

Aboriginal Cultural Heritage Due Diligence Assessment 18 Boureong Drive, Gunning



Report Prepared for Laterals Planning

29th January 2023

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EXECUTIVE SUMMARY

This report provides Aboriginal heritage due diligence advice for the proposed development of an area of 10.85ha comprised of Lot 4 DP1198749 in Gunning for residential housing. The land parcel is currently used as rural pastoral lots, located on 18 Boureong Drive, Gunning within the Upper Lachlan Shire. The property has been moderately impacted by the construction of the current dwelling, sheds, a large water tank, and ongoing use of the property. The study area is shown on Figure 1 in a regional context, in detail in Figure 2, with the proposed subdivision in Figure 2a.

This Due Diligence heritage assessment has been undertaken in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (DECCW 2010a).

The proposal would involve the following impacts:

- Construction of building envelopes within the new housing lots.
- Construction of housing foundations involving removal of top and subsoils within Building envelopes
- Connection to infrastructure, such as water, communications and electricity
- Installation of boundary fencing and potential impacts from landscaping

No heritage sites were identified within the project area based on a review of previous reports and field survey of the project area.

Field survey was undertaken across the project area in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010b). The field survey covered the entire block. Ground visibility was low at the time of field survey, with areas of exposed soils uncommon throughout.

As a result of the field survey and background research completed for the project, the following recommendations have been developed:

- The development proposal should be able to proceed with no additional archaeological investigations. No areas of potential archaeological deposits or heritage sites have been identified within the development area and the potential for Aboriginal heritage objects within the development area has been assessed as low.
- All Aboriginal objects are protected under the *NSW National Parks and Wildlife Act 1974*. It is an offence to disturb an Aboriginal site without a consent permit issued by NSW Heritage. Should any Aboriginal objects be encountered during works then works must cease and the find should not be moved until assessed by a qualified archaeologist.
- Further archaeological assessment would be required if the proposal activity extends beyond the area of the current investigation.

1 INTRODUCTION

This report provides Aboriginal heritage due diligence advice for the proposed development of an area of 10.85ha comprised of Lot 4 DP1198749 in Gunning for residential housing. The land parcel is currently used as rural pastoral lots, located on 18 Boureong Drive, Gunning within the Upper Lachlan Shire. The property has been moderately impacted by the construction of the current dwelling, sheds, a large water tank, and ongoing use of the property. The study area is shown on Figure 1 in a regional context, in detail in Figure 2 and the proposed subdivision in Figure 2a.

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The proposal would involve the following impacts:

- Construction of building envelopes within the new housing lots.
- Construction of housing foundations involving removal of top and subsoils within building envelopes
- Connection to infrastructure, such as water, communications and electricity
- Installation of boundary fencing and potential impacts from landscaping

These works are high impact and would have a negative impact on any heritage located within the project boundary. Heritage sites may be located on the surface or subsurface in areas of high potential for the preservation of archaeological remains of historical events or past usage by Aboriginal groups.

To assess the potential impacts of the proposed works on heritage this Due Diligence Heritage Assessment has been undertaken.

This report, field survey and associated research has been conducted in accordance to the requirements of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (OEH 2010.

1.1 PROJECT OBJECTIVES

The due diligence assessment is being undertaken to complete the following objectives:

- 1. Review of the NSW Heritage Aboriginal Heritage Information Management System (AHIMS), to identify any recorded heritage sites within the project area.
- 2. Review of historic registers to identify any historic heritage.
- 3. Review of previous reports in area to develop predictive model of site location
- 4. Assess landforms present in project area against predictive model to determine potential for heritage sites and determine level of disturbance



- 5. Complete site visit to visually inspect impact areas or areas assessed as holding potential based on predictive model and record any identified heritage sites. The site visit will also document levels of disturbance within project area.
- 6. Complete due diligence report with management recommendations to avoid or minimise impacts within the project area.

1.2 ABORIGINAL CONSULTATION

Consultation with the Pejar Local Aboriginal Land Council was undertaken for the Due Diligence Assessment, with a representative participating in the field survey. The project was explained to the representative and following the field survey the proposed recommendations. No objections were raised to the report findings.



