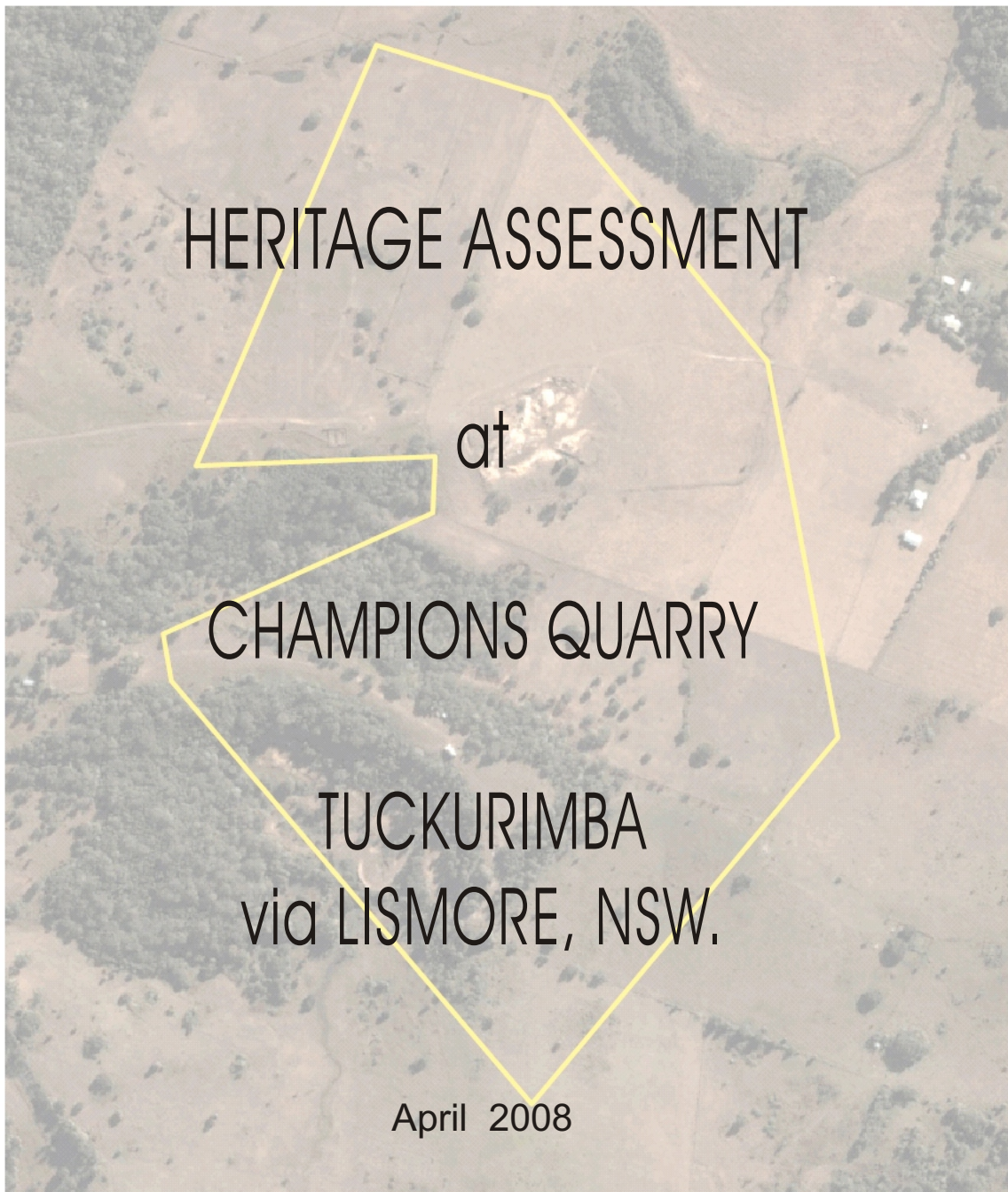


Appendix G
*Aboriginal Cultural Heritage
Assessment (Everick, 2008)*



HERITAGE ASSESSMENT

at

CHAMPIONS QUARRY

TUCKURIMBA

via LISMORE, NSW.

April 2008



PREPARED FOR:

Champions Quarry
Wyrallah Road
LISMORE NSW 2480

PREPARED BY:

Richard Robins
Everick Heritage Consultants Pty Ltd
47 Arthur Terrace
Red Hill Qld 4059
ABN 78102206682



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EXECUTIVE SUMMARY

This report presents the results and outcomes of an assessment for Indigenous and non-Indigenous cultural heritage at Champions Quarry, Tuckurimba, 17 km south of Lismore in north-eastern NSW. The Subject Lands include:

- Lot 5 DP 857530: 41.77 ha (94 Hazlemount Lane, Tuckurimba, NSW 2480)
- Lot 1 DP 729118: 1.75 ha (1586 A Wyrallah Road, Tuckurimba, NSW 2480)
- Lot 4 DP 588125: 38.71 ha (1586 A Wyrallah Road, Tuckurimba, NSW 2480)
- Lot 183 DP 1013042: 46.85 ha (1692 Wyrallah Road, Tuckurimba, NSW 2480)
- Lot 1 DP 127550: 34.30 ha (1694 Wyrallah Road, Tuckurimba, NSW 2480)

The area under assessment is approximately 50 ha. The land is part zoned 1(a) (General Rural) and part zoned 1(r) (Riverlands) under the Lismore Local Environmental Plan (LLEP). The land on which the existing quarry operates and the proposed expanded quarry area, is zoned 1(a) (General Rural). The quarry is located at the eastern margins of a southerly projection of low hills that separate the floodplain of the Wilson River to the west and the flood plain of the Tucki Tucki Creek and Tuckean Swamp to the east. The broad environmental features are outlined in Section 3.

Champions Quarry proposes to laterally expand and increase the annual rate of production of the existing sandstone quarry from 29000 m³ (50000 tonnes) per annum to 116000 m³ (approximately 200000 tonnes) per annum. This report is to provide supporting documentation to an Environmental Impact Statement (EIS) to fulfill requirements of the Director General of the Department of Planning.

The Tucki Tucki area for Indigenous cultural heritage purposes is administered by the Ngulingah Local Aboriginal Land Council ('Ngulingah LALC'). The field inspection was carried out by the consultant and the Ngulingah LALC Sites Officer on 7th November 2007. The Land Council's views on the conduct and outcomes of the assessment are contained in Appendix A of this report.



Prior to the field inspection a desktop review of Aboriginal sites in the vicinity was conducted by accessing the Department of Environment and Climate Change (DECC) Aboriginal Heritage Information Management System (AHIMS) that indicated there were two Aboriginal sites in the wider search area and none that could be impacted by continuing or proposed works at Champions Quarry. A review of previous archaeological assessments in similar land forms to the Subject Lands found that while the low hills extending south of Lismore are the likely areas for Aboriginal sites, little evidence has been found due to generally poor surface visibility conditions and a low number of field assessments.

The results of the Indigenous cultural heritage assessment are as follows

- No Aboriginal sites or relics were found as a result of two field inspection of the existing and proposed expanded operations area of Champions Quarry, Tuckurimba, via Lismore.
- Reference to heritage registers in addition to the DECC AHIMS found there were no areas within the proposed operations area which held Aboriginal places or sites which would be destructively impacted by works associated with the extractive industry.
- The Ngulingah LALC is of the view that the proposed expansion of the quarry will not impact destructively upon Aboriginal sites and see no constraints to the proposal (Appendix A).

