



View east along Jon Condon Road. Location of site MW-OS1.

## **ABORIGINAL HERITAGE ASSESSMENT**

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**McWilliams Hanwood Proposed Winery Expansion Project  
June 2011**

**Report Prepared by  
OzArk Environmental & Heritage Management Pty Ltd  
for  
McWilliams Wines Pty. Ltd.**



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## EXECUTIVE SUMMARY

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McWilliams Wines (McWilliams, the Proponent) proposes to prepare the Hanwood site for growth in wine processing and the introduction of on-site wine bottling. To that end, OzArk Environmental & Heritage Management P/L (OzArk) was commissioned to conduct an Aboriginal archaeological assessment of the proposed impact footprints of the project.

OzArk conducted the field assessment on 26 May 2011. Kevin Kilby and Max Harris represented Griffith Local Aboriginal Land Council on the day of the field assessment.

A total of three (3) Aboriginal sites were recorded, all of which had undergone heavy prior disturbance. Two (2) were isolated finds and one (1) was an open artefact scatter. These sites were assessed as having low scientific significance due to their high levels of prior disturbance, but do have significance to the local Aboriginal community.

Impacts to the recorded sites under the proposal will include:

- Both isolated finds (MW-IF1 and IF2) are located in the heavily ploughed proposed bottling paddock. This entire site will be developed, hence impacting these isolated finds.
- Disturbed artefact scatter MW-OS1 is located along the graded table drain of John Condon Rd easement. This site will be impacted by the proposed water pipeline trench.

Given the significance of and likely impacts to the recorded sites, the recommended management of the Aboriginal heritage resource within the Subject Area is as follows:

- It should be attempted to locate both isolated finds and collect or relocate nearby out of harms way. Management of any collected artefacts will comprise part of further Aboriginal community consultation if this project is approved.
- Artefacts of MW-OS1 should also be collected / relocated prior to trenching and monitoring by the Aboriginal community should occur along a c. 200 m section of the pipeline in the vicinity of MW-OS1 to relocated objects should they be present.

As the McWilliams Hanwood Expansion project is being assessed under Part 3A of the EP&A Act, these site disturbance management activities are usually developed into an Aboriginal Cultural Heritage Management Plan (ACHMP) for the project, if such is required by the regulator. They may otherwise be set into the Statement of Commitments for the project, which will then become conditions of any project approval.

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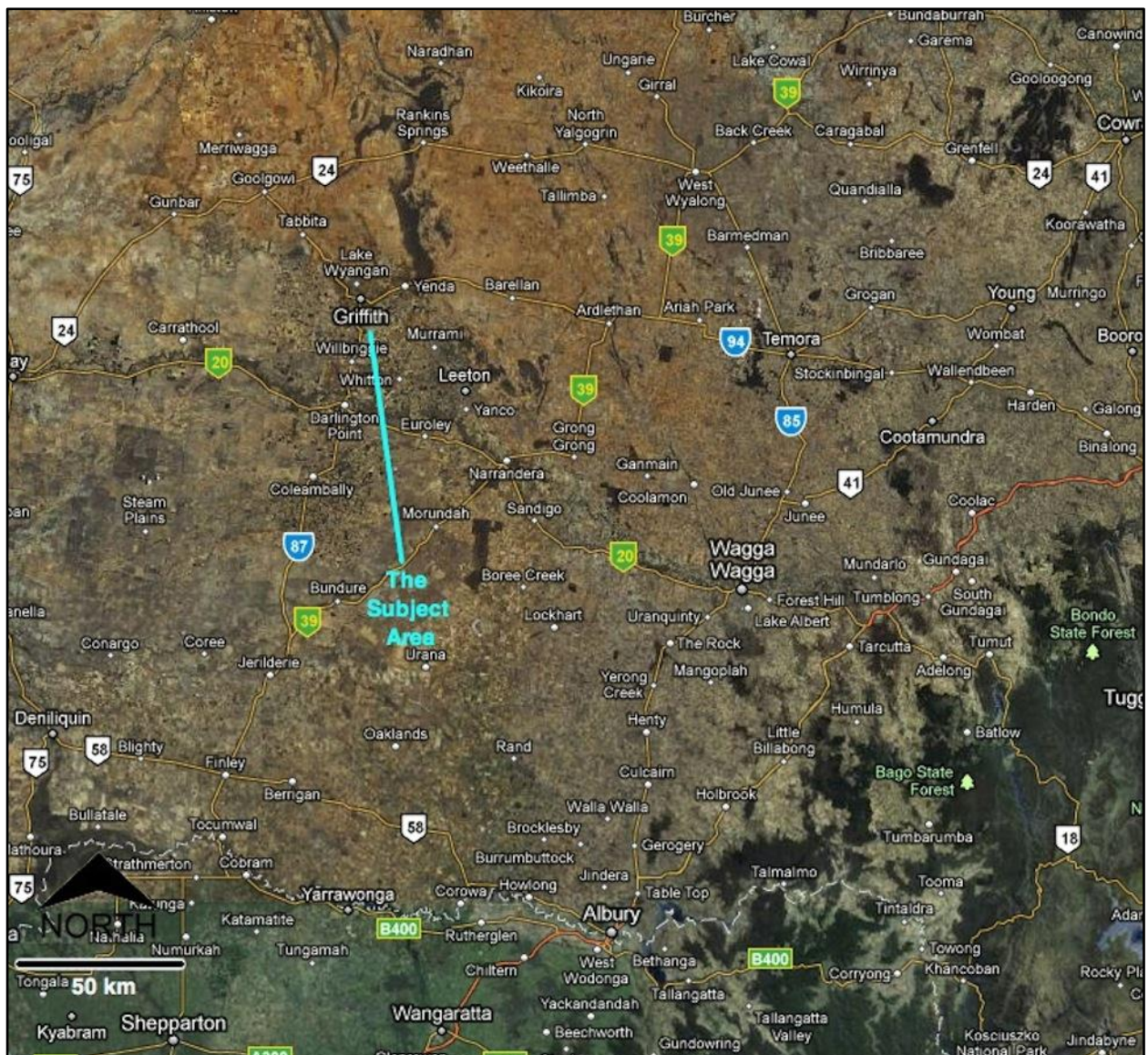


# 1 INTRODUCTION

## 1.1 BRIEF DESCRIPTION OF THE PROPOSAL

McWilliams Wines, Hanwood (McWilliams, the Proponent) proposes to prepare the Hanwood site (**Figures 1 and 3**) for growth in wine processing and the introduction of on-site wine bottling (**Figure 2**). To that end, OzArk Environmental & Heritage Management P/L (OzArk) was commissioned to conduct an Aboriginal archaeological assessment of the proposed impact footprints.

**Figure 1: Location map (Base map source: <http://maps.google.com>).**





## 1.2 PROPOSED WORKS

Detailed in **Figure 2**, the proposed works will consist of:

- Staged expansion of winery capacity (currently 34,000 tonnes per annum, to be expanded to 65,000 tonnes per annum over 15 years);
- Introduction of on site bottling (initial capacity of 25 million litres per annum);
- Staged expansion of bottling facility (to 75 million litres per annum over 25 years); and
- Waste water treatment plant construction, coinciding with bottling facility construction, in order to treat and re-use waste water.

## 1.3 SUBJECT AREA

The proposed works will be located in the vicinity of Hanwood, near Griffith, New South Wales (**Figure 1**). More specifically, the existing winery is located approximately 2 km south of Hanwood and approximately 10 km south of Griffith. The proposed works will take place entirely within the Griffith Local Government Area (LGA).

For the purposes of the current study, the following terminology is used:

- **Impact Footprint.** Areas in which the proposed works will cause ground surface disturbance, either via excavation or construction vehicle movement;
- **Subject Area.** The area encompassed by the Impact Footprint plus a 20 m buffer centred on the Impact Footprint; and
- **Survey Units.** Administrative sub-components of the Subject Area, in the current study defined by project components.

### 1.3.1 Impact Footprint

The proposed waste water treatment plant is located approximately 500 m south of the existing winery. A proposed irrigation pipeline (8.08 km) commences at the waste water treatment plant location and travels west to end at the proposed 45 ML irrigation water storage lagoon adjacent to Gumtree Road.