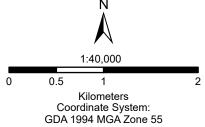
Figure 1: Regional Context







Project Area



Imagery: © NSW Spatial Services

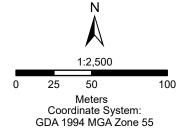




Figure 2: Study Area

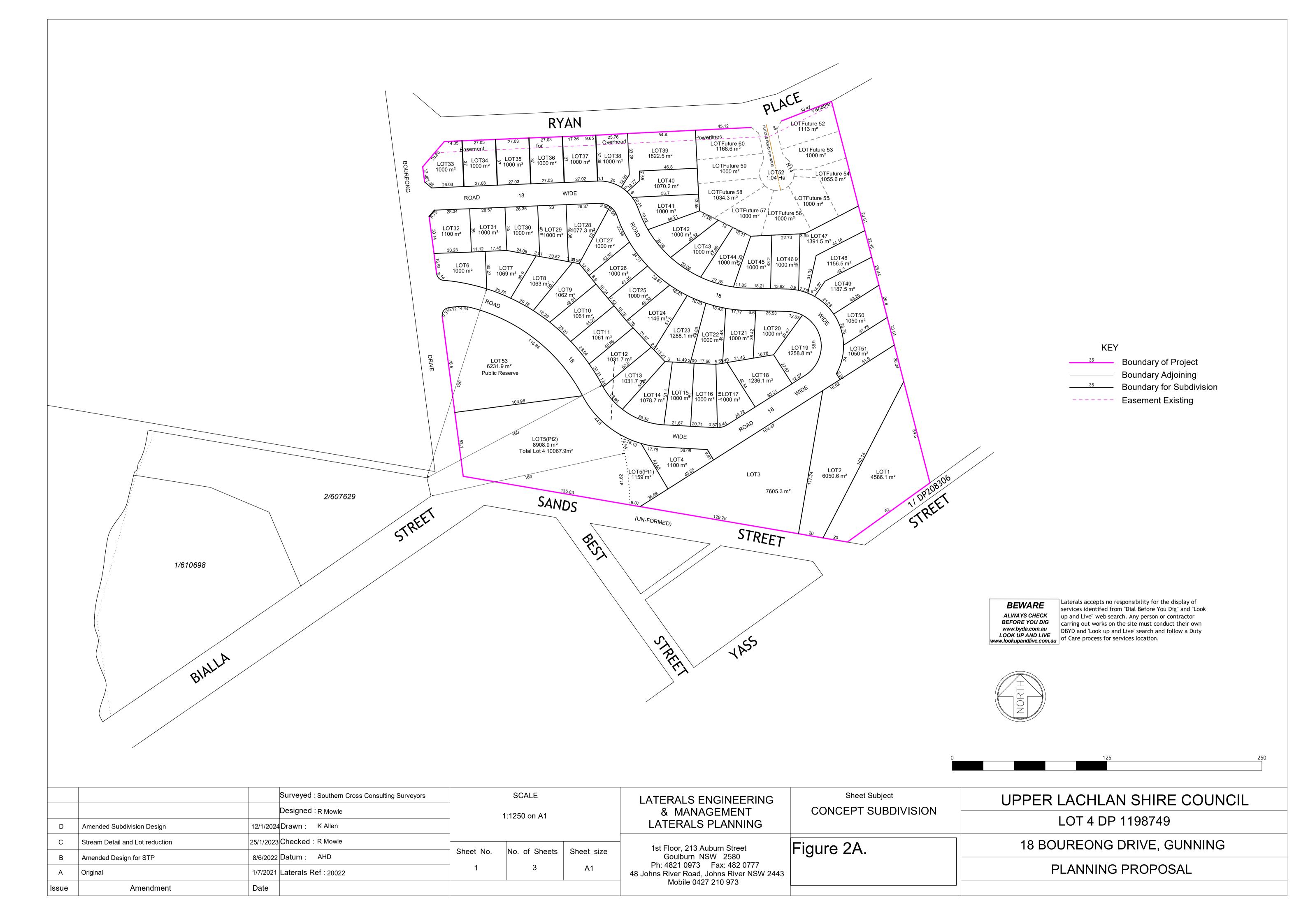






Imagery: © NSW Spatial Services







2 DESKTOP ASSESSMENT RESULTS

2.1 ABORIGINAL HERITAGE INFORMATION MANAGEMENT SYSTEM (AHIMS) SEARCH

A search of the NSW Heritage Aboriginal Heritage Information Management System (AHIMS) database was undertaken on the 18 January 2024 covering the 5km surrounding area centred on the project area with the map extents covering Lat, Long from -34.8096, 149.2144 to -34.7391, 149.338. The extensive search revealed no previously recorded heritage sites within the project area and two sites within the wider search area, located 1km west. The locations of the recorded sites in relation to the project area is shown in Figure 3.

