



Aboriginal Cultural Heritage Assessment

Commonwealth Bridge

Parkes, ACT

May 2023



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Officer**

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consultants Pty Ltd*

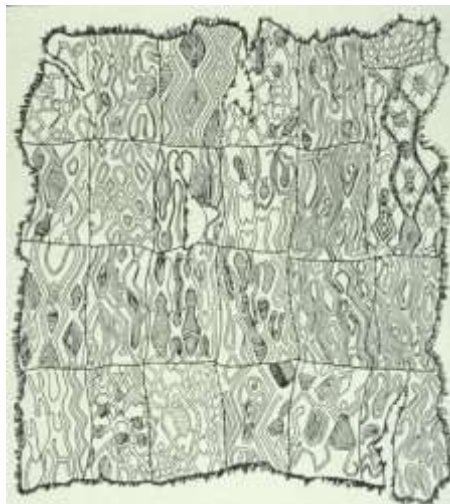
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NOHC acknowledges Australia's Aboriginal and Torres Strait Islander people, their many diverse communities across our nation and their rich culture. We pay respect to their Elders past and present. We acknowledge Aboriginal and Torres Strait Islander peoples as Australia's first peoples and as the Traditional Owners and custodians of the land and water across the Australian landscape and seascape. We recognise and value the ongoing contribution of Aboriginal people to Australian life and how their contribution continues to enrich our society. In our daily work we recognise, cherish, celebrate and defend the evidence of Aboriginal and Torres Strait Islander peoples rich and complex history and prehistory which extends back from the present day into a deep and distant past. We understand that this archaeological evidence has meaning to the descendants of those who created it. Through our research and conservation efforts we strive to unlock hidden meanings from these traces of the past and to make that knowledge available to current and future generations of Aboriginal and Torres Strait Islander people.

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EXECUTIVE SUMMARY

The Commonwealth Avenue Bridge was designed in the late 1950s, built in the early 1960s and opened in November 1963. The Bridge is a critical component of the transport network of Canberra and the Australian Capital Territory overall and forms a major link in Canberra's active transport network. The existing Bridge currently presents considerable limitations both at present and in the future including vehicle design load limitations, shared pedestrian and cycleway path width limitations and vehicle and shared path safety barrier design limitations.

The project intent is to widen and strengthen the existing Bridge, increase its load bearing capacity to reflect current and forecast traffic load demands, upgrade vehicle and pedestrian safety barriers, and to accommodate wider shared pedestrian and cycleway paths.

This report provides an Aboriginal cultural heritage assessment of the project study area. A separate built heritage assessment is being undertaken and therefore historic/built heritage will not be covered by this assessment.

A range of archaeological and historical data was reviewed for the project study area and its surrounds. This literature and data review was used to determine if known Aboriginal sites were located within the area under investigation, to facilitate site prediction on the basis of known regional and local site patterns, and to place the area within an archaeological and heritage management context. A site survey was undertaken by Navin Officer Heritage Consultants (NOHC) staff on 6 April 2023 (Nicola Hayes). This involved a walk over of the area proposed to be impacted by the project.

The project study area was highly modified during the construction of Lake Burley Griffin in the 1960s. A peninsular was created the northern section to carry the bridge over the lake. The project study area is devoid of any natural vegetation and consists of landscape plantings of introduced species. The area is dominated by infrastructure including pathways and the current Commonwealth Avenue Bridge infrastructure.

The Aboriginal people of the Canberra region continue to hold strong association with the area and take an active role in retaining their connection to their traditional lands.

RPS have prepared an assessment for the Canberra Light Rail Stage 2 (City to Woden) project (RPS 2018). The assessments included the following Aboriginal cultural sites and values:

The Molonglo River Landscape which is now inundated with Lake Burley Griffin was identified as being of cultural significance and likely to contain Aboriginal sites.

A heritage assessment for Commonwealth Avenue bridge was completed by GML Heritage in September 2020 (GML Heritage Services 2020). The assessment included consultation with the Representative Aboriginal Organisations. The following was summarised in the report:

Wally Bell noted that the Canberra CBD areas, Acton and Western Basin, Commonwealth Park and all of the surrounding landscape were well known for having been occupied by Ngunnawal people prior to the arrival of colonial settlers... The crossing point over the Molonglo River in the nearby area was from the end of Acton Peninsula which provided access to the major ceremonial and meeting site at the current Australian Parliament House.

Paul House: Commonwealth Avenue Bridge is located within part of the broader Kamberri/Ngambri cultural landscape... Cultural values associated with the general area around Commonwealth Avenue Bridge are long-term spiritual values associated with the landscape – Paul stated that 'the spirits are in the land, they were there long before us and will continue to be there long after us'.

No Aboriginal sites have been identified within the Commonwealth Avenue Bridge project study area. Aboriginal objects have been collected from the areas surrounding the project study area, however the project study area has been highly modified meaning that the likelihood of there being any Aboriginal sites or objects within the project study area is very low.

It is recommended that:

1. There are no Aboriginal archaeological heritage constraints to the project. The unanticipated discovery protocols outlined in Appendix 1 should be implemented for this project.
2. The Aboriginal cultural values of the project areas should continue to be ascertained and documented through consultation on the draft of this document.
3. A copy of this report should be provided to the relevant determining authority in the NCA for their review and comment.

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1 INTRODUCTION

1.1 Project Background

The Commonwealth Avenue Bridge was designed in the late 1950s, built in the early 1960s and opened in November 1963. The Bridge is a critical component of the transport network of Canberra and the Australian Capital Territory overall and forms a major link in Canberra's active transport network. The existing Bridge currently presents considerable limitations both at present and in the future including vehicle design load limitations, shared pedestrian and cycleway path width limitations and vehicle and shared path safety barrier design limitations.

The Project intent is to widen and strengthen the existing Bridge, increase its load bearing capacity to reflect current and forecast traffic load demands, upgrade vehicle and pedestrian safety barriers, and to accommodate wider shared pedestrian and cycleway paths.

This report provides an Aboriginal cultural heritage assessment of the project study area. A separate built heritage assessment is being undertaken and therefore historic/built heritage will not be covered by this assessment.

1.2 Project study area

The Commonwealth Avenue Bridge is located in Parkes, Canberra. The project study area comprises the bridge, which spans Lake Burley Griffin, and includes the landscaped areas associated with the bridge on either side of the lake (Figure 1-1 and Figure 1-2). On the northern side of the lake the project study area includes land around Barrine Drive, part of which is known as Commonwealth Park, and to the south, it includes the landscaped area to the north of Flynn Place, to the west of Patrick White Terrace.

