hot or cold temperatures prevailed over the continent (Mulvaney and Kamminga 1999: 114). At this time, the mean monthly temperatures on land were 6 - 10°C lower; in southern Australia coldness, drought and winds acted to change the vegetation structure from forests to grass and shrublands (Mulvaney and Kamminga 1999: 115-116).

During the Last Glacial Maximum at about 24 - 22,000 years ago, sea levels fell to about 130 metres below present and, accordingly, the continent was correspondingly larger. With the cessation of glacial conditions, temperatures rose with a concomitant rise in sea levels. By c. 6,000 BP sea levels had more or less stabilised to their current position. With the changes in climate during the Holocene, Aboriginal occupants had to deal not only with reduced landmass, but changing hydrological systems and vegetation; forests again inhabited the grass and shrublands of the Late Glacial Maximum. As Mulvaney and Kamminga (1999: 120) have remarked:

*When humans arrived on Sahul's<sup>1</sup> shores and dispersed across the continent, they faced a continual series of environmental challenges that persisted throughout the Pleistocene. The adaptability and endurance in colonising Sahul is one of humankind's inspiring epics.*

Radio carbon dating of cultural deposits indicates a Pleistocene antiquity for the occupation of the NSW south coast and its hinterland (eg. Boot 1994, 1996, 2002; Lampert 1971; Ossa *et al.* 1995). The nature of Pleistocene occupation in south-east Australia is generally thought to have been sporadic and of low intensity, reflecting low population levels (McDonald 1994: 67). For sites such as Sassafras, Burrill Lake, Bass Point and Currarong to the north, it has been argued that they possess evidence of increases in the intensity of site occupation and population during the mid to late Holocene (Hughes and Lampert 1982). Based on observed increases in sedimentation rates and implement discard in rock-shelters in the southern part of the Sydney Basin, Hughes (1977; Hughes and Lampert 1982: 26) proposed that a region wide intensification in site use and population increase occurred between 5,000 and 2,000 years BP. This argument has been critiqued by several researchers. As Boot (2002: 19) has summarised, '[t]he archaeological evidence is still not understood well enough to support definitive statements about Aboriginal occupation in the different ecological zones of the hinterland, let alone any alleged changes in subsistence strategies and population levels

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<sup>1</sup> Sahul is the name given to the single Pleistocene era continent which combined Australia with New Guinea and Tasmania.

in the region'. As more work has been undertaken in more sites, and in sites with long periods of occupation, both the substantive and theoretical foundations of the intensification model have required review.

Boot's (2002: 220) research identified that the south coastal hinterland and adjacent coast was first occupied before 19,000 years BP, and that early occupation of the hinterland '... appears not to have been intensive'. Throughout the Holocene, occupation levels fluctuated with sites being temporarily or permanently abandoned at different times, and the intensity of occupation varied between sites (Boot 2002: 220). Boot (2002: 225, 244) argued that since the late Pleistocene, the evidence indicates that a generalised subsistence economy was practiced in the south coast region, and that there is no evidence of a region wide increase in artefact discard rates and intensity of site use during the mid to late Holocene. Instead it was found that not only was there evidence of considerable inter and intra-site variability in rates of artefact discard and intensity of site use, the notable pattern was one of a series of peaks and troughs indicating significant variations in the intensity of site use, both from the late Pleistocene through to the early Holocene, and during the mid to late Holocene (Boot 2002). Boot (2002: 245) argued that the evidence reveals numerous fluctuations in intensity of site occupation over time and, furthermore, he says that these variations could not be correlated directly with long-term variation in environmental changes.

A new adaptive model, based on analyses of backed artefacts, has recently been proposed which has implications for behavioural change during the late Holocene. Backed artefacts have been made and deposited in south-east Australia in the last 9,500 years ago (Hiscock & Attenbrow 1998). They dramatically peaked in abundance after 3,500 years ago, which was maintained until 2,000 years ago when their number began to decline. Hiscock (2008: 156, 158) has hypothesised that the backed artefact proliferation was a response to economic risk associated with the onset of drier and more variable climatic conditions in southern Australia related to the intensification of the El Niño system. Additional factors, which may have triggered higher foraging risk, have been posited, including landscape colonisation, redefinition of social space, landscape change, reduction of resources and greater foraging mobility (Hiscock 2008: 158). It is noted also that ground-edge hatchets were adopted as a new technology in south-eastern Australia at c. 3,500 years ago at the same time as the backed artefact proliferation (Dibden 1996). This technology is also likely to have helped deal with foraging risk.

While the above discussion has focused on chronological change in the archaeological record, researchers have also examined the subsistence strategies employed in coastal areas, and how people organised themselves in respect of coastal and hinterland resources. For the south coast, several models of Aboriginal occupation have been proposed (*cf.* Boot 2002: 7). Bowdler (1970: 5, 111) argued that during summer, Aboriginal occupation of the coastal zone was intensive and dense, and that some inland exploitation occurred during seasons when coastal resources were limited. Lampert (1971: 63) proposed a model based on a mixed coastal economy involving the exploitation of

littoral, estuarine and land resources. Lampert argued that littoral resources contributed a much higher component to the Aboriginal diet than that which may have been obtained from the forest. Lampert's model included a differentiation of coastal sites based on different forms of resource exploitation including main sites (base camps), specialised sites and a third category of overnight camps (Lampert 1971: 62-64). Poiner (1976) proposed a model of seasonal differentiation in which semi-nomadic occupation of the coast occurred during summer and nomadic winter occupation of both hinterland and coastal areas. This model assumed that hinterland sites are small, widespread, and few (Boot 2002: 7).

These early models have been subject to various reviews regarding their emphasis on seasonal change. Attenbrow's (1976: 66, 121-3) model of resource exploitation and movement posited that the hinterland and coastline were occupied on a year-round basis, and that movement occurred only at the family or small group level, rather than as seasonal movement of entire populations. While arguing that coastal occupation was greater during summer when the resources of the sea were more abundant, Attenbrow suggested that people living on the coast would also have harvested terrestrial resources. Attenbrow also considered in greater detail the nature of hinterland occupation and argued that in summer, large groups would have occupied valleys, while small family groups exploited resources in the mountains. Conversely, family groups would have been more widely dispersed throughout the hinterland and along the coast during winter. Each of these groups, and particularly those on the coast, had a higher proportion of animal foods in their diet during the colder months. Vallance (1983: 27-8) also moved beyond a strictly seasonal model and argued the economy was likely to have been based on a range of subsistence strategies that varied within and between seasons, and from year to year. Vallance (1983: 62-4) argued that short-term climatic variation would have affected subsistence strategies rather than longer term seasonal variation. Hiscock (1982: 43) argued that considerable movement between the south coast and its hinterland occurred. He found associations of stone from hinterland sources with stone derived from the coast, and argued that this indicated that occupants of hinterland sites had an intimate knowledge of resources in both areas and that, therefore, they were not just 'short-term refugees' escaping winter coastal food scarcity.

Knowledge and understanding of Aboriginal social life and organisation in south-eastern New South Wales at the time of European occupation is minimal. Our ethnographic understanding of Aboriginal people in this area, and the historical dimension of the colonial encounter, has been reconstructed from scant historical records produced during a context of death and dispossession (Swain 1993: 115), and is sketchy and severely limited. Stanner (1977) has described the colonial and post-colonial past as a 'history of indifference', and this portrays both the substantive situation which prevailed at that time, and the subsequent lack of regard for this history. For a considerable period after Europeans arrived in Australia, no concerted ethnographic investigations were undertaken to learn about the culture and society of Aboriginal peoples. As a result, in trying to reconstruct the complex traditional cultures of varying Aboriginal groups,

investigators of today are necessarily required to piece together, as best as possible, fragmentary information derived from the generally incidental annotations of disparate early observers.

Fundamental details relating to kinship, clan, territorial and religious organisation is, by and large, unknown (*cf.* Attenbrow 2002). The main sources of information relating to Aboriginal social life in the south-east derive from the work of Howitt and Mathews, compiled during the late nineteenth century, well after Aboriginal people had adjusted to the new settler economy. Their work was framed by assumptions and ethnographic models ‘... which laid emphasis on a rather limited view of social and cultural life’ (Rose 1990: 8). The work of Mathews is considered ‘... slight and unreliable’ by some (Flood 1982: 29), and by others as sober and thorough (Rose *et al.* 2003: 17). Howitt is often found to be contradictory and must be approached with caution (Swain 1993: 118; Rose *et al.* 2003: 16).

Howitt (1904: 81-81) identified the people of the Far South Coast as the Yuin ‘tribes’, also called the Coastal Murring tribes. The Yuin boundaries extend along the coast from the Shoalhaven River in the north to Cape Howe in the south (Mullet 1996: 5). Howitt (1904) recognized a distinction between the people of the north and those of the south with the division lying somewhere between Moruya and Ulladulla. Tindale (1974) defined the area situated between Cape Dromedary (near Tilba) and Bega as that belonging to the Djiringanj speaking people. Eades (1976) describes the Dyirringan language as being spoken in the area between Wallaga Lake and Twofold Bay, with the Thawa language spoken south of Twofold Bay.

Prior to European occupation, the Aboriginal people of the Bega Valley practiced a hunting, gathering and fishing economy. Robinson (in Mackenness 1941:335-336) discussed the economy of the Bega Valley people as follows:

... the zamia (is common) on the ranges ... the nuts are collected in large quantities and by the Blacks called Bunggon. The Cabbage Palm ... is another article of subsistence ... The Phascomolys (Wombat) and the fish are the chief support of the natives, the latter are taken in Weirs, Eels and other fish in ponds are stupefied by an infusion of bark.

Prior to the European presence, the Bega Valley was occupied by many Aboriginal people. The valley, with its river, associated flats and swamps, provided an abundant source of food and resources. This occupation resulted in the deposition of a rich suite of evidence of Aboriginal usage across the land.

Robinson (1844) noted that fish weirs allowed large numbers of people to come together for sustained periods of time, as they provided an abundant source of food. Observations from the Bega region indicate 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 proximity to the coast (Sullivan 1982). Ethno historical records note that fishing methods utilised on Black Ada Lagoon, situated near Tathra, involved a combined effort

of people driving fish to one end of the lagoon where they could be easily speared (Smith 1970: 5).

The first Europeans to enter the Bega area were the shipwrecked sailors of the 'Sydney Cove' who walked from Point Hicks to Wattamolla Bay, near Sydney. These men reported the existence of what became known as Twofold Bay. George Bass was despatched post haste by Governor Hunter and in 1797, entered the mouth of the Bega River on his voyage south (Bayley 1942). During the same journey Bass inspected Twofold Bay noting its considerable advantages as a suitable sea port.

In the late 1820s the Bega area was occupied by squatters who made an overland traverse from the Monaro via Cobargo. The Bega valley was perceived to be fertile and suitable for agriculture. The country was undulating, sparsely treed, blanketed in long grass and well-watered (Bayley 1942). It is highly probable that the vegetation structure which existed at the time of initial European contact was a result of Aboriginal land management practices. Early commentators also remarked upon the abundance of emus, kangaroos, koalas and 'wild fowl', which then provided both Aborigines and Europeans with food, but now, are rare or absent from the region.

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 both to the south and north of Bega, was occupied by squatters and their cattle. As elsewhere, the first squatters 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 upon visiting the district, reported that the use of the land was already contributing significantly to the wealth of the colony (Bayley 1942). The Aboriginal people around Bega did not readily give way to the European occupation, and this factor, coupled with other difficulties, resulted in the abandonment of *Warragaburra* which is situated south of the study area on the Jellat Jellat flats. *Warragaburra* was however soon re-occupied by the Imlay brothers.

During the 1830s and 1840s, the Imlay brothers held properties which extended from Bittangabee, south of Eden, to the Murrah and Cobargo, north of Bega (Wellings (1966: 6). Closer to hand, the Imlay brothers held land at Bega, Tarraganda and Bournda. During the Imlay's occupation of the area, cattle, sheep and fine horses were bred and exported to other Australian colonies, and as well, to New Zealand and England. Fruit and vegetables were also produced in abundance and shipped to external markets.

According to Wellings (1966: 7), the Imlays were regarded as 'safe people' by the Aborigines. Aboriginal people were employed by the Imlays in both their agricultural and whaling ventures. 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. Lambie (cited in Bayley 1942) reported in 1842,

that ‘a good many’ Aboriginal people were employed on coastal properties, hoeing and reaping maize, and sheep washing. Referring to Aboriginal people employed by the Imlays in whaling, Lambie (cited in Bayley 1942) states that after the season, ‘they all returned to their tribes in the bush’. It is possible that similarly, Aboriginal people in the Bega area alternated between farm and ‘bush’ life in these early years. While in the early days of settlement Aboriginal groups had continued access to some lands and maintained many cultural and social traditions (Chittick & Fox 1997: 191), nevertheless, initial European settlement caused immense disruption, devastation and change to personal lives, relationships to country, and the fabric of Aboriginal social and economic life.

After 1854, when town allotments were first sold in Bega, farm allotments extending from Bega to Wallagoot were also sold. After the initial encroachment of European occupation, Aboriginal people continued to find employment within the new settler economy. On the south coast during the 1800s, Aboriginal people ran their own farms, businesses and contributed significantly to pioneering; they established a valuable place within the new society (Rose 1990: 41).

By the 1880s Aborigines lived mostly in camps around the small town of Bega. However, they continued to pursue a rich cultural life, both ‘traditional’ and introduced, throughout this time. For example, the first Wallaga Lake school teacher found it difficult to interest the men in adult education because they were engaged by Cricket Clubs for the season (Rose 1990: 41). European bean growers of the Bega Valley were also concerned that Aboriginal pickers were difficult to secure due to cricket commitments which kept them otherwise occupied.

Rose (1990: 42) has argued that the Yuin peoples highly successful efforts to peacefully accommodate Europeans and adapt to the new society was systematically destroyed by the Aborigines Protection Board, which in 1884, adopted the policy of concentrating Aboriginal people on settlements. In 1891, the Aboriginal Protection Board established the Wallaga Lake Reserve, which became a virtual prison (Byrne 1984).

In the 1940s, and until recently, Aboriginal people worked as seasonal labourers in the bean and pea fields. The remembrance of this life in the Bega area is perpetuated within the living memory of the Aboriginal community of the South Coast. Informants recall the seasonal work performed picking beans, peas, corn ‘... whatever was going’, and being required to move on when the work was completed (Chittick and Fox 1997). In consequence, families were continually being uprooted and the children relocated from one school to another. At that time, Aboriginal people camped all along the Bega River with families, many of them large, living in tents. One such camp site was on the banks of the Bega River, near to the Bridge in North Bega, with another at Tarraganda. “The Junction”, has significance to the local Aboriginal community, due to its association with the past camps along the river, and its current use as a recreation area. One former camp was situated on the western bank of the Brogo River. To the east of the township of Bega, just off the Tathra Road, up to fifty families camped on the river on the property

of the Otton brothers. Because of this, the Bega River played a big part in their lives (Chittick and Fox 1997). This period is remembered by some as being a good time, when through hard work, wages approaching the basic wage could be earned, and when the Aboriginal community was closely connected through their shared experience of travelling, working and camping together (Chittick and Fox 1997).

### 2.3 Material Evidence

Four searches of the NSW OEH Aboriginal Heritage Management Information System (AHIMS) have been conducted for this project on the 2 July 2017, as described below and shown on Figures 5-8:

Wallaga Lake/ Beauty Point	Search area: 233000-240000 5967000-5972000	Client Service ID: 289256 Sites: N = 34
Tathra	Search area: 763000-767000 5929000-5933000	Client Service ID: 289257 Sites: N = 48
Merimbula	Search area: 756000-763000 5909000-5916000	Client Service ID: 289258 Sites: N = 83
Eden	Search area: 756000-761000 5891000-5896000	Client Service ID: 289259 Sites: N = 18

It is noted that the AHIMS register only includes sites which have been reported to the NSW OEH. Generally, sites are only recorded during targeted surveys undertaken in either development or research contexts. Accordingly, this AHIMS search is not an actual or exhaustive inventory of Aboriginal objects situated within the local area or indeed within the study area. It is also noted that sites listed on AHIMS may be variable in their accuracy; it is not uncommon for grid references and/or the datum to be wrong.

Searches have been conducted of the NSW State Heritage Inventory and the Australian Heritage Database. Webster and Kuskie (2001) refers to one site at Wallaga lake (62-7-0018) as possibly being on the Australian Heritage Commissions Register of the National Estate. We have been unable to confirm this.

The following sites are in or close to the proposed impact areas:

- Wallaga Lake Walking Track      AHIMS #62-7-268 - *Murunna Point 11*

This site consists of artefacts and shell and is located on the bedrock landform outside the area of proposed impact at the eastern end of the proposed walking track (Figure 5). If works are confined to the estuarine sand landform, the AHIMS site would not be impacted.
- Beauty Point Boat Ramp and Carpark      AHIMS #62-7-135 - *Beauty Pt 36/40*

This site is described as a stratified open midden consisting of shell and charcoal, on a rock headland situation, over an area measuring 3000m<sup>2</sup>. This site plots in the lake c. 360 m west of the Beauty Point Headland. It is not certain exactly where it is, but it is likely to be the site (discussed further below in Results) in the proposed carpark (Figure 5).

AHIMS #62-7-249 - *Beauty Point*

This site is described as a large, disturbed midden. It is located at the site of the existing boat ramp at the water's edge (Figure 5).
- Tathra Headland      AHIMS #62-6-95 - *Kianniny/Tathra*

This site is described as '*discontinuous shell midden patches in gently sloping areas of the headland slopes and back platform. Zones to 10 m x 10 m across, and to 50 cm deep. Mainly large gastropods, in dark sand. Flakes of quartz and acid volcanic rock, mainly 3 cm x 1 cm. Occasional fish bones observed*'. This site plots incorrectly to the wharf (Figure 6).

The site was re-recorded in 2010 (Dibden 2010) and recently by ngenvironmental (2017).
- Merimbula Lake Boardwalk/Track      AHIMS #62-6-97 – *Merimbula Lake 1*

This midden is described as densely packed shell 30-50cm deep in a dark matrix and in a low-lying slope deposit immediately adjacent to the lake shore and to a small creek. It measured 30m west of the creek by 10m inland. It was described as undercut on the shoreward margin.

AHIMS #62-6-98 – *Merimbula Lake*

The location of this midden is uncertain (it is not listed on AHIMS), but is it probably just to the



west of #62-6-97. This midden is described as densely packed shell 50cm deep in a dark matrix on a steep shoreward side of a rocky headland and comprised two mounds about 5m apart. The mounds are said to be built up into the break of slope at the foot of the headland and to extend upslope as thinned deposits. One mound on the SW side of the headland measures 30 x 30m. The maximum deposit of the midden is 50cm. The second mound is on the southern edge of the headland and extends 30m in an east/west direction and 60m north/south onto the crest of the headland. A sewer line cuts through the midden on the crest.

*AHIMS #62-6-100 – Merimbula Lake 3*

This midden is described as densely packed shell 10cm deep in a dark matrix and as a discontinuous site over 50m and made up of small mounds and layers. At the eastern end near a creek and on a sandy beach ridge, a circular deposit about 5m diameter and 10cm deep was disturbed.

*AHIMS #62-6-99 – Merimbula Lake 4*

This midden is described as densely packed shell 60cm deep in a dark matrix. It was described as a large site on a headland over an area of 100m x 100m. The site consisted of up to eight mounds and described as disturbed.

*AHIMS #62-6-135 – Merimbula Heights Estate 8*

This midden is described as a very large site covering the entire headland and extending 45m upslope. It consisted of deep stratified shell with bone and stone artefacts.

*AHIMS #62-6-139 – Merimbula Heights Estate 12*

This midden is on two subdued beach ridges backed by a low lying poorly drained area located between the lake shore and bedrock landform. The site is described as midden up to 50cm thick. It consisted of deep stratified shell with bone and stone artefacts.

**AHIMS #62-6-138 – Merimbula Heights Estate 11**

This midden is on the clifftop and face. The site is described as continuous midden 40m north-south and 50m east-west.

○ **Bar Beach, Merimbula**

**AHIMS #62-6-755 – Bar Beach PAD**

Monitoring and excavation of this site revealed NO Aboriginal objects (On Site CHM 2017). Its status is *Not a Site*.

**AHIMS #62-6-496 – Bar Beach 1/AHIMS #62-6-540 – Bar Beach Rd.** Note. This is a duplicate recording (Figure 7).

This midden site was originally recorded by Graham Moore. It was subsequently re-recorded by South East Archaeology (2003) as a dense concentration of shell midden in an erosion scour measuring 11 x 2 m. On Site CHM (2014) conducted an assessment in respect of proposed remediation works. A s. 90 AHIP was issued and On Site CHM (2017) subsequently reported on the works.

○ **Short Point, Merimbula**

**AHIMS #62-6-39 – Short Point Back Lagoon/AHIMS #62-6-40 – Back Lagoon Short Point.** The sites have incorrect grid references - See Figure 7.

AHIMS #62-6-39 site is at the eastern end of Short Point Headland but incorrectly plots c. 1.1 km to the west. It was recorded by Sullivan and described as a large midden with rock platform shells, bone, stone artefacts on the north-eastern part of the headland. It was described as measuring 100m x 100 m x 40cm.

AHIMS #62-6-40 was recorded by Sullivan and described as a midden of gastropod shells and stone artefacts. It was described as eroded and measuring 60m x 50 m x 30cm. Given the indication on the AHIMS #62-6-39 site card, it is possibly located in the existing carpark area.

○ **Eden Port Road and Carpark Upgrades**

Nil, see Figure 8.



Figure 5 Location of AHIMS sites in respect of the proposed impact areas at Wallaga Lake.