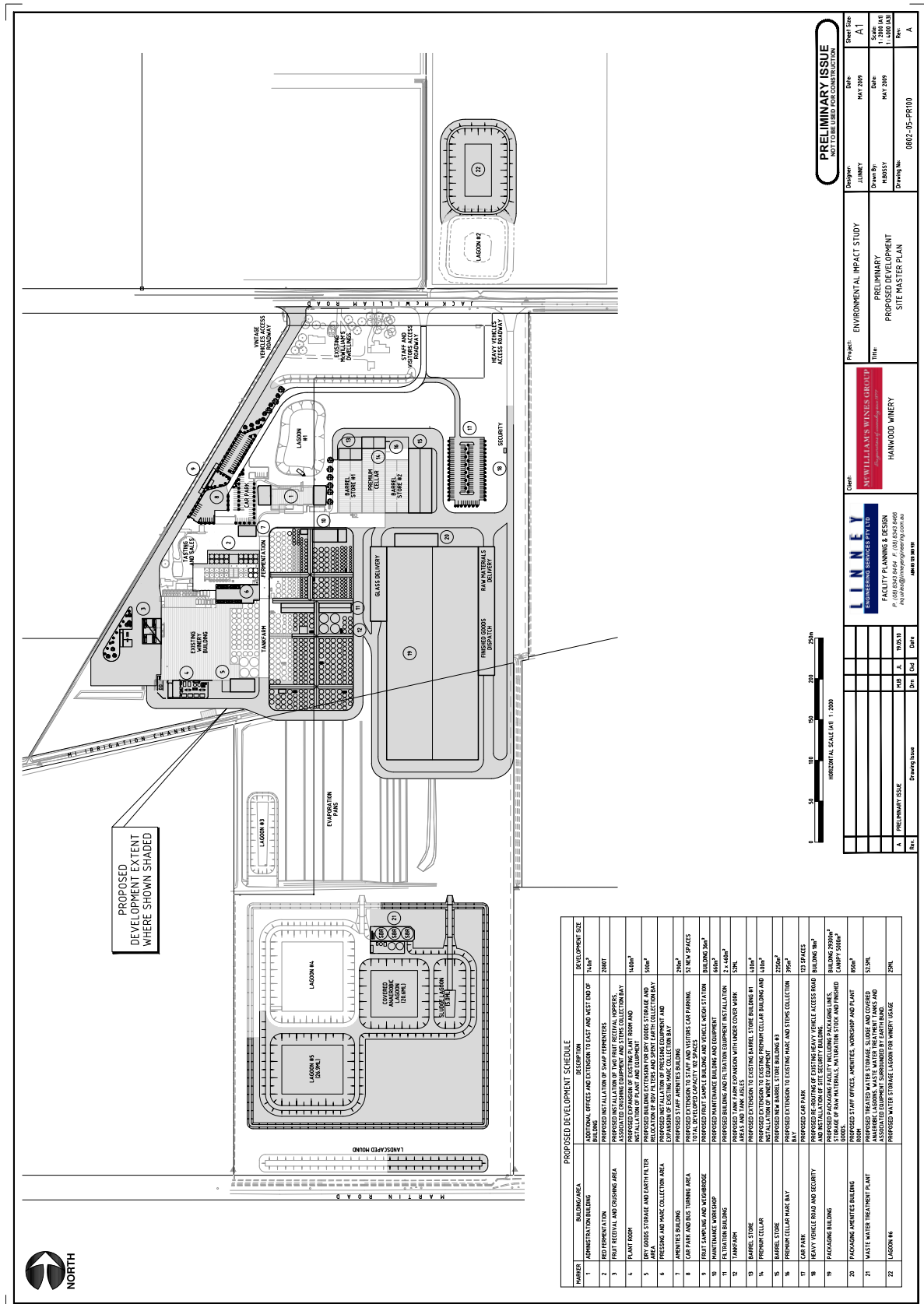
### 1.3.2 The Subject Area

The current Subject Area is situated primarily on Lot 168 / DP 751709 and Lot 73 / DP 756034 (Griffith LGA) and consists of two Survey Units (**Table 1**).

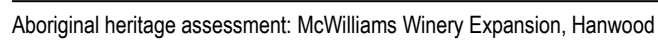
**Table 1: Survey units.**

<b>Survey Unit</b>	<b>Property details</b>	<b>Eastings (GDA Zone 55)</b>	<b>Northings (GDA Zone 55)</b>	<b>Remarks</b>
Bottling Plant	Lot 168 DP 751709	Vicinity: 412043	Vicinity: 6198157	Cultivated paddock in which waste water treatment plant is to be situated.
Pipeline	From Lot 168 DP 751709 to Lot 73 DP 756034 via road corridor.	Start: 412043 End: 408153	Start: 6198157 End: 6201151	Pipeline route, consisting of cultivated paddocks and road corridors. Area surveyed consisted of pipeline impact footprint and buffer of up to 20 m either side of the proposed alignment.

Figure 2: Proposed works showing impact footprint.



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## **2 THE PROJECT**

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### **2.1 PURPOSE AND OBJECTIVES OF THE ARCHAEOLOGICAL INVESTIGATION**

The purpose of the current study is to identify and assess Aboriginal archaeological sites within the Subject Area in order to determine heritage constraints to the proposed works.

The objectives of the current study are to:

**Objective One:** Identify and record Aboriginal sites within the Subject Area;

**Objective Two:** Assess significance of any recorded Aboriginal sites; and

**Objective Three:** Provide recommendations for the recorded Aboriginal sites in the face of proposed project impacts.

### **2.2 DATE OF HERITAGE ASSESSMENT**

OzArk conducted the heritage assessment on 26 May 2011.

### **2.3 ABORIGINAL COMMUNITY INVOLVEMENT**

Discussion re the type of Aboriginal community consultation considered appropriate for this project was held between the Proponent and Mr Harvey Johnson, South West Regional Archaeologist, of the Office of Environment and Heritage (OEH) prior to the field assessment. The proposal to consult with the Griffith Local Area Land Council (Griffith LALC) for the preliminary field study was agreed based on the likelihood that the proposed activities were confined to heavily disturbed areas.

Griffith Local Aboriginal Land Council (Griffith LALC) was invited on 11 May 2011 to participate in the fieldwork for the current project. Kevin Kilby and Max Harris represented Griffith LALC during the survey on 26 May 2011. Discussions were held on site regarding the significance of the sites recorded and appropriate management for them in respect of project impacts. It was noted that these would be written into the draft report and then sent through to Griffith LALC for their input and review.

A log and copies of correspondence with the Griffith LALC is presented in **Appendix 1**.

### **2.4 OZARK EHM INVOLVEMENT**

#### **2.4.1 Field assessment**

The fieldwork component of the current project was undertaken by:

- Fieldwork director: Dr Jodie Benton (BA (Hons) & PhD – University of Sydney).

## 2.4.2 Reporting

The reporting component of the current project was undertaken by:

- Report authors: Mr Kim Tuovinen (BA(Hons) – University of Sydney, Grad Dip Ed – Charles Sturt University, Grad Dip Arch – Flinders University) and Dr Jodie Benton (BA(Hons) & PhD – University of Sydney).
- Reviewer: Dr Jodie Benton.

## 2.5 DESKTOP DATABASE SEARCHES CONDUCTED

A desktop search was conducted on the following databases to identify any potential issues.

The results of this search are summarised here in **Table 2**.

**Table 2: Desktop-database search results.**

Name of database searched	Date of search	Type of search	Comment
Australian Heritage Database <a href="http://www.environment.gov.au/heritage/ahdb/">http://www.environment.gov.au/heritage/ahdb/</a>	6 June 2011	Griffith LGA.	No places on the search are within the Subject Area
NSW Heritage Office State Heritage Register and State Heritage Inventory <a href="http://www.heritage.nsw.gov.au/">http://www.heritage.nsw.gov.au/</a>	6 June 2011	Griffith LGA.	No places on the search are within the Subject Area
National Native Title Claims Search <a href="http://www.nntt.gov.au/Applications-And-Determinations/Search-Applications/Pages/Search.aspx">http://www.nntt.gov.au/Applications-And-Determinations/Search-Applications/Pages/Search.aspx</a>	6 June 2011	Griffith LGA.	No Native Title Claims cover the Subject Area.
Department of Sustainability, Environment, Water, Populations and Climate (SEWPaC) Protected Matters (EPBC Act) Database; <a href="http://www.environment.gov.au/erin/ert/epbc/index.html">http://www.environment.gov.au/erin/ert/epbc/index.html</a>	6 June 2011	Griffith LGA.	None of the Aboriginal places on the RNE occur near the Subject Area.
Office of Environment and Heritage (OEH) Aboriginal Heritage Information Management System (AHIMS)	6 May 2011	15 x 10 km centred on the Subject Area	No AHIMS sites are located within the search area.
Local Environment Plan	6 June 2011	Griffith LEP of 2002	No Aboriginal places occur near the Subject Area.
S170 RTA Heritage and Conservation Register <a href="http://www.rta.nsw.gov.au/environment/heritage/heritageconservreg/index.html?elid=2">http://www.rta.nsw.gov.au/environment/heritage/heritageconservreg/index.html?elid=2</a>	6 June 2011	Western Region	No places on the search are within the Study Area

## 2.6 PROJECT CONSTRAINTS

Some portions of the pipeline easement afforded no ground surface visibility. Plates 4, 5, 9 and 10 demonstrate these areas.



### 3 LANDSCAPE CONTEXT

#### 3.1 TOPOGRAPHY, HYDROLOGY AND VEGETATION

The Subject Area is within the Murrumbidgee (Lachlan Plains) Catchment Management Area (CMA) and is located c. 22 km north of the Murrumbidgee River itself. This CMA is highly regulated and forms the basis for the region's economic development through irrigation. All water traversing the landscape prior to European modification, would have flowed directly into Mirrool Creek and then into the Murrumbidgee River and surrounding swamps and lagoons. The surrounding landforms would have been inundated when the river banks were overtopped.

In general the topography can be described as flat to gently undulating thus providing no physical barriers to movement across the landscape. The hydrology and climate of the area would indicate that past Aboriginal populations are likely to have spent the majority of their time in close proximity to the regional creeks and rivers. This is because the landscape does not provide plentiful water away from these systems (in the form of swamps and springs) and the generally hot and dry climate would not allow settlement to be located far from clearly-defined, well-watered areas or temporary wetlands.