The bridge itself, and the area to the east of the bridge, are located on national land managed by the National Capital Authority, whilst the land to the west of the bridge is managed by the ACT Government.

1.3 This Report

1.3.1 Outline

This report:

- Describes the project (Section 1);
- Describes the methodology employed in the study (Section 2);
- Describes the environmental setting of the project study area (Section 3);
- Provides information relevant to the Aboriginal cultural context of the project study area (Section 4);
- Describes the Archaeological context of the project study area (Section 5);
- Describes the results of the field survey (Section 6);
- Assesses the significance of the cultural heritage identified within the project study area (Section 7); and
- Provides management recommendations based on the results of the investigation (Section 8).



1.3.2 Restricted Information and Confidentiality

Information in this report relating to the exact location of Aboriginal sites should not be published or promoted in the public domain.

No information provided by Aboriginal stakeholders in this report has been specifically identified as requiring access restrictions due to its cultural sensitivity.

No information in this report has been classified as confidential.

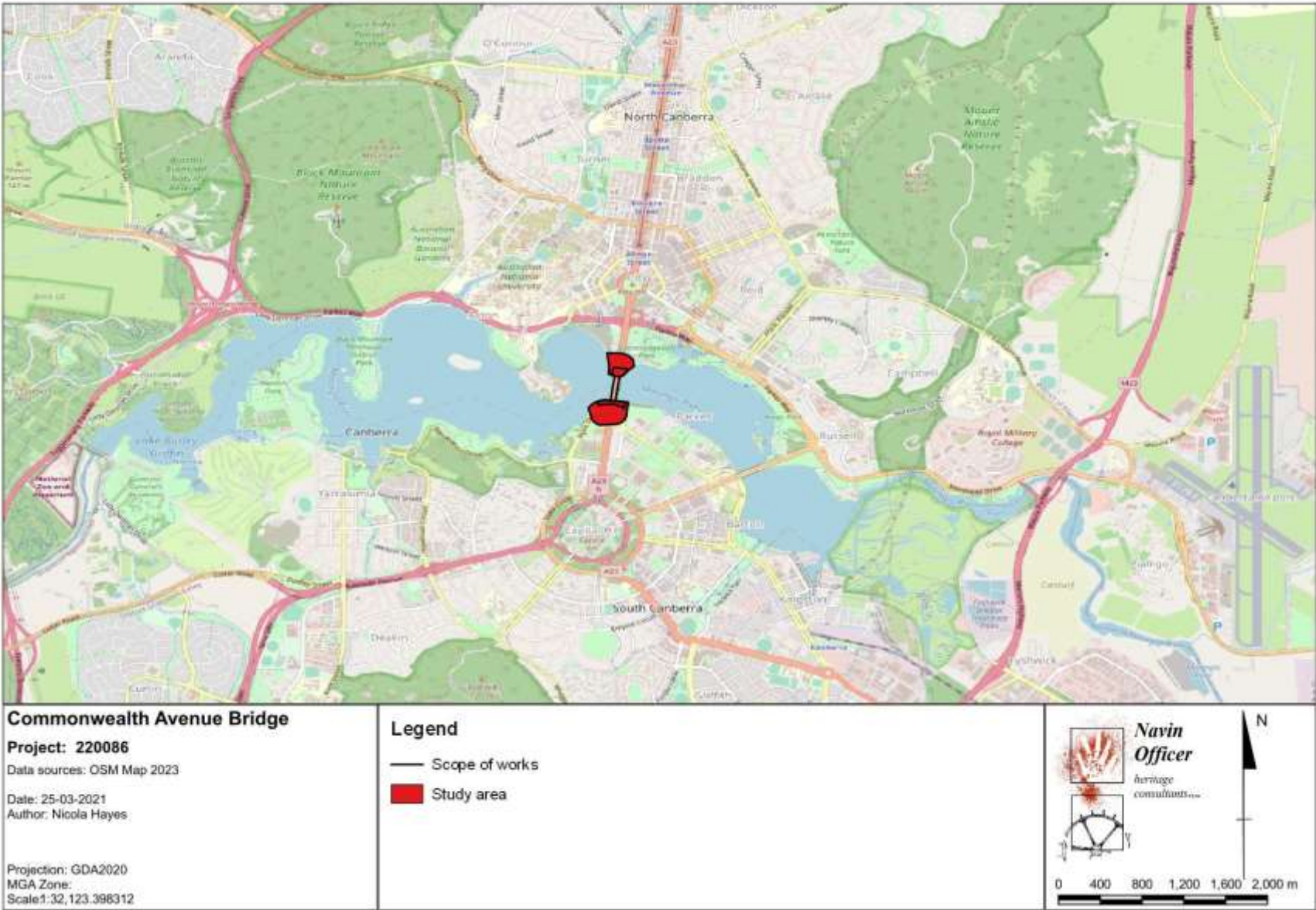


Figure 1-1 Location of the project area



Figure 1-2 Project study area



2 RESEARCH DESIGN AND METHODOLOGY

2.1 Literature and Database Review

A range of archaeological and historical data was reviewed for the project study area and its surrounds. This literature and data review was used to determine if known Aboriginal sites were located within the area under investigation, to facilitate site prediction on the basis of known regional and local site patterns, and to place the area within an archaeological and heritage management context. The review of documentary sources included heritage registers and schedules, and archaeological reports.

Literature sources included the Heritage Registers maintained by the Australian Heritage Council, (Federal) Department of Environment and the Heritage Registers and associated reports held by ACT Heritage, ACT Department of Environment, Planning and Sustainable Development Directorate. Regional and local histories and heritage studies were also reviewed.

2.2 Fieldwork

A site survey was undertaken by Navin Officer Heritage Consultants (NOHC) staff on 6 April 2023 (Nicola Hayes). This involved a walk over of the area proposed to be impacted by the project.

A foot survey was chosen as the best approach due to the contained nature of the project and the limited area of impact. The survey was aimed at assessing the previously recorded sites in the project study area and to determine whether any other historical or Aboriginal sites were evident in the area.

NOHC was accompanied by Wally Bell from the Representative Aboriginal Organisations.

2.3 Project Personnel

This report was written by Nicola Hayes and Elaine Dickens.

2.4 Recording Parameters

The archaeological survey aimed at identifying material evidence of Aboriginal occupation as revealed by surface artefacts and areas of archaeological potential un-associated with surface artefacts. Potential recordings fall into two broad categories: sites and potential archaeological deposits.

A site is defined as any material evidence of past Aboriginal activity that remains within a context or place which can be reliably related to that activity. Most Aboriginal sites are identified by the presence of three main categories of artefacts: stone or shell artefacts situated on or in a sedimentary matrix, marks located on or in rock surfaces, and scars on trees.