Within the Gunning region there have been very few heritage assessments undertaken, with the closest registered Aboriginal Heritage site approximately 1km from the project area. In the wider Upper Lachlan area several studies have been undertaken (Koettig and Silcox 1983, 1985 & 1987, Fuller 1989 and Austral Archaeology 2005) which have resulted in the identification of a number of Aboriginal sites, mainly consisting of artefact scatters or isolated finds. These studies have resulted in a site location model being developed for the region. This model predicts the majority of sites will consist of small artefact sites located on level ground or terrace features in proximity to water sources, with larger sites with subsurface deposits being present in proximity to water features such as a creek confluence or major water sources. This is directly applicable to the project area. This predictive model is discussed in more detail in Section 2.4

2.2 HISTORICAL HERITAGE SEARCH

Within NSW Local government is responsible for managing heritage items. This responsibility is mainly fulfilled by listing heritage items in the Local Environmental Plans (LEPs) under the *Environmental Planning & Assessment Act 1979.* Council approval is required to impact any listed item.

Heritage items can also be of 'state significance' in which case they are listed on the NSW Heritage Register by the NSW Heritage Council under the *Heritage Act 1977*. These items are usually substantial and consist of buildings, bridges or other structures that represent events in the local area.

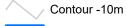
A search of the NSW Heritage Register and the Upper Lachlan LEP 2010 was undertaken for the project. No historical items are located in the project area or in the vicinity of works. A review of historical parish maps was also undertaken with no known structures or items identified within the project area.



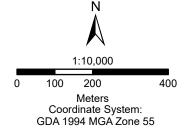
Figure 3: Previously Recorded Sites











Imagery: © NSW Spatial Services





2.3 ABORIGINAL GROUPS WITHIN THE PROJECT AREAS

The major language group identified in the Upper Lachlan region by Norman Tindale (1974) in his seminal work on Aboriginal tribal boundaries is that of the Ngunnawal people. The boundaries of the Ngunnawal ran to the southeast where they met the Ngarigo at the Molonglo and the Wiradjuri to the west of the Yass region. The boundary with the Gundungurra (Gandangara) people lies to the north of Goulburn, and the Lake George Blacks or Molonglo tribe to the south (Tindale 1974). This distribution with minor amendments is still accepted and the review of tribal boundaries undertaken in the 1990s (Horton 1996) confirmed these earlier boundary locations.

The traditional clothing of the Aboriginal people in the region was described as consisting of long possum cloaks, worn with the fur turned in for warmth and the tanned skins on the outside for waterproofing, and string belts made from possum or kangaroo hair (Govett 1977:8, Bennett 1967:175, Boswell 1890:9). Boswell described in detail the process of making possum cloaks (Boswell 1890:9). Boswell records that glass was now being used by the Aboriginal community in the making of the possum cloaks and was replacing traditional materials.

The ceremonial dress used was also described by Bennett with head dresses of kangaroo incisors and possum tails, head bands and necklaces. The use of white and red ochre to decorate the upper body and face for ceremonies was noted (Bennett 1967:323-326).

The men travelled with spears, (Govett 1977:36,) some of which were used for hunting while others were for fighting. Woomerahs (spear throwers) were approximately 1m long with a flat handle and a hook at the end (Govett 1977: 11, 36). Hatchets or axes had a ground stone head fastened to a wooden shaft by fibre binding. Govett notes that like the use of glass, iron axes were replacing stone ground axeheads and were greatly valued by the Aboriginal community (Govett 1977:11).

The women travelled with items that showed their main focus on gathering. Women constructed nets from plant fibres which were used to carry items slung over the body – this could also include babies and infants. Govett recalls this practise of 'slinging' babies behind a mothers shoulders (1977:8). Digging sticks consisting of hard wood approximately 1.5m long, burnt at one end to create a hardened point were carried by the women. The process of foraging was continued whilst on the move with food stored in the expanding nets until a camping site was reached (Govett 1977:23).