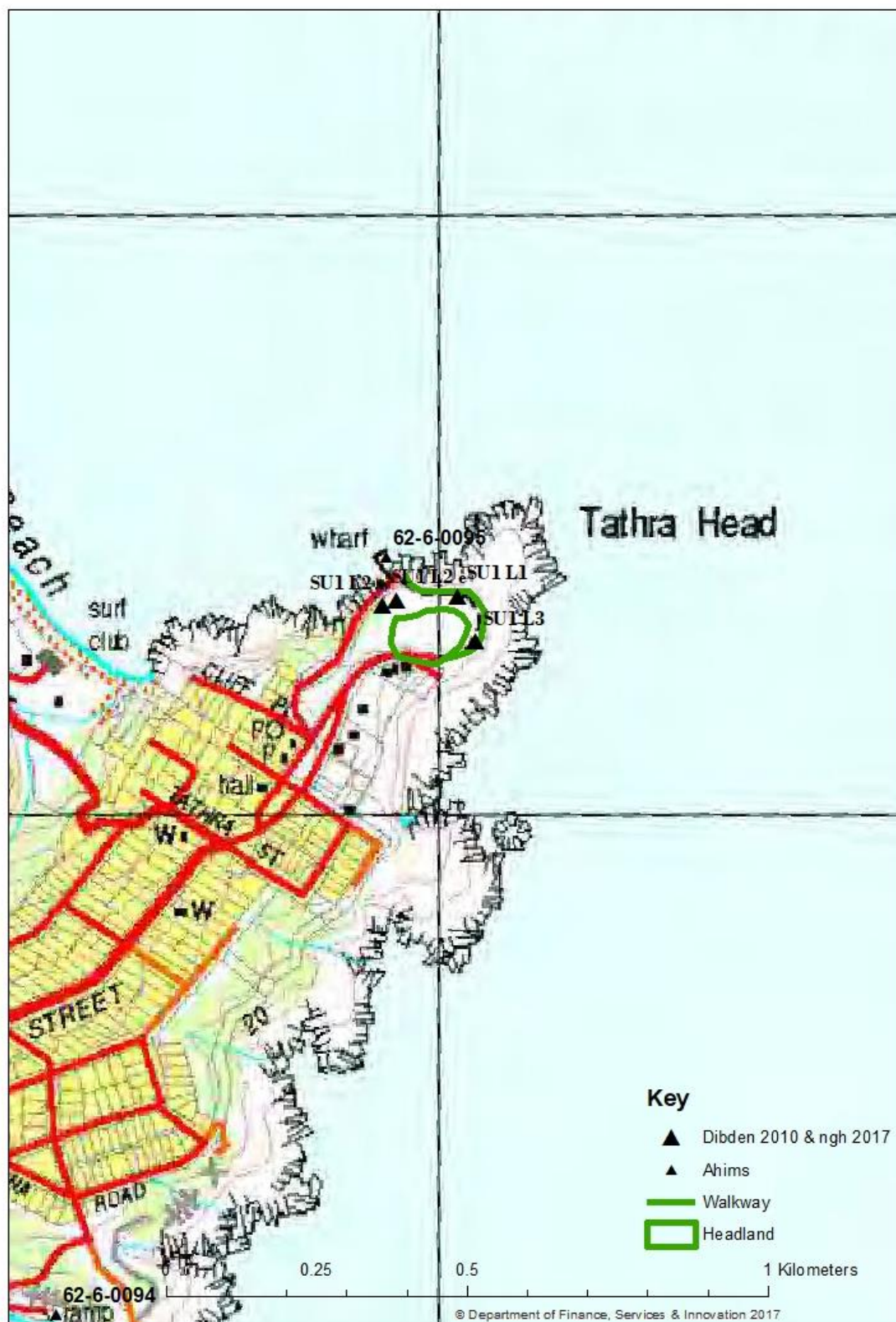


Figure 6 Location of AHIMS site in respect of the proposed impact area at Tathra.



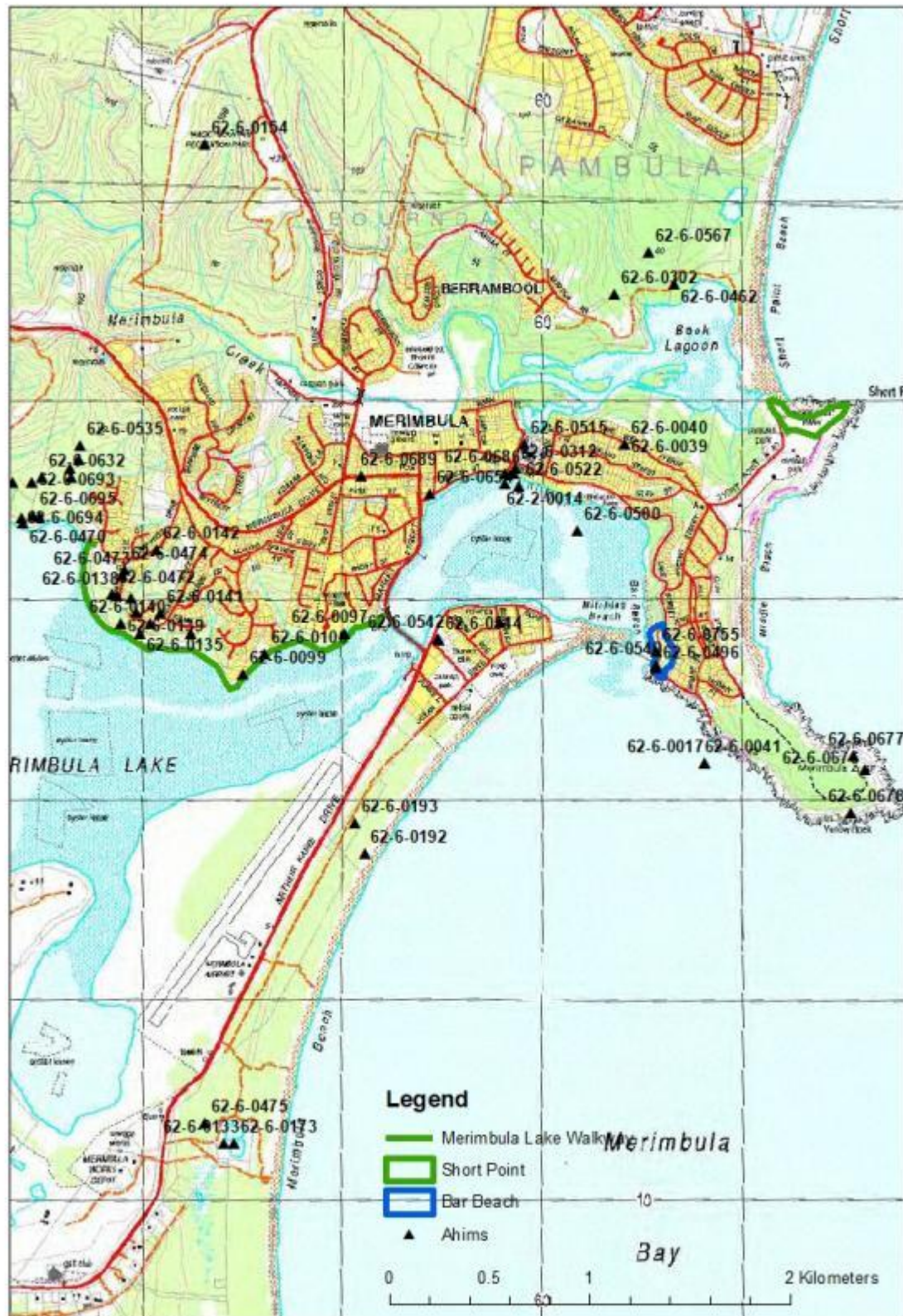


Figure 7 Location of AHIMS sites in respect of the proposed impact areas at Merimbula.



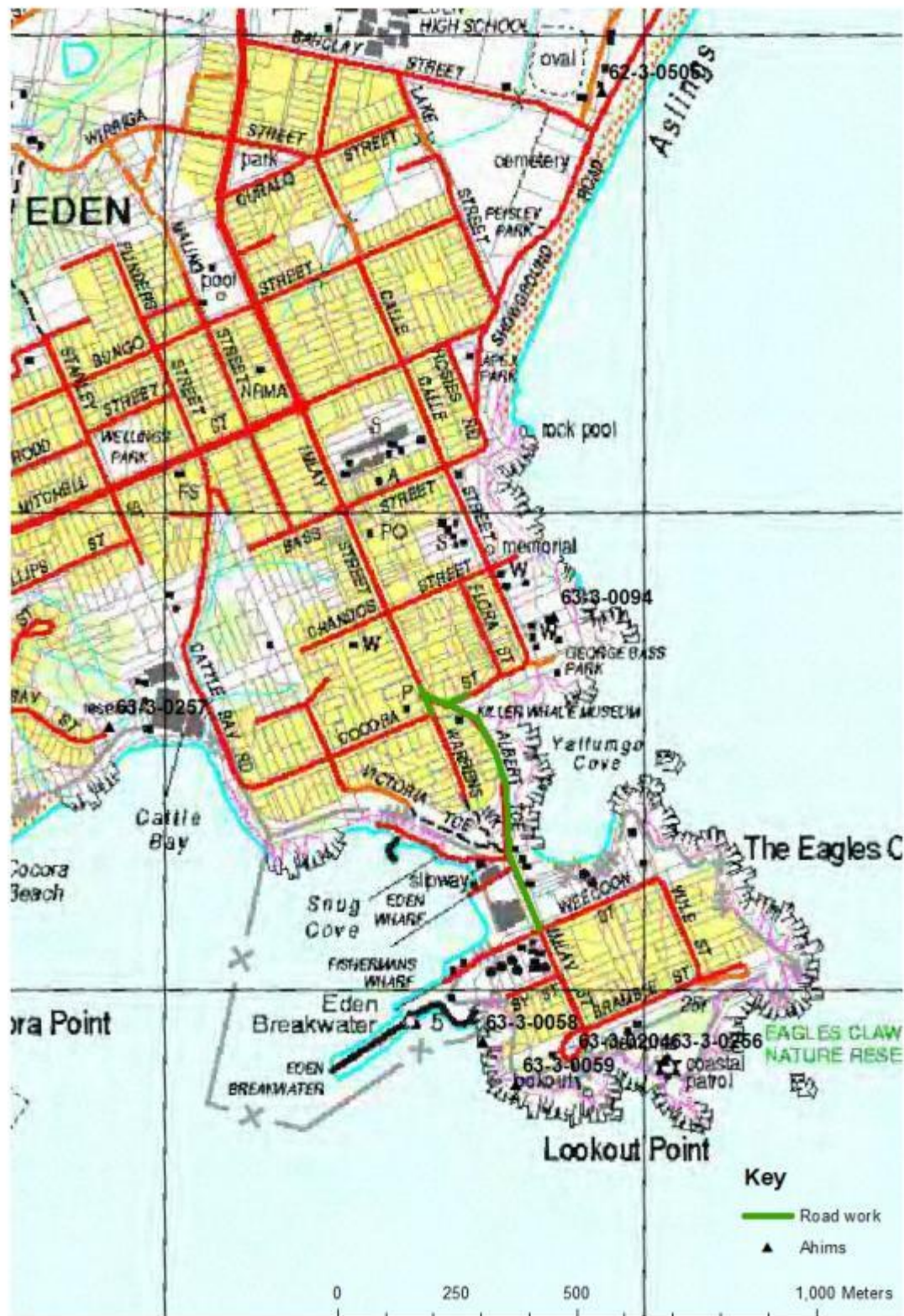


Figure 8 Location of AHIMS sites in respect of the proposed impact area at Eden.

### 2.3.1 Previous Archaeological Assessments in the Local Area

#### *Bermagui/Wallaga Lake area*

Geological Surveyor William Anderson recorded and excavated several Aboriginal midden sites in the region (Anderson 1890). Anderson (1890) mapped the location of major ‘shell-heaps’ at Wagonga Inlet and Pambula Lake; two of the Wagonga sites were systematically excavated and described. Anderson noted that the coastal zone in the area “... seems from all accounts to have been permanently inhabited by certain tribes of Aborigines, who occupied specialized areas in the district”. Anderson (1890) described the results of the excavation of two middens at Wagonga Inlet in some detail. Both contained deep deposits; one 5’ deep and the other 3’. The skeleton of a dingo was retrieved from one midden. Sullivan (1981; 1982) subsequently examined the middens of the south coast as the topic of her doctoral research.

Coddington (1983) studied an area between Tilba and Wallaga Lake for an Honours thesis at the Australian National University. Surveying this section of coastline, numerous shell middens and several artefact scatters were recorded. In addition, artefact collections of local families were documented as well as oral accounts from local property owners in relation to the uncovering of shell, artefacts and hearth-stones during ploughing. Through this, the effects of amateur collectors and farming practices on the sites investigated were noted. As well, limited excavation at one midden was conducted and a date of 320±110 years BP obtained from a charcoal sample.

McKeown (1990) similarly undertook research north of the study area in the region of Cape Dromedary for an Honours thesis at the Australian National University. Numerous artefact scatters were recorded.

One of the preliminary consultancy projects undertaken on the south coast was conducted by Sullivan and Gibbney (1978). The study was aimed at identifying and recording locations containing evidence of Aboriginal and early non-Aboriginal occupation. Two hundred and eleven Aboriginal sites were listed during the survey. Site types include shield and canoe trees, surface campsites, hatchet grinding grooves, and stratified deposits including open shell middens and rock shelters (Sullivan and Gibbney 1978: 197). Several sites recorded during this study are located in the Wallaga Lake area.

Hughes and Sullivan (1978) assessed the types and distributions of Aboriginal sites within the ‘Five Forests’ prior to the selective logging of the area. The Five Forests extends over 40km from Wallaga Lake in the North to Bega in the south and 20 km inland. The Five Forests occupied an area between the coastal zone of alternating rocky headlands and estuaries backed by alluvial river valleys to the east and rolling hill country to the west. The survey was conducted by selecting areas of potential such as stream crossings, ridge crests and saddles in areas where granite outcropped. The survey resulted in representative transects of each of the forests and their various geological and

landform associations. Surveys of coastal areas stretching from Middle Lagoon to Bega River in the south were also made to provide a comparative context to the hinterland.

Five small artefact scatters were located mostly comprising artefacts made from quartz (Hughes and Sullivan 1978). None of the quartz artefacts were thought to be unequivocally of Aboriginal origin given that they were found on exposed surfaces near roads or on logging tracks. However, none of the stone occurred naturally at these sites. Other materials encountered included indurated mudstone and porphyritic volcanics. Artefact types included flakes, one core, one scraper and some utilised flakes. Sites were typically found to be located along saddles and gentle slopes or ridge crests. The small number of sites found away from the coast was attributed to lack of visibility due to ground cover, the location of the survey area underlain by Ordovician beds (which produced surface lag deposits rich in shattered vein quartz) and that manufacturing sites were unlikely to be present due to lack of suitable rock types for implement manufacture.

Egloff (1979) conducted a study of Mumbulla Mountain, situated to the south of Bermagui. This study was conducted in response to the Forestry Commissions decision to commence logging on Mumbulla and the subsequent six-month embargo which followed The Yuin Tribal Council's request of the NSW Heritage Council for an Interim Conservation Order. Egloff found that the Yuin Tribal Council represented Aborigines who retained sufficient traditional knowledge for the claims in regard to Mumbulla to be taken seriously. His findings resulted in the gazettal of the disputed area as an Aboriginal Place.

Byrne (1983) surveyed Loggable Block One on Mumbulla Mountain (measuring 9km square) in response to planned thinning operations of Timber Stand Improvement zones. Given the presence of dense timber regrowth most of the study area was unable to be adequately surveyed. Survey was confined to areas of predicted sensitivity. No sites were located. This negative result was explained in terms of the high levels of ground disturbance in areas subjected to previous integrated logging operations.

Bowdler (1982a) conducted a limited survey of an 8 km square area in Loggable Block 4 of Biamanga Aboriginal Place situated on the east side of the Murrah River. Survey was confined to locations which were predicted to be sensitive. One previously recorded site was relocated. No additional recordings were made.

Feary (1992) conducted an archaeological assessment of the Koori village and emphasised the richness of sites, particularly middens, in the area. Several old recordings were re-evaluated and new artefact and middens sites were recorded.

Williams (1996a) conducted a survey over an area of c. four hectares situated on the southern shoreline of the Bermagui River estuary in relation to a proposed boat ramp and associated works. With poor to moderate visibility, the surface survey revealed no Aboriginal sites, however, it was noted that the ground surface had been 'significantly



altered' through European activity over time while lower sand deposits remained largely undisturbed. It was therefore interpreted that the lack of artefactual material was a true representation of the cultural resource of the location, but that there was some limited potential for shell midden or human skeletal material to be present in the subsurface deposits.

To the south of Bermagui, Williams (1996b) surveyed a proposed road route in Hidden Valley, within the Mimosa Rocks National Park. The survey covered an area of 3.5 hectares along the crest and upper slopes of a major ridgeline leading down to the coast, where it crossed gentle spurs before terminating 100m from the shoreline on the cleared land of Hidden Valley. In conditions of generally poor visibility, one isolated find and one potential stone source of outcropping low-quality rhyolite were located. The study concluded that while it anticipated that that several sites would be located along the proposed road route, these would be of low density and low significance because sufficient visibility had been encountered during the survey for dense archaeological sites to be detected. Although not part of the survey, the area of a proposed campground site situated at the end of the route in Hidden Valley was identified as having significant archaeological potential because of its increased likelihood to contain archaeological material in stratified deposits.

Australian Archaeological Survey Consultants Pty Ltd (1997) surveyed four areas proposed for upgrade in the form of road and camping ground facility improvements at Aragunnu, also within the Mimosa Rocks National Park. On spur side slopes and basal slopes, with some areas located behind the foredune and adjacent to Aragunnu Creek and in conditions of variable visibility, two sites were identified: AS1- a low density artefact scatter consisting of 6 Eden Rhyolite stone artefacts; and AS2- a highly disturbed sparse deposit of shell material, believed to be part of a large midden site previously identified in the area. All four areas were considered to have some degree of archaeological sensitivity and a program of subsurface testing and monitoring was recommended.

Bobby Oakley and Associated Heritage Consultants (1997) surveyed three areas adjacent to Gillards Beach and Tommys Bay, at Mimosa Rocks National Park. This survey was conducted in relation to the redesigning of camping and associated public facilities for the NSW NPWS. In circumstances described as being fair visibility in a shoreline environment, no sites were found within the area of proposed impact, but a midden beach site was located eroding out of the upper layers of a low seaward facing headland.

Boot (2001a) surveyed the Middle Beach picnic and camping area to determine if proposed redevelopment works would impact on any Aboriginal sites which may be present in that area. Despite low levels of archaeological visibility, two sites were located – one a shell midden exposure, located on level ground about 200 m from the 'rich resources of the rock platforms and reefs at the north end of Middle Beach'; and one isolated stone artefact, situated 100m west of the midden exposure. These sites were interpreted as being indicative of an Aboriginal camping area positioned close to a

conjunction of resource zones, with the potential to be more extensive than that identified.

Webster and Kuskie (2001) surveyed an area of c. 0.4 hectares at Murunna Point, including the Wallaga Lake entrance subject area, for a proposed car park and walking trail. In a coastal lowland context, over ridge and spur crests, simple slopes and drainage depressions, with at least one permanent source of spring fed freshwater, eight sites were identified. These were comprised of three shell middens with artefacts, two shell middens with no artefacts and three artefact scatters with no associated shell material. A total of 201 lithic items were recorded (noting that at one site only a sample of the stone material was recorded), with silcrete and quartz the dominant raw material, but chert, volcanic and one item of ochre also represented. The middens were comprised of estuarine shell species, with cockle (*Anadara trapezia*) being the most frequently represented. Overall, the site was interpreted as being representative of multiple episodes of occupation over time, for varying periods of time, and for the procurement and consumption of shellfish from the adjacent Wallaga Lake.

Human skeletal remains were subsequently found at the Murunna Point Headland (Feary, no date). In 2008, BVSC undertook work to cover the remains with geotextile and backfill with rocks and sand. This was meant to be a temporary measure, and to date, no further works have taken place, other than the exclusion of vehicles for the area (Feary, no date). Note, the burial is located at grid reference: 238028.5971047 (personal recording).

Dibden (2004a) assessed the proposed Bermagui Country Club subdivision at which time a number of stone artefacts were recorded. A program of subsurface test excavation was subsequently undertaken across the property which revealed subsurface artefacts were distributed at a variable density across the site (Dibden 2005a).

ERM (2005) conducted a survey of the proposed Bermagui/Wallaga Lake Sewerage Scheme for the Bega Valley Shire Council. The survey area extended from Wallaga Lake Heights southward to Bermagui via Regatta Point, Beauty Point and Fairhaven. Previously recorded midden exposures were re-recorded. ERM (2006) subsequently conducted subsurface test excavation at a number of midden sites. The predominant shell species recovered was cockle and mud oyster reflecting exploitation of the lake environment. Small amounts of other materials including stone artefacts, charcoal and bone and pumice were also retrieved during excavation. The excavations results led to conclusion that the midden is not widespread or intact. At Beauty Point, ten shovel pits were excavated, five of which were along the foreshore which was assumed to be less disturbed. Midden shell was retrieved from only one of the test pits at Beauty Point.

