10 Recommendations

10.1 General recommendations

There are general recommendations that are relevant to several sites. These general principles are discussed below. Specific recommendations deal with site avoidance, collection and monitoring. Contingency planning is discussed in Section 11.

10.1.1 Avoidance

Where practicable, it is recommended that sites and objects be avoided. To this end, site locations have been provided to the client so that the proposed alignment can be re-aligned. In order to ensure no damage occurs to the sites during construction, representatives should be employed during the early stage of construction, when the alignment is being graded, to fence sites and trees appropriately.

In order to protect scarred trees, the centreline of the alignment should come no closer than 30 m to the trunk. In practice, the closest extent of the graded alignment should come no closer than 5 m to the closest extent of the canopy. Trees are to be fenced with orange flagging fencing at a distance of 5 m beyond the canopy.

10.1.2 Collection

Where collection has been requested or recommended, several options are possible. These were discussed with representatives during the course of survey as possible options to be considered.

- Leave objects with the ground to be moved by grader and graded back. This does not break the physical bond with country.
- Move objects to one side of the proposed works area and leave.
- Move objects to one side of the proposed works area and replace after construction.
- Collect objects. This is a more permanent step. Collection requires curation, or care of the objects. A secure building and storage facilities are required. Documentation must be maintained. DECCW requires a Care and Control Permit for a nominated institution, and they must be satisfied with the curation [storage and documentation] and security.

Should collection be contemplated, the relevant stakeholders would need to consider the following decisions and goals:

- Where would the objects be held?
- Which group[s] would be responsible for curation and storage of the objects?
- Are there currently facilities available for curation and storage?
- What are the goals of collection? [museum, education, display]
- If display is contemplated, are display cabinets currently available?
- Is there relevant information that might assist with education or display goals?
- What is the intended audience?

Collection has been recommended for only a few objects or sites. Contingencies for collection and curation are set out in Section 11.5.

10.1.3 Monitoring

Monitoring is recommended in specific situations. These include the following:

- Where sites have been documented and protection works are required.
- Where sites have been documented and collection has been recommended.
- Where it is required to provide certainty for organisations to demonstrate that no cultural heritage was encountered.
- Where visibility was too low to effectively observe the ground for artefacts and features.

The total amount of monitoring recommended is 72 km plus locations of sites (table 12). Monitoring is recommended for the first part of construction, where the alignment is to be graded. Monitoring is not recommended for trenching, as this will be below the level of archaeological deposits, except at river crossings. At these spots it is recommended that monitoring be carried out at the excavation sites for the directional drilling. Monitoring locations are depicted on the map series in Appendix 2.

Table 12 Location of proposed monitoring areas along the pipeline alignment [KP = Kilometre Point measured from Young].

From KP	To KP	Place	Total km
218	215	Unnamed creek drainages	3
213	212	Macquarie River edge	1
211	207	Macquarie River floodplain	4
198	195	Bell River floodplain	3
179	177	Two Mile Creek	2
157	153	Dora Creek	4
151	150	Mandagery Creek	1
147	145	Unnamed creek drainages	2
120	116	Boree and Bourimbla Creeks	4
113	110	Bourimbla Creek and open site	3
96	92	Sites and poor visibility	4
90	83	Belabula River floodplain and open site	7
68	57	Lachlan River, Conimbla and Crowther Cks	11
56.5	55.5	Poor visibility	1
55	53	Poor visibility	2
48.7	46.7	Unnamed drainages	2
43	42	Low lying land at Sawpit Creek	1
34	32	Low lying land at Warrangong Creek and low visibility	2
23	20	Opening and Spring Creeks	3
14	12	Unnamed creek drainages	2
10	0	Extremely poor visibility	10
		Total	72

It is recommended that ERM Power Pty Ltd engage the following groups for monitoring. Contact details are in section 3.