Traditional Owner and Widjabal Elder, Mr John Roberts, was consulted as to the significance of the Subject Lands. Mr Roberts was of the view that the general area was important as it was used by large groups participating in both ceremonial and campsite activities associated with the Tucki Tucki Bora Ring. Mr Roberts involvement derived from representations made to him from a public meeting at Wyrallah and his responsibilities as an Elder. In order to address Mr Roberts' concerns an additional site inspection was conducted on 15 February 2008 by Mr Roberts, the Applicant and the consultant. Following the inspection Mr Roberts concurred with the findings of the site



inspection by the consultant and Ngulingah Sites Officer Dean Bolt on 07-12-07 that there was no surface evidence of Aboriginal sites. Approximately two weeks after the second field inspection Mr Roberts raised further concerns as to the potential for Aboriginal sites. It was agreed between the Applicant, Mr Roberts and the consultant that as a precautionary measure that at least two of the proposed Extraction Cells of approximately 3 ha each would be pegged and a systematic search in a grid pattern, as conditions allow, will be conducted prior to any extraction works. This strategy has the agreement of Mr Roberts.

The results of the non-Indigenous cultural assessment are as follows:

- The NSW Department of Planning, *State Heritage Inventory* contains no Statutory Listed Items under the *Heritage Act 1977 (NSW)*, in the Lismore Shire Local Government Area. Section 2 of the NSW State Heritage Inventory: items listed by local government and state agencies contain no heritage items in the present or proposed operations area of Champions Quarry.
- The Commonwealth Department of Environment and Conservation *Register of the National Estate* contains no listings of heritage items in the Lismore LGA.

As no Aboriginal sites or relics were found, neither a significance assessment, nor specific site management recommendations can be made. The following recommendations, in accordance with the principles on protection of Aboriginal cultural heritage contained in the Burra Charter, are of a cautionary nature.

Recommendation 1

It is recommended that contractors engaged in works in the existing and proposed extraction areas be advised that under the terms of the *National Parks and Wildlife Act 1974 (NSW)*, it is an offence for any person to knowingly destroy, deface or damage or permit the



destruction, defacement or damage to a relic or Aboriginal place without first obtaining the written consent of the Director General of the DECC.

Recommendation 2

It is recommended that an Everick archaeologist, accompanied by Mr John Roberts, undertake a precautionary survey of at least two 3 ha Extraction Cells prior to any topsoil and overburden removal taking place. This survey will be undertaken in a systematic grid as conditions allow. Prior to undertaking the inspection each cell will be surveyed and pegged. This recommendation was supported by John Roberts in a conversation on 17 March 2008.

Recommendation 3

It is recommended that if in the course of conducting works at the existing and proposed extraction areas Aboriginal cultural heritage is found, works at and adjacent to the materials must stop. The Regional Archaeologist of the DECC Northern Cultural Heritage Unit Coffs Harbour, the Ngulingah LALC and Mr Roberts (if not on site) must be informed. The location must be fenced and the materials identified by a qualified person. Works must not resume until management measures are implemented and written agreement reached between the parties.



1. INTRODUCTION

1.1 Location

This report presents the results and outcomes of an assessment for Indigenous and non-Indigenous cultural heritage at Champions Quarry, Tuckurimba, 17 km south of Lismore in north eastern NSW. The property is accessible from Lismore via Wyrallah Road and Hazelmount Lane (Figures 1 & 2).

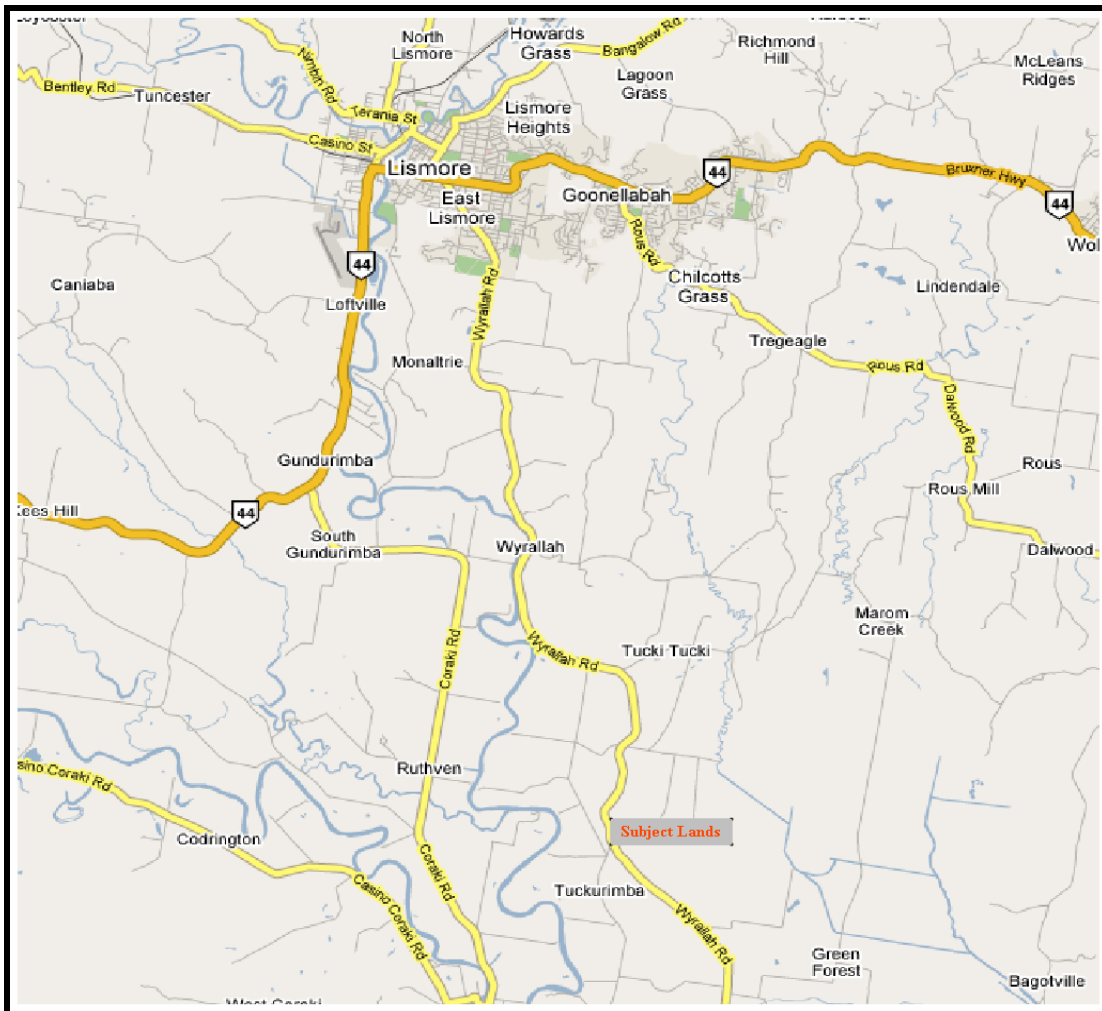


Figure 1: Location of Subject Lands.