Dibden (2007) conducted an assessment for the Koori village sewerage upgrade. Three Survey Units at the Koori village including SU1, SU2 and SU3 contained very sparse distributions of old shell. It was unable to be determined on the basis of a visual

inspection alone whether or not this shell was representative of midden material or recent discard by the local community. Prior to modern disturbances it is likely that midden material was present in or near to these locales. Survey Units 1 and 2 are relatively steep landforms and, as such, are not likely to have been utilised for camping and the consumption of shellfish meals. It is possible that the shell in these Survey Units has moved down slope because of slope wash erosional processes from higher and more level ground. Survey Unit 3 however, is of a gentler gradient and, therefore, it was predicted that camping and the consumption of shell fish could well have occurred on this landform. It was considered prudent to consider the shell distributions in Survey Units 1, 2 and 3 to most probably be representative of old, highly disturbed middens. Four locales containing both shell and stone artefacts were recorded in Survey Unit 13. All sites have been disturbed by prior impacts associated with road construction and usage. Two, however, may contain adjacent areas of intact archaeological deposit (Dibden 2007). No Aboriginal objects were recorded in the remainder of the Survey Units in the proposed impact area. Given either high gradients and/or high levels of prior impacts, these were assessed to be of low archaeological sensitivity (Dibden 2007).

### *Tathra*

The majority of work in Tathra has been undertaken in the Tathra River Estate (Hughes and May 1982; Barber and Williams 1993; Barber and Williams 1994; Dibden 2005b; Dibden 2009; 2013).

Hughes and May (1982) conducted the original survey of the 155 hectare Tathra River Estate property at which time 16 artefact scatters, five isolated artefacts and one midden were recorded. Sites were dominated by rhyolite artefacts and occurred on low gradient ridges, spurs and flats. The survey area was considered to be extremely rich in surface stone artefact scatters (10/sq km) which, they argued, was significantly higher than other site densities in surrounding hinterland and forests. Five sites contained over 100 artefacts. Sites were found typically on flat to gently sloping spurs of ridges. The high number of sites was explained in terms of the location of the study area in respect of the wide range of adjacent resource zones. Hughes and May (1982) assessed the area to be of high scientific significance based on high site density.

Hughes and May (1982) divided the sites into two categories, *major* and *minor*, on the basis of numbers of artefacts per site. Hughes and May (1982) noted that minor sites possessed the following characteristics: They occurred on flat or gently sloping ridges and spurs, artefacts were mainly rhyolite, with quartz being also common, and they possessed few cores and pieces exhibiting use wear and/or retouch. However, TRE 5 was found to possess a greater number of blade like flakes and cores and the TRE 10, 15 and 17 sites were located on sandy beach deposits situated at the mouths of three different east facing valleys and contained primarily quartz artefacts.

Hughes and May (1982) noted that major sites contained over 100 artefacts. Rhyolite dominated the raw materials in the assemblage although other materials present included silcrete, porphyry, quartzite and chert. Rhyolite flaked pieces were found to be the most common artefact type, however, silcrete and porphyry flakes were also common.

In 1993 the NSW NPWS requested a re-assessment of the survey conducted by Hughes and May. Barber and Williams (1993) resurveyed the property and relocated most of the previously recorded sites (Sites TRE 5, 10, 15 and 17 were not relocated). As per their study brief, the survey conducted by Barber and Williams (1993) was focused on relocating the previously recorded sites; they did not seek to carry out a detailed survey of the area. Their study did not therefore seek to analyse results in terms of the survey coverage of the proposal site.

Barber and Williams (1993) encountered low visibility conditions due to a dense ground cover of grass with a corresponding limited opportunity to re-record sites. This factor was attributed to their failure to re-record some of the previously recorded sites and, additionally, to the fewer artefact numbers recorded in sites which were relocated.

Nevertheless, an additional three artefact scatters and midden were recorded by Barber and Williams (1993), bringing the total number of sites for the TRE area up to 21. Barber and Williams (1993) found that the artefacts were comparable to those recorded by Hughes and May (1982). Rhyolite was found to dominate, although in less abundance than that recorded previously. In order of frequency, the other materials recorded by Williams and Barber (1993) were as follows: fine grained volcanics, porphyritic volcanic, silcrete, quartz, chalcedony, chert and quartzite. Barber and Williams (1993) remarked that the striking feature of the sites in the TRE area is their large size.

Barber and Williams (1994) subsequently undertook a program of sub-surface test excavation at 16 locations, including eight where nine sites (TRE 3, 5, 6, 7, 12, 14, 15, 16 and 17) had previously been recorded. Eight additional test locations were excavated in locations which included some of the flats located between spurs and some subsidiary spurs. The aim of the program was to establish the extent of sites, to calculate artefact densities, to assess the integrity of sites and, thereafter, to assess site significance.

A total surface area of 50.5 square metres was excavated. A total of 404 test pits were excavated and 898 artefacts recovered. The program revealed the presence of artefacts distributed in a virtual continuum across the study area with some variation in density. Artefact densities varied between 1.3 and 136 artefacts 'per conflated m<sup>2</sup>' for the sites excavated, although most site densities ranged between 4 and 20. Artefact density calculated as a result of subsurface test excavation was found to be higher than density calculations based on surface evidence.

Test location Site 16 was argued to contain the highest artefact density. Test location Site 17 was found to contain the next highest artefact density, however, this result was

found to be problematic given that a large number of artefacts were retrieved from a single probe (representing a flaking event). Test location Site 14 was found to contain the next highest density. Given the similar environmental contexts of Sites 16 and 14, this result was not unexpected. Test location site 3-4-5 was found to contain lower artefact density (half as dense as TRE 16) with some areas of higher concentration. Other sites possessed lower artefact densities and the test locations situated between spurs were all found to possess very low densities.

Rhyolite was the dominant stone material for the combined assemblages (44%), followed by volcanic (other rock apart for rhyolite that are volcanic in origin (24%), quartz (21%), silcrete (8%) and minor frequencies of other materials. The majority of artefacts with cortex, particularly rhyolite, 'volcanic', silcrete and quartz, exhibited cortex indicative of procurement from a terrestrial outcrop (81%). Pebble cortex was present in a relatively low frequency (27%). No information is available on the frequencies of artefact types. The majority of artefacts are waste flakes and flaked pieces. However, a number of backed, retouched and 'pecked' artefacts were reported (Barber & Williams 1994).

The presence of two backed quartz artefacts is noted. Barber and Williams (1994) found that there did not appear to be a preferred raw material for the manufacture of a specific type of implement. The author's remark that contrary to backed artefacts typically recorded, a number are partially backed only; backing extend from the distal end to a midpoint rather than completely to the butt. This feature was also identified at Bermagui (Dibden 2005a) during subsurface excavation, perhaps indicating the presence of a regional variant of backed artefacts. The sites were found to possess similar percentages of utilised implements suggesting comparability in terms of site function. The flaked material represents both general flaking activities as well as blade technology. Artefacts indicate prepared platforms, the rotation and curation of cores and focalised platforms on flakes.

Barber and Williams (1994) found that artefacts are present in higher numbers on flat or gentle gradients, although artefacts are also clearly present on higher gradients. Spur crests possess higher artefact numbers and were assessed to be the focus of Aboriginal occupation; test locations situated between crests possessed lower artefact numbers. In relation to landform units, artefact densities were found to increase towards the terminal end of spurs (*basal/lower slopes*), which also coincides with proximity to the wetlands or river. Barber & Williams (1994) argue that these locations were the focus of occupation in the study area; they note that as the area is situated at the confluence of a number of resource zones and is, therefore resource rich, these results are not unexpected.

Barber and Williams (1994) compared the results of the TRE study area to other comparable locations and argued that the density of artefacts is greater at TRE than elsewhere.

In 2005, NSW Archaeology Pty Ltd (Dibden 2005b) conducted a new assessment of the Stage 2 TRE area in respect of a subdivision proposal by the Canberra Investment Commission. Given the passage of time since the Barber and Williams work, various new guidelines and processes had been introduced and compliance was required. Contrary to previous studies conducted at TRE, the approach to recording adopted by Dibden (2005b) was a 'nonsite' methodology: the elementary unit recorded being an artefact rather than a site, and survey units were defined and utilised as a framework for artefact recording, analysis and management. The proposal area was divided into 82 Survey Units. The majority of previously recorded sites were relocated and 30 additional recordings were made.

During the Dibden (2005b) survey and assessment, effective survey coverage was low and there was a correspondingly limited opportunity to observe the full extent of the stone artefact distribution in the proposal area. It was recommended that further archaeological investigations entailing subsurface test excavation be carried out in respect of a number of survey units defined during that study. The program was recommended for the purposes of identifying with greater certainty, the density, nature and significance of the archaeological resource in the TRE proposal area. This work, and management and mitigation strategies ensuing from the results, is documented fully in Dibden (2009; 2013).

The subsurface test excavation works revealed that stone artefacts were present across the majority of the Survey Units tested, indicating a widespread spatial distribution. Artefacts are distributed in variable densities in individual Survey Units. The majority of the property subject to test excavation was found to contain artefacts distributed at very low or low density. The Survey Units found to possess very low to low artefact densities generally correspond to moderate to steep gradient slopes and crests. A number of Survey Units possess relatively higher artefact densities which range from low/moderate to moderate and these are predominantly crest landforms. This result suggests a relatively higher level of occupation in these landforms and that they were focal areas of activity in the immediate local area.

Artefacts were recovered from more than half of the 811 excavated Test Pits (N=488; 60%). This result indicates that artefact distribution, while widespread, is not necessarily consistent. Over a quarter of the transects (22 in total) were found to contain less than 10 artefacts, while 20 of the transects had four or less Test Pits containing artefacts. This is indicative of a very patchy distribution of artefacts.

The subsurface test excavation program found stone artefacts to be present across the majority of the Survey Units tested indicating a widespread spatial distribution. Artefacts are distributed in variable density in individual Survey Units. The majority of the property subject to Test Excavation was found to contain artefacts distributed at very low or low density. The Survey Units found to possess very low to low artefact densities generally correspond to moderate to steep gradient slopes and crests. Notable

exceptions to this are Survey Units 16, 32 and 56. Survey Unit 16 is a low gradient ridge/knoll crest that is less than 200 metres north of the river, however, access south to the river is via a steep gradient slope; more accessible routes to the water are to the west and the north and involve traversing at least 500 metres. It thus appears that although this landform has low gradient and general proximity to the river, the issue of accessibility has resulted in a lower than expected artefact density.

A number of Survey Units possess relatively higher artefact densities which range from low/moderate to moderate. This result suggests a relatively higher level of occupation in these locales and that they were focal areas of activity. The areas which contain either low/moderate or moderate artefact densities include Survey Units 8, 36, 44, 45, 62, 64, 65, 66 and 71.

In some cases there is a degree of variability in artefact densities between Test Transects in the same Survey Unit. At a general level there are a number of key patterns to this variability, summarised as follows:

- There is a tendency for variability to be displayed as increasing artefact density with increasing proximity to the river margin.
- Where there is variability in gradient within a Survey Unit the more level areas will possess the higher relative artefact counts and densities.
- In areas adjacent drainage lines or other areas subject to potential flooding (eg flats), discrete area of higher ground are likely to possess higher artefact densities.

Given the environmental context of the Survey Units not subject to Test Excavation, together with the results of the testing undertaken by Barber and Williams (1994), it is extrapolated that the majority of the study area is likely to contain very low to low artefact densities and that select areas with local elevation, low gradient and good accessibility to the river or wetlands are likely to contain low/moderate artefact densities with discrete areas of moderate density artefact distribution also possible. Essentially it is predicted that only the low gradient landforms in close proximity, and with good accessibility, to the riparian zone, are likely to possess low/moderate to moderate artefact densities.

The results confirmed the assessment made by Dibden (2005b) that the initial surface survey results were unlikely to be an accurate reflection of the true archaeological status of the proposal area. One of the important results of the Test Excavation program is that it demonstrated that stone artefacts are distributed in a continuum across the landscape. The results also clearly showed that over the broader landscape, variations in artefact density exists.

Dibden (2010) conducted a due diligence assessment in relation to a proposal by Bega Valley Shire Council to reconstruct a section of Wharf Road on the Tathra Headland. Two locales containing Aboriginal objects were recorded during the field survey, SU1/L1

and SU1/L2. Both are situated at the edge of the sea cliff immediately above and to the south of the Tathra Wharf car park, and are locations where midden shell material was exposed on the ground surface. SU1/L1 was a discrete area containing midden material. However, due to the presence of a thick coverage of vegetation in the areas, the full extent of the distribution of shell at SU1/L2 could not be ascertained. Nevertheless, it is a high probable that midden material is distributed more extensively in a subsurface context above the edge of the sea cliff than the area recorded.

Nghenvironmental conducted a further assessment in 2017. One additional exposure of shell was found (SU1/L3) and the entire headland was defined as a PAD.

#### *Merimbula Area*

Aiken (1986) conducted a survey in response to a proposed housing development of a two square kilometre parcel of land situated north of Merimbula township. During that study, the majority of each of the different environmental zones in the area was surveyed including lagoon margins, beach, ridgelines, slopes and creeks. Given the forested nature of the area visibility conditions were low except for small areas of exposure. One Aboriginal site was recorded on the east side of Pages Creek on the footslope situated above Back Lagoon. The site consisted of 14 stone artefacts distributed over an 8 m x 30 m area. The lack of further archaeological recordings was assessed by Aiken (1986) to be a factor of low visibility variables rather than a true reflection of the archaeological status of the study area.

Aiken (1986) recommended subsurface investigation to be undertaken in the recorded Aboriginal site and the remainder of the area which she assessed to be of moderate to high archaeological sensitivity. Lance (1987) subsequently conducted a limited program of subsurface investigations on the property in accordance with Aiken's (1986) recommendations. Auger and shovel pits were excavated in a number of locations.

The results of Lance's (1987) works are summarized below:

#### *The beach barrier sand dunes and flats between Short Point Beach and Back Lagoon*

The test pits conducted in this area revealed a sequence of beach sands with a humic rich soil formation overlain by a shallow band of bleached sand. A friable light grey sand derived from swamp deposits were encountered below the humic rich horizon. The archaeological material recovered consisted of a dispersed scatter of marine shell which Lance (1987) thought probably originated from a larger shell midden.

#### *The foreshore of Back Lagoon and the smaller lagoon to the north*

In the Back Lagoon area shallow sandy soils were found to overlie sandstone bedrock. Two artefacts were found on the surface however, test excavation revealed no further archaeological material. One surface artefact scatter was found in this area. The artefacts were located on a track on the lower slopes of gently sloping ground 60 m from the north east shore of Back Lagoon. Twelve artefacts were recorded over a length of track



measuring 25 m long. Test excavation near the site revealed a shallow sandy soil overlying decomposing sandstone bedrock. Several fragments of marine shell were found suggesting that the exposed portion of the site would originally have contained shell midden which has been dispersed by vehicle and water movement. No artefacts were found in a subsurface context in association with the surface finds.

#### *The major ridge*

Augering revealed shallow sandy deposits overlying bedrock. No artefacts or shell were recorded in subsurface contexts. Lance concluded that the low artefact density recorded by Aiken (1986) during the surface survey was an accurate reflection of artefact numbers in the deposit.

Lance (1987) concluded that low levels of archaeological material were present and that this represented low levels of prehistoric usage of the area. Lance (1987) argued that while additional material could be present in the area it was likely to be distributed at low density. Lance (1987) presented several reasons which might explain this situation; - that shallow lagoons did not provide a wide range of edible fauna and that therefore the area was less attractive than the nearby Merimbula Lake, that the sloping ground was an unattractive camping location and that geomorphological processes may have removed material from the area.

Williams (1998) later conducted an archaeological investigation of a 7.2 hectare portion of the same property in a section adjacent to Back Lagoon. The study was conducted in respect of a new proposal to develop the land as a health retreat. The study area included the main spur crest, upper, mid and lower side slopes, creek bottom and the lake foreshore. Visibility encountered was assessed to be generally very poor, however Williams (1998) argued that the survey results are indicative of the survey potential of the area. One small Aboriginal site was recorded. The site is described as consisting of three stone artefacts located on a spur crest over an area of 15 metres. All artefacts were flakes made of purple rhyolite. This area was surveyed again by Dibden (2004, see below).

Hughes (1982a) investigated an area on the northern shores of Merimbula Lake immediately adjacent to the Merimbula Lake Boardwalk/walkway. The property consisted of low sandy flats, cliffs and slopes above the lake. Six middens situated on the cliffline at the junction of the hill slopes and rock platforms and estuarine sand flats were recorded. The relatively intact, large middens consisted almost entirely of estuarine species: rock oyster, mud oyster, cockle, mud whelk and mussel, the latter being present in the upper parts of the middens only. Stone artefacts, charcoal, fish bones and scales were also noted in some middens (Hughes 1982a).

Hughes (1983) conducted a further study of the Merimbula Lake foreshore and slopes above the lake. An additional nine sites, including eight discrete middens/midden complexes and a stone artefact scatter were located. Hughes (1983) indicated that

midden material is virtually continuous along parts of the cliff line and estuarine sand flats fronting the lake. As a result of the analysis of this work Hughes (1983) argued that the archaeology in the Merimbula Lake area was found to differ to that in the Bega River estuary located to the north. While sites in the north are of a high density they tend to be predominantly surface scatters of stone artefacts with very few shell middens. Hughes (1983) argued that the relative lack of shell midden at the Bega River appears to reflect the low shell fish productivity of the estuary river mouth as compared to both the Merimbula and Pambula Lakes.

Hughes (1982b) also surveyed 24 hectares of hilly terrain one kilometre north-west of Merimbula. One small artefact scatter was located on a broad ridge crest. The scatter consisted of six quartz flakes and unmodified pieces and one acid volcanic flake.

Egloff (1988) conducted an assessment at the proposed effluent disposal works site situated four kilometres south of Merimbula. One shell midden, one artefact scatter and three human burials were located.

Navin (1989) surveyed the route of three alternative Princes Highway Merimbula bypass routes at Millingandi. The study area included two landform areas – a moderately steep forested ridge line situated north of Millingandi Creek, and a flat river terrace south of the creek. Seven sites were recorded. Two sites are situated north of Millingandi Creek on ridge spurs. One site is situated on the northern bank of Millingandi Creek at the intersection of a small stream. The remaining four sites are located on an elevated river terrace situated between creek flats and colluvial slope deposits. Artefacts recorded included silcrete, quartz and rhyolite. Five of these sites are located in the vicinity of the proposal area (see Section 7.2).

Barber (1998) surveyed a small house lot on the foreshore of Merimbula Lake. Shell material was found across the disturbed topsoil of the property. Oakley (2000) also surveyed a small lot on Main Street, Merimbula situated on the isthmus separating Back Lagoon from Merimbula Lake. Shell material was identified but Oakley (2000) argued that the material may not have been of Aboriginal origin.

Kuskie and Gutierrez (2000) conducted a survey of the ten hectare Merimbula Cove property located on the northern shores of Merimbula Lake. Six Aboriginal sites were located including middens, one artefact scatter and one isolated stone artefact. The middens contained estuarine shellfish species of predominantly cockle with some mud oyster and whelk. Stone artefacts were made on locally available rhyolite and quartz and were interpreted to be representative of non-specific flaking activities and microblade production. Kuskie and Gutierrez (2000) found that sites were tethered to level to moderate sloping simple slopes and spur crests within 100 metres or so of the lake margin.

Kuskie and Webster (2001) conducted test excavation at a midden site situated on a ridge crest overlooking Merimbula Creek. The investigation revealed the presence of three low density scatters of shell across site. No stone artefacts were recorded.

Kuskie (2002) surveyed six hectares of the proposed Lakewood residential development on the northern shore of Merimbula Lake. No Aboriginal sites were recorded and this result was explained to be a factor of the steepness of the hill slopes and accordingly the low archaeological potential of the area.

Wheeler and Douglas (2003) conducted a survey at the site of the Merimbula Public School situated on an isthmus between Merimbula Lake and Back Lagoon. While some areas of the site were found to be grossly modified, it was assessed that the majority of the site is undisturbed. Stone artefacts and midden material were recorded in surface exposures. Subsequent subsurface excavation was carried out on the site by Wheeler *et al.* (2003). In addition monitoring of selected locations was undertaken by representatives of the Bega Traditional Aboriginal Elders Council.

The subsurface work conducted at the school site revealed the presence of stone artefacts, shell midden and ochre within relatively intact soil profiles. Stone artefacts were found to be present in comparatively high densities representing tool maintenance and knapping activities. Raw materials utilised for stone working included silcrete, rhyolite and quartz. Backed artefacts dominated the 'finished implement' type and the analysis of material showed that blades were manufactured on site. The materials excavated led Wheeler *et al.* (2003) to conclude that the site is large, complex and repeatedly occupied.

Kuskie (2004) reports the salvage of a shell midden and artefact scatter site (MC7/A) identified by representatives of Bega Traditional Aboriginal Elders Council during a monitoring program of the Merimbula Cove Residential Development site. The MC7/A site was found on a ridge crest; in addition, a further small shell midden (MC6/A) and an isolated artefact (MC6/B) was found on a simple slope.

Site MC6/A was found to contain in situ shell midden to a depth of 12 cm. In addition, two stone artefacts and several pieces of bone and charcoal were retrieved. The midden, dominated by cockle (*Anadara trapezia*), was of a circular shape measuring 1.5 m in diameter. Mud oyster, mud whelk and edible mussel were also present but in lower frequencies. A single cockle shell was radiocarbon dated to  $1192 \pm 30$  years BP, equating to a calibrated age of 910-620 cal BP [Radiocarbon Date Number Wk14112] (Kuskie 2004).

Surface collection of stone artefacts and minor excavation by trowel of one midden locus was conducted at Site MC7/A. Of the 47 stone artefacts recorded, banded rhyolite was found to dominate the assemblage, however silcrete was also present in moderate frequency. Flaking debitage dominated the artefact types, however the presence of one microblade and two microblade cores indicated on-site microblade technology. A single

geometric microlith was retrieved from the *in situ* midden. Shell from that deposit was radiocarbon dated to  $807 \pm 30$  years BP (equating to an age calibration of 540-290 cal BP) [Radiocarbon Date Number Wk14110]. As Kuskie (2004) notes, this is a rarely documented finding in the south east, and strongly suggests the continuation of microblade technology into the recent past (however, cf Boot 2002).

