



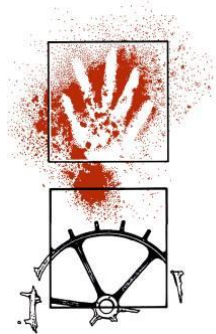
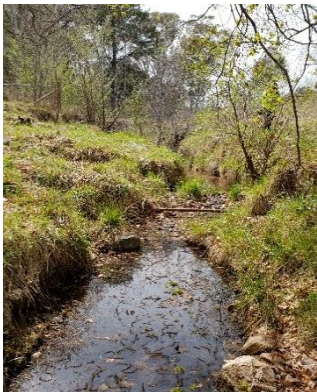
Cultural Heritage Assessment Statement of Heritage Effects

Centenary Trail Realignment

Hall

Gungahlin, ACT

January 2019



**Navin
Officer**

*heritage
consultants Pty Ltd*

acn 092 901 605

*Number 4
Kingston Warehouse
71 Leichhardt St.
Kingston ACT 2604*

www.nohc.com.au

*ph 02 6282 9415
fx 02 6282 9416*

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Project Manager: Nicola Hayes/ Jasmine Fenyvesi

Authors: Jasmine Fenyvesi

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Cover photographs: NOHC October 2018

EXECUTIVE SUMMARY

The study area sits within Gungahlin Registered Rural Block No: 583 in the Village of Hall in the Australian Capital Territory .

A proposal has been put forth which would see the Centenary Trail (CT) realigned to the eastern side of Victoria Street. Various community stakeholders have voiced concerns over pedestrian safety in regard to the section that runs along Victoria Street, Hall. The trail crosses the street near an intersection with the busy Barton Highway and crosses back again over the small vehicle bridge, putting motor vehicles and pedestrians in close contact. The realignment would negate the need to cross Victoria Street at all.

The study area sits partially within the Aboriginal Sites Zone, as part of the Hall Precinct Listing on the ACT Heritage Register (Figure 7.1), covering an area of 100 to 150 metres either side of Halls Creek. It is assessed that there is moderate potential for there to be Aboriginal sites located along Halls Creek within the identified zone.

The Hall Village Heritage Precinct is included on the ACT Heritage Places Register. The listing includes the current study area. The features intrinsic to the heritage significance of the place and recommended for conservation comprise:

- (i) The 'rural village' urban landscape character of Hall Village;
- (ii) The informal streetscape character consistent with a rural village;
- (iii) The landscape setting of Hall Village;
- (iv) Individually identified built heritage places of collective historic and social value; and
- (v) Natural and Aboriginal Heritage values of the environs around Hall Village.

The study area is located within the Aboriginal Sites Zone, listed as part of the Hall Village Precinct.

The War Memorial Grove (item 1) and Halls Creek Road Bridge (item 23) are located within or immediately adjacent to the study area. These items are listed as a *Place of Specific Value within the Hall Village Precinct*. None of these items will be directly impacted by the project.

No Aboriginal objects nor the identified Aboriginal Sites Zone will be impacted by the project.

Recommendations:

No further archaeological investigation is required for this project.

It is recommended that:

1. This Statement of Heritage Effect is required to be approved by the ACT Heritage Council before works can commence.
2. The unanticipated discovery protocols included in Appendix 3 should be implemented for this project.
3. A copy of this report should be provided to the ACT Heritage
4. One copy of this report should be provided to each of the ACT RAOs.

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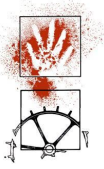
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1 INTRODUCTION

1.1 Study Area Location

The study area sits wholly within Gungahlin Registered Rural Block No: 583 in the Village of Hall in the Australian Capital Territory (Figures 1.1, 1.2 and 1.3).

The study area is located alongside Victoria Street, Hall and consists of a corridor which is approximately 1300m². The main concern of the study is the installation of a footbridge 10 metres downstream from the existing bridge, where trail abutments could be safely constructed to meet up with the footbridge.

1.2 Proposed Activity

The Centenary Trail (CT) is a 145 kilometre self-guided loop trail that showcases Canberra and takes users on a journey between urban and rural environments past iconic sites. The trail is designed to be accessible for as many walkers and cyclists as possible. It follows fire trails, walking tracks and shared paths in urban and natural areas and is open to everyone. Concern has been raised over a stretch of the CT that runs through the historic Hall Village Precinct, due to a perceived danger of trail users being in close proximity to traffic

A proposal has been put forward which would see the CT realigned to the eastern side of Victoria Street. Various community stakeholders have voiced concerns over pedestrian safety in regard to the section that runs along Victoria Street, Hall. The trail crosses the street near an intersection with the Barton Highway and crosses back again over the small vehicle bridge, putting motor vehicles and pedestrians in close contact. The realignment would negate the need to cross Victoria Street at all.

The original planned alignment saw the trail located on the eastern side of Victoria Street, the current proposed alignment, but due to time and budget constraints the trail was moved to the western side, where it overlapped with the bicentennial trail.

The proposal calls for the installation of a reinforced footbridge to allow the safe crossing of Halls Creek by walkers, cyclists and equestrians. The proposal locates the footbridge on the showground side of the existing bridge. The bridge will be installed using the 'Surefoot' system, designed to reduce impact, which negates the need for excavation or the use of concrete.

The track will be formalised through the installation of a boardwalk within the Aboriginal Sites Zone, using the Surefoot system, and the clearance of a 150 centimetre wide corridor outside of the zone. A corridor of 150 centimetres will be maintained by mowing/slashing, within this a 120 centimetre trail tread will be created by excavating 10 centimetres and filling it with compacted decomposed granite.

Appendix 2 contains further information about the 'Surefoot' system, and the proposed bridge, boardwalk, and track.

This report documents the results of a cultural heritage assessment of the Centenary Trail realignment. The report was commissioned by the Environment, Planning and Sustainable Development department (EPSDD).

1.3 Description of the Place

The Hall Village Heritage Precinct is included on the ACT Heritage Places Register. The listing includes the current study area. The features intrinsic to the heritage significance of the place and recommended for conservation comprise:

- (i) The 'rural village' urban landscape character of Hall Village;
- (ii) The informal streetscape character consistent with a rural village;



- (iii) The landscape setting of Hall Village;
- (iv) Individually identified built heritage places of collective historic and social value; and
- (v) Natural and Aboriginal Heritage values of the environs around Hall Village.

The study area partially sits within the Aboriginal Sites Zone, as part of the Hall Precinct Listing on the ACT Heritage Register (Figure 7.1), covering an area of 100 to 150 metres either side of the creek line. It is assessed that there is moderate potential for there to be Aboriginal sites located along Halls Creek within the identified zone.

The War Memorial Grove (item 1) and Halls Creek Road Bridge (item 23) are located within or immediately adjacent to the study area block (Gungahlin Registered Rural Block No: 583). These items are listed as a *Place of Specific Value within the Hall Village Precinct*. Neither of these items will be directly impacted by the project.

1.4 This Report

1.4.1 Outline

This report:

- Describes the proposed works (Section 1);
- Describes the methodology employed in the study (Section 2);
- Describes the environmental setting of the study area (Section 3);
- Provides information relevant to the Aboriginal cultural context of the study area (Section 4);
- Provides a heritage context for the study area (Sections 5 and 6);
- Describes the results of the data review, field survey and Aboriginal consultation program conducted in the context of the assessment (Section 7);
- Assesses the significance of the cultural heritage identified within the Hall study area (Section 8);
- Provides a statutory information as it relates to the cultural heritage identified within the Hall study area (Section 9); and
- Provides management recommendations based on the results of the investigation (Section 10).

1.4.2 Restricted Information

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

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

1.4.3 Confidentiality

No information in this report has been classified as confidential.