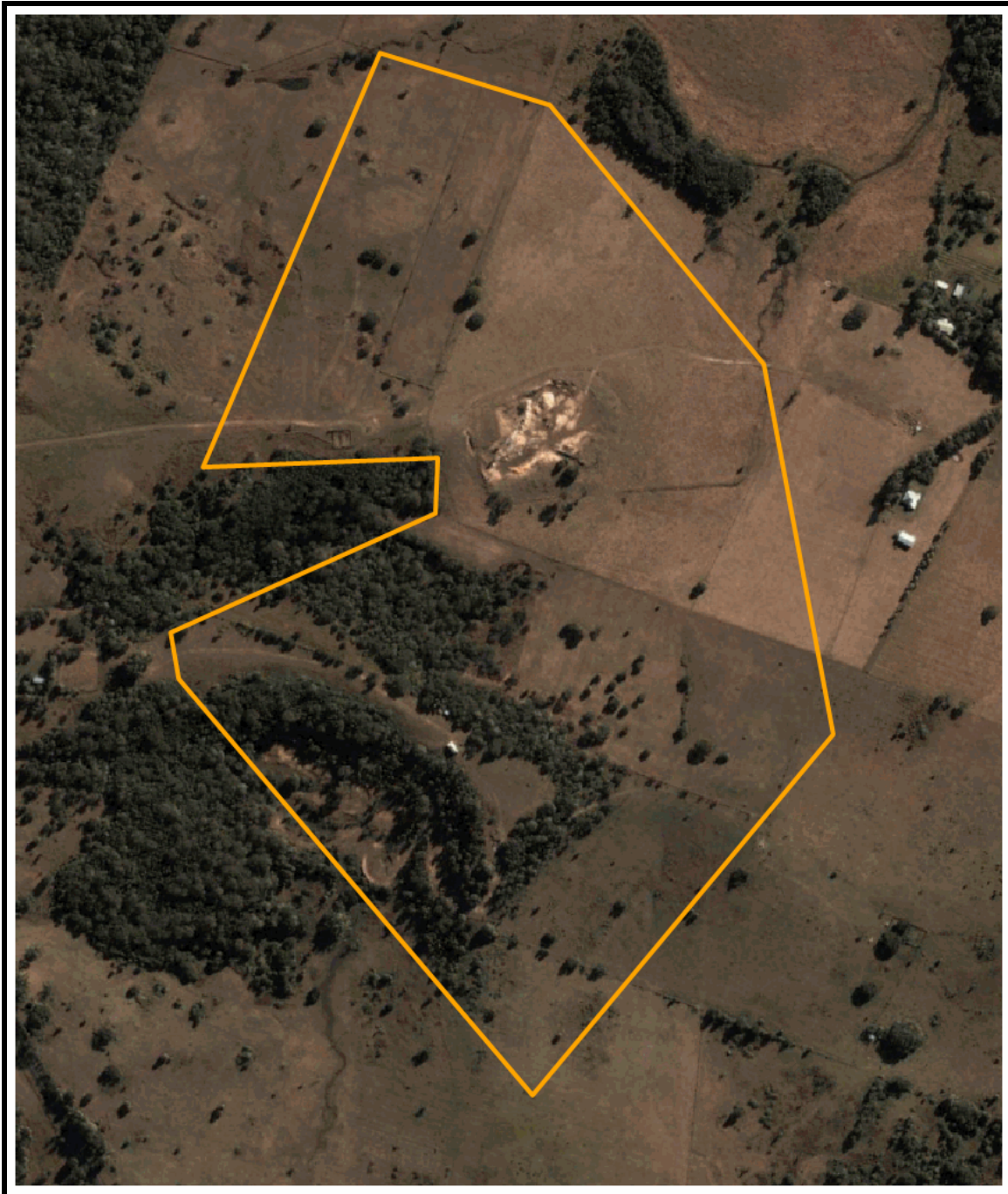


Figure 2: Aerial view of Champions Quarry Operations Area.



1.2 Property description

The Subject Lands are located on:

- Lot 5 DP 857530: 41.77 ha (94 Hazlemount Lane, Tuckurimba, NSW 2480)
- Lot 1 DP 729118: 1.75 ha (1586 A Wyrallah Road, Tuckurimba, NSW 2480)
- Lot 4 DP 588125:38.71 (1586 A Wyrallah Road, Tuckurimba, NSW 2480)
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- Lot 1 DP 127550: 34.30 ha (1694 Wyrallah Road, Tuckurimba, NSW 2480)

The area under assessment is approximately 50 ha.

The Subject Lands are in part zoned 1(a) (General Rural) and in part zoned 1(r) (Riverlands) under the Lismore Local Environmental Plan (LLEP). The land on which the existing and expanded quarry area is proposed is zoned 1(a) (General Rural).

1.3 Proposed expansion of the existing quarry

Champions Quarry conducts an approved continuing use rights quarry operation at its present site. Champions Quarry also has a current DA approval for approximately 50000 tonnes per annum. It proposes to laterally expand and increase the annual rate of production of the existing sandstone quarry from 29000 m³ (approximately 50000 tonnes) per annum to 116000 m³ (200000 tonnes) per annum. It is proposed that these expansions will take place in up to three Extraction Cells each up to 3 ha.

This report is to provide supporting documentation to an Environmental Impact Statement (EIS) to fulfill requirements of the Director General Department of Planning.



2. ABORIGINAL CONSULTATION WITH NGULINGAH LOCAL ABORIGINAL LAND COUNCIL

The Tucki Tucki area for Indigenous cultural heritage purposes is administered by the Ngulingah Local Aboriginal Land Council (Ngulingah LALC). Contact with the Land Council's offices was made to inform the Land Council of the requirement for a cultural heritage assessment of the proposed expansion to the existing quarry and the Director Generals requirements. It was the Land Council's wish that their Sites Officer Mr Dean Bolt would represent the Land Council's interests and assist in the field inspection. The field inspection was carried out by the consultant and the Ngulingah LALC Sites Officer on 7 November 2007. The Land Council's views on the conduct and outcomes of the assessment are contained in Appendix A of this report.

On advice from the co-ordinator of the Ngulingah LALC further consultation with Traditional Owner / Widjabal Elder Mr John Roberts was undertaken in order to establish the cultural heritage significance of the Subject Lands. An inspection of the Subject Lands by Mr Roberts, the consultant and the proponent was carried out on 15 February 2008. Mr Roberts' views as to the significance of the Subject Lands are contained in section 6.5.

3. ENVIRONMENT

The quarry is located at the eastern margins of a southerly projection of low hills that separate the floodplain of the Wilson River to the west and the flood plain of the Tucki Tucki Creek and Tuckean Swamp to the east. The main topographic features are a narrow east/west ridge crest, with steep upper northern and southern slopes in the southern part of the proposed operations area. The northern slopes of the ridge are a potential sandstone extraction area. The second topographic feature is a lower broad slope to the north of the higher southern ridge that terminates at the existing quarry. Between the two features a forested gully falls to the east and broadens to flats that sweep to the east, north east and north-west in the operations area. Elevations range between c. 50 m AHD in the southern



area and 8 m AHD in the north-eastern corner. Prevailing rock types are quartz sandstone and conglomerate derived from Kangaroo Creek Sandstone (Morand 1994:51).

3.1 Land Uses

The proposed operations area was cleared of its original vegetation approximately 100 hundred years ago which Morand describes as a tall open-forest (wet sclerophyll) on the slopes and ridges dominated by eucalypts with the lower slopes and moister gullies containing the same species range with the addition of turpentine, brush box and stands of hoop pine (Morand 1996: 51).

The existing quarry occupies approximately 2 ha of excavated sand stone resource. Any archaeological materials if they existed would have been removed offsite or be mixed with the soil overburden or crushed materials.

The northern/eastern slopes of the ridgeline immediately to the south where it is proposed to expand the areas of sandstone extraction are disturbed through clearing of regrowth. The southern face of the ridgeline is a precipitous face for the most part incised by the remains of tracks and structures associated with a former motocross track and a former quarry (Figures 3 -10).

The remaining slopes and flats of the operations area are generally heavily grassed grazing land.



Figure 3: View west over existing quarry.



Figure 4: Spoil heaps in quarry area.



Figure 5: View south to proposed expansion area.



