



Archaeology
Cultural Resource Management
Environmental Planning
Project Management

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475 ROCKMOUNT ROAD SUBDIVISION, LAKE MEADOWBANK



ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN

- Version 3 (Draft)
- Date: April 2014

Executive Summary

Background

Kamae Consulting has been engaged by Mr Ian Edwards (Proponent) to undertake an Aboriginal cultural heritage assessment for the site of a proposed 13 allotment subdivision at 475 Rockmount Road Ellendale on the south shore of Lake Meadowbank in the Tasmanian Central Highlands Municipality (Figure 1-1 and Figure 1-2). The 44.05 hectare area in question is located on the northern portion of property title 139332/1.

It was apparent that the landscape covered by this study has been disturbed and modified as a result of historic period activities. For instance, the area had been cleared of the majority of natural vegetation for the purpose of farming. The activities of the Hydro Electric Commission in establishing Lake Meadowbank between 1962 and 1967 (Smith 2013:5) have also caused an area of slope above the Derwent River to be flooded and converted into the shore of a lake. Finally the area has recently been further disturbed as a result of a large bush fire and the associated efforts by the land owner to clear areas of fire damaged vegetation.

The 2007 subdivision of the Meadowbank View property directly to the west has resulted in a number of houses being constructed on the adjacent property in a similar manner to the present subdivision proposal. This earlier subdivision has provided insight into the likely impacts the present subdivision may have in relation to Aboriginal cultural heritage sites if it is not effectively managed.

Results

During the survey two culturally significant rock shelters were located and rerecorded on the slope overlooking Lake Meadowbank (TASI10/445 and TASI 4056). Two isolated artefacts were also found along this lake foreshore area (TASI11984 and TASI11985).

In proximity to the proposed house sites five artefact scatters were located (TASI12012, TASI11986, TASI11988, TASI11990 and TASI11992) as well as 3 isolated stone artefacts (TASI11987, TASI11989 and TASI11991). These lithic sites had all been disturbed to varying degrees by the long history of farming activity occurring on the property. As a consequence of this, these sites were considered to hold medium to low levels of cultural significance.

Conclusion

While there were a number of Aboriginal sites located during the investigation of the 475 Rockmount Road property; and a number of these sites were of high to medium cultural significance, this should not prevent the subdivision occurring as long as a responsible approach to the management of the cultural heritage is undertaken.

To be successful this approach should include:

- relocating some proposed infrastructure in order to ensure the protection of the Aboriginal heritage;
- actively protecting known Aboriginal heritage during the construction of infrastructure;
- creating heritage protection zones over the culturally significant portions of the property;
- seeking to take a balanced approach to informing future residents about the fact that there is Aboriginal heritage in the area and ensuring that they understand their obligations to make certain their actions don't impact it;
- if possible seeking to have the most significant Aboriginal sites more actively managed into the future; and
- ensuring provisions which assist in achieving these sought after outcomes are incorporated into the future property stratum plan.

Management Recommendations

This study has divided the survey area into several planning zones with different levels of heritage sensitivity. The recommendations relating to each zone are listed below.

In relation to the Development Zone it is recommended that:

- during the initial development of the subdivision, Aboriginal sites TASI11986, TASI11987, TASI11988, TASI11989 and TASI11991 be fenced off using temporary fencing in order that the sites are not inadvertently damaged or destroyed by the construction activities, (Aboriginal Heritage Officer Colin Hughes can assist in their relocation);
- in the absence of appropriate and enforceable land management restrictions (through the future stratum plan) which can guarantee that TASI 10/445 won't be impacted by the

presence of the subdivision, that the boundary pegs of house site 1 be altered in line with those coordinates provided in Table 9-1;

- that the boundary pegs of house sites: 6 and 11 be altered in line with those coordinates provided in Table 9-1;
- that consideration be given to creating an additional house site between lots 5 and 6 in order to provide an alternative house location to potentially replace house site 13 (see Table 9-1 for coordinates);
- that the proposed tracks to lots 2 and 3 be modified to avoid known Aboriginal heritage sites.
- that if during development works Aboriginal heritage material is found work should immediately cease and the unanticipated discovery plan must be followed (section 9.3).
- the future resident of the area be provided with interpretive material suitable to ensure that they have the opportunity to appreciate the presence and values of the Aboriginal heritage and cannot claim ignorance as an excuse for any future acts of vandalism or destruction, (this action may not necessitate identifying the specific location of sites, however it will require indicating what site types should be avoided [ie: rock shelters]).

In relation to Heritage conservation Zones A and B, it is recommended that in these zones:

- in the absence of appropriate and enforceable land management restrictions (through the future stratum plan) which can guarantee that TASI 10/445 won't be impacted by the presence of the subdivision, house site 13 not be developed at its present location in order to provide an adequate buffer for the future protection of TASI 10/445;
- the natural bush be allowed to return in the area (the adequate size of the development zone will enable the future house owners to protect themselves from the risk of future bush fires);
- grazing should also be avoided in these zones as there is evidence that livestock can have a detrimental effect on the two rock shelters (ideally these two areas should be fenced off);
- the rough track running down to the lake from TASI 10/445 be re-vegetated (by Hydro Tasmania) in order to make it less likely that the rock shelter is located by recreational lake users;

- if possible Aboriginal Heritage Tasmania (AHT) Rock Art specialist Don Ranson be invited to inspect TASI 4065 to provide his insight as to whether the marking on the shelter wall are likely to be art;
- that consideration be given to finding an Aboriginal organisation who are willing to take up the role of custodian/manager of TASI 10/445 and TASI 4056 [a likely group for this role is the Tasmanian Aboriginal Centre (TAC) as they already appear to have a working relationship with Hydro Tasmania and have demonstrated an interest in the area];
- That if an Aboriginal custodian/management group can be found, they are provided with access rights so they can enter these heritage management zones as is needed.

In relation to Zones C, it is recommended that:

- during the initial development of the subdivision sites TASI12012, TASI11990 and TASI11992 be fenced off using temporary fencing in order that the sites are not inadvertently damaged or destroyed by the construction activities (AHO Colin Hughes can assist in their relocation);
- that in the long term the area be allowed to re-grass;
- that if desired by the future property managers, domestic animals could be allowed to graze the area in sustainable numbers.

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Abbreviations

AHO	Aboriginal Heritage officer
AHT	Aboriginal Heritage Tasmania
ATSIHPA	<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i>
DPIPWE	Department of Primary Industries, Parks Water and Environment
EPBC	<i>Environment Protection and Diversity Conservation Act 1999</i>
HEC	Hydro Electric Commission
LIST	Land Information System Tasmania
MBR	Meadowbank rock shelter (Used to refer during the project to unoccupied rock shelters).
MBS	Meadowbank site (Used to refer to new sites found during the survey which required the allocation of TASI numbers)
NHL	National Heritage List
TAC	Tasmanian Aboriginal Centre
TALSC	Tasmanian Aboriginal Land & Sea Council
TASI	Tasmanian Aboriginal Site Index

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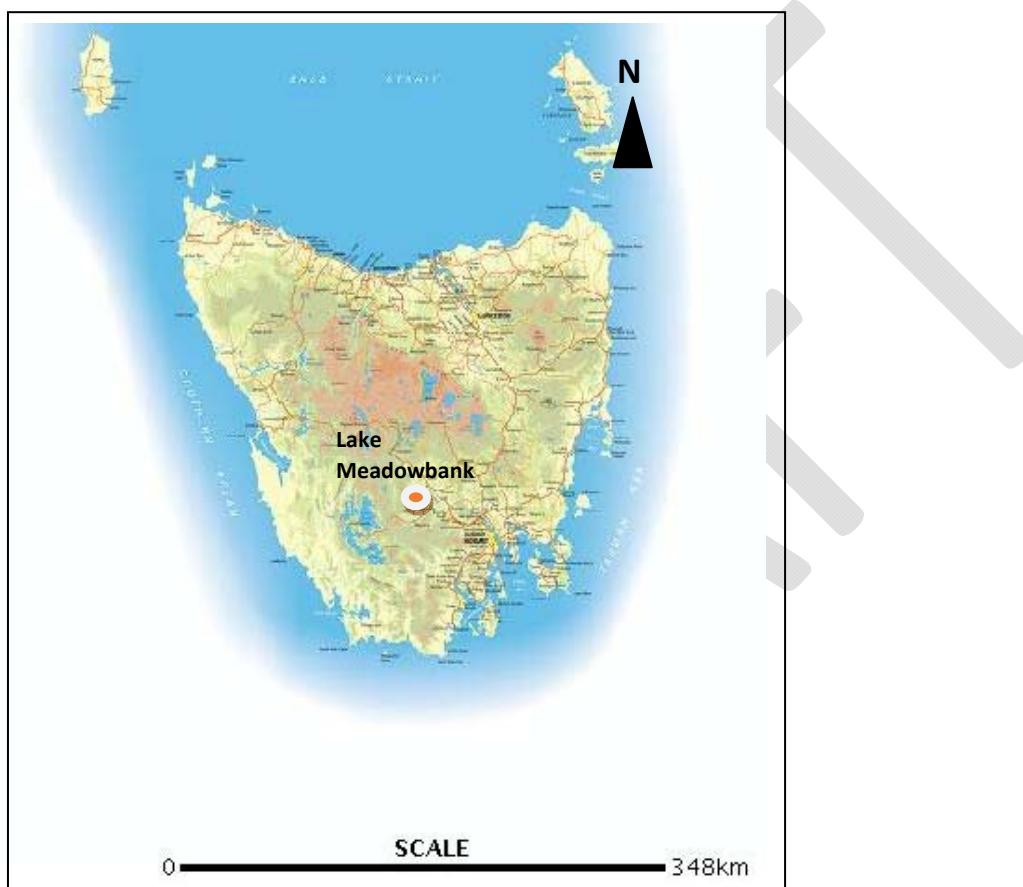
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1. Introduction

1.1. Background

Kamae Consulting has been engaged by Mr Ian Edwards (Proponent) to undertake an Aboriginal cultural heritage assessment for the site of a proposed 13 allotment subdivision at 475 Rockmount Road Ellendale on the south shore of Lake Meadowbank in the Tasmanian Central Highlands Municipality (Figure 1-1 and Figure 1-2). The 44.05 hectare area in question is located on the northern portion of property title 139332/1.



■ Figure 1-1: Location of Lake Meadowbank, Tasmania.

The archaeological survey of the study area was undertaken between Monday 27 July and Wednesday 29 July 2013 by a project team consisting of Michael Jones (Archaeologist, Kamae Consulting) and Colin Hughes (AHO).

This assessment was commenced as an ordinary cultural heritage assessment, however due to the possibility of the *Aboriginal Heritage Protection Bill* 2013 replacing the *Aboriginal Relics Act* 1976 as the principal State Aboriginal heritage legislation soon after the completion of the on site assessment, the consultant upgraded the report to constitute a full management plan.

1.2. Project aims

The aims of this assessment were to:

- consider the potential impact of the proposed subdivision on the previously recorded Tasmanian Aboriginal Site Index (TASI) sites and the other Aboriginal heritage in the subdivision area; and
- where appropriate, recommend management options which will either prevent or reduce potential impacts on the Aboriginal cultural heritage in the area.

1.3. Project constraints

The Aboriginal heritage project comprised a surface survey, the findings of which are based on a visual inspection undertaken by Michael Jones (Archaeologist) and Colin Hughes (AHO) in conjunction with the results of a desktop assessment.

At the time of survey, the study area possessed varying degrees of ground surface visibility due to vegetation, this affected the survey team's capacity to determine whether Aboriginal cultural heritage material was present.

A further constraint was that the property was extensive (44.05 hectares) and it was not possible to cost effectively survey 100% of the property.

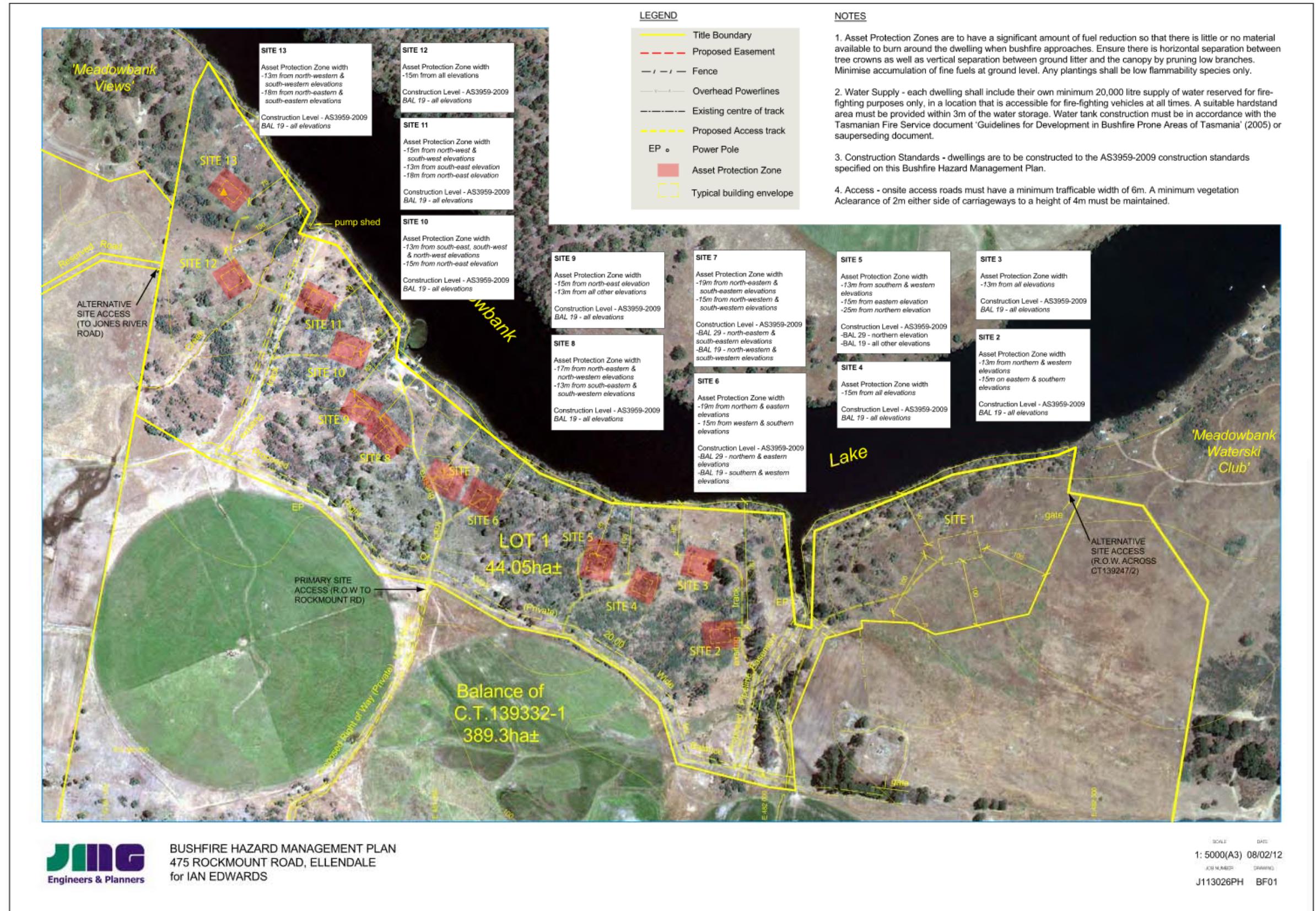
All spatial data utilised throughout this project was recorded and mapped in MGA94 Zone 55. The survey points taken with the Garmin GPS which was used by the project team could not be differentially converted and therefore the accuracy of the points taken will be between ± 5 metres to ± 10 metres under normal operational use.

1.4. Consultation

Kamae Consulting are committed to honestly and effectively consulting with relevant Aboriginal community organisations.

Prior to the finalisation of this report AHO Colin Hughes undertook consultation with elements of the Aboriginal community in reference to this assessment. This report in a draft format was also forwarded to the Tasmanian Aboriginal Centre (TAC) in order to allow them to make comment on the assessment. The report would have also been sent to the Tasmanian Aboriginal Land and Sea Council (TALSC) for comment, if it had been possible to make contact with a spokesperson for that organisation.

Those comments received from AHO Colin Hughes and the TAC are referred to in section 7.1 of the report and are shown in Appendix A.



■ Figure 1-2: Lake Meadowbank 475 Rockmount Road subdivision plan

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2. Cultural heritage legislation

2.1. Preamble

This section summarises the State and Commonwealth legislation which affects the protection and management of Aboriginal cultural heritage in Tasmania. These include:

- Tasmanian *Aboriginal Relics Act 1975*
- Federal *Environment Protection and Biodiversity Conservation Act 1999*
- Federal *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*.

And possibly also the *Aboriginal Heritage Protection Bill 2013* (assuming that it passes through the Legislative Council and is proclaimed by the Governor).

2.2. *Aboriginal Relics Act 1975*

Aboriginal cultural heritage sites, places and objects within Tasmania are currently afforded protection through the *Aboriginal Relics Act 1975* which is administered through Aboriginal Heritage Tasmania (AHT), Department of Primary Industries, Parks, Water and Environment (DPIPWE).

Pursuant to s2 (3), the interpretation of a 'Relic' is the following:

- a) Any artefact, painting, carving, engraving, arrangement of stones, midden, or other object made or created by any of the original inhabitants of Australia or the descendants of any such inhabitant
- b) Any object, site or place that bears signs of the activities of any such original inhabitants or their descendants
- c) The remains of the body¹ of such an original inhabitant or of a descendant of such an inhabitant who died before the year 1876 that is not interred in:
 - 1) Any land that is or has been held, set aside, reserved, or used for the purposes of a burial ground or cemetery pursuant to any Act, deed or other instrument; or,
 - 2) A marked grave in any other land.

Section 2 (4) of the Act specifies that no object made or created after 1876 shall for the purposes of this Act be treated as a relic and that no activity taking place after that year shall be regarded as being capable of producing such a relic.

Section 2(5) of the Act indicates:

In any proceedings under this Act in relation to an object alleged to be a relic, the court shall assume the object to be a relic if it is satisfied that there are reasonable grounds for believing that the object is, or may be, a relic.

The implication of this section is that if there are reasonable grounds to assume that an object is a relic it shall be assumed that it is a relic until proven otherwise.

Section 10(3) of the Act states:

¹ It must be noted that if human remains are located the Police must be immediately contacted and the provisions of the *Coroners Act 1995* become relevant.

A person shall, as soon as practicable after finding a relic, inform the Director or an authorized officer of the find.

Section 14(1) of the Act relates to permits, it states:

Except as otherwise provided in this Act, no person shall, otherwise than in accordance with the terms of a permit granted by the Minister on the recommendation of the Director (of National Parks & Wildlife) –

- (a) destroy, damage, deface, conceal, or otherwise interfere with a relic;
- (b) make a copy or replica of a carving or engraving that is a relic by rubbing, tracing, casting, or other means that involve direct contact with the carving or engraving;
- (c) remove a relic from the place where it is found or abandoned;
- (d) sell or offer or expose for sale, exchange, or otherwise dispose of a relic or any other object that so nearly resembles a relic as to be likely to deceive or be capable of being mistaken for a relic;
- (e) take a relic, or cause or permit a relic to be taken, out of this State; or
- (f) cause an excavation to be made or any other work to be carried out on Crown land for the purpose of searching for a relic.

The implication of this section of the act is that any works or activity which will in any way impact or alter a known relic (site) requires the permission of the Minister for Aboriginal Heritage. It is also important to note that even if a relic is known to have been previously disturbed, a permit is still required to undertake activities if it is known or believed that those activities will impact or affect the site in a manner, as described in sections 14-(1)(a) to (f) of the Act.

Section 20 of the Act states:

A person who is guilty of an offence against this Act for which no other penalty is expressly provided elsewhere in this Act is liable to a fine not exceeding 10 penalty units or imprisonment for a term not exceeding 6 months.

It is also of importance that under the provisions of section 21 (3):

It is a defence in any proceedings for an offence against this Act in relation to a relic that the defendant did not know, or could not reasonably be expected to have known, that it was a relic.

The implication of this section of the Act is that ignorance of the presence or nature of relics is a strong defence against prosecution under this Act.

Part III of the *Aboriginal Relics Act 1975* also allows the Minister, on the recommendation of the Director (National Parks and Wildlife), to declare by order an area of land associated with a known relic or relics to be a Protected Site.

The Minister is not able to declare an area of freehold land to be a Protected Site unless written permission to do so is provided by the title owner [s7-(3)].

If the Minister creates a protected site, the management of that protected site and the authority to issue permits on that protected site effectively transfers to the Director (National Parks and Wildlife).

2.3. *Environment Protection and Biodiversity Conservation Act 1999*

Together the *Australian Heritage Council Act 2003* (AHC Act) and the *Environment Protection and Biodiversity Act 1999* (EPBC Act) provide protection for Australia's natural, Indigenous and historical heritage. Features include:

- A National Heritage List (NHL) of places of national heritage significance.
- A Commonwealth Heritage List (CHL) of heritage places owned or managed by the Commonwealth.
- The creation of the Australian Heritage Council, an independent expert body to advise the Minister on the listing and protection of heritage places.

Any actions that are likely to impact on the items inscribed in either the NHL or the CHL must be referred to the Department of Sustainability, Environment, Water, Population and Communities for consideration.

The following is a description of each of the Heritage Lists and the protection afforded them.

National Heritage List (NHL)

The NHL is a list of places with outstanding heritage value to our nation, including places overseas. A person cannot take an action that has, will have, or is likely to have, a significant impact on the national heritage values of a national heritage place without the approval of the Australian Government Minister for the Environment and Heritage.

Commonwealth Heritage List (CHL)

The CHL is a list of places managed or owned by the Australian Government. A person cannot take an action that has, will have, or is likely to have, a significant impact on the Commonwealth heritage values of a Commonwealth heritage place without the approval of the Australian Government Minister for the Environment and Heritage. No Commonwealth land is in the study area therefore the CHL has no influence in relation to this study.

2.4. *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*

The State of Tasmania's *Aboriginal Relics Act 1975* provides legal protection for all the physical evidence of past Aboriginal occupation. The Commonwealth *Aboriginal and Torres Strait Islander*

Heritage Protection Act (ATSIHPA) 1984 deals with Aboriginal cultural property in a wider sense. Such cultural property includes any places, objects and folklore that 'are of particular significance to Aboriginals in accordance with Aboriginal tradition'. In most cases, Aboriginal Cultural Heritage Places registered under the State Act will also be Aboriginal places subject to the provisions of the Commonwealth Act.

There is no cut-off date and the Act may apply to contemporary Aboriginal cultural property as well as ancient sites. The Commonwealth Act takes precedence over State cultural heritage legislation where there is conflict. The principal purpose of the ATSIHPA is to permit the Federal Government to step in and prevent further damages occurring to Aboriginal heritage in situations where State laws are perceived to be inadequate or not being appropriately enforced. The responsible Federal Minister may decide to make a declaration under Section 10 of the ATSIHPA. This will result in potentially damaging decisions or works being suspended until such time as the relevant issues can be investigated and potentially resolved.

2.5. *Aboriginal Heritage Protection Bill 2013*

The *Aboriginal Heritage Protection Bill 2013* is presently before the Parliament of Tasmania. It has passed through the House of Assembly and is presently being considered by the Legislative Council (http://www.parliament.tas.gov.au/bills/73_of_2013.htm).

The fact sheet lodged with the bill indicates that the key features of this bill will include:

Aboriginal heritage no longer defined in terms of an arbitrary 1876 cut-off date.

Establishment of a state-wide Aboriginal Heritage Council (AHC), comprising up to nine Aboriginal people appointed by the Governor on the nomination of the Minister, on the basis of relevant knowledge, experience or expertise. The Council is to be broadly representative of the Tasmanian Aboriginal community and Aboriginal persons generally, and has both decision-making and advisory functions. Its decision-making responsibilities are in relation to: management plans, if the Council and proponent reach agreement on specified matters; permits relating to specified dealings with Aboriginal objects and scientific research; preliminary registration determinations in relation to the registration of objects and sites as nominated Aboriginal heritage; and entry into Aboriginal heritage agreements with other parties for the voluntary protection and management of heritage. It has an advisory role to the Minister on: the assessment of development activities which go through the integrated approvals process or require a permit from the Minister; cases requiring audits; issuance of protection orders and stop orders; criteria for registering nominated Aboriginal heritage; policy development and public education and awareness regarding Aboriginal heritage; and management plans, if agreement could not be reached with the proponent.

Vesting of decision-making powers with the Minister (with broad powers of delegation) in relation to permits for development activities and the integrated approval process, as well as management plans in specified circumstances (where agreement cannot be reached between the

proponent and the within the required statutory timeframe or the AHC elects not to evaluate a plan). The Minister is also responsible for issuing protection orders and for other compliance tools such as audits and stop orders.