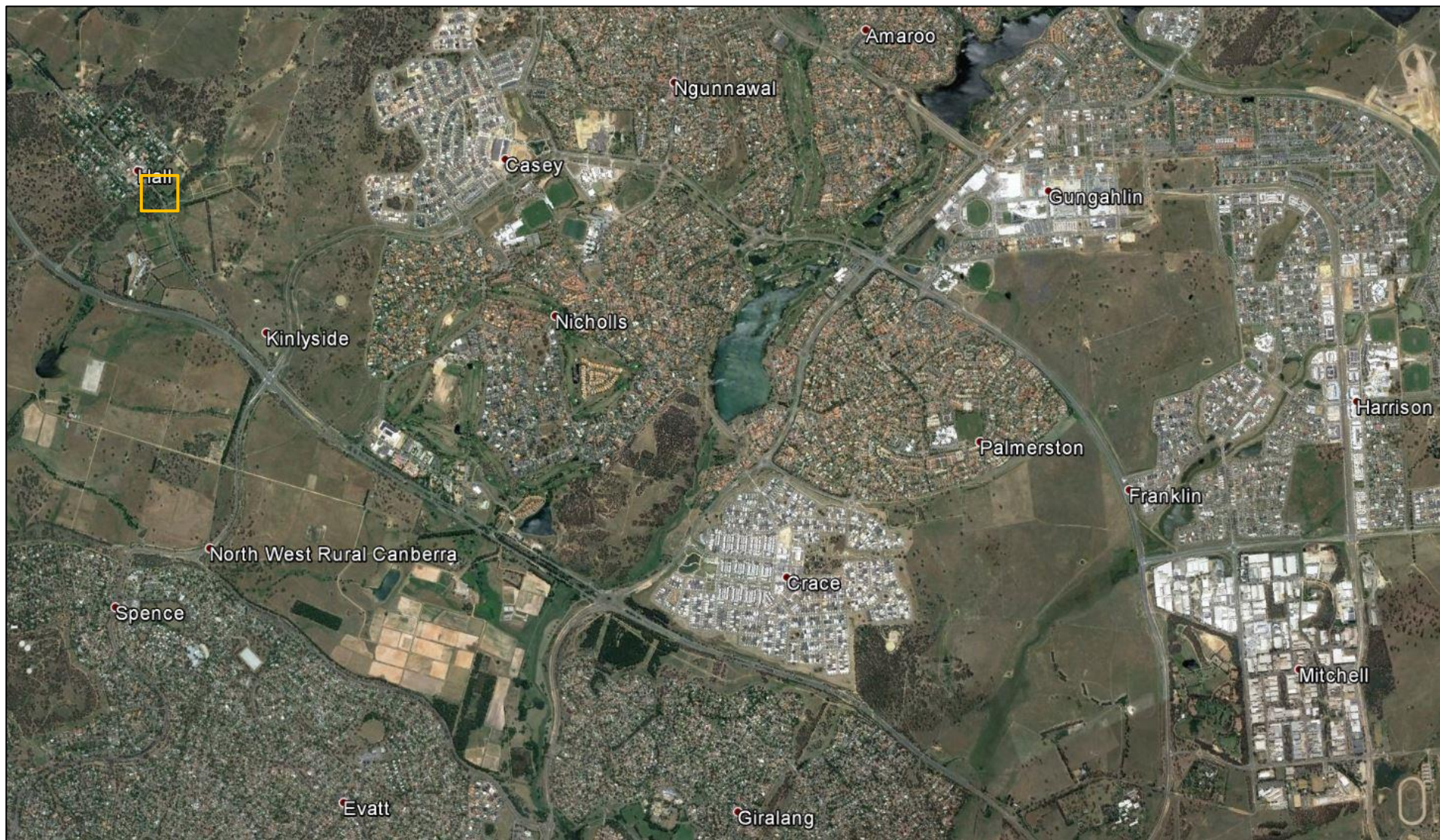


Figure 1.1 Location of Study Area, outlined in orange

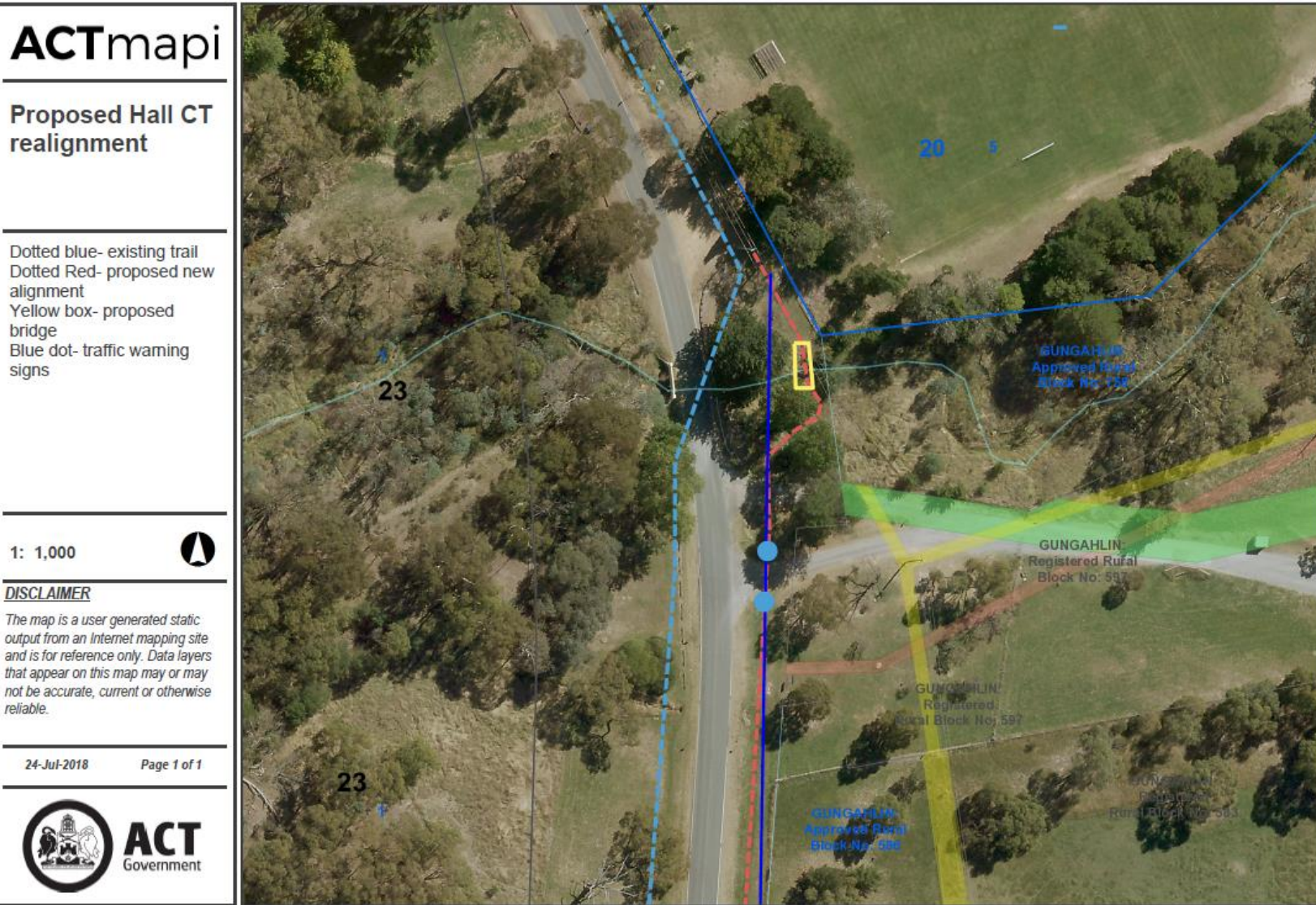


Figure 1.2 Location of Proposed Bridge

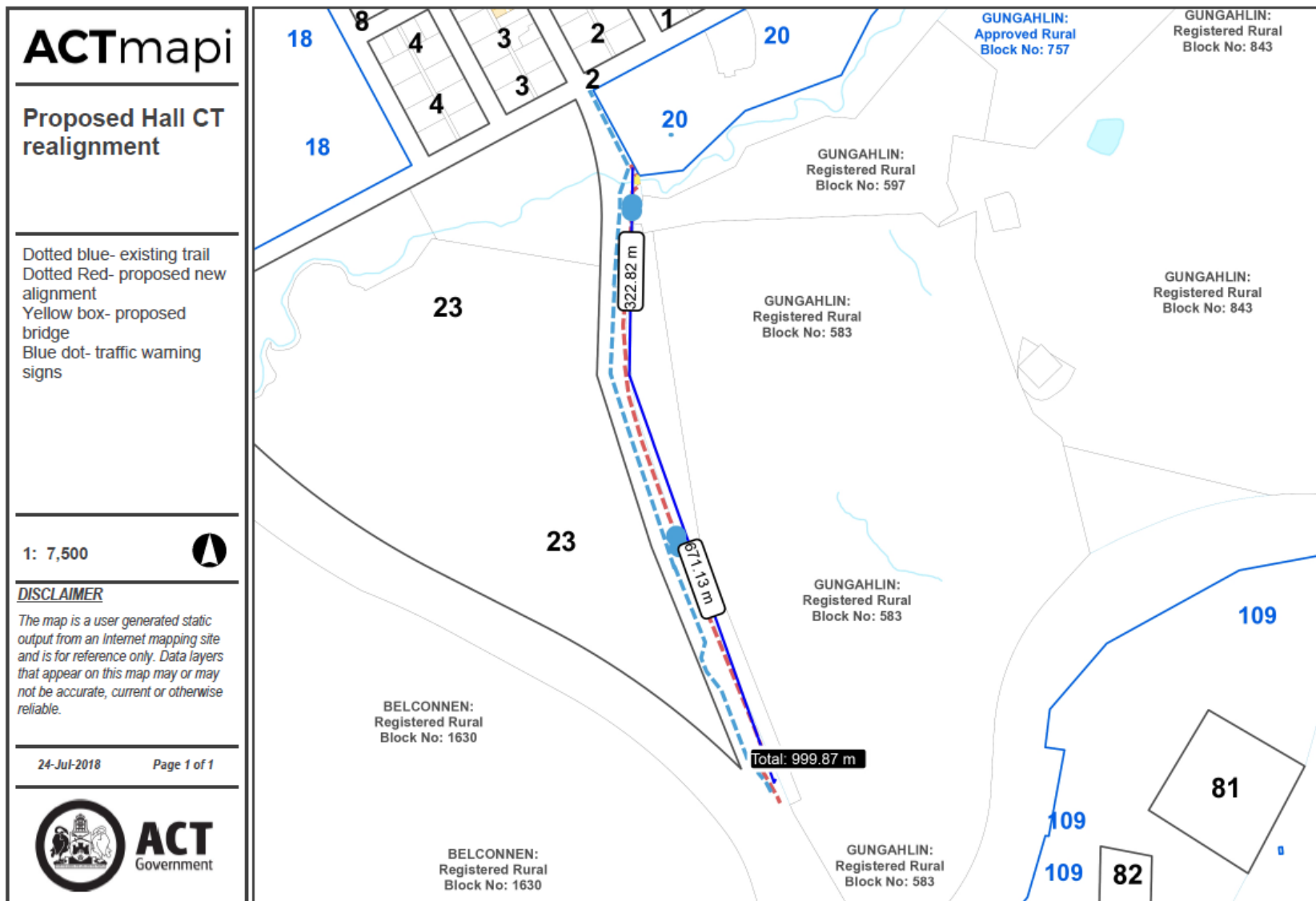


Figure 1.3 Location of Existing and Proposed Centenary Trail Track Alignments



2 RESEARCH DESIGN AND METHODOLOGY

2.1 Literature and Database Review

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

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

Searches were undertaken of the following statutory and non-statutory heritage registers and schedules:

- Statutory Listings:
 - : World Heritage List;
 - : The National Heritage List (Australian Heritage Council);
 - : The Commonwealth Heritage List (Australian Heritage Council);
 - : The Heritage Register (ACT Heritage Council); and
- Non-Statutory Listings:
 - : The Register of the National Estate (Australian Heritage Council);
 - : Register of the National Trust of Australia (ACT); and
 - : Engineers Australia (Engineering Heritage Recognition Program).

2.2 Fieldwork and Project Personnel

The site visit was undertaken on Friday 1th October 2018 by Archaeologist Jasmine Fenyvesi. Aboriginal representative Justin Bell from Buru Ngunawal Aboriginal corporation participated in the field survey.

Jasmine Fenyvesi compiled this report with internal review by Nicola Hayes.

2.3 Recording Parameters

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

2.3.1 Aboriginal Sites and PADs

A site is defined as any material evidence of past Aboriginal activity that remains within a context or place which can be reliably related to that activity.

Most Aboriginal sites are identified by the presence of three main categories of artefacts: stone or shell artefacts situated on or in a sedimentary matrix, marks located on or in rock surfaces, and scars on trees.



Frequently encountered site types within southeastern Australia include stone artefact occurrences - including isolated finds and open artefact scatters, coastal and freshwater middens, rock shelter sites - including occupation deposit and/or rock art, grinding groove sites and scarred trees. For the purposes of this section, only the methodologies used in the identification of these site types are outlined.

Stone Artefact Occurrences

Stone artefact occurrences are the most commonly recorded site type in Australia. They may consist of single artefacts - described as isolated finds; or as a distribution of more than one artefact – often described as an artefact scatter or 'open camp site' when recording surface artefacts, or as a subsurface artefact distribution when dealing with an archaeological deposit.

Where artefact incidence is very low, either in terms of areal distribution (artefacts per square metre) or density (artefacts per cubic metre), then the differentiation of the recording from background artefacts counts or *background scatter* may be an issue.

Isolated finds

An isolated find is a single stone artefact, not located within a rock shelter, and which occurs without any associated evidence of Aboriginal occupation within a radius of 60 metres. Isolated finds may be indicative of:

- Random loss or deliberate discard of a single artefact;
- The remnant of a now dispersed and disturbed artefact scatter; and
- An otherwise obscured or sub-surface artefact scatter.

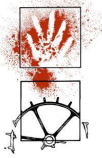
Except in the case of the latter, isolated finds may be considered to be constituent components of the *background scatter* present within any particular landform.

The distance used to define an isolated artefact varies according to the survey objectives, the incidence of ground surface exposure, the extent of ground surface disturbance, and estimates of *background scatter* or *background discard* densities. In the absence of baseline information relating to background scatter densities, the defining distance for an isolated find must be based on methodological and visibility considerations. Given the varied incidence of ground surface exposure and deposit disturbance within the study area, and the lack of background baseline data, the specification of 60 metres is considered to be an effective parameter for surface survey methodologies. This distance provides a balance between detecting fine scale patterns of Aboriginal occupation and avoiding environmental biases caused by ground disturbance or high ground surface exposure rates. The 60 metre parameter has provided an effective separation of low density artefact occurrences in similar southeast Australian topographies outside of semi-arid landscapes.