Figure 6: View north over northern slopes and flats.



Figure 7: Vegetation on southern ridge crest.



Figure 8: Lower slopes and flats of southern operations area.



Figure 9: Boundary of the northern and southern operations area.



Figure 10: Motocross track.



4. CULTURAL CONTEXT

4.1 Territories

The Aboriginal people of the Lismore area were part of the Bundjalung linguistic group. This language group included about 20 dialects spoken between the Clarence and Logan Rivers extending west to Tenterfield. The territory between Casino, Woodburn, Ballina, Byron Bay and the Nightcap Range was identified by Tindale as that of the Arakwal with the Badjalang to the south and the Widjabal to the north (Tindale 1974). The Lismore area was occupied by speakers of the Wiyabal dialect. The Wiyabal speaking group may have occupied the area between the Tuckean Swamp, in the south, to the Nightcap Range, in the north (Crowley 1978:1).

4.2 Settlement and Movement

The few sources available suggest that clan groups would remain within a defined territory scattered in smaller family groups, which may combine at times of seasonal abundance, for specific purposes such as ceremonial occasions or for the resolution of disputes. The few sources available for the Richmond River suggest that contact between coastal groups may have been more frequent than for inland groups. Bray wrote that ‘... The Coodjinburra tribe inhabiting the coast used to mix very much with the Ballina Richmond River blacks...’ (Bray 1901:9). However, one writer suggests contact between inland groups may have been as frequent. ‘Often the Lismore tribe would send messages over to the Clarence or the Tweed tribes ... should the invitation be accepted the whole tribe from the Tweed or Clarence would journey to the Richmond ... for perhaps a month...’ (Flick 1934:2).

Population numbers are difficult to estimate with any confidence. It is clear that large groups did assemble for specific occasions, perhaps frequently. Sullivan (1978:105) collated the



following instances for the Richmond River valley 'In 1853, 200 to 300 gathered at Ballina for the oyster season (Ainsworth n.d.:18), 600 gathered at Lismore for a tribal fight (ibid), 300 at Woodburn (Gollan n.d.:5) and at Tintenbar (Anon:nd). It has been assumed that populations of 400 for the coastal groups and 200 for the riverine groups... would give a population of around 2,500 between the Evans River and the border... a density of less than two square miles per person (Belshaw 1978:72). It has been suggested that, '...areas of rainforest may have been uninhabited or inhabited irregularly' (Belshaw 1978:73). The extent to which the rainforests of northern N.S.W. were actually occupied, traversed or selectively exploited for food and raw materials, remains a question for further research.

A number of models have been proposed to account for the systematic use of the hunter gatherer environment of northern N.S.W. and southern QLD. Movement took place within territories in response to the availability of food supplies and across group territories for purposes of ceremonial occasions and tribal conflicts in addition to exploiting the seasonal abundance of particular food sources. However it has been suggested that movement in the coastal river valleys do not seem to have been caused by food shortages as such, rather to take advantage of different food types (Belshaw 1978:75).

A review of sightings of Aboriginal coastal groups led Coleman's review of ethno historical sources to a conclusion that in the initial stages of European contact, observers of coastal groups describe, '...consistently high, semi sedentary local populations on the coast with a highly sophisticated organic material culture which vanished almost overnight with European contact' (Coleman 1982:7). McBryde (1974 and 1976) argues for a seasonal movement of people between the coast in summer exploiting marine foods and hunting inland in winter. On the ethno-historical evidence McBryde suggested that some seasonal movement was usual and that the basic subsistence economy of hunting, fishing and gathering was neither static, nor completely migratory, but characterised by movement between the coast and the foothills (McBryde 1974:337). A number of early references refer to seasonal movement on a limited scale including Ainsworth (1922) on the Richmond River, and Dawson (1935) and McFarlane on the Clarence. Bray (1923) states that the Lismore 'tribe' used to go to Ballina at the mouth of the river. Sullivan (1964:20) recorded



that inland groups were allowed to come to the Tweed coast for a time. The archaeological evidence for movement in the coastal river valleys is less conclusive (McBryde 1974: 338).

Movement within a clan territory in response to local conditions or availability of different food sources also occurred. Aborigines at Byron Bay often shifted camps but seldom moved far from a flying fox camp (Sullivan 1964). Bundock noted that on the upper Richmond flying fox were taken more easily in wet weather (Bundock 1898:4-5). Davey on the Tweed suggests that movement may have been frequent (Davey 1948). Moehead recorded that near Lismore the Richmond Aborigines, ‘...camped on the river flats until the rain set in and would then retire to the hills’ (Moehead, nd:1). At Ballina Ainsworth describes movement over the short distance between the beaches and the 'big scrub' a distance of only a few kilometres. He suggests that Aborigines of east and west Ballina were scattered in small groups combining at times of abundant food resources: ‘... the tribe usually camped in divisions at different places except during the oyster season when they assembled unitedly at Chickiba, on North Creek ... The blacks in the month of September each year flocked to the beaches for salmon fishing’ (Ainsworth 1922:44). To which or both of these events the Aborigines of the Lismore area attended we cannot say with any certainty but it appears that spring and summer was the preferred time for inland groups to move on a limited basis to the coast.

An exception to normal movement practices of movement across tribal boundaries was that documented by Petrie (1932) and Bundock (1898). Bundock recorded the movement of the upper Richmond River Aborigines in the Wyangarie area north to the Bunya Mountains, in South East Queensland ‘... every third year or so ... under a sort of 'Truce of God'... for the blacks went through each other territories unharmed’ (Bundock 1898).

4.3 Economy – Material Culture

The most detailed analysis of material culture has been that undertaken by McBryde (1978). The region of the Tweed, Richmond and Clarence Rivers would seem to form a distinct unit. This is particularly so in the case of fishing technology. The multi-pronged fishing spear and



the shellfish hook are both absent from this region. Fish were caught in nets or speared in the shallows (McBryde 1978:187). Spears were single pointed fire hardened weapons (Dawson 1935:22), of both a lighter and heavier variety (Byrne 1946:3). Neither the woomera nor the spear throwing stick were used in this region (Dawson *ibid*). The range of materials is considered wider than central Australian tribes, with fewer all purpose items, few composite tools and a number of specialised ones. This may reflect a more sedentary life style in a rich environment requiring fewer specialised tools (McBryde 1978:187). The stone tool element in the material culture was small and unspecialised. The archaeological evidence suggests changes to a simpler stone technology took place only centuries before European settlement. The stone tools in use immediately prior to European settlement, ‘... show little typological sophistication and did not demand highly skilled craftsmanship’ (McBryde 1978:198).

The resources of sub-tropical rainforest were used extensively in the technology of the Richmond, which is heavily dependent on wood and bark fibre (McBryde 1978:197). Rainforest timbers were used to manufacture spears, a variety of clubs, shields, boomerangs and digging sticks. Bark was used for containers and shelter. Stone axes are referred to by Dawson (1935:22) and Byrne (1946:2). Fishing nets and rope was made from twine spun from the flame tree (Byrne *ibid*). Fishing nets were made a couple of yards long with a stick at each end used individually or in combination with many of the same. Bundock (1898) and Ainsworth (1922) described the same type of nets used for game drives in rainforests and for cod fishing in summer. Descriptions of diet for inland groups emphasize terrestrial animal foods with little emphasis on vegetable foods. Description by Bundock of the diet of the upper Richmond River Aborigines of the north coast is probably the most comprehensive of early observers. Her descriptions include vegetable foods and game found in both the gallery rainforests lining the watercourses and open grasslands. ‘They prepared a sort of bread from the roots of the Morton Bay chestnut and from the roots of the large arum (called by the Blacks *congevois*)...For game they had opossums, many varieties of kangaroo and wallaby, snake, bandicoots, porcupine and flying foxes together with any birds they could get and a good deal of fish in summer and large mussels from the lagoon’ (McBryde 1978: 263).