Stone artefact occurrences are the most commonly recorded site type in Australia. They may consist of single artefacts - described as isolated finds; or as a distribution of more than one artefact – often described as an artefact scatter or ‘open camp site’ when recording surface artefacts, or as a subsurface artefact distribution when dealing with an archaeological deposit. Where artefact incidence is very low, either in terms of areal distribution (artefacts per square metre) or density (artefacts per cubic metre), then the differentiation of the recording from background artefacts counts or *background scatter* may be an issue.

A potential archaeological deposit, or PAD, is defined as any location where the potential for subsurface archaeological material is considered to be moderate or high, relative to the surrounding project study area landscape. The potential for subsurface material to be present is assessed using criteria developed from the results of previous surveys and excavations relevant to the region. Where necessary, PADs can be given an indicative rating of their ‘archaeological potential’ based on a combined assessment of their potential to contain artefacts, and the potential archaeological value of the deposit.



2.5 Study Limitations

Archaeological assessments commissioned for development projects are restricted to the specific footprint that will be impacted by the project. The area of land being assessed is specifically constrained, and in many cases will not representatively sample the different landforms found across the wider region being studied. Therefore, a full picture of the archaeology of an area cannot be gained or assumed by this type of assessment.

These limitations will usually become less pronounced as further assessments are carried out in a region, since additional sites are assessed. A systematic bias in the data can still easily occur, however, if the patches of ground are concentrated in one landform type over another. This could be the case if the assessments relate to development projects which preferentially occur on specific landforms.

Much of the project study area has already been disturbed by the initial construction of Lake Burley Griffin and the clearance of land for pastoralism. Disturbance has included the movement of soil, the introduction of fill, and the planting of trees. The high level of disturbance within the project study area makes the likelihood of locating an in-situ Aboriginal archaeological site low.

Data on uses of the land by Aboriginal groups in the post-contact period, including the present day, might be limited if activities practised by Aboriginal groups have not been reported in the public domain or to NOHC. This could occur if land use practises are associated with knowledge that is culturally restricted.

2.6 Glossary

Aboriginal site	A place or location which relates to past or contemporary Aboriginal occupation. Sites can be divided into those identified from archaeological evidence (archaeological sites), and those related to intangible cultural values, such as revealed by oral tradition and lore, or from the historical record. An Aboriginal site may have both archaeological and intangible values.
Archaeological site	A place or location with the confirmed presence of archaeological evidence of Aboriginal occupation, where the context of that evidence can be reliably related to the Aboriginal actions which produced the evidence.
Artefact	An object, normally portable, made or modified by human hand (see 'stone artefact').
Artefact scatter	A formerly used open site-type classification defined as two or more stone artefacts situated no more than a specified distance (such as 60 m) away from any other included artefact. Typically, this category did not include isolated finds. The use of the term <i>scatter</i> was intended only to be descriptive and did not infer the original human behaviour which formed the site. The term <i>open camp site</i> has been used extensively in the past to describe open artefact scatters.
Isolated find	A single stone artefact, not located within a rock shelter, and which occurs without any associated evidence of Aboriginal occupation within a specified radius, such as 60 m (depending on which archaeological convention is used). Isolated finds may represent single discard events, be constituent components of background scatter, or be indicative of larger obscured, remnant and disturbed sites.
Open camp site	A formerly-used site type classification defined as an open context stone artefact occurrence (or artefact scatter), containing two or more artefacts situated no more than a specified arbitrary distance (such as



60 m) away from any other included artefact. The term *open camp site* was based on ethnographic modelling suggesting that most artefact occurrences resulted from activities at camp sites. However, in order to separate the description from the interpretation of field evidence, both open camp sites and isolated finds are now referred to as *artefact occurrences*.

Potential archaeological deposit (PAD)

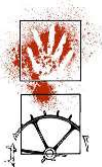
A discrete location or area, defined spatially either by geomorphological, disturbance or administrative criteria, within which there is a predicted likelihood that subsurface archaeological material is present, and that this material would warrant archaeological investigation in order to determine its scientific, cultural, or statutory value and status.

Project study area

The area for which the assessment is being undertaken.

Visibility

Visibility within exposures relates to what can be seen as a percentage of the ground within exposures.



3 ENVIRONMENTAL CONTEXT

3.1 The Canberra Region

The structural features of the Canberra City District are the result of lower Palaeozoic marine sedimentation, igneous activity, and tectonism, distributed over a long range of time. The known geological record starts with marine sedimentation in the Ordovician Period, followed by folding, uplift and erosion at the beginning of the Silurian Period (Benambran Orogeny). During Silurian time marine sedimentation and volcanic activity prevailed again, followed in the Upper Silurian by the Bowning Orogeny, uplift and erosion. After this the record is rather incomplete; the Lower Devonian is represented by volcanic activity, and the Permian Period by glacial deposits (NOHC 2005).

In the Black Mountain Horst, the Cullarin Horst, and the Cotter Horst are exposed pre-Silurian rocks that have been the basement of the Silurian deposition. This basement was folded (Canberra Phase of the Benambran Orogeny) and eroded during the lower and middle ages of the lower Silurian Llandovery Epoch. Marine deposition was resumed with the Camp Hill Sandstone and the State Circle Shale in the upper Llandovery. The resulting unconformity is exposed on Capital Hill (NOHC 2005).

Two phases of the Bowning Orogeny in upper Silurian time determined the main structural features of Canberra: the sediments and volcanic rocks were plicated in the Yarralumla Phase of the Orogeny, and fractured and faulted during the subsequent Painter Phase of movement. Two main faults of the Painter Phase, the Murrumbidgee Fault and Sullivan's Line, delineate the near-oval Canberra Rift (about 26 kilometres wide and 54 kilometres long); and two smaller fractures, the Deakin Fault and the Acton Fault, form the Black Mountain Horst within the Canberra District proper. The Black Mountain Horst is about 13 kilometres long and 5 kilometres wide at its widest part. The curved courses of the fault-lines, converging at several points, create the pattern of an irregular asymmetrical collapse-cauldron, with an eccentric intra-rift block (Black Mountain Horst). The deepest throw within the Canberra Rift is west of Black Mountain (estimated over 1200 metres), whereas Canberra itself is situated on a step rift of a lesser throw (about 1000 metres), extending between the Acton Fault and Sullivan's Line (NOHC 2005).

The mountain mass of the Bowning Orogeny was eroded at the end of Silurian and the beginning of Devonian time. In Lower Devonian time the Ainslie-Majura-Gooroo volcanoes were superimposed on the erosional surface, establishing the main features of the present topography of Canberra (NOHC 2005).