Prior to clearing, vegetation in the Subject Area would have been consistent with Inland Floodplain Woodlands as described by Keith (2004), which would have been dominated by Myall Woodlands (*Acacia pendulla*) and grasslands. The frequently flooded depressions would have created temporary wetlands with high biodiversity (grasses, semi aquatic plants and associated reptiles and birds) during times of inundation, and thus would have provided ample resources for traditional Aboriginals.

#### 3.2 GEOLOGY AND SOILS

The geomorphology of the Murrumbidgee River floodplain consists of grey fine-textured Quaternary alluvium with sinuous perennial channels, back channels and billabongs, elevated levees of browner alluvium with relief to 3 m and riverside lunettes with relief to 10 m. Soils are plain with grey cracking and non-cracking clays, levees with texture-contrast soils and lunettes of deep calcareous sands (former NSW Department of Land and Water n.d).

Suitable raw materials for the manufacture of Aboriginal tools are scarce in the area, and it is suggested by Witter (1982 in Kabaila 1995: 12) that stone would likely be conserved through progressive flaking of large objects (axe heads and cores) to small sizes.

Prior to irrigation, the fertile silt soils of the region would have been supported sparse food resources away from creek and river systems except in times of inundation. This suggests that traditional Aboriginal settlement in the region would be concentrated around better-resourced areas adjacent to water and spread out across the landscape during times of flood.

### **3.2.1 Geomorphic activity**

The flooding of the flat plains of the Subject Area would have naturally led to a situation where slow siltation may have covered artefact or hearth based Aboriginal sites, hence obscuring them from visibility. Disturbance to the landscape since European occupation may have served to expose of further cover such sites.

## **3.3 CLIMATE**

Griffith's climate is characterised by hot summers (highest mean maximum temperature: 32.8°C in January) and cool winters (lowest mean minimum temperature: 3.5°C in July). Rainfall is relatively uniform throughout the year, with the mean monthly rainfall fluctuating from 27.7 mm in April to 40.5 mm in October. Nine months demonstrate a mean rainfall ranging between 33.2 mm and 35.9 mm (BOM 2011).

Such a climate, whilst hot, is unlikely to have presented impediments to sporadic Aboriginal occupation of the Subject Area and its environs. The relatively dry climate, however, is likely to have encouraged more concentrated settlement around the region's rivers and permanent creeks, such as the Murrumbidgee (approximately 22 km south of the Subject Area).

## **3.4 LAND-USE HISTORY**

Land use within the Subject Area has consisted of:

- Agriculture (specifically viticulture and various other crops prior to grapes);
- Transport (specifically road corridors: John Condon Road); and
- Water management (channel along Ben Martin Road).

### **3.4.1 Existing levels of disturbance**

The entire Subject Area is highly disturbed, with disturbances consisting of:

- Cultivation for prior agriculture;
- Table drains associated with road infrastructure; and
- The excavation of water channels.

## **3.5 CONCLUSIONS RE ABORIGINAL SITES IN RELATION TO THE EXISTING ENVIRONMENT**

The proposed works are to take place in a completely disturbed environmental context and are relatively distant from apparent water resources. It is therefore anticipated that sites may be infrequent and it is likely that, if present, any Aboriginal objects / archaeological deposits would be in disturbed or secondary contexts.

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## **4 ABORIGINAL HERITAGE ASSESSMENT: BACKGROUND**

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Limited written information exists regarding the broader prehistoric Aboriginal occupation or ethnohistory of the area and to date no systematic archaeological surveys have been undertaken. What follows is a synthesis of various, often one line references, to Aboriginal history in the area.

### **4.1 ETHNO-HISTORIC SOURCES OF REGIONAL ABORIGINAL CULTURE**

The Subject Area is within the southern boundaries of the territory of the Wiradjuri tribal and linguistic group (Tindale 1974). The Wiradjuri tribal area is situated within the Murray Darling Basin and extends across three general physiographic regions: the highlands or central tablelands in the east, the riverine plains in the west, and the transitional western slopes zone in-between (White and Cane 1986).

The Wiradjuri is one of the largest language groups within New South Wales, extending across the districts of Mudgee, Bathurst, Dubbo, Parkes, West Wyalong, Forbes, Orange, Junee, Cowra, Young, Holbrook, Wagga Wagga, Narrandera, Griffith and Mossgiel (Tindale 1974). While the area was noted to have a single basic language, various dialects were found throughout the region (Tindale 2000).

It is important to recognise the use and meaning of the term 'tribe' and the designation of lines on a map as 'tribal boundaries' as being controversial issues (Bowdler 1983: 22). There is no doubt that there were distinctive groups which can be defined by their linguistic traits, but the designation of lines on a map as boundaries, although useful, must also be accepted as problematic. Unlike Tindale's map, the map (from NSW NPWS) reproduced in Bowdler (1983: 17, Figure 2) shows a more general relationship of the language groups known to exist in NSW.

Prior to European settlement, the eastern margins of the Murrumbidgee River basin supported woodland and forest habitats that provided home to a wide range of exploitable resources for the Indigenous population, including possums, which provided a ready source of meat and fur for cloaks (Kabaila 1998: 12). Also used were vegetables including the roots of daisy yams (Myrrnong), the tubers of lilies and orchids, stands of bracken fern and Kurrajong roots. The wide and semi arid red brown earth plains around Hay and Griffith, would have provided grasslands where many emus and kangaroos ranged. These were often hunted, by the firing of vegetation (Kabaila 1998: 12). The frequent floods of the Murrumbidgee provided the local Indigenous population with a super abundance of resources for as the flood waters receded they left the drying pools stocked with freshwater mussels, yabbies, fish, waterfowl as well as aquatic plants (Kabaila 1998: 12).

The social organisation of the Wiradjuri appears to have been along the grounds of kinship

systems based on totem names and associations. This system governed and controlled marriage and determined ceremonial kinship obligations. Individual identities and clan affiliations were expressed partly through elaborate carvings on wooden implements and on skin cloaks (White and Cane 1986: 61).

From very early in the contact era, as early as the 1790's, small pox travelled the rivers of south eastern Australia and decimated Indigenous populations even before the earliest physical presence of Europeans. The beginnings of settlement by squatters, selectors and eventually ex-gold diggers significantly disrupted the Aboriginal population. From the 1830's the Aborigines became familiar with European foods, tools and tobacco and began wearing clothes. They often took on the names of the local property owners or landholdings (Green 2002: 105). Conflict arose here due to same reasons as elsewhere – settlers reacting violently to the Aborigines killing sheep or cattle and being unwilling to share their goods and while the Indigenous population was provided with rations, they were dying rapidly from disease, starvation, the ill effects of alcohol and as a result of massacres.

An extensive study on the ethnohistory of the Wagga Wagga area was compiled by Green (2002) for the Wagga Wagga Local Government Area Wiradjuri Heritage Study. However only two records relating to the opening and closing of the Warangesda Aboriginal Mission are relevant to the current Subject Area.

The first European settlement in the area was at Yanko station which was established in the 1840s (40 km southeast of the Subject Area). When the railway arrived in 1882 a township, 6 km south of present-day Leeton, began to develop around the station as the station master and fettlers settled nearby. Later that decade the name of the settlement was changed to Yanco in accordance with local spelling. The town of Griffith was designed much later in 1914, with both Leeton and Griffith planned to service the farms of the Murrumbidgee River Irrigation Scheme.

Late in the nineteenth century, with their traditional lands gone, the Aboriginal community was forced to move to Warangesda Aboriginal mission, 33 km south of Griffith at Darlington Point (c. 23 km south of the Subject Area). Warangesda Mission and the Warangesda Aboriginal Station operated between the years of 1880 - 1885 and 1886 – 1925 respectively. In 1924 the Warangesda mission was closed by the Aborigines Protection Board and the Aboriginal residents were moved to the 'police paddock', a plot of land behind the police station. The building remains in a paddock on "Warangesda" station (between Darlington Point township and the Sturt Highway).

## **4.2 REGIONAL ARCHAEOLOGICAL CONTEXT**

Within the Wiradjuri region, the presence of Aborigines in the Darling Basin has been dated to 40,000 years ago (Hope 1981 as cited in Haglund 1985). A spread east into the mountains is

thought to have occurred between 14,000 to 12,000 years ago.

Few archaeological studies have been undertaken in the Griffith region. Among those available; Hiscock (1983), Witter (1980, 2002), Gollan (1982) and Silcox (1986, 1987) surveyed for proposed Electricity Transmission Lines (ETL) or water pipe lines further afield near Wagga Wagga.

Archaeological assessment undertaken for a proposed pipeline between Wagga Wagga and Young by Witter in 1980 recorded fourteen open camp sites, 21 isolated finds, a scarred tree and a possible Aboriginal rock well.

In 1981, an extensive survey was undertaken in the Murrumbidgee River corridor between Angle Crossing and Kambah Pool (Barz and Winston-Gregson in Navin Officer 2001: 8). This study focussed on the river corridor and recorded 62 prehistoric sites, primarily artefact scatters that extended over considerable areas. Unifacially flaked, quartzite river cobble choppers were the most common artefact recorded but artefacts of quartz, chalcedony, jasper and sandstone were also recorded. Scarred trees were also present (7) along with three quarries and seven beaten earth rings that may have been used for ceremonial purposes. In terms of site location, the authors found that in many cases sites were not located on valley floors or on the tops of ridges but on median altitude locations in relation to the surrounding terrain. Sites were focussed on flattened hilltops and small terraces above the valley floor that provided shelter above the cold air drainage of the valley floors.