Background scatter

Background scatter is a term used generally by archaeologists to refer to artefacts which cannot be usefully related to a place or focus of past activity (except for the net accumulation of single artefact losses).

There is no single concept for background discard or 'scatter', and therefore no agreed definition. The definitions in current use are based on the postulated nature of prehistoric activity, and often they are phrased in general terms and do not include quantitative criteria. Commonly agreed is that background discard occurs in the absence of 'focused' activity involving the production or discard of stone artefacts in a particular location. An example of unfocused activity is occasional isolated discard of artefacts during travel along a route or pathway. Examples of 'focused activity' are camping, knapping and heat-treating stone, cooking in a hearth, and processing food with stone tools. In practical terms, over a period of thousands of years an accumulation of 'unfocused' discard may result in an archaeological concentration that may be identified as a 'site'. Definitions of background discard comprising only qualitative criteria do not specify the numbers (numerical flux) or 'density' of artefacts required to discriminate site areas from background discard.



Artefact scatters

Artefacts situated within an open context are classed as an open artefact scatter (or 'open camp site') when two or more occur no more than 60 metres away from any other constituent artefact. The 60 metre specification relates back to the definition of an isolated find (*Refer above*). The use of the term *scatter* is intended only to be descriptive of the current archaeological evidence and does not infer the original human behaviour which formed the site. The term *open camp site* has been used extensively in the past to describe open artefact scatters. This was based on ethnographic modelling suggesting that most artefact occurrences resulted from activities at camp sites. However, in order to separate the description from the interpretation of field evidence, the terms *artefact scatter*, *artefact distribution* or *artefact occurrence* are now more extensively used. The latter two options can also be used to categorise artefacts occurring in sub-surface contexts.

Potential Archaeological Deposits

A potential archaeological deposit, or PAD, is defined as any location where the potential for subsurface archaeological material is considered to be moderate or high, relative to the surrounding study area landscape. The potential for subsurface material to be present is assessed using criteria developed from the results of previous surveys and excavations relevant to the region. Where necessary, PADs can be given an indicative rating of their 'archaeological potential' based on a combined assessment of their potential to contain artefacts, and the potential archaeological value of the deposit. Table 3.1 illustrates the matrix on which this assessment is based. Locations with low potential for artefacts fall below the threshold of classification. In such cases the potential incidence of artefactual material is considered to be the same as, or close to that for background scatter. Where there is moderate potential for artefacts, the predicted archaeological potential parallels the potential significance of the deposit. For deposits with high potential for artefacts, the assessed archaeological potential is weighted positively.

The boundaries of PADs are generally defined by the extent of particular micro-landforms known to have high correlations with archaeological material. A PAD may or may not be associated with surface artefacts. In the absence of artefacts, a location with potential will be recorded as a PAD. Where one or more surface artefacts occur on a sedimentary deposit, a PAD may also be identified where there is insufficient evidence to assess the nature and content of the underlying deposit. This situation is due mostly to poor ground surface visibility.

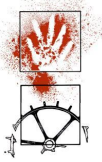
Table 3.1 Matrix showing the basis for assessing the archaeological potential (shown in bolded black text) of a potential archaeological deposit.