- Gallanggabang AC [Wellington region]
- Orange LALC [Orange region]
- Mooka Traditional Owners Council [south of Wellington region]
- Waagan Waagan Project Group [to be negotiated]
- Cowra LALC [Cowra region]
- Young LALC [Young region]

10.1.4 Areas still needing inspection [access denied by owners]

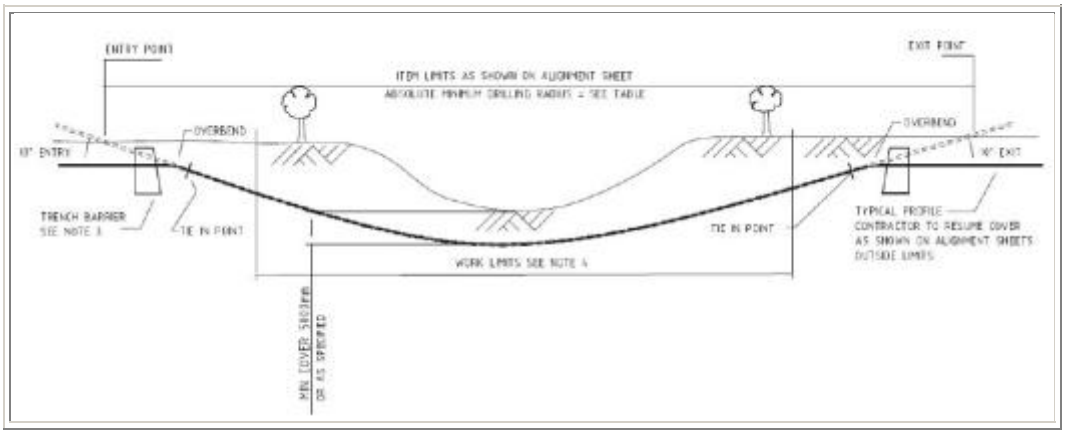
Access was denied at seven properties along the alignment, totalling 9.8 km, or 4.4% of the total length. The locations have not been set out in the report in order to maintain confidentiality. Details are available as a confidential addendum to be supplied separately to DECCW and Aboriginal stakeholders.

It will be necessary to return to these places in order to make a cultural heritage assessment. It is recommended that this assessment be made prior to construction. This could possibly be carried out in conjunction with monitoring, although if sites were to be found along the alignment, it might then not be possible to avoid the sites.

10.1.5 Major river crossings

It is planned that directional drilling will be used at major river crossings such as the Macquarie, Bell, Lachlan, and Belabula Rivers. Direction drilling is a method used for minimal ground disturbance (figure 67). The method is fairly simple in concept. A large drill is set up some distance back from the river crossing. An angled approach is excavated to accommodate the machinery and to feed the pipe. The pipe is angled downward under the riverbed and up the other side, exiting a similar distance from the river bank.

Figure 67 Typical scheme for directional drilling.



The advantage of such a method is that disturbance of the river banks is minimised.

It is recommended that monitoring be carried out at the trenches excavated on either side of the river bank.

10.2 Specific Recommendations

10.2.1 Gallanggabang AC [Wellington] Section

It is recommended that monitoring be carried out over particular sections of the proposed alignment. Some of these are listed above. Monitoring is also required at the following listed sites.

Neurea Meadows open site

It is recommended that the site be avoided. Although the site is heavily disturbed, avoidance is feasible. Since the site is deflated and the objects are on a scoured surface, there is no likelihood of finding pits [such as the bases of ovens] in the ground.

The part of the site closest to the proposed alignment should be fenced using orange flagging fencing. This should be supported with star pickets.

Baker's Swamp Ridge open site

It is recommended that the site be avoided. This was one of the most highly valued sites encountered in the Wellington GAC region. Although the site has been disturbed, avoidance is feasible. Since the site is deflated and the objects are on a scoured surface, there is no likelihood of finding pits [such as the bases of ovens] in the ground.

The part of the site closest to the proposed alignment should be fenced using orange flagging fencing. This should be supported with star pickets.

Watson's Creek open site

The site was inspected by members of GAC. Although it was suggested in the field by Wayne Carr (GAC Sites Officer) that the pipeline might proceed through part of the site, it is recommended here that the site by avoided. Although somewhat eroded around the edges, the site is likely to maintain a relatively intact central portion over most of its original area, which is estimated to be approximately 9,000m^2.