Hiscock (1983), after surveying the Wagga Wagga to Darlington Point 330kV ETL, agreed with Witter (1980) that:

- Mounds, occupation debris of worked stone and scarred cypress pine may be located adjacent to major flood channels;
- Scarred trees, fired clay hearths and occupation debris of worked stone, particularly where sand features are present, may be located adjacent to minor flood channels and temporary swamps; and
- Rare isolated artefacts, flaked or abraded stone and scarred trees can be found through the plains.

Assessment for a proposed water treatment works was undertaken in Gundagai in 1986 (Koettig 1986). The two options included a site on the Murrumbidgee River bank and the second on a hill to the south of the river. One site was recorded in the latter study area, being an open site containing four artefacts.

Assessment in Wagga Wagga for the establishment of a naval communications base was undertaken in 1992 (Wood 1992). The area assessed comprised c. 150 ha for the receiving station and 1.1 ha for the transmitting station. Over both study areas, fourteen oven mounds

(described as circular to oval mounds used for cooking food in oven pits) were recorded, mostly adjacent to watercourses. Of these only two remain in reasonable condition. Also recorded were ten hearths, some in association with mounds or artefact scatters; eight open camp sites and fourteen scarred trees.

A proposed pipeline extending from Wodonga to Wagga Wagga was surveyed in 1996 (SKM). This assessment recorded 25 Aboriginal sites, 10 being isolated finds, 12 open artefact scatters and three scarred trees. These include sites within the easement as well as those recorded in close vicinity. Results of the survey deemed that artefact scatters were recorded primarily in well-drained contexts within riparian zones adjacent to water sources, scarred trees occurred anywhere and that areas that had been heavily used for agriculture and were distant from water had low archaeological potential (SKM 1996: 9-5).

Assessment of a proposed bypass of Coolac along the Hume Highway resulted in the completion of three archaeological assessments, the first two of which were undertaken in 1994 and 1996 respectively and the last of which was undertaken in 2004 (Navin Officer 2004). The most recent assessment recorded two sites, one open camp site and the second a Potential Archaeological Deposit (PAD). The open site was comprised of six artefacts (5 quartz and one tuff) located on an elevated secondary terrace 150 m from the junction of Ginger Beer Creek with Muttama Creek. The PAD was identified in association with the terrace adjacent to Daisy Bed Creek near the junction of Muttama Creek.

To the south of Griffith in the Leeton area is Koonadan Historic Site, located adjacent to Tuckerbil Swamp and encompassing part of a low dune. Aboriginal skeletal material has been recovered from the dune and it is believed by the local Aboriginal community that this is an ancestral Wiradjuri burial ground (NPWS 1996).

The location of a proposed Telecom site at Mount Galore 50 kms southeast of Leeton was surveyed in 1986 (Stone 1986). Only a very small area was surveyed, c. 30 x 30 m and no Indigenous sites were recorded.

A recent archaeological survey was undertaken by OzArk (2009) 20 km south of the current Study Area at Coocancoocabil lagoon. No Aboriginal sites were recorded.

Stone tools have been discovered along the Murrumbidgee river flood plain and ovens have been discovered over a large area between Warangesda and Whitton (c. 20 km east of the Study Area) (Kabaila, 1995: 132).

Aboriginal sites known to be associated with the area include:

- a thin scatter of stone tools with pieces of grinding dishes over the whole area;
- ground ovens located mainly on the historic site but also on adjacent land;



- resource places □ the swamps and Mirrool Creek (c.1.5 km south) and adjacent land was an important hunting, fishing and food gathering area prior to clearing and draining;
- bora (ceremonial) grounds are reported to have been located between the dune and the swamp but have been obliterated by ploughing; and
- many culturally modified (scarred) trees are reported to have existed until the 1950s but have since been cleared.

The AHIMS database information (outside the boundaries of the search) shows that artefact scatters and culturally modified (scarred) trees have been previously recorded in the area.

Finally, anecdotal information is derived from Hiscock's (1983) discussions with local farmers who noted that burials occurred at Tom Bullen Swamp (c. 30 km southwest of the Study Area).

### **4.3 LOCAL ARCHAEOLOGICAL CONTEXT**

A search of the OEH AHIMS database was conducted on 6 May 2011 (15 x 10 km search area, centred on the Subject Area). This search revealed that no previously recorded Aboriginal sites are present in the local area.

One archaeological study has been conducted in the same vicinity as the current Subject Area. OzArk (2010) conducted an Aboriginal heritage assessment of a proposed almond processing plant for GHD Pty Ltd on behalf of Almondco Pty Ltd. The study was located on Lot 5 DP 1106724, accessed via Crawford Road, approximately 10 km south of Griffith, and in a similar landform as the current Subject Area. The landscape had been subject to disturbance in the forms of vegetation clearing, dams, stockpiles and water channels. The ground surface was covered by fine cracking silt that accumulates with flood events, masking earlier ground surfaces. The survey did not identify any Aboriginal objects or sites.

### **4.4 PREDICTIVE MODEL FOR SITE LOCATION**

The results of the previous archaeological studies in the region have recorded a low overall density of Aboriginal cultural heritage places particularly in areas where there is an absence of stone resources and/or water. This may change if further and more detailed studies were undertaken in the region given the obvious abundance of biodiversity and permanent water.

Occupation sites are almost invariably located near natural water sources with the complexity of the sites reflecting the longevity or volume of the water in the landscape. The most frequently recorded Aboriginal sites in these landforms are modified trees and to a lesser degree stone artefact scatters with or without hearth/ground oven materials. Other Aboriginal cultural heritage site types previously identified over the more extensive region include shell middens, ceremonial and dreaming sites, trees scarred by Aboriginal people, burials and earth mounds (NPWS 1996).

A significant factor is how these sites may have changed over time and what may be observable to the archaeologist today. Very little organic material survives, and only stone artefacts, shell, bones and potentially ground ovens (hearths) tend to remain preserved in the current landscape. Scarred trees may survive for up to several hundred years but rarely beyond. Additional impacts on preservation are factors of disturbance: erosion (wind and water), tree clearing, movement of grey cracking clay soils, stock trampling/grazing, ploughing and the installation of infrastructure.

On the basis of the regional and local context (**Sections 4.1 to 4.3**), the following general predictions can be made regarding the potential nature of sites and their location over the current Subject Area:

- Culturally modified trees (scarred and carved trees) are unlikely, as there are few trees in the Subject Area and possibly none of sufficient age for cultural scarring;
- Open camp sites (stone artefact scatters), possibly with the remnants of ground ovens have potential to occur, however, the likelihood of them remaining extant and undisturbed in the Subject Area is considered very low;
- Shell middens are unlikely due to a lack of proximity to permanent water;
- Human burials are most common in dunes adjacent to swamps and lakes, however, as the Subject Area does not contain any such landforms, the likelihood for this site type is assessed as low;
- Quarry or stone resource extraction sites may occur although to date no stone sources have been located within 15 km of the Murrumbidgee River (Hiscock 1983) and hence this site type is considered unlikely; and
- Isolated finds have potential to occur anywhere, although are most likely near permanent water which is not present in the environs of the Subject Area.

#### **4.5 SAMPLING STRATEGY**

The majority of the Impact Footprints within the Subject Area were physically assessed, hence sampling was not utilised.

#### **4.6 FIELD METHODS**

The field assessment was conducted via pedestrian transects. Information gathered during fieldwork was recorded in the following ways:

- Geographical data was captured using a mobile a Garmin eTrex handheld GPS;
- Handwritten notes were recorded on standard OzArk recording forms; and
- Photographs were taken using an Olympus digital camera.

## 5 RESULTS OF ABORIGINAL HERITAGE ASSESSMENT

### 5.1 EFFECTIVE SURVEY COVERAGE

Two of the key factors influencing the effectiveness of archaeological survey are ground surface visibility and exposure. These factors are quantified in order to ensure that the survey data provides adequate evidence for the evaluation of the archaeological materials across the landscape. For the purposes of the current study, these terms are used in accordance with the definitions provided in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales: Part 6 National Parks and Wildlife Act 1974* (DECCW 2010).

Ground surface visibility is defined as:

*... the amount of bare ground (or visibility) on the exposures which might reveal artefacts or other archaeological materials. It is important to note that visibility, on its own, is not a reliable indicator of the detectability of buried archaeological material. Things like vegetation, plant or leaf litter, loose sand, stone ground or introduced materials will affect the visibility. Put another way, visibility refers to 'what conceals' (DECCW 2010: 39).*

Exposure is defined as:

*... different to visibility because it estimates the area with a likelihood of revealing buried artefacts or deposits rather than just being an observation of the amount of bare ground. It is the percentage of land for which erosion and exposure was sufficient to reveal archaeological evidence on the surface of the ground. Put another way, exposure refers to 'what reveals' (DECCW 2010: 37).*

The current study examined two main units:

- **Proposed Bottling Plant.** Overall, ground surface visibility was very high (Plates 1-3) due to recent ploughing, albeit of deposits that have been disturbed for over a century; and
- **Pipeline.** Ground surface visibility was very varied along the 8km route, from zero (Plates 4, 5, 8 and 9) where the pipeline route traversed either disturbed viticulture areas or grassed tabledrains, to high (Plates 10-11) where the pipeline intersected eroded tabledrains or imported deposits (Plates 6-7).