Dibden (2004d) conducted a survey of the proposed Mirador subdivision area situated north of Back Lagoon in the area previously surveyed by Aiken (1986), Lance (1987) and Williams (1998). The artefact scatter previously identified by Aiken and Lance was relocated and found to be an extensive, but low density scatter on a spur landform. The site previously found by Williams (1998) was relocated and found to have been recently disturbed by earth works.

ERM (2004) conducted a survey of an area measuring 20 square meters for a proposed sewage treatment plant at Tura Beach. A scatter of four stone artefacts was recorded.

Dibden (2005c) conducted a survey at Millingandi in response to a caravan park redevelopment. The area was located adjacent to Merimbula Lake and included an elevated flat landform (Tertiary) and bedrock slopes. A number of stone artefacts were recorded in ground exposures. A subsequent program of subsurface test excavation was undertaken revealing a high density and consistent distribution of stone artefacts across the entire area (Dibden 2006a).

#### *Eden Area*

Sullivan (1982b) examined the middens of the south coast as the topic of her doctoral research. Sullivan recorded a number of middens at Pambula which were found to contain primarily estuarine species such as cockle, mud oyster, rock oyster, whelk and mussel with occasional rock platform species including abalone, warrener (*Cabestana splengleri*), nerite and *Austrochlea*.

Test excavation was carried out by Sullivan (1982) at one mounded midden on the shore of Pambula Lake. The age of the base of the midden was determined by radiometric analysis to be about 3,000 years BP. The shell was broadly divided into an upper, middle and lower midden. The upper midden was found to be composed mainly of edible mussel with a low proportion of hairy mussel which has had accumulated between 1,200 years BP and the time of European contact. The middle midden contained mainly hairy mussel and mud oyster and had accumulated between 3,000 and 2,300 years BP. The lower midden was made up primarily of mud oyster and its accumulation was found to have commenced at 3,000 years BP (Sullivan 1982).

The excavated midden was found to contain fragmented bones of fish, bird, and land and sea mammals. The bones of small marsupials including wallaby, potoroo, possum and other medium sized animals were interpreted as indicating consistent exploitation throughout time while larger animals including sea mammals and kangaroos occurred

sporadically indicating irregular exploitation. The bones from 12 different species of fish were found. Their differential distribution through the deposit allowed Sullivan to infer a diversification of fishing methods through time (Sullivan 1982). Both bone and stone artefacts were recovered. Flaked stone artefacts were made from silcrete, quartz and acid volcanic. Silcrete and backed artefacts are present in the earliest (lower) part of the deposit only and quartz (with low incidences of bipolar features) dominated the stone assemblage from 1,900 years BP. This pattern, argued Sullivan (1982), corresponds to the previously defined Bondaian and Post Bondaian periods.

Lourandos (1974) conducted surveys of a number of locations situated between Wallagoot Lake and Nadgee Nature Reserve. Three sites were recorded near the entrance of the Merrica River south of Wonboyn, including a midden on a headland and two small rock shelters containing deposit.

Bowdler (1982b) conducted an emergency salvage excavation of an Aboriginal human burial at Wonboyn Beach, south of Boydtown, at the request of the NSW National Parks and Wildlife Service. The burial was situated in a 1.1m high sand cliff of an exposed hind dune at c. 75 m north of Snake Creek at the south end of Wonboyn Beach. The skeleton was found to be almost complete and it appeared to be resting on a wood or bark support. The skeleton was determined to probably be a mature male dating to between 500 and 1000 years old.

Byrne and Smith (1987) conducted a survey for Aboriginal sites in selected locations within the state forests of the Eden area. Twenty-two sites were recorded during that study, nineteen of which were artefact scatters. The remainder included a midden, stone arrangement and quarry. Fifty percent of the open sites were situated in saddles, 25% on ridge summits and 25% on creek banks/flats. Artefact numbers and densities were found to be low, however it was suggested that this was largely a result of the poor visibility variables encountered.

Egloff (1987) undertook a study of Aboriginal sites of significance located within the southern portion of the Eden Woodchip Agreement Area. The main sources of information for that study were compiled from interviews with Aboriginal people from the Far South Coast. While no locations or names of places of significance were identified by that study it was noted that archaeological sites were regarded by the Aboriginal community as having “political, educational as well as economic significance” (Egloff 1987: 15), moreover, the importance of involving Aboriginal people in the management of cultural resources was emphasised.

Fuller (1988b) conducted a survey at Quarantine Bay near Eden. An area measuring 4.5 hectares comprising a steep hilltop landform was surveyed. Despite apparently good visibility no sites were recorded. This result was explained to be a factor of the low sensitivity of the landform given the steep gradient, rocky substrate and absence of fresh water.

Byrne (1990) conducted a survey of various roads proposed by the NSW Forestry Commission of NSW in the Eden and Bombala areas. Seven artefact scatters and three isolated finds were recorded. All scatters were situated on flat locations on ridgelines and contained low artefact numbers. The artefacts were predominantly quartz.

Paton (1994) undertook a preliminary assessment of four areas within the Eden urban area where residential subdivisions were proposed. The areas in question were assessed to potentially be archaeologically sensitive and it was recommended that full archaeological investigations be conducted before commencement of the proposed developments.

Williams (1995) conducted subsurface probing at Old Road Creek in response to a proposal by Optus to install a Fibre Optic Cable in an area previously identified to be an area of high archaeological potential. The landforms investigated comprised a flat floodplain with a low spur situated north of the creek and an elevated flat spur south of the creek. The creek itself is a permanent fresh water source. Artefacts were recovered from the low spur situated on the north side of the creek. The results indicated the presence of a shallow, moderate to high density subsurface artefact occurrence situated on the crest of the spur. The majority of the artefacts recovered were made of silcrete with quartz also found to be common.

The Greenglade rock shelter at Wonboyn Beach was excavated by Colley (1997). Occupation of the site was established by radio carbon dating to have extended from 600 years BP until the 19<sup>th</sup> century. The site was found to contain shell midden and glass artefacts. Colley (1997) also excavated an open midden at Baycliff. A date of  $330 \pm 110$  BP was obtained from charcoal retrieved from 55cm below the surface.

English (1997a) conducted a survey and subsurface augering program at Baycliff and Greenglade, near Wonboyn. The work was undertaken in response to a proposal by NSW NPWS to install new infrastructure facilities in the Nadgee Nature Reserve. The Baycliff survey area is situated at the north end of Wonboyn Beach and adjacent to the south side of Wonboyn Lake. The area is comprised of a hind dune system of low relief and an area adjacent to Wonboyn Lake comprised of a narrow beach backed by a steep sandy slope. The Greenglade survey area is situated at the south end of Wonboyn Beach and is comprised of level ground bordered to the south and southwest by steep sandstone slopes and cliffs and in the east by the beach. No previously unrecorded archaeological material was located during the investigations.

English (1997b) conducted a subsequent investigation in the Greenglade and Wonboyn areas. The survey was focused on a proposed walking track extending from Greenglade to Merrica River. The track traversed moderate to steep gradient spurlines west of the coastline. No sites were recorded. A vehicle track network from Wonboyn to Greenglade and Baycliff and an access track to the centre of the beach was also surveyed (some auguring was also conducted) in areas both west and within the Wonboyn Beach hind dune system. No sites were recorded.

A preliminary desktop study was undertaken by Navin Officer Heritage Consultants (1998) for the proposed Multi Purpose Wharf development area at Munganno Point. One Aboriginal site and one area of archaeological potential were identified within areas potentially impacted by the proposal.

Navin Officer Heritage Consultants (1999) subsequently conducted a cultural heritage assessment of the proposed wharf, commercial facility and Naval Munitions Storage Facility for inclusion within an Environmental Impact Study. That study encompassed survey of four separate areas: Munganno Point, directly south of the SEFE mill site; Brierly Point, situated ca. 1.5km to the southwest; Saltwater Creek, ca. 5km south of the mill, and Hut Forest Road, ca. 12km to the southwest. The roads linking these locations were also included in the survey. A total of fourteen sites were identified during the surveys at East Boyd. Sites recorded included two middens, ten artefact scatters, two isolated finds and five areas assessed to have the potential to contain subsurface archaeological material.

A total of 44 hectares were investigated at Munganno Point (Navin Officer Heritage Consultants 1999). The landforms surveyed included the shoreline, rocky headlands and sandy embayments of East Boyd Bay and the crests, upper, middle and lower slopes of ridges and spurs to the east. Six sites and two areas of archaeological potential were recorded within this area:

- East Boyd 3 (EB3) - Medium to high density scatter of at least 50-100 artefacts with discontinuous scatters of midden material. Situated on the crest/slopes of headland.
- East Boyd 4 (EB4) - Scatter of over 25 artefacts on a headland crest.
- East Boyd 5 (EB5) - Low to moderate density scatter of over 20 artefacts on a gently sloping spur crest.
- East Boyd 6 (EB6) - Small (3 artefacts) low density scatter on a spur crest.
- East Boyd 7 (EB7) - Small (3 artefacts) low density scatter on the basal slope of a spur.
- East Boyd 8 (EB8) - Isolated find on the upper slope of a ridge.
- PAD1 - Area of archaeological potential on a dunal sand barrier to the north of Edrom Lodge.
- PAD2 - Area of archaeological potential within dunes and creek flats in a small cove adjacent Harris Daishowa cottage (immediately north of EB3).

It is noted that the larger and higher density sites and the identified areas of archaeological potential are all situated on the crests and dunal formations leading down to the west towards the bay.

The Aboriginal site East Boyd 3 and PAD2 were subsequently subject to a program of subsurface excavation (Navin Officer Heritage Consultants 2000). A total of 485 stone artefacts were retrieved from twenty-seven hand excavated pits. Raw materials present

included quartz, chert, silcrete, quartzite, tuff, fossil wood, rhyolitic tuff and ochre. Chert, quartz and silcrete were the most common materials. The excavation results indicated that midden and stone artefacts were concentrated on the coastal margin of the headland crest at Munganno Point. Given the nature of the evidence the site was considered to be representative of occasional activity over a long period of time rather than sustained occupation.

Heffernan and Boot (2000) document the results of the SEFRAC Archaeology Project conducted within the Eden Management Area (EMA). Over 1100 Aboriginal sites are recorded in the EMA. Based on the known population and density of sites a predictive study has indicated that over 11 million sites may remain undiscovered within the EMA. Based on survey data the most likely locations of Aboriginal sites are identified to be: ridges and flats with slopes of 10° or less; all elevations below 1300m above sea level; areas of granite and sedimentary geology; areas which once contained lowland and mid altitude forests and in areas presently vegetated with dry forest and woodland.

Boot (2000b) surveyed a proposed walking track at Green Cape, Ben Boyd National Park. The study area traversed an area situated close to the cliff top of the Green Cape headland. Poor visibility was encountered. No sites were recorded however the area was assessed to potentially contain middens.

Boot (2001c) surveyed a proposed beach access track at Jewfish Beach on the southwestern shore of Wonboyn Lake. The areas surveyed included forest and wetland contexts. One site containing eighteen stone artefacts and two pieces of midden shell was recorded on level dry ground adjacent to the wetland.

Barber (2001) conducted a survey of the Bittangabee Campground, Ben Boyd National Park. The survey was undertaken in response to a NSW NPWS proposal to upgrade the camping area. The area is situated on the end of a long wide spur which extends north east from Skeleton Hill, situated ca. 3km to the south west. The area forms a headland situated immediately to the south of Bittangabee Bay inlet. Two occurrences of midden material and ninety-one stone artefacts were recorded by Barber (2001). Stone artefacts were found to be distributed across the entire study area. Artefactual materials recorded included fine grained siliceous stone, chert, quartz, quartzite, rhyolite, silcrete and volcanics with quartz and rhyolite dominating the raw material count. The recording of four hammerstones was interpreted to indicate the manufacture of implements at the site.

Barber (2002) subsequently conducted subsurface test excavation at the Bittangabee Bay site. Twenty-six test probes were undertaken in three areas of the site. The site was found to contain relatively intact subsurface archaeological deposits. The excavated material was assessed to be representative of flaking and quartz was found to be the most common raw material.



Navin Officer Heritage Consultants (2002) undertook salvage excavation at the site East Boyd 3 on Munganno Point. The excavation entailed nine 1 x 1 metre units situated within various locations inside the development footprint. A total of 259 artefacts were recovered from eight of the nine excavation pits. Artefact density varied from 14/m<sup>2</sup> to 97/m<sup>2</sup>. The assemblage was dominated by chert, silcrete and quartz; the most common artefact types were lithic fragments, flakes and flake portions. Lower numbers of cores, microblades, backed items and utilised flakes were also recovered. Just over three kilograms of shell were also recovered from the excavation pit located on the sandy flats adjacent the headland. The shell material was interpreted as highly disturbed midden. The results of the excavation confirmed that the headland had been utilised for repeated short-term occupation with some exploitation of the adjacent marine resources.

Barber (2003) documents the heritage assessment of a proposed walking track along Myanba Creek within Coolangubra National Park. A 20km long survey was conducted by Bobby Maher, Eden Local Aboriginal Land Council. The area consisted of low gradient slopes situated above the creekline. A single sparse density artefact scatter was recorded on the crest, shoulder and side slopes of a spur.

Navin Officer Heritage Consultants (2003) conducted a survey of an alternative commercial facility location at East Boyd Bay, one kilometre south of the current proposal area. The area is situated at ca. 375m inland from Fisheries Beach and south east of Munganno Point and comprises upper and mid west facing slopes of the Jews Head ridgeline and the crest and upper slopes of two minor spurs. Three artefact scatters and two isolated finds were recorded. The recorded artefact scatters comprised two small, low-density scatters situated on a spur crest (EB9) and the side slope of a broad ridge (EB11). One larger artefact scatter (EB10), containing over 30 artefacts, was recorded at the interface of a gentle upper slope and a ridge crest; artefact density at this site appeared to be low. Both the isolated finds were recorded on gentle gradient northwest facing slopes.

Navin Officer Heritage Consultants (2004) surveyed one of the locations at Eden previously investigated by Paton (1994). The area in question comprised 93 hectares situated to the northeast of the township where the Eden Cove Estate was proposed. A total of ten sites comprising nine artefact scatters and one previously recorded midden were identified. Three areas of archaeological potential were also recorded.

Dibden (2004e) conducted an assessment of the Boydtown site in relation to a proposed development of the township as a holiday destination. The study area, situated approximately five kilometres west of the SEFE mill, measured a total of 60 hectares, of which 54 hectares were subject to archaeological survey. A total of nine artefact scatters and one possible shell midden were recorded during that survey. The artefact scatters were recorded on creek flats, side and basal slopes and on a knoll crest, while the shell deposit was identified within a foredune context. The creek flats, basal slopes and dune systems were all identified as being archaeologically sensitive.

Kuskie and Clarke (2007) undertook an archaeological assessment of an area of some 8.5 hectares proposed for a tourist and residential development at Cattle Bay in Eden. One Aboriginal site, artefact scatter Cattle Bay 1, was recorded within the proposal area. The recording comprised six artefacts exposed on tracks over a spur crest overlooking Cattle Bay. While the potential for associated subsurface artefacts was predicted to be high, the extent of disturbance from prior impacts was such that the overall archaeological sensitivity was assessed to be low.

At the Davidson Whaling Station Historic Site there have been a series of archaeological investigations that have dealt with aspects of indigenous Archaeology (Feary 1990, 1997; Davies 2003; Dibden 2006b).

Feary (1990) inspected a section of midden exposed by the walking track works between Loch Garra and the tryworks (Site # 63-3-0046). A series of 5 auger holes were dug to a maximum depth of 97 cm to test the limits, contents and stratigraphy of the midden. The midden was found to consist of thin and dispersed layer of shell dominated by *Mytilus planatus* in a black sandy loam with a small amount of bone remains and stone artefacts.

Davies (2003) was contracted to prepare a Conservation Management and Cultural Tourism Plan for DWSHS. While no additional Aboriginal sites were recorded during that study the foreshore area and the foreshore track were assessed to have a high archaeological potential.

Dibden (2006b) conducted an assessment of proposed works relating to an upgrade of visitor facilities at the Davidson Whaling Station. Eight Aboriginal artefact locales were recorded in or adjacent to the proposed impact zones. The field survey encompassed the entire area of the proposal site and was therefore comprehensive. However, effective survey coverage was generally low due to the presence of a vegetation ground cover and a general lack of breaching of the soil profile. Based on the relevant predictive model of site type and location the proposal area was assessed to be of high archaeological potential, however within the proposed impact areas that potential was significantly reduced by the significant levels of prior ground disturbance.

### *Summary*

Middens, artefact scatters and burials are well documented site types found on the New South Wales Far South Coast. 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.

Based on the above review and a consideration of the topography, geomorphology and hydrology of the study area the type of sites known to occur in the region and the potential for their presence within the study area are described in Section 2.3.2 below.

### 2.3.2 Predictive Model of Aboriginal Site Distribution

The type of sites known to occur in the region and the potential for their presence within the study area are listed as follows:

#### *Stone Artefacts*

Stone artefacts are located either on the ground surface and/or in subsurface contexts. Typically, stone artefacts are representative of debris which results from flaking stone and will include unmodified flakes (and fragments), cores and flaked pieces. Actual stone tools such as deliberately formed artefacts (for example, scrapers, backed artefacts or adzes) or pieces which possess evidence of use are generally present in low frequencies only. The raw materials used for artefact manufacture in the local area include quartz, silcrete, volcanics, quartzite and chert.

The detection of artefacts depends on ground surface factors and whether or not the potential archaeological bearing soil profile is visible. Based on subsurface work conducted in area in similar contexts, breaching of at least 10 cm of the topsoil is necessary to view the potential artefact soil bearing profile. Given the environmental context, it is predicted that stone artefacts are likely be present in the proposal areas.

#### *Grinding Grooves*

Grinding grooves are always located on sandstone exposures and are the result of the manufacture and maintenance of ground edge tools. Such tools were generally made of stone, however, bone and shell were also ground to fine points.

The location of sites with grinding grooves is dependent on the presence of a suitable rock surface, usually fine grained homogeneous sandstone, and a water source. Grinding groove sites may consist of a single groove, or a large number which are sometimes arranged in patterns and groups. They commonly occur as an open site, however, are sometimes found in shelter contexts. Usually grinding grooves are located on horizontal sandstone exposures, but they can occasionally be found on vertical surfaces.

A broad temporal framework for the age of grinding groove sites can be inferred on the basis of the age of ground-edge hatchet heads found within archaeological deposits. Across Australia, there is significant variation in the timing of the introduction of ground-edge hatchet technology, and in the south-east, the earliest hatchet heads date to the fourth millennium BP (Dibden 1996: 35; Attenbrow 2004: 241), and no earlier than 3,500 years ago (Hiscock 2008: 155). Grinding groove sites in the local area can be no

older than 3,500 years. Given that hatchets were used at the time of European occupation, the use of some grinding groove sites may have spanned this temporal range.

Grinding hatchet heads on stone creates indelible marks on the rock surface and land. Grinding groove sites may have become significant and meaningful locales over time given their reference to an important item of material culture and their strong material presence in the landscape. Sites containing high groove counts are now visually significant marked locales. While the original motivation which led people to choose to grind hatchet heads at a specific place is now not well understood, it is possible over time and as a place became increasingly embellished with grooves, that the meaning and significance of that locale was changed correspondingly. Grinding groove sites may have provided a physical and conceptual reference to the ancestral past and activities of previous generations (Dibden 2011). Because of the enduring materiality of grinding grooves, they may have been meaningfully constituted expressions of place and mnemonic of past events and personal and group history (*cf.* Peterson 1972: 16).

This site type is unlikely to be found during the study.

### *Burials*

Burial sites have been recorded within the wider region. The potential exists for burials to be present in coastal Holocene sand bodies and headland with midden. This site type is rarely located during field survey.

### *Rock Shelter Sites*

Rock shelters consist of any form of rock overhang which contains artefacts and/or art. Common archaeological features of rock shelter sites are: surface artefacts, occupation deposit such as stone artefacts, shell, bone and charcoal, rock drawings, paintings and stencils, engraved imagery, potential archaeological deposit and grinding grooves. Given the absence of large vertical stone exposures this site type will not be present in the study area.

### *Scarred and Carved Trees*

Scarred and carved trees result from the removal of bark from trees by Aboriginal people for either domestic or ceremonial purposes. These site types can occur anywhere that trees of sufficient age are present, however, in an Aboriginal land use context would most likely have been situated on flat or low gradient landform units in areas suitable for either habitation and/or ceremonial purposes.

Bark removal by European people through the entire historic period and by natural processes such as fire blistering and branch fall, make the identification of scarring from a causal point of view very difficult. Accordingly, given the propensity for trees to bear scarring from natural causes their positive identification is impossible unless culturally specific variables such as stone hatchet cut marks or incised designs are evident and

rigorous criteria regarding tree species/age/size and its specific characteristics in regard to regrowth is adopted.

Nevertheless, the likelihood of trees bearing cultural scarring remaining in the study area is low given events such as land clearance and bushfires. Generally scarred trees will only survive if they have been carefully protected such as the trees associated with Yuranigh's grave at Molong where successive generations of European landholders have actively cared for them. Due to previous clearance, this site type will not be present in the study area.

#### *Stone Quarry and Procurement Sites*

Stone quarry and procurement sites are exposures of stone material which have been exploited by Aboriginal people as a source of raw material (Hiscock & Mitchell 1993). These sites will commonly have evidence of exploitation including extraction and preliminary flaking preparation. The presence of these site types is dependent on the surface exposure of suitable stone. Given the context, stone quarry and procurement sites are unlikely to be recorded during the current study.