		Potential to contain Aboriginal objects		
		<i>Low</i>	<i>Moderate</i>	<i>High</i>
Potential archaeological significance	<i>Low</i>	---	low	moderate
	<i>Moderate</i>	---	moderate	high
	<i>High</i>	---	high	high

2.3.2 Historical Sites and Features

Historical archaeology refers to the 'post-contact' period and includes: domestic, commercial and industrial sites as well as most maritime sites. It is the study of the past using physical evidence in conjunction with historical sources. The two primary types of places or items that may form part of the historical archaeology context include:

1. Below ground evidence, including building foundations, occupation deposits, features and artefacts; and above ground evidence, including buildings, works, industrial structures and relics that are intact or ruined; and



2. Areas of land that display evidence of human activity or occupation.

Within these broad parameters, an historical archaeological site may include:

- Topographical features and evidence of past environments (that is, resident in pollens and diatoms);
- Evidence of site formation, evolution, redundancy and abandonment (that is, features and materials associated with land reclamation, sequences of structural development, demolition/deconstruction, and renewal);
- Evidence of function and activities according to historical theme/s represented (for example, an industrial site may contain diagnostic evidence of process, products and by-products);
- Evidence associated with domestic occupation including household items and consumables, ornaments, personal effects and toys;
- Evidence of diet including animal and fish bones, and plant residues;
- Evidence of pastimes and occupations including tools of trade and the often fragmentary signatures of these activities and processes;
- Methods of waste disposal and sanitation, including the waste itself which may contain discarded elements from all classes of artefact as well as indicators of diet and pathology; and
- Any surviving physical evidence of the interplay between site environment and people.

The information found in historical archaeological sites is often part of a bigger picture which offers opportunities to compare and contrast results between sites. The most common comparisons are made at the local level, however, due to advances in research and the increasing sophistication and standardisation of methods of data collection, the capacity for wider reference (nationally and, occasionally, internationally) exists and places added emphasis on identification and conservation of historical archaeological resources.

2.4 Study Limitations

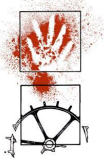
Archaeological assessments commissioned for development projects are restricted to the specific footprint that will be impacted by the project. The area of land being assessed is specifically constrained, and in many cases will not representatively sample the different landforms found across the wider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

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

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

2.5 Glossary

Aboriginal Object	means an object associated with Aboriginal people because of Aboriginal tradition (Heritage Act 2004).
Aboriginal Place	means a place associated with Aboriginal people because of Aboriginal tradition (Heritage Act 2004).



Aboriginal site	a place or location which relates to past or contemporary Aboriginal occupation. Sites can be divided into those identified from archaeological evidence (archaeological sites), and those related to intangible cultural values, such as revealed by oral tradition and lore, or from the historical record. An Aboriginal site may have both archaeological and intangible values.
archaeological site	a place or location with the confirmed presence of archaeological evidence of Aboriginal occupation, where the context of that evidence can be reliably related to the Aboriginal actions which produced the evidence.
Artefact	an object, normally portable, made or modified by human hand (see 'stone artefact').
Artefact occurrence	a term usually applied to site recordings comprising stone artefacts and which refers to one or more stone artefacts situated within a specified surface area or subsurface deposit. Various measures are used for defining the boundaries of such recordings. Refer also to 'surface' and 'subsurface artefact occurrence'.
Artefact scatter	a formerly used open site-type classification defined as two or more stone artefacts situated no more than a specified distance (such as 60m) away from any other included artefact. Typically this category did not include isolated finds. The use of the term <i>scatter</i> was intended only to be descriptive and did not infer the original human behaviour which formed the site. The term <i>open camp site</i> has been used extensively in the past to describe open artefact scatters.
Background discard or scatter	<p>There is no single concept for background discard or 'scatter', and therefore no agreed definition. The definitions in current use are based on the postulated nature of prehistoric activity, and often they are phrased in general terms and do not include quantitative criteria. Commonly agreed is that background discard occurs in the absence of 'focused' activity involving the production or discard of stone artefacts in a particular location. An example of unfocussed activity is occasional isolated discard of artefacts during travel along a route or pathway. Examples of 'focussed activity' are camping, knapping and heat-treating stone, cooking in a hearth, and processing food with stone tools.</p> <p>In practical terms, over a period of thousands of years an accumulation of 'unfocussed' discard may result in an archaeological concentration that may be identified as a 'site'. Definitions of background discard comprising only qualitative criteria do not specify the numbers (numerical flux) or 'density' of artefacts required to discriminate site areas from background discard.</p>
Isolated find	a single stone artefact, not located within a rock shelter, and which occurs without any associated evidence of Aboriginal occupation within a specified radius, such as 60 metres (depending on which archaeological convention is used). Isolated finds may represent single discard events, be constituent components of background scatter, or be indicative of larger obscured, remnant and disturbed sites.
Lithic assemblage (of stone)	a collection of whole and fragmentary stone artefacts and manuports obtained from an archaeological site, either by collecting items scattered on the present ground surface (see lithic scatter) or by controlled excavation (see also 'stone artefact').



Open camp site

a formerly used site type classification defined as an open context stone artefact occurrence (or artefact scatter), containing two or more artefacts situated no more than a specified arbitrary distance (such as 60 metres) away from any other included artefact. The term *open camp site* was based on ethnographic modelling suggesting that most artefact occurrences resulted from activities at camp sites. However, in order to separate the description from the interpretation of field evidence, both open camp sites and isolated finds are now referred to as *artefact occurrences*.

PAD

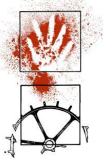
potential archaeological deposit a discrete location or area, defined spatially either by geomorphological, disturbance or administrative criteria, within which there is a predicted likelihood that subsurface archaeological material is present, and that this material would warrant archaeological investigation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

RAOs

Representative Aboriginal Organisations

SHE

Statement of Heritage Effects



3 ENVIRONMENTAL CONTEXT

The study area is located within the Gungahlin Registered Rural Block No: 583, south of Gladstone street and west of Victoria Street, in the Village of Hall. The study area is located on the northern and southern valley floor and banks of Halls Creek.

The geology of the Hall area is dominated by Late Silurian porphyritic volcanic rocks belonging to the Mount Ainslie Volcanics, chiefly dacite and rhyolite. These rocks have folded into a broad syncline with its axis running northeast to southwest. Halls Creek drains southwards approximately along this axis. Small outcrops of sedimentary shale and siltstone of late Silurian age belonging to the Canberra Formation occur to the north and east of Halls Creek valley and are interbedded with the volcanics (Anutech 1984, NCDC 1975, Canberra 1:100,000 BMR series geological map).

The base of the Halls Creek valley is mantled by deep unconsolidated Quaternary colluvium, slopewash deposits and minor creek alluvium, derived from the weathered products of the mainly volcanic slopes. Deep duplex soils with a distinct clay subsoil have developed on the valley floor. These are mostly yellow podsollic soils overlying gleyed podsolics.

Extensive soil erosion has occurred along Halls Creek. Downcutting in the creek gully appears to have now stopped and active erosion is now occurring as a process of gully widening either through undercutting of banks, secondary gullying, or removal of subsoil from seepage and subsequent collapse of overlying soil.

The extensive entrenchment and widening of Halls Creek drainage line is almost certainly a result of historic land use practices. The loss of the original sediments and soil margins of Halls Creek may have significantly diminished the survival of Aboriginal sites within these riparian zones.

The Halls Creek valley floor and associated basal slopes form a relatively flat to low gradient topographic unit with a narrow alluvial plain along the lower sections of Halls Creek and adjacent rolling terrain and broad spur lines and knolls.

Vegetation comprises predominantly introduced grasses and exotic trees. Some remnant isolated old growth Eucalypts are scattered around the area and regenerating eucalypts and shrubs are present along the creek and flats.

3.1 Land Use and Possible Effects on the Archaeological Record

European land use has resulted in changes in the rate and character of erosion and sedimentation along Halls Creek. Land surface disturbance within the study area has resulted from:

- native vegetation clearance;
- establishment of exotic and 'improved' pasture grasses;
- soil erosion, particularly evident in the form of the entrenched and gullied drainage line, and deposition of historic sediments in valley floor contexts;
- general ground surface levelling;
- construction of fence lines, minor roads and tracks, and
- installation of overhead and underground services.

This land use history will have significantly impacted the survival and integrity of the prehistoric and historic archaeological record. It is probable that most surface scatters of Aboriginal stone artefacts which occur within the uppermost soil layers will have undergone varying degrees of horizontal and vertical disturbance.



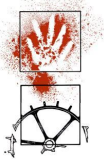
Historic sites and features may have been adversely impacted by clearance and levelling and deliberate demolition or replacement of fence lines and structures.