3.2 The Project Study Area

3.2.1 Geology

The Canberra 1:10 000 Engineering Geology Series map indicates that the southern section of the project study area is underlain by the Silurian Aged Canberra Formation which consists of sandstone, siltstone, limestone, siltstone, tuff, and interbedded varieties of sedimentary rocks (Coffey 2006). The northern section is within the alluvial deposits and former course of the Molonglo River. The Middle Silurian Canberra Formation, primarily resulting in the deposition of large amounts of limestone, resulted in the naming of 'the Limestone Plains' over which Lake Burley Griffin sits (CHMA 2014a). Within these layers is interspersed tuff and ashes, as a remnant of volcanic activities forming the Ainslie Volcanics, Mount Painter Volcanics, and the Deakin Volcanics (CHMA 2014a).

3.2.2 Vegetation

Pre-European vegetation in the area was comprised of dry, open eucalypt forest on upper slopes and hilltops, with grassy woodlands on the lower slopes extending to the river flats. Riparian forests of *Casuarina* and eucalypt dominated the waterways. The area now covered by Lake Burley Griffin consisted of native temperate grasslands (GML 2020).



After European settlement, the river plain was subjected to introduced grass species to be used for grazing stock (GML 2020). The grasslands in the lakebed were then extensively cleared and graded to enable the creation of Lake Burley Griffin in 1964.

3.2.3 Disturbance

The project study area was highly modified during the construction of Lake Burley Griffin in the 1960s (Figure 3-1). A peninsular was created the northern section to carry the bridge over the lake. The project study area is devoid of any natural vegetation and consists of landscape plantings of introduced species. The area is dominated by infrastructure including pathways and the current Commonwealth Avenue Bridge infrastructure.

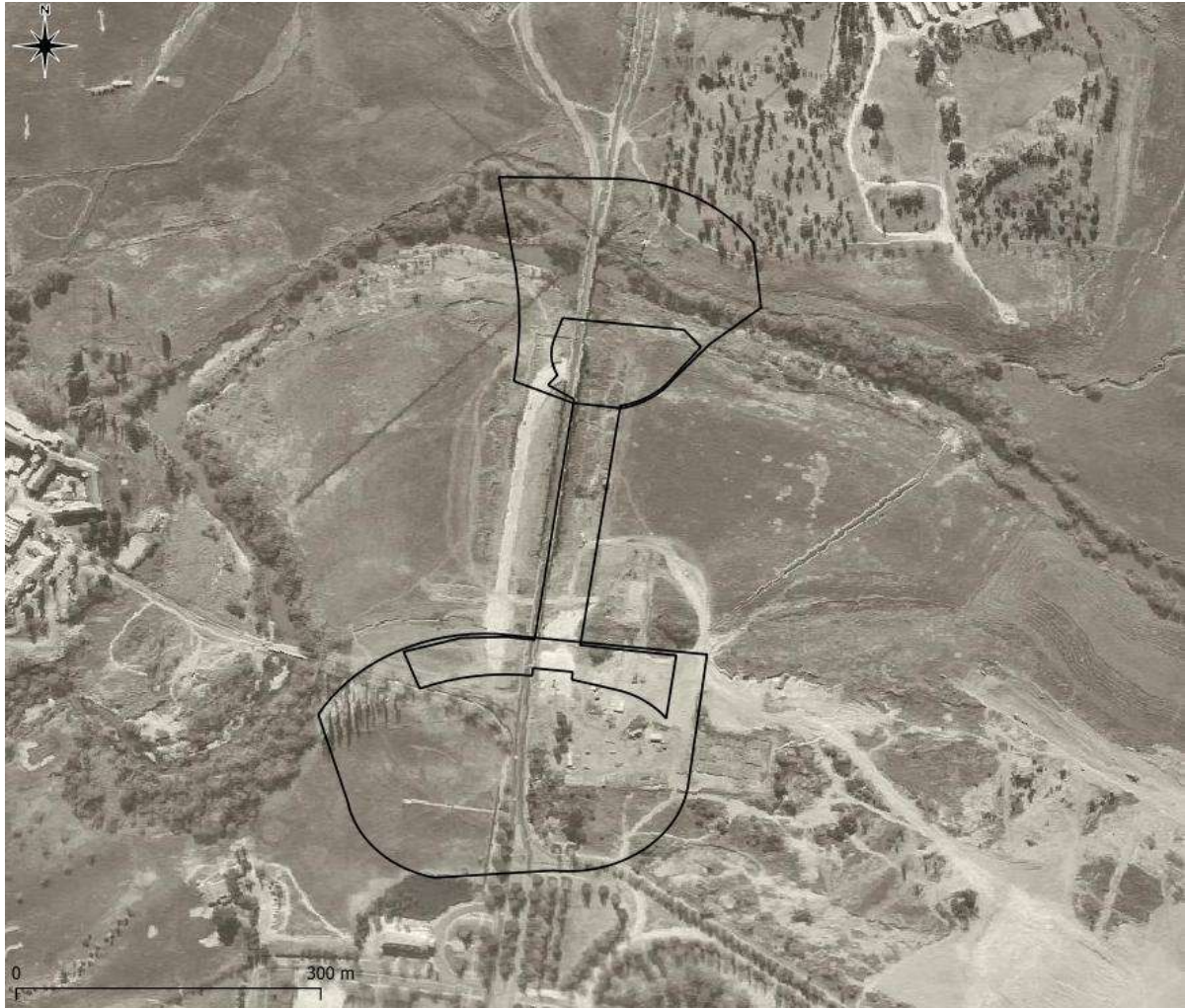


Figure 3-1 1961 aerial image show disturbance with the study area outlined



4 ABORIGINAL CULTURAL CONTEXT

4.1 ACT Ethnohistory

Tribal boundaries within Australia are based largely on linguistic evidence and it is probable that boundaries, clan estates and band ranges were fluid and varied over time. Consequently 'tribal boundaries' as delineated today must be regarded as approximations only, and relative to the period of, or immediately before, European contact. Social interaction across these language boundaries appears to have been a common occurrence.

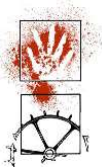
There have been several attempts to identify historical boundaries between Aboriginal language groups and the local kinship families within these groups. Wilhelm Schmidt published the first large-scale map of the native languages of Australia in 1919, based in part on the maps published by explorer Alfred William Howitt in 1904 showing the boundaries of Aboriginal language groups in south-east Australia (Briggs, 2018; Howitt, 1996 [1904]:823). The Ngunnawal and Ngarigo language groups form part of the Yuin linguistic group, which Schmidt shows as extending southward from Sydney to Cape Howe (Schmidt, 1919).