#### *Middens*

Middens consist of deposits of shell and sometimes contain stone artefacts, bone and human burials. Middens are a commonly recorded site type in coastal areas.

Middens situated in the area will vary in their species composition which is generally a factor of environmental location. Rock platform species typically dominate sites situated on headland contexts, while estuarine species are dominant in sites found around estuaries. The subject areas are generally of high archaeological potential for middens.

#### *Ceremonial Places and Sacred Geography*

Burbung and ceremonial sites are places which were used for ritual and ceremonial purposes. Possibly the most significant ceremonial practices known were those which were concerned with initiation and other rites of passage such as those associated with death. Sites associated with these ceremonies are burbung grounds and burial sites. Additionally, secret rituals were undertaken by individuals such as clever men. These rituals were commonly undertaken in 'natural' locations such as water holes.

In addition to site specific types and locales, Aboriginal people invested the landscape with meaning and significance; this is commonly referred to as a sacred geography. Natural features are those physical places which are intimately associated with spirits or the dwelling/activity places of certain mythical beings (*cf.* Knight 2001; Boot 2002). Boot (2002) refers to the sacred and secular meaning of landscape to Aboriginal people which has '... legitimated their occupation as the guardians of the places created by their spiritual ancestors'.

Knight's (2001) Masters research conducted in the Weddin Mountains examined the cultural construction and social practice of inhabiting a sacred landscape. This approach is a departure from a consideration of the land and its resources as being a determinant of behaviour, to one in which land is regarded as a *text*; – within this conception, land and its individual features, are redolent with meanings and significances which are religiously and ritually centred, rather than economically based.

Knight's (*cf.* 2001:1) work was possible in great measure by the historical record which explicitly defines Weddin as a site of ritual significance. However, the research was additionally driven by a theoretical approach to 'cultural landscapes'. Landscape is redefined away from considerations of its material features which provide a backdrop to human activity, towards a view that a landscape *is rather*, a conceptual entity. According to this view the natural world does not exist outside of its conceptual or cognitive apprehension. The landscape becomes known within a naming process or narrative; thus the landscape is brought into being and understanding – within this process: - '... explanatory parables...' such as legends and mythology are the embodiment of the landscape narrative (Knight 2001: 6).

These narratives are relative to a particular culture, and it is this which makes an archaeological investigation of the cultural landscape such a thorny one. At distance in time and cultural geography, and especially in the absence of specific ethnographic information, how can the archaeologist attempt to investigate and know these narratives? Knight (2001: 11) employed the concept of the landscape as *mentifact*, whereby archaeological interpretation is concerned with the reconstruction of the landscape as a reflection of prehistoric cosmologies. He argued that this can be reconstructed by exploring the systematic relationships between sites and their topographic setting. This is defined as an *inherent* approach as it is concerned with the role of landscape in both everyday and sacred life. This view is concerned with an integration of the sacred and profane rather than their existence as separate categories of social life: - where "Cult activity may have existed as an inextricably 'embedded' component of daily life, where significant locations and ritual aspects of material culture were thoroughly incorporated into secular ranges and uses" (Knight 2001:13). In this regard Knight (2001: 14) correctly points out that no dichotomy between the material and ideational world existed within Aboriginal life.

Knight (2001: 15) argued that the notion of sacred space is of central concern within an inherent perspective on interpreting cultural landscape. Within human cosmologies locales within the landscape are constructed as being sacred space; this process of the construction of sacred space has been termed *hierophany* by Eliade (1961 in Knight 2001: 15). However, while Knight (2001: 15) suggests that physical entities such as stones, trees, or topographic features such as mountains, caves and rocky outcrops may be subject to such processes of transformation or construction, in reality in Aboriginal society any natural feature of less obvious significance can and should be included within this listing. Aboriginal constructions of heirophany can include the most insignificant

landscape features and objects of less fixed temporal existence such as animals and plants. While the outside observer readily ‘sees’ and apprehends mountains and rocky features, more subtle elements of the natural world are easily passed ‘unseen’. This point is one which suggests that the personal cultural geography of the archaeologist can severely impact upon the interpretation of the sacred landscape (*cf.* also, Boot 2002: 288). Knight (2001) does acknowledge this to some extent illustrating the issue by referring to the example of “Jump Up Rock” situated north of Weddin. This place is only understood to have been an important landscape feature by recourse to prior knowledge regarding the meaning of the site name; the hill itself is insignificant and therefore not readily apprehended through an outsiders gaze as being of special significance.

Knight (2001: 16) refers to the issue of peculiarities of form (e.g. shape, colour, size or texture) and natural distinctiveness (e.g. isolated mountains or rocky features within a plains context) as being an important distinguishing feature of sacred locales. Knight (2001: 16) argues that the construction of sacred space in such a manner is particularly relevant to people for whom the natural domain is the dwelling place of/or the manifestation of their deities. Knight (2001: 16) again draws from Eliade (1964) to suggest that it is at the sacred place that the three fundamental cosmological worlds, the everyday, the upper and underworld may converge; typically, the upper world will be associated as a point of ‘access’ with tall things such as trees while the underworld will be associated with pools and caves. Eliade contends that places where all three worlds can possibly connect, the *axis mundi*, are of a heightened order of sacredness. Hierophanies are therefore natural features which are ascribed sacredness. Additionally, Knight (2001: 17) refers to their ability to provide a landscape based opportunity for people to commune with other worldly deities and associated power because they may constitute spatial access between worlds via ritual.

Guided by these theoretical considerations Knight (2001: 20) engaged with Bradley’s (cited in Knight 2001) model of the ‘archaeology of natural places’ in order to provide guidance for investigating the cultural landscape of the Weddin Mountains and its environs. Bradley (2000) has argued that natural places can be explored archaeologically in order to determine the nature of their role in human cosmologies by attending to four archaeological categories: - Votive offerings, rock art, production sites and monuments. This model was developed within a European context, with its attendant biases of concepts and archaeological categories; clearly not all concepts, some of which are clearly Eurocentric, will be applicable in Australia. Nor will all these data sets be found within the Australian context.

Knight (2001) considers the types of natural places which might be ascribed sacred significance. These include mountains, woodlands and groves, springs, pools and lagoons, rock outcrops and caves and sinkholes. He argues that Aboriginal cosmology is expressed via the natural landscape and sacred places were those which were directly related to the Dreaming. He says that these sacred sites typically are those which are remarkable or important physiographically such as caves, rocks and so on.

Many places on the South Coast are known in respect of their sacredness. Those such as Wallaga Lake, which are known to possess burials are particularly redolent with meaning and significance to contemporary Aboriginal people.

#### *Contact Sites*

These sites are those which contain evidence of Aboriginal occupation during the period of early European occupation in a local area. Evidence of this period of ‘contact’ could potentially be Aboriginal flaked glass, burials with historic grave goods or markers, and debris from ‘fringe camps’ where Aborigines who were employed by, or traded with the white community may have lived or camped. The most likely location for contact period occupation sites would be camp sites adjacent to permanent water, and located in relative proximity to centres of European occupation such as towns and homesteads. The potential for such sites to be present in the proposal area is possible, although probably low.

#### 2.3.3 Field Inspection – Results

In accordance with the OEH *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW*, the purpose of a field survey is to record the material traces and evidence of Aboriginal land use that are:

- Visible at or on the ground surface, or
- Exposed in section or visible as features (e.g. rock shelters with rock-art),

and to identify those areas where it can be inferred that, although not visible, material traces have a high likelihood of being present under the ground surface (DECCW 2010a: 12).

The field survey strategy, and results, are set out in the table below.

Table 1 Survey results.

Site	Assessment	Results
Wallaga Lake Walking Track	The entire length of the proposed walking track was inspected (Plate 1). The area was determined to be relatively recent and mobile naturally deposited sand. Lower areas were inundated with lake water (Plate 2). Given the likely recent age of the landform, the archaeological visibility was nil.	The AHIMS #62-7-268 site is on the bedrock landform at the east end of the proposed walking track where extremely sparse and fragmented shell was observed during the field survey (Plate 3). The microtopographic landform is a drainage line at the interface with the lake foreshore. It is eroded, disturbed and of very low archaeological sensitivity. No Aboriginal objects were recorded on the sand landform in the proposed walking track



Site	Assessment	Results
		<p>alignment. Shell and pumice was observed, but this was stormwash deposit.</p> <p>The impact area is geomorphologically labile, disturbed and assessed to be of negligible archaeological potential.</p> <p>Given the geomorphological context, the proposed walkway area is assessed to be of negligible archaeological sensitivity.</p>
Beauty Point existing boat ramp	<p>The entire area has been highly impacted by the creation and use of the existing boat ramp, parking area and road.</p> <p>Ground exposure was very low/negligible given that the area is covered with bitumen.</p>	<p>The AHIMS 62-7-249 site is present at the site of the proposed road realignment and boat ramp upgrade. The veracity of the recording is questioned given its location at or just above the high-water mark. That is, shell is likely to have been deposited by storm wash and natural processes.</p> <p>No Aboriginal objects were recorded. However, the area is covered with road pavement and exposure was low (Plate 4). It is emphasized that the abundant cockle shell at the water's edge is likely to be natural.</p> <p>The impact areas at the boat ramp are disturbed (highly eroded) and assessed to be of very low to negligible archaeological potential.</p> <p>However, because of the presence of the AHIMS site, an AHIP is required before further impacts occur.</p> <p>Given the geomorphological context and prior disturbance, the boat ramp area is assessed to be of negligible archaeological sensitivity.</p>
Beauty Point boat ramp access road	<p>The area was subject to inspection. Good archaeological visibility is present in the existing road cutting. The area in which the re-aligned road</p>	<p>The AHIMS 62-7-249 site would partially occur in the proposed road realignment which would occur immediately north of the existing boat ramp access road. The existing road is deeply</p>

Site	Assessment	Results
	would traverse possessed no ground exposure.	excavated through the slope (No midden is visible in the excavated section). The northern area where the road would be widened is in an overgrown gully which appears to have been excavated previously; it is possibly an old roadway. No Aboriginal objects were recorded in the proposed re-alignment. However, exposure was negligible. The impact area is disturbed and assessed to be of very low to negligible archaeological potential. Given the environmental context (a gully) and prior disturbance, the new road area is assessed to be of negligible archaeological sensitivity.
Beauty Point Car Park	The entire area was comprehensively inspected. Ground exposure was low with high archaeological visibility.	One AHIMS site is present: (62-7-135). This old recording has an incorrect grid reference and plots to the west in Wallaga Lake. Very sparse, highly fragmented shell is present across the entire area (Plate 5). There is no potential for subsurface deposit to exist anywhere in the car park area. The entire area has been highly impacted by previous clearance and land use. An existing toilet block and other structures (now removed) are present. Water pipelines traverse the area (Plate 6). A large area of the AHIMS 62-7-135 site is present to the northwest of the proposed carpark works and would be effectively conserved because of the work (Plate 7). Given the high levels of prior disturbance and its eroded context, the carpark is assessed to be of very low archaeological sensitivity.
Tathra Lions	The entire area has been	One AHIMS site is present: (62-6-

Site	Assessment	Results
Recreation Park	highly impacted by previous clearance, road construction (Plate 8) and a long history of European land use. Existing amenities occur across the site including the road terminus and carpark, and the landscaped Lions Park with pathways, memorial gardens, viewing platforms, seating and so on (Plates 10 and 11).	<p>0095). This old recording of a midden has an incorrect grid reference and it plots to the north of the headland and in the sea near the Tathra Wharf. Two exposures with shell are present on the edge headland north of the park and above the old road. These are outside the proposed impact area (<i>cf.</i> Dibden 2010).</p> <p>Sparse highly fragmented shell which would be a part of the site is present in the Lions Park near the north-eastern viewing platform and below the memorial path (767026e 5931334n). The shell fragments cover an area of c. 3 x 3m and are a lag deposit on a highly eroded ground surface. There is no potential for subsurface midden to be present. There is limited potential for subsurface deposit to exist across the whole area due to previous impacts and associated erosion, especially prior to the introduction of kikuyu which provided a permanent ground cover. However, a dark grey silty deposit (likely to be shallow) is present in exposures along the south edge of the park.</p> <p>One stone artefact was recorded at the south edge of the Lions park (Plate 9) found at the base of a bollard between the road and park at 766987e 5931279n: Translucent quartz flake 18 x 13 x 6 mm.</p> <p>A possible milky quartz flake was found at 767012e 5931269n (Plate 12).</p> <p>Due to previous disturbance, the Lions park area is assessed to be of generally low archaeological sensitivity.</p>
Tathra Headland proposed walkway	The entire area has been highly impacted by previous clearance and landuse. The walkway	Sparse highly fragmented shell is present in one highly disturbed area adjacent to the old road and is a part of 62-6-0095. The shell is

Site	Assessment	Results
	would follow the old two lane road that has been excavated into the bedrock and subsequently washed out (Plates 13 & 14). Rhyolite aggregate occurs along the length of the old road and appears to superficially resemble stone artefacts.	in what appears to be a graded mound of soil in the Teatree shrubs. Highly fragmented and extremely sparse shell has spilt onto the old road in a secondary context and over an area measuring c. 3 x 3m. This shell was called SU1/L3 by nghenvironmental (2017) following the numbering system used by Dibden (2010). There is no potential for subsurface deposit to exist along the old road due to previous road construction and subsequent erosion. Due to previous disturbance, the old road area is assessed to be of negligible archaeological sensitivity.
Merimbula Lake Boardwalk/Walkway	The boardwalk/walkway and adjacent hillslopes were inspected. The boardwalk is within the lake water and is assessed to be of negligible archaeological potential (Plate 16). Generally, the bedrock landforms drop steeply to the water in a short cliff (Plate 17). The cliff edge itself is of negligible archaeological potential, but occasionally, pieces of shell and isolated artefacts were present which had clearly eroded from the top of the cliff above. At the shoreline, washed up shell fragments are likely to be natural shell. All elevated land north of the top of the cliff has archaeological potential.	Six AHIMS sites are present each of which are discussed individually below. Four new sites were recorded during the assessment. The survey results are discussed as one moves from east to west. <i>Merimbula 1</i> At the eastern end a new site was found adjacent to the carpark beside the bridge (Plate 15). The site is located at the top and bottom of a short (c. 6m high), steep bank to the north west of the carpark (grid ref 759174e 5912917). Two artefacts and a piece of old shell were found at the top of an informal walkway: rhyolite flake 28 x 41 x 10mm; fine grained volcanic flake fragment 28 x 15 x 4mm. At the bottom of the cliff, very sparse and highly fragmented shell (out of context) is visible in dirt at the edge of the footpath. The shell is likely to have eroded from the top of the cliff. The carpark area is covered in bitumen. It appears to be comprised largely of imported fill and is therefore assessed to be of

Site	Assessment	Results
		<p>very low or negligible archaeological potential.</p> <p>AHIMS 62-6-0097 was relocated during the fieldwork. However, the reported stratified midden material was not found and was possibly obscured by leaf litter and vegetation. However, it is also possible to have been eroded by lake water impacts and destroyed. The area is a low, flattish landform (60 x 15m rising to a steep 3m high bank) and occasional shells (nerite and mud oyster valves) were found on the surface (Plate 18). The site card indicates that the site extends further upslope as occasional shells and pieces of quartz.</p> <p>AHIMS 62-6-0098 was relocated during the fieldwork. The two midden mounds at the base of the cliff in the original recording were relocated but found to be highly eroded, thin and discontinuous lens (Plates 19 &amp; 20). Plates 19 and 20 show the shell lens at 758963e 5912769n and c. 8m north west of the board walk. The lake edge is <math>\pm</math> 70cm above the sand. The lens is a black silty loam with a thick cockle and mud oyster lens 10-15cm thick. The lens is visible at the lake edge of a very small flat measuring 10 x 5 m which slopes down to the lake. This shell possibly corresponds to the second mound described on the site card. However, the dimensions are considerably smaller suggesting huge levels of erosion.</p> <p>An occurrence of shell at 758885e 5912752n is eroding from the cliff above and is comprised of oyster, cockle and whelk in a dark loam. The cliff is thickly vegetated and re-colonising an old fence line.</p> <p>At an informal stairway cut into the cliff face, three stone artefacts</p>

Site	Assessment	Results
		<p>were recorded (758865e 5912770n).</p> <p>At 758851e 5912782n, a small flat eroding landform measuring 15 x 5m possibly corresponds to the location of mound one described on the site card. A lens of cockle is present measuring 1m long x 30cm deep. However, there is no evidence of a mounded midden.</p> <p>Disturbed and eroded artefacts and shell deposit were found across the top of the cliff as per the original recording. The shell occurs as sparse isolated fragments or small areas of dark grey deposit with shell at the edge of the cliff.</p> <p>AHIMS 62-6-0100 was not relocated during the fieldwork. The area is landscaped and no evidence of the low midden mounds was found (Plate 21).</p> <p>AHIMS 62-6-0099 was relocated. Shell is visible in continuous erosional features of a low bank to the north of the concrete pathway (in private property) from approximately 100m north east of the headland proper (Plate 22). At the headland/point itself a deep midden is visible in a cutting behind a boat shed. The cutting is 1.2m deep and thin shell is visible to the bottom in a dark grey soil (Plate 23). Shell includes nerite, mud oyster, cockle, whelk and mussel. The shell does not appear to be stratified. Shell continues to be visible on the western side of the point wherever exposures exist. The area of the midden near the walkway is relatively disturbed by the building, vehicle traffic and tree planting.</p> <p>AHIMS 62-6-0135 was relocated on a headland/point in exposures at the concrete path, retaining wall, track and sewer line where crushed shell is visible. The area is</p>

Site	Assessment	Results
		<p>highly disturbed (Plate 24). A deep road cutting runs east/west immediately to the north of the walkway and a deep (1-2m) shell deposit is visible (Plate 25). The shell appears to diminish in thickness away from the point. The midden continues to be visible at the top of the bank adjacent to the path on the west side of the point. The landform appears to have been excavated at the shoreward edge. Crushed shell is present on the granitic footpath although there is no subsurface potential.</p> <p>The walkway continues northwest and wherever the granitic pathway is present, sparse shell fragments occur. While it cannot be concluded with certainty, it is prudent to consider these as midden fragments:</p> <p><i>Merimbula 2</i> is a sparse occurrence of crushed shell on the footpath at 757898e 5912841n over 15m. It appears to be introduced material with shell included in it (Plate 26). AHIMS 62-6-139 is a sparse occurrence of crushed shell on the footpath at 757834e 5912849n over 10m (Plate 27).</p> <p><i>Merimbula 3</i> is a sparse occurrence of crushed shell on the footpath at over 200m (middle of site: 577706e 5913173) at the west end of the walkway. Shell fragments are in the bank to the east of the path (Plate 28).</p> <p><i>Merimbula 4</i> is a single artefact on a moderate gradient grassed slope (577761e 5913267). The artefact is a banded rhyolite backed artefact (Bondi Point) (Plate 28).</p>
Merimbula Short Point	The landform is a simple slope with a gentle/moderate gradient. The entire area has been highly impacted by previous clearance, road	<p>Two AHIMS sites are present: AHIMS 62-6-0039. This old recording of a midden has an incorrect grid reference which has been amended for this project: 761497e 5913956n. The midden is</p>



Site	Assessment	Results
	<p>construction and a long history of European land use. Existing amenities occur across the site including the road terminus and carpark, toilets, sculpture installation, wooden deck and the recently constructed walkway and planting (Plates 30, 31 &amp; 32).</p>	<p>visible at the east end of the point at an area used to access the adjacent rock platform (Plate 33). Relatively sparse, highly fragmented shell and stone artefacts are present on the rock platform as a lag (over an area of c. 20 x 8m) which has eroded out of the dark grey silty deposit. A shallow (c. 4cm) midden deposit is visible at the edge of the grassed area. There is some limited potential for subsurface deposit to exist across the whole area however, given previous impacts and associated erosion, especially prior to the introduction of kikuyu which provided a permanent ground cover, it is likely to be highly disturbed and eroded. In areas of bare ground, bedrock is exposed.</p> <p>AHIMS 62-6-0040. This old recording of a midden has an incorrect grid reference which has been amended for this project: 761176e 5913982n (see Plate 30 &amp; 31). The site is described to be somewhere near to where the current carpark is. However, there is no evidence remaining. The wider area is grossly disturbed by carparking construction which has cut and levelled the area.</p> <p>One new site has been recorded. This is a collection of stone artefacts which were retrieved by BLALC from the area between the carpark and point when the new walkway was constructed in 2016. The artefacts had been moved from c. 761338e 5913903n (Plate 32) to an area under a tree at 761368e 5913879n (Plate 34).</p> <p>Due to high previous disturbance and erosion, the entire Short Point area is assessed to be of only low/moderate archaeological sensitivity.</p>

Site	Assessment	Results
Merimbula Bar Beach	The area includes a moderate gradient, west facing simple slope/headland and a small sand deposit (Plate 39) at the sea edge. An adjoining flat carpark and recreational area is comprised of fill (Plates 37 & 38). The entire area has been highly impacted by previous clearance, road and carpark construction (Plates 35 & 36) and recreational facilities including a building and toilets, gardens and so on. The vegetated slopes on the east side of the road contain two walking tracks. Ground exposure in the Bar Beach area was generally very low.	One AHIMS site is present: AHIMS 62-6-0496/62-6-540. This is a duplicate recording of a grass covered midden. The midden shell is visible at various areas around the periphery of the small sand landform (Plate 33). In addition, sparse and fragmented shell which is likely to have been a component of the same, but larger midden, was found along the bottom of the slope on the east side of the southern section of road. <i>Bar Beach 2</i> is a new midden recording at the northern end of the bar beach area at c. 760549e 5912812n (Plate 36). Due to high previous disturbance and erosion, the entire Bar Beach area is assessed to be of only low/moderate archaeological sensitivity.
Imlay St kerb and pathway upgrade	The entire area of proposed impacts on the southern section of Imlay Street was inspected. It corresponds to existing pathways, road verges and road with very limited surface visibility (Plate 40). Introduced gravels, including road base, were noted in any areas of exposed sandy topsoil.	No AHIMS sites are present. No Aboriginal objects were recorded. The impact area is disturbed and assessed to be of generally low archaeological potential. There is some very limited potential for burials although these would be unlikely to be intact.
Albert Terrace pathway and viewing platforms	The entire length of the proposed pathway and viewing platforms was inspected. The existing ground surface is predominantly an artificial landform created as the result of the cut and fill for the construction of Albert Terrace. Other prior impacts along this section	No AHIMS sites are present. No Aboriginal objects were recorded. The impact area is highly disturbed and assessed to be of very low to negligible archaeological potential.