Survey coverage is detailed in **Tables 3** and **4**. In general, survey coverage was considered adequate taking into consideration that all deposits assessed had suffered disturbance, often significant in degree.

**Table 3: Survey coverage data.**

Survey Unit	Landform	Survey Unit Area (sq m)	Visibility %	Exposure %	Effective Coverage Area (sq m) (= Survey Unit Area x Visibility % x Exposure %)	Effective Coverage % (= Effective Coverage Area / Survey Unit Area x 100)
Bottling plant	Plain	117100	100	100	117100	100%
Pipeline	Plain	163000	Av. 30	30	14670	9%

**Table 4: Landform summary—sampled areas.**

Landform	Landform area (sq m)	Area Effectively Surveyed (sq m) (= Effective Coverage Area)	% of Landform Effectively Surveyed (= Area Effectively Surveyed / Landform x 100)	Number of Sites	Number of Artefacts or Features
Plain	280100	131770	47%	3	5

## 5.2 ABORIGINAL SITES RECORDED

A total of three (3) Aboriginal sites were recorded of which two (2) were isolated finds and one (1) was an open artefact scatter. **Table 5** provides a summary of the recorded sites, while Figure 4 plots their locations.

**Table 5: Survey results.**

Site Number	Feature(s)	Survey Unit	Landform
MW-IF1	Isolated find	Bottling Plant	Plain
MW-IF2	Isolated find	Bottling Plant	Plain
MW-OS1	Open site	Pipeline	Plain

### **MW-IF1**

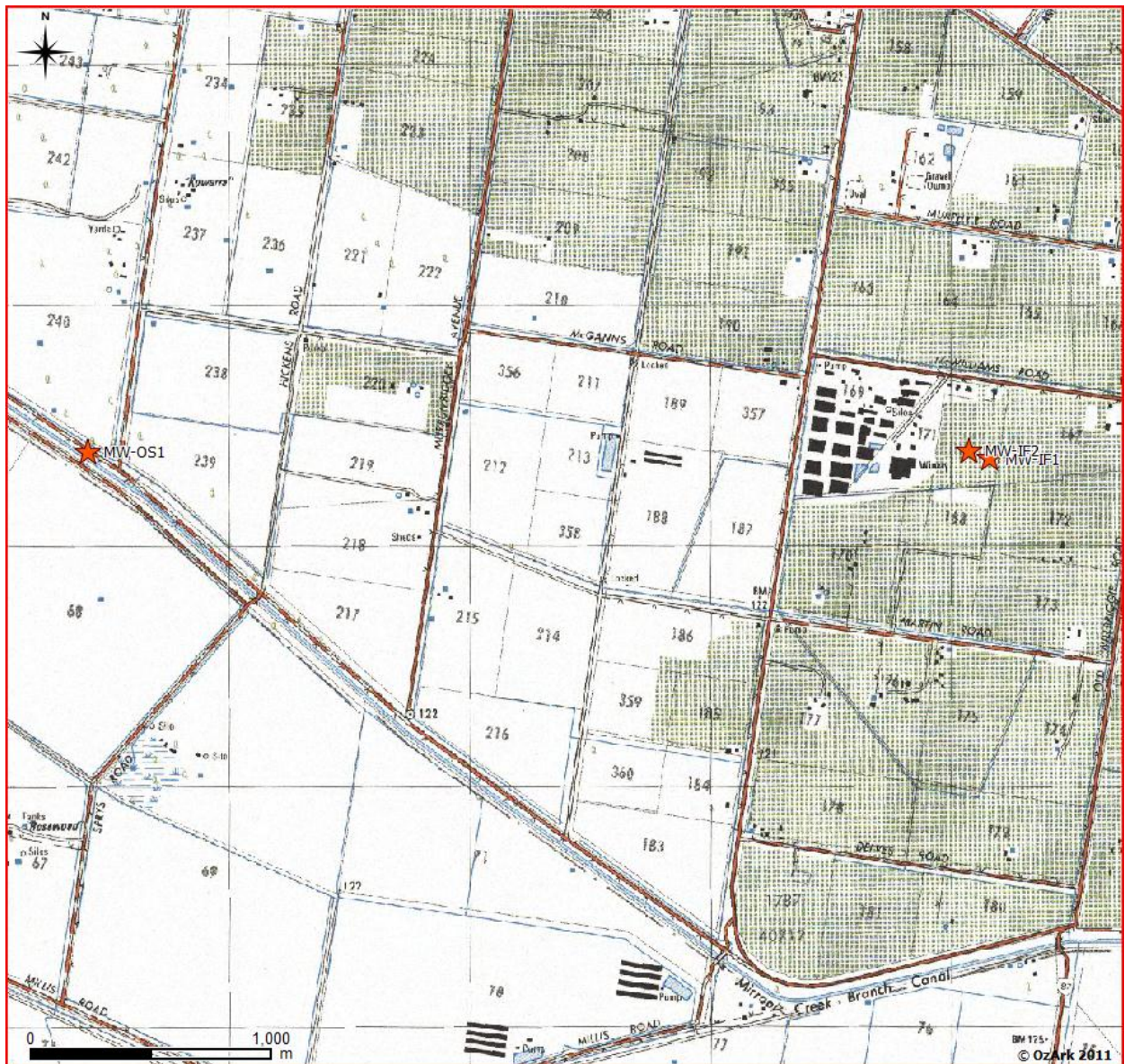
**Site type:** Isolated Find

**GPS Coordinates:** GDA Zone 55, 412269 E; 6198552 N

**Location of site:** In ploughed paddock proposed for bottling plant (Plate 2).

**Description of site:** This is a single white silcrete flake with focal platform and evidence of platform preparation. The flake measures 25x25x7mm. The site is situated within a highly disturbed and recently ploughed paddock.

**Figure 4: Locations of Aboriginal sites recorded during the current study (Base map source: Department of Lands).**



**MW-IF2**

**Site type:** Isolated find.

**GPS Coordinates:** GDA Zone 55, 412183 E; 6198586 N

**Location of site:** In ploughed paddock proposed for bottling plant (Plate 3).

**Description of site:** This is a small white silcrete half cobble that only shows possible features of knapping. The cobble has been split with an apparent focal point from which a bulb of percussion emanates. Due to the high levels of mechanical disturbance the landscape has undergone there is potential that the small cobble may have been split though means other than though human stone flaking. The piece measures 42x43x18mm. The site is situated within a highly disturbed and recently ploughed paddock.

**MW-OS1**

**Site type:** Small artefact scatter.

**GPS Coordinates:** GDA Zone 55, 408523E; 6198580N

**Location of site:** Along the southern tabledrain of Jon Condon Rd near the junction with Mansell Rd.

**Description of site:** This is a very disturbed site, as a result of road and electricity transmission line construction. Only three small broken silcrete flakes were visible (Plates 11-13, Table 6) present on the southern exposed edge of the tabledrain.

**Table 6: Artefacts recorded at MW-OS1.**

Material	Type	Dimensions	Remarks
Silcrete	Broken Flake	21x17x3	
Silcrete	Broken Flake	20x15x4	
Silcrete	Broken Flake	13x12x8	

### **5.3 DISCUSSION**

Due to the distance from permanent to semi-permanent water sources, it was considered unlikely that occupation sites of any size or complexity would be located and if present, it was understood they had a very high potential of being disturbed. The recording of two isolated finds in the ploughed paddock for the proposed bottling plant and the small artefact scatter along the pipeline route were therefore slightly unexpected, although the high levels of disturbance their environs they exhibit were not. These artefacts, all of silcrete, demonstrate that the area was indeed occupied in prehistory and potentially the evidence relates to occupation that may have



been centred around shallow basins/depressions that may have held water after inundation. No such water features remain apparent in the landscape today due to the extended period of agricultural impact and other land-use disturbances.

## **5.4 ASSESSMENT OF HERITAGE SIGNIFICANCE**

### **5.4.1 Introduction**

The appropriate management of cultural heritage items is usually determined on the basis of their assessed significance as well as the likely impacts of any proposed developments. Cultural, scientific and public significance are identified as baseline elements of significance assessment, and it is through the combination of these elements that the overall cultural heritage values of a site, place or area are resolved.

#### ***Cultural significance***

This area of assessment concerns the importance of a site or features to the relevant cultural group - in this case the Aboriginal community. Aspects of cultural significance include assessment of sites, items, and landscapes that are traditionally significant or that have contemporary importance to the Aboriginal community. This importance involves both traditional links with specific areas as well as an overall concern by Aboriginal people for their sites generally and the continued protection of these. This type of significance may not be in accord with interpretations made by the archaeologist - a site may have low scientific significance but high Aboriginal significance, or *vice versa*.

The significance of the archaeological sites located within the Subject Area was addressed with the community representatives during survey and in provision of a draft of this report prior to its finalisation.