An integrated approval process for lower-impact and smaller-scale activities that require a development approval under the Land Use Planning and Approvals Act 1993 or a permit for dam works under the Water Management Act 1999, with any Aboriginal heritage conditions to be included in the main approval permit.

Mandatory management plans for high-impact and large-scale activities, subject to prescribed exemptions, with the ability for a proponent to demonstrate that a management plan is not required in certain circumstances. Provides the ability for the Minister to “call in” an activity and sets minimum standards for the preparation of management plans in Regulations. Embeds the consideration of Aboriginal heritage into the early stages of the planning process, by requiring the approval of management plans, where mandatory, before other statutory approvals are granted.

A permit system for activities that affect Aboriginal heritage, but that do not require a management plan or form part of the integrated approval process, as well as for scientific research and dealings with Aboriginal objects.

Ability for voluntary management plans to be used in the place of permits or the integrated approval process for smaller-scale activities, where desired, as well as the ability to use voluntary management plans for multiple small activities, such as infrastructure maintenance or coastal weed management.

Exemptions for certain activities, unless there is registered Aboriginal heritage present and the activity will cause additional surface disturbance, or Aboriginal heritage is found. Exempt land activities include: minor works, alteration and maintenance works, demolition, one or two dwellings, works ancillary to an existing building (such as pools, sheds, fences and driveways), certain dam works, subdivisions of no more than four lots and other minor development that directly impacts less than 750 square metres. Sites previously subject to ‘serious ground disturbance’ and unavoidable activities such as emergency works also constitute exemptions.

Provision for the declaration of exempt areas or areas of high sensitivity by order of the Governor, subject to approval by both Houses of Parliament, to recognise clear evidence that in some areas there is little chance of finding undisturbed Aboriginal heritage, while in others there is little chance of not disturbing Aboriginal heritage.

Provision for Ministerial endorsement, in consultation with the AHC, of codes of practice, standards, guidelines or other documents on a case-by-case basis where they deal suitably with Aboriginal heritage issues, including transitional provisions to recognise any codes, standards, guidelines or documents prescribed in regulations for a limited period.

Provision for Ministerial guidelines to be issued on a range of matters, including in relation to the investigation and documentation of Aboriginal heritage and Aboriginal heritage assessments, subject to mandatory consultation requirements.

Establishes the Resource Management and Planning Appeal Tribunal (RMPAT) as the primary place for resolving disputes, including in relation to management plans, permits in regard to development activities, protection orders and stop orders. Retains existing appeal and dispute resolution mechanisms under RMPAT for the integrated approvals process, but specifically excludes from the Aboriginal heritage approval process the processes of public exposure through notification and representations under section 57 of the Land Use Planning and Approvals Act 1993 where the planning application would not otherwise be discretionary. Allows for limitations to be placed on public notifications for applications that would normally be discretionary. Provides additional appeal rights for non-development permits through the Magistrates Court (Administrative Appeals Division).

Seeks to promote voluntary Aboriginal Heritage Agreements to support the development of partnerships in the protection and management of Aboriginal heritage and to provide access to significant sites with landowner consent.

Creates an Aboriginal Heritage Register to record Aboriginal sites, objects, declared exempt areas and areas of high sensitivity, management plans, agreements and other information, with controls on access to ensure landowners, land managers and developers can practically access relevant information, without compromising the protection of Aboriginal heritage. Allows for greater levels of access to the Register, on application to the Secretary and by agreement with the Council, to specified users for specified purposes.

Makes provision for public access to a web-based synopsis of the Register, to provide an immediate indication of whether or not there is registered Aboriginal heritage present at any location.

Establishes a public process, prescribed in Regulations, for registering as “nominated Aboriginal heritage” objects or sites which may not contain physical evidence of occupation or use, provided the relevant criteria can be met. The criteria for the registration of nominated Aboriginal heritage are to be established by the Minister, following public consultation on draft registration criteria developed by the AHC and a recommendation from the AHC.

Requires anyone in possession of Aboriginal human remains to hand them to the Aboriginal organisation approved by the Attorney-General under section 23(1) of the Coroners Act 1995.

Provides a contemporary framework of offence and penalty provisions, as well as a range of enforcement tools that are better aligned with other planning legislation in Tasmania and with Aboriginal heritage legislation in other jurisdictions, to ensure an effective deterrent against harming Aboriginal heritage.

Repeals the *Aboriginal Relics Act 1975* and includes transitional provisions to ensure that the legislation operates effectively and to allow for permits and other controls currently in place under the Aboriginal Relics Act to remain in place, for two years from its repeal.

Requires the legislation to be reviewed within three years of its full commencement, to ensure the scope of the legislation is adequate and to ensure its efficacy and efficiency.

2.6. *Legal implications for the project*

At the present point in time the *Aboriginal Relics Act 1975* is relevant to this project because the Aboriginal sites discussed in the study are protected under the provisions of this act. In the event that the *Aboriginal Heritage Protection Bill 2013* does not pass through the Legislative Council, it remains an option that the client can manage the Aboriginal Heritage issues through lodging permit applications (under Section 14 of the Act) to destroy certain Aboriginal sites that will be impacted by the current subdivision plan. However, the consultant does not support this approach as there are a number of mitigation measures available which will enable the subdivision proceed and also allow the Aboriginal heritage to be protected.

While TASI 10 was once registered on the register of the National Estate, it is not on the National Heritage List. As none of the sites in this area are presently on the National Heritage List the *Australian Heritage Council Act 2003* (AHC Act) and the *Environment Protection and Biodiversity Act 1999* (EPBC Act) will not influence this study.

Unless an issue associated with a site is referred to the Federal Government the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* will also play no role.

If the *Aboriginal Heritage Protection Bill 2013* does successfully pass through the State Parliament and is proclaimed by the Governor, it will alter the manner in which Aboriginal heritage is managed in Tasmania. In particular it will result in the use of management planning for sites such as the study area. For this reason this report is being written as a management plan which allows for both the current project and the long term management of the Aboriginal heritage on the property.

3. Environmental background

Environmental factors affect how the landscape was used in the past, thus these factors influenced where and how past Aboriginal populations undertook their activities and hence where Aboriginal places are likely to be found. Recent landscape modification (such as the construction of a man-made lake) can also constrain where Aboriginal heritage is likely to be preserved. Reviewing these factors can provide insights into where Aboriginal places may occur within the landscape and thus provide a basis for predictive statements.

It was apparent that the landscape covered by this study has been disturbed and modified as a result of historic period activities. For instance, the area had been cleared of the majority of natural vegetation for the purpose of farming. The activities of the Hydro Electric Commission in establishing Lake Meadowbank between 1962 and 1967 (Smith 2013:5) have caused an area of slope above the Derwent River to be converted into the shore of Lake Meadowbank. The bush fire which burnt through the property during the summer of 2012/13 has also had a significant effect on the vegetation of the property.

The Meadowbank View subdivision to the northwest of this property, which occurred during or after 2009, has provided insight into the likely impacts the present subdivision may have in relation to Aboriginal cultural heritage sites. Of particular note is the capacity of the Meadowbank View house owners to have a range of impacts on the nearby Aboriginal sites, due to them modifying the landscape around their houses (Jones 2013).

3.1 Geology and Geomorphology

The study area is a rolling plain; to the immediate north, this plain overlooks a deeply eroded and narrow section of the Derwent River Valley, which has since the 1960s been mainly inundated by Lake Meadowbank. Just to the south of the Valley was a low east to west trending spur which provided excellent views both to the north across the Derwent River and to the south across the rolling plains. The planned house allotments associated with the proposed Rockmount Road subdivision generally sit on the top of this spur.

The geological information provided by Minerals Resources Tasmania on the Land Information System Tasmania (LIST) shows the study area is dominated by Triassic Period sandstone. The rock shelters to be found along the shore of Lake Meadowbank are points where the sandstone striking the surface has been eroded. Other sheets of sandstone can be found striking the surface in the surrounding farm paddocks. Inspection of the exposed sandstone in the areas of cliff face and the rock shelters on the shore of Lake Meadowbank demonstrated that the sandstone was not of a consistent hardness across its bedding planes. This has resulted in some of the exposed layers within the sandstone eroding faster than others. This in turn has resulted in the formation of the rock shelters in the area

The soils in the study area are also generally formed from quartz sand. Because the soil is sandy, there is a small possibility that a human burial may be found in the study area.

3.2 Vegetation

The Tasvege layer on the LIST shows the western two thirds of the study area to be dominated by Acacia and Eucalypt woodland and scrub with a grassy understory which in places has been extensively burnt during the 2012/13 Summer bushfire season (Figure 3-1).

With the exception of the lake shore, the eastern end of the property was dominated by introduced pasture (Figure 3-2). There was until recently, a substantial area of mature conifers between proposed house allotments 1 and 2. These had apparently been killed by the bushfire, and had been pushed over and piled up at the time the present cultural heritage survey occurred.

The bushfire which had killed the stands of conifers had also resulted in the grass and scrub across much of the study area being burnt. While it had been at least 6 months since the fire occurred, at the time that the archaeological survey was undertaken, the grass regrowth was still low and relatively thin and much of what had been low shrub land had failed to regenerate. This provided the project team with very good ground surface visibility across much of the survey area.



- **Figure 3-1: Typical view of the western end of the study area showing the vegetation to consist of Acacia scrub and grass. Note some of the scrub has been killed by the bush fire.**



- **Figure 3-2: View of the eastern end of the study area showing the pasture covering allotment 1.**

3.1. Built and modern environment

At the time of survey the study area was a modified environment which had been cleared to varying degrees for agricultural purposes during the historic period. This clearing of native vegetation was most extensive at the eastern end of the property where the fields were open pasture (Figure 3-2) and many of the remaining trees had been introduced species (conifers). Following the clearing of the land the paddocks would have also been ploughed at various times. Both the land clearance and the subsequent ploughing would have resulted in the upper naturally laid down soil horizons being mixed together. This would have also mixed any Aboriginal artefacts which were in the soil matrix.

The establishment of Lake Meadowbank by the Hydro Electric Commission in the 1960s also significantly altered the landscape through the inundation of the slope which once ran down to the Derwent River. With the exception of a permanent caravan site with associated sheds (Figure 3-3) the lake shore was more heavily vegetated with native vegetation than was the case elsewhere on the property. This was principally because the lake shore was, on the whole, considerably steeper than the remainder of the property and therefore not of value for agricultural purposes. There were also two agricultural pump sites along the lake shore (Figure 3-4 and Figure 3-6).

A bush fire which swept through the property during the 2012-2013 summer, burnt the vegetation across much of the property. This both had the effect of improving ground surface visibility over much of the property and resulted in stands of mature pine trees at the east end of the property being killed. At the time of the archaeological survey these dead pine trees had only recently been knocked

down and piled up. This land clearing exercise had disturbed a relatively large area of the property to the east of the proposed house allotments 2 and 3 (Figure 3-7).



■ **Figure 3-3: Caravan and associated infrastructure on shore of Lake Meadowbank.**



■ **Figure 3-4: Westernmost pump site (pump 1).**

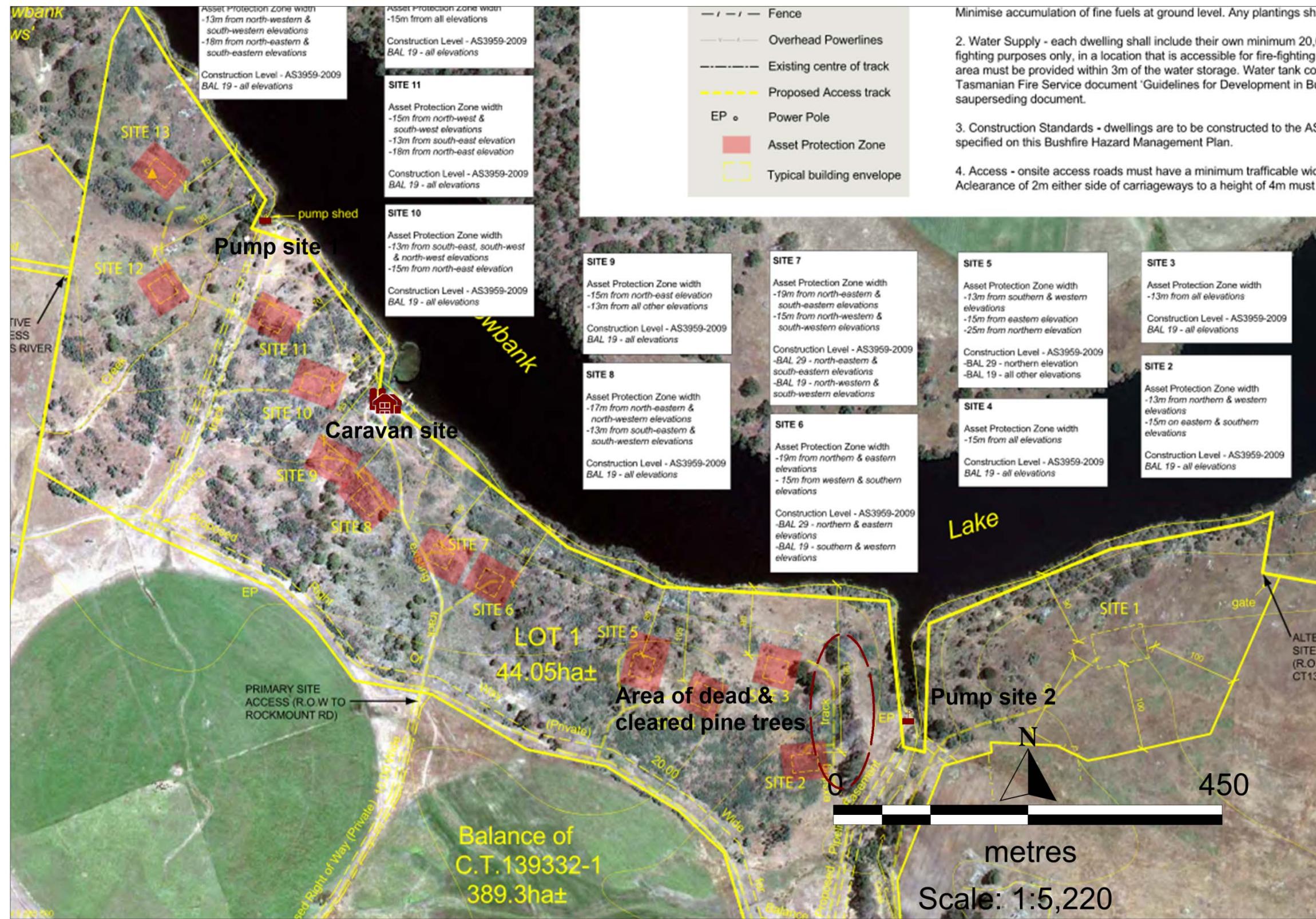


Figure 3-5: Plan showing the location of the historical features on the property.

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■ **Figure 3-6: Eastern pump site (pump 2).**



■ **Figure 3-7: Part of the area disturbed during the removal of the pine trees.**

4. Archaeological, ethno-historical & historical background

4.1. Ethno-historical background

There is limited ethno-historical information available in some areas of Tasmania; this includes the study area. The principal sources of ethno-historical information traditionally quoted in relation to the study area have been the Journals of George Augustus Robinson (Plomley 1966) and secondary historical sources such as *The Aboriginal Tasmanians* (Ryan 1996).

According to Ryan, during the early 19th century the study area was within the lands utilised by the Big River Tribe (Ryan 1996:15 and 26). A band of the Big River Tribe which may have occupied and utilised this area were known historically as the Leenowwenne (Ryan 1996: 16). While at the time of European settlement, the Big River Tribe's bands did have cooperative relationships with the Oyster Bay Tribe and the North West Tribe which enabled them to visit the coast, the bands of the Big River Tribe did not depend on coastal resources for their long-term survival.

During Robinson's 1831 expedition to make contact with the Big River Tribe, on the 20 November he came down from the north onto the banks of the Derwent River some 20 kilometres to the northwest of the study area, at the northern end of what now is Lake Repulse. Between the 21 and 22 November, Robinson and his party moved eastwards in a direction away from the Derwent River; as a consequence on the 21 December Robinson passed some 17 kilometres to the north of the study area before returning north.

At the time of Robinson's visit there was still game to be had in this area as he makes reference to his companions hunting kangaroos, thylacines, possums and wanting to dig a wombat out of its burrow. Robinson also refers to the country being open woodland suitable for the grazing of sheep. It is also apparent that at this time European settlers are well established in the area and grazing sheep and cattle in good numbers (Plomley 1966: 557-562).

4.2. Previous Aboriginal archaeological investigations in the area

A review of unpublished reports held by the DPIPWE has indicated that there have been at least seven previous archaeological studies undertaken in proximity to the study area. These studies have resulted in a number of Aboriginal heritage sites being recorded (see Figure 4-1).

The first archaeological investigation to occur in the study area was undertaken by S. De Teliga and W. Bryden in 1958, the findings of this study were subsequently reported in the *Papers and Proceedings of the Royal Society of Tasmania* (De Teliga & Bryden 1958: 191). De Teliga & Bryden indicated that in a cave site located on the Derwent River about six miles from Ellendale they found a number of hand stencils formed from the use of ochre as well as other markings described as "rough outlines". The cave recorded by De Teliga and W. Bryden is now known as TASI 444. It is a site which is situated on the Meadowbank View property, 210 metres to the west of the western property boundary.

In 1977 archaeologist Jim Stockton investigated the Aboriginal sites along the shore of Lake Meadowbank. While TASI 444 was inundated by the lake, Stockton dived to undertake an inspection of the site. Stockton was unfortunately unable to identify any signs of art in the shelter at the time of his visit (Smith: 2013). Stockton did however find a number of other sites in proximity to Lake Meadowbank including a nearby art site which is now recorded both as TASI 10 and TASI 445. The site which is now known as nirmena nala is on the shore of Lake Meadowbank on the Hydro Tasmania side of the boundary of the property which will be subject to the current sub-division application. In the AHT records there was a photocopied black and white hand drawn plan which contained no details indicating the drafter or the date when it was drafted. This plan was probably drawn by Stockton during his visit (Figure 6-1).

Dr Richard Cosgrove also surveyed the area in 1987 while searching for locations to undertake his PhD research. He was responsible for additional sites in the area being entered on the TASI. This included the rockshelter TASI 4056 which Cosgrove recorded as being positioned not far from Lake Meadowbank at the east end of the Rockmount Road property.

The site records held by AHT also show that on the 16 March 2000 TASI 10/445 was visited by Aboriginal Heritage Officer Andry Sculthorpe and Senior Ranger Stuart Dudgeon who undertook an inspection of the site. This inspection showed the 3 hand stencils to be in a good condition.

In 2007 AHO Arron Everett undertook a preliminary survey of the area to the north which later became the Meadowbank Views subdivision. During this survey Everett found and documented 13 new sites in the area. These included 2 Ballewinnie (ochre grinding stones), six artefact scatters, one isolated core, three isolated artefacts and one cherty-hornfels manuport. These sites were not entered on the TASI though the grid points locations of the sites Everett found were later listed again in Huys (2009: 27) and Jones (2013).

In 2008 AHO Vernon Graham was engaged to survey the access route from the Jones River Road into the Meadowbank Views property. Graham found one artefact scatter (TASI 10633) and four isolated artefacts (TASI 10634, 10635, 10636, 10637) during this investigation (Graham 2008; Huys 2009)..

In 2009 Archaeologist Stuart Huys was commissioned to undertake a detailed investigation of the Meadowbank Views subdivision. Huys who worked with AHO Graham found five additional sites which included three artefact scatters (TASI 10858, 10860, 10861) and two isolated artefacts (TASI 10859, 10862).

During April 2013 an archaeological investigation of the nearby rock art site - TASI 444 was undertaken by Jenny Smith for Hydro Tasmania. Due to Lake Meadowbank having been drawn down by Hydro Tasmania, it was possible for Smith to get into the gully and the rock shelter for the first time in many years. Despite a thorough inspection of the gully and the rock shelter Smith was not able to find any signs of the hand stencils and other art initially recorded by De Teliga & Bryden (Smith 2013).

The most recent other archaeological investigation in proximity to the study area was undertaken by Kamae Consulting and AHO Colin Hughes on Wednesday the 29 July 2013. This study was focussed on the area immediately surrounding TASI 444. The study resulted in an Aboriginal artefact scatter

being located directly to the north of TASI 444. The report recommended that these newly recorded artefacts be combined with a number of the artefacts previously recorded by Everett (2007) and TASI 10861 in order to form a larger artefact scatter which will continue to be designated as TASI 10861.

4.3. Tasmanian Aboriginal Site Index (TASI)

In response to the TASI search request lodged by Kamae Consulting, AHT provided details of the nearest 21 documented Aboriginal sites to the survey area. These are listed on Table 4-1 below and shown on Figure 4-2.

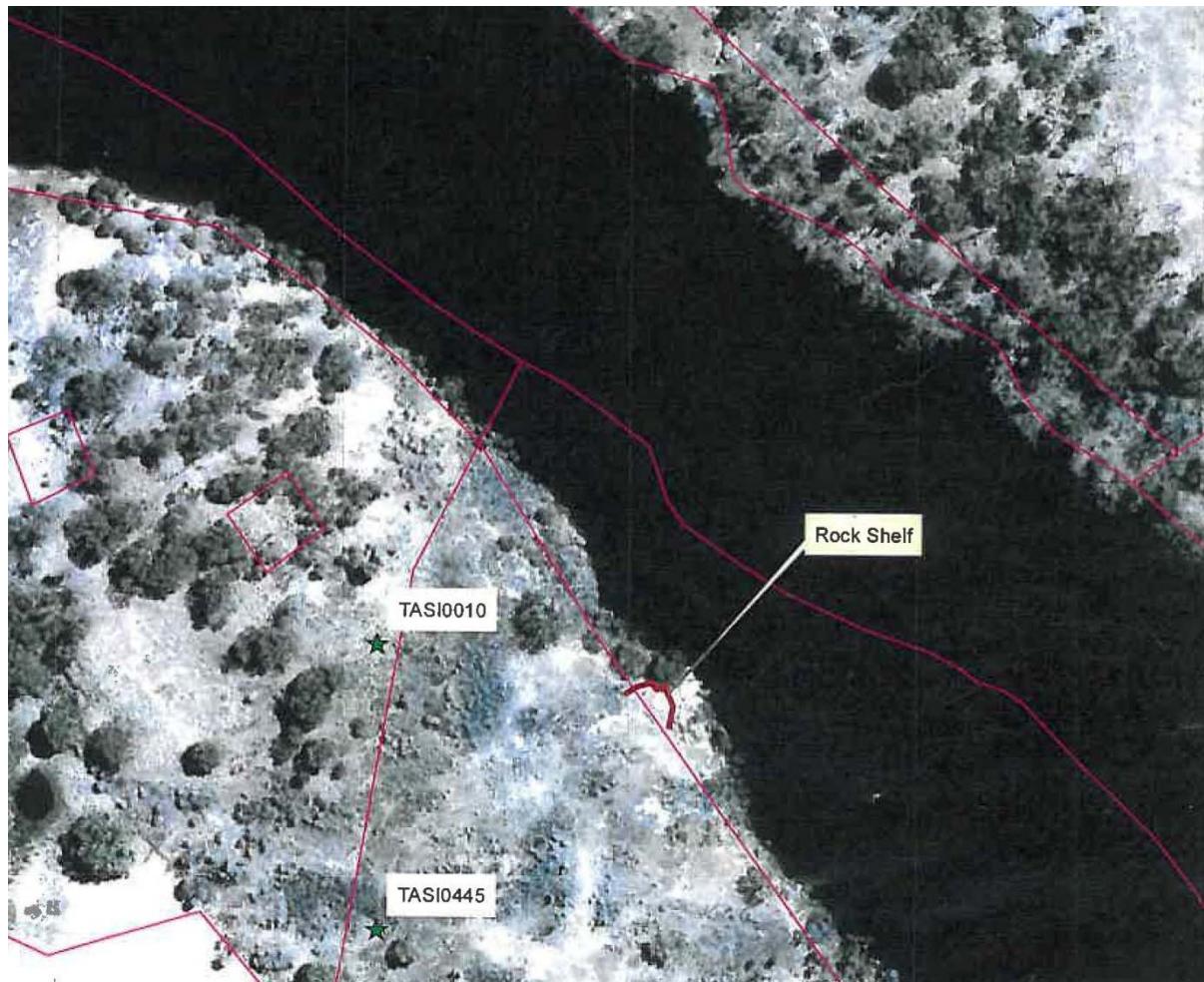
Two existing TASI sites were recorded in positions which should have had them on the Rockmont Road Subdivision (Figure 4-2). One is a rock art site at the west end of the property recorded as both TASI 10 and TASI 445 at different locations. This site, which contains three ochre hand stencils and a number of ochre wall markings is presently listed on the Central Highlands Council register of historic places and was also once on the Register of the National Estate; it has however, not been included on the National Heritage Register. A recent cadastral survey of this site by Hydro Tasmania showed this site to be between 100 and 130 metres to the north east of the locations where it was previously registered on TASI. This survey also showed the entry to be on Hydro Tasmania land (Figure 4-1).