Site	Assessment	Results
	include culverts and underground services. Introduced gravels dominated all areas of surface exposure (Plates 41 & 42).	
Albert Terrace-Museum Street pathway and viewing platform	The entire Lions Park, on the corner of Museum Street and Albert Terrace, was inspected. This was the only portion of the Albert Terrace upgrade area that afforded any archaeological visibility. A shallow sandy topsoil was observed with bedrock and gravelly subsoils exposed in some isolated areas of bare earth. Prior impacts at Lions Park include topsoil removal (earthworks and erosion), embankment fill, underground services and installation of picnic table and power poles (Plate 43).	No AHIMS sites are present. No Aboriginal objects were recorded. The impact area is disturbed and assessed to be of generally low archaeological potential.
Imlay Street-Albert Terrace intersection upgrade	All areas of proposed impacts around the Albert Terrace-Imlay Street-Museum Street intersections were inspected. The existing land surface through this area is generally highly modified with archaeological visibility largely restricted by sealed surfaces (roads and paths) or existing cuttings and introduced fill (Plates 44 & 45). A few areas of more intact land surface with ground exposure were observed around the corner of Imlay Street and Cocora Street. Archaeological visibility in this area was reasonable to good; no	No AHIMS sites are present. No Aboriginal objects were recorded. The impact area is disturbed and assessed to be of generally low to very low archaeological potential.

Site	Assessment	Results
	artefacts were visible.	
Imlay Street bus stop and pathway	The impact area is an existing footpath, road verge and road. This area has been cut down into the spur crest and as such is very highly disturbed (Plates 46). The only areas of ground exposure were to the west, outside the proposed impact area. No artefacts were visible in these areas of exposure.	No AHIMS sites are present. No Aboriginal objects were recorded. The impact area is highly disturbed and assessed to be of very low to negligible archaeological potential.



Plate 1 Wallaga Lake proposed walkway. Looking east.



Plate 2 Wallaga Lake proposed walkway. A section of the eastern area in which the walkway is proposed. Looking southwest.





Plate 3 Wallaga Lake. East of the eastern end of the walkway where shell fragments (AHIMS 62-7-268) observed on the sloping landform. Area is outside proposed impact area. Looking 30°.



Plate 4 Beauty Point Boat Ramp and location of AHIMS 62-7-249. Looking 140°. The existing boat ramp is the area between the bollards and rock wall.





**Plate 5** Beauty Point carpark. An example of exposure and shell fragments in AHIMS #62-7-135. Note, shell and gravels are a lag deposit on an eroded clayey hard packed ground surface.



**Plate 6** Beauty Point proposed carpark area. Looking north.





Plate 7 Beauty Point - The northwest area of AHIMS #62-7-135 taken from the edge of the proposed carpark works and showing area which will be excluded from impacts.



Plate 8 Tathra Headland road terminus and carpark/turning circle; looking 60°. Note the original two-lane wharf road originally continued eastward from the current road terminus (ie beyond the area where the car on the right is parked).



Plate 9 Tathra Headland - The edge of the Lions Park looking 220° along the interface between the road and park where a quartz artefact was found (at man with pole). Note. It is proposed to replace the existing bollards with a sturdier type.



Plate 10 Tathra Headland Lions Park looking 300° from the road along the western section of the existing memorial walk. Note the gravel garden on the west side of the path with memorial plaques.





Plate 11 Tathra Headland Lions Park looking 60° along the northern section of the existing memorial walk. Note the gradient and erosional context. The exposed ground is highly compacted and eroded with nil topsoil and hence no subsurface archaeological potential



Plate 12 Tathra Headland - The edge of the Lions Park looking 130° to the entrance to the current informal walkway on the old road where a possible quartz artefact was found (at man with pole).



Plate 13 Tathra Headland - The old two lane Tathra Wharf road; looking north.



Plate 14 Tathra Headland - The old, eroded two-lane Tathra Wharf road; looking west.





Plate 15 Merimbula Lake Walkway - Merimbula Lake boardwalk carpark, east end. Looking 200°.



Plate 16 Merimbula Lake Walkway - The Merimbula boardwalk at the east end. Looking 255°.





**Plate 17 Merimbula Lake Walkway - Merimbula boardwalk - east end; looking 250°.**  
Note steep cliff and erosion to bedrock at lake edge.



**Plate 18 Merimbula Lake Walkway - The location of AHIMS site 62-6-0097; looking 190°.**





Plate 19 Merimbula Lake Walkway - Area of shell at the shoreline in AHIMS 62-6-98; looking west.



Plate 20 Merimbula Lake Walkway - Lens of shell at the shoreline in AHIMS 62-6-98.





**Plate 21 Merimbula Lake Walkway - Looking towards AHIMS site 62-6-100. Note landscaped and developed area.**



**Plate 22 Merimbula Lake Walkway - Looking 200° towards the point where the main midden deposit of AHIMS 62-6-138 is visible behind the boat shed (green building in distance).**



**Plate 23 Merimbula Lake Walkway - The main midden deposit of AHIMS 62-6-138 visible in the cutting behind the boat shed.**



**Plate 24 Merimbula Lake Walkway - AHIMS site 62-6-135; looking 290°.**





Plate 25 Merimbula Lake Walkway - A section of AHIMS site 62-6-135 in a deep road cutting behind the walkway; looking 290°.



Plate 26 Merimbula Lake Walkway - *Merimbula 2*; looking 80°.



Plate 27 Merimbula Lake Walkway - AHIMS 62-6-139; looking 135°.



Plate 28 Merimbula Lake Walkway - *Merimbula 3*; looking 180°.





Plate 29 Merimbula Lake Walkway - *Merimbula 4*; looking 90°; artefact at figure at top right.



Plate 30 Short Point - Carpark looking east.



Plate 31 Short Point - Area north of carpark looking east.



Plate 32 Short Point - New Walkway and area in which stone artefacts were previously retrieved, looking 270°.





Plate 33 Short Point - The midden at the east end of the point, looking 90°.



Plate 34 Short Point - Clump of tree where artefacts re-located: looking 40°.



**Plate 35 Merimbula Bar Beach** - The road into the area looking 210°. Note road cut and benched.



**Plate 36 Merimbula Bar Beach** - Upper carpark area at north end. Note cut and benching. *Bar Beach 2* - Sparse, highly fragmented shell present in area between bitumen and grass.





**Plate 37 Merimbula Bar Beach - Recreational area with kiosk and toilets above; looking north. Note the recreation area beyond the stairs is composed of fill.**



**Plate 38 Merimbula Bar Beach - Southern bit of road and carparking with recreational area at top left; looking 20°. Note the road appears to be composed of fill.**



Plate 39 Merimbula Bar Beach - Southern recreational area and location of AHIMS 62-6-496/540; looking south.



Plate 40 Eden - Area of proposed works on southern section of Imlay Street, looking south.





**Plate 41 Eden - Example of extensive disturbance along Albert Terrace, looking west.**



**Plate 42 Eden - General view of proposed pathway along eastern margin of Albert Terrace, looking south.**



Plate 43 Eden - View to west across Lions Park showing prior impacts.



Plate 44 Eden - Albert Terrace between Imlay Street and Museum Street intersections, looking west-northwest.





Plate 45 Eden - View to south across Imlay Street – Albert Terrace intersection.



Plate 46 Eden - Proposed location of bus stop on Imlay Street, looking west.

### 3. CONSULTATION PROCESS

A process of Aboriginal community consultation has been undertaken in accordance with the guidelines as set out in the OEH's *Aboriginal cultural heritage consultation requirements for proponents 2010* (NSW DECCW 2010b).

#### 3.1 Consultation

In order to identify, notify and register Aboriginal people who may hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places in the area of the proposed project, the following procedure was implemented (Appendix 2).

Correspondence dated 28 May 2017 was sent to:

- NSW OEH Queanbeyan office
- Merrimans Local Aboriginal Land Council
- Bega Local Aboriginal Land Council
- Eden Local Aboriginal Land Council
- the Registrar, Aboriginal Land Rights Act 1983
- the National Native Title Tribunal, requesting a list of registered native title claimants, native title holders and registered Indigenous Land Use Agreements
- Native Title Services Corporation Limited (NTSCORP Limited)
- Bega Valley Shire Council

In addition, an advertisement was placed in the local newspaper (Bega District News) on 6 June 2017, Eden Magnet on 8 June 2017 and Narooma News on 7 June 2017.

The National Native Title Tribunal responded indicating that there were numerous agreements for the search area. A perusal of these indicated that none referred to the subject areas.

Additionally, correspondence was received from the Office of Environment and Heritage - South East dated 29 May 2017 furnishing a list of Aboriginal parties who may have an interest in the area. Correspondence dated 1 June 2017 was sent to these additional parties.

There are three Registered Aboriginal Parties (RAPs) in the formal process of consultation (details have been furnished to OEH in separate correspondence).

In accordance with Section 4.2 and 4.3 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (NSW DECCW 2010b) guidelines, information regarding the project, proposed consultation process and assessment methodology was furnished to the RAP's on 24 June 2017 and 21 July 2017 for comment and were requested to provide feedback within 28 days. No comments or information has been received.

Eric Naylor, Merrimans Local Aboriginal Land Council assisted with fieldwork at Wallaga Lake. Ron Thomas, Bega Local Aboriginal Land Council assisted with the Merimbula fieldwork. BJ Cruse, Eden Local Aboriginal Land Council assisted with fieldwork at Eden.

A draft copy of this report was provided to the RAPs on 23 September 2017 for a 28 day review.

One emailed response was received from Richard Campbell (26/9/17):

Hi Julie I have read the ahip looks good on what is about to be due for the safety of our sites although we should be lookn for our oeople to be placed in this process for workn doin field work I am a traditional owner from wallaga an surrounding areas as tu kno so I would love for yu to let me know when field work is due so I can have my incles there doing the work I kno landcouncil are there n so is other groups I havent had any work there so its due for me to have my group on this process  
Let me know when the work is being ready to start  
Thnks

Richard Campbell

A response was emailed to Richard (2/10/17)

Hi Richard  
Thanks for that. The fieldwork for the report was done with Eric Naylor representing Merrimans LALC. There is no further fieldwork required at this time.  
regards Julie

#### 4. SUMMARY AND ANALYSIS OF BACKGROUND INFORMATION

In the previous section, the results of the background research and information have been outlined. The purpose of this section of the Aboriginal Cultural Heritage Assessment Report is to review, discuss and explain the results.

The artefactual evidence in sites is representative of Aboriginal exploitation of the local area. Where sites have been found, the areas are close to rich resource zones (the littoral) and have a generally favourable amenity, all of which is likely to have contributed to its having been used on a relatively frequent basis. The presence of middens and a stone artefact scatter in the subject areas is entirely congruent with site locational patterns for the south coast.

Archaeological test excavation has not been undertaken in respect of the proposal as it could not be justified (*cf.* NSW DECCW 2010a: 24). There are no areas of land in the activity area which can be characterised as having potential conservation value. The assessment of high disturbance in the activity areas is made with a high level of confidence based on experience and careful observation. Accordingly, test excavation is not required to be undertaken.

It is concluded there are no information gaps which are of a significant magnitude to warrant further consideration.



## 5. CULTURAL HERITAGE VALUES AND STATEMENT OF SIGNIFICANCE

The following significance assessment criteria is derived from the relevant aspects of ICOMOS Burra Charter (Australian ICOMOS 1999).

Aboriginal cultural heritage sites are assessed under the following categories of significance:

- Social or cultural value to contemporary Aboriginal people;
- Historical value;
- Scientific/archaeological value;
- Aesthetic value.

### *Aboriginal cultural significance*

The Aboriginal community will value a place in accordance with a variety of factors including contemporary associations and beliefs and historical relationships. Most heritage evidence is highly valued by Aboriginal people given its symbolic embodiment and physical relationship with their ancestral past. It will almost certainly be the case that the value Aboriginal people feel for Aboriginal objects will differ to archaeological considerations.

### *Archaeological value*

The assessment of archaeological value involves determining the potential of a place to provide information which is of value in scientific analysis and the resolution of potential archaeological research questions. Relevant research topics may be defined and addressed within the academy, the context of cultural heritage management or by Aboriginal communities. Increasingly, research issues are being constructed with reference to the broader landscape rather than focusing specifically on individual site locales. In order to assess scientific value sites are evaluated in terms of nature of the evidence, whether or not they contain undisturbed artefactual material, occur within a context which enables the testing of certain propositions, are very old or contain significant time depth, contain large artefactual assemblages or material diversity, have unusual characteristics, are of good preservation, or are a part of a larger site complex. Increasingly, a range of site types, including low density artefact distributions, are regarded to be just as important as high-density sites for providing research opportunities.

In order to assess the criteria of archaeological significance further, and also to consider the criteria of rarity, consideration can be given to the distribution of stone artefacts across the continent. There are two estimates of the quantity of accumulated stone artefacts in Australia (Wright 1983:118; Kamminga 1991:14; 2002). Wright estimated an average of 500,000 débitage items and 24,000 finished tools per square kilometre, which

equates to a total of about 180 billion finished stone tools and four trillion stone débitage items in Australia. Kamminga's estimates, which were determined from a different set of variables, provide a conservative estimate of 200 billion stone tools and 40 million tonnes of flaking débitage (see Kamminga 1991:14; 2002). These two estimates are similar, and suggest that the actual number of stone tools and items of flaking débitage in Australia is in the trillions. The stone artefacts distributed in the proposed activity area cannot, therefore, be considered to be rare.

The vast majority of stone artefacts found in Australia comprise flaking debris (termed débitage) from stone tool making. While it can be reasonably inferred from a range of ethnographic and archaeological evidence that discarded stone artefacts and flaking debris was not valued by the maker, in certain circumstances these objects may to varying degrees have archaeological research potential and/or Aboriginal social value. However, only in very exceptional circumstances is archaeological research potential high for particular sites (Kamminga, J. pers. comm. June 2009).

#### *Aesthetic value*

Aesthetic value relates to aspects of sensory perception. This value is culturally contingent.

#### 5.1 Statement of Significance

The significance of the Aboriginal object sites in the subject areas are defined below:

Table 2 Site significance.

Wallaga Lake Walking Track	AHIMS #62-7-268	Very low archaeological significance: highly disturbed
Beauty Point road and carpark	AHIMS #62-7-135	Very low archaeological significance: highly disturbed
Beauty Point boat ramp and realigned access road	AHIMS #62-7-249	Very low archaeological significance: highly disturbed
Tathra Headland	AHIMS #62-6-95	Very low archaeological significance: highly disturbed
Merimbula Lake Boardwalk/Track	Merimbula 1 AHIMS #62-6-783	Very low archaeological significance: highly disturbed
	AHIMS #62-6-97	Significance uncertain as the nature of the subsurface deposit is not known
	AHIMS #62-6-98	Low archaeological significance: highly eroded/disturbed

	AHIMS #62-6-100	Low archaeological significance: highly eroded/disturbed
	AHIMS #62-6-99	Moderate archaeological significance: large midden but highly disturbed
	AHIMS #62-6-135	Moderate archaeological significance: large midden but highly disturbed
	AHIMS #62-6-139	Low archaeological significance: highly eroded/disturbed
	Merimbula 2 AHIMS #62-6-784	Very low archaeological significance: highly eroded/disturbed
	Merimbula 3 AHIMS #62-6-785	Very low archaeological significance: highly eroded/disturbed
	Merimbula 4 AHIMS #62-6-782	Very low archaeological significance: highly eroded/disturbed
Merimbula - Bar Beach	AHIMS #62-6-496/540	Moderate archaeological significance
	Bar Beach 2 AHIMS #62-6-786	Low archaeological significance: highly eroded/disturbed
Merimbula – Short Point	AHIMS #62-6-39	Moderate archaeological significance; however, the site is highly disturbed and its values could be considerably lower
	AHIMS #62-6-40	Low archaeological significance; nil evidence remaining, highly eroded/disturbed

## 6. THE PROPOSED ACTIVITY

In this section, the nature and extent of the proposed activity and any potential harm to Aboriginal areas, objects and/or places is identified.

### 6.1 Proposed Impacts

The proposed impacts are described below.

Wallaga Lake Walking Track	AHIMS #62-7-268 Nil impacts	<p>The proposal is to form a walking track. Geofabric would be overlaid on the existing ground and gravels would be put on the fabric. There would be very little to no excavation or ground disturbance. Two footbridges would be installed via ramming of posts or digging small post holes.</p> <p>Given the AHIMS site is located on an existing footpath where no works are proposed, the site would not be impacted.</p> <p>Where impacts are proposed, no Aboriginal objects sites are known to be present and the landform is assessed to be of very low to negligible archaeological potential.</p>
Beauty Point carpark (Figure 9)	AHIMS #62-7-135	<p>The proposal is to formalise the carpark area for cars and boat trailers in the existing informal parking area. The broader area is cleared, mown with regenerating shrubs. Shell (AHIMS #62-7-135) is present over the entire area. However, the works would be confined to the immediate area adjacent to the road in the eastern section. Therefore, impacts to the site would be partial.</p> <p>The works would include minor clearing of regenerating shrubs, creation of road alignment with application of road aggregate. Parking of cars and boat trailers will be on the existing surface. Minor grading may be required. Barriers would be installed to close off vehicle access to the point in the northwest. This would effectively ensure the protection of the midden in that area.</p> <p>The proposal would cause partial impacts</p>

<p>Beauty Point Boat ramp and access road. (Figure 9)</p>	<p>AHIMS #62-7-249</p>	<p>to AHIMS #62-7-135.</p> <p>The proposal is build a new boat ramp at the site of the existing one. It would entail the application of gravels and geofabric and precast concrete. The edge would be reinforced with rock. The top end may need some minor excavation (at the lake edge) to achieve the required gradient.</p> <p>The existing one lane access road would be widened to create a two-lane road. The road would be widened to the north of the existing road. Excavation would be required.</p> <p>The proposal would cause partial impacts to AHIMS #62-7-249.</p>
<p>Tathra Headland (Figure 10)</p>	<p>AHIMS #62-6-95</p>	<p>The proposal includes two parts: one is the on-going minor recreational works to the Lions Park and the other is the creation of a walking track around the headland.</p> <p>The recreational work in the Lions Park would include the replacement of bollards along the edge of the road, the installation of picnic tables and bench seats, signage, continuation of gravel garden beds on either side of the existing path and other related minor infrastructure.</p> <p>The proposal would cause minor and partial impacts to AHIMS #62-6-95.</p> <p>The proposed walking track around the headland would follow the alignment of the old two-lane road. The work would include construction of elevated boardwalks, on-ground paths and a whale watching lookout. Some work would be required at the terminus of the existing road adjacent to the Lions Park for the purposes of diverting water from the walkway.</p>
<p>Merimbula Lake Boardwalk/Track (Figure 12)</p>	<p>Merimbula 1</p>	<p>The proposal would cause minor and partial impacts to AHIMS #62-6-95.</p> <p>Some rehabilitation works (unspecified) are proposed at the existing carpark near the bridge at the east end of the Merimbula Lake walkway.</p> <p>The works are likely to cause minor and</p>

		partial impacts to Merimbula 1 located at the edge of the carpark area.
	AHIMS #62-6-97	<p>The proposed works to the existing Merimbula Lake boardwalk/walkway are discrete and minor in nature. It is envisaged that pylons and boardwalk timbers may require replacement. Elsewhere, where the walkway is a gravelled path, tree roots will require removal and the path may require refurbishment.</p> <p>The works would not cause impacts to AHIMS #62-6-97 because the adjacent walkway is in the lake and away from the landform.</p>
	AHIMS #62-6-98	The works would not cause impacts to AHIMS #62-6-98 because the adjacent walkway is in the lake and away from the landform.
	AHIMS #62-6-100	No evidence of this site was found during fieldwork. The works may cause impacts to AHIMS #62-6-100.
	AHIMS #62-6-99	The works may cause minor and partial impacts to AHIMS #62-6-99 where it is located at the edge of the landform.
	AHIMS #62-6-135	The works may cause minor and partial impacts to AHIMS #62-6-135 where it is located at the edge of the landform.
	AHIMS #62-6-139	The works may cause minor and partial impacts to AHIMS #62-6-139.
	Merimbula 2	The works may cause minor and partial impacts to Merimbula 2.
	Merimbula 3	The works may cause minor and partial impacts to Merimbula 3.
	Merimbula 4	The works may cause impacts to Merimbula 4.
Merimbula - Bar Beach (Figure 13)	AHIMS #62-6-496/540	<p>The proposed works would include road widening, formalisation of road and carparks at south end, upgrading of facilities on midden mound and enhancement of walking tracks.</p> <p>The works will cause partial impacts to AHIMS #62-6-496/540.</p>

	Bar Beach 2	The proposed works would include road widening, formalisation of carpark at north end, installation of seating near northern carpark, construction of stairs to concrete path at Kiosk, general landscaping at kiosk and installation of bollards adjacent to road near kiosk.
		The works will cause partial impacts to Merimbula 5.
Merimbula – Short Point (Figures 11 and 13)	AHIMS #62-6-39	It is proposed to conduct conservation measures at the AHIMS #62-6-39 midden site to halt erosion.
		The works will cause partial impacts to AHIMS #62-6-39. The nature of the conservation works is not yet determined.
	AHIMS #62-6-40	The proposed works would include the formalisation of the existing carpark and installation of pathways and recreational facilities.
		The works will cause partial impacts to AHIMS #62-6-40.