The site should be fenced with orange flag fencing tied to star pickets. It should be possible to place the alignment between the site and Watson's Creek without disturbing either feature.

Power Station CMT 1 and 2

These scarred trees are not on or near the proposed alignment corridor. Site data were collected and site records made at the request of GAC during the course of survey. No recommendations are made concerning these trees, except to note that ERM Power should discuss any possible impact from other works with GAC.

Cooyong Old Well CMT 1 and 2

There was agreement among GAC representatives that these trees should be left as they are. There are no conservation or management implications.

It is recommended that the pipeline alignment avoid the tree. For planning purposes, the centreline of the alignment should come no closer than 30 m to the trunk. In practice, the closest extent of the graded alignment should come no closer than 5 m to the closest extent of the canopy. The tree is to be fenced with orange flagging fencing at a distance of 5 m beyond the canopy.

Sunnyside CMT1

GAC placed high importance on this scarred tree.

It is recommended that the pipeline alignment avoid the tree. For planning purposes, the centreline of the alignment should come no closer than 30 m to the trunk. In practice, the closest extent of the graded alignment should come no closer than 5 m to the closest extent of the canopy. The tree is to be fenced with orange flagging fencing at a distance of 5 m beyond the canopy.

Red Hill CMT1
GAC is interested in removing one of the scars for conservation and education.

It is recommended that the pipeline alignment avoid the tree. For planning purposes, the centreline of the alignment should come no closer than 25 m to the tree trunk as it is lying on the ground. In practice, the closest extent of the graded alignment should come no closer than 5 m to the closest extent of the tree. The tree is not to be cut or damaged in any way. The tree is to be fenced with orange flagging fencing at a distance of 5 m.

Eurimbula CMT 1
It is recommended that the pipeline alignment avoid the tree. For planning purposes, the centreline of the alignment should come no closer than 30 m to the trunk. In practice, the closest extent of the graded alignment should come no closer than 5 m to the closest extent of the canopy. The tree is to be fenced with orange flagging fencing at a distance of 5 m beyond the canopy.

10.2.2 Orange Section

Dora Creek CMT 1
The tree is not on the alignment and no threat is posed by construction. It is recommended that the tree be left as is. There are no management or conservation considerations.

Scenic Road CMT 1
The tree is valued by representatives of Orange LALC. It is recommended that the pipeline alignment avoid the tree. For planning purposes, the centreline of the alignment should come no closer than 30 m to the trunk. In practice, the closest extent of the graded alignment should come no closer than 5 m to the closest extent of the canopy. The tree is to be fenced with orange flagging fencing at a distance of 5 m beyond the canopy.

Bourimbla 1 open site
Representatives of Orange LALC noted the significance of the site, which was extensive, near a creek, and contained many interesting items. They recommended some form of collection if the site could not be avoided. The site should be avoided by the proposed pipeline alignment. It will continue to be affected by ploughing. It should be noted that the site has been disturbed by ploughing and is unlikely to contain sub-surface, in situ artefacts or features. The part of the site closest to the proposed alignment should be fenced using orange flagging fencing. This should be supported with star pickets.

Should it not be possible to avoid the site, mitigation should include collection and curation of the collected objects.

10.2.3 Cowra Section

Belabula Palaeochannel open site
Given the previous disturbance, representatives were of the opinion that this significant site should be protected and avoided. The proposed alignment may cross the site boundary to a small degree, but the inspected corridor is wide enough to move the alignment a small distance to ensure that construction will not impact on the site. Land both sides of the site [to west and east] was inspected closely to verify the site extent and boundary, and to allow planning for a slight deviation of the alignment to avoid the site.

It is recommended that the site be fenced with orange flagging fencing. Although it is unlikely that any objects would be found during construction, it is recommended that

should this occur, such objects should be placed in a convenient location within the site boundary.

North Logan CMT 1

The tree was highly valued by representatives, who felt it should be left as is.

It is recommended that the trunk be fenced with orange flagging fence to a distance of 20 m, and that the alignment avoid the tree.

Garrallan CMT 1

The tree was highly valued by representatives, who felt it should be left as is.

It is recommended that the owner be notified of the tree and advised that it is protected.