5. ARCHAEOLOGICAL CONTEXT

5.1 Prehistory

Evidence for Aboriginal occupation of northern N.S.W. and QLD dates to the late Pleistocene at Wallen Wallen Creek on North Stradbroke Island an occupation phase has been dated from 20560 ± 250 BP (Before the Present) and to the late Holocene period. Analysis of faunal material from the site suggests an economy initially based upon the hunting of terrestrial fauna, later changing to one based upon a reliance on marine fish and shellfish which may reflect changing local technologies caused by gradual rises in sea levels during the late Pleistocene (Neil and Stock 1986).

Coastal sites in northern N.S.W. all date within the Holocene period; the earliest being a shell midden at the base of Sextons Hill on the Tweed River. The site indicated an occupation phase between 4700 Before the Present (BP) and 4200 BP (Appleton 1993: 43). Archaeological evidence for the Richmond River is mainly from coastal environments and suggests that conditions suitable to the exploitation of estuarine food resources occurred relatively recently (Bailey 1975, Rich 1994). A shell midden on Chickiba Creek at Ballina was found to have accumulated between 1750 BP and c.1850 AD (Bailey 1975:52). Bailey's basal date of 1750 BP suggests that the resource rich environment may not have been available at an earlier time, for any more than small groups (Rich 1994). By contrast, the Tweed River estuarine site was in use c. 3000 years earlier (Appleton 1993). Shell samples from the Angels Beach area at east Ballina are dated between c. 530 BP and 810 BP with one sample at c. 900-1000 BP (Rich 1994:195) Stone material was assessed on technological grounds to date within the past 2000 years (ibid:161).

The earliest occupation site for a riverine location comparable to the riverine environment of the Subject Lands is the Seelands rock shelter on the Clarence River which contained an occupation phase from circa 4500 BC - 1600 AD (McBryde 1974:373). The analysis of plant remains suggested a vegetation mosaic of open dry sclerophyll on elevated ground with corridors of rainforest along water courses (McBryde 1974:327). Analysis of faunal remains



for the upper levels of the site indicated wallabies, possums and bandicoots provided the greater part of the meat diet (Wakefield in McBryde 1974: 360). Other animal remains included echidna, native cat, kangaroo, fruit bat, mussels, tortoise and catfish. McBryde noted a number of clear distinctions between the riverine Seelands site and a coastal midden at Wombah on the Clarence estuary. The Seelands artefact assemblage is more diverse, greater in quantity with strong evidence for the manufacture and maintenance of stone tools. These attributes are minimal at the coastal midden site at Wombah. The biological material at Seelands reflects a broad-based economy exploiting a number of micro environments, in contrast to the narrow shellfish base at Wombah. The archaeological evidence suggested contact between the riverine site and the estuary at both sites. There is evidence for winter occupation in the presence of emu eggshell at Seelands, while a dependence on oysters at Wombah would suggest occupation in late spring or summer (McBryde 1974 b: 8-9).

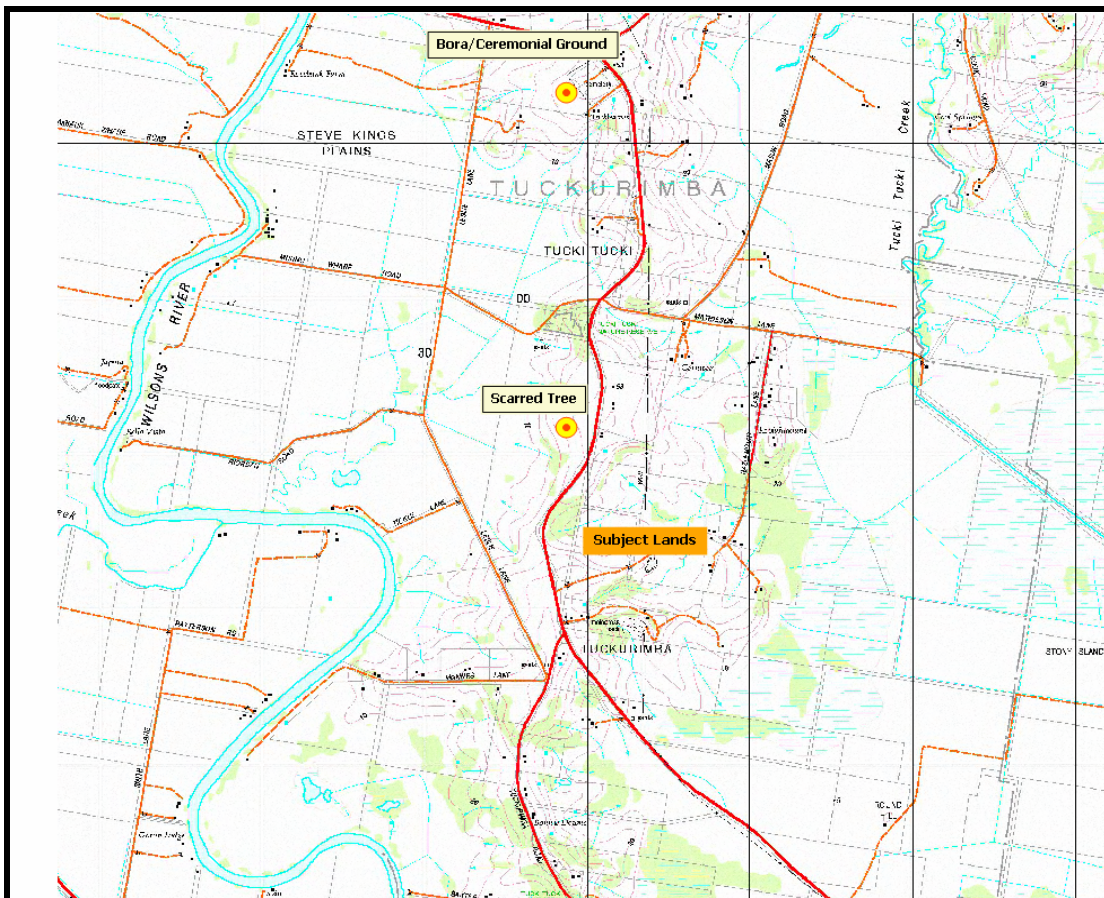


Figure 11: Recorded AHIMS sites in the vicinity of the Subject Lands.



5.2 The DECC AHIMS of Recorded Aboriginal Sites

A search (09-11-07) of the DECC AHIMS over 56 sq km centering on the Subject Lands found two sites in the search area. The regionally and locally significant Tucki Tucki Ceremonial Ground (#04-4-00024) is approximately 3 km north of the existing quarry on level ground west of Wyrallah Road overlooking the Wilson River floodplain. A scarred tree (#04-4-0126) is located approximately 650 m north of the existing quarry on the western side of Wyrallah Road on slopes falling to the Wilson River floodplain. That so few sites are listed in an area where great numbers of local people and groups from the surrounding region would have congregated for ceremonial and economic purposes can be attributed to intensive land clearing, a lack of archaeological assessments and limited conditions for site detection usually as a result of dense ground cover.