Another TASI site on the Rockmont Road Subdivision was an occupied rock shelter recorded as TASI 4056 by Dr Richard Cosgrove in 1987 which was located at the east end of the property. The site consisted of a large rock shelter with a single cherty hornfels artefact on the surface. As shall be discussed below, the archaeological survey team were not able to relocate this site where it was previously documented as being. This situation is not surprising given that the results of archaeological surveys which occurred in the area prior to the 1990s would have been undertaken with tape (or pace) and compass and documented on 1-100,000 to 1-250,000 scaled maps on which the dot of a pencil can be 100 metres across. Changes in map projections may also have also affected the accuracy of the site location data. An actual example of this situation is TASI 10/445 which (as mentioned above) was recently found by Hydro Tasmania surveyors to have previously been recorded up to 130m away from its actual location (Figure 4-1).

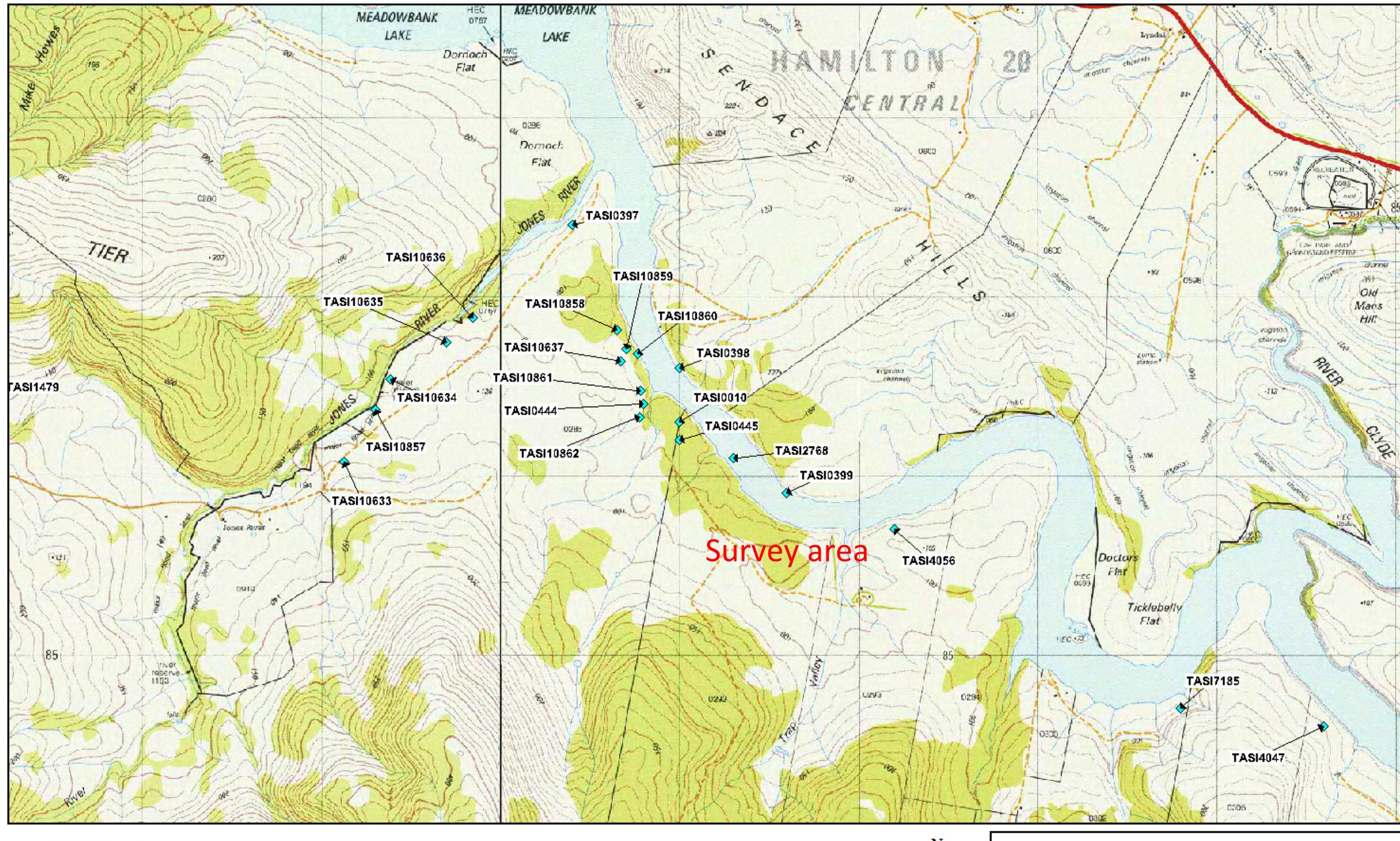
An isolated artefact recorded as TASI 2768 by Archaeologist Steve Brown in 1985 was also plotted as being squarely inside the banks of Lake Meadowbank. While the site card gave no indication of what type of artefact Brown had found or in what environmental context it was found, logic suggests it was most likely on the Rockmont Road Subdivision somewhere near the lake shore.

■ **Table 4-1: Tabulated data relating to a plan provided by AHT showing the locations of nearest existing TASI sites to the survey area.**

TASI Reference	Site Name	Recorder	Date Recorded	Easting	Northing	Type
TASI0010	Powamena Gunta (Megs Mitt)	Stockton and Gee	19/09/1975	481112	5286482	Artefact Scatter/Rock Painting/Occupied Rock Shelter
TASI0397	Derwent River 2	-		480512	5287582	Occupied Rock Shelter
TASI0398	Derwent River 3	-		481112	5286782	Occupied Rock Shelter
TASI0399	Derwent River 4	-		481712	5286082	Artefact Scatter/Occupied Rock Shelter
TASI0444	De Teliga's Shelter	-		480912	5286582	Rock Painting
TASI0445	Derwent River, Megs Mitt	-		481112	5286382	Rock Painting/Occupied Rock Shelter
TASI2768	Place name not recorded	-		481412	5286282	Isolated Artefact
TASI4047	Place Name Not Recorded	-		484712	5284782	Artefact Scatter
TASI4056	Place Name Not Recorded	-		482312	5285882	Occupied Rock Shelter
TASI7185	Place Name Not Recorded	-		483912	5284882	Occupied Rock Shelter
TASI10857	Meadow Bank	V Graham	28/04/2009 0:00	479416	5286551	Artefact Scatter
TASI10858	Meadow Bank	V Graham and Huys	28/04/2009 0:00	480765	5286996	Artefact Scatter
TASI10859	Meadow Bank	V Graham and Huys	28/04/2009 0:00	480814	5286887	Isolated Artefact
TASI10860	Meadow Bank	V Graham and Huys	28/04/2009 0:00	480878	5286863	Artefact Scatter
TASI10861	Meadow Bank	V Graham and Huys	28/04/2009 0:00	480898	5286658	Artefact Scatter
TASI10862	Meadow Bank	V Graham and Huys	28/04/2009 0:00	480891	5286509	Isolated Artefact
TASI10633	TASI10633	-		479239	5286257	Artefact Scatter
TASI10634	TASI10634	-		479498	5286719	Isolated Artefact
TASI10635	TASI10635	-		479811	5286925	Isolated Artefact
TASI10636	TASI10636	-		479959	5287065	Isolated Artefact
TASI10637	TASI10637	-		480786	5286821	Isolated Artefact



- **Figure 4-1: Hydro Tasmania plan showing previously recorded locations of TASI 10/445 and the actual location of the rock shelter on the boundary of the Hydro Tasmania and Edwards properties.**



N
GDA94 - Zone 55

Meadowbank Subdivision

TASI Search - Kamae Consulting

Produced by Adam Marshall - Aboriginal Heritage Tasmania

Printed on 16/07/2012

This map is intended for research purposes only by the proponent/consultant identified in the title.
The TASI site information is confidential and not for public dissemination.
This map cannot be used for any other purpose without written permission from AHT.
Base data provided by DPIW, Information and Land Services Division (ILS),
PWS Track Management and other PWS and RMC Projects.

■ Figure 4-2: Plan provided by AHT showing the locations of nearest existing TASI sites to the survey area.

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4.4. Aboriginal archaeological predictive statement

The study area is mainly a rolling sandy plain where the underlying sandstone geology strikes the surface in the form of sandstone sheets. To the north, this plain overlooks a relatively steep deeply eroded and narrow section of the Derwent River Valley (which has now been partially inundated by Lake Meadowbank) where the underlying sandstone has in places been exposed as rock faces. Due to erosion over time, these rock faces have become overhangs, rock shelters and small caves.

The rolling plain, if kept open by seasonal burning, would have provided an environment which was likely to contain game such as wallabies, emu and wombats in good numbers. The low spur on the west bank of the Derwent (Section 3-1) would have provided Aboriginals with excellent views of the surrounding environment and the movement of the nearby game.

While the nearby Derwent River would have provided a permanent source of freshwater for both Aboriginals and their game, the relative steepness of the slope from the rolling plains down to the river would have most likely resulted in only some areas of the shore line being regularly used to access the river.

It is therefore speculated those areas along the above mentioned spur which are associated with points of easier access down to the River may be places where Aboriginal artefact scatters will be found. This will be due to the areas being locations where hunting would often occur and possibly the subsequent primary butchering of game. It is also probable that camps which would provide easy access to water would be set up in these areas. As Lake Meadowbank is now in place, it is difficult to determine exactly where all these areas of easy access down to the River Derwent were. However, likely points of access from the plains down the steep slopes to the river were points where streams had eroded gullies from the plains to the river below.

It is already known that a number of the rock shelters along the Derwent River Valley were occupied and used as rock art sites. During this survey all the rock shelters located were investigated to determine if they were art sites or had the potential of containing evidence of occupation in the form of *in situ* artefact bearing deposits.

It is anticipated that other areas of the property will also contain small artefact scatters and isolated artefacts. These small sites, may relate to individual hunting kill sites on the periphery of camp sites.

5. Archaeological assessment

5.1. Methodology

The survey of the study area was undertaken between Monday the 27 July and Wednesday the 29 July 2013 by a project team consisting of Michael Jones (Archaeologist, Kamae Consulting) and Colin Hughes (AHO).

The Rockmount Road property was 44.05 hectares in size. This was too large an area to fully survey during the two day period available for on site work. Therefore, the project team sought to initially focus the assessment on those areas of the property which would be directly affected by the proposed subdivision. These were the 13 building allotments and the tracks which would provide access to the building allotments.

While in theory not directly affected by the subdivision, it was noted by the project team that all the previously recorded TASI sites had been found close to the present shore of Lake Meadowbank on what would have been the southern slope of the river valley. This area was therefore also surveyed.

In order to survey both the above mentioned portions of the property 20.55 hectares (or 46.7%) of the property) was intensively surveyed by the project team.

In undertaking the survey, the two members of the project team generally walked adjacent to each other at a spacing of approximately 10 metres. The route covered was documented through a track log recorded by archaeologist Michael Jones using a hand held Garmin GPS. This route is shown in Figure 5-1 below.

No ground disturbing activities occurred during the survey, therefore only artefacts which were located in the upper soil horizon at the time of survey would have been noted by the project team. Where areas were considered likely to contain subsurface Aboriginal site material, this was noted in the field notes.

Details of the study area were noted, planned and photographed as part of the survey process.

All Aboriginal stone artefacts and rock-shelters located during the study were recorded and photographed individually at the point they were found. Their geographical location was recorded using the above mentioned GPS. All location data in this document is reported in GDA 94 Zone 55; the plans provided reflect this.

While this GPS was not differentially convertible, a comparison of the position of survey stakes for the house sites against GPS readings showed the points being provided by the GPS at the time of survey to be less than 5 metres from the known location.

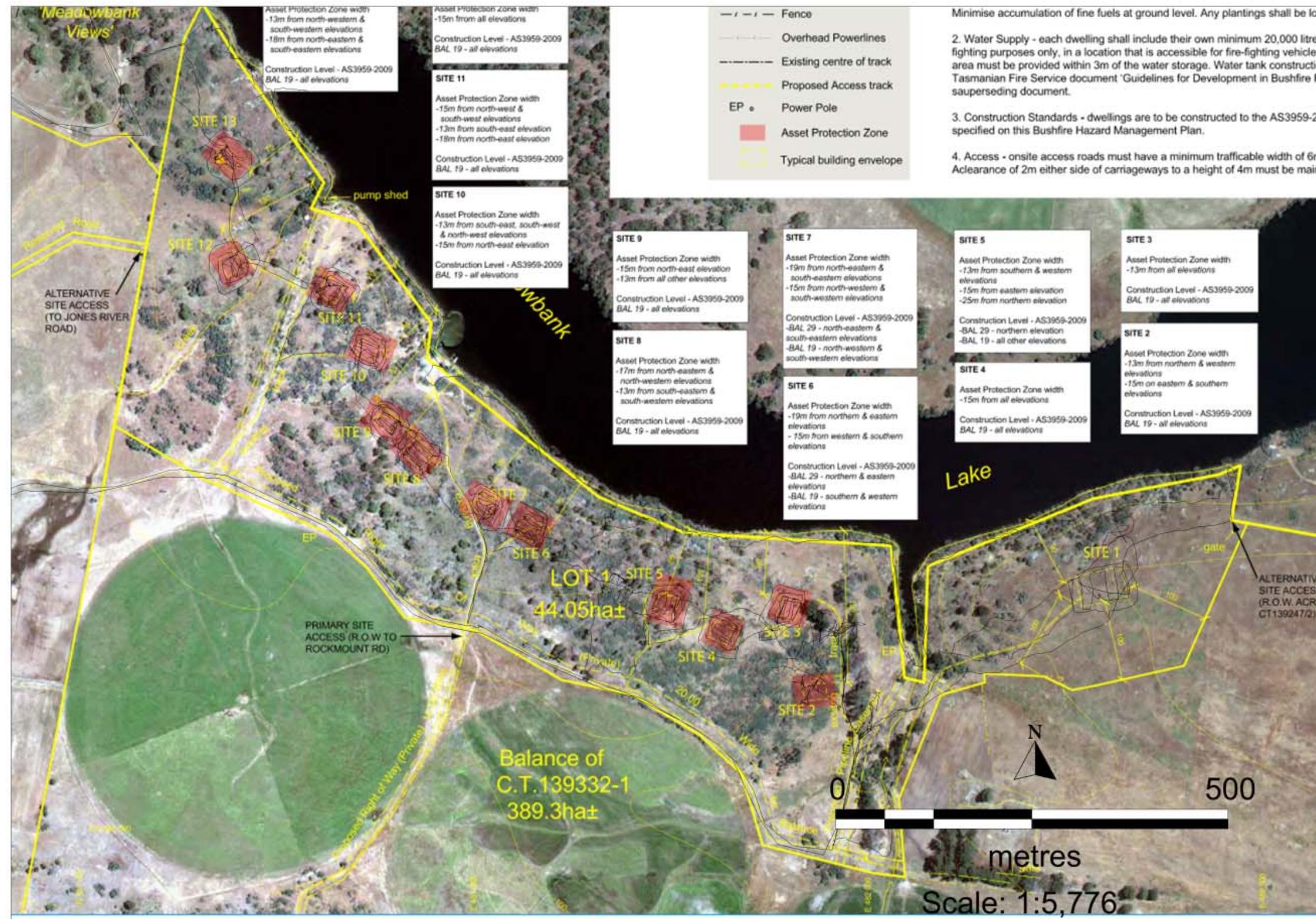
In recording the Aboriginal sites which were located, consideration was given to the likely impacts the proposed subdivision would have on these sites. Where impacts were considered likely, possible mitigation options were also investigated.

5.1.1. Constraints associated with the methodology

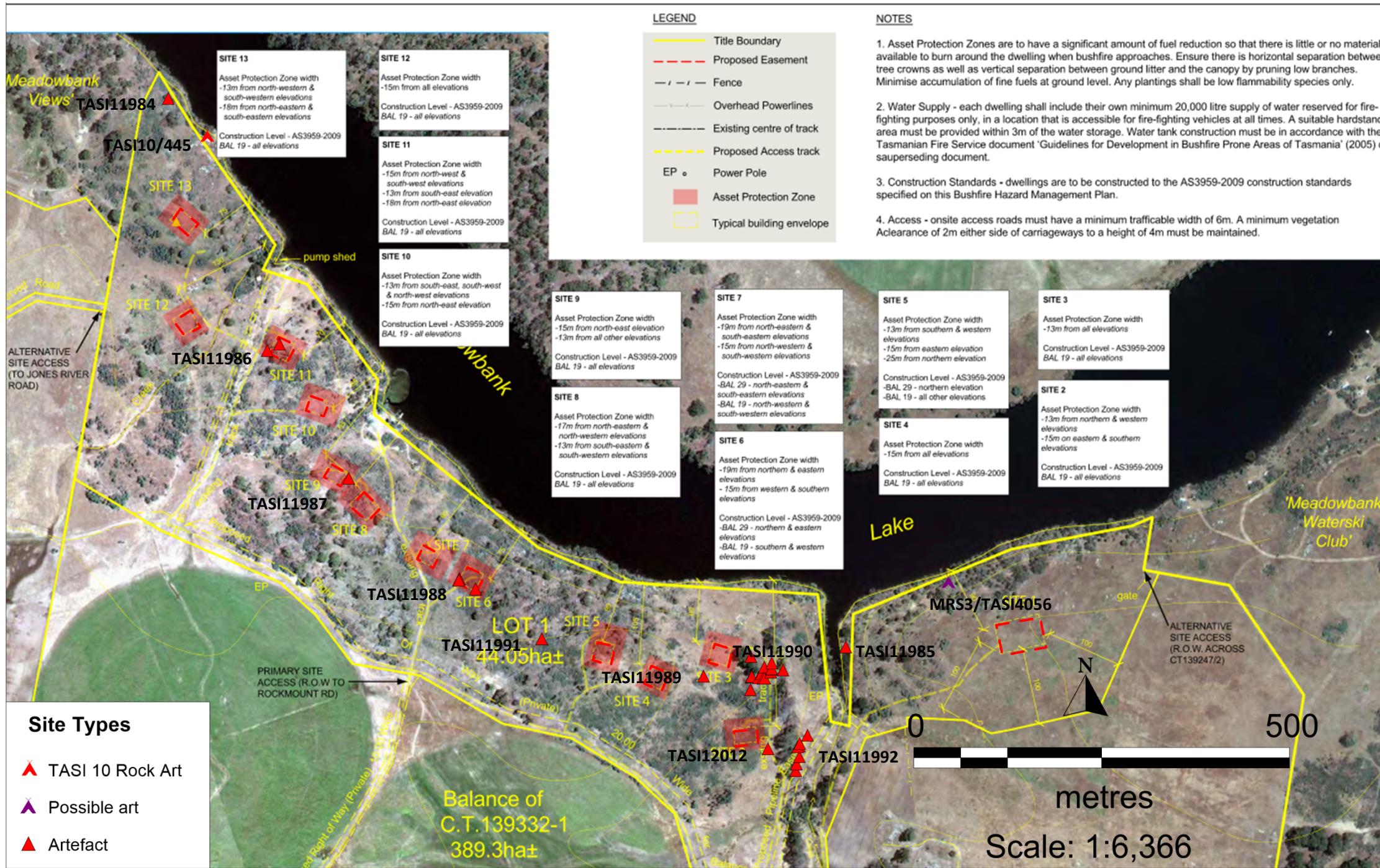
As indicated above and demonstrated in Figure 5-1, the entire property was not surveyed during this assessment, therefore it must be recognised that Aboriginal sites may be present and remain undocumented in some sections of the Edwards property. The implications of this are that if further developments, such as additional houses were planned for the property it may be considered necessary to undertake some additional archaeological survey. As shown by Figure 5-1 the area which was not systematically surveyed was principally the southern portion of the property which was a cleared plain sloping gently to the south away from the spur on which the house sites will be located. In this area, while the exposed ground on the main access tracks was surveyed, much of the adjacent field was not. As discussed later in the report it is considered probable that any Aboriginal sites in this area will be small stone artefact scatters or isolated artefacts.

A further constraint of the study was that no subsurface testing occurred. It was therefore not possible to determine if those rock shelters which contained sandy bases had subsurface signs of occupation such as stone artefacts and bones. Given there are known signs of Aboriginal occupation and use in several of the rock shelters along the southern shore of Lake Meadowbank, care does need to be given to ensuring the rock shelters which may possibly be sites are effectively managed if the proposed subdivision occurs.

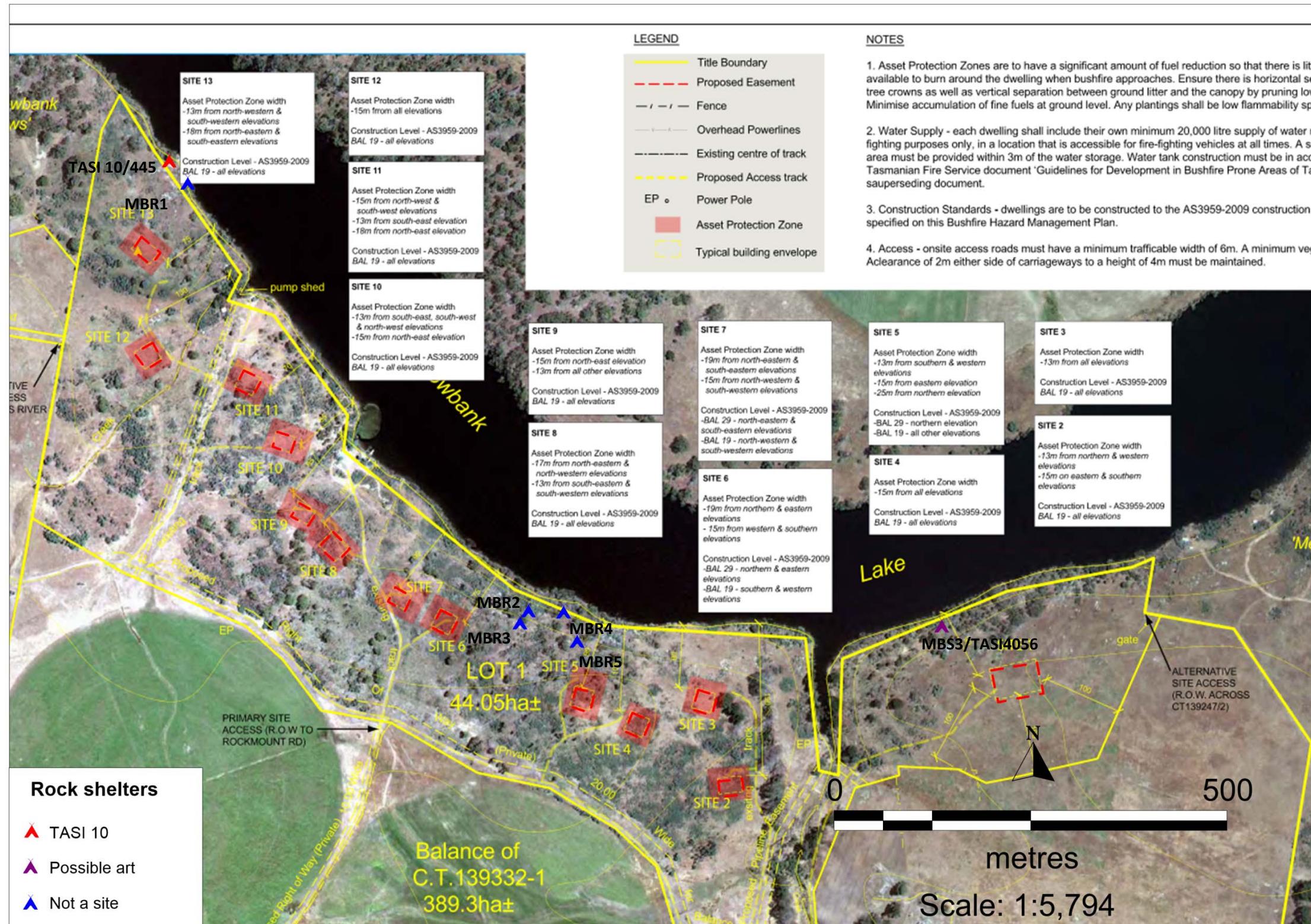
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▪ **Figure 5-1: Plan showing the survey tracks (in fine black lines) followed by the surveying archaeologist while undertaking the assessment (Note survey tracks were taken with hand held Garmin GPS [$\pm 10m$ Accuracy]).**