It is recommended that the trunk be fenced with orange flagging fence to a distance of 20 m, and that the alignment avoid the tree.

Bendick Murrell CMT 1

The relevant groups are to consider the long-term conservation requirements of this fallen trunk. One of the Cowra LALC members [EJ McGrath] suggested that collection would be a good idea, given that the trunk might rot.

It is recommended that the owner be notified of the trunk and advised that it should not be moved or damaged.

It is recommended that the trunk be fenced with orange flagging fence to a distance of 10 m, and that the alignment avoid the tree.

10.2.4 Young Section

No sites were recorded along the stretch of pipeline alignment within the boundary of Young LALC.

10.2.5 Notes for monitoring Scarred Trees

Scars on trees may have many different causes. Traditional bark stripping (for housing, coolamons, shields, dinner plates and so on) is just one cause. Birds chew bark, often leaving large scars. Animals may rub against trunks. Lightning strikes and limb falls both produce long scars.

Mature trees along the alignment were examined for scars. We recorded 13 trees that appeared to have been made by people. There were many others that were of natural origin. The following record indicates scars that were examined and found to be the result of natural causes. These do not require any intervention. They are included to reassure monitors who may not have formed part of the original survey.

Table 13 Scarred trees that are of natural, not human, origin.

east	north	KP
686746	6396253	214-215
684854	6383208	200-201
681245	6374609	190-191
681986	6375782	191-192
672954	6362266	173-174
660580	6317335	124-125
654869	6296160	100-101
649515	6267836	70-71

east	north	KP
648210	6265501	67-68
644080	6244989	44-45
643975	6244050	43-44
640825	6234885	33
633004	6220824	15-16
632663	6219912	14-15
627230	6215663	7-8

10.2.6 Inspection of areas where access had been denied by land owners

All areas where access was denied by land owners are to be inspected in conjunction with relevant stakeholders before construction commences. These properties are identified in a separate table [see Section 10.1.4].

Wayne and Neville Williams, Allan Hampton, Joseph Patterson, Tim Hampton

11 Contingency Measures

11.1 Should Skeletal Remains be Uncovered

There are Laws, protocols and Codes of Ethics covering the identification and treatment of human remains.

Ethics

Code of Ethics of the Australian Archaeological Association.

Principle 3: [AA members] 'To acknowledge the special importance of indigenous ancestral human remains, and sites containing and/or associated with such remains, to the indigenous people.'

Rule 5: 'Members shall not interfere with and/or remove human remains of indigenous peoples without the written consent of representatives authorised by the indigenous people whose cultural heritage is the object of investigation.

Laws and Protocols

The NP&W Act gives protection to all 'Aboriginal remains' except those occurring within cemeteries in which non-Aboriginals are also buried and those being dealt with in a forensic or related context (eg, by a Coroner). The relevant section of the Act [Part 1 Section 5(1)] reads:

> **Aboriginal remains** means the body or the remains of the body of a deceased Aboriginal, but does not include: a) a body or the remains of a body buried in a cemetery in which non-Aboriginals are also buried, or b) a body or the remains of a body dealt with or to be dealt with in accordance with a law of the State relating to medical treatment or the examination, for forensic or other purposes, of the bodies of deceased persons.

Aboriginal remains occurring within cemeteries in which non-Aboriginals are also buried and which are more than 50 years old are dealt with under the *Heritage Act 1977.*

The Police Commissioner's Instruction 120.08 is intended to help police deal sensitively with the skeletal remains of Aboriginal people. It states:

> If any material is suspected of being of Aboriginal origin and there are no suspicious circumstances, then the site must be secured and a National Parks and Wildlife Officer contacted to identify the remains. Police are also asked to contact the nearest Aboriginal Community Liaison Officer (ACLO)

Actions to be Taken

On the discovery of suspected human remains work must stop within a distance of 50 m from the grave.

The site must be secured with fencing at a minimum distance of 10 m from the grave.

Work may proceed in other areas.

The discovery must be immediately reported to the NSW Police. If it is suspected that the remains may be of Aboriginal origin then this should also be reported to the NSW Police.