5.3 Previous Archaeological Assessments

Assessments in the Lismore area, include Collins (1993) who conducted an assessment of the proposed flood levee banks in the north Lismore area. The only cultural material found was an isolated artefact (site: #4-4-0082). An assessment over 13 ha of floodplain adjoining the Collins study area at north Lismore, found that there were no Aboriginal cultural heritage issues to address (Piper 2006:24). An assessment of 55 ha of floodplain and hill slopes on Wyrallah Road at Gundurimba did not result in the location of any Aboriginal sites or relics. Dense ground cover and landfill hindered the effectiveness of the assessment (Piper1999:24). A later study (Piper 2000) of flood plain and low hills at East Gundurimba found no Aboriginal sites or relics within the proposed Skyline/Durheim Road corridor. However it was noted the area held a particular significance to the Aboriginal community due to the close proximity of a traditional pathway between Goonellabah and the Tucki Tucki ceremonial ground (Piper 2000:27).



5.4 Potential Site Types in the Subject Lands

Given the highly destructive impacts of European land uses in this case original clearing, cultivation and agriculture and in the present associated with agriculture and existing sand stone quarrying operations, this area has a low potential for *in situ* archaeological sites. The most common type of sites that are likely to occur are *single artefacts*, *artefact scatters (open campsites)* and *scarred trees*. Given there are sand stone outcrops that occur on the southern slopes of the Subject Lands there is potential for *rock shelters* which if inhabited, may contain occupation deposits, art and grinding grooves in locations where bed rock extrudes from hill slopes. *Quarry sites* may occur where sources of hard quartz sandstones, conglomerate or cryptocrystalline sedimentary rock occurs. *Ceremonial sites* which feature raised earth mounds/stone mounds are unlikely, as land clearing over the Subject Lands would have caused the destruction of ceremonial sites containing fixed structures and possibly scatter surface archaeological materials. Sites of a purely spiritual/mythological nature are unlikely, unless there is advice from the Ngulingah LALC and or Traditional Owners No advice has been received from Ngulingah LALC or Traditional Owners regarding sites of a spiritual/mythological nature. The movement of large volumes of rock/soil at the existing quarry and in the proposed expansion area would have served to both potentially conceal sites had they existed and scatter cultural materials if they were concealed in the immediate sub surface.

6. FIELD INVESTIGATION

6.1 Methods - Indigenous Cultural Heritage

Given the restrictions imposed by heavy grass cover and the consequent minimal area of ground surface possible to inspect it was only practical to inspect any areas of surface exposure that could be found. Photographs were taken as a record of general features and



conditions, to indicate the degrees of surface visibility, the areas of surface visibility and the contents of any sites or relics found. Notes were made of the degree of surface visibility, the area of surface visibility, ground cover, land uses and any other relevant features.

The field inspections were carried out on 07-11-08 by the consultant and Ngulingah LALC Sites Officer Mr. Dean Bolt and on 15-02-08 by Mr. John Roberts the Applicant and the consultant. The areas covered by the field inspections are indicated in Figure 13. Where possible exposed surfaces are covered in 5-10 metre transects. The only substantial areas of surface visibility were in highly disturbed contexts: the existing quarry, vegetation cleared areas of the upper slope immediately south of the quarry and the steep slopes of the former motocross track which are not proposed as extraction areas.

6.2 Methods - Non-Indigenous Cultural Heritage

The assessment as to the non-Indigenous cultural heritage values within the Subject Lands was carried out by accessing the Lismore Council LEP. There are 149 records, three in the Tucki Tucki area on Wyrallah Road: a dwelling in Tucki Tucki village, the Tucki Tucki Nature Reserve and the Tucki Tucki Bora Ring (State Heritage Inventory).

The NSW Department of Planning, *State Heritage Inventory Section 1* contains 5 records: Statutory Listed Items under Section 136 *Heritage Act 1977* (NSW) in the Lismore Shire LGA. These are in the Lismore city area with the exception of the North East Conservation areas. Section 2, records under Section 170 of the NSW State Heritage Inventory: items listed by local government and state agencies, contains 7 records all within the Lismore city area. The Commonwealth Department of Environment and Conservation *Register of the National Estate* contains no listings of heritage items in the Lismore LGA.



6.3 Constraints to site detection

The constraints to site detection are commonly influenced by previous and present European land uses. The area of surface exposure and the degree of surface visibility within exposed surfaces are usually the product of ‘recent’ land uses e.g. ploughing, road making, natural erosion and accelerated (man made) erosion (McDonald, Isabell, Speight 1990:92).

The following broadly describes the conditions for site detection within the Subject Lands. The operations area that incorporates both the existing quarry and the proposed expansion area are divided into the northern and southern operations areas south of an east west line immediately south of the existing quarry (Figure 12). The former motocross area on the southern slope of the proposed expansion area is described as a separate unit. The survey coverage of the motocross area is also treated as a separate unit (Table 2).

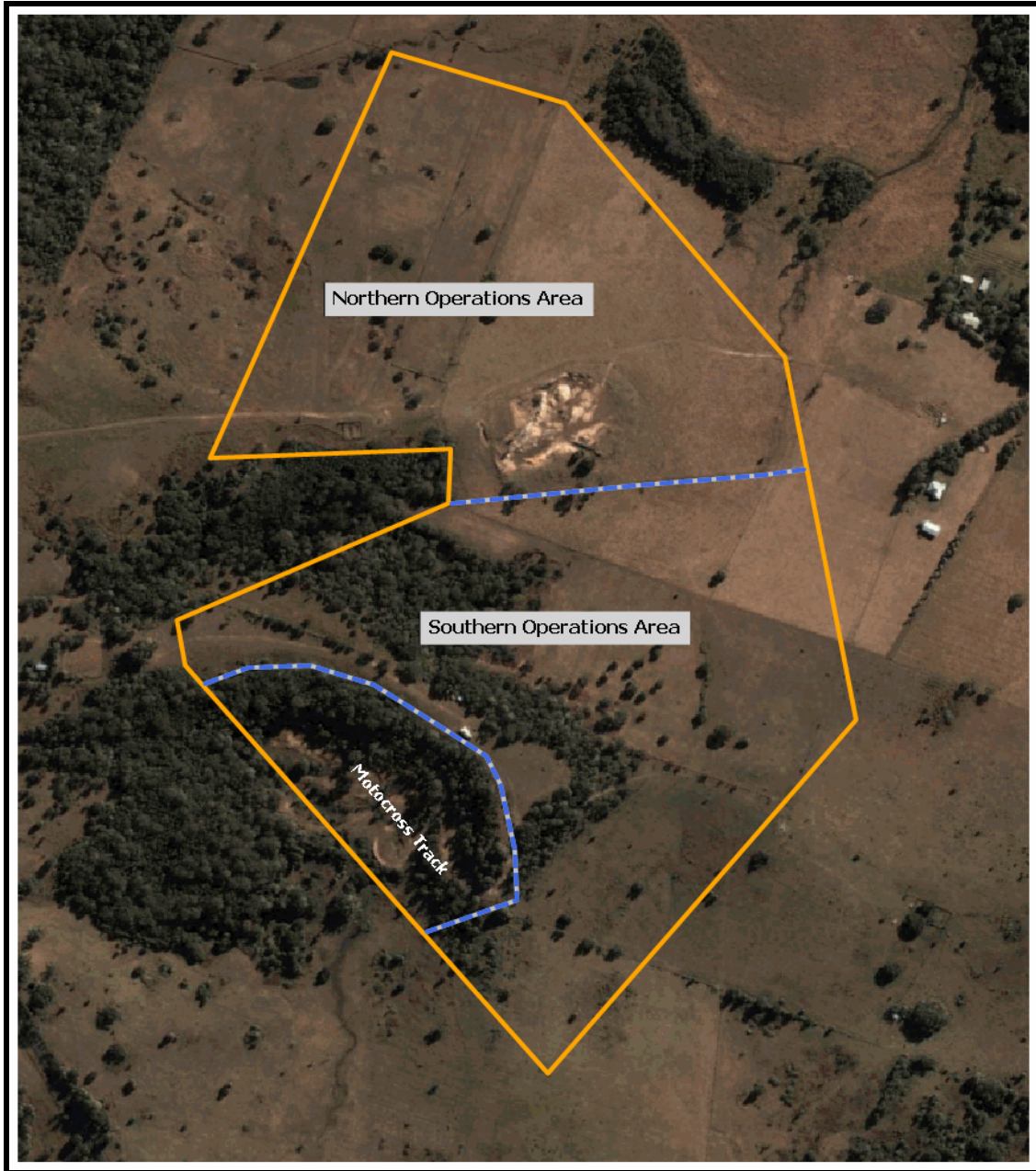


Figure 12: Field investigations areas.