Figure 3.1 View of the Vegetation and grass cover typical of the study area



Figure 3.2 View along Halls Creek showing erosion



4 ABORIGINAL CULTURAL CONTEXT

4.1 Tribal Boundaries

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

A reconstruction of clan boundaries based on Tindale (1974) indicates that the northern Canberra area fell within the tribal boundaries of the Ngunnawal people. There is some uncertainty as to which language was spoken by the Aborigines of northern Canberra. This area appears to have been close to the linguistic boundary between the Gundungurra and Ngunnawal languages. Eades (1976) notes that published grammars for these two languages (Mathews 1900, 1901, 1904) are virtually identical. However according to Eades' boundaries, the Ngunnawal of northern Canberra probably spoke the Gundungurra language.

Jackson-Nakano (2001:xiv) notes that Aboriginal family groups within the Canberra-Queanbeyan district and surrounds were known by many names in the early nineteenth century, but local Europeans who knew them best referred to them as Kamberri – also spelled Kgamberri, Kamberra and even Nganbra (Ngambri). She says the heart of their country was centred on the area now referred to as the Acton Peninsular. Some Kamberri individuals, she says, intermarried with neighbouring Ngunawal families from the 1880s, and some descendants of such marriages re-identify in modern times as Ngunnawal. While maintaining their distinct association with the ACT and surrounds, members of Kamberri-Ngunnawal families might also identify personally as Ngunawal, Walgalu or even Wiradjuri through their familial links to these other groups (Jackson-Nakano 2001:xv).

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

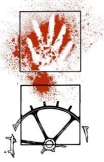
By the 1850's the traditional Aboriginal economy had largely been replaced by an economy based on European commodities and supply points. Reduced population, isolation from the most productive grasslands, and the destruction of traditional social networks meant that the final decades of the region's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

By 1856 the local 'Canberra Tribe', presumably members of the Ngunnawal or Ngarigo, were reported to number around seventy (Schumack 1967) and by 1872 recorded as only five or six 'survivors' (Goulburn Herald 9 Nov 1872).

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

4.2 Representative Aboriginal Organisations

Four local Aboriginal organisations have stated an objective to represent traditional Aboriginal cultural values and interests within the ACT. These groups have been recognised by the Minister as Representative Aboriginal Organisations (RAOs) as defined under the ACT *Heritage Act 2004*. These groups are the:



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

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

4.3 Evidence of RAO Consultation

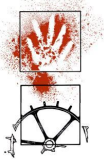
Contact was made by phone, email and post with the RAOs to inform them of this assessment and to organise representation during the field survey.

As a result, Justin Bell from Buru Ngunawal Aboriginal Corporation participated in the fieldwork program and represented the interests of their group in the project.

Records of Aboriginal Field Participation and response letter are provided in Appendix 1.

Table 4.1 Consultation Log

Date	Type of Contact (email, phone etc)	Group/Individual	Comment/Action
05/10/18	Email, post	all	Invitations to participate in the field survey
12/10/18	Field participation	Justin Bell (BNAC)	[REDACTED]
21/1/19	phone	Carl Brown (KBTG)	[REDACTED]
	phone	Paul House (Mirrabei)	[REDACTED]
	phone	Ngarigu	Left message
23/1/19	email	BNAC	[REDACTED]



5 ARCHAEOLOGICAL CONTEXT

5.1 Regional Overview

Prior to May 1992 there had been no comprehensive and systematic archaeological surveys carried out in northern Canberra. Information about both the history and prehistory of the area was contained in mostly disparate sources. Most of the archaeological investigations carried out in the area had been small in scale and limited to confined areas under threat of impact by particular infrastructure developments.

Lyll Gillespie's (1972) report on the Aboriginal people of the Gungahlin area was one of the first such reports produced for the area. The Canberra Archaeological Society (CAS) (Bindon & Pike 1979, revised 1989) conducted the first archaeological survey in the northern Canberra area in 1975-76. The survey located 'seven sites' and a larger number of 'less significant finds'.

The CAS results were re-assessed by Anutech (1984) who concluded that nine sites and fifteen isolated finds had been located by the Canberra Archaeological Society.

More generalised studies were conducted for the EIS prepared for the Gungahlin development release area (Anutech 1984, NCDC 1989) and for the compilation of the Sites of Significance volume on Gungahlin and Belconnen (NCDC 1988). The present Hall study area was included in the area assessed for the 1989 EIS.

The Anutech investigation identified only five previously unrecorded sites (none of which occur in the present study area). The study also identified several general consistencies in site location. A majority of sites were classed as located on creek banks, on low-lying but well-drained areas, and within 150 m of the junction of two creeks. This was postulated to indicate a preference for topographically confined parts of valley floors where protection from wind is greatest. At a majority of sites, artefactual material was exposed as sub-surface material eroding from A horizon sediments (Anutech 1984:24).

Although this model was considered to be incorrect by some researchers (Access Archaeology 1991:8) further comparative work by Navin and Officer (1991, 1992) tends to confirm the locational model proposed by Anutech. The majority of open artefact scatters, particularly larger sites, are situated adjacent to or in close proximity to creek flats or valley bottom contexts, frequently on low gradient basal slopes adjacent to streams.

As a direct consequence of the enactment of heritage legislation in the ACT - The Land (Planning and Environment) Act 1991 - the amount of cultural heritage assessment and investigation in the ACT increased markedly.

With the release of large areas of land for urban development in Gungahlin several larger scale systematic archaeological surveys were undertaken to define the archaeological resource of the subject areas (e.g. Officer & Navin 1992; Kuskie 1992; Wood & Paton 1992). Numerous other archaeological assessments have been carried out for smaller land areas which were likely to be affected by specific proposed developments such as roads, golf courses, water storage facilities, pipelines etc.

These surveys have resulted in the location of numerous archaeological sites in northern Canberra. The most common site type is the open artefact scatter, however scarred trees, grinding grooves, a possible ochre source and lithic raw material sources have also been identified in the area.

5.2 Related Reports and Information

Hall was included in the area surveyed in 1975 by the Canberra Archaeological Society (Bindon & Pike 1979, revised 1989) and in the area surveyed in 1984 by Anutech for the Gungahlin EIS (Anutech 1984). However, these surveys were preliminary, and few sites were located as a result of the investigations.



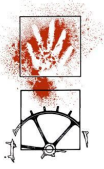
Huys and Johnston comprehensively surveyed the proposed suburb of Kinleyside, in May 1995 (Huys and Johnston 1995). Kinleyside is located to the east of Hall Village. Six open artefact scatters (ASK1-6) and four isolated finds were identified by Huys and Johnston within the suburb of Kinleyside, with a total of thirty-one artefacts recorded in the area.

Navin Officer Heritage Consultants (NOHC) undertook a cultural heritage assessment of the proposed Hall Rural Estate in 1998. The Hall Rural Estate is located to the north and east of Hall Village and includes the proposed suburb of Kinleyside. A total of twenty Aboriginal sites (HA1-HA19 and ASK1) and seventeen Aboriginal isolated finds (HA Isolated Find 1-13, and IFK1-4) were identified in the study area (Figure 5.1).

Biosis (2012) undertook the cultural heritage study for the original alignment of the Centenary Trail. Within the 130 kilometre track, Biosis identified 18 sections of trail, totalling 26 kilometres, requiring field survey and assessment. Six Aboriginal sites were located in the field survey, all located within the One Tree Hill/ Mulligans Flat area, 4 to 10 kilometres northeast of the current study area.



Figure 5.1 Sites Located during the cultural heritage assessment of the proposed Hall Rural Estate in 1998, bridge location is indicated by an orange outline



The Hall Village Heritage Precinct is included on the ACT Heritage Places Register. The listing includes the current study area.