- **Figure 5-2: Plan showing the location of those Aboriginal stone artefacts and rock shelters which were identified as being Aboriginal sites (Note survey tracks were taken with hand held Garmin GPS [$\pm 10m$ Accuracy]).**



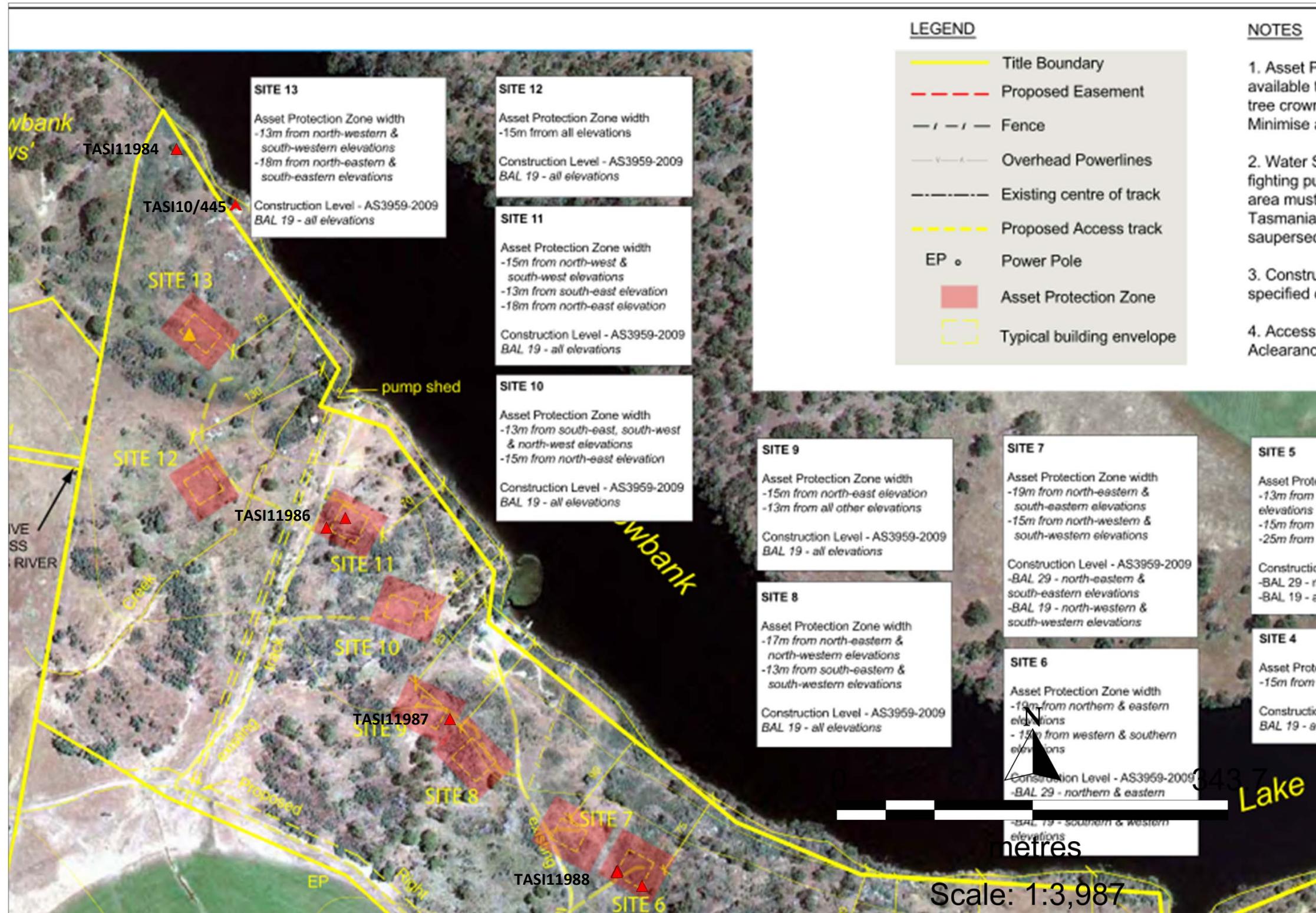
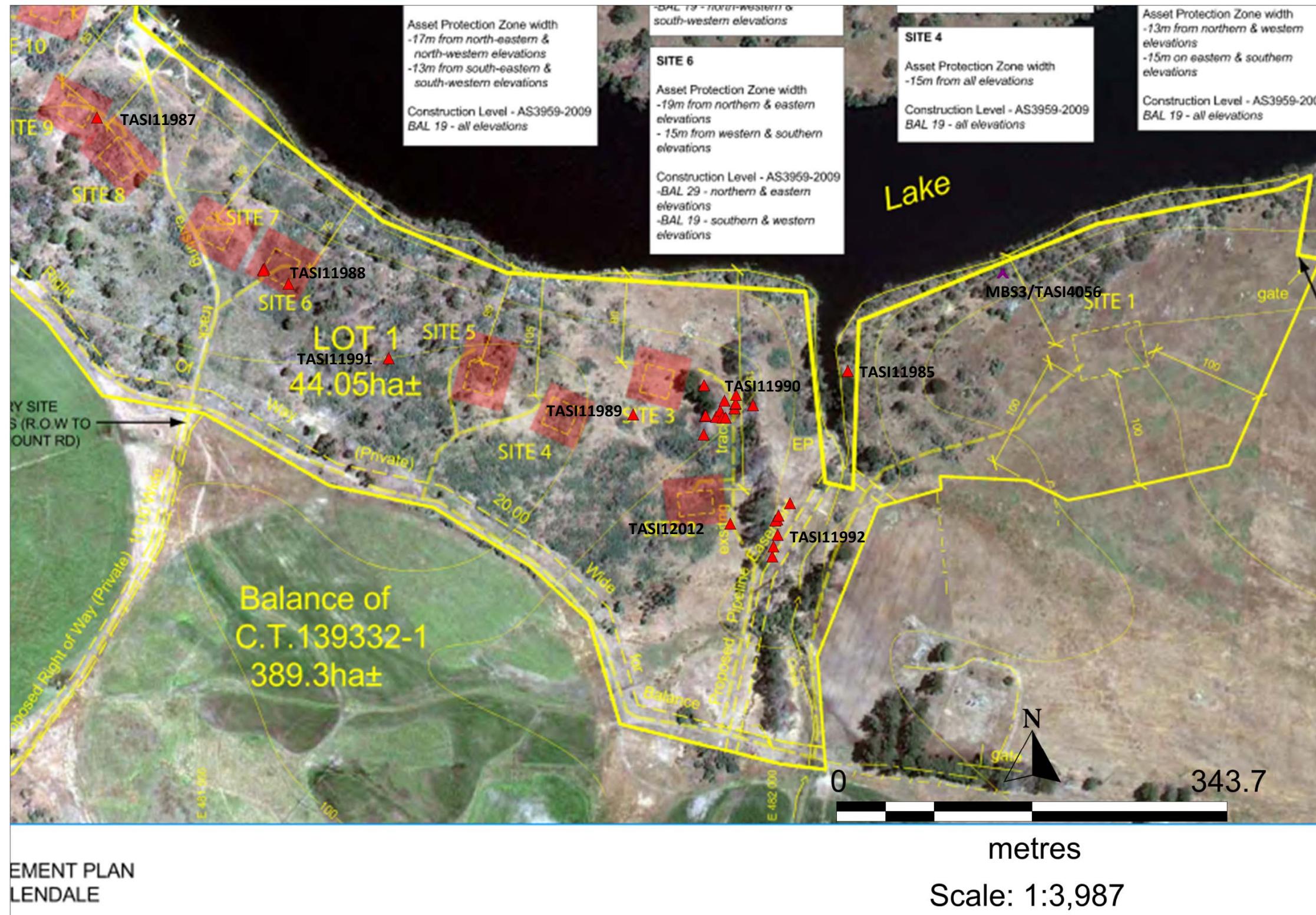


Figure 5-4: Western end of the study area showing the location of the stone artefacts and the rock art site recorded during the study.



- Figure 5-5: Eastern end of the study area showing the location of the stone artefacts and the rock art site recorded during the study.

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5.2. Survey area descriptions

5.2.1. House sites

5.2.1.1. House site 1

This house site was at the southern end of the property. It was a level area overlooking the surrounding landscape, which was totally cleared of native vegetation and covered with pasture. While there was a consistent ground visibility of 20%, in places there were patches of ground which had between 50% and 90% visibility. In this area there were also sheets of sand stone exposed on the surface. Due to the presence of this sand stone it was apparent that there was very little soil depth at this house site.

No Aboriginal artefacts were found in or around this area.

The fact that despite reasonable ground surface visibility (facilitated by the ground being cleared of native vegetation) and shallow soils being present (demonstrated by the sheets of sandstone on the surface), no artefacts were found in and around this house site indicates that it is unlikely that Aboriginal site will be directly impacted by the development of this house site.

However, as discussed in section 3.2, there was a possible art site in the valley near the lake shore 83 metres to the north of north west corner of the house block (Figure 5-2, Figure 5-3).



▪ **Figure 5-6: Photo of house site 1 looking east from the northwest corner**

5.2.1.2. House site 2

This house site was relatively well grassed with 30-40% ground clearance. It sloped to the south east. Prior to the recent fire a relatively thick stand of tea tree had grown in the area; however it had been extensively burned and was not regenerating at the time of survey. The exposures in the grass showed the soil to be sandy. No evidence of Aboriginal stone artefacts was found in this area; however, a small artefact scatter (TASI12012) was found and recorded 10 metres outside the south east corner of the house site. This Aboriginal site is described in more detail in section 5.2.3 of this report (Figure 5-2).

While there is a low probability that Aboriginal artefacts may be located in the sandy soil below the broken grass cover; given the reasonable level of ground surface visibility at this location, it is unlikely that anything other than an isolated artefact or a small unstratified artefact scatter could be present.



▪ **Figure 5-7: Photo of house site 2 looking south east from the north edge of the block**

5.2.1.3. House site 3

This house site was grassed with 30-90% ground clearance. It was a generally level area which sloped slightly to the north. While there had been some tea tree growing in the area, it had been killed during the recent fire and was not yet regenerating. The thin patches in the grass showed the soil to be sandy. No evidence of Aboriginal stone artefacts was found in this area; however, an isolated artefact (TASI11989) was found and recorded 20 metres outside the south west corner of the house site. A more extensive artefact scatter (TASI11990) was also found 30 metres to the east of the house site (Figure 5-2). These Aboriginal sites are described in more detail in section 5.2.3 of this report.

While there is a low probability that Aboriginal artefacts may be located in the sandy soil below the existing grass cover; given the reasonable level of ground surface visibility at this location, it is unlikely that anything other than an isolated artefact or a small unstratified artefact scatter could be present.



- **Figure 5-8: Photo of house site 3 from the south corner looking to the north east to the lake.**

5.2.1.4. House site 4

This house site was grassed with 30-70% ground clearance. It was a generally level area which sloped slightly to the north. While there had been some tea tree growing in the area, it had been killed during the recent fire and was not yet regenerating. The thin patches in the grass showed the soil to be sandy. No evidence of Aboriginal site was found in this area.

While there is a low probability that Aboriginal artefacts may be located in the sandy soil below the thin grass cover; given the reasonable level of ground surface visibility at this location, it is unlikely that anything other than an isolated artefact or a small unstratified artefact scatter could be present.



■ **Figure 5-9: Photo of house site 4 from the northwest corner looking south east.**

5.2.1.5. House site 5

This house site was grassed with 60-100% ground clearance. It was a generally level area which sloped slightly to the north. While there had been some tea tree growing in the area, it had been killed during the recent fire and was not yet regenerating. The thin patches in the grass showed the soil to be sandy. No evidence of Aboriginal site was found in this area.

While there is a low probability that Aboriginal artefacts may be located in the sandy soil below the thin grass cover; given the reasonable level of ground surface visibility at this location, it is unlikely that anything other than an isolated artefact or a small unstratified artefact scatter could be present.



■ **Figure 5-10: Photo of house site 5 from the south west edge looking north west to the lake.**

5.2.1.6. House site 6

This house site was grassed with 60-100% ground clearance showing the sandy soil. It was a generally level area which sloped slightly to the north east. While there had been some tea tree growing in the area, it had been killed during the recent fire and was not yet regenerating.

Three Aboriginal artefacts were found at the south west corner of the proposed house site and a further artefact was found at the south east corner; these artefacts which were recorded as TASI11988 are described in more detail in section 5.2.3 of this report.

Following the discovery of these four artefacts, additional ground was surveyed further to the north of the existing house allotment boundary in order to determine if additional Aboriginal artefacts were present in the area. No further evidence of Aboriginal site was found in this area.



▪ **Figure 5-11: Photo of house site 6 from the south corner looking north to the lake.**

5.2.1.7. House site 7

This house site was grassed with 60-100% ground clearance. It was a generally level area which sloped slightly to the north. While there had been some tea tree growing in the area, it had been killed during the recent fire and was not yet regenerating. The thin patches in the grass showed the soil to be sandy. Surface visibility in the area was enhanced by the presence of an existing dirt track on the south west boundary. No evidence of Aboriginal site was found in this area.

While there is a low probability that Aboriginal artefacts may be located in the sandy soil below the thin grass cover; given the reasonable level of ground surface visibility at this location, it is unlikely that anything other than an isolated artefact or a small unstratified artefact scatter could be present.



▪ **Figure 5-12: Photo of house site 7 from the south edge looking north to the lake.**

5.2.1.8. House site 8

This house site was grassed with 60-100% ground clearance. It was a generally level area which sloped slightly to the north. While there had been some tea tree growing in the area, it had been killed during the recent fire and was not yet regenerating. The thin patches in the grass showed the soil to be sandy. No evidence of Aboriginal site was found in this area.

While there is a low probability that Aboriginal artefacts may be located in the sandy soil below the existing grass cover; given the reasonable level of ground surface visibility at this location, it is unlikely that anything other than an isolated artefact or a small unstratified artefact scatter could be present.



- **Figure 5-13: Photo of house site 8 from the south west corner across the block to the north east and the lake.**

5.2.1.9. House site 9

This house site was grassed with 40-100% ground clearance. It was a generally level area which sloped slightly to the north. While there had been some tea tree growing in the area, it had been killed during the recent fire and was not yet regenerating. The thin patches in the grass showed the soil to be sandy. No evidence of Aboriginal stone artefacts was found in this area; however, an isolated artefact (TASI11987) was found and recorded seven metres outside the north east corner of the house site (Figure 5-2). This artefact is described in more detail in section 5.2.3 of this report.

While there is a low probability that Aboriginal artefacts may be located in the sandy soil below the existing grass cover; given the reasonable level of ground surface visibility at this location, it is unlikely that anything other than an isolated artefact or a small unstratified artefact scatter could be present.



▪ **Figure 5-14: Photo of house site 9 looking west from the north east corner.**

5.2.1.10. House site 10

This house site was grassed with 40-100% ground clearance. It was a generally level area which sloped slightly to the north east. The thin patches in the grass showed the soil to be sandy. No evidence of Aboriginal site was found in this area.

While there is a low probability that Aboriginal artefacts may be located in the sandy soil below the existing grass cover; given the reasonable level of ground surface visibility at this location, it is unlikely that anything other than an isolated artefact or a small unstratified artefact scatter could be present.



■ **Figure 5-15: Photo of house site 10 from the south edge looking north to the lake.**

5.2.1.11. House site 11

This house site was grassed with 40-60% ground clearance showing the sandy soil. It was a generally level area which sloped slightly to the north east. There were some well spaced medium sized eucalypts in the area which had been burn during the recent fire but appeared to not be dead.

Two Aboriginal artefacts were found at the west edge of the proposed house site; these artefacts which were recorded as TASI11986 are described in more detail in section 5.2.3 of this report (Figure 5-2).

Following the discovery of these two artefacts, additional ground was surveyed further to the north of the existing house allotment boundary in order to determine if additional Aboriginal artefacts were present in the area. No further evidence of Aboriginal site was found in this area.



▪ **Figure 5-16: Photo of house site 11 from the northwest corner looking southeast.**

5.2.1.12. House site 12

This house site was grassed with a mix of native and non-native species. While there was a consistent ground visibility of 50%, in places there were patches of ground which had 100% visibility. In this area the soil was sandy; there were also sheets of sand stone exposed on the surface. Due to the presence of this sand stone it was clear that there was very little soil depth at this house site. It was a generally level area which sloped slightly to north.

No evidence of Aboriginal sitewas found in this area.

The fact that despite reasonable ground surface and shallow soils being present (demonstrated by the sheets of sandstone on the surface), no artefacts were found in and around this house site indicates that it is unlikely that Aboriginal site will be directly impacted by the development of this house site.



▪ **Figure 5-17: Photo of house site 12 from the southeast looking northwest.**

5.2.1.13. House site 13

This house site was grassed with 40-60% ground clearance. It was a generally level area which sloped slightly to the south. While there had been some tea tree growing in the area, it had been killed during the recent fire and was not yet regenerating. The thin patches in the grass showed the soil to be sandy. No evidence of Aboriginal site was found in this area. However, as discussed in section 5.3.2.1, there is a known art site in the valley near the lake shore 100 metres to the north of this house block.

While there is a low probability that Aboriginal artefacts may be located in the sandy soil below the exist grass cover; given the reasonable level of ground surface visibility at this location, it is unlikely that anything other than an isolated artefact or a small unstratified artefact scatter could be present.



▪ **Figure 5-18: Photo of house site 13 from the northwest corner looking southeast.**

5.2.1.14. Possible additional house site

In case one of the existing house sites was considered to be unsuitable for future development, the survey team looked for and surveyed one additional area of a suitable size to be utilised as a house site. The criteria utilised by the survey team for determining the possible location for this extra site were:

- a lack of Aboriginal heritage directly in the area,
- being close to a planned access track,
- having the same aspect and outlook as the surrounding house lots, and
- not being close to one of the known rock art sites.

An area which met these criteria was located to the west of house site 5. During the survey of the general area one isolated artefact was found to the south of the south west corner of the area (TASI11991). This area was similar in nature to house site 6 with very limited surface vegetation cover, apart from dead tea tree. While there were rock shelters on the steep slopes leading down to the shore of Lake Meadowbank, they were small, showed no signs of containing art and due to having sand stone bases had no prospect of containing subsurface cultural material. The proposed location of the possible additional house site is shown in Figure 9-1.

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5.2.2. Proposed tracks

5.2.2.1. Track to house site 1

The track to house site 1 has yet to be formed. It is presently pasture which was similar in nature to house site 1, with the exception that the route ran down from the top of the rise upon which house site 1 is situated, down to the main access track to the south west. While the entire route was walked during the survey, no sites were found. There were also no locations along this section of track with appeared likely locations to contain Aboriginal site.



- **Figure 5-19: Photo of the proposed route of the track to house site 1 looking upslope to the northeast.**

5.2.2.2. Track to house sites 2 and 3

This track ran north from the main access track north to house lots 2 and 3. Prior to the fire there had been a row of large conifer trees in the area. As they had been killed in the fire the farmer had cleared them shortly before the survey was undertaken. This clearing of the trees was agricultural activity that had nothing to do with the subdivision and would have not usually resulted in an Aboriginal heritage assessment occurring. The use of excavators to clear the trees did however expose three Aboriginal artefact scatters (MBS 4, MBS 9 and MBS 11). From the positioning of the artefacts it is clear that the construction of the road will require a permit to disturb these Aboriginal artefact scatters unless its route is modified (see Figure 9-1 and Section 9).



- **Figure 5-20: Photo of the proposed route of the track to house sites 2 and 3 looking south; the disturbance from the earth moving equipment is apparent and one of the piles of dead pine trees is on the left of the photograph.**

5.2.2.3. Track to house sites 4 and 5

This short section of track was not formed. It will run from the established main track to house sites 4 and 5 through land which was identical to sites 4 and 5.

As with house sites 4 and 5, no signs of Aboriginal site were found in proximity to this track.

5.2.2.4. Track to house sites 6, 7, 8 and 9

The track to these house sites is formed already. It currently provides access to the caravan on the lake shore. No Aboriginal sites were found along its length. The track can be seen passing house allotment 8 in image 5-13.

5.2.2.5. Track to house sites 10,11, 12 and 13

The track to house sites 10, 11, 12 and 13 is formed and gravelled already. It currently provides access to the pump house on the lake shore. No Aboriginal sites were found along its length.



- **Figure 5-21: Photo of the existing track to house sites 10 to 12 looking south.**

5.2.2.6. Main track

This long established farm track was gravelled. There was no prospect of Aboriginal sites being disturbed as a consequence of its use as access for the proposed subdivision.



- **Figure 5-22: Photo of the existing main track looking east from its west end.**

5.3. Archaeological finds

5.3.1. Stone artefacts and artefact scatters

Ten Aboriginal stone artefacts sites were found and recorded in the study area. Five of these were isolated artefacts and five were artefact scatters. These sites are listed in Table 5-1 and described in detail below.

■ **Table 5-1: Details of the artefacts found in the survey area.**

Artefact #	TASI #	Easting	Northing	Notes
1	TASI11984	481158	5286520	Isolated artefact: Cherty hornfels flake; 3.1mm x 4.1 mm x 1.2mm.
2	TASI11985	482056	5285800	Isolated artefact: Quartzite flake; 32mm x 30mm x 10mm.
3	TASI12012	481954	5285666	Artefact scatter containing 4 artefacts: Artefact 3 is a brown silcrete flake 42mm x 38mm x 20mm.
4	TASI12012	481954	5285666	Artefact scatter containing 4 artefacts: Artefact 4 is a Cream silcrete shard 12mm x 6mm x 3mm.
5	TASI12012	481954	5285666	Artefact scatter containing 4 artefacts: Artefact 5 is a Cream Silcrete flake 20mm x 20mm x 6mm.
6	TASI12012	481956	5285665	Artefact scatter containing 4 artefacts: Artefact 6 is a Brown Silcrete flake 20mm x 17mm x 4mm.
7	TASI11986	481305	5286197	Artefact scatter containing 2 artefacts: Artefact 7 is a beige cherty hornfels steep edged scraper 55mm x 46mm x 20mm.
8	TASI11986	481290	5286189	Artefact scatter containing 2 artefacts: Artefact 8 is a brown quartzite flaked piece 50mm x 29mm x 12mm.
9	TASI11987	481398	5286021	Isolated artefact: Cream chert scraper; 43mm x 35mm x 10mm.
10	TASI11988	481545	5285888	Artefact scatter containing 4 artefacts: Artefact 10 is a banded quartzite flake 43mm x 35mm x 9mm.
11	TASI11988	481544	5285888	Artefact scatter containing 4 artefacts: Artefact 11 is a cherty hornfels flake 17mm x 18mm x 2mm.
12	TASI11988	481544	5285887	Artefact scatter containing 4 artefacts: Artefact 12 is a chert core 40mm x 16mm x 19mm.
13	TASI11988	481565	5285875	Artefact scatter containing 4 artefacts: Artefact 13 is a quartzite flake 40mm x 25mm x 10mm.
14	TASI11989	481868	5285761	Isolated artefact: Caramel cherty hornfels flake; 20mm x 33mm x 7mm.