This traditional clothing was replaced by the blankets distributed by the Government and a mixture of European clothing. Governor Macquarie began a policy of distributing blankets to Aboriginal people in 1814 and groups became increasingly dependent as their traditional resources were destroyed by the impact of pastoralism and their groups suffered cultural impacts from disease, alcohol and displacement.



2.4 PREVIOUS HERITAGE STUDIES

The proposed residential subdivision is located in Gunning, in the Upper Lachlan within the Southern Tablelands. Regional models of aboriginal landscape and resource use, along with models of intensity of utilization and number of Aboriginal occupants have been developed for the Goulburn and Yass regions, however, there have been very few heritage studies undertaken in the Gunning area, and fewer still within proximity of the Project area.

In 1985, Dallas analysed the known archaeology surrounding Breadalbane and Gunning, hypothesising that Aboriginal people favoured valley bottoms and gentle slopes for open camp sites with most sites recorded within 100m of a water source.

Koettig and Silcox (1983, 1985 and 1987) completed a series of surveys in regards to the proposed Yass Bypass and options. They developed a site locational model for the Southern Tablelands and identified a number of heritage sites, mainly consisting of small artefact scatters or isolated finds located on gentle, well-drained lower slopes for approximately 48% of sites. Ridge tops and flat hill crests constituted 24% of sites, with the rest located on creek flats (19%) and terraces (9%).

Fuller in 1989 was engaged by Goulburn City Council to test Lance and Koettig's 1986 model by undertaking sub surface testing at areas designated high sensitivity by the model. The results of this large excavation program, although supporting the overall model, concluded that all areas apart from major watercourses were of low potential and that further subdivisions were necessary in the undulating hills category if it was to be useful for predicting site locations.

Cultural Heritage Management in 2003 conducted a cultural heritage assessment for the proposed site of the Gunning Wind Farm along Goulburn Road, approximately 12km north-east of Gunning. This assessment identified ten Aboriginal sites (GWF1-GWF10) consisting of three isolated finds and seven artefact scatters. Six areas of PAD were also identified, with GWF PAD1 and GWF PAD2 not associated with the surface finds.

In 2005, Austral Archaeology conducted the test excavations for the proposed site of the Gunning Wind Farm. These six areas of PAD were previously identified in 2003 by Jo McDonald (CHM). The first phase of the test excavation programme involved a series of excavator/grader scrapes with a smooth-edged bucket to remove the topsoil and expose artefacts *in situ*. Where these scrapes exposed artefacts, the Phase 2 would commence with the manual excavation of test pits in transects would commence. No artefacts were identified in any of the 15 excavator scrapes, likely due to the higher elevation and shallow nature of the soils (<15cm depth). The report concluded that GWF PAD1 and GWF PAD2 were not heritage sites, and the four artefact scatters did not feature any subsurface deposits.

Past Traces in 2023 conducted a due diligence assessment of 35 Dalton Road, Gunning, approximately 1km west of the current project. This assessment identified an isolated quartz flake (PTDRG1) in a constructed drainage contour, as well as an area of PAD (PTDRG PAD1) located on a gentle mid slope spur crest overlooking the adjacent 2nd order creek. The PAD is approximately 180m from the creek



with the PAD extending over an area of 60m x 45m. This PAD has been assessed as having a moderate potential for subsurface deposits and while subsurface testing was recommended, it has not been conducted as of this report.

2.4.1 Predictive Model

Following on from Koettig and Silcox (1983, 1985 & 1987), Fuller (1989) and Austral Archaeology (2005) the following predictive model has been developed for the project area (Table 3).

This site prediction model is based on:

- Site distribution in relation to landscape features within the project area.
- * Consideration of site type and densities likely to be present within the project area.
- Potential Aboriginal use of natural resources present or once present within the project area.