Tindale's map of tribal boundaries attempted to reconstruct the distribution of Aboriginal language groups at the time of European contact, prior to the onset of the major disruptions and displacements that followed in the 19th and early 20th Centuries (Tindale, 1974:5). Tindale regarded the boundaries between language groups to be stable and long-standing, being affected more by climate variables than the European invaders (Tindale, 1974: 56). In regard to the ACT, the map shows the Ngunnawal language group extending across Canberra, bordering the Gundungurra language group in the north, the Walgalu and Ngarigo language groups in the south, and the Wiradjuri language group in the West.

Jackson-Nakano's map shows the kinships groups in the Canberra region from the 1820s (Jackson-Nakano, 2001). Jackson-Nakano (2001:xiv) notes that Aboriginal family groups within the Canberra-Queanbeyan district and surrounds were known by many names in the early nineteenth century, but local Europeans who knew them best referred to them as Kamberri – also spelled Kgamberry, Kamberra and even Nganbra (Ngambri). She says the heart of their country was centred on the area now referred to as the Acton Peninsular. To the Northeast, the Kamberri shared a border with the Gundungurra speaking Pajong, to the Northwest the Kamberri and Pajong share borders with the Ngunawal speaking Wallabalooa. The Kamberri share borders to the East with the Ngarigo speaking Moolinggoolah kinship group, to the West the Kamberri share a border with the Walgalu speaking Gurmial, and the Ngarigo speaking Monaro kinship group share a border to the South. Some of these kinship groups shared Country as well as borders. Jackson-Nakano asserts that the Kamberri were a multilingual kinship group by the 1820s, speaking the languages and dialects of their neighbouring groups, and at this time the families joined neighbouring friendly groups as they were pushed off their land. Some Kamberri individuals, she says, intermarried with neighbouring Ngunawal families from the 1880s, and some descendants of such marriages re-identify in modern times as Ngunnawal. While maintaining their distinct association with the ACT and surrounds, members of Kamberri-Ngunnawal families might also identify personally as Ngunawal, Walgalu or even Wiradjuri through their familial links to these other groups (Jackson-Nakano 2001: xv).

References to the traditional Aboriginal inhabitants of the Canberra region are rare and often difficult to interpret (Flood 1980, Huys 1993). The consistent impression however is one of rapid depopulation and a disintegration of a traditional way of life over little more than fifty years from initial white contact (Officer 1989). The disappearance of Aboriginal people from the tablelands was probably accelerated by the impact of European diseases which may have included the smallpox epidemic in 1830, influenza, and a severe measles epidemic by the 1860's (Flood 1980, Butlin 1983).

By the 1850's the traditional Aboriginal economy had largely been replaced by an economy based on European commodities and supply points. Reduced population, isolation from the most productive grasslands, and the destruction of traditional social networks meant that the final decades of the region's indigenous culture and economy was centred on white settlements and properties (Officer 1989).



By 1856 the local 'Canberra Tribe' were reported to number around seventy (Schumack 1967) and by 1872 recorded as only five or six 'survivors' (Goulburn Herald 9 Nov 1872). While the Aboriginal population had no doubt decreased, a more likely scenario is that of dispossession and the movement of people off their traditional lands. In the 1880s, the 'NSW Aborigines Protection Board' had been formed and began establishing reserves across the state, the largest of which for the Canberra region were located around Yass. While a few Aboriginal people were able to continue living in the Canberra and Queanbeyan area, by 1900 it seems the majority of families had moved to reserves near Yass (Jackson-Nakano 2001).

Early accounts of Aboriginal lifestyles in and comparable with the current study localities describe aspects of a successful hunting and gathering economy and eventful social life and inter-group contacts. The material culture, which is partly reflected in the surviving archaeological record, included stone and wooden artefacts, skin clothing and bark and bough temporary dwellings (Flood 1980, Huys 1993).

The Corroboree Ground and Aboriginal Cultural Area, Queanbeyan River was a focus of activity where Aboriginal people from the Limestone Plains and surrounding regions gathered to feast on Bogong moths (ACT Heritage 2017). An Aboriginal pathway follows the Molonglo River and includes a camping ground and meeting place at its junction with the Queanbeyan River, now the area around Oaks Estate. European accounts show that the Corroboree Ground and Aboriginal Cultural Area, Queanbeyan River at the junction of the rivers was still being used as a pathway and camping ground in 1862 when several groups from Braidwood, Yass and Bland Plains gathered for a corroboree at a location within sight of the Oaks (ACT Heritage 2017).

The Aboriginal people of the Canberra region continue to hold strong association with the area and take an active role in retaining their connection to their traditional lands.

4.2 Previous cultural values assessment

RPS have prepared an assessment for the Canberra Light Rail Stage 2 (City to Woden) project (RPS 2018). The assessments included the following Aboriginal cultural sites and values:

Capitol Hill was identified as the location of a Woman's area. The hill is also recorded as part of a wider cultural landscape which also includes Black Mountain and Mount Ainslie and is on a traditional pathway.

The Molonglo River Landscape which is now inundated with Lake Burley Griffin was identified as being of cultural significance and likely to contain Aboriginal sites.

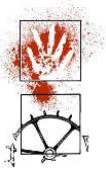
A heritage assessment for Commonwealth Avenue bridge was completed by GML Heritage in September 2020 (GML Heritage Services 2020). The assessment included consultation with the Representative Aboriginal Organisations. The following was summarised in the report:

Wally Bell noted that the Canberra CBD areas, Acton and Western Basin, Commonwealth Park and all of the surrounding landscape were well known for having been occupied by Ngunnawal people prior to the arrival of colonial settlers... The crossing point over the Molonglo River in the nearby area was from the end of Acton Peninsula which provided access to the major ceremonial and meeting site at the current Australian Parliament House.

Paul House: Commonwealth Avenue Bridge is located within part of the broader Kamberri/Ngambri cultural landscape... Cultural values associated with the general area around Commonwealth Avenue Bridge are long-term spiritual values associated with the landscape – Paul stated that 'the spirits are in the land, they were there long before us and will continue to be there long after us'.

4.3 Representative Aboriginal Organisations

Four local Aboriginal organisations have stated an objective to represent traditional Aboriginal cultural values and interests within the ACT. These groups have been recognised by the Minister as



Representative Aboriginal Organisations (RAOs) as defined under the ACT *Heritage Act 2004*. These groups are the:

- Buru Ngunawal Aboriginal Corporation (Buru Ngunawal);
- King Brown's Tribal Group Pty Ltd (KBTG);
- Mirrabei; and
- Ngarigu Currawong Clan (Ngarigu).