Southern Operations Area

Ridgecrest separates the upper slopes of the proposed southern quarry expansion area and the upper slopes of the former motocross area. Disturbed through vehicle track and recent land clearing at the eastern end. Surface exposure: 20%. Type: vehicle track, structures, land clearing. Visibility: 90% (Figure 7).

Upper slopes the northern slopes of the southern ridge in the proposed quarry expansion area. Surface exposure: 80%. Type: land clearing removal of vegetation and moving of sand stone rock. Visibility: 85% .

Lower slopes broad moderate to gentle slope. Surface exposure: 10%. Type: soil exposures through mechanical raking. Visibility: 10% (Figure 8).

Flats narrow areas falling to the east from a gully. Surface exposure: 10%. Type: soil exposures in soils from burnt rubbish and vegetation. Visibility: 90% (Figure 9).

Southern Operations Area former motocross area

Slopes a former quarry with steep heavily disturbed southern facing slopes incised by excavated terraces, roads, tracks and steep slopes battered in places with tyres. Surface exposure: 10%. Type: excavations and erosion due to its former use. Visibility: 80%.

Flats heavily eroded and disturbed through clearing and the building of tracks and mounds. Surface exposure: 20%. Type: clearing and mechanical excavations. Visibility: 80%.

Northern Operations Area

Middle slopes containing existing quarry. Surface exposure: 70%. Type: removal of overburden and extraction activities. Visibility: 90% (Figures 3, 4 and 5).

Middle slopes. Surface exposure: 5%. Type: vehicle track and mechanically excavated trenches on the northern slope. Visibility: 60%.

Flats. Extend to the east, north and north west of the operations area. Surface exposure: 1%. Visibility: 10% (Figure 6).



6.4 Survey Coverage

Table 1 presents information on the extent to which survey data provides sufficient evidence for an evaluation of the distribution of archaeological materials across the study area. The evaluation of survey coverage provides a measure of the potential for each of the landform elements to reveal archaeological evidence. This procedure is in accordance with the N.P.W.S. Guidelines for Aboriginal Survey Reporting (1977:44-8). The calculations in Table 1 do not provide an exact percentage of area, but a reasonable estimate.

Table 1 - Southern Operations Area

LANDFORM (LF) ELEMENT	AREA (ha)	EXPOSURE %	AREA OF EXPOSURE (ha)	VISIBILITY %	AREA FOR SITE DETECTION (ha)	% OF LF FOR SITE DETECTION
RIDGECREST	1.5	20	0.3	90	0.27	18
UPPERSLOPES	1.8	80	1.4	85	1.2	68
LOWERSLOPES	15.8	10	1.58	10	0.15	1
FLATS	2.4	10	0.24	90	0.2	9

AREA FOR SITE DETECTION: 1.62ha or 8.4%

Table 2 - Southern Operations Area. Former Motocross Area

LANDFORM (LF) ELEMENT	AREA (ha)	EXPOSURE %	AREA OF EXPOSURE (ha)	VISIBILITY %	AREA FOR SITE DETECTION (ha)	% OF LF FOR SITE DETECTION
SLOPES	4.05	10	0.405	80	0.3	8
FLATS	0.75	20	0.15	80	0.12	16

AREA FOR SITE DETECTION: 0.42ha or 8.75

Table 3 - Northern Operations Area

LANDFORM (LF) ELEMENT	AREA (ha)	EXPOSURE %	AREA OF EXPOSURE (ha)	VISIBILITY %	AREA FOR SITE DETECTION (ha)	% OF LF FOR SITE DETECTION
SLOPE - EXISTING QUARRY	2.0	70	1.4	95	1.33	66.5
MIDDLE SLOPES	9.1	5	0.4	60	0.2	3
FLATS	4.02	1	0.04	10	0.004	0.1

AREA FOR SITE DETECTION: 1.5ha or 10%

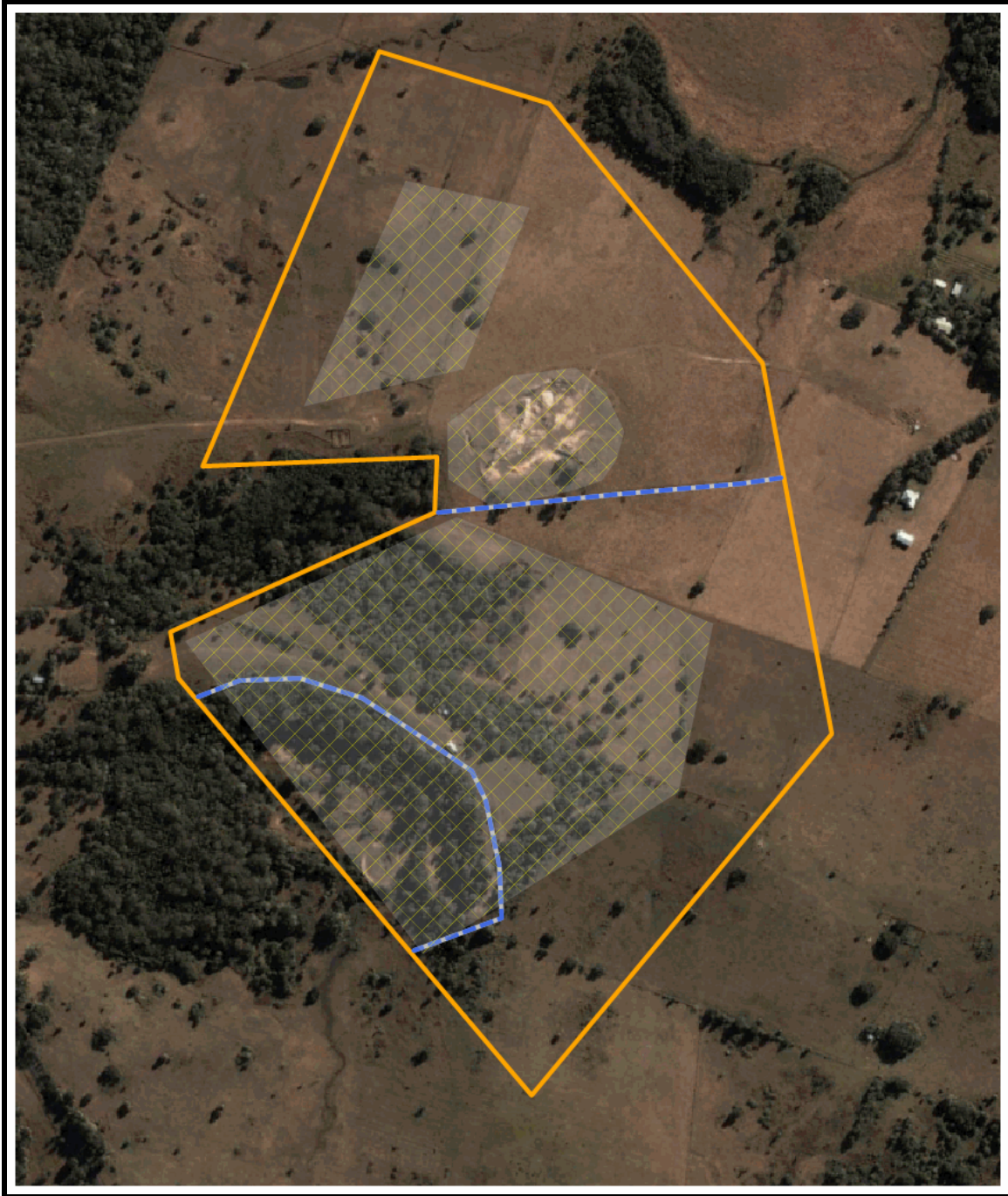


Figure 13: Survey areas (hatched area).