#### ***Scientific significance***

Assessing a site in this context involves placing it into a broader regional framework, as well as assessing the site's individual merits in view of current archaeological discourse. This type of significance relates to the ability of a site to answer current research questions and is also based on a site's condition (integrity), content and representativeness.

The overriding aim of cultural heritage management is to preserve a representative sample of the archaeological resource. This will ensure that future research within the discipline can be based on a valid sample of the past. Establishing whether or not a site can contribute to current research also involves defining 'research potential' and 'representativeness'. Questions regularly asked when determining significance are: can this site contribute information that no other site can? Is this site representative of other sites in the region? In general terms, any Aboriginal object has the ability to either add to our knowledge about an area's Aboriginal

history, comment on the technological developments of a people or may act as potential markers for subsurface deposits.

#### ***Public significance***

Sites that have public significance do so because they can educate people about the past. By reducing ignorance about why sites are important to the Aboriginal and scientific community, important sites can be protected from ignorant or inadvertent destruction. Educating the public to understand the need for site preservation should increase the likelihood of maintaining an archaeological resource into the future. For a site to have high public significance it should contain easily identifiable and interpretable elements, and be relatively easily accessed. If an artefact scatter is in some way outstanding (either in terms of spatial size or artefact density) it may be recognisable by the lay-person and hence interpretable, but if not this site type is usually assessed as having low public significance.

Artefact sites are generally difficult for the lay-person to appreciate without interpretative aids.

### **5.4.2 Assessed significance of the recorded sites**

#### ***Cultural significance***

All Aboriginal archaeological sites and lands are important to the local Aboriginal community. See attached correspondence from the Griffith LALC.

#### ***Scientific significance***

Due to the extremely high levels of disturbance the recorded sites have suffered they are assessed as having *low scientific significance*. The only real scientific sig that can be ascertained from these objects relates to their demonstration that these areas were indeed occupied in prehistory, indicating that water availability, at least at a temporarily, enabled some occupation of these plains, despite their distance from Merool Creek.

#### ***Public significance***

As flaked stone debitage very difficult is or the layperson to recognise the significance of these artefacts to the public is as low.

## **5.5 LIKELY IMPACTS TO ABORIGINAL HERITAGE FROM THE PROPOSAL**

Based on the current project design, all three recorded sites would be impacted by the Hanwood Expansion project. As two of the sites are isolated artefacts that are not *in situ* and the third is a highly disturbed location, it is not considered appropriate or necessary for the impacts of the project to be redesigned to avoid these sites. To do so may engender the need for further survey/assessment and may result in areas of lesser disturbance being impacted.

**Table 7: Impact assessment**

<b>Site Number</b>	<b>Type of Harm (Direct/Indirect / None)</b>	<b>Degree of Harm (Total/Partial / None)</b>	<b>Consequence of Harm (Total/Partial/No loss of value)</b>
MW-IF1	Direct	Tot al	Total
MW-IF2	Direct	Total	Total
MW-OS1	Direct	Total / Partial	Total/Partial

## 6 MANAGEMENT AND MITIGATION: ABORIGINAL HERITAGE

### 6.1 GENERAL PRINCIPLES FOR THE MANAGEMENT OF ABORIGINAL SITES

Appropriate management of cultural heritage items is primarily determined on the basis of their assessed significance as well as the likely impacts of the proposed development. **Sections 5.4** and **5.3** described respectively the significance / potential of the recorded sites and the likely impacts of the development. The following management options are based on general principles, in terms of best practice and desired outcomes. Specific management options for the identified Aboriginal sites based on known site impacts are presented in **Section 6.2**.

- *Avoid impact* by altering the development proposal or in this case by avoiding impact to a recorded Aboriginal site. If this can be done, then a suitable curtilage around the site must be provided to ensure its protection both during the short-term construction phase of development and in the long-term use of the area. If plans are altered, care must be taken to ensure that impacts do not occur to areas not previously assessed.
- *If impact is unavoidable:* Under Part 3A of the EP & A Act<sup>1</sup>, which the McWilliams Hanwood Expansion project is to be assessed under, the 90 Aboriginal Heritage Impact Permits (AHIP) permits that are required for impacts to Aboriginal heritage under the NP&W Act, are not necessary, although the spirit of site protection and management in the face of impacts remains the same. Instead, a Statement of Commitments (SoC) in terms of heritage is presented within 3A applications, which then form the basis for the Minister's approval which will usually contain a series of Conditions, possibly including a requirement for the preparation of an Aboriginal Cultural Heritage Management Plan (ACHMP) as part of the Construction Environment Management Plan (CEMP) for the project. These conditions include similar checks and balances as required by the AHIP process, such as test excavation programmes or site destruction mitigation development etc., however, without the need to obtain permits.
- The either the Conditions of Approval, or the ACHMP is required, will include measures for site conservation as well as detailing methods for the management of sites to be impacted. The management will depend on many factors including the assessed significance of the sites. Sites of moderate to high significance and/or potential may require either test or salvage excavation, or more detailed recording, as part of approval conditioning or the ACHMP.
- Sites of low significance may be removed / destroyed with no further archaeological assessment being required, or with an approved salvage / monitoring programme. The local Aboriginal communities may wish to collect or relocate artefacts, whether temporarily or permanently, and such issues are also required to be covered off in the conditions or the ACHMP.

<sup>1</sup> It is understood that although Part 3A of the EP&A Act has now been replaced, all projects to which Director- General requirements had already been provided will continue to be assessed under the provisions of this legislation.

- Aboriginal community consultation may also be required as part of the Part 3A Approval process. If an ACHMP is required, it needs to be developed in consultation with OEH and the Aboriginal community stakeholders for the project. Relevant too is the fact that consultation with the Aboriginal community as per the DEC 2005 *Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation* may need to occur. In reference to consultation, these guidelines then relate back to the DEC 2005 *Interim Community Consultation Requirements* (ICCR's) as a guide as to how the consultation should be undertaken.

## 6.2 MANAGEMENT AND MITIGATION OF RECORDED ABORIGINAL SITES

As both MW-IF1 and IF2 are in highly disturbed locations, it is recommended that they be relocated (if possible) and collected prior to development of the ploughed paddock that they are situated in. Soils that comprise the 'A' horizon over this paddock should not be taken off site, and should be stockpiled during construction for re-use in site rehabilitation after works are complete. This will ensure that if other artefacts are present in these disturbed deposits, they will remain within the vicinity.

Artefacts of site MW-OS1 should likewise be collected prior to pipeline trenching occurring. Although this site is likewise highly disturbed, there is limited potential for other artefacts in the disturbed deposits present, and consequently it is recommended that the pipeline trench should be monitored by Aboriginal community representatives for c. 100 m either side of the identified location of site MW-OS1. Any artefact observed may then be collected and relocated along with the three surface artefacts of site MW-OS1.

The management activities described above were discussed with the Aboriginal community representatives during the assessment and should be embodied in Statement of Commitments for the project (and will hence be within the conditions of a project approval, should it be received), or in an ACHMP for the project if such is required.

## 6.3 RELEVANT LEGISLATION

Cultural heritage is managed by a number of State and National Acts. Baseline principles for the conservation of heritage places and relics can be found in the Burra Charter<sup>2</sup>, which recognizes that there are places worth keeping because they can enrich our lives on many levels. The significance of such places may be embodied in fabric (physical material), environmental setting, contents, use or its meaning to people, and should be assessed through methodical data collection. Since its adoption in 1979, The Burra Charter has become the

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<sup>2</sup> The Burra Charter defines the basic principles and procedures to be followed in the conservation of all kinds of places such as monuments, buildings, Aboriginal sites, roads, archaeological sites, whole districts or even regions. It was first adopted in 1979, based on the Australia ICOMOS (International Council on Monuments and Sites) review (1977) of the 1966 Venice Charter (Australia ICOMOS Inc. 2000).

standard of best practice in the conservation of heritage places in Australia, and heritage organisations and local government authorities have incorporated the inherent principles and logic into guidelines and other conservation planning documents. The Burra Charter generally advocates a cautious approach to changing places of heritage significance. This conservative notion embodies the basic premise behind legislation designed to protect our heritage, which operates primarily at a State level.

A number of Acts of parliament provide for the protection of Aboriginal heritage at various levels of government<sup>3</sup>. The three most important statutes in New South Wales are the:

- Environmental Planning and Assessment Act 1979 (EP&A Act), amended by the Environmental Planning and Assessment Amendment (Infrastructure and Other Planning Reform) Act 2005 (EP&AA Act).
- National Parks and Wildlife Act 1974 (NPW Act).

While at Commonwealth level, the following statute is relevant:

- Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) amended by the Environment and Heritage Legislation Amendment Act (no. 1) 2003.

### **6.3.1 State legislation**

#### **6.3.1.1 *Environmental Planning and Assessment Act 1979 (EP&A Act)***

This Act<sup>4</sup> established requirements relating to land use and planning. The four areas controlled by the Act are:

- Part 3: environmental planning instruments, including cultural heritage;
- Part 3A: approvals process for Major Projects;
- Part 4: local government development assessments, including heritage. May include schedules of heritage items; and
- Part 5: environmental impact assessment requirements (for those developments not assessed under Part 3A or requiring consent under Part 4). State owned heritage items listed on LEPs are governed by Part 5.