Table 1 Site Prediction Model

Probability	Site Type	Definition	Landform
Moderate/Low	Isolated finds and surface scatters of stone artefacts	Stone artefacts ranging from single artefact to high numbers	Creek lines and spur crests. No such features are present within the study area - Creek line in southern portion
Moderate/Low	Potential Archaeological Deposits (PADS)	Area considered on landform to hold higher potential for unidentified subsurface deposits	Varies, but most frequent on elevated terraces along creek lines and spurlines – Creek line in southern portion, no terrace feature present.
Low	Culturally Modified Trees (CMTs)	Trees which have been modified by scarring, marking or branch twining	May be present on old remaining trees – Most old growth trees have been removed
Nil	Rock Engravings	Images engraved on flat rock surfaces	Escarpments, rock platforms or rock shelters - not present
Nil	Stone arrangements	Arrangements of stones by human intention, including circles lines or patterns.	Crest lines or large ceremonial areas on creekflats, - not present
Nil	Stone quarries/Ochre sources	Quarry sites where resources have been mined.	Any landform that has not been disturbed – not present
Nil	Axe grinding grooves	Grooves in stone caused by the grinding of stone axes	Usually in creek lines, as water is used as abrasive with sand - not present



Probability	Site Type	Definition	Landform
Nil	Burials	Burials of Aboriginal persons	Usually requiring deep sandy soils on eastern facing slopes – not present
Nil	Aboriginal places	A place that hold spiritual, traditional or historical significance to Aboriginal people	Any landform, identified through consultation with RAPs and historical sources

2.5 LANDFORM AND DISTURBANCE LEVEL ASSESSMENT

The landforms within the project area consist of gentle to steep side slopes stemming from the hill crest to the north of the project area. Water sources are present in the form of an unnamed 1st order tributary creek line that feeds into Meadow Creek to the west. This 1st order creek would have in the past been a string of freshwater ponds forming a creek following rains.

The project area has been impacted by European settlement from the mid nineteenth century. The project area has as a result been under continual grazing and pastoral regimes over a lengthy period of time. These past use impacts are typical for Yass and the Upper Lachlan region and consist of the following:

- Vegetation and tree clearance
- Stock impacts
- Fencing
- Vehicle tracks some consisting of minor roads, other of impact trails
- Extensive impacts in areas of housing including landscaping
- Construction of sheds, outbuildings and yards
- Ploughing of topsoils for pasture improvement or light cropping.

All of these landscape and soil impacts reduce the potential for archaeological or heritage sites to remain intact within the landscape. Confined areas of disturbance are present at gates and along fence lines. Exposed ground is present in areas of stock impact, vehicle tracks, fence lines, under trees and large areas of erosion.

Review of previous Aboriginal sites located in the Upper Lachlan region indicate a site location model based on level areas in proximity to water resources such as creek lines with smaller sites located on hilltop ridgelines. The study area consists of gentle to steep gradient side slopes classified as holding low overall low potential for heritage sites. A gentle midslope spur crest is present in the northeast



corner of the project area, but has been heavily impacted by the construction of the current dwelling, sheds and outbuildings. The southern section of the property features a 1st order drainage line, the banks and adjacent gentle slopes of which are uniform and area assessed to hold moderate to low potential for unrecorded heritage sites based on predictive modelling. Assessment of the degree of disturbance and presence of any terrace or raised features in these slopes will be an aim of the field survey.

As a result of the landform assessment, considering the uniform nature of the long side slopes, the study area contains low potential to contain any unrecorded heritage sites and has suffered a low to moderate degree of previous impact.



3 FIELD SURVEY RESULTS

A field survey of the project area was undertaken on the 23rd January 2024 with participation from Pejar LALC to verify the findings of the desktop review of landforms and disturbance. The aim of the investigation was to identify heritage objects or places of potential archaeological Deposit (PAD). Based upon the background research, known Aboriginal site patterning, and current aerial photography, the entire project area was inspected.

All surveyed areas and items of interest were recorded on a topographic map of the study area (using a GPS and GDA94 MGA55 coordinates), along with levels of visibility, erosion, soil conditions, and evidence of land disturbance.

Ground surface visibility (GSV) is the percentage of ground surface that is visible during the field inspection. GSV increases in areas of exposures such as stock impact trails, roads, gates and along areas of erosion such as creek banks and dam walls. As a result, surveys undertaken in areas with high exposure rates result in a more effective survey coverage.

The site visit resulted in the following findings.

3.1.1 Ground Surface Visibility

GSV over most of the study area was low due to the short, but extensive vegetation coverage across the proposed housing lots. Bare earth was visible in infrequent exposures (rate of 30%) and across the project area the average GSV was estimated at 30%. Due to the prevailing vegetation, areas of exposed ground were present under trees, along fence lines, surrounding buildings, landscaped areas, along vehicle access tracks, stock impacts, water course banks and at gate entrances.