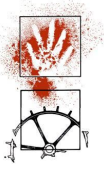
5.3 Predictive Archaeological Model – Aboriginal Heritage

As a result of the numerous archaeological surveys undertaken to date in the Gungahlin area, qualitative observations regarding Indigenous site location parameters may be summarised as follows:

- Artefact occurrences (such as artefact scatters and isolated finds) in open contexts are the most common archaeological recording type;
- Artefact densities (both on the ground surface and within the soil profile) in open artefact scatters may vary considerably;
- Open artefact scatters are most likely to occur on relatively level ground, in locally well-drained contexts, in relative proximity to a natural fresh-water source. Landforms on which open artefact scatters are likely to occur include elevated creek and river banks, low gradient basal slopes adjacent to creeks and rivers, terrace edges, and the crests of ridges and spurs;
- The majority of open artefact scatters, (particularly larger sites), are situated adjacent to, or in close proximity to, creek flats or valley bottom contexts, frequently on low gradient basal slopes adjacent to streams or wetlands;
- Open artefact scatters which contain relatively large artefact assemblages and densities occur most frequently and consistently within 100-150 m of major and relatively permanent drainage lines;
- Open artefact scatters which occur away from basal valley contexts and major streams and tributaries tend to be small and sparse in artefact content;
- Open artefact scatters may be more likely to be present at major confluences and valley constrictions;
- Most sites located away from major water sources will consist of low density scatters of artefacts, and mostly contain less than 10 visible surface artefacts;
- Artefacts may occur wherever surface exposures of exploited rock occur, rock sources which are known to have been exploited in the ACT include chalcedony, chert, quartz and fine grained igneous rocks such as fine-grained porphyry and fine-grained intrusives within granodiorite;
- Some natural exposures of fine grained siliceous rocks are unassociated with evidence for Aboriginal exploitation of that resource;



- Aboriginal scarred trees may occur anywhere old-growth trees survive. It is probable that such trees would date to no later than the 1850s and 1860s. Tree scars with an Aboriginal origin would therefore have to be at least in the order of 160 years old; and
- Arising from the results of the subsurface investigations at several PAD and non-PAD locations in Casey 1, it is predicted that in upper catchment contexts characterised by non-permanent water sources and first or second order streamlines and relatively low undulating landforms with open valley floors; the archaeological resource will consist of very low density and discontinuous occurrences of stone artefacts (with a low proportion present in subsurface contexts), in locations which in other regards, mostly comply with the general location model of locally elevated, relatively level ground situated in relative proximity to (non-permanent) water, or on major spur line or watershed crests.
- The results of cultural heritage assessments conducted for Casey 1 and Casey 2 indicate that artefacts rarely occur along the banks of first and second order upper catchment drainage lines where these contexts are not locally elevated relative to the surrounding ground.



6 HISTORICAL CONTEXT

6.1 Regional Overview

The first documentation of Europeans in the northern Canberra area is in 1820 and 1821 when exploratory expeditions in search of the Murrumbidgee River passed through the area (Gillespie 1985). By the mid 1820's the first settlers, squatters and graziers had moved into the Canberra district, some individuals obtaining crown and compensatory land grants.

As part of the initial settlement of the Limestone Plains from 1824 onwards the relatively well-watered, rolling back country drained by Sullivans Creek and Ginninderra Creek, were subject to land grants and purchases. Some of these were to men whose principal holdings lay on the Molonglo (such as Campbell and Moore), others were to George Palmer, John Langdon, Johnston, Popham, Sturt, Morrissett and Henry Hall (Gillespie 1985). Palmer's holdings and private village at Ginninderra, and Hall's 'Charnwood' property of 3462 acres were the closest grants to the present study area.

Palmer's village at Ginninderra was the major settlement in the Canberra district prior to the proclamation of Hall village by gazettal in 1882 and the subsequent development of the village in the 1880's. The first land sales in Hall took place in 1886.

6.2 Related Reports and Information

The Hall Village Heritage Precinct is included on the ACT Heritage Places Register. The listing includes the current study area. The features intrinsic to the heritage significance of the place and recommended for conservation comprise:

- (vi) The 'rural village' urban landscape character of Hall Village;
- (vii) The informal streetscape character consistent with a rural village;
- (viii) The landscape setting of Hall Village;
- (ix) Individually identified built heritage places of collective historic and social value; and
- (x) Natural and Aboriginal Heritage values of the environs around Hall Village.

The War Memorial Grove (item 1) and Halls Creek Road Bridge (item 23) are located within or immediately adjacent to the study area block (Gungahlin Registered Rural Block No: 583). These items are listed as a *Place of Specific Value within the Hall Village Precinct* (Figure 6.1). None of these items will be directly impacted by the project. See Figures 6.a and 6.2 for the location of the project area in relation to the listed items.

6.3 Predictive Archaeological Model – Historical Heritage

Unrecorded historic sites and features of heritage significance that may occur within the study area include:

- Old fence lines, such as post and rail fencing; these may occur along road easement boundaries and farmlands.
- Sites associated with early roads; these will be closely associated with early cadastral road reserves, watershed ridgelines, and related to early river and creek crossing points;

Structures of historical interest and heritage significance may be standing, ruined, buried, abandoned or still in use

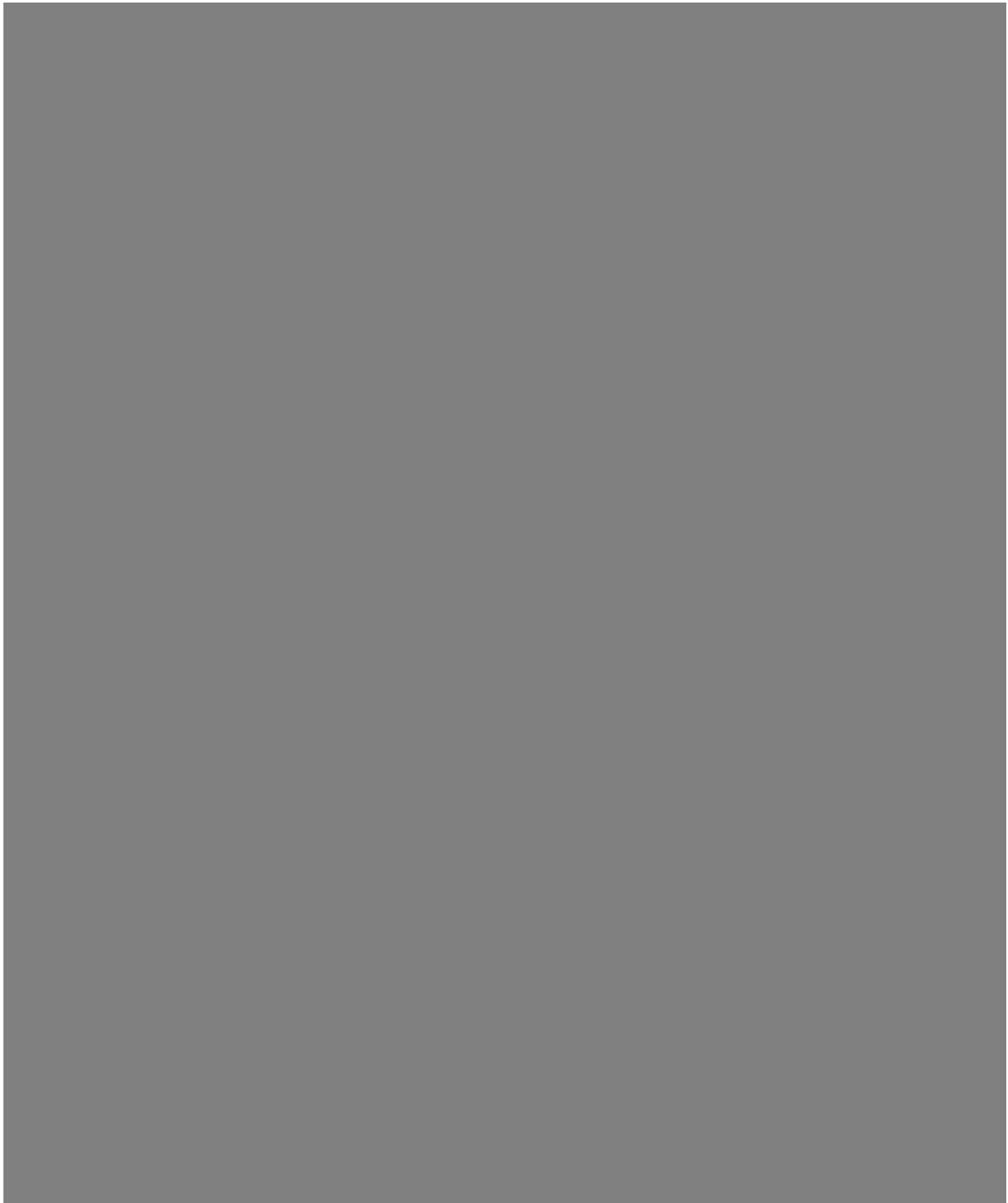


Figure 6.1 Location of Places of Specific Value within the Hall Village Precinct Heritage Register – bridge location in orange