#### **6.3.1.2 *National Parks and Wildlife Act 1974 (NPW Act)***

Amended during 2010, the *National Parks and Wildlife Act 1974* provides for the protection of Aboriginal objects (sites, objects and cultural material) and Aboriginal places. Under the Act

<sup>3</sup> NSW Heritage Office 1998: *Living with Aboriginal Culture*, p. 3.

<sup>4</sup> Please note this Act underwent changes after the commencement of this project. The old summary remains here as it is understood that provisions of the old act will still apply to this project.



(S.5), an Aboriginal object is defined as: any deposit, object or material evidence (not being a handicraft for sale) relating to indigenous and non-European habitation of the area that comprises New South Wales, being habitation both prior to and concurrent with the occupation of that area by persons of European extraction, and includes Aboriginal remains.

An Aboriginal place is defined under the *National Parks and Wildlife Act 1974* as an area which has been declared by the Minister administering the Act as a place of special significance for Aboriginal culture. It may or may not contain physical Aboriginal objects.

As of 1 October 2010, it is an offence under Section 86 of the *National Parks and Wildlife Act 1974* to 'harm or desecrate an object the person knows is an Aboriginal object'. It is also a strict liability offence to 'harm an Aboriginal object' or to 'harm or desecrate an Aboriginal place', whether knowingly or unknowingly. Section 87 of the Act provides a series of defences against the offences listed in Section 86, viz.:

- The harm was authorised by and conducted in accordance with the requirements of an Aboriginal Heritage Impact Permit (AHIP) under Section 90 of the Act;
- The defendant exercised 'due diligence' to determine whether the action would harm an Aboriginal object; or
- The harm to the Aboriginal object occurred during the undertaking of a 'low impact activity' (as defined in the regulations).

Under Section 89A of the Act, it is a requirement to notify the OEH Director-General of the location of an Aboriginal object. Identified Aboriginal items and sites are registered with the NSW OEH on the Aboriginal Heritage Information Management System (AHIMS).

### **6.3.2 Commonwealth legislation**

#### **6.3.2.1 *Environmental Protection and Biodiversity Conservation Act 1999***

Amendments in 2003 established the National Heritage List and the Commonwealth Heritage List, both administered by the former Commonwealth Department of the Environment, Water, Heritage and the Arts (DEWHA), now Department of Sustainability, Environment, Water, Populations and Communities (SEWPaC). Ministerial approval is required for proposals involving significant impacts to National/Commonwealth heritage places. Additionally, the Australian Heritage Council maintains the Register of the National Estate (RNE).

#### **6.3.2.2 *Australian Heritage Council Act 2003***

This Act established the Australian Heritage Council as an independent advisory body regarding National/Commonwealth heritage places. The Council conducts assessments of listing nominations, advises the Minister for Environment and Heritage, maintains the RNE, and

promotes the assessment and conservation of heritage items.

## 7 RECOMMENDATIONS

Under the NP&W Act it is mandatory that all Aboriginal sites recorded under any auspices be registered with the NSW OEH Aboriginal Heritage Information and Management System (AHIMS). As a professional in the field of cultural heritage management it is the responsibility of OzArk EHM P/L to ensure this process is undertaken.

To this end it is noted that a total of three (3) Aboriginal sites were recorded during the assessment.

Definitive project impacts in relation to site locations are discussed in Section 5.5. The following recommendations are made on the basis of these impacts and with regard to:

- legal requirements under the terms of the *National Parks and Wildlife Act 1974* (as amended) whereby it is illegal to damage, deface or destroy an Aboriginal relic / object without the prior written consent of the Director of the DECCW or without approval from the Minister under Part 3A;
- the findings of the current investigations undertaken within the Project Site; and
- the interests of the Aboriginal community.

All three recorded sites will be directly impacted by the Hanwood Expansion Project. The following recommendations for the management of these sites will need to be incorporated into a Statement of Commitments for the project, which feed into any Conditions of Approval. The latter may or may not require the development an ACHMP for the Hanwood Expansion Project.

1. As both MW-IF1 and IF2 are in highly disturbed locations, it is recommended that they be relocated (if possible) and collected prior to development of the ploughed paddock that they are situated in. Soils that comprise the 'A' horizon over this paddock should not be taken off site, and should be stockpiled during construction for re-use in site rehabilitation after works are complete. This will ensure that if other artefacts are present in these disturbed deposits, they will remain within the vicinity.
2. Artefacts of site MW-OS1 should likewise be collected prior to pipeline trenching occurring. Although this site is also highly disturbed, there is limited potential for other artefacts in the disturbed deposits present, and consequently it is recommended that the pipeline trench should be monitored by Aboriginal community representatives for c. 100 m either side of the identified location of site MW-OS1. Any artefact observed may then be collected and relocated along with the three surface artefacts of site MW-OS1.
3. The management activities described above were discussed with the Aboriginal community representatives during the assessment and should be embodied in Statement of Commitments for the project (and will hence be within the conditions of a project approval, should it be received), or in an ACHMP for the project if such is required.
4. Staff and contractors should undergo cultural heritage inductions alerting them to the location of recorded cultural heritage sites within the Study Area and to their legislative protection under the NPW Act. These inductions should be recorded in a register, with all

those present signing their complicity with these recommendations, also to be held within the Construction Environmental Management Plan (CEMP) for the project.

5. Should the proposed impact footprints change, McWilliams must take care to ensure that sites currently avoided by the project impacts remain undisturbed, and that impacts remain within previously assessed areas. Should impacts be altered, revision may be needed for the management measures proposed.
6. Should any previously unidentified 'objects' or other Aboriginal sites be uncovered during the course of construction, work in that area should cease and the DECCW South Western Regional Archaeologist (Buronga Office) and local Aboriginal community be contacted to discuss how to proceed.

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## **PLATES**

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Plate 1: Proposed location for the construction of the bottling facility at Hanwood. Note the heavy recent disturbance and high ground surface visibility.

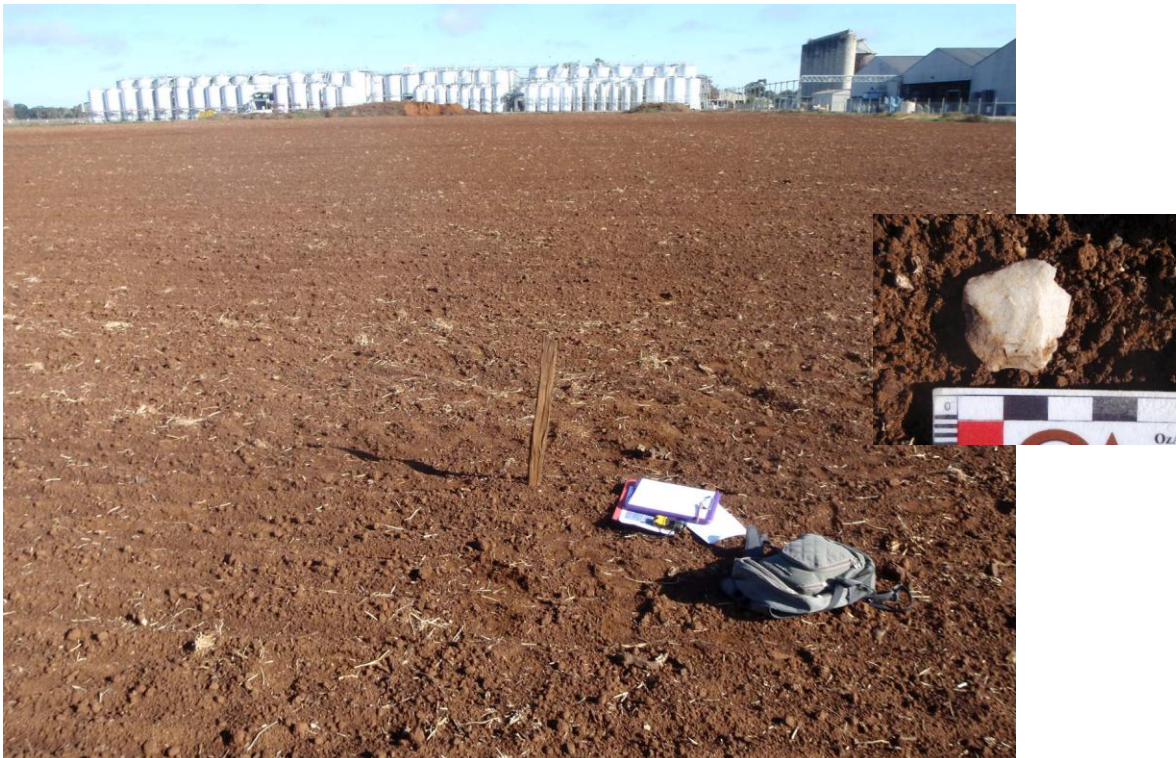


Plate 2: The wooden peg demonstrates the location of silcrete flake MW - Isolated Find 1.





Plate 3: The clipboard demonstrates the location of MW - Isolated Find 2.



Plate 4: Route of the pipeline leaving Hanwood. Note the lack of ground surface visibility.





Plate 5: Pipeline route along Ben Martin road, east end.



Plate 6: Location that pipeline will underbore the Kidman Way.





Plate 7: Pipeline route along Ben Martin Rd west the Kidman Way. Note the deposits in view have been imported.