Exposures were uncommon at a low frequency across the project areas with areas of bare soils with natural gravels. Rock outcrops were common along the moderate to steep slopes, highlighting relatively shallow soils along the main slope of the property. The conditions at the time of the field survey are shown in plates 1 to 8.



Plate 1: Northeast corner of project area, comprised of current dwellings and sheds (Facing west)



Plate 2. View from northeast crest overlooking property towards Gunning centre (southwest)



Plate 3: Example of GSV with animal impact trail and rocky outcrops (West)



Plate 4: A scraped borrow pit along western boundary (east)



Plate 5: Animal impact trails along south side of drainage line (Southwest)



Plate 6: First order tributary drainage line along southern boundary (east)



Plate 7: Large blackberry bushes had been excavated via a tractor (west)



Plate 8: View from 1st order drainage line upslope to current house (Northeast)

3.1.2 Disturbance

The degree of disturbance across the study area was moderate stemming from pastoral impacts, fence lines, current house, sheds and landscaping. The ground is granite covered with a thin clay loam with natural gravels present. The thinness of the soils with large granite outcrops exposed, indicates that no subsurface deposits are present across the majority of the project area.

Stock impacts were present in the form of several single-file animal paths across the property, with heavy stock impacts along the 1st order drainage line with several animal creek crossing points. Large blackberry bushes had been excavated across the property using a tractor, ripping up vegetation and leaving >2m² exposures. A mechanically excavated borrow pit was present along the western boundary, and the southern side of the 1st order drainage line featured previous landscaping and earthworks impacts.

The northeast corner of the property features the current dwelling location, with heavy landscaping to flatten the crest, and the addition of two large sheds and a cut-in water tank. Introduced gravels are prevalent in this area, with a previous gravelled driveway stemming from the house to the western fence.

Disturbance across the remainder of the project area is low with disturbance present in the form of prior vegetation and tree removal, stock impacts and fence lines. The majority of the survey area is considered to hold low potential for heritage sites.

Within these areas, the GSV remained low estimated at 30%. Soils were displaced in areas and erosion appears active within the exposures.



3.1.3 Results - Aboriginal Heritage Sites

No areas of Aboriginal heritage were identified during the field survey despite constant rate of exposures and low vegetation coverage. No known heritage sites will be affected by the proposed development.

3.1.4 Results - Areas of Potential Archaeological Deposit (PAD)

Areas of PAD are defined as landforms that hold higher potential than their surrounds to contain subsurface deposits of past Aboriginal occupation. Based on a review of previous studies completed for the region, areas of PAD would be located in association with waterways (1st or 2nd order streams) on level ground or along spur crest and ridge lines.

As a result of the field survey, no areas of higher potential were noted on the lower slopes which were uniform across the project area. No areas of PAD have been identified and the project area is considered to hold low potential for subsurface deposits.

3.1.5 Results – Historical Heritage

No areas or items of historical heritage were identified within the project area as a result of the background review or field survey.

3.1.6 Summary

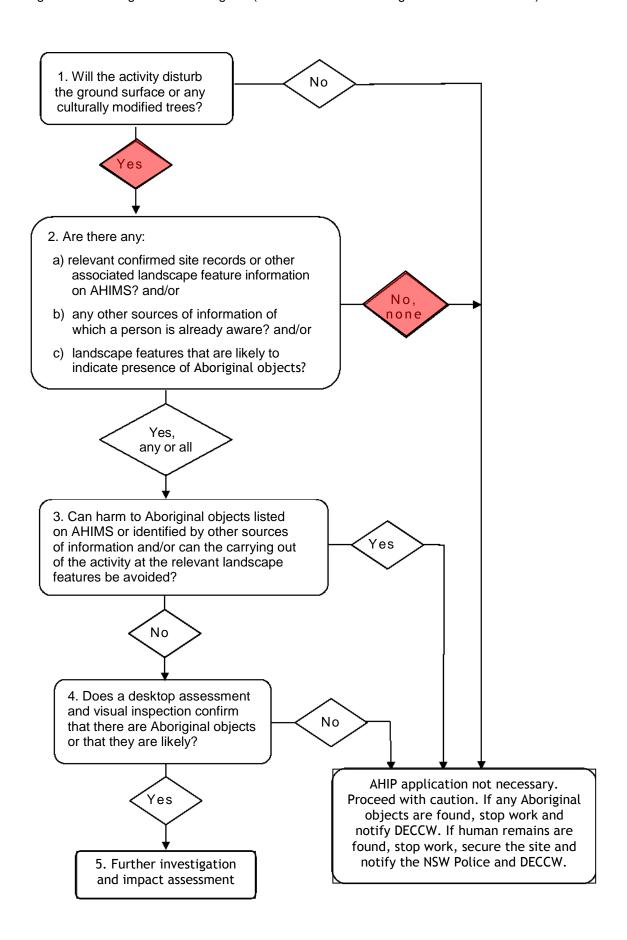
As a result of the site visit, field survey of impact areas and background research, it is considered that the project has low potential to impact on unrecorded Aboriginal or Historical heritage sites or areas of PAD. No Aboriginal or historical heritage sites or areas of PAD were recorded or identified as a result of the assessment and no areas of high or moderate sensitivity are present in the development area based on previous research and modelling.