Artefact #	TASI #	Easting	Northing	Notes
15	TASI11990	481930	5285787	Artefact scatter containing 17 artefacts: White chert flaked piece 22mm x 14mm x 6mm
16	TASI11990	481931	5285760	Artefact scatter containing 17 artefacts: White quartzite flake 30mm x 25mm x 6mm.
17	TASI11990	481931	5285761	Artefact scatter containing 17 artefacts: White quartzite core fragment 55mm x 28mm x 25mm
18	TASI11990	481930	5285744	Artefact scatter containing 17 artefacts: Large cherty hornfels steep edged scraper 70mm x 55mm x 20mm
19	TASI11990	481940	5285759	Artefact scatter containing 17 artefacts: White quartzite flake 20mm x 30mm x 5mm.
20	TASI11990	481944	5285765	Artefact scatter containing 17 artefacts: Beige cherty hornfels flake 30mm x 52mm x 6mm
21	TASI11990	481948	5285773	Artefact scatter containing 17 artefacts: Light grey cherty hornfels flake 40mm x 55mm x 18mm
22	TASI11990	481946	5285759	Artefact scatter containing 17 artefacts: Cherty hornfels flake 23mm x 22mm x 9mm
23	TASI11990	481949	5285759	Artefact scatter containing 17 artefacts: Cherty hornfels steep edged scraper 60mm x 35mm x 25mm
24	TASI11990	481957	5285767	Artefact scatter containing 17 artefacts: Quartzite flake showing pebble cortex 70mm x 40mm x 20mm
25	TASI11990	481957	5285771	Artefact scatter containing 17 artefacts: Cherty hornfels waste flake 40mm x 20mm x 15mm.
26	TASI11990	4819958	5285778	Artefact scatter containing 17 artefacts: Grey cherty hornfels waste flake 16mm x 15mm
27	TASI11990	481973	5285770	Artefact scatter containing 17 artefacts: Grey cherty hornfels flaked piece 30mm x 40mm x 12mm.
28	TASI11990	481973	5285770	Artefact scatter containing 17 artefacts: White banded chert flaked piece 20mm x 10mm x 4mm.
29	TASI11990	481973	5285770	Artefact scatter containing 17 artefacts: Grey chert flake 20mm x 36mm x 10mm.
30	TASI11990	481973	5285770	Artefact scatter containing 17 artefacts: Cherty hornfels flake 22mm x 25mm x 7mm.
31	TASI11990	481973	5285770	Artefact scatter containing 17 artefacts: Cherty hornfels flake 22mm x 28mm x 4mm.
32	TASI11991	481654	5285810	Isolated Artefact: Burnt cherty hornfels flake 27mm x 33mm x 6mm.
33	TASI11992	481990	5285637	Artefact scatter containing 8 artefacts: Artefact 33 Grey cherty hornfels steep edged scraper 45mm x 29mm x 21mm
34	TASI11992	481991	5285646	Artefact scatter containing 8 artefacts: Grey cherty hornfels flaked piece 45mm x 25mm x 12mm.
35	TASI11992	481995	5285656	Artefact scatter containing 8 artefacts: Beige chert flake 35mm x 50mm x 12mm.
36	TASI11992	481994	5285669	Artefact scatter containing 8 artefacts: Beige chert flake 48mm x 50mm x 11mm.
37	TASI11992	481992	5285668	Artefact scatter containing 8 artefacts: Grey cherty hornfels flake 20mm x 21mm x 5mm.
38	TASI11992	481992	5285668	Artefact scatter containing 8 artefacts: Grey cherty hornfels flake 10mm x 18mm x 3mm.
39	TASI11992	481995	5285673	Artefact scatter containing 8 artefacts: Cream chert blade like flaked piece.

5.3.1.1. TASI11984 Isolated artefact

This isolated cherty hornfels flake was located on the slope overlooking Lake Meadowbank at the north east corner of the property (Figure 5-2). The artefact was on sandy ground which following the fire had 90% surface visibility. The angle of the slope down to the lake 20 metres away was 22%. It was not possible to determine if this artefact was in-situ or in the process of being washed down the slope since the fire had exposed the soil to erosion. It was however, possible to determine that the artefact was isolated at its point of discovery.



■ **Figure 5-23: Photo of Isolated artefact TASI11984**

5.3.1.2. TASI11985 Isolated artefact

This isolated quartzite flake was located on the east side of an inlet of Lake Meadowbank (Figure 5-2). The area in which the artefact is located had previously been disturbed through the placement of a water pipe and had a ground visibility of 70%. An extensive search of the surrounds showed no signs of other artefacts being present.



▪ **Figure 5-24: Photograph of isolated artefact TASI11985**

5.3.1.3. TASI12012 Artefact scatter

This small artefact scatter consisted of 4 silcrete artefacts which were exposed across an area 3 metres by 0.5 metres. The scatter was located 15 metres to the south east of house lot 2. As shown by Figure 5-25 and Figure 6-1, the artefacts were in an area disturbed by the recent movement of the heavy vehicles utilised to clear the pine trees which were killed by the bush fire. Due to the ground clearance (approximately 60%) it was apparent that the scatter was not likely to be larger than the exposed and recorded artefacts.

The individual artefacts are shown in Figures 5-26 to 5-29.



▪ **Figure 5-25: Photo looking south showing small artefact scatter TASI12012.**



▪ **Figure 5-26: Photo of TASI12012 artefact 3.**



▪ **Figure 5-27: Photo of TASI12012 artefact 4.**



▪ **Figure 5-28: Photo of TASI12012 artefact 5.**



▪ **Figure 5-29: Photo of TASI12012 artefact 3.**

5.3.1.4. TASI11986 Artefact scatter

This artefact scatter consisted of 2 artefacts (artefacts 7 and 8) located on the west side of house site 11. Artefact 7 was a cherty hornfels steep edged scraper and artefact 8 was a quartzite flaked piece. Artefact 7 was 5 metres inside the western boundary of house site 11 while artefact 8 was 5 metres outside the south west corner house site.

The area in which the scatter was located was grassed with 40-60% ground clearance showing sandy soil. It was a generally level area which sloped slightly to the north east. Given the good ground clearance, it was not considered likely that the site was considerably larger than the two artefacts which were located.

The area where the artefacts were found is shown in Figures 5-2, 5-30 and 5-31. The artefacts are shown in Figures 5-32 and 5-33.



- **Figure 5-30: Plan showing the location of artefacts TASI11986 at the west side of house site 11.**



■ **Figure 5-31: Location of artefacts TASI11986 at the west side of house site 11.**



■ **Figure 5-32: Photo of TASI11986 artefact 7 cherty hornfels steep edged scraper.**



▪ **Figure 5-33: Photo of TASI11986 artefact 8 quartzite flaked piece.**

5.3.1.5. TASI11987 Isolated artefact

This isolated cream coloured chert scraper was located 7 metres to the east of house lot 9. Due to the high level of surface visibility (50% to 100%) it was possible to determine that there were no other artefacts in the area. The location of this artefact is shown on Figure 5-2, The artefact is shown in Figure 5-34 below.



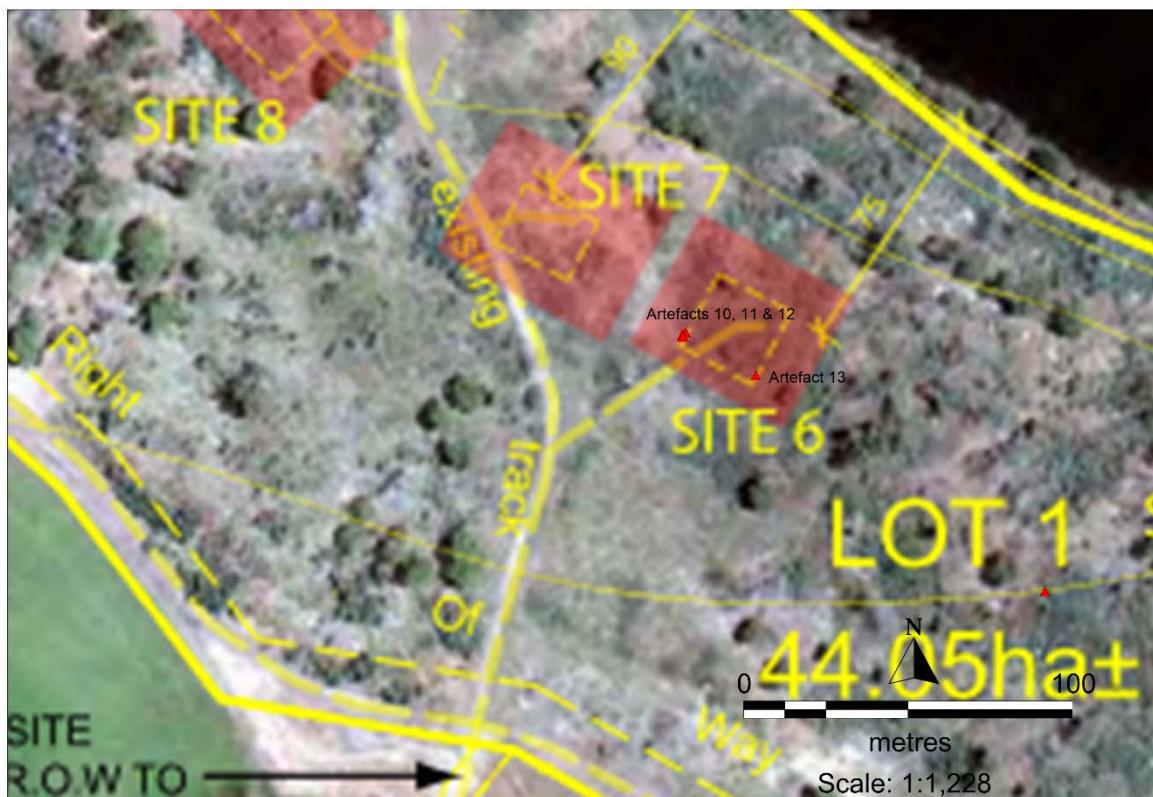
■ **Figure 5-34: Photo of isolated artefact TASI11987.**

5.3.1.6. TASI11988 Artefact scatter

This artefact scatter consisted of 4 stone artefacts; three were located just outside the southwest edge of house block 6 (artefacts 10, 11 and 12) and one was located just outside the southeast corner of the house block (artefact 13 (Figure 5-35). The three artefacts located near the southwest corner of the house blocks were a quartzite flake (artefact 10), a cherty hornfels flake (artefact 11) and a chert core (artefact 12). The artefact located near the southeast corner of the house block was a quartzite flake (artefact 13).

Due to the surface vegetation having been recently burnt, ground surface visibility was between 60% to 100% in this area; the soil was sandy. It was a generally level area which sloped slightly to the north east. While there had been some tea tree growing in the area, it had been killed during the recent fire and was not yet regenerating.

Following the discovery of these four artefacts, additional ground was surveyed further to the north of the existing house allotment boundary in order to determine if additional Aboriginal artefacts were present in the area. No further evidence of Aboriginal site was found in this area.



▪ **Figure 5-35: Plan showing artefact scatter TASI11988.**



▪ **Figure 5-36: Photo of TASI11988 artefact 10**



▪ **Figure 5-37: Photo of TASI11988 artefact 11**



▪ **Figure 5-38: Photo of TASI11988 artefact 12**



▪ **Figure 5-39: Photo of TASI11988 artefact 13**

5.3.1.7. TASI11989 Isolated artefact

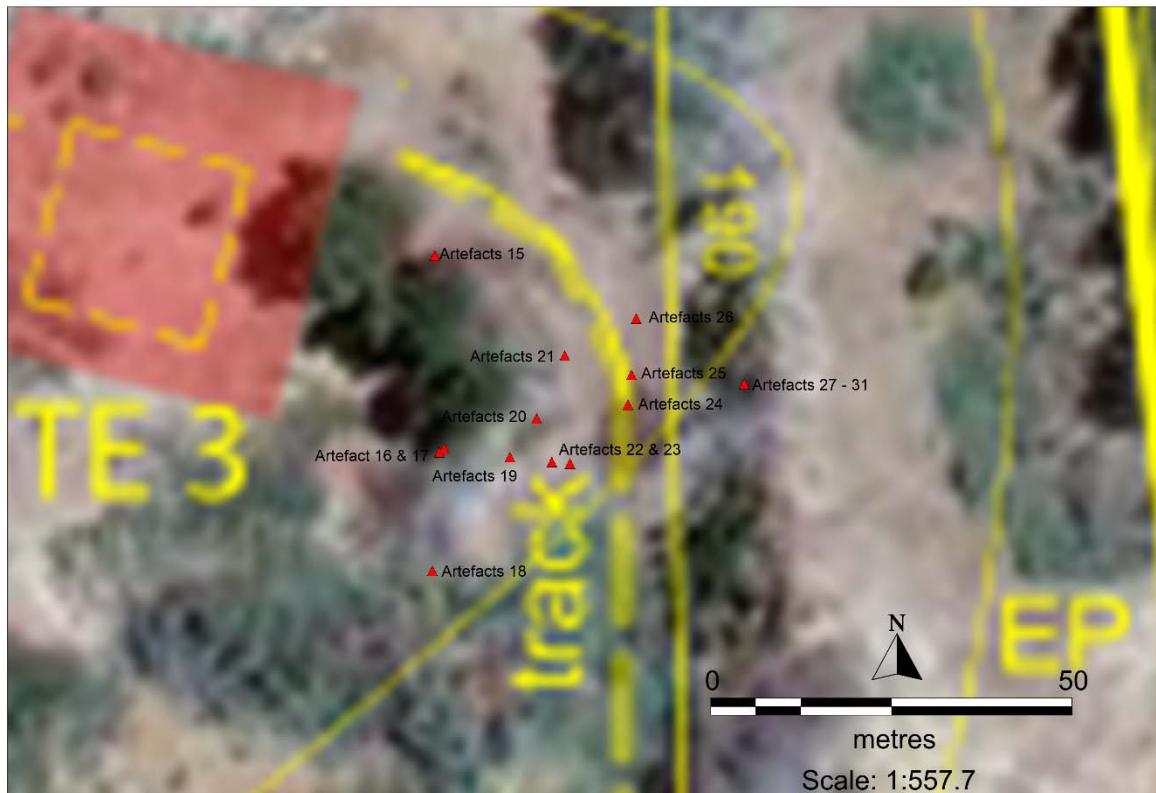
This isolated cherty hornfels flake was located 20.5 metres to the south of house block 3 (Figure 5-2). The area was covered with the burnt stems of tea trees, on the ground the average surface visibility was approximately 30% to 40%. Below the thin grass was sandy soil. The ground sloped gently to the north and north east.



■ **Figure 5-40: Photo of isolated artefact TASI11989**

5.3.1.8. TASI11990 Artefact scatter

This artefact scatter was exposed in part of the area which had been disturbed through the removal of a stand of burnt pine trees. This 17 artefact scatter covered an area of 45 metres east to west and 45 metres north to south. The north western edge of the scatter was 28 metres to the east of house site 3. Due to the recent ground disturbance there was 100% ground exposure in this area. The details of the individual artefacts are listed on Table 5-1.



▪ **Figure 5-41: Plan showing the artefacts associated with artefacts TASI11990**



▪ **Figure 5-42: General photo of TASI11990 artefact scatter from the east edge looking west; the red tape fragment show where artefacts were recorded.**



▪ **Figure 5-43: Photo of TASI11990 artefact 18**



▪ **Figure 5-44: Photo of TASI11990 artefact 23**

5.3.1.9. TASI11991 Isolated artefact

This isolated cherty hornfels flake was found to the south of the area which was surveyed as a possible alternative building lot (Figure 5-2). The artefact was on sandy ground which had been heavily burned during the recent bushfire. As a consequence the artefact showed signs of heat damage.



■ **Figure 5-45: Photo of isolated artefact TASI11991.**

5.3.1.10. TASI11992 Artefact scatter

This artefact scatter of seven artefacts was found in the area which had been disturbed through the removal of the burnt pine trees. Despite good surrounding ground visibility, this scatter was linear in nature as it ran from north to south roughly along the same level on the gentle slope for a distance of 36 metres. While this appeared interesting, the reason for this alignment of artefacts was uncertain. Given the heavily modified nature of the landscape it was not possible to definitively identify the reason for the distribution of these artefacts in a rough line. While purely speculation on behalf of the author, the linear distribution of these artefacts may relate to a tight cluster of artefacts being spread by a dozer blade running through the scatter at the time the trees were cleared up.



- Figure 5-46: Plan of TASI11992, note it is possible to see the stands of trees which had been burnt and recently cleared causing ground disturbance.



▪ **Figure 5-47: Photo of TASI11992 artefact 33**



▪ **Figure 5-48: Photo of TASI11992 artefact 34**



▪ **Figure 5-49: Photo of TASI11992 artefact 35**



▪ **Figure 5-50: Photo of TASI11992 artefact 36**



▪ **Figure 5-51: Photo of TASI11992 artefacts 37 and 38**



▪ **Figure 5-52: Photo of TASI11992 artefact 39**

5.3.2. Rock shelters

Seven rock shelters were located and documented during the survey of the property (Figure 5-3). As discussed below one of these shelters was a certain Aboriginal site and another was a possible site. The other shelters were unlikely to contain evidence of occupation. All these shelters are listed in Table 5-2 and discussed in detail below.

■ **Table 5-2: Details of the rock shelters found and recorded in the survey area.**

Artefact #	Easting	Northing	Notes
TASI 10/445	481209	5286472	Rock shelter containing 3 hand stencils and other ochre markings.
MBR1	481233	5286444	Small rock shelter containing historic period graffiti; no signs of rock art or artefacts.
MBR2	481666	5285904	Small and low rock shelter containing no sign of rock art or artefacts.
MBR3	481666	5285904	Small rock shelter containing no sign of rock art or artefacts.
MBR4	481711	5285903	Small rock shelter containing no sign of rock art or artefacts.
MBR5	481729	5285866	Small rock shelter containing no sign of rock art or artefacts.
MBR6/TASI 4056?	482191	5285887	Wide and sizable rock shelter with possible cultural ochre mark on the roof at the rear of the shelter.

5.3.2.1. TASI 10/445

This small rock shelter at the north end of the proposed subdivision (Figure 5-3) has been previously recorded by archaeologist Jim Stockton. Stockton found three ochre hand stencils on the back wall of the shelter and a number of small ochre marks on the walls of the shelter.

At the time of survey the hand stencils were still clearly visible and remained in a good condition as were a number of surrounding ochre marks. It was noted during the survey that there was some charcoal on the surface in the mouth of this shelter, it was likely this had been deposited during the recent fire.



■ **Figure 5-53: Exterior of the rock shelter registered as TASI 10/445.**



- **Figure 5-54: Back wall of the rock shelter showing the hand stencils for which the shelter has received TASI registration.**

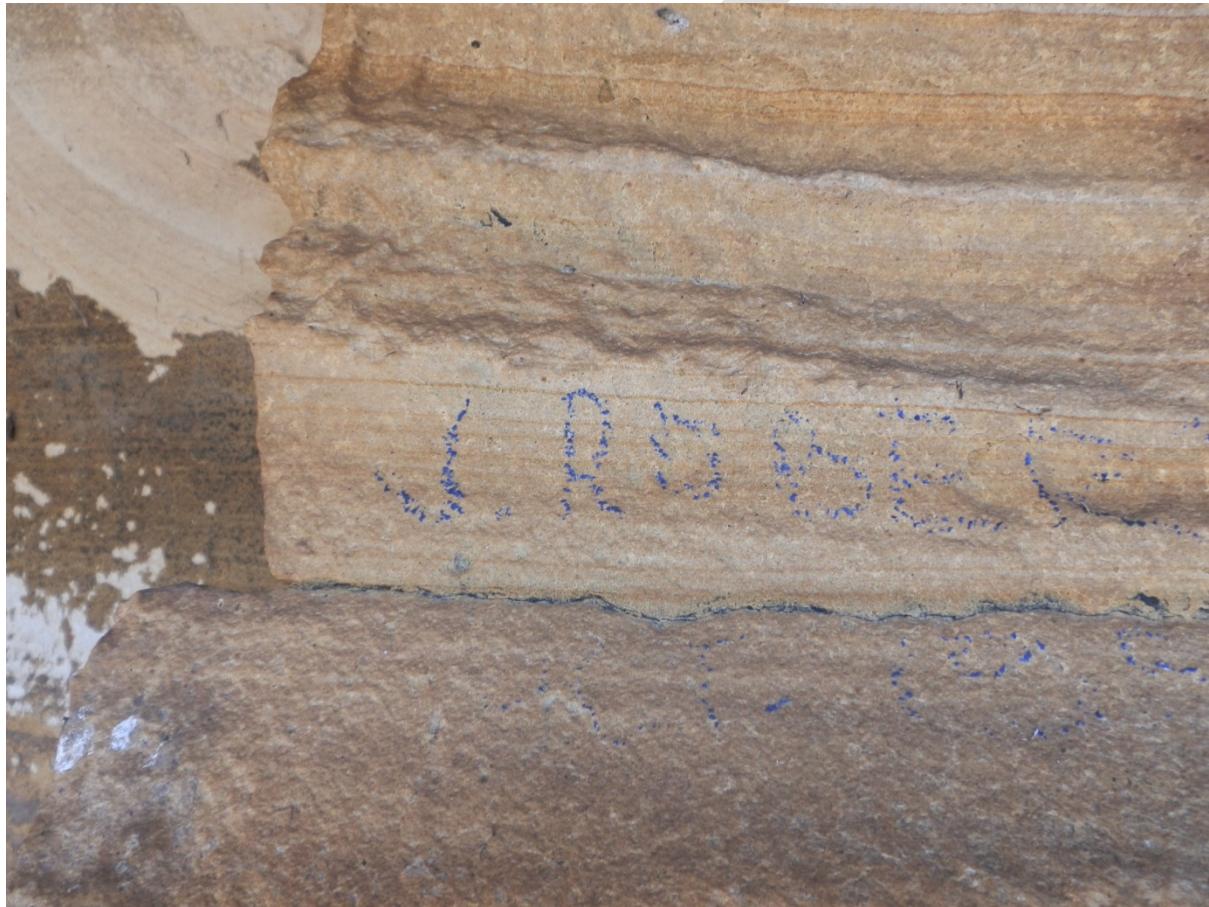


- **Figure 5-55: Slightly different view of the rock shelter showing the hand stencils for which the shelter has received TASI registration.**

5.3.2.2. MBR1

Approximately 35 metres to the south east of TASI 10/445 on the slope above the lake shore was another small rock overhang (Figure 5-3). The base of this overhang had a rock base and there was no sign of Aboriginal art on the sandstone walls nor was there any prospect of subsurface cultural deposits being in the base of the rock shelter; therefore this was not an Aboriginal site.

However, there were two areas of graffiti on the walls of this shelter the northern most said “J ROBERTS” in what appeared to be blue crayon (Figure 5-56). The southern most graffiti was not fully decipherable however it was dated to 1920 (Figure 5-57).



■ **Figure 5-56: The northern graffiti in rock shelter MBR1.**



▪ **Figure 5-57: The southern graffiti in rock shelter MBR1.**

5.3.2.3. MBR 2, 3, 4 & 5

On the slope overlooking Lake Meadowbank between house sites 5 and 6 were four small rock shelters, (Figure 5-3, Figure 5-58, Figure 5-59, Figure 5-60, Figure 6-61) all of which were low with rock floors. Despite a close investigation no evidence of art was found these rock shelters.

While it is not possible to demonstrate that these shelters had been utilized by Aboriginal people, it is also not possible to discount that they had been utilized at times for shelter. Given these shelters have been surveyed a number of times by Aboriginal Heritage Officers and archaeologists and no evidence of occupation has been found, these small shelter should not be recorded as sites on the TASI.



■ **Figure 5-58: Front view of small rock shelter MBR2.**



■ **Figure 5-59: Front view of small rock shelter MBR3**



■ **Figure 5-60: Front view of small rock shelter MBR4**



▪ **Figure 5-61: Front view of small rock shelter MBR5**

5.3.2.4. MBS3

The largest rock shelter on the property was found to be on the slope overlooking Lake Meadowbank 260 metres from the east edge of the property and 15 metres from the lake edge (Figure 5-3). This shelter was 17 metres wide, 6.4metres deep and 1.6 metres high at its front. Unlike the other shelters it had an earth floor at its front which was noticeably covered with sheep droppings.

No Aboriginal stone artefacts were found in or around the rock shelter, though with the amount of sandstone fragments, animal droppings and other organic matter it was likely that stone artefacts may have been present but unnoticeable.

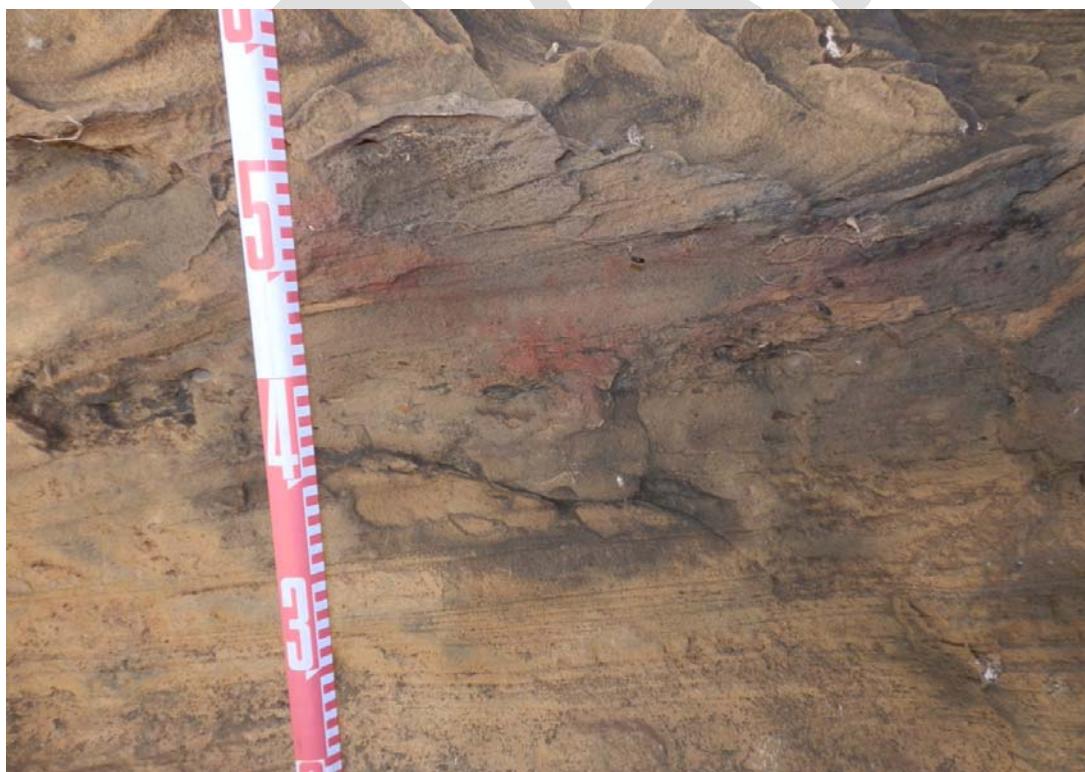
On the rear wall of the rock shelter, 3.5 metres from the southwest corner, the survey team found what appeared to be brownish red stains on the surface of the older surfaces of the sandstone. Adjacent to the stains were areas were thin sections of the sandstone surface had fallen off and the brownish red stains were not at all visible in the underlying sand stone. Unfortunately, this exfoliation of the surface had also made it impossible to determine with the naked eye whether the brownish red stains had any form which would identify them as anthropomorphic (or of cultural origin).