It is the policy of the ACT Heritage Council that the RAOs should be consulted with regard to the management of, and potential impacts to, Aboriginal cultural values and places within the ACT.

4.4 Evidence of RAO Consultation

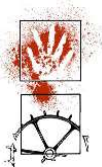
Contact was made by phone and email (6/3/2023, 27/3/2023, 28/3/2023, 31/3/2023) with the RAOs to inform them of this assessment and to organise representation during the field survey.

The following personnel participated in the fieldwork program and represented the interests of their group in the project:

- Wally Bell (Buru Ngunawal)

Wally noted the importance of the caves now inundated with water that were once located on the northern side for the project area below Acton foreshore.

A draft version of this report was provided to all RAOs for comment on 10th May 2023. No further comment on this project or this report were received.



5 ARCHAEOLOGICAL CONTEXT

5.1 Regional Overview

Stone artefact scatters are the most frequently occurring residue of prehistoric activity in the region. They may range considerably in size and density, factors that are often interpreted as an indication of intensity of the Aboriginal land use. As well, they provide insight into stylistic and technological behaviours. Such scatters are representative of one or more stages in what is termed a 'reduction sequence'. That is, the entire process from obtaining stone raw material, to manufacture of stone artefacts and to eventual discard or loss and incorporation into the archaeological record. Isolated finds are artefacts that occur without any apparently associated archaeological materials or deposit. Open scatters are defined as spatially concentrated occurrences of two or more flaked stone artefacts.

Broad distinctions may be made between sites formed as a result of general living and habitation activities and sites located in response to the fixed locations of specific resources. Occupation sites relating to the former activities are most commonly recognised by the discard of flaked stone materials in sedimentary deposits. Subsequent processes of erosion or land use may deflate or section these sediments to reveal surficial or embedded (sometimes stratified) materials. Sites formed as a result of resource location may be recognised by a range of features including the proximity of discarded stone materials to source stone materials and characteristic extraction and use marks upon stone or wood materials, i.e. quarries, hatchet grinding grooves and scarred trees.

The wider regional pattern of Aboriginal occupation site occurrence within the ACT is one of higher site size and frequency in areas proximate to major permanent creek lines with a reduction in site size and frequency around less permanent water sources. Whilst sites have been found to occur throughout topographic and vegetational zones, there is a tendency for more of the larger sites to be located in proximity to creeks, wetlands and proximate parts of valley floors. A trend for larger sites to be near major water sources, but avoiding frost drainage hollows, was noted at a regional level by Flood (1980). Elsewhere in the Canberra region high site and artefact frequencies have also been correlated with the geographic occurrence of specific resources particularly, stone procurement outcrop locations (Access Archaeology 1990; Heffernan and Klaver 1995; Kuskie 1992a & b; Walshe 1994).

It may be assumed that the Molonglo River corridor was an important Aboriginal resource zone that attracted a considerable level of occupation. This importance may have paralleled that of the Murrumbidgee River corridor where over two hundred Aboriginal sites including open camp sites, stone quarries, scarred trees, and ceremonial sites had been recorded by the early 1990s (Klaver 1993).

Archaeological survey carried out along sections of the lower Molonglo suggests that gentle slopes, spurs, and alluvial flats along the river will exhibit the highest archaeological potential (English 1985). These areas are sheltered climatically and located close to resources. The Molonglo River valley was the prime source of water and food resources and provided access to the Limestone Plains for local and visiting Aboriginal groups (NCPA 1995).

5.2 Lake Burley Griffin and the Commonwealth Avenue Bridge

A search of the Federal heritage registers, the ACT Heritage database as well as a request for restricted information was completed for this project on the 20 October 2022. The search has indicated that no Aboriginal sites or relics have been previously identified as occurring in the project study area.

To date there has been no systematic comprehensive survey for Aboriginal sites in the vicinity of Lake Burley Griffin. Information about sites near the present lakeshore is generally sparse and is often contained in obscure publications or is limited to oral sources. Stone artefacts have been collected near the lake edges at Black Mountain Peninsula, Yarramundi Reach, Sullivans Creek, Acton Peninsula, Mt Pleasant, and the area near Old Parliament House.

Based on the brief records and observations made by a limited number of interested local individuals and artefact collectors it appears that the larger sites in the central Canberra area were associated



with the sand bodies situated within, and adjacent to, the fluvial corridor of the Molonglo River (Robinson 1927, Binns 1938, Moss 1939, Bluett 1954, Schumack 1967).

Artefacts have been collected from the area around the Old Parliament House and Hotel Canberra area. A stone axe was collected around 1915 by Charles Kaye behind the Hotel Canberra (Hyatt Hotel Canberra) and another when the lawns at Parliament House were being formed. H. P. Moss in 1925 found numerous artefacts on a sandy ridge between the Provisional Parliament House and the Molonglo River and an axe head near the Parliament House. W. P. Kinsella also collected stone artefacts from the sandpits near Old Parliament House (Kinsella 1934). This sandy ridge was removed by construction workers as it interfered with the line of sight from Old Parliament House to the Australian War Memorial. The location of Kinsella's finds are shown in Figure 5-1.

The Lake Burley Griffin heritage assessment (2010) and heritage management plan (2009a, 2009b) prepared by GML includes a review of previous archaeological research and consultation with the RAOs. NOHC completed the Indigenous components of heritage assessment as part of these projects. No new Aboriginal sites were recorded as part of these projects.

NOHC conducted a heritage assessment for the expansion of Questacon. No Aboriginal sites or areas of archaeological potential were identified.

Cultural Heritage Management Australia (CHMA) undertook an Indigenous Heritage Assessment for the West Basin Project (2014a, 2014b). No new sites were identified across the entire Lake Burley Griffin study area, however the Acton Peninsula Limestone Outcrop was visited and identified to be a Potential Archaeological Deposit. The area includes the only minimally impacted area of land within the West Basin area, and as such, it is possible that the landscape retains in-situ archaeological deposits and may also be connected to the Limestone caves which are now submerged below the lake (CHMA 2014a).

In 2015, GML prepared a report for the Light Rail extension in the Civic and Constitution Avenue area (roughly 1 kilometre north of the current project study area), considering the broader thoroughfare between Mount Ainslie, Mount Pleasant, and the Molonglo River. This report found that historical records showed evidence for past land use by Aboriginal people, but high landscape disturbance would have destroyed most or all sites in the area (GML 2015).