Based on the assessment the impacts from the project are as follows:

- No known Aboriginal objects or places will be impacted by the proposed works.
- No known Historical objects or places are present in the project area.
- No areas of high potential to contain unrecorded Aboriginal or historical objects or places are present in the project area.

The Aboriginal Due Diligence Code provides a flowchart of six questions to identify the presence of and potential harm to Aboriginal heritage. These questions and their applicability to the project are shown in Figure 4. The responses to these questions determine if further heritage investigations are required.

Figure 4. Due Diligence Flow Diagram (OEH 2010:10 - Due Diligence Code of Practice)





3.2 RECOMMENDATIONS

Based on this due diligence assessment the following actions are recommended for the project.

Recommendation 1: Works to proceed without further heritage assessment with caution.

The proposed works can proceed without further assessment as no Aboriginal or historical heritage sites (objects or places) have been identified within the project area. The potential for impacting on unrecorded heritage sites within the project area is assessed as extremely low, based on landform analysis and field survey.

Recommendation 2: Discovery of Unidentified Aboriginal cultural material during works.

Under the *NPW Act 1977* all Aboriginal places and objects are protected from harm, even if they have not been previously identified during the assessment process. If Aboriginal material is discovered during works then the steps as outlined below should be followed:

- All work must cease in the vicinity of the find and project manager notified immediately.
- ❖ A buffer zone of 10m should be fenced in all direction of the find and construction personnel made aware of the 'no go' zone.
- NSW Heritage must be notified of the find and advice sought on the proper steps to be undertaken.
- After confirmation from NSW Heritage a heritage consultation should be engaged to undertake assessment of the find and provide appropriate management recommendations to the proponent.

Recommendation 3: Alteration of impact footprint

Further archaeological assessment would be required if the proposal activity extends beyond the area of the current investigation.

Implementation of the above management recommendations will result in low potential for the project to impact on heritage values or result in damage to heritage sites.



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A.1 APPENDIX 1 – AHIMS SITE SEARCH



SiteName

Contact

Contact

PTDRG1

PTDRG1 PAD1

SiteID

51-5-0358

51-5-0357

AHIMS Web Services (AWS)

GDA

55 706699

Recorders Past Traces Pty Ltd, Mr. Nathaniel Cracknell

6149235

Open site

Extensive search - Site list report

Your Ref/PO Number : Gunning 2 Client Service ID : 855688

 Port								
<u>Datum</u>	Zone	Easting	Northing	<u>Context</u>	Site Status **	<u>SiteFeatures</u>	<u>SiteTypes</u>	<u>Reports</u>
GDA	55	706786	6149074	Open site	Valid	Potential		
						Archaeological		
						Deposit (PAD): -		
Recorders	Past	Past Traces Pty Ltd, Mr. Nathaniel Cracknell				<u>Permits</u>		

Artefact: -

Permits

Valid

** Site Status

Valid - The site has been recorded and accepted onto the system as valid

Destroyed - The site has been completely impacted or harmed usually as consequence of permit activity but sometimes also after natural events. There is nothing left of the site on the ground but proponents should proceed with caution.

Partially Destroyed - The site has been only partially impacted or harmed usually as consequence of permit activity but sometimes also after natural events. There might be parts or sections of the original site still present on the ground

Not a site - The site has been originally entered and accepted onto AHIMS as a valid site but after further investigations it was decided it is NOT an aboriginal site. Impact of this type of site does not require permit but Heritage NSW should be notified