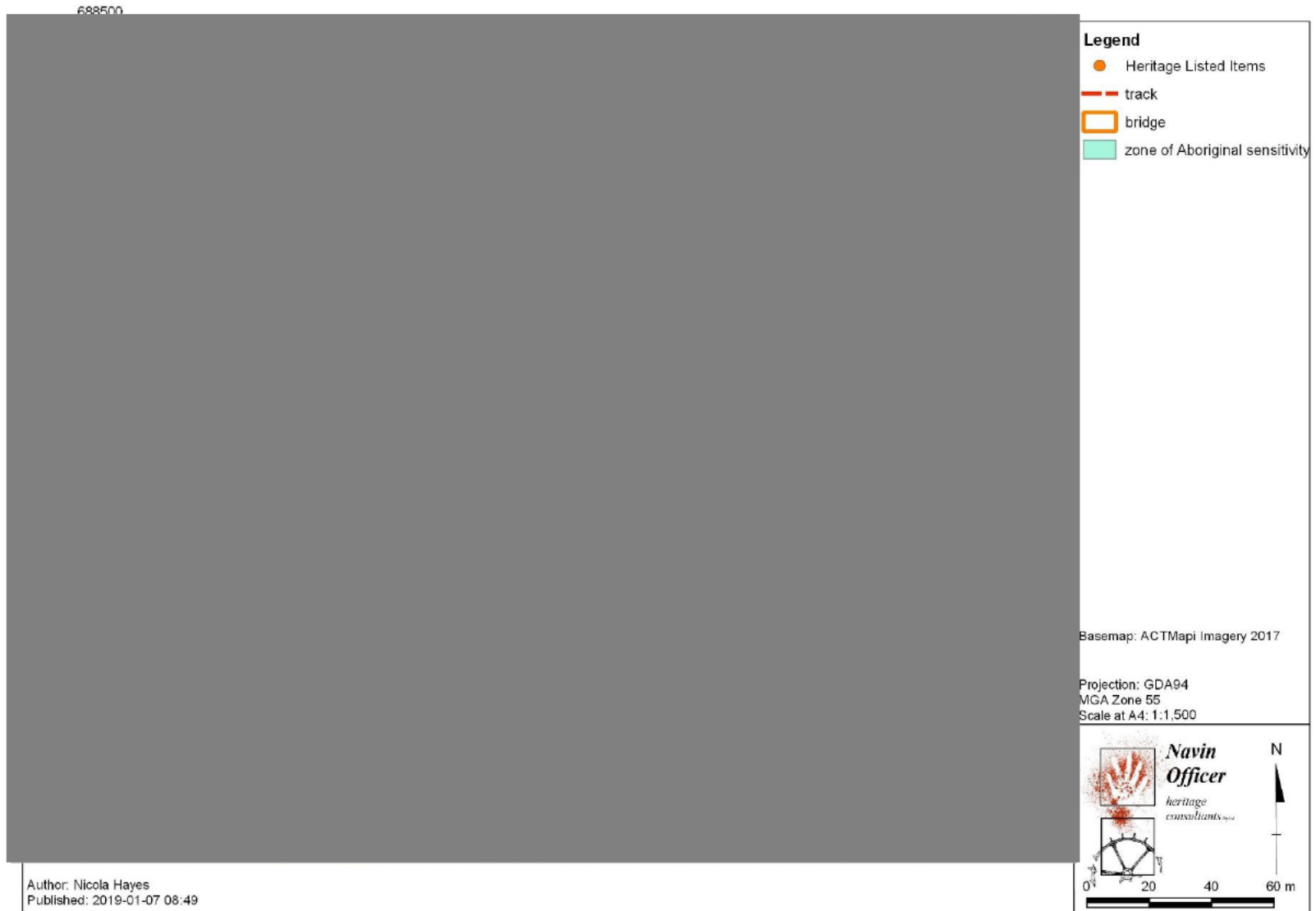


Figure 6.1 Project with Zone of Archaeological Sensitivity



7 PHYSICAL INVESTIGATIONS

7.1 Results

No Aboriginal, or non-Aboriginal artefacts were identified during the field survey undertaken in October 2018.

The study area is partially located in an area listed as an Aboriginal sites zone as part of the Hall Precinct Listing on the ACT Heritage Register (Figure 6.1). It is assessed that there is moderate potential for there to be Aboriginal sites located along Halls Creek within the identified zone. The area of moderate potential can be defined as the area identified in the heritage listing as the zone of Aboriginal sites and covers an area of 100 to 150 metres either side of the creek line.

There is moderate potential for those sites to be in-situ below the disturbed and bioturbated 5-10 centimetre zone, i.e. below the zone where artefacts are moved through the surface and soil profile due to natural processes such as insect movement and vegetation root growth.

The banks of the creek have eroded significantly within the study area. This area has been heavily disturbed by European impact, including the construction of the Halls Creek Road Bridge, the reinforcing of the creek banks and subsequent decay of this reinforcing, as well as the installation of fences and service pipes.

The War Memorial Grove (item 1) and Halls Creek Road Bridge (item 23) are located within or immediately adjacent to the study area block (Gungahlin Registered Rural Block No: 583). These items are listed as a *Place of Specific Value within the Hall Village Precinct*. None of these items will be directly impacted by the project.

7.2 Survey Coverage and Visibility Variables

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

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

Ground surface visibility at the time of the field assessment was extremely low. The study area was obscured by grasses and thick leaf litter, up to 20 centimetres deep in some areas. Some ground surface exposure occurred along the eroded bank of Halls Creek, however long overhanging grass also concealed these exposures.



Figure 7.1 View of visibility on surface and banks.

7.3 Discussion

The Halls Creek study area is located in a landform identified by the predictive model as likely to contain open artefact scatters. The predictive model states:

- Open artefact scatters are most likely to occur on relatively level ground, in locally well-drained contexts, in relative proximity to a natural fresh-water source. Landforms on which open artefact scatters are likely to occur include elevated creek and river banks, low gradient basal slopes adjacent to creeks and rivers, terrace edges, and the crests of ridges and spurs; and
- Open artefact scatters which contain relatively large artefact assemblages and densities occur most frequently and consistently within 100-150 metres of major and relatively permanent drainage lines.

Aboriginal sites have been located along Halls Creek and the surrounding area, however none have been located within the project area.

The study area has been subject to a high level of disturbance. The banks have been heavily eroded and impacted by European modifications to this section of the creek .

Following the current assessment, it is concluded that there is moderate potential for there to be Aboriginal sites located along Halls Creek, and low to moderate potential for those sites to be in-situ within the study area.



8 ASSESSMENT OF HERITAGE SIGNIFICANCE

8.1 Assessment Criteria

Criteria suitable for the assessment of the heritage values and significance of the archaeological resource within the ACT have been defined in Section 10 of the Heritage Act, 2004 (Republication No18).

A place or object has heritage significance if it satisfies one or more of the following criteria:

- (a) importance to the course or pattern of the ACT's cultural or natural history;
- (b) has uncommon, rare or endangered aspects of the ACT's cultural or natural history;
- (c) potential to yield important information that will contribute to an understanding of the ACT's cultural or natural history;
- (d) importance in demonstrating the principal characteristics of a class of cultural or natural places or objects;
- (e) importance in exhibiting particular aesthetic characteristics valued by the ACT community or a cultural group in the ACT;
- (f) importance in demonstrating a high degree of creative or technical achievement for a particular period;
- (g) has a strong or special association with the ACT community, or a cultural group in the ACT for social, cultural or spiritual reasons;
- (h) has a special association with the life or work of a person, or people, important to the history of the ACT.

8.2 Project Study Area

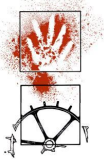
The Hall Village Heritage Precinct is included on the ACT Heritage Places Register. The listing includes the current study area. The features intrinsic to the heritage significance of the place and recommended for conservation comprise:

- (i) The 'rural village' urban landscape character of Hall Village
- (ii) The informal streetscape character consistent with a rural village
- (iii) The landscape setting of Hall Village
- (iv) Individually identified built heritage places of collective historic and social value
- (v) Natural and Aboriginal Heritage values of the environs around Hall Village, as listed in Schedule 1

Hall Village Heritage Precinct Statement of Significance

Proclaimed in 1882, Hall Village represents a small rural service centre associated with the pastoral use of the area prior to the formation of the Australian Capital Territory. Hall Village continues to provide services to the surrounding rural area within the ACT and NSW, and the community values the sense of physical and social separation from Canberra.

The landscape setting of Hall Village is valued for its social and natural values. The ridgelines enclosing the Village support an endangered Yellow Box/Red Gum grassy woodland ecological community. Five



bird species, declared vulnerable under the Nature Conservation Act 1980, have either been recorded or are likely to occur within the grassy woodland. The cemetery includes the habitat of the endangered Leek Orchid, *Prasophyllum petilum*.

The presence of Aboriginal sites within the grassy woodland and along Hall's Creek demonstrates a relative lack of physical disturbance within these areas, and reflects a natural and Aboriginal cultural landscape prior to European settlement.

Hall Village demonstrates a range of physical characteristics resulting from its historical role as a rural village that are valued by the local community. These comprise elements of the urban layout and spatial character, built form and landscape elements within the village, and the woodland and pastoral setting of the village. Exotic and endemic tree plantings within the Village include examples of botanical interest or having an historical association to an event or person.