A heritage assessment for Commonwealth Avenue bridge was completed by GML Heritage in September 2020. No Aboriginal sites or areas of archaeological potential were identified however Aboriginal cultural values were identified, see Section 4.2 above. This report outlined several previously recorded sites in the vicinity of the Commonwealth Avenue Bridge as areas of historical and cultural significance. Capitol Hill (1-1.5 kilometres south of the project study area) is known to be an Aboriginal Woman's area, as well as forming part of a wider cultural landscape as a traditional pathway (GML 2020). Several Aboriginal archaeological artefacts were found during the construction of Parliament House within the Capitol Hill area. It was further noted that the Commonwealth Avenue Bridge overlies the remnant Molonglo River main channel, which despite its inundation with the lake, is relatively undisturbed and has the possibility to contain archaeological evidence for Aboriginal occupation of the area (GML 2020).



Figure 5-1 Extract of Kinsela's map showing locations of his 1930s sites (*Mankind* 1934 1(8):204-205).



6 PHYSICAL INVESTIGATIONS

6.1 Results

No Aboriginal sites have been identified within the Commonwealth Avenue Bridge project study area during the site survey. Aboriginal objects have been collected from the areas surrounding the project study area, however the project study area has been highly modified meaning that the likelihood of there being any Aboriginal sites or objects within the project study area is very low.

6.2 Survey Coverage and Visibility Variables

The effectiveness of an archaeological field survey is to a large degree related to the obtrusiveness of the sites being looked for and the incidence and quality of ground surface visibility. Visibility variables were estimated for all areas of comprehensive survey within the study area. These estimates provide a measure with which to gauge the effectiveness of the survey and level of sampling conducted. They can also be used to gauge the number and type of sites that may not have been detected by the survey.

Ground surface visibility is a measure of the bare ground visible to the archaeologist during the survey. There are two main variables used to assess ground surface visibility, the frequency of exposure encountered by the surveyor and the quality of visibility within those exposures. The predominant factors affecting the quality of ground surface visibility within an exposure are the extent of vegetation and ground litter, the depth and origin of exposure, the extent of recent sedimentary deposition, and the level of visual interference from surface gravels.

There is no ground visibility within the project study area, additionally the area is highly modified.



7 ASSESSMENT OF HERITAGE SIGNIFICANCE

7.1 Assessment Criteria

The Commonwealth Heritage List is a register of natural and cultural heritage places owned or controlled by the Australian Government. These may include places associated with a range of activities such as communications, customs, defence, or the exercise of government. The *Environment Protection and Biodiversity Conservation Act 1999* establishes this list and nominations are assessed by the Australian Heritage Council.

In accordance with the *Environment Protection and Biodiversity Conservation Act 1999* a place has a Commonwealth Heritage value if it meets one of the Commonwealth Heritage criteria (section 341D).

A place meets the Commonwealth Heritage listing criterion if the place has significant heritage value because of one or more of the following:

- a) The place's importance in the course, or pattern, of Australia's natural or cultural history;
- b) The place's possession of uncommon, rare or endangered aspects of Australia's natural or cultural history;
- c) The place's potential to yield information that will contribute to an understanding of Australia's natural or cultural history;
- d) The place's importance in demonstrating the principal characteristics of:
 - i. a class of Australia's natural or cultural places; or
 - ii. a class of Australia's natural or cultural environments;
- e) The place's importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;
- f) The place's importance in demonstrating a high degree of creative or technical achievement at a particular period;
- g) The place's strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;
- h) The place's special association with the life or works of a person, or group of persons, of importance in Australia's natural or cultural history; and
- i) The place's importance as part of Indigenous tradition.

Thresholds

While a place can be assessed against the above criteria for its heritage value, this may not always be sufficient to determine whether it is worthy of inclusion on the Commonwealth Heritage List. The Australian Heritage Council may also need to use a second test, by applying a 'significance threshold', to help it decide. This test helps the Council to judge the level of significance of a place's heritage value by asking 'just how important are these values?'

To be entered on the Commonwealth Heritage List a place will usually be of local or state-level significance, but must have 'significant' heritage value.



Commonwealth Heritage Management Principles

In addition to the above criteria and thresholds, Schedule 7B of the Environment Protection and Biodiversity Conservation Regulations 2000 (Regulation 10.03D) lists the Commonwealth Heritage Management Principles. These principles are:

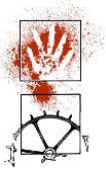
1. The objective in managing Commonwealth Heritage places is to identify, protect, conserve, present and transmit, to all generations, their Commonwealth Heritage values.
2. The management of Commonwealth Heritage places should use the best available knowledge, skills and standards for those places, and include ongoing technical and community input to decisions and actions that may have a significant impact on their Commonwealth Heritage values.
3. The management of Commonwealth Heritage places should respect all heritage values of the place and seek to integrate, where appropriate, any Commonwealth, State, Territory and local government responsibilities for those places.
4. The management of Commonwealth Heritage places should ensure that their use and presentation is consistent with the conservation of their Commonwealth Heritage values.
5. The management of Commonwealth Heritage places should make timely and appropriate provision for community involvement, especially by people who:
 - a) Have a particular interest in, or associations with, the place; and
 - b) May be affected by the management of the place.
6. Indigenous people are the primary source of information on the value of their heritage and that the active participation of indigenous people in identification, assessment and management is integral to the effective protection of indigenous heritage values.
7. The management of Commonwealth Heritage places should provide for regular monitoring, review and reporting on the conservation of Commonwealth Heritage values.

When assessing the Commonwealth heritage significance of places within the project study area in addition to applying the primary and secondary tests of the Commonwealth Heritage Listing criteria and the significance thresholds, reference also needs to be made to the above Commonwealth Heritage Management Principles. The latter is particularly relevant to the project study area where there are:

- Other heritage values of the place that are the responsibility of the ACT Government (Principle 3); and
- A number of Indigenous places for which the primary source of information on the value of their heritage has been provided through the active participation of local Aboriginal communities (Principle 6).

7.2 The project study area

Previous cultural heritage assessments undertaken in the vicinity of the project area have demonstrated that the area of the Molonglo River holds Aboriginal cultural significance. This significance is related to connection to the landscape and pathways. Further consultation needs to occur to confirm the Aboriginal cultural significance of the current project area.



8 IMPACTS AND RECOMMENDATIONS

8.1 Discussion of Impacts

No Aboriginal sites or areas of archaeological potential have been identified in the project study area. There are Aboriginal cultural values associated with the area including the Molonglo River and Capitol Hill and the pathways between these.

The project study area is within the Parliament House Vista which is listed on the Commonwealth Heritage List.