6.5 Results of the Assessment: Indigenous Cultural Heritage

- No Aboriginal sites or relics were found as a result of the two field inspections of the existing and proposed operations area of Champions Quarry, Tuckurimba via Lismore.
- The Ngulingah Local Aboriginal Land Council is of the view that the proposed expansion of the quarry will not impact destructively upon Aboriginal sites and see no constraints to the proposal (Appendix A).

The Land Council advised that consultation should be undertaken with Widjabal Elder and Traditional Owner Mr. John Roberts. Mr Roberts' involvement derived from representations made to him from a public meeting at Wyrallah and his responsibilities as an Elder. In order to address Mr Roberts' concerns an additional site inspection was conducted on 15 February 2008 by Mr Roberts, the Applicant and the consultant. Following the inspection Mr Roberts concurred with the findings of the site inspection by the consultant and Ngulingah Sites Officer Dean Bolt on 07-12-07 that there was no surface evidence of Aboriginal sites.

Everick held further discussions with Mr Roberts as to providing his written views as a result of the site inspection of February 15th 2008. Mr Roberts was unable to provide a written statement at the time as unfortunately he was hospitalised. However, Mr Roberts was consulted by telephone 10 March 2008, where he made the following points (Mr Roberts has verbally consented to the inclusion of this statement in this report):

The area proposed for the expansion of Champion Quarry is important to Aboriginal Cultural Heritage. The Subject Lands are potentially archaeologically significant as Traditional people used this general area when the Tucki Tucki Bora Ground was in use. Initiations would be carried out for two to three weeks. This included ceremonies at both the existing Tucki Tucki ring and a second ring some distance away. Thousands of people attended these ceremonies. The campsites of the people who attended these ceremonies were



scattered all through the area on springs and creeks. All of the springs would have campsites on them. If burials took place they would be placed in a sitting formation on top of a hill or ridge if there was enough soil to dig a hole. The hole would be filled in and rocks placed on the top. If there was not enough soil to be able to dig a hole the burial would be placed in a hole at the foot of the slope. There is soil deep enough on top of the ridge in places for burials to take place and around the slopes in the northern part of the operations area north of the present access road. (John Roberts *pers comm*:10.03.08).

- It was agreed between the Applicant, Mr Roberts and the consultant that as a precautionary measure that at least two of the proposed Extraction Cells of approximately 3 ha each would be surveyed and pegged and a systematic search in a grid pattern, as conditions allow, will be conducted prior to any extraction works. This strategy has the verbal agreement of Mr Roberts.
- Reference to heritage registers in addition to the DECC AHIMS found there were no areas within the proposed operations area which held Aboriginal places or sites which would be destructively impacted by works associated with the extractive industry.

No applications arising from this report to the DECC, for consents pursuant to Part 6 of the *National Parks and Wildlife Act 1974* are warranted.

6.6 Results of the Assessment: Non-Indigenous Cultural Heritage

- The NSW Department of Planning, *State Heritage Inventory* contains no Statutory Listed Items under the *NSW Heritage Act 1977* (NSW), in the Lismore Shire Local Government Area (LGA). Section 2 of the NSW State Heritage. Inventory, items listed by local government and state agencies contain no heritage items in the present or proposed operations area of Champions Quarry.



- The Commonwealth Department of Environment and Conservation: *Register of the National Estate* contains no listings of heritage items in the Lismore LGA.
- Field inspections did not reveal any non-Indigenous cultural heritage.

7. RECOMMENDATIONS INDIGENOUS CULTURAL HERITAGE

The following recommendations are based upon:

- The review of the AHIMS register and review of previous assessments. (Sections: 5.2 and 5.3).
- Consultation and field inspection with the Ngulingah Local Aboriginal Land Council (Section: 2 and Appendix A) and consultation and field inspection with Mr John Roberts Traditional Owner / Widjabal Elder (Section 6.5).

As no Aboriginal sites or relics were found, neither a significance assessment, nor specific site management recommendations can be made. The following recommendations, in accordance with the principles on protection of Aboriginal cultural heritage contained in the Burra Charter, are of a cautionary nature.

Recommendation 1

It is recommended that contractors engaged in works in the existing and proposed extraction areas be advised that under the terms of the *National Parks and Wildlife Act 1974* (NSW), it is an offence for any person to knowingly destroy, deface or damage or permit the destruction, defacement or damage to a relic or Aboriginal place without first obtaining the written consent of the Director General of the DECC.



Recommendation 2

It is recommended that an Everick archaeologist, accompanied by Mr John Roberts, undertake a precautionary survey of at least two 3 ha Extraction Cells prior to any ground disturbance taking place. This survey will be undertaken using a systematic grid pattern of search as conditions allow. Prior to undertaking the inspection each cell will be surveyed and pegged. This recommendation was supported by John Roberts in a conversation on 17 March 2008.

Recommendation 3

It is recommended that in the course of conducting works at the existing and proposed extraction areas Aboriginal cultural heritage is found, works at and adjacent to the materials must stop. The Regional Archaeologist of the DECC Northern Cultural Heritage Unit Coffs Harbour, the Ngulingah LALC and Mr Roberts (if not on site) must be informed. The location must be fenced and the materials identified by a qualified person. Works must not resume until management measures are implemented and written agreement reached between the parties.



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APPENDIX A. CORRESPONDENCE NGULINGAH LOCAL ABORIGINAL LAND COUNCIL

1/2008

Page 2 of 2

Sent: Monday, 21 January 2008 1:27 PM
To: adrpip@onthenet.com.au
Subject: Champions Quarry

21/01/2008

Mr Adrian Piper
c/o Everick Consultants
PO Box 146
Red Hill Qld 4059

Re: Champions Quarry, Tucki Tucki via Lismore NSW.

Adrian,

Following out discussions regarding the above Quarry that our Sites Officer, Mr Dean Bolt and yourself carried out on 7th November 2007, I would like to add some further comments.

I have received some phone calls regarding the proposal and it was indicated that whilst no physical evidence of Aboriginal occupation was found during the field survey there may in fact be further anthropological/ story time connections to the site of the quarry.

Two names have been mentioned of Aboriginal men that may hold some knowledge of the area and I request that efforts be made to contact and interview the following people to determine if there is any significance with the quarry site.

The people mentioned were:- Murray John Roberts and Sheldon Harrington.

I don't have contact numbers for them but if you give me a call later I will see what I can track down.

Yours Sincerley

Dallas Donnelly
Acting CEO

No virus found in this incoming message.
Checked by AVG Free Edition.
Version: 7.5.516 / Virus Database: 269.19.15/1249 - Release Date: 29/01/2008 9:51 AM

31/01/2008