- **Figure 5-62: Front of large rock shelter at the east end of the property which was recorded in the field as MBS3.**



▪ **Figure 5-63: View of the brownish red pigment on the surface of the back wall of the rock shelter.**



▪ **Figure 5-64: Alternative view of the brownish red pigment on the surface of the back wall of the rock shelter.**

6. Archaeological analysis and interpretation

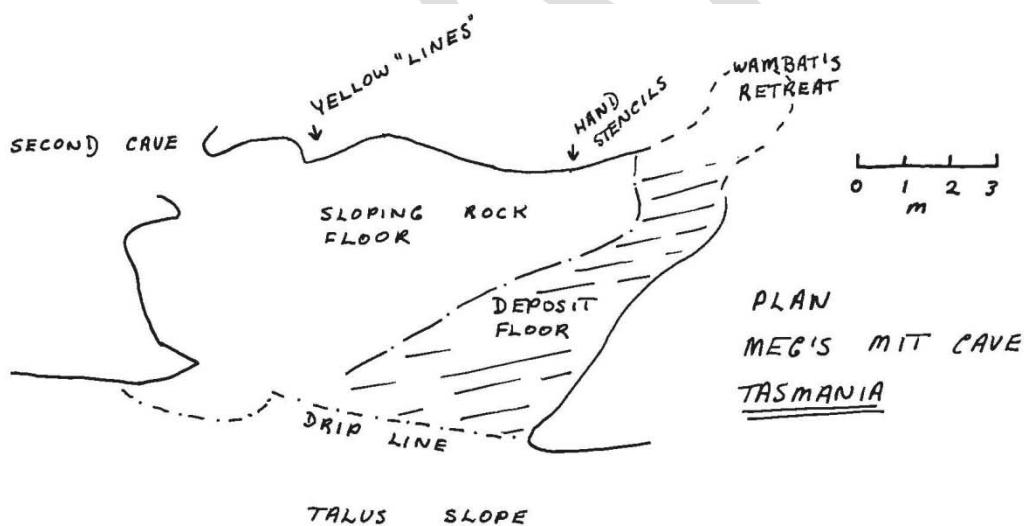
6.1. TASI 10/445

As discussed earlier in this report a recent survey by Hydro Tasmania surveyors has shown this site to be located on land owned by Hydro Tasmania.

The location of the three hand stencils on the rear of this rock shelter and the associated ochre markings is shown on Figures 5-54, 5-55, 6-1, 6-2 and 6-3. While it is not possible to determine to what degree the art has deteriorated since it was first recorded by Stockton in 1977, the three hand stencils are still clearly visible to the naked eye. To a lesser degree this is also true of the ochre markings.

While it is apparent that a portion of the cave does have earth in it, no artefacts have thus far been found by previous and the current archaeological investigations. It is therefore not possible to determine if this relatively small rock shelter was utilised as shelter by Aboriginals, or solely as a place where they carried out cultural activities which we tend to assume to be artistic in motivation.

It is important to understand that TASI 10/445 is only one of 15 known painted art sites in Tasmania. Unfortunately, another such site which was located on the shore of Lake Meadowbank 1.34 kilometres to the north west appears to have either been destroyed or at least heavily damaged due to the impact of it being flooded by Lake Meadowbank (Smith, 2013).



- Figure 6-1 Measured plan of the rock shelter recorded as TASI 10/445 (Probably recorded by Stockton 1977)

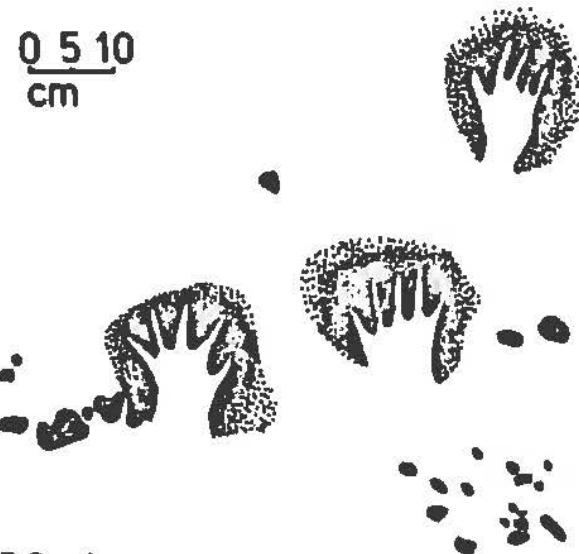


FIG 1

**Hand stencils and ochre marks
Meg's mit cave, Tasmania**

- Figure 6-2: Sketch of the three TASI 10/445 hand stencils and the closely associated ochre marks as Stockton recorded them in 1977.

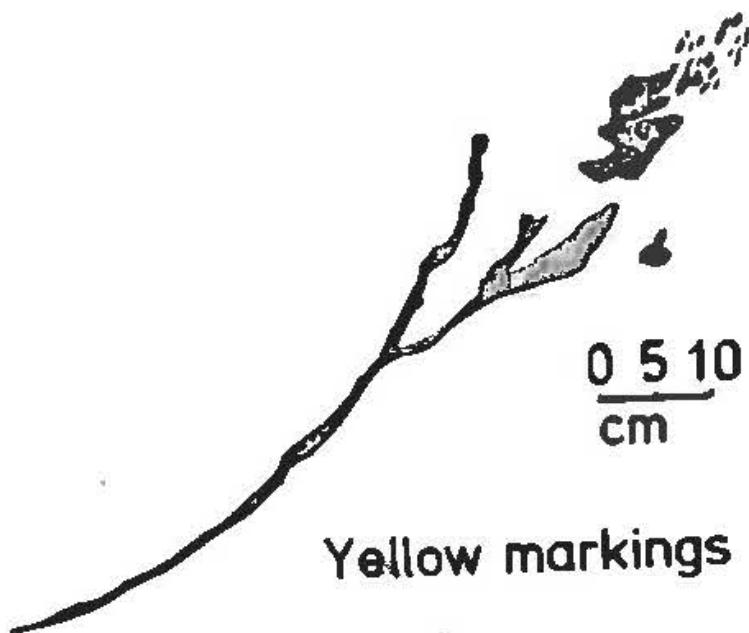


FIG 2

**Yellow markings
Meg's mit cave,
Tasmania**

- Figure 6-3: Plan of the TASI 10/445 yellow Ochre markings to the east of the three hand stencils

6.2. MBR1-MBR5

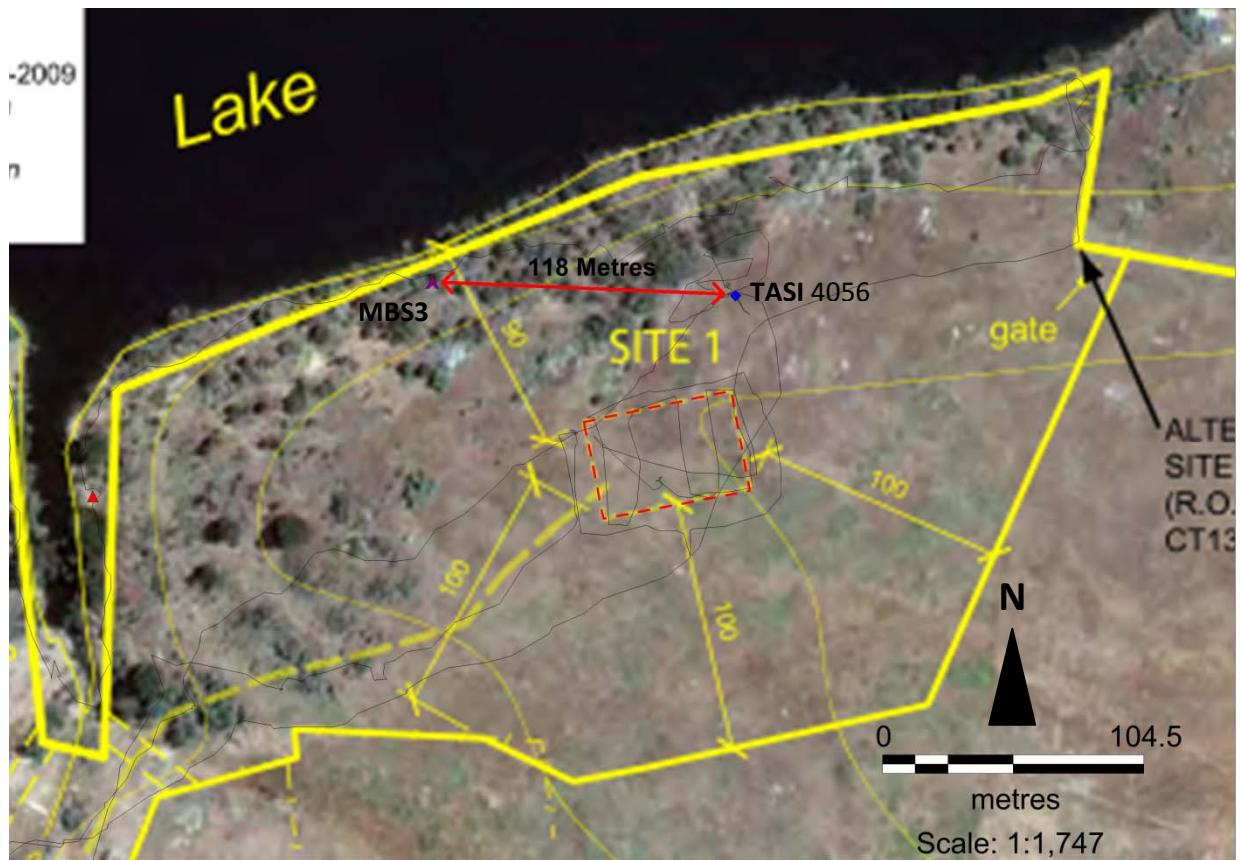
As discussed in section 5.3.3 of this report, given the lack of physical evidence, it is not possible to demonstrate that these small rock shelters were ever utilized by Aboriginal people. Therefore these small sandstone rock shelters should not be recorded as sites on the TASI.

6.3. MBS3/TASI 4056

An interesting point in relation to this shelter was that it was the only large shelter which was found by the surveyors at the east end of the property. However, during 1987 Dr Richard Cosgrove had found and recorded a large rock shelter with a lone Aboriginal artefact on the surface approximately 118 to the east south east of this shelter, the Cosgrove rock shelter was registered as TASI 4056. An investigation the grid location where TASI 4056 should have been showed it to be level paddock on the edge of the plain 67 metres to the south of Lake Meadowbank (Figure 6-4).



- **Figure 6-4: Photograph showing the location at which TASI 4056 was recorded.**



- Figure 6-5: Plan showing the spatial relationship between TASI11987 and the grid location at which TASI 4056 was recorded.

SITE DESCRIPTION: Large shelter ($16.6 \times 3 \times 1.6$) containing highly disturbed sandy deposit. Cattle shit in abundance. No more than 10-15 m from present high water mark of the Hydro Lake Meadowbank Lake filled in the '60's by dam construction across the upper Derwent River. Has a good aspect but the disturbed & modern nature of ^{surface} deposit makes assessment of archaeological potential difficult.

- **Figure 6-6: Cosgrove's site description of TASI 4056 from the TASI recording sheet.**

As shown by Figure 6-6 Cosgrove's description of TASI 4056 bore a striking similarity to MBS3. Both were approximately 15 metres from the lake shore. Cosgrove measured the shelter width as 16.6 metres while MBS3 was considered to be 0.4 metre wider at 17 metres. Cosgrove recorded the depth of the shelter at 3 metres while MBS3 was considered to be 6.4 metres deep (where a rock shelter's overhang and rear start and end is always a subjective interpretation). Cosgrove recorded the height of the shelter at 1.6 metres, this was identical to MBS3. Finally, Cosgrove describes "cattle shit" covering the base of TASI 4056 while the base of MBS3 was covered with sheep droppings.

As discussed previously in this report (Section 4.3) given the limitations Cosgrove had in relation to mapping the TASI 4056 and the strong correlations in the descriptions of both rock shelters, the survey team are of the view that MBS3 and TASI 4056 are the same site.

While the surveyors could not be certain that the brownish red staining on the rear wall of this rock shelter was of a cultural origin, it remains possible that these marks were ochre stains and as discussed in Section 5.3.2.4, the staining did not appear to be within the matrix of the sandstone.

As with TASI 10/445, if the brownish red staining is found to be art, MBS3/TASI 4056 will become one of only 16 known painted art sites in Tasmania.

6.4. TASI11984, TASI11985, TASI11986, TASI11987, TASI11988, TASI11989 and TASI11991

These isolated artefacts (TASI11984, TASI11985, TASI11987, TASI11989 and TASI11991) and small artefact scatters of 2 to 4 artefacts (TASI11986 and TASI11988), were consistently found in locations across the survey area which had good ground surface visibility afforded by recent bushfire damage (Figures 5-4 and 5-5). Due to this good level of ground surface visibility, it was possible to determine that the recorded extent of these small sites was their actual size, extent and richness. The project team interpreted these small sites as being most likely caused by:

- the accidental loss of artefacts, or
- the intentional disposal of artefacts once their use life was considered to be exhausted.

Where these artefacts were intentionally disposed of, it was possibly done at the conclusion of a successful hunt or foraging exercise.

All these artefacts have most likely been moved somewhat from the location they were deposited by Aboriginal people due to the clearance and ploughing of land by European farmers. Therefore, alone each of these isolated artefacts and small artefact scatters does not provide much information about how the Aboriginal people used and interacted with the landscape. However, examined together they have the potential to provide more significant information as to how Aboriginal people were using their landscape.

6.5. TASI12012, TASI11990 and TASI11992

These three small to medium sized artefact scatters were located in an area of excellent ground surface visibility caused by the removal of stands of mainly pine trees which had been killed by the recent bushfire. As a result of the level of clearance provided by both the bushfire damage and the heavy vehicles that knocked down and moved the pine trees it was possible to clearly see the extent of these three artefact scatters, so it was known with a good degree of certainty that they are all distinct artefact scatters separated by

- 32 metres in the case of TASI12012 and TASI11992,
- 80metres in the case of TASI12012 and TASI11990, and
- 98 metres in the case of TASI11990 and TASI11992.

However, it should also be noted that these three artefact scatters form the highest density of Aboriginal artefacts on the property in an area of gentle sloping landscape leading down in a north-easterly direction to a natural stream gully (now flooded by the lake) which may have provided the easiest point of access down to the Derwent River prior to the establishment of Lake Meadowbank (See Section 4.4).

It should also be noted that this phenomena is not an isolated one, because 1.34 kilometres to the north-west on the Meadowbank Views property, a similar clustering of artefacts has been recorded at the top of the next significant stream gully which once ran down to the Derwent River (Jones 2013). As with this cluster of artefact scatters, the scatter to the northwest also has a north-easterly aspect.

These artefact scatters have been impacted by past land clearance and ploughing associated with European farming practices. The clearance of the pine trees is only the most recent phase of disturbance. While this disturbance will have turned over the artefacts and ensured the artefacts have no stratigraphic integrity it is probable that the artefacts are roughly in the same areas where they were initially deposited.

6.6. Other possible site issues

As discussed in the methodology the entire property was not surveyed so it is likely that other Aboriginal sites will be found on the property. These will most likely be small artefact scatters and isolated artefacts. They will also probably be located in the area between the southern edge of the proposed development blocks and the southern boundary fence. As mentioned in section 3.1 because the soils are in places unconsolidated sand there is a small possibility that burials could be in the area. This prospect should however not be overstated as human remains in inland environments are exceptionally rare in Tasmania. It should also be noted that the generally shallow soil around the house sites make human remains unlikely in these areas.

DRAFT

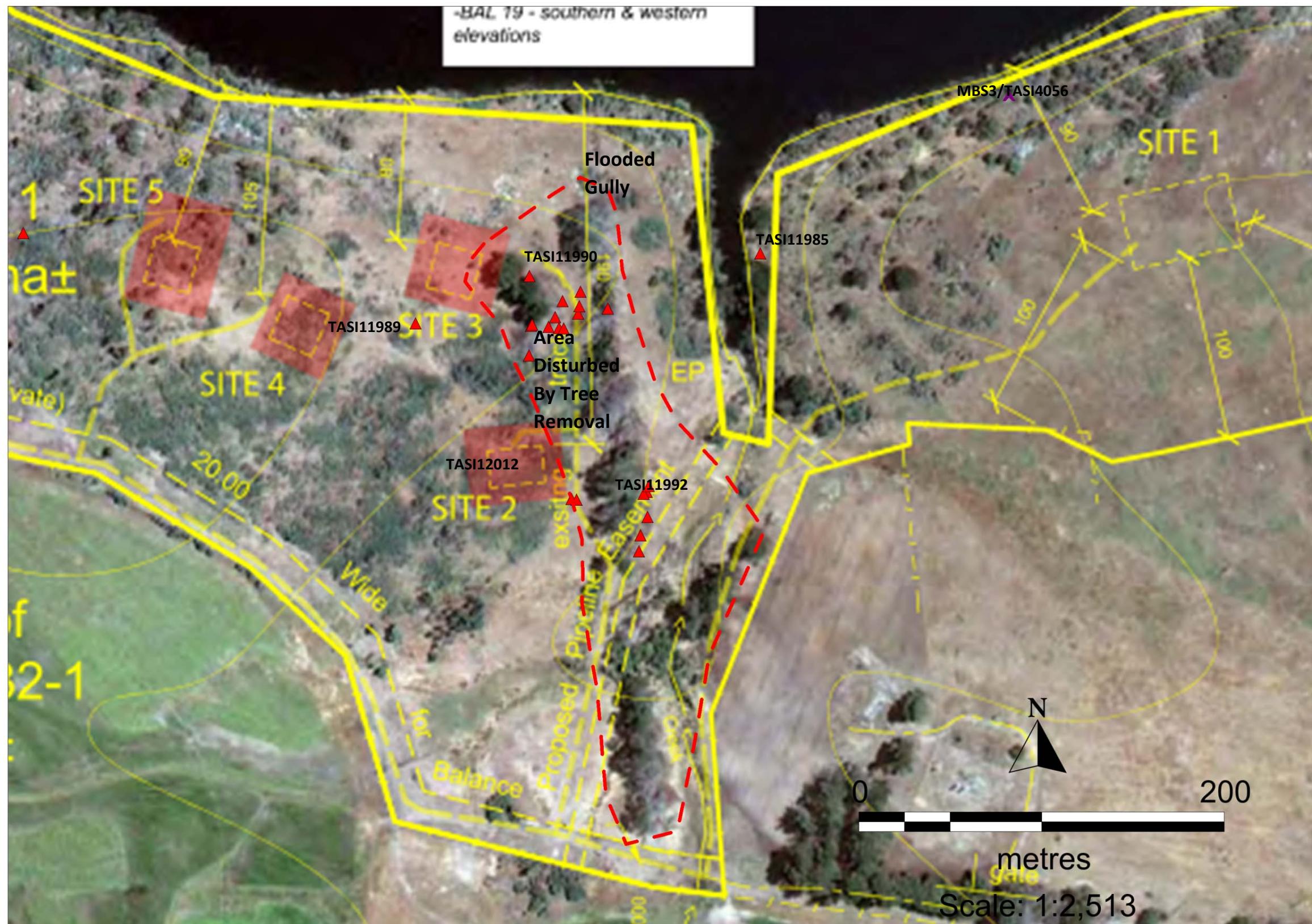


Figure 6-7: Plan showing the artefact scatters found in the area disturbed by the removal of the burnt pine trees and their relationship to the flooded gully on the edge of Lake Meadowbank.

DRAFT

7. Significance assessment

7.1. Aboriginal community consultation

Both AHO Colin Hughes and the TAC have provided comment in relation to this report and its findings. In short neither supported the subdivision occurring in its present format. Mr Hughes indicated in his advice on the 12 March 2014 that:

Michael I have viewed the report, the recommendations are sound from an Archaeological viewpoint however the Aboriginal community do not agree to the development taking place due to the close proximity of the rock shelter, they are concerned of the effects on more visitation to Megs Mitt. The impacts of the buildings will affect the visual landscape. The Aboriginal community conduct sure visits to the area, so access to community is a factor (See Appendix A).

The TAC in a very detailed response indicated that ultimately while they see this report as a good starting point for discussion between themselves and the land owner, they are of the view that the report does not adequately reflect the broader values of the cultural landscape as experienced by their community and have therefore come to the following conclusions:

- Due to the inevitable impact of such a development on the history and future of Aboriginal people, The Tasmanian Aboriginal Centre cannot support the development in its current form or that as proposed by Jones (2014).
- Primarily we seek to work with the landholder to negotiate options for land purchase of an area of land so as to maximise potential for appropriate management and custodianship by the Aboriginal community (See Appendix 1).

7.2. Significance assessment

7.2.1. Determining significance

Aboriginal heritage.

The *Aboriginal Relics Act 1975* provides all Aboriginal Relics (sites) a measure of protection by requiring any activity likely to destroy, disturb or conceal a known relic to be first approved by the Minister for Aboriginal Heritage (see Section 14 of the Act). However, the Act provides no guidance on how the cultural significance of a relic should be defined. This is unfortunate because in the absence of significance criteria, it is potentially difficult for the Minister for Aboriginal Heritage to weigh up the cultural significance of a place against economic and other potential values of a place in order to determine which relics can or should be protected and which are not.

In the absence of legislative guidance in relation to Aboriginal heritage significance, in Tasmania it is recognised that the Australia ICOMOS *Burra Charter* (1999) provides the best tool to establish an understanding of the cultural significance of Aboriginal relics (sites). The Burra charter defines cultural significance as 'encompassing: aesthetic, historic, scientific, or social value for past, present,

or future generations' (Australia ICOMOS *Burra Charter*, 1999). The meaning of these terms in the context of cultural significance is:

'Aesthetic value includes aspects of sensory perception for which criteria can and should be stated. Such criteria may include consideration of the form, scale, colour, texture and material of the fabric; the smells and sounds associated with the place and its use' (Australia ICOMOS *Burra Charter*, 1999).

'Historic value encompasses the history of aesthetics, science and society, and therefore to a large extent underlies all of the terms set out in this section. A place may have historic value because it has influenced, or has been influenced by, an historic figure, event, phase or activity. It may also have historic value as the site of an important event. For any given place the significance will be greater where evidence of the association or event survives in situ, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment' (Australia ICOMOS *Burra Charter*, 1999).

'Scientific or research value of a place will depend on the importance of the data involved, on its rarity, quality or representativeness, and on the degree to which the place may contribute further substantial information' (Australia ICOMOS *Burra Charter*, 1999).

'Social value embraces the qualities for which a place has become a focus of spiritual, political, national or other cultural sentiment to a majority or minority group' (Australia ICOMOS *Burra Charter*, 1999).

7.2.2. Statements of cultural significance

7.2.2.1. TASI 10/445 statement of significance

Aesthetic value: As discussed in the report, TASI 10/445 sits in a bush land environment on the slope overlooking Lake Meadowbank. While the lake is not natural, the modified farmlands up slope cannot be seen from the rock shelter. The outlook of the site therefore retains a quality of naturalness much as it would have appeared prior to the large scale land clearance and other modifications of the post European period.

The hand stencils on the wall of the rock shelter allow those lucky enough to see them to literally view a message from across the generations of time; and while that message is of uncertain intent, the experience has the potential to inspire awe and emotions in many Tasmanians. To members of the Aboriginal community who understand these sites, the aesthetic experience may be even more intense.