### 6.3 Type of Harm

An impact assessment is set out below in Table 3.

Table 3 Impact assessment of the Aboriginal object locale in the proposal area.

Location	Aboriginal object site	Type of harm	Degree of harm	Consequence of harm
Wallaga Lake Walking Track	AHIMS #62-7-268	nil	<i>n/a</i>	<i>n/a</i>
Beauty Point carpark	AHIMS #62-7-135	Direct	Partial (site extends outside of the impact area)	Partial loss of value
Beauty Point Boat Ramp and realigned access road	AHIMS #62-7-249	Direct	Partial (site is likely to extend outside of the impact area)	Partial loss of value
Tathra Headland	AHIMS #62-6-95	Direct	Partial (site extends outside of the impact area)	Partial loss of value
Merimbula Lake Boardwalk	Merimbula 1 AHIMS #62-6-783	Direct	Partial (site extends outside of the	Partial loss of value



Location	Aboriginal object site	Type of harm	Degree of harm	Consequence of harm
			impact area)	
Merimbula Lake Boardwalk	AHIMS #62-6-97	nil	n/a	n/a
Merimbula Lake Boardwalk	AHIMS #62-6-98	nil	n/a	n/a
Merimbula Lake Boardwalk	AHIMS #62-6-100	Direct	Partial (site extend outside of the impact area)	Partial loss of value
Merimbula Lake Boardwalk	AHIMS #62-6-99	Direct	Partial (site extends outside of the impact area)	Partial loss of value
Merimbula Lake Boardwalk	AHIMS #62-6-135	Direct	Partial (site extends outside of the impact area)	Partial loss of value
Merimbula Lake Boardwalk	AHIMS #62-6-139	Direct	Partial (site extends outside of the impact area)	Partial loss of value
Merimbula Lake Boardwalk	AHIMS #62-6-138	nil	n/a	n/a
Merimbula Lake Boardwalk	Merimbula 2 AHIMS #62-6-784	Direct	Partial (site extends outside of the impact area)	Partial loss of value
Merimbula Lake Boardwalk	Merimbula 3 AHIMS #62-6-785	Direct	Partial (site extends outside of the impact area)	Partial loss of value
Merimbula Lake Boardwalk	Merimbula 4 AHIMS #62-6-782	Direct	Whole	Whole
Merimbula - Bar Beach	AHIMS #62-6-496/540	Direct	Partial (site extends outside of the impact area)	Partial loss of value
Merimbula - Bar Beach	Bar Beach 2 AHIMS #62-6-786	Direct	Partial (site extends outside of the impact area)	Partial loss of value
Merimbula – Short Point	AHIMS #62-6-39	Direct	Partial (site extends outside of the impact area)	Partial loss of value
Merimbula – Short Point	AHIMS #62-6-40	Direct	Partial (site extends	Partial loss of value

Location	Aboriginal object site	Type of harm	Degree of harm	Consequence of harm
			outside of the impact area)	

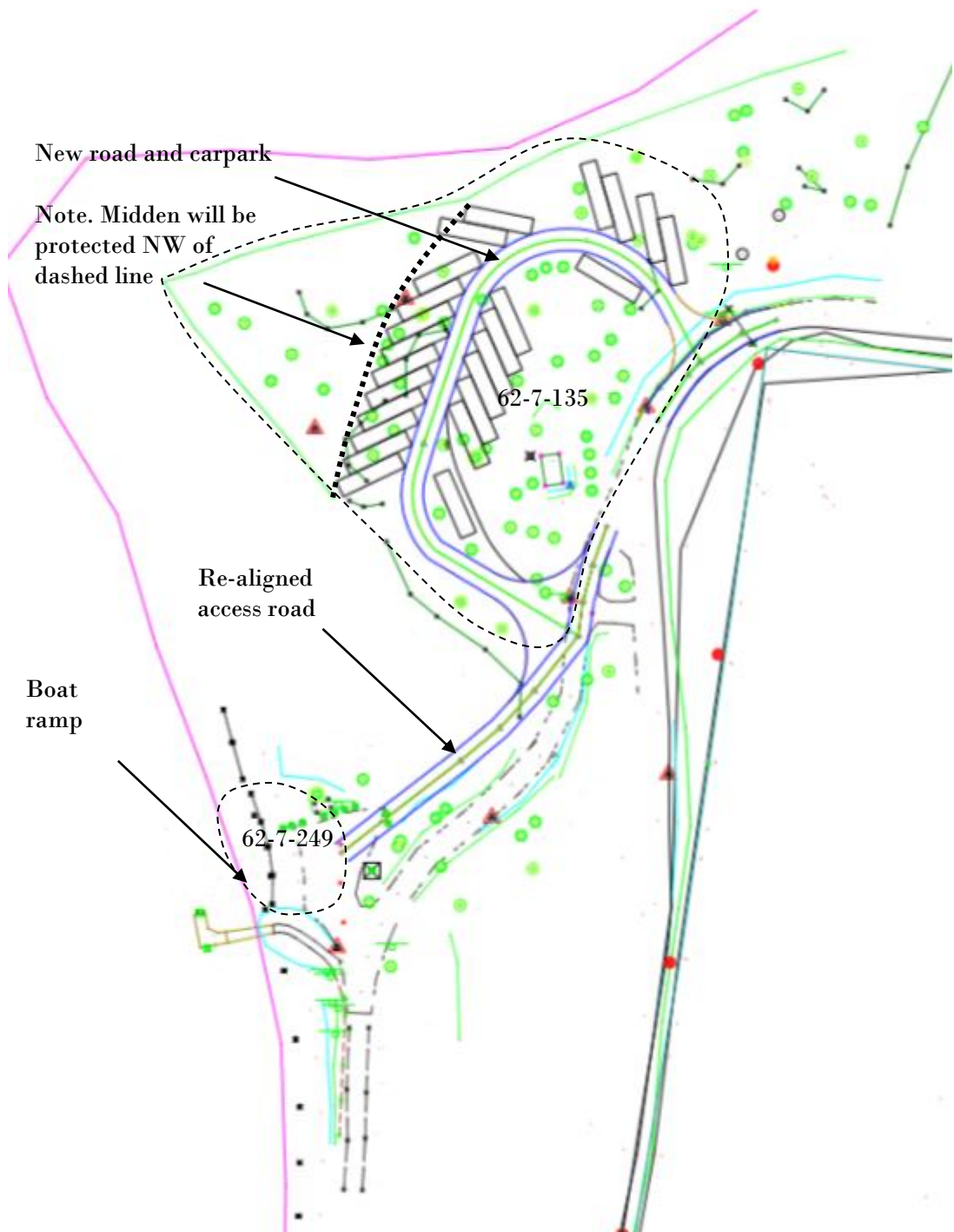


Figure 9 The proposed works at Beauty Point. Dashed lines indicate the AHIMS sites.



Figure 10 The proposed works at Tathra Headland. Dashed line delineates the extent of the AHIMS site.





Figure 11 The proposed works at Short Point carpark area. Note the exact location of the AHIMS site 62-9-40 in respect of the carpark is uncertain.



Figure 12 Location of AHIMS sites in the vicinity of the proposed impacts at the Merimbula Boardwalk/Walkway.



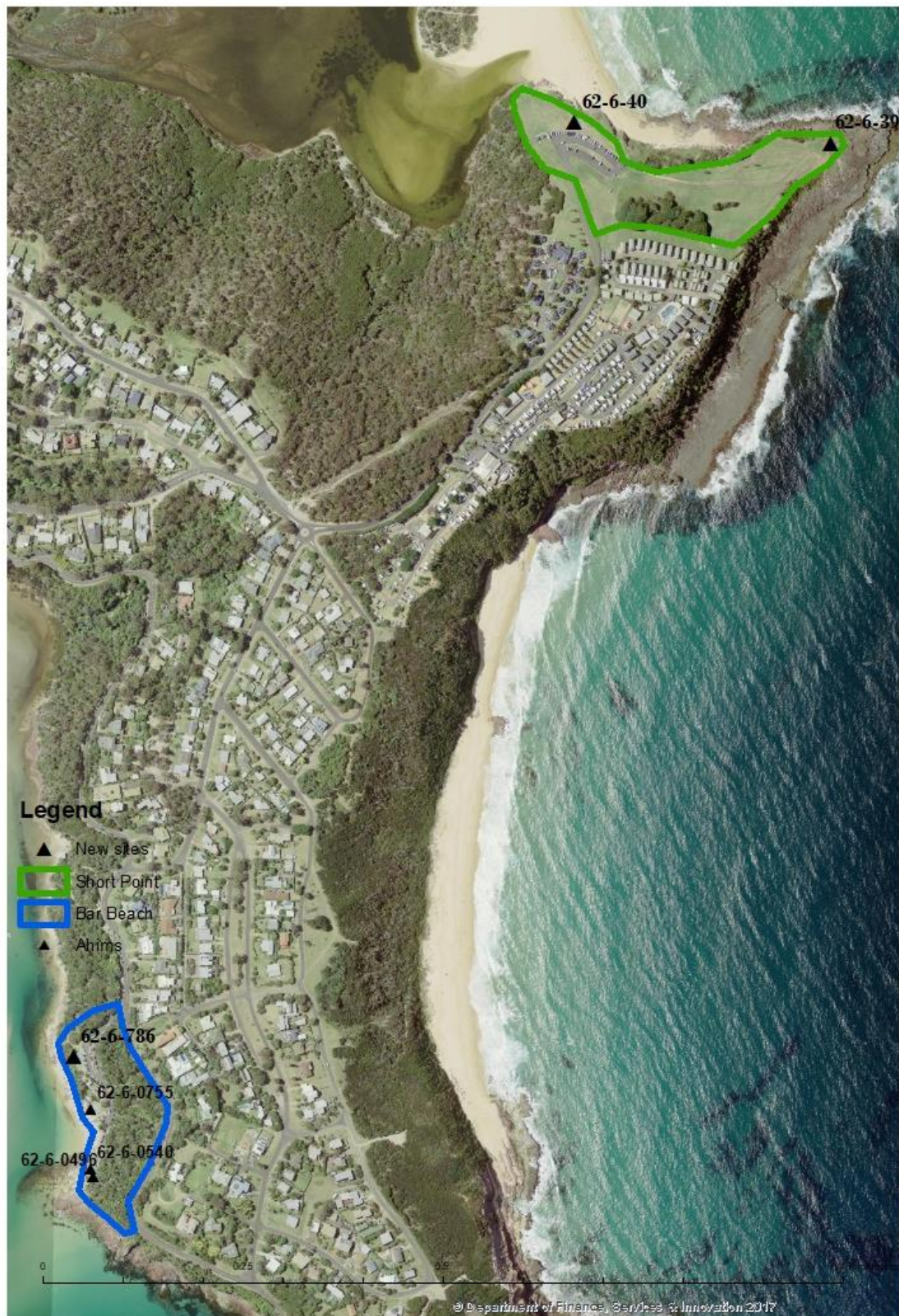


Figure 13 Location of AHIMS sites in the vicinity of the proposed impacts at the Bar Beach and Short Point, Merimbula.

## 7. AVOIDING AND/OR MINIMISING HARM

Ecologically Sustainable Development (ESD) is defined in the Protection of the Environment Administration Act 1991. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) the precautionary principle,
- (b) inter-generational equity,
- (c) conservation of biological diversity and ecological integrity,
- (d) improved valuation, pricing and incentive mechanisms.

The principles of ecologically sustainable development and the matter of cumulative harm have been considered for this project.

The areas in which impacts would occur are of insufficient value and significance to warrant a serious consideration of ESD and cumulative harm. The sites are generally highly disturbed because of extensive previous impacts. The cultural and archaeological significance of the sites has not been assessed to be of sufficient significance to warrant the implementation of avoidance or mitigation strategies.

A s90 AHIP is required to proceed with harm to the Aboriginal object sites. Management and mitigation strategies are given further consideration below.

### 7.1 Management and Mitigation Strategies

#### *Further Investigation*

The field survey has been focused on recording artefactual material present on visible ground surfaces. Further archaeological investigation would entail subsurface excavation undertaken as test pits for the purposes of identifying the presence of artefact bearing soil deposits and their nature, extent, integrity and significance. Further archaeological investigation in the form of subsurface test excavation can be appropriate in certain situations. These generally arise when a proposed development is expected to involve ground disturbance in areas which are assessed to have potential to contain artefactual material of high conservation value that cannot be avoided.

No areas of the proposal area have been identified which warrant further archaeological investigation in order to formulate appropriate management and mitigation strategies.

#### *Conservation*

Conservation is a suitable management option in any situation, however, it is not always feasible to achieve. Such a strategy is generally adopted in relation to sites which are assessed to be of high cultural and scientific significance, but can be adopted in relation to any site type.

In the case at hand, the development of a conservation strategy is not generally warranted given the high previous disturbance and predicted relatively low heritage values of the subsurface archaeological materials.

#### *Mitigated Impacts*

Mitigated impact usually takes the form of partial impacts only (i.e. conservation of part of an Aboriginal site or landform) and/or salvage in the form of further research and archaeological analysis prior to impacts. Such a management strategy is generally appropriate when Aboriginal objects are assessed to be of moderate or high significance to the scientific and/or Aboriginal community and when avoidance of impacts and hence full conservation is not feasible. Salvage can include the surface collection or subsurface excavation of Aboriginal objects and subsequent research and analysis.

In the case at hand, the development of a mitigated impact strategy for several sites is warranted and discussed further below.

#### *Unmitigated Impacts*

Unmitigated impact to Aboriginal objects can be given consideration when they are assessed to be of low archaeological and cultural significance and otherwise in situations where conservation or limiting the extent of impacts is simply not feasible.

A s90 AHIP is required in order to proceed with unmitigated impact to the Aboriginal object site.

#### *Monitoring*

Monitoring for the purposes of identifying cultural material that may be uncovered during earth disturbance can be implemented as a management strategy. However, monitoring is a reactive rather than proactive strategy, and as such, is not an ideal management tool in cultural heritage management. Monitoring for artefacts is not a widely accepted method of management because sites of significance can be destroyed as monitoring is taking place and because it can result in lengthy and costly delays to development works if significant cultural material is uncovered.

However, in the case at hand, the development of a monitoring strategy is considered appropriate for works in certain areas. At Eden where there is some limited potential for burials in the area of Imlay Street, it is recommended that monitoring be undertaken by the project manager or other such senior site foreman.

It is recommended that if significant archaeological deposit or burials are observed, works should cease while appropriate management is formulated. The NSW OEH would need to be consulted.

Mitigation and management strategies are set out for east site in the table below:

Table 4 Management and Mitigation.

Area	AHIMS ID	Management
Wallaga Lake Walking Track	AHIMS #62-7-268 Nil impacts	Avoid impacts to AHIMS #62-7-268. A no-go zone may need to be established during construction. AHIP not required unless impacts proposed.
Beauty Point carpark	AHIMS #62-7-135	Impact mitigation not required. AHIP required.
Beauty Point Boat ramp and access road	AHIMS #62-7-249	Impact mitigation not required. AHIP required.
Tathra Headland	AHIMS #62-6-95	Impact mitigation not required. AHIP required
Merimbula Lake Boardwalk/Track	Merimbula 1 AHIMS #62-6-783	Impact mitigation not required. AHIP required
	AHIMS #62-6-97	AHIP not required
	AHIMS #62-6-98	AHIP not required
	AHIMS #62-6-100	Impact mitigation not required. AHIP required
	AHIMS #62-6-99	Impact mitigation not required. AHIP required
	AHIMS #62-6-135	Impact mitigation not required. AHIP required
	AHIMS #62-6-139	Impact mitigation not required. AHIP required
	Merimbula 2 AHIMS #62-6-784	Impact mitigation not required. AHIP required
	Merimbula 3 AHIMS #62-6-785	Impact mitigation not required. AHIP required
	Merimbula 4 AHIMS #62-6-782	Impact mitigation not required. AHIP required
Merimbula - Bar Beach	AHIMS #62-6-496/540	Impact mitigation required AHIP required
	Bar Beach 2 AHIMS #62-6-786	Impact mitigation required AHIP required
Merimbula – Short Point	AHIMS #62-6-39	Impact mitigation required AHIP required
	AHIMS #62-6-40	Impact mitigation not required. AHIP required
Eden – Imlay Street	nil	At Eden where there is some limited potential for burials along Imlay Street, it is recommended that

		monitoring be undertaken by the project manager or other such senior site foreman
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## 8. STATUTORY INFORMATION

The NPW Act provides statutory protection for all Aboriginal objects and Aboriginal Places.

An ‘Aboriginal object’ is defined as

‘any deposit, object or material evidence (not being a handicraft for sale) relating to Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains’.

An Aboriginal place is an area declared by the Minister to be an Aboriginal place for the purposes of the Act (s84), being a place that in the opinion of the Minister *is or was of special significance with respect to Aboriginal culture*.

Part 6 of the National Parks and Wildlife Act 1974 (NPW Act) provides specific protection for Aboriginal objects and declared Aboriginal places by establishing offences of harm. Harm is defined to mean destroying, defacing, damaging or moving an object from the land. There are a number of defences and exemptions to the offence of harming an Aboriginal object or place. One of the defences is that the harm is carried out under an Aboriginal Heritage Impact Permit (AHIP).

This Aboriginal Cultural Heritage Assessment has been prepared to support an AHIP application.

No further cultural and archaeological heritage investigations are required in respect of the proposed activity and assessment process.

A s90 AHIP will need to be sought from the NSW OEH prior to undertaking the proposed activity. The AHIP would be sought for 20 years.

## 9. RECOMMENDATIONS

The recommendations are made on the basis of:

- A consideration of the relevant legislation (see Section 8 Statutory Information).
- The results of the investigation as documented in this report.
- Consideration of the type and need of the development proposed, and the nature of proposed impacts.

The following recommendations are made:

1. There are no identified overall heritage constraints in regard to the proposed impacts.
2. No further archaeological investigations are required in respect of the proposal.
3. An AHIP is required (see Section 8). This ACHAR should be provided to the NSW OEH to support the AHIP application.
4. Management and mitigation strategies are outlined in Section 7 of this report. The adoption of these should form a condition of the AHIP.

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## APPENDIX 1 GLOSSARY

**Aboriginal object** - A statutory term, meaning: ‘... 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’ (s.5 NPW Act).

**Declared Aboriginal place** - A statutory term, meaning any place declared to be an Aboriginal place (under s.84 of the NPW Act) by the Minister administering the NPW Act, by order published in the NSW Government Gazette, because the Minister is of the opinion that the place is or was of special significance with respect to Aboriginal culture. It may or may not contain Aboriginal objects.

**Development area** - Area proposed to be impacted as part of a specified activity or development proposal.

**Harm** - A statutory term meaning ‘... any act or omission that destroys, defaces, damages an object or place or, in relation to an object – moves the object from the land on which it had been situated’ (s.5 NPW Act).

**Place** - An area of cultural value to Aboriginal people in the area (whether or not it is an Aboriginal place declared under s.84 of the Act).

**Proponent** - A person proposing an activity that may harm Aboriginal objects or declared Aboriginal places and who may apply for an AHIP under the NPW Act.

**Proposed activity** - The activity or works being proposed.

**Subject area** - The area that is the subject of archaeological investigation. Ordinarily this would include the area that is being considered for development approval, inclusive of the proposed development footprint and all associated land parcels. To avoid doubt, the subject area should be determined and presented on a project-by-project basis. In this instance, the subject area refers to the individual proposed impact areas.

## APPENDIX 2 ABORIGINAL CONSULTATION

Example of 1<sup>st</sup> round of letters sent to agencies.

**New South Wales Archaeology Pty Limited**

ABN 53106044366

PO Box 2135  
Central Tilba NSW 2546  
Ph 02 44737947  
Mob. 0427074901  
julie@nswarchaeology.com.au

28 May 2017

The CEO  
Bega Local Aboriginal Land Council  
PO Box 11  
Bega NSW 2550

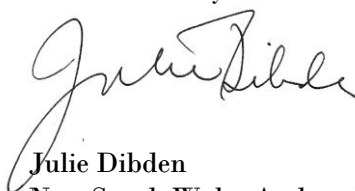
Dear Glenn

**Re. Aboriginal Cultural Heritage Assessment Report and Aboriginal Heritage Impact Permit for Bega Valley Shire Council AHIP Project**

Bega Valley Shire Council proposes works which may require an Aboriginal Heritage Impact Permit. The areas include Short Point and Bar Beach, Merimbula; Beauty Point Boat Ramp, Bermagui; Merimbula Lake Walking Track; Wallaga Lake Walking Track; Tathra Headland and Eden Port Road. NSW Archaeology Pty Ltd is undertaking consultation with Aboriginal people on behalf of the proponent according to the requirements stipulated in the former NSW DECCW *Aboriginal cultural heritage consultation requirements for proponents, 2010*. The purpose of Aboriginal community consultation is to assist the proponent in understanding Aboriginal peoples views and concerns about the project, and to understand cultural values present in the area, and to assist the NSW Office of Environment and Heritage (OEH) in a determination of an AHIP application.

We are seeking to identify Aboriginal persons who hold cultural knowledge relevant to this project area and who may wish to register an interest. Those who choose to register will have the opportunity to provide culturally appropriate information and to comment on the cultural heritage significance of Aboriginal objects and the area. If you are aware of Aboriginal people or groups who you believe may wish to register an interest please provide contact details to NSW Archaeology Pty Ltd on behalf of the proponent before the 12 June 2017.