It may be necessary to engage a physical anthropologist or medical practitioner in order to establish the ancestry of the remains (as Aboriginal or European).

The antiquity of the remains should be determined by a physical anthropologist.

The relevant Aboriginal organizations should be kept informed, via site monitors or other representatives.

11.2 Isolated Objects or Dispersed Lithic Items of Aboriginal Cultural Heritage

For isolated objects or isolated stone artefact distributions, which may form part of the background distribution (as described in section 9.3.3), the material should be recorded. After recording the material, no further management is required.

This management process will be adopted on discovery of objects that form part of the background distribution. Objects that might be encountered will almost exclusively be lithic items.

This procedure may also be appropriate for any other Aboriginal cultural heritage not identified during the assessment.

Of any individual objects that might be found during the assessment, most will be debitage (about 95% of all lithic items are the by-product of manufacture). It is often recommended by some participating Aboriginal organisations that these be left with the soil, or if desired, removed to one side of the construction works. This will keep them as near as possible to their original position. Should an Aboriginal organization wish to remove the objects to one side of construction activities, this would probably not move them any further from their original position than has the plough over the last 50 years.

Other individual objects may be more highly valued. It is easy to identify these, and there is general consensus among Aboriginal representatives and archaeologists as to what they are. Axe heads, sharpening stones, hammers, grinding implements and shaped flaked tools all exhibit the 'elbow grease' used in their manufacture and use (see section 8.1.3). Should representatives wish to collect these, the steps outlined in the following Contingency measure for removal and curation should be followed.

11.3 Other Aboriginal Cultural Heritage (Recognised Sites)

In the case of Aboriginal cultural heritage other than isolated or dispersed scatters of Aboriginal cultural heritage that were previously unrecorded it is preferable to avoid impact if possible. Where it is not possible to avoid impact, impact is to be minimised where possible, and salvage excavation of the Aboriginal cultural heritage undertaken to mitigate impact, if required.

The process of salvage excavation (including the provision of a report to DECCW detailing the results of the excavation) is to be carried out by the Cultural Heritage Advisor. This management process will be adopted in cases where the Aboriginal cultural heritage has been determined to consist of more than the background distribution.

Scarred trees will have been identified during the field assessment to be carried out, and management recommendations have been provided. It is not envisaged that this type of Aboriginal cultural heritage would require contingency planning.

11.4 Salvage Strategy to Recover Information about Aboriginal Cultural Heritage

If it is not possible to avoid disturbance of Aboriginal cultural heritage, information should be gathered in a way that justifies salvage. There are two broad categories of salvage: collection and excavation. These are dealt with in these contingency measures.

11.5 Contingency for the Removal, Curation and Custody of Aboriginal Cultural Heritage (Artefacts)

Collection includes removal and curation of objects and samples (see below). The removal and curation of Aboriginal cultural heritage is carried out using detailed recording of location and attributes of the materials in order to assist the identification of the materials when they form part of a collection. Collection should be contemplated where it might assist with education and research as required by the relevant Aboriginal organization(s). In the first instance, site information would be gathered in the form of an approved DECCW site registration card.

Sites defined by concentrations of lithic items that are on previously disturbed ground, over which the proposed alignment may cross, would in normal circumstances provide the opportunity to collect samples of lithic items. These would require storage and curation facilities which may not yet be available. Most of the lithic items on these sites are debitage, or the by-product of manufacture. As such they are not very informative. A collection policy may require formulation in order to achieve the best education and research goals of the relevant groups.

In general, it is recommended that collection not be carried out.

Should any Aboriginal cultural heritage be discovered during the proposed activity, the custody of Aboriginal cultural heritage should comply with the requirements of the NP&W Act and be assigned in the following order of priority (as appropriate):

- Any relevant registered native title holder for the land from which the Aboriginal cultural heritage has been salvaged;
- Any relevant Aboriginal body or organisation which has historical or contemporary interests in Aboriginal heritage relating to the land from which the Aboriginal cultural heritage has been salvaged;
- The Australian Museum.

Should none of the above wish to take custody of the Aboriginal cultural heritage, then it should be left alone.

S and M Cutmore, EJ McGrath, D Ingram, R Ingram

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