This site has a high level of aesthetic significance; the future management of the site needs to protect this significance.

Historic value: As far as is presently known, TASI 10/445 is neither a place which has influenced, or has been influenced by, an historic figure, event, phase or activity. It is therefore considered that TASI 10/445 has low historical significance.

Scientific or research value: Aboriginal art sites in Tasmania are both rare (this being only 1 of 15 known and recorded examples in the State) and capable of being investigated through the use of a number of technologically advanced techniques in order to enhance contemporary understandings of past life ways. This site also has some potential to contain in-situ sub-surface deposits. Therefore a site such as TASI 10/445 is considered to have a high level of scientific or research value.

Social value: The majority of Tasmanians, when made aware that art sites such as this exist immediately appreciate that the site holds social significance.

Based on the comments provided by both AHO Colin Hughes and the TAC there is no doubt that the Aboriginal community place the highest level of cultural significance on art sites such as these..

7.2.2.2. MBS3/TASI 4056 statement of significance

Aesthetic value: As with TASI 10/445, MBS3/TASI 4056 sits in a bush land environment on the slope overlooking Lake Meadowbank. While the lake is not natural, the modified farmlands up slope cannot be seen from the rock shelter. The outlook of the site therefore retains a quality of naturalness much as it would have appeared prior to the large scale land clearance and other modifications of the post European period.

While the validity of the art in this site has yet to be verified it should also be noted that even if it were noticed by someone it is difficult to recognise as art due to it no longer being complete. This site has a medium level of aesthetic significance.

Historic value: As far as is presently known, MBS3/TASI 4056 is neither a place which has influenced, or has been influenced by, an historic figure, event, phase or activity. It is therefore considered that MBS3/TASI 4056 has low historical significance.

Scientific or research value: Aboriginal art sites in Tasmania are both rare (only 15 other examples exist in Tasmania) and capable of being investigated through the use of a number of technologically advanced techniques in order to enhance contemporary understandings of past life ways. This site also has some potential to contain in-situ sub-surface deposits. Therefore a site such as MBS3/TASI 4056 is considered to have a high level of scientific or research value.

Social value: The majority of Tasmanians, when made aware that art sites such as this exist immediately appreciate that the site holds social significance.

Based on the comments provided by both AHO Colin Hughes and the TAC there is no doubt that the Aboriginal community place the highest level of cultural significance on art sites such as these.

7.2.2.3. TASI12012, TASI11990 and TASI11992 statement of significance

Aesthetic value: TASI12012, TASI11990 and TASI11992 are situated in an environment which has, during the historical period, been modified extensively for agricultural use (including the recent removal of the stands of burnt pine trees). While aesthetic values are subjective and to a large degree are in the ‘eye of the beholder’ it is unlikely that TASI12012, TASI11990 and TASI11992 can justifiably be seen to hold any degree of aesthetic significance to the majority of the Tasmanian community at the present time. Members of the Aboriginal community who are aware of artefact scatters and how they were utilised prior to the European invasion may however find that these sites and the surrounding landscape do trigger some understandings of what their ancestors experienced when utilising the area. This may be somewhat true when TASI12012, TASI11990 and TASI11992 are considered collectively rather than as individual scatters. It is therefore possible that TASI12012, TASI11990 and TASI11992 can collectively potentially hold aesthetic values for individuals.

Historic value: As far as is presently known, TASI12012, TASI11990 and TASI11992 do not occupy a place which has influenced, or has been influenced by, an historic figure, event, phase or activity. It is therefore considered that they have low historical significance.

Scientific or research value: Deflated and disturbed low density artefact scatters are one of the most common Aboriginal heritage site type recorded on TASI in Tasmania. It is also still relatively common for heritage practitioners to find and record previously unrecorded artefact scatters when they survey new locations. Therefore artefact scatters such as TASI12012, TASI11990 and TASI11992 are unlikely to be currently scarce. It should also be noted that given these scatters have clearly been disturbed to a significant degree, as individual scatters they can't be seen to hold values associated with its quality. However, as discussed in section 6.5, these artefact scatters may form the remaining evidence of a particular cultural use of the landscape along this area of the Derwent Valley. It is therefore considered that TASI12012, TASI11990 and TASI11992 presently have a medium level of scientific significance.

It should also, be appreciated that pre European era artefact scatters are no longer being created and many examples have in recent years been destroyed as a result of both natural and human activities. Therefore, efforts do need to be made to preserve these site types when this outcome can be achieved through sensible management.

Social value: Low density artefact scatters would generally be considered to hold a low social value to the majority of the broader Tasmanian community.

For many years it has been an established view of the Tasmanian Aboriginal Community that all Aboriginal heritage sites in Tasmania are significant to the Aboriginal Community as they provide tangible evidence of the Aboriginal Community’s association with the Tasmanian landscape. Based upon the comments provided through the Aboriginal community consultation process, this is certainly true in the instance of these sites.

7.2.2.4. TASI11986, and TASI11988 statement of significance

Aesthetic value: The artefact scatters TASI11986 and TASI11988 are situated in an environment which has, during the historical period, been modified extensively for agricultural use. While aesthetic values are subjective and to a large degree are in the ‘eye of the beholder’ it is unlikely that TASI11986 and TASI11988, can justifiably be seen to hold any degree of aesthetic significance to the majority of the Tasmanian community at the present time. Members of the Aboriginal community who are aware of artefacts and how they were utilised prior to the European invasion may however find that when they notice these sites, they do trigger some understandings of what their ancestors experienced when utilising the surrounding landscape. It is therefore possible that TASI11986 and TASI11988 can collectively potentially hold aesthetic values for individuals.

Historic value: As far as is presently known the areas where TASI11986 and TASI11988 are located are not places which have influenced, or have been influenced by, an historic figure, event, phase or activity. It is therefore considered that they have low historical significance.

Scientific or research value: Small artefact scatters are one of the most common Aboriginal heritage site type recorded on TASI in Tasmania. It is also still relatively common for heritage practitioners to find and record previously unrecorded small artefact scatters when they survey new locations. Therefore artefact scatters such as TASI11986 and TASI11988 are unlikely to be currently scarce. It should also be noted that given these artefacts sit within a disturbed and modified landscape they can’t be seen to hold values associated with their potential quality as scientific data. It is therefore considered that TASI11986 and TASI11988 presently have a low level of scientific significance.

It should however also, be appreciated that pre European era artefact scatters are no longer being created and many examples have in recent years been destroyed as a result of both natural and human activities. Therefore, efforts do need to be made to preserve these site types when this outcome can be achieved through sensible management.

Social value: Small artefact scatters would generally be considered to hold a low social value to the majority of the broader Tasmanian community.

For many years it has been an established view of the Tasmanian Aboriginal Community that all Aboriginal heritage sites in Tasmania are significant to the Aboriginal Community as they provide tangible evidence of the Aboriginal Community’s association with the Tasmanian landscape. Based upon the comments provided through the Aboriginal community consultation process, this is certainly true in the instance of these sites.

7.2.2.5. TASI11984, TASI11985, TASI11987, TASI11989 and TASI11991 statement of significance

Aesthetic value: The isolate artefacts TASI11984, TASI11985, TASI11987, TASI11989 and TASI11991 are situated in an environment which has, during the historical period, been modified extensively for agricultural use. While aesthetic values are subjective and to a large degree are in the ‘eye of the beholder’ it is unlikely that TASI11984, TASI11985, TASI11987, TASI11989 and

TASI11991 can justifiably be seen to hold any degree of aesthetic significance to the majority of the Tasmanian community at the present time. Members of the Aboriginal community who are aware of artefacts and how they were utilised prior to the European invasion may however find that when they notice these sites they do trigger some understandings of what their ancestors experienced when utilising the surrounding landscape. It is therefore possible that TASI12012, TASI11990 and TASI11992 can collectively potentially hold aesthetic values for individuals.

Historic value: As far as is presently known the areas where TASI11984, TASI11985, TASI11987, TASI11989 and TASI11991 are located are not places which have influenced, or have been influenced by, an historic figure, event, phase or activity. It is therefore considered that they have low historical significance.

Scientific or research value: Isolated artefacts are one of the most common Aboriginal heritage site type recorded on TASI in Tasmania. It is also still relatively common for heritage practitioners to find and record previously unrecorded isolated artefacts when they survey new locations. Therefore isolated artefacts such as TASI11984, TASI11985, TASI11987, TASI11989 and TASI11991 are unlikely to be currently scarce. It should also be noted that given these artefacts sit within a disturbed and modified landscape they can't be seen to hold values associated with their potential quality as scientific data. It is therefore considered that TASI11984, TASI11985, TASI11987, TASI11989 and TASI11991 presently have a low level of scientific significance.

It should however also, be appreciated that pre European era artefact scatters are no longer being created and many examples have in recent years been destroyed as a result of both natural and human activities. Therefore, efforts do need to be made to preserve these site types when this outcome can be achieved through sensible management.

Social value: Isolated artefacts would generally be considered to hold a low social value to the majority of the broader Tasmanian community.

For many years it has been an established view of the Tasmanian Aboriginal Community that all Aboriginal heritage sites in Tasmania are significant to the Aboriginal Community as they provide tangible evidence of the Aboriginal Community's association with the Tasmanian landscape. Based upon the comments provided through the Aboriginal community consultation process, this is certainly true in the instance of these sites.

7.2.3. Management constraints arising out of statements of significance

Due to their high level of cultural significance Rock shelters TASI 10/445 and MBS3/TASI 4056 must in future be managed for their protection and the retention of their established and potential cultural value.

Due to their medium level of cultural significance artefact scatters TASI12012, TASI11990 and TASI11992 should ideally be protected from actions which would further diminish their established level of cultural significance. If this cannot be avoided then as their significance relates to their

scientific value, a study should be conducted that as effectively as is possible quantifies and seeks to understand that value prior to the occurrence of the disturbing activates.

Due to their low level of perceived cultural significance small artefact scatters TASI11986 and TASI11988 and isolated artefacts TASI11984, TASI11985, TASI11987, TASI11989 and TASI11991 need not be protected if this outcome is necessary to facilitate the proposed subdivision works. In saying this it should be understood that once destroyed these sites cannot be replaced; therefore, efforts do need to be made to preserve these site types when this outcome can be achieved through sensible management.

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8. Conservation policy

In establishing the conservation policy for the study area, a number of factors need to be taken into account; these are an understanding of:

- the various level of cultural significance of the place (Section 7)
- the clients requirements, constraints and resources (Section 1.1 and Figure 1-2)
- the physical condition of the sites and landscape (Section 5) and
- external factors such as legislative or planning requirements (Section 2).

Despite extensive historic period disturbance, the study area still contains aesthetically, scientifically and socially significant Aboriginal heritage which should, where possible, be managed for the preservation of the values identified in section 7 of this report. In order to pursue this aim, the management plan will contain an archaeological zoning plan (Figure 9.1).

In relation to the client requirements, they are seeking to create a subdivision which will have 13 house lots surrounded by communal land which is to be managed through a body corporate.

If the subdivision goes ahead, it should be undertaken in a manner that minimises the destruction of the Aboriginal heritage. In order to achieve this, management provisions are recommended below. If followed, these management provisions should protect the Aboriginal sites into the future.

While not supported by the consultant as the preferred approach, it is also possible for the client to lodge permit applications to destroy Aboriginal heritage in order to undertake the subdivision in line with the subdivision plan shown in Figure 1-2.

In the instance of MBS3/TASI 4056 this site does warrant additional investigation in order to better define if the brownish red marks are ochre stains related to rock art. Until this issue has been resolved a precautionary management approach should be taken with this site. This approach is certainly in line with the existing provisions of the *Aboriginal Relics Act 1975* and will also be acceptable under any future state Aboriginal site protection legislation (*Aboriginal Heritage Protection Bill 2013*).

It is also important to get the balance right in relation to publicising the presence of the Aboriginal sites in the study area. This has been one of the most difficult issues faced by those managing Aboriginal heritage in Tasmania because when people don't understand where Aboriginal sites are, they have no responsibility to act appropriately to protect those sites. However, there are established accounts of the damage done to important Aboriginal sites by those who know what they are. I personally believe it is important to make people aware of the presence of heritage sites and use education to allow them to value the heritage

The long term preservation of the rock art sites would certainly benefit from having custodian relationships established for the sites so their condition could be effectively monitored and potentially adjusted as circumstances require.

9. Management planning

9.1. Site specific management issues

9.1.1. TASI 10/445

TASI 10/445 is on land owned by Hydro Tasmania, therefore they are the legal custodians and managers of this site.

The art at TASI 10/445 appears to have survived the recent bush fire despite the presence of charcoal at the mouth of the shelter showing the fire came relatively close to the shelter. In 2000 Sculthorp and Dudgeon found that the shelter had been used by animals such as sheep, but these were not having a noticeable effect on the art but were covering the shelter floor with a matt of sheep droppings (Sculthorp and Dudgeon, 2000). This situation as appraised by Sculthorp and Dudgeon remains correct at the time this site was recorded during the present study. It was also noted by Sculthorp and Dudgeon that while the shelter is not impossible to get to via a boat coming from the Lake, it is also up to 50 metres away from the most likely used safe landing point. However a track (possibly formed by the sheep and other animals going to the lake for water) does run from this landing point to TASI 10/445 and the graffitied MBR1 is on this track.

While it is not possible to know how often people do access this rock shelter from the lake, so far there is no evidence this site has been damaged or vandalized. Of the two sets of graffiti in MBR1, one appears to date to many years before the lake was established (1920) and the other is undated. Therefore while there remains a risk the site could be vandalized by boat borne visitors, this has fortunately not yet happened. The prospect of people approaching the cave from the shore could be considerably diminished if the vegetation on the track and the immediate surrounds of the rock shelter was rehabilitated to the point where it became difficult to traverse.

The proposed subdivision and the stratum titling of the remainder of the freehold block will no doubt bring additional people in contact with this rock shelter. This will include both the owners of the new titles and their guests. It is therefore clear that the subdivision will increase the probability of future impacts occurring to this site. One of the problems with the adjacent Meadowbank View subdivision is that the settlement footprint of the house sites has literally spread and moved closer to Aboriginal sites which were apparently not in initial danger of damage and destruction from the construction of the houses (Jones 2013). In the case of a site such as TASI 10/445 this occurring would significantly impact the sites aesthetic significance. This issue clearly needs to be managed in relation to the significant Aboriginal sites on this property, in particular TASI 10/445. In order to do this the future houses must be kept at a reasonable distance from the site and mechanisms should be in place to ensure ongoing development does not creep closer to TASI 10/445 on a gradual basis.

In relation to the grazing of sheep and cattle (or other domestic live stock), these animals should be kept away from the site as it is obvious from their droppings, that they converge in such locations. Apart from the droppings building up on the shelter floor, hoofed animals can cause disturbance to the surface soil in the base of the shelter which in turn may result in both the mixing of deposits as well as opportunities for erosion issues to commence. Cattle and horses are also known to use rock faces to rub up against when they have an itch to scratch. Elsewhere domestic and feral domestic animals have

literally wiped art off rock faces. For all these reasons domestic stock should be kept away from the rock shelter. While it is presently not a problem, it is also prudent to ensure swallows do not seek to establish their nests directly on the art motifs.

In a situation where there will generally be a limited community having access to the property once the subdivision occurs, it is the opinion of the consultant that the future house owners should be made aware of the sites on the property, their cultural importance and the legal implications of damaging those sites. This removes any legal and moral right to act in a manner that causes impact to the Aboriginal heritage.

Another important aspect in managing highly significant sites such as TASI 10/445 (and MBS3/TASI 4056) is to have them regularly visited by a person or group who is interested in managing and preserving the heritage values of the site and has the technical ability to do so. As TASI 10/445 is on Hydro Tasmania owned land it is at their discretion to organise this; however, ideally these caretakers should be provided access to the site across the 457 Rockmount Road property and the right to do necessary works on the freehold land directly to the south of TASI 10/445.

In relation to the issue of the establishment of a caretaker role at TASI 10/445, it is the authors understanding that the Tasmanian Aboriginal Centre has a strong interest in the sites at Lake Meadowbank, they also currently have staff with the appropriate skill sets to effectively manage such sites.

9.1.2. MBS3/TASI 4056

While relatively close to the boundary between the freehold property and Hydro Tasmania land this site is on the freehold land.

In establishing a future management regime for this site, there would be considerable benefit in having an archaeologist with more specialist skills in the identification of ochre rock art visit the site. Also, the utilisation of modern photography techniques may be useful in determining if the brownish red marks were identifiable as anthropomorphic features (ie an area of thicker ochre which would have once surrounded the stencil of the palm of a hand). Aboriginal Heritage Tasmania has both an appropriately skilled archaeologist in Don Ranson and the necessary photographic expertise and equipment.

Note however, that even if this site is dismissed as a rock art site, an Aboriginal artefact has previously been found on the floor of this site and it has been recognised as having the potential to have stratified and potentially datable cultural deposits in the floor of the shelter. This alone ensures the site is of high scientific significance.

As with TASI 10/445 it is important to ensure this site is:

- protected from domestic stock and possibly swallows;
- provided with an adequate buffer from house related development in order to protect its aesthetic values and prevent unanticipated or planned degradation of the site;

- protected from acts of intentional or unintentional damage through targeted community education; and
- ideally managed by a organisation with the desire, skills and recourses to do so on a long term basis.

9.1.3. TASI12012, TASI11990 and TASI11992

Despite past disturbance, these three small to medium sized artefact scatters were collectively considered to have a medium level of scientific significance. In order to retain this value, efforts should be made to avoid future damage and degradation to the sites.

During the develop phase of the subdivision care should be taken to fence off the areas where these scatters are located in order to ensure track works and house site levelling and construction do not result in further impacts to the artefact scatters.

It is anticipated that pasture will most likely naturally re establish itself in this area. Once grass has re-established itself here is also no problem with grazing occurring in the areas where these artefact scatters are located.

In the long term this area needs to be protected from the spread of structures and landscape features associated with the nearest houses.

9.1.4. TASI11986, TASI11987, TASI11988, TASI11989 and TASI11991

While these sites were considered to be of relatively low heritage value, the preferred approach to managing these sites is to avoid impacting them if at all feasible. Therefore during the development phase of the subdivision, care should be taken to fence off the areas where these scatters are located in order to ensure track works and house site levelling and construction do not result in further impacts to the artefact scatters.

The boundaries of house sites 1, 6 and 11should be modified in order to ensure Aboriginal sites are both outside the development areas and likely to be at a safe distance from the development works (Figure 9-1) .Table 9-1 details the suggested new grid points for all the corner pegs on the boundaries that are recommended for alteration.

It is also recommended that the proposed tracks to house sites 2 and 3 be modified to avoid impacting Aboriginal sites (Figure 9-1). The modification to the house site locations and the track routes will remove the requirements for the proponent to seek permits under the *Aboriginal Relics Act 1975* or any successor legislation to destroy Aboriginal sites during the establishment of the subdivision.

9.2. Archaeological zoning plan

This zoning plan has been developed in order to provide targeted management advice and recommendations which, if followed, will enhance the future protection of Aboriginal heritage on this property while allowing the area to sustainably developed and enjoyed by its future residents.

9.2.1. Future development zone.

The development zone as shown in opaque blue on Figure 9-1, has been intensively surveyed during the field work associated with this project. Those sites which were found were generally isolated artefacts and small artefact scatters. This zone incorporates all the house allotments (with the possible exception of site 13) the roads and other services and a section of the foreshore near the caravan site which can be developed for water based recreational purposes without causing impact to significant Aboriginal heritage.

This zone also incorporates a number of modified house sites which were moved slightly to avoid impacting several artefacts which would otherwise have been located in the house construction zones (site 5, site 6, and site 11). As a consequence of these recommended modifications, permits will not be required for the destruction of Aboriginal heritage prior to the construction of these houses.

It has also been recommended that house site 1 be moved 40 metres to the east. This is not specifically because the lot is on an Aboriginal site, it is for the purpose of taking the future house further away from the TASI 4056. The initial positioning had the house site 81 metres from the rock shelter. With the recommended modification house site 1 will now be 120m away from this important Aboriginal site. The reasoning for this recommendation is discussed in more detail in relation to house site 13 below.

It has also been recommended that house site 13 not be developed and instead an additional house site is established (possibly between house sites 5 and 6). The reason for this recommendation is that given what has transpired on the adjacent Meadowbank View subdivision since its establishment within this instance house owners have spread out their land use foot print so they are now encroaching on Aboriginal sites which were originally approximately 100 metres from the houses. In light of this situation, at 100 metres from TASI 10/445, house site 13 was considered to be too close to a sensitive and highly significant Aboriginal site. If followed, this proposal would see the closest building 181 metres away.

There are also 3 recommended alterations to proposed track routes which will influence access to house sites 2, 3, 4 and 5. These route alterations are recommended to avoid the need for permits to be issued under the *Aboriginal Relics Act 1975*.

Finally, it remains possible that during the house development works new Aboriginal sites could be located. As the area contains sandy soil there is even a very slim possibility that human remains could be found. Therefore an unanticipated discovery plan has been provided in this report.

In relation to the Development Zone it is recommended that:

- during the initial development of the subdivision, Aboriginal sites TASI11986, TASI11987, TASI11988, TASI11989 and TASI11991 be fenced off using temporary fencing in order that the sites are not inadvertently damaged or destroyed by the construction activities, (Aboriginal Heritage Officer Colin Hughes can assist in their relocation);
- in the absence of appropriate and enforceable land management restrictions (through the future stratum plan) which can guarantee that TASI 10/445 won't be impacted by the presence of the subdivision, that the boundary pegs of house sites: 1 11 be altered in line with those coordinates provided in Table 9-1
- that the boundary pegs of house sites: 6 and 11 be altered in line with those coordinates provided in Table 9-1;
- that consideration be given to creating an additional house site between lots 5 and 6 in order to provide an alternative location to potentially replace house site 13 (see Table 9-1 for coordinates);
- that the proposed tracks to lots 2 and 3 be modified to avoid known Aboriginal heritage sites.
- that if during development works Aboriginal heritage material is found work should immediately cease and the unanticipated discovery plan must be followed (section 9.3).
- the future resident of the area be provided with interpretive material suitable to ensure that they have the opportunity to appreciate the presence and values of the Aboriginal heritage and cannot claim ignorance as an excuse for any future acts of vandalism or destruction, (this action may not necessitate identifying the specific location of sites, however it will require indicating what site types should be avoided [ie: rock shelters]).

9.2.2. Future heritage management zones

The heritage management zone has been recommended to create a buffer against future development in proximity to the more significant Aboriginal sites. There are three sections of this zone. Zone A and B relate to the Rock shelters TASI 10/445 and TASI 4065 respectively; zone C is associated with the artefact scatters TASI12012, TASI11990 and TASI11992.

In relation to Zones A and B, it is recommended that in these zones:

- in the absence of appropriate and enforceable land management restrictions (through the future stratum plan) which can guarantee that TASI 10/445 won't be impacted by the presence of the subdivision, house site 13 not be developed at its present location in order to provide an adequate buffer for the future protection of TASI 10/445;
- the natural bush be allowed to return in the area (the adequate size of the development zone will enable the future house owners to protect themselves from the risk of future bush fires);
- grazing should also be avoided in these zones as there is evidence that livestock can have a detrimental effect on the two rock shelters (ideally these two areas should be fenced off);

- the rough track running down to the lake from TASI 10/445 be re-vegetated (by Hydro Tasmania) in order to make it less likely that the rock shelter is located by recreational lake users;
- if possible Aboriginal Heritage Tasmania (AHT) Rock Art specialist Don Ranson be invited to inspect TASI 4065 to provide his insight as to whether the marking on the shelter wall are likely to be art;
- that consideration be given to finding an Aboriginal organisation who are willing to take up the role of custodian/manager of TASI 10/445 and TASI 4056 [a likely group for this role is the Tasmanian Aboriginal Centre (TAC) as they already appear to have a working relationship with Hydro Tasmania and have demonstrated an interest in the area];
- That if an Aboriginal custodian/management group can be found, they are provided with access rights so they can enter these heritage management zones as is needed.

In relation to Zones C, it is recommended that:

- during the initial development of the subdivision sites TASI12012, TASI11990 and TASI11992 be fenced off using temporary fencing in order that the sites are not inadvertently damaged or destroyed by the construction activities (AHO Colin Hughes can assist in their relocation);
- that in the long term the area be allowed to re-grass;
- that if desired by the future property managers, domestic animals be allowed to graze the area in sustainable numbers.

9.2.3. The remainder of the property

Beyond the two above zones are sizable sections of the property which don't appear to be rich in Aboriginal heritage. The section along the lake shore in the central area of the property was intensively surveyed but showed no sign of Aboriginal heritage. This shore is however steep and rocky is therefore not is likely to be suited for development.