Yours faithfully



Julie Dibden  
New South Wales Archaeology Pty Limited

## Advertisement

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Tuesday, June 6, 2017 BEGA DISTRICT NEWS 9

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**Bega District News**

<p><b>Public Notices</b></p> <p><b>CHANGE TO CLASSIFIED DEADLINE</b></p> <p>Due to the long weekend the deadline to place a classified ad in our paper on</p> <p style="text-align: center;"><b>TUESDAY the 13<sup>th</sup> of June</b> will be moved forward to <b>1pm Friday the 9<sup>th</sup> of June</b></p> <p>If you would like to place a classified ad please phone 6492-1177 or email <a href="mailto:classifieds.beganews@fairfaxmedia.com.au">classifieds.beganews@fairfaxmedia.com.au</a></p>	<p><b>Public Notices</b></p> <p><b>NEED TO UPDATE?</b></p> <p>Advertise your old CAR, CARAVAN, MOTORBIKE OR BOAT with us &amp; we will add your <b>COLOUR PHOTO FREE OF CHARGE!</b></p> <p>Need more information?</p> <p>Phone 64921177.</p> <p><b>SPECIAL DEAL!</b></p>	<p><b>Positions Vacant</b></p> <p><b>QUALIFIED GREENKEEPER</b></p> <p>Tura Beach Country Club has a full time position available for a suitably qualified applicant to help maintain the 18 hole Golf Course and 2 Bowling Greens. Certificate III in Sportsturf Management is a requirement for this position.</p> <p>Send applications to: Course Superintendent, Tura Beach Country Club, PO Box 187, Merimbula, NSW, 2548 or email <a href="mailto:amiller@turabeachcountryclub.com.au">amiller@turabeachcountryclub.com.au</a></p> <p>Applications close 14 June 2017</p>	<p><b>Positions Vacant</b></p> <p><b>LOG TRUCK DRIVER</b></p> <p>Karworth T650 Bogle Trl. Wanted for June 2017. Experience B-Double, current MC licence. Bombala/Bendoc local work, some haulage to Eden Coast. Please call Jodi 02 6496 1433</p>
<p>Bega Valley Shire Council proposes works which may require an Aboriginal Heritage Impact Permit. The areas include Short Point and Bar Beach, Merimbula; Merimbula Lake Walking Track, Beauty Point Boat Ramp, Bermagui; Wallaga Lake Walking Track; Tathra Headland and Eden Port Road. Aboriginal people with cultural knowledge relevant to determining the significance of Aboriginal objects or places can register an interest in consultation the purpose of which is to assist the preparation of an AHIP application. Please register to Julie Dibden, NSW Archaeology PL, Box 2135 Central Tilba NSW 2546, before 22 June 2017.</p>	<p><b>FOOTY TIPPING RULES AND INFORMATION</b></p> <p>• All tips are to be entered on the form provided in <i>Time to Bet</i> and placed in</p>	<p><b>Public Notices</b></p> <p><b>NEED TO UPDATE?</b></p> <p>Advertise your old CAR, CARAVAN, MOTORBIKE OR BOAT with us &amp; we will add your <b>COLOUR PHOTO FREE OF CHARGE!</b></p> <p>Need more information?</p> <p>Phone 64921177.</p> <p><b>SPECIAL DEAL!</b></p>	<p><b>Positions Vacant</b></p> <p><b>APEX and KIDS HELP LINE</b></p> <p>HELPING AUSTRALIA'S KIDS <b>1800 551800</b></p>
<p><b>LFA Lifestyle Financial Advisers</b></p> <p><b>Lifestyle Financial Advisers - Merimbula Full Time Administrator</b></p> <p>Join our successful financial planning practice in supporting our clients as a proficient senior administrator. If you like the challenge to build your own future, are an excellent team player with strong attention to detail and the ability to work under pressure, then this is for you.</p> <p><b>The Candidate:</b></p> <ul style="list-style-type: none"> <li>• Demonstrated ability to manage adviser &amp; client relationships, have a passion for administration and be a reliable and enthusiastic team member</li> <li>• Proactive and a problem solver</li> <li>• Strong communication skills, both verbal and written is essential</li> <li>• A high attention to detail with the ability to work through a multitude of tasks in a timely manner is essential</li> <li>• Knowledge in the financial planning industry desirable, but not essential</li> </ul>		<p><b>STAND OUT!!</b></p> <p><b>ADD COLOUR TO YOUR AD</b></p>	

16 NAROOMA NEWS Wednesday, June 7, 2017

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**Narooma News**

<p><b>Narooma News</b></p> <p><b>Connect with Classifieds</b></p> <p>Place a Classifieds ad</p> <p>4472 6577 <a href="mailto:classifieds.baypost@fairfaxmedia.com.au">classifieds.baypost@fairfaxmedia.com.au</a> Save time, submit online 24/7 <a href="http://advertisers.com.au">advertisers.com.au</a></p> <p>Print and online packages available throughout Australia</p> <p>Ongoing business advertising self service enquiries: <a href="mailto:acmadonline@fairfaxmedia.com.au">acmadonline@fairfaxmedia.com.au</a></p> <p>Emoji now available 😊</p>	<p><b>For Sale</b></p> <p><b>TWO Jason Rucker</b> Recliner chairs, leather, excellent cond. as new \$150 ono 4476-1734</p> <p><b>Garage Sales</b></p> <p><input type="checkbox"/> VISIT <input type="checkbox"/> VISITED</p> <p><b>BERMAGUI:</b> 57 Ocean View Dr, Monday 12th June, 8:30am - 3:30pm. Moving sale, antiques, fishing gear, household goods, and more. Earlybirds will be turned away.</p> <p><input type="checkbox"/> VISIT <input type="checkbox"/> VISITED</p> <p><b>DALMENY:</b> 37 Myuna Street, Sat 10th June, 8am start.</p> <p><input type="checkbox"/> VISIT <input type="checkbox"/> VISITED</p> <p><b>MYSTERY BAY:</b> 6 Reader Pl, 10/11th June Furniture, electrical, books, antiques, toys, 2012 caravan etc.</p> <p><b>NAROOMA:</b> 25 Riverside Dve Fri 9th 4-7pm &amp; Sat 10th 8-12pm.</p>	<p><b>Garage Sales</b></p> <p><input type="checkbox"/> VISIT <input type="checkbox"/> VISITED</p> <p><b>NAROOMA:</b> 26 McMillan Rd, Sat 10th &amp; Sun 11th, 8am start. Clearing ex-holiday rental &amp; more.</p> <p><input type="checkbox"/> VISIT <input type="checkbox"/> VISITED</p> <p><b>NORTH NAROOMA:</b> 11 Hillcrest Ave, Sat 10 June, 8am-2pm. Ladies and mens bikes (near new), helmet &amp; car bike rack, garden tubing &amp; tools, fishing waders, book cases, display cabinets, rocking chair, solar camp cookers, bric a brac &amp; lots more.</p> <p><b>Businesses For Sale &amp; Wanted</b></p> <p><b>NAROOMA BIKE HIRE</b> is for sale. Well set up &amp; a nice cash flow. Suit as a hobby or additional income for an existing biz. Go to <a href="http://www.gibbs.com.au">www.gibbs.com.au</a></p>	<p><b>Public Notices</b></p> <p><b>BERMAGUI COUNTRY CLUB NOTICE TO MEMBERS</b></p> <p>The Annual General Meeting of the Bermagui Country Club will be held in the Auditorium of the Bermagui Country Club at 10.30am on Sunday, 2nd July, 2017.</p> <p>Robert Beuzeville General Manager Bermagui Country Club By order of the Board of Directors</p> <p>Bega Valley Shire Council proposes works which may require an Aboriginal Heritage Impact Permit. The areas include Short Point and Bar Beach, Merimbula; Merimbula Lake Walking Track, Beauty Point Boat Ramp, Bermagui; Wallaga Lake Walking Track; Tathra Headland and Eden Port Road. Aboriginal people with cultural knowledge relevant to determining the significance of Aboriginal objects or places can register an interest in consultation the purpose of which is to assist the preparation of an AHIP application. Please register to: Julie Dibden, NSW Archaeology PL, PO Box 2135, Central Tilba, NSW, 2546 before 21st June 2017</p>
<p><b>Death Notices</b></p> <p><b>HEADSTONES / PLAQUES</b> Inscriptions and Restorations All south coast and rural cemeteries We come to you, or order a free 100 page catalogue Jacob: (02)4472 3637 <a href="http://www.cemeterysupplies.com.au">www.cemeterysupplies.com.au</a></p>		<p><b>Positions Vacant</b></p> <p><b>Narooma Plaza Cellars have casual retail positions</b> available for immediate start. Must have current RSA Competency Card. Forklift licence desirable. Award Wages. Must be willing to work weekends and nights. Apply in person with your resume to: The Manager at Narooma Plaza Cellars</p> <p><b>Meals on Wheels Eurobodalla Manager</b></p> <p>The Board of Directors seeks a suitable candidate to lead our organisation into the future. After five outstanding years our present Manager is to retire at the end of September. We seek a leader with senior management experience, who will lead the organisation with compassion and humility.</p> <p>Applications close 30 June 2017</p> <p>Applications should be addressed to The Selection Committee Chair, Eurobodalla Meals on Wheels Cooperative Shinn R/73 Wilson Street</p>	

Example of 2nd round of letters sent to Aboriginal groups.

New South Wales Archaeology Pty Limited

ABN 53106044366

PO Box 2135  
Central Tilba NSW 2546  
Ph 02 44737947  
www.nswarchaeology.com.au

28 May 2017

Karea Lea Bond  
Badu  
11 Jeffery Place  
Moruya NSW 2537

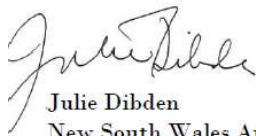
Dear Karea

**Re: Aboriginal Cultural Heritage Assessment Report and Aboriginal Heritage Impact Permit for Bega Valley Shire Council AHIP Project**

Bega Valley Shire Council proposes works which may require an Aboriginal Heritage Impact Permit. The areas include Short Point and Bar Beach, Merimbula; Beauty Point Boat Ramp, Bermagui; Merimbula Lake Walking Track; Wallaga Lake Walking Track; Tathra Headland and Eden Port Road. NSW Archaeology Pty Ltd is undertaking consultation with Aboriginal people on behalf of the proponent according to the requirements stipulated in the former NSW DECCW *Aboriginal cultural heritage consultation requirements for proponents, 2010*. The purpose of Aboriginal community consultation is to assist the proponent in understanding Aboriginal peoples views and concerns about the project, and to understand cultural values present in the area, and to assist the NSW Office of Environment and Heritage (OEH) in a determination of an AHIP application.

Aboriginal people with cultural knowledge relevant to determining the significance of Aboriginal objects and/or places in the area are invited to register an interest in the process of community consultation. OEH provided your details to us and indicated that you may have an interest in the area. The purpose of community consultation with Aboriginal people is to assist the preparation of an application to the NSW Office of Environment and Heritage (OEH) for an AHIP (Aboriginal Heritage Impact Permit) for these works. Please register in writing to: Julie Dibden, NSW Archaeology PL, PO Box 2135 Central Tilba NSW 2546, before 16 June 2017. Please note that if you do register an interest your details will be forwarded to the OEH and the appropriate Local Aboriginal Land Councils unless you specify that you do not want your details released.

Yours faithfully



Julie Dibden  
New South Wales Archaeology Pty Limited

Project information, proposed consultation process and methods documents sent to RAPS.

## **PROJECT DESCRIPTION AND PROPOSED CULTURAL HERITAGE ASSESSMENT AND CONSULTATION PROCESS**

### **Aboriginal Cultural Heritage Assessment Report and Aboriginal Heritage Impact Permit for Bega Valley Shire Council Various Projects**

#### **PROPOSED PROJECT INFORMATION**

Bega Valley Shire Council proposes works which may require an Aboriginal Heritage Impact Permit. The areas include Short Point and Bar Beach, Merimbula; Merimbula Lake Walking Track, Beauty Point Boat Ramp, Bermagui; Wallaga Lake Walking Track; Tathra Headland and Eden Port Road.

An Aboriginal Cultural Heritage Assessment Report is being prepared to support the AHIP application. Accordingly, the NSW OEH Aboriginal Consultation Guidelines are required to be implemented.

#### **PROPOSED CULTURAL HERITAGE ASSESSMENT PROCESS**

This document is being provided to Registered Aboriginal Parties (RAPs) for the purposes of agreeing on outcomes relating to the assessment process.

The cultural heritage assessment process for this project would be conducted in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (NSW DECCW). The NSW Office of Environment and Heritage - OEH (formerly DECCW) manages Aboriginal cultural heritage in NSW in accordance with the National Parks and Wildlife Act 1974. Part 6 of the Act provides specific protection for Aboriginal objects and Aboriginal places by administering offences for harming them without authorisation. When an activity is likely to impact Aboriginal objects or declared Aboriginal Places, approval of the OEH is required, issued in the form of an Aboriginal Heritage Impact Permit (AHIP).

NSW OEH requires effective consultation with Aboriginal people because it recognises that:

- Aboriginal people should have the right to maintain culture, language, knowledge and identity;
- Aboriginal people should have the right to directly participate in matters that may affect their heritage; and
- Aboriginal people are the primary determinants of the cultural significance of their heritage.

The purpose of the NSW OEH Aboriginal Cultural Heritage Consultation Requirements for Proponents document (NSW DECCW 2010) is to facilitate positive Aboriginal cultural heritage outcomes by:

- affording an opportunity for Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) in the area of the proposed project to be involved in consultation so that information about cultural significance can be provided to NSW OEH to inform decisions regarding applications for an AHIP; and



- providing Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) in the area of the proposed project with the opportunity to participate in decision-making regarding the management of their cultural heritage by providing proponents with information regarding cultural significance and inputting into management options (NSW DECCW 2010).

The ACHCRP requirements outline four main consultation stages to be implemented in the course of consultation undertaken with Aboriginal people (these are outlined below). In summary, the consultation process involves getting the views of, and information from, Aboriginal people and reporting these.

In order to fulfil the consultation requirements, NSW Archaeology Pty Ltd, on behalf of the proponent, proposes to implement the following procedure:

*Stage 1 Notification of project proposal and registration of interest.*

This stage is already underway, and the aim is to identify, notify and register Aboriginal people who hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places in the proposal area.

- NSW Archaeology, on behalf of the proponent, has sought to identify the names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places. An advertisement has been placed in the local paper and letters have been written to various agencies.
- As we receive registrations of interest, NSW Archaeology is making a record of the names of each Aboriginal person or group who has registered an interest. Unless it is specified by a registered Aboriginal party that they do not want their names released, the list of names will be provided to OEH and the Local Aboriginal Land Council.
- Where an Aboriginal organization representing Aboriginal people who hold cultural knowledge has registered an interest, a contact person for that organization must be nominated. We rely on that organization to make these arrangements. Where Aboriginal cultural knowledge holders have appointed a representative to act on their behalf, this information must be provided in writing to NSW Archaeology.

*Stage 2 Presentation of information about the proposed project*

The aim of this stage is to provide Registered Aboriginal Parties with information about the scope of the proposed project and the proposed cultural heritage assessment process.

- The proponent has engaged NSW Archaeology to conduct the consultation process. It is therefore the role of Julie Dibden, NSW Archaeology, to co-ordinate the assessment process. Aboriginal parties are invited to define their role, function and responsibility in this process.
- All Registered Aboriginal Parties are invited to identify, raise and discuss any cultural concerns, perspectives and assessment requirements (if any). In this

regard Registered Aboriginal Parties should contact Julie Dibden, and this may be done in writing or by telephone.

- Provision of project information and the proposed cultural heritage process is provided to Registered Aboriginal Parties as per this document and the accompanying *Methodology* document.
- If further information is required in regard to the proposal this will be provided to Registered Aboriginal Parties upon request. If necessary, additional information about the project will be provided.
- A record will be made that the proposed project information has been submitted. A record of any agreed outcomes and any contentious issues that may require further discussion to establish mutual resolution (if applicable) will be made and provided to Registered Aboriginal Parties.
- All comments and feedback in regard to the Consultation Process and Project Methodology should be provided to NSW Archaeology within 28 days.

#### *Stage 3 Gathering information about cultural significance*

The aim of stage 3 is to facilitate a process whereby Registered Aboriginal Parties can contribute to culturally appropriate information gathering and the project methodology, provide information that will enable the cultural significance of Aboriginal objects and/or place in the proposal area to be determined, and to have input into the development of cultural heritage management options.

- A proposed methodology for the cultural heritage assessment will be provided to Registered Aboriginal Parties for review. Any comments in regard to the methodology should be provided to Julie Dibden, NSW Archaeology, within 28 days. Any protocols that Registered Aboriginal Parties wish to be adopted into the information gathering process and assessment methodology, and any other matters should be provided in writing or may be sought by the consultant.
- As a part of consultation, NSW Archaeology, on behalf of the proponent, seeks cultural information from Registered Aboriginal Parties to identify whether there are any Aboriginal objects or places of cultural value to Aboriginal people in the proposal area and if so, to uncover knowledge about their context in order to reveal their meaning and significance. Registered Aboriginal Parties who wish to contribute to this process should make contact with Julie Dibden (within 28 days) so that appropriate arrangements regarding collecting cultural knowledge can be made.
- If any information obtained is sensitive, appropriate protocols will be developed and implemented for sourcing and holding sensitive information.
- Registered Aboriginal Parties are invited to identify, raise and discuss any cultural concerns, perspectives and assessment requirements by telephone or in writing to Julie Dibden, NSW Archaeology, within 28 days.
- All feedback received from Registered Aboriginal Parties will be documented in the Aboriginal cultural heritage assessment report as appropriate.

#### *Stage 4 Review of Draft Cultural Heritage Assessment Report*

The aim of this stage is to prepare and finalise an Aboriginal cultural heritage assessment report with input from Registered Aboriginal Parties.

- A draft report will be compiled.
- The draft report will be provided to Registered Aboriginal Parties for review and comment.
- Any comments in regard to the report should be provided to Julie Dibden, NSW, within 28 days.
- After considering comments the report will be finalised and copies will be provided to registered Aboriginal parties. The final report will include copies of any submissions made and the proponents response to any submissions.

## **PROPOSED METHODOLOGY FOR THE INDIGENOUS HERITAGE (CULTURAL AND ARCHAEOLOGICAL) ASSESSMENT**

### **Aboriginal Cultural Heritage Assessment Report and Aboriginal Heritage Impact Permit for Bega Valley Shire Council Various Projects**

Bega Valley Shire Council proposes works which may require an Aboriginal Heritage Impact Permit. The areas include Short Point and Bar Beach, Merimbula; Merimbula Lake Walking Track, Beauty Point Boat Ramp, Bermagui; Wallaga Lake Walking Track; Tathra Headland and Eden Port Road.

An Aboriginal Cultural Heritage Assessment Report is being prepared to support the AHIP application.

NSW Archaeology Pty Ltd is a consultancy specialising in Indigenous cultural heritage management, and aims to prepare assessments of a high standard to satisfy all stakeholders including the local Aboriginal community and the NSW Office of Environment and Heritage – OEH.

The project will be conducted in accordance with the requirements of the OEH *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* and the *DECCW 2010 Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*. In addition the study is being undertaken following the requirements for *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (ACHCRP) (NSW DECCW 2010).

In accordance with the process as outlined in *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (ACHCRP) (NSW DECCW 2010), this methodology is being provided to all Aboriginal groups/individuals who have registered an interest in this process of consultation. The purpose of providing registered stakeholders with this methodology is for stakeholders to review and provide feedback to the consultant, including identification of issues/areas of cultural significance that might affect the methodology. Stakeholders are invited to make a written response to this proposed methodology within 28 days.

The methodology which is proposed to be implemented during this project is set out below.

It is proposed that the assessment of cultural heritage values of the project area will entail the following aspects as defined in the OEH *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*:

*Review of background information:* Definition and mapping of the physical landscape; reviewing historic values via recourse to written and oral histories and existing heritage data bases; and define the material evidence of Aboriginal land use via review of previous

research, development of predictive model and a field inspection and survey (the latter to be documented in a survey report). Any information received from registered Aboriginal parties will be used in this process. Registered Aboriginal parties are invited to inform Julie Dibden in regard to areas, objects and places of cultural value in the proposed activity area.

Initiate ongoing consultation in accordance with the OEH's Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010. Information is sought from registered Aboriginal parties on whether there are any Aboriginal areas, objects or places of cultural value to Aboriginal people in the proposed activity area.

Identify and assess the cultural heritage values: Upon receipt of information that would enable the cultural significance of Aboriginal areas, objects and/or places in the proposed activity area to be determined, the range of social, historical, scientific and aesthetic values present across the study area would be identified, mapped, and assessed as to why they are important.

Assess harm of the proposed activity: Identification of the nature of the proposed activity and any potential harm to Aboriginal areas, objects and/or places. This would take into consideration the principles of ecologically sustainable development (ESD) if relevant.

Develop harm avoidance and/or minimisation strategies: Registered stakeholders would be invited to have input into the development of cultural heritage management options. The development of avoidance and/or minimisation strategies if required would be developed within an Aboriginal cultural heritage assessment report review process.

Documentation of Findings: An Aboriginal cultural heritage assessment report would be prepared. The report would be prepared in accordance with the report outline as set out in OEH's *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*.

A draft copy of the report will be provided to all Aboriginal groups or individuals who register an interest in this project for review and comment.

Upon review of this proposed methodology, registered stakeholders are invited to make submissions relating to the information gathering and assessment methodology, and any matters such as issues/areas of cultural significance that might affect, inform or refine the assessment methodology, to Julie Dibden within 28 days. All feedback received will be documented in the cultural heritage assessment report, which will include copies of submissions received and the proponents response to issues raised.