Plate 8: View east of pipeline route along Ben Martin Rd at the junction with Murrumbidgee Rd. Note the track is along the mound of spoil from the channel.





Plate 9: Pipeline route along Murrumbidgee Road, west verge. No ground surface visibility and within table drain.



Plate 10: View west of pipeline route along south verge of Jon Condon Rd. No ground surface visibility and within table drain.





Plate 11: Location of disturbed artefact scatter MW-OS1, along the edge of the table drain and power easement on the southern verge of Jon Condon Rd.

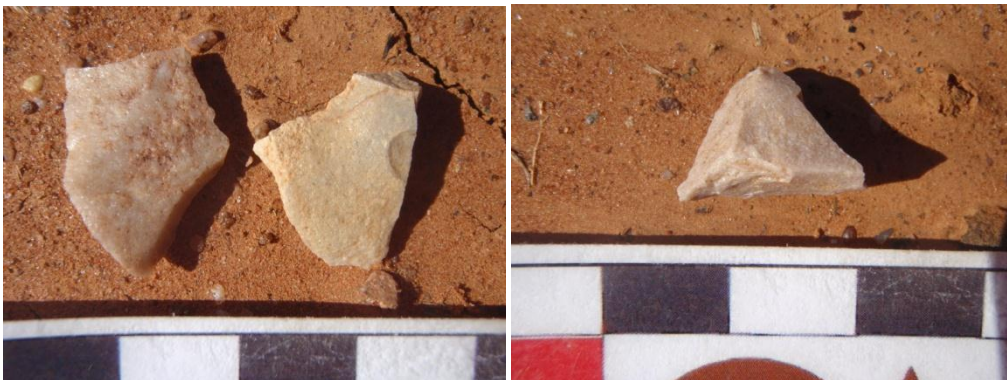


Plate 12: Silcrete flakes from site MW-OS1.



Plate 13: View east along table drain to site MW-OS1.

## **APPENDIX 1: ABORIGINAL COMMUNITY CORRESPONDENCE**

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**Table 8: Aboriginal Community Correspondence.**

Date	Organisation /	Contact Name	Comment	OzArk staff/ method
11.05.11	Griffith LALC	Graham Kilby e: 'griffalac@bigpond.com ph: 02 6962 6711	phoned and spoke to Graham about upcoming survey, was given email address to send details for the date. Graham advised he would phone back on Monday to confirm a Site Officer	cb - phone/email
18.05.11	Griffith LALC	Graham Kilby e: 'griffalac@bigpond.com ph: 02 6962 6711	phoned office, spoke with Graham who requested the information be re-sent, emailed GLALC the details.	cb - phone/email
20.05.11	Griffith LALC	Graham Kilby e: 'griffalac@bigpond.com ph: 02 6962 6711	received email from Graham with names of the Site Officers who will be participating in the survey next week. 'Hi Cheryl The name of the of people who will be attending will be Kevin Kilby and Donald Tomkins, I will be attending as well Should you need further info please feel free to call me,'	cb - email
23.05.11	Griffith LALC	Graham Kilby e: 'griffalac@bigpond.com ph: 02 6962 6711	Graham emailed re: change of Site Officers for survey 'Also Donald Tomkins will not be attending for the Land Council, It will be Kevin Kilby and Max Harris'. Emailed and spoke to Graham to confirm meeting time and place.	cb - phone/email
26.05.11	Griffith LALC	SURVEY DATE	Participation in Survey: Dr Jodie Benton (OzArk). Kevin Kilby and Max Harris (GLALC).	



**Letter from OzArk to Griffith LALC requesting field officers (p. 1).**



Environmental & Heritage Management P/L

ABN: 59 104 582 354

11<sup>th</sup> May 2011

Members – Griffith LALC

c/ - Mr G Kilby

5 Wiradjuri Place

Griffith NSW 2680

E: 'gfflalc@bigpond.com'

Dear Graham

*Re: Aboriginal heritage investigation for the McWilliams Hanwood Expansion.*

OzArk Environmental & Heritage Management P/L has been commissioned by McWilliams to assess Indigenous heritage associated with the proposed McWilliams Hanwood Expansion.

We would like to undertake physical survey of the Study Area and wish to invite one (1) Site Officer from Griffith LALC to participate in the field assessment Thursday 26<sup>th</sup> May 2011.

Fee offer: The Proponent is offering \$600.00 (excl. GST) per day for participation in the field survey for an experienced, senior Sites Officer or Elder; this fee is all inclusive of travel, accommodation and meal expenses. Invoices are to be addressed to JJC Engineering P/L, 34 Logan Street, Canterbury VIC 3126 and Attention: Mike Carson (e: 'mike@jjcgroup.com.au')

When confirming involvement in the field survey you acknowledge your Site Officer's participation at this rate.

Due to NSW OH&S legislation we need to have on record current workers compensation insurances in the name of Griffith LALC before going into the field. Unfortunately we will not be able to allow participation without a copy of your Current Workers Compensation *Certificate of Currency*. This can be faxed to us on 6882 0630, or emailed to cheryl@ozarkehm.com.au.

Please forward your current insurances to our office with notification of your nominated Site Officer's name and confirmation they are available on the proposed dates.

We will be in touch closer to 26<sup>th</sup> May to nominate time and meeting place.

OZARK ENVIRONMENTAL & HERITAGE MANAGEMENT P/L

PO Box 2069 Dubbo NSW 2830

Tel: 6882 0118; Mob: 0403 763 504 / 0423 198 898;

E-mail: jodie@ozarkehm.com.au phil@ozarkehm.com.au / cheryl@ozarkehm.com.au

Web: www.ozarkehm.com.au

**Letter from OzArk to Griffith LALC requesting field officers (p. 2).**

If you have any queries, please feel free to contact our office.

Kind regards

A handwritten signature in black ink that reads "Cheryl Burke" followed by a period.

Cheryl Burke  
Office Administration

OZARK ENVIRONMENTAL & HERITAGE MANAGEMENT P/L  
PO Box 2069 Dubbo NSW 2830  
Tel: 6882 0118; Mob: 0403 763 504 / 0423 198 898;  
E-mail: jodie@ozarkehm.com.au phil@ozarkehm.com.au / cheryl@ozarkehm.com.au  
Web: www.ozarkehm.com.au

## Record of Participation

Record of Aboriginal Representative Participation in Cultural Heritage FieldworkProject Name: McWilliams Winery - HANWOOD EXPANSIONClient Name: McWilliams Winery -Client Address: Kidman Hwy, HANWOODName of Aboriginal Organisation: GRIFFITH LALCName of Representative(s): Kevin Kilby ; Max HarrisName of Archaeologist: Jodie BentonAddress of Archaeologist: 145 Wingewarra Street Dubbo

## Type of participation:

- ☐ Guided inspection of study area or sites
- ☒ Accompanied and participated in the archaeological survey of the study area
- ☐ Undertook a separate inspection of the study area
- ☐ Participated in excavation programme

## Period of participation:

Dates	Start	Finish
<u>26/5/11</u>	<u>8-30</u>	

Were sites recorded? :

Yes - 2 isolated finds in the very disturbed, proposed bottling  
1 small disturbed artefact scatter on table  
of Jarrilander Rd.

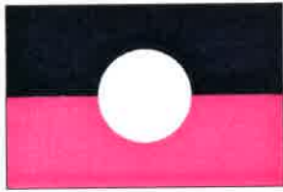
## Issues Discussed:

- Very high levels of disturbance
- No part of our Study Area likely to have intact sites due to previous land use disturbance.
- Artefacts to be collected before development.
- Stop work if others found during construction.

Signed Aboriginal Representative: \_\_\_\_\_

Signed Archaeologist: \_\_\_\_\_

Jodie Benton , M. Harris Kilby



## Griffith Local Aboriginal Land Council

5 Wiradjuri Place Griffith NSW 2680  
TELEPHONE (02) 69626711 FAX (02) 641477  
PO BOX 1424 Griffith NSW 2680  
Email griffalac@bigpond.com.au

Ref: Site Workgfflalc270511

Jodie Benton  
OzArk EHM P/L  
145 Wingewarra Street, Dubbo, NSW 2830  
PO Box 2069, Dubbo, NSW 2830

### Re: Heritage Assessment – McWilliams Winery Proposed Pipeline

Dear Jodie,

Thank you for your comprehensive archaeological assessment of the McWilliams Winery Proposed Pipeline site that utilised and engaged our local Griffith LALC Site Workers on Thursday 27<sup>th</sup> May 2011.

### INVESTIGATION CONCLUSION

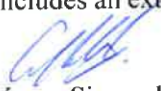
The report's recommendations read:

*"The heritage assessment has determined that the McWilliams Winery Proposed Pipeline and the proposed sites are not of local or state heritage significance."*

### RECOMMENDATIONS

*All land is sacred to Aboriginal people and is a vital part of our culture; however no record has been presented indicating that this area is significant to the local Aboriginal cultural heritage. Should however any artefacts be discovered during excavations or work processes, we would like all work stopped and the Griffith Local Aboriginal land Council should be notified immediately.*

There is no objection by the Griffith LALC and we endorse your archaeological assessment which includes an extensive Aboriginal Heritage assessment.

  
Yours Sincerely  
Graham Kilby  
Chief Executive Officer  
Griffith Local Aboriginal Land Council  
1 June 2011