The landward area was only surveyed in part, and there is therefore some potential for Aboriginal sites to still be present. These would however be small artefact scatters and isolated artefacts. In the near future the area could continue to be grazed as long as the heritage management zone is fenced off. In the longer term if additional developments are planned the proponent will need to seek advice from AHT.

Table 9-1: Proposed corner points for amended house sites.

Location	Corner Point 1	Corner Point 2	Corner Point 3	Corner Point 4
Site 1	E: 482289 N: 5285821	E: 482334 N: 5285821	E: 482289 N: 5285783	E: 482333 N: 5255782
Site 6	E: 481563 N: 5285911	E: 481585 N: 5285900	E: 481551 N: 5285889	E: 481573 N: 5285878
Site 11	E: 481315 N: 5286203	E: 481338 N: 5286191	E: 481304 N: 5286179	E: 481326 N: 5286168
New Site 13	E: 481670 N: 5285834	E: 481691 N: 5285821	E: 481657 N: 5285814	E: 481677 N: 5285799

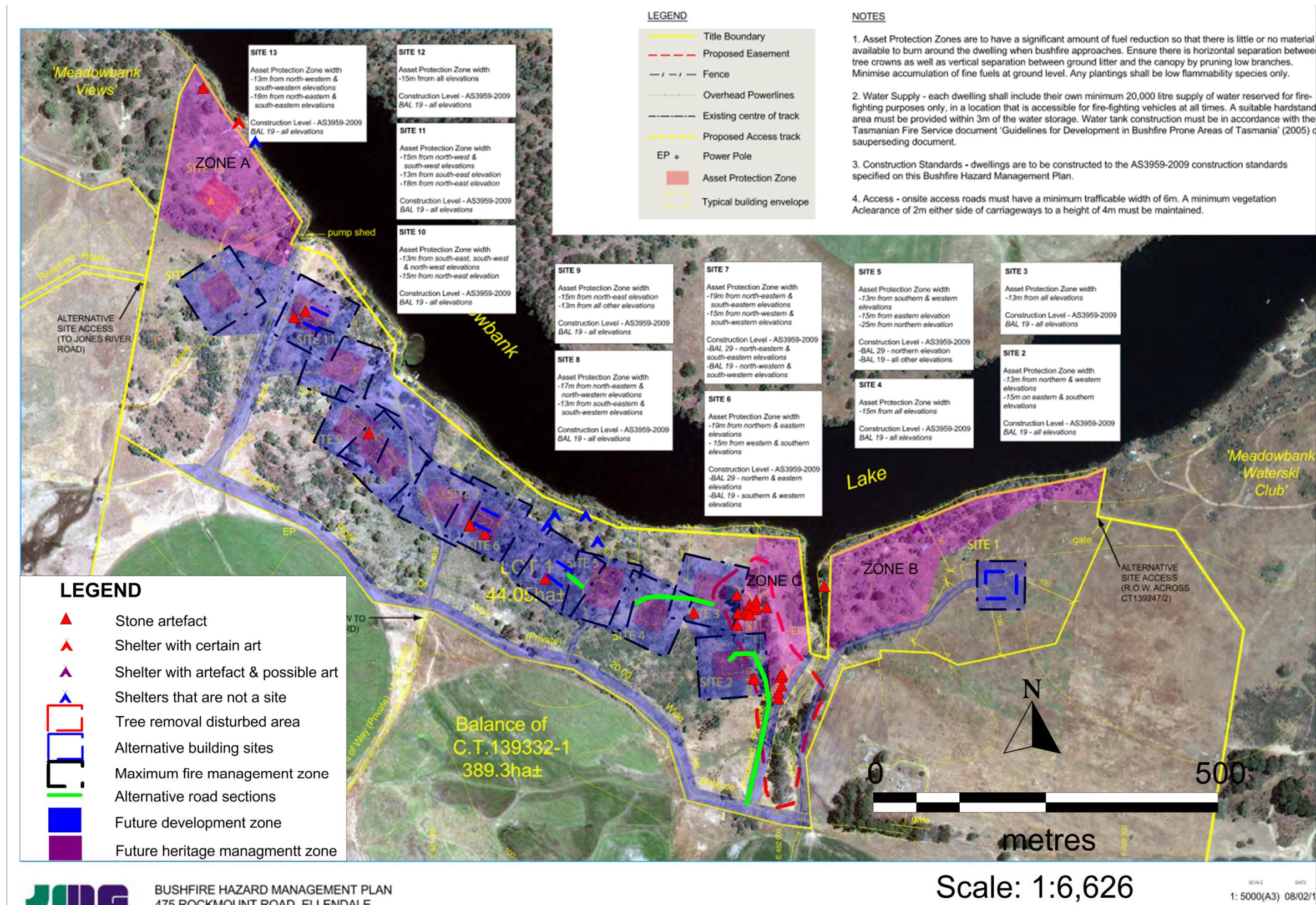
9.3. Unanticipated site discovery plan

All sites containing evidence of Aboriginal occupation or use are protected by the *Aboriginal Relics Act 1975* and it is an offence to disturb an Aboriginal site without the written permission of the Minister.

The contingencies below must be followed by the Proponent (and / or Proponent's agents) in relation to the unexpected discovery of suspected Aboriginal 'relics' during future construction activities:

1. In the event that suspected human remains are discovered call the Tasmanian Police immediately.
2. If suspected Aboriginal cultural heritage material (non-human remains) is identified during the activity, then following process must be undertaken:
 - a) AHT must be contacted immediately and informed as to the situation.
 - b) Relevant works in the area of the discovery must be suspended immediately and the relevant site extent should be isolated from further disturbance by safety webbing or other suitable barriers. The cultural material must not be removed.
 - c) AHT will most likely request that the area be inspected by an AHO and possibly an archaeologist. If determined to be Aboriginal cultural material the inspectors will provide AHT with details of what the situation is and following this consultation should be able to provide the proponent with an indication as to whether the planned work needs to be modified or delayed.
 - d) If a permit is required, the process will likely take up to 8 weeks to process. Depending on the particular circumstances, the activity may not be able to continue in the specific location until a permit is issued.

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■ Figure 9-1: Cultural heritage management zoning plan

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10. Conclusions

While there were a number of Aboriginal sites located during the investigation of the 475 Rockmount Road property; and a number of these sites were of high to medium cultural significance, this should not prevent the subdivision occurring as long as a responsible approach to the management of the cultural heritage is undertaken.

To be successful this approach should include:

- relocating some proposed infrastructure in order to ensure the protection of the Aboriginal heritage;
- actively protecting known Aboriginal heritage during the construction of infrastructure;
- creating heritage protection zones over the culturally significant portions of the property;
- seeking to take a balanced approach to informing future residents about the fact that there is Aboriginal heritage in the area and ensuring that they understand their obligations to make certain their actions don't impact it; and
- if possible seeking to have the most significant Aboriginal sites more actively managed into the future.

11. References

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Australia ICOMOS, 1999, *The Burra Charter*, Australia ICOMOS.

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12. Glossary

Anthropomorphic: Attribution of human motivation, characteristics, or behaviour to inanimate objects, animals, or natural phenomena

Artefact: An item of cultural material that is, made by humans.

In situ: Describes cultural material which is found undisturbed since it was originally discarded.

Visibility: Refers to the degree to which the surface of the ground can be observed. This may be influenced by natural processes such as wind erosion or the character of the native vegetation, and by historical land use practices. It is generally expressed in terms of the percentage of the ground surface visible for an observer on foot.

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Appendix A: Aboriginal community consultation.

Date	Contact Mode	Details	Document Number
4 March 2014 – 12 March 2014	Emails	Email from Michael Jones originating on 4 March 2014 to AHO Colin Hughes seeking feedback in relation to draft report and feedback by Colin Hughes dated to the 12 March 2014.	1
4 March 2014 – 1 April 2014	Emails	Email from Michael Jones originating on 4 March 2014 to TAC officer Andry Sculthorp (and CCed to Heather Sculthorpe TAC CEO) seeking feedback in relation to draft report. Follow up email from Michael Jones dated the 30 March 2014. Email from Andry Sculthorp with comments from the TAC dated the 1 April 2014. Email from Michael Jones to Andry Sculthorp thanking TAC for their feedback dated the 1 April 2014. Email from Heather Sculthorp with comments concerning her interpretation of consultants motivations and ethics dated the 1 April 2014.	2

Document Number 1

DRAFT

Michael Jones

From: Colin Hughes <colinjhughes67@gmail.com>
Sent: Wednesday, 12 March 2014 12:49 PM
To: Michael Jones; Michael Jones
Subject: Re: Meadowbank Draft Report for review and Aboriginal Community Consultation.

Site visits

On Mar 12, 2014 10:58 AM, "Colin Hughes" <colinjhughes67@gmail.com> wrote:

Michael I have viewed the report, the recommendations are sound from an Archaeological viewpoint however the Aboriginal community do not agree to the development taking place due to the close proximity of the rock shelter, they are concerned of the effects on more visitation to Megs Mitt. The impacts of the buildings will affect the visual landscape. The Aboriginal community conduct sure visits to the area, so access to community is a factor.

On Mar 4, 2014 7:51 AM, "Michael Jones" <mdjoneskamae@outlook.com> wrote:

Colin

Please note I have express posted the Meadowbank Draft Report for review and Aboriginal Community Consultation to your postal address. It was unfortunately too large a report to be emailed.

When you provide your feedback, over the next 2 weeks could you also please send me your invoice for the day's work with your current ABN and your preferred account details and I will forward the final \$770 directly into your account.

Hope you are well.

Michael Jones
Principal Consultant – Kamae Consulting

BA Hons (Archaeology)

Grad Dip Environmental Studies, Hons

Grad Dip Spatial Information Science, Hons

Dip Project Management

MBA (Project Management & Public Sector Management)

Full Member:

Australian Institute of Project Management

Planning Institute Australia

Australia ICOMOS

Australian Association of Consulting Archaeologists Inc.

Australian Archaeological Association



Archaeology
Cultural Resource Management
Environmental Planning
Project Management

Tel: 0490 088 646

Email: mdjoneskamae@outlook.com

Document Number 2

DRAFT

Michael Jones

From: Heather Sculthorpe <heather.s@tacinc.com.au>
Sent: Tuesday, 1 April 2014 8:16 PM
To: 'Michael Jones'; andry.s@tacinc.com.au
Cc: 'Craig Terry'
Subject: RE: Meadowbank Draft Report for review and Aboriginal Community Consultation.

Oh come on Michael – you know this one is a biggy – and you still choose to stand back and collect the cheque??? I take it that you have now again made the bed you wish to lie in?

Heather Sculthorpe

From: Michael Jones [mailto:mdjoneskamae@outlook.com]
Sent: Tuesday, 1 April 2014 8:02 PM
To: andry.s@tacinc.com.au
Cc: heather.s@tacinc.com.au; 'Craig Terry'
Subject: RE: Meadowbank Draft Report for review and Aboriginal Community Consultation.

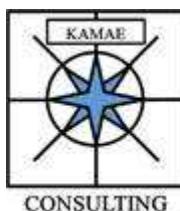
Andry

Thankyou for the attached comments provided by the TAC in relation to the draft report. I have both updated the report in relation to the points of clarification which the TAC provided and have included the entirety of your comments in Appendix A of the report. Subject to the provision of a final TASI number from AHT, I will forward the report to AHT for their formal review.

Yours sincerely

Michael Jones
Principal Consultant – Kamae Consulting

BA Hons (Archaeology)
Grad Dip Environmental Studies, Hons
Grad Dip Spatial Information Science, Hons
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Australian Archaeological Association



Archaeology
Cultural Resource Management
Environmental Planning
Project Management

Tel: 0490 088 646
Email: mdjoneskamae@outlook.com

From: Andry Sculthorpe [<mailto:andry.s@tacinc.com.au>]
Sent: Tuesday, 1 April 2014 3:25 PM
To: 'Michael Jones'
Cc: heather.s@tacinc.com.au
Subject: RE: Meadowbank Draft Report for review and Aboriginal Community Consultation.

Hello Mike,

Attached are some comments on the Meadowbank situation,

Please advise if you require clarification on anything

Thanks

Andry

From: Michael Jones [<mailto:mdjoneskamae@outlook.com>]
Sent: Sunday, 30 March 2014 2:16 PM
To: 'Andry Sculthorpe'
Cc: heather.s@tacinc.com.au
Subject: RE: Meadowbank Draft Report for review and Aboriginal Community Consultation.

Andry and Heather

I am just awaiting AHT to forward a final TASI number and I will then forward the draft report through for an AHT review next week.

I would be very pleased to include TAC comments in relation to the report If you are able to send me some feed back by COB Monday 31 March 2014.

Kind regards

Michael Jones
Principal Consultant – Kamae Consulting

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From: Michael Jones [<mailto:mdjoneskamae@outlook.com>]
Sent: Tuesday, 4 March 2014 8:02 AM
To: 'Andry Sculthorpe'
Cc: 'Craig Terry'; heather.s@tacinc.com.au
Subject: Meadowbank Draft Report for review and Aboriginal Community Consultation.

Andry

Please note I have express posted the Meadowbank Draft Report to the TAC postal address in order to allow you to read and review it (if you so desire). It was unfortunately too large a report to be emailed.

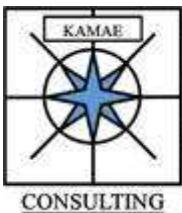
Could you please forward me any feedback in relation to the report within a fortnight of receipt. By that stage I will have TASI numbers allocated by AHT and will lodge the report (including any comments from your organisation) to AHT.

If I receive no comments within the fortnight from the date of receipt of the document, I will assume that your organisation has no issues with the report and will finalise the document.

Kind regards

Michael Jones
Principal Consultant – Kamae Consulting

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Dear Michael,

The draft report for the development at **475 Rockmount Rd, Lake Meadowbank, February 2014** has been received and we submit the following response.

The fundamental and ongoing flaw with Aboriginal Heritage management practice in Tasmania is the continual incapacity of practitioners to apply heritage assessment principles that reflect the Aboriginal view of heritage in an unbiased objective and protection focussed way, and the belated stage in development process whereby Aboriginal Heritage is addressed. The *Aboriginal Relics Act 1975* is only partly to blame.

The report undertaken by Jones and Hughes seems ambitious in its efforts to achieve the following:

- The enabling of the development in as close to its current proposal as possible to the satisfaction of the paying proponent.
- Protection of Aboriginal Heritage values of importance to the Aboriginal community
- Preparation under guidance from the ICOMOS Burra Charter.
- Compliance with the *Aboriginal Relics Act 1975*
- Compliance with management plans as prescribed in the proposed *Aboriginal Heritage Bill 2013*

The approach to its credit has been a substantially more conscientious one than was delivered by Huys and Graham 2009 for the adjacent *Meadowbank views* subdivision and the report is a good starting point for further discussing the issues. The fact that the assessment is being undertaken after approval has already been granted by the Central Highlands Council means that an objective assessment is compromised. Instead, a “try and protect what we can” in the context of the development going ahead approach seems to be on the table.

As a document, so far where the report is inadequate is related to failure to acknowledge the importance of the study area as a place and a cultural place as opposed to a collection of individually assessed heritage items, therefore does not address the broad scale impact of the subdivision as a whole. The result resembles a reductionist approach that fails to adequately express the Aboriginal Heritage value holistically and in doing so misrepresents value and significance of the items and the place.

The place in this sense can be described as the landforms and landscape features that combine to give context and coherence to the various elements that are to be found, the place can also be described as containing a series of smaller places or elements embedded within. It can be seen as a section of river or lake margin that has been spared the worst damage from the surrounding

agricultural activity, contains a suite of elements important to the heritage of Aboriginal people, and is now under development.

Identifying impacts to discrete elements in isolation using the ICOMOS *Burra charter* criteria doesn't articulate the overall impact in a sense that is meaningful to understanding Aboriginal values.

The development is to occur in an area that has multiple layers of heritage value for Aboriginal people, as a place the landscape within and around the study area along this section of river margin is considered especially important due to the presence of the artwork within the rock shelter, but adding to the importance and value is the cultural material that can be seen, felt and recalled from when visiting the area. It is an important and deeply felt cultural experience to walk over the land in and around the area containing the precious art and see the other activities of the ancestors who created this art expressed over the landscape, whether they be artefacts scatters or individual artefacts, these objects are part of the experience that can be felt by people spending time there.

Where the native vegetation communities survive, this allows for connection with a shared experience with the people who lived on this piece of land and left their mark, this fabric of the cultural/natural landscape whether in a manipulated or natural state gives important meaning to people who visit this area, also containing key species that were important to Aboriginal people. Much of this knowledge is being reconstituted and yields an important heritage story with much further potential for discovery.

Native vegetation communities of this kind are much reduced and possess qualities that particularly combined with human cultural material provide for intangible feelings and associations that are part of the Aboriginal identity, the whole is more than the sum of its parts.

The sense of being away from urbanness agriculture or other developments within this area contribute to the feeling of connectedness with what is natural and cultural, two themes that overlap. The erection of 13 houses over the landscape will dramatically alter the aesthetic, social and spiritual value of the area. Once developed a permanent landscape change will take place, a change that will harm the values that are important to the Aboriginal community.

The report downplays the natural and aesthetic values over much of the property either by emphasising levels of disturbance or by prescribing values only in association with a discrete object/s i.e. an artefact or scatter and determining an aesthetic, social etc value specifically for those objects. This is not the way we would view our heritage and is arguably not the way in which application of the *Burra Charter* criteria were meant to be applied.

The fact is that this development and the development that occurred next door are not compatible with protecting the Aboriginal heritage values of the property. It seems also that the approval of the subdivision prior to undertaking an Aboriginal Heritage assessment is in contravention of the Central Highlands Planning Scheme whereby 5.5 states part:

5.5 Before approving any new development adjoining a Heritage Site, Council must assess the effect that the proposed development will have on the heritage Significance of the site.

The Meadowbank site or 'Megs Mitts' Rock shelter is listed as a Heritage place as per part 5 of the planning scheme and therefore should have been dealt with as such in accordance with the planning scheme.

The planning scheme also states that:

5.1 The aims and objectives of the Heritage Provisions are:

- (a) *To conserve the historic, natural and indigenous heritage of land covered by this Scheme,*
- (b) *To integrate heritage conservation into the planning and development control processes,*
- (c) *To provide for public involvement in conservation issues, and*
- (d) *To ensure that development is undertaken in a manner sympathetic to, and does not detract from the heritage significance of the items and their settings, as well as streetscapes and landscapes and the distinctive character that they impart to the Council Area.*

Clearly this is indeed a distinctive heritage landscape that imparts great character to the area.

The presence of 13 houses throughout this landscape will detract from the tangible and intangible heritage values. The development undeniably and immensely increases the risk of direct damage to the highly sensitive rock art through ignorance accident or malice, will almost certainly disturb cultural material found or even more likely not yet located, will negatively impact the aesthetics and cultural feel of the place, and socially will potentially further alienate many Aboriginal people from experiencing the heritage value of the place. These cumulative impacts affect the spirit of Aboriginal people, as so much of the heritage of Aboriginal people has been removed, destroyed, vandalised and locked away over the last 200 years.

In recent times more Aboriginal people including elders, families and children have reconnected with the area and are much dismayed at what they see as a disrespect of their cultural values. There are few places that offer this kind of heritage experience and are accessible to the Aboriginal community by road. With respect that most of the area is private land, there is also much hope that Aboriginal people can begin to spend more time within the area to fully appreciate the values it holds. Relationships with the adjoining landholder have been maintained and encouraged to facilitate this.

The Jones 2014 report acknowledges the need for continual custodianship by the Aboriginal community and seeks to ensure that this is formalised through the stratum title process, within itself this is commendable and is an important acknowledgement of the connection that Aboriginal people have to this place and the role we need to have in management.

The Aboriginal community aspires to preserving as much of the value as described above as possible, this means that the first position held is that the development should not have been approved by the Central Highlands Council prior to undertaking an Aboriginal Heritage assessment. Clearly as described, the development is in direct conflict with Aboriginal heritage values and if these values are to be respected it should not continue.

This current predicament shows a lack of respect for Aboriginal values and a lack of adequate process within the Central Highlands Council. So does it unfairly place the developer in an unfavourable position whereby he is found to be operating in adversity to the views of the Aboriginal community at a stage in proceedings where these issues should have already been identified.

We now seek to provide for the best outcome for respecting the past and future heritage of the place. This will require some negotiation between the Tasmanian Aboriginal Centre and the landholder to attempt to reach a mutually beneficial agreement over the future of the development.

The proposal as is prescribed in the Jones report is an inadequate outcome, therefore we invite the landholder to enter into further negotiation to promptly further this negotiation and try to achieve a mutual benefit.

Conclusions:

- Due to the inevitable impact of such a development on the history and future of Aboriginal people, The Tasmanian Aboriginal Centre cannot not support the development in its current form or that as proposed by Jones (2014).
- Primarily we seek to work with the landholder to negotiate options for land purchase of an area of land so as to maximise potential for appropriate management and custodianship by the Aboriginal community.

Tasmanian Aboriginal Centre

April 1st 2014

Attachment A: Further brief comments on the report.

Pros	Cons
<ul style="list-style-type: none"> • Recommends putting any management requirements into stratum titles so as to ensure compliance. • Makes recommendations to ensure residents are aware of obligations and what to avoid • Recommends ongoing Aboriginal community involvement in management, and access rights given. • Acknowledges that the Aboriginal community have their own organisations. • highlights situation with ongoing impact and disturbances activities from adjacent completed <i>Meadowbank views</i> subdivision not originally proposed. • Attempts to address aesthetic and social values in report and the importance of these to Aboriginal people. 	<ul style="list-style-type: none"> • Over emphasis on previous disturbance is misleading and suggests a lower significance of the site context and aesthetic importance. It's an incorrect assessment of the environment but would have been difficult to tell because of the fire. E.g. <i>"For instance, the area had been cleared of the majority of natural vegetation for the purpose of farming"</i>. The area in which the subdivision is proposed while it has been affected by agriculture, contains a lot of native veg particularly the western end including threatened species and is an important heritage element. • Determining cultural significance: cultural significance shouldn't be determined until all values have been identified, particularly Aboriginal values. • Recommends that grazing could continue in zone C. Grazing is probably not suitable at all as it usually isn't done well and invariably leads to erosion and associated vegetation decline. • Less than half of the area surveyed (46%). Means that much information leading to understanding of use and what cultural material is present in the area could be missing. This could have implications for values assessment at a larger scale. • Consistent use of the term: <i>it is unlikely that anything other than an isolated artefact or a small unstratified artefact scatter could be present</i>, this is implying that these items would have no or little value. In context of the significance of the site to the Aboriginal people this seems a biased assertion. It could be just as easily stated that it is possible or indeed likely that Aboriginal artefacts are found. Where disturbance has taken place for pine trees removal 3 scatters

	<p>were found.</p> <ul style="list-style-type: none"> • MBR1 (TASI 445) Rock shelter has been recorded by Stockton and re recorded by Smith to contain Aboriginal ochre markings. Jones states it is not a site, while this is an entitled opinion it does not mean it is a correct one. This assertion whether intentionally or not acts to reduce the cumulative significance and therefore the overall impact of the development. • Recording rockshelters: It is common place to record unoccupied rock shelters on the TASI, the TASI is an information database and as long as the information is accurate recording rock shelters may be a good idea, where the use of the rock shelters may be unknown i.e. no art or artefacts it doesn't mean it wasn't used. In an area such as this where rock shelters are a feature of the landscape and Aboriginal use is well evidenced, rock shelters could/should be acknowledged and due respect given. But ultimately a subjective call. • Unanticipated discovery plan: there would be no way of discovering anything without the presence of a skilled person to identify material that is discovered. • Preservation of landscape, intangible and social impact is not yet adequately addressed at a property scale. • Building development zones: the subdivision plan shows lots (building envelope) mapped onto the plan and an asset protection buffer associated. The building development zones then further increase the development area substantially this we assume is acknowledging what's happened in adjacent subdivision. <ul style="list-style-type: none"> - Is this activity that is allowed under the terms of the stratum title or is it opportunistic backyard expansion?
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	<p>We presume that the original building envelope is enough for development of a unit, and the asset protection zone is suitable for protection of the units. The proposed building development zone seems unnecessary if compliance with the original maps is observed.</p>
Other comments	<ul style="list-style-type: none"> • Hand map of the shelter is not drawn by Sculthorpe and Dudgeon, it's most likely to have been Stockton as hand writing looks the same. • Andry not Andre Sculthorpe and has an e on the end. • TASI 10 and 445 not the same site, closely located but different record for each and different description. TASI 445 is MBR1 as per Jones 2013