8.2 Recommendations

It is recommended that:

1. There are no Aboriginal archaeological heritage constraints to the project. The unanticipated discovery protocols outlined in Appendix 1 should be implemented for this project.
2. The Aboriginal cultural values of the project areas should continue to be ascertained and documented through consultation on the draft of this document.
3. A copy of this report should be provided to the relevant determining authority in the NCA for their review and comment.

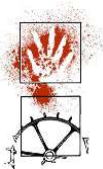


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APPENDIX 1

UNANTICIPATED DISCOVERY PROTOCOLS



Protocol to be followed in the event that previously unrecorded or unanticipated Aboriginal or non-Aboriginal archaeological material (objects, artefacts, deposits or relics) are encountered

1. All ground surface disturbance in the area of the finds should cease immediately the finds are uncovered.
 - a. The discoverer of the find(s) will notify machinery operators in the immediate vicinity of the find(s) so that work can be halted; and
 - b. The site supervisor and the development proponent will be informed of the find(s).
2. If there is substantial doubt regarding a human or Aboriginal or historical European origin for the finds, then consider if it is possible to gain a qualified opinion (such as from the project archaeologist) within a short period of time. If feasible, gain a qualified opinion (this can circumvent proceeding further along the protocol for remains which turn out not to be archaeological). If a quick opinion cannot be gained, or the identification is positive, then proceed to the next step.
3. Immediately notify the following authorities or personnel of the discovery:
 - a. ACT Heritage;
 - b. Representatives from the Representative Aboriginal Organisations (RAOs) (where appropriate); and
 - c. The project archaeologist (if not already present).
4. Facilitate, in co-operation with the appropriate authorities and stakeholders:
 - a. The recording and assessment of the finds by a suitably qualified heritage professional (either the project archaeologist or a member of the ACT Heritage). This will include determining if the find(s) are from a new or previously recorded site, and lodgement of site information for all new recordings with the Heritage Unit;
 - b. Fulfilling any legal constraints arising from the finds. This will include complying with Heritage Council advice, any Conservation Management Plan (CMP) requirements in the case of a previously recorded site; and
 - c. The development and conduct of appropriate management strategies. Strategies will depend on stakeholder requirements and the assessed significance of the find(s).
5. Where the management of find(s) involves the salvage excavation or collection of artefacts, this material will be curated according to the provisions of any relevant CMP, or as directed by the Heritage Council.
6. Where the find(s) are determined to have cultural heritage value according to the criteria specified in the *Heritage Act 2004*, any re-commencement of construction related ground surface disturbance may only resume in the area of the find(s) following compliance with any consequential legal requirements and gaining written approval from the ACT Heritage Council.



Protocol to be followed in the event that suspected human remains are encountered

1. All ground surface disturbance in the area of the finds should cease immediately the finds are uncovered.
 - a. The discoverer of the find(s) will notify machinery operators in the immediate vicinity of the find(s) so that work can be temporarily halted; and
 - b. The site supervisor and the development proponent will be informed of the find(s).
2. If there is substantial doubt regarding a human origin for the remains, then consider if it is possible to gain a qualified opinion within a short period of time. If feasible, gain a qualified opinion (this can circumvent proceeding further along the protocol for remains which turn out to be non-human). If conducted, this opinion must be gained without further disturbance to any remaining skeletal material and its context as possible (Be aware that the site may be considered a crime scene containing forensic). If a quick opinion cannot be gained, or the identification is positive, then proceed to the next step.
3. Immediately notify the following people of the discovery:
 - a) The local Police (this is required by law);
 - b) The ACT Heritage;
 - c) Representatives from the Representative Aboriginal Organisations (RAOs) (where appropriate); and
 - d) The project archaeologist (if not already present).
4. Facilitate the evaluation of the find(s) by the statutory authorities and comply with any stated requirements. Depending on the evaluation of the find(s), the management of the find(s) and their location may become a matter for the Police and/or Coroner.
5. Construction related works in the area of the find(s) may not resume until the development proponent receives written approval from the relevant statutory authority: from the Police or Coroner in the event of an investigation; and from the ACT Heritage Council in the case of human remains outside of the jurisdiction of the Police or Coroner.
6. In the event that the proponent continues an active role in the evaluation and/or management of the find(s), via a direction or advice from the Police, Coroner and/or Heritage Council, then all or some of the following steps may be conducted:
7. Facilitate, in co-operation with the appropriate authorities, the definitive identification of the skeletal material by a specialist (if not already completed). This must be done with as little further disturbance to any remaining skeletal material and its context as possible.
8. If the specialist identifies the bone as non-human then, where appropriate, the protocol for the discovery of historical or Aboriginal artefacts (above) should be followed.
9. If the specialist determines that the bone material is human, then the proceeding course of action may be of three types:
 - a. The bone(s) are of an Aboriginal and non-Aboriginal person who died less than 100 years ago and where traumatic death is suspected. Such remains come under the jurisdiction of the *ACT Coroner's Act 1997*. All further decisions and responsibilities regarding the remains and find location rest with the ACT Police, and/or the ACT Coroner.



- b. The bone(s) are of a non-Aboriginal person who died more than 100 years ago. In this case, and where the Police have indicated that they have no interest in the find(s), the following steps may be followed:
- i. Ascertain the requirements of the ACT Heritage Council, the development proponent, the project archaeologist, and the views of any relevant community stakeholders;
 - ii. Based on the above, determine and conduct an appropriate course of action. Possible strategies could include one or more of the following:
 1. Avoiding further disturbance to the find and conserving the remains *in situ* (this option may require relocating the development and this may not be possible in some contexts);
 2. Conducting (or continuing) archaeological salvage of the finds following receipt of any required statutory approvals;
 3. Scientific description (including excavation where necessary), and possibly also analysis of the remains prior to reburial;
 4. Recovering samples for dating and other analyses; and/or
 5. Subsequent reburial at another place and in an appropriate manner determined by the Heritage Council and in consultation with other relevant stakeholders.
- c. The bone(s) are of an Aboriginal person who died more than 100 years ago. In this case the following steps may be followed:
- i. Ascertain the requirements of the local RAOs, the ACT Heritage Council, the development proponent, and the project archaeologist;
 - ii. Based on the above, determine and conduct an appropriate course of action. Possible strategies could include one or more of the following:
 1. Avoiding further disturbance to the find and conserving the remains *in situ*, (this option may require relocating the development and this may not be possible in some contexts);
 2. Conducting (or continuing) archaeological salvage of the finds following receipt of any required statutory approvals;
 3. Scientific description (including excavation where necessary), and possibly also analysis of the remains prior to reburial;
 4. Recovering samples for dating and other analyses; and/or
 5. Subsequent reburial at another place and in an appropriate manner determined by the RAOs and the Heritage Council.

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