Hall Village is also significant for its historical and social associations with the early pioneers of Ginninderra and Hall District families. Several of the historic buildings and sites within the Village and its surrounds (as identified in schedule 1) reflect a range of local historical associations that are valued by the community. Whilst not individually of high significance, the collective value of these places is important in defining a 'sense of place' for the Hall community and renders the Village part of a broader cultural landscape, closely linked to the pastoral history of Ginninderra and Gungahlin.

The study area is located within the Aboriginal Sites Zone, listed as part of the Hall Village Precinct.

The War Memorial Grove (item 1) and Halls Creek Road Bridge (item 23) are located within or immediately adjacent to the study area. These items are listed as a *Place of Specific Value within the Hall Village Precinct*.



9 STATUTORY CONTEXT¹

9.1 Heritage Act 2004

This Act provides for the protection, management and conservation of heritage places and objects in the ACT. The Act establishes a Heritage Register of heritage places and objects and establishes procedures for both provisional and full listing to the Register. The Act establishes the ACT Heritage Council to function as the main advisory body to the Minister on heritage issues. The Council receives administrative support from the ACT Heritage, Environment ACT, Department of Territory and Municipal Services. The Council has the power to provisionally and fully register Heritage places and objects. Under the Act, the ACT Heritage Council is to be responsible for the Heritage Register and the heritage registration process.

An 'Aboriginal Place' and 'Aboriginal Object' are defined as 'a place/object of particular significance to Aboriginal people because of either or both:

- (a) Aboriginal Tradition; and/or
- (b) The history, including contemporary history, of Aboriginal people (s9).

Under s74 and s75 of the Act a person commits an offence if they engage in conduct that diminishes the heritage significance of a place or object, or engage in conduct that causes damage to an Aboriginal place or object. These offences are graduated according to whether an offender was reckless or negligent 'about whether the conduct would diminish the heritage significance' or 'cause damage' to an Aboriginal Object of Place. To 'cause damage' is inclusive of disturbing or destroying.

A person also commits an offence under the Act if they do not report an Aboriginal place to the Heritage Council, and has 5 working days to do so (s51).

The reporting and offence provisions of the Act apply irrespective of land status or whether registration to the Heritage Register occurs.

The Act provides for the development and application of Heritage Guidelines. These are to be formulated by the Heritage Council and will set the policy for how places and objects are to be conserved, including registered places and objects. The guidelines may control how development is to take place in an area which is a heritage place or contains a heritage object. They will be performance-based but may include mandatory provisions (Part 5). During the transitional phase of the Act a heritage or conservation requirement for a place is taken to be a heritage guideline under the Heritage Act (s129).

The only provisions for legally sanctioned disturbance to an Aboriginal place or object, or the diminution of the heritage value of a Heritage Place or Object is to conform to one of the exceptions listed in s76 of the Act. According to this section, the offence provisions of the Act (s74 and s75) do not apply if conduct is engaged in accordance with the following:

- (i) a heritage guideline;
- (ii) a heritage direction;
- (iii) a heritage agreement;
- (iv) a conservation management plan approved by the council;

¹ The following information is provided as a guide only. Readers are advised to seek qualified legal advice relative to legislative matters.



- (v) development approval under the Planning and Development Act 2007, chapter 7;
- (vi) an excavation permit;
- (vii) a statement of heritage effect approved by the council.

Heritage recordings which occur on National Land under the National Land Ordinance 1989 (or subsequent amendments), or which occur in Designated Areas under the National Capital Plan are subject to development approval processes which may be in addition to, or instead of requirements identified as management requirements under the *Planning and Development Act 2007*.

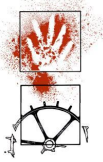
Development approval processes within the ACT can be summarised as follows:

- Work carried out on National Land in Designated Areas is subject to the approval of the National Capital Authority (NCA);
- Work carried out on Territory Land in Designated Areas is generally subject to approval by the NCA but Territory requirements may also apply to development where the Territory is the approving Authority;
- Work carried out on National Land outside of Designated Areas must be in accordance with a Development Control Plan agreed by the NCA that reflects the requirements of the Territory Plan; and
- Work carried out on Territory Land outside Designated Areas is subject to the Territory Plan and Territory Approval processes.

9.2 Implications for the Hall Centenary Trail Realignment project

The Hall Village Heritage Precinct is included on the ACT Heritage Places Register. Conservation Objective 2.2 states:

- (e) Development or management activities necessitating excavation of the ground surface within the Aboriginal Sites Zone shall not be permitted without approval and shall be consistent with the provisions of the relevant separate (interim) Heritage Place Register for the Hall Village Aboriginal Sites.



10 IMPACTS AND RECOMMENDATIONS

10.1 Discussion of Impacts

No Aboriginal objects nor the identified Aboriginal Sites Zone will be impacted by the project.

The proposed bridge will be installed using the 'Surefoot' system, a method designed to reduce impact. The 'Surefoot' system consists of a pile cap, which sits on the ground surface, and 3 piles, steel posts, which are driven through the pile cap at different angles to a depth of approximately 1200 millimetres, providing stable footing without the need for excavation or the use of concrete. The piles are installed with hand held machinery and each 'foot' can be installed in approximately 10 minutes. The bridge will only be sitting directly on the ground in 4 places.

Within the Aboriginal Sites Zone to the south of Halls Creek, the track will be fortified through the implementation of a boardwalk. The steel frame of the bridge would be extended, without handrails, and would be secured using the same Surefoot system as the bridge, so that the boardwalk would rest on the ground surface without disturbing the ground below. This method of installation will not impact any archaeological deposit within the Aboriginal Sites Zone.

Further information about the specifications of the 'Surefoot' system, the bridge, the boardwalk, and the track can be found in Appendix 2.

The northern end of the footbridge is the termination point for the project and the area to the north of it is within the Aboriginal Sites Zone will not be impacted by the project.

Outside of the Aboriginal Sites Zone to the south of the boardwalk, the track will consist of a 150 centimetre wide corridor. The corridor will be maintained, by mowing/slashing. Within the wider corridor, a 120 centimetre trail tread will be created by excavating 10 centimetres and filling it with compacted decomposed granite. No Aboriginal site or areas of archaeological potential are located within this area.

Other impacts may include the clearing of surface vegetation for better visibility during installation and the movement of signage posts from the western side of Victoria Street to the eastern side.

10.2 Discussion of Impact Alternatives

The initial proposal for the Centenary Trail would have seen the trail aligned on the eastern side of Victoria Street, as is being proposed currently, but due to time and budget constraints the alignment was relocated to the western side of the road, in line with the pre-existing bicentennial trail. It was assumed that once funding had become available the trail would move to the original planned route.

In previous assessments of the trail (Biosis, 2012), both sides of the road have been surveyed. It had been found that from a cultural heritage position there was no benefit or adverse effects to either alignment.

As the current alignment poses a traffic hazard, putting pedestrians, cyclists, and horses in close proximity to the road, the movement of the trail from the western to the eastern side of the road has become a priority.

Impact reduction was a high priority in the planning of the installation of the footbridge and track. The construction of the track within the Aboriginal Sites Zone was of major concern during the planning process and a number of alternatives were considered.

Initially, plans for the footbridge did not include the boardwalk extension and instead only spanned Halls Creek. The excavated track was then to meet up with the footbridge abutments. As this had the potential to disturb artefacts within the Aboriginal Sites Zone this was deemed to be undesirable. A number of alternatives were proposed including scalping surface vegetation and placing the gravel fill on top of the cleared surface, as well as introducing fill material on top of the existing ground surface.



These options were considered to be not suitable as they were not up to safety standards, nor were they bike-friendly.

To avoid excavation in the Aboriginal Sites Zone it was proposed that the bridge be extended to the end of the zone as a boardwalk. This method would not damage the ground surface, beyond the installation of the Surefoot system, and is considered a safe alternative. See Figure 10.1 below for the impact alternatives.

The proposed method of the installation of the bridge is the least invasive possible. All other alternatives for the construction of the bridge would require excavation and/or cement.

10.3 Mitigation Strategies

No Aboriginal objects nor the identified Aboriginal Sites Zone will be impacted by the project. Therefore, no direct mitigation measures are required for this project. An unanticipated discovery protocol should be implemented for this project in case any Aboriginal objects are found during the installation of the bridge and boardwalk.

10.4 Recommendations

No further archaeological investigation is required for this project.

It is recommended that:

1. This Statement of Heritage Effect is required to be approved by the ACT Heritage Council before works can commence.
2. The unanticipated discovery protocols included in Appendix 3 should be implemented for this project.
3. A copy of this report should be provided to the ACT Heritage
4. One copy of this report should be provided to each of the ACT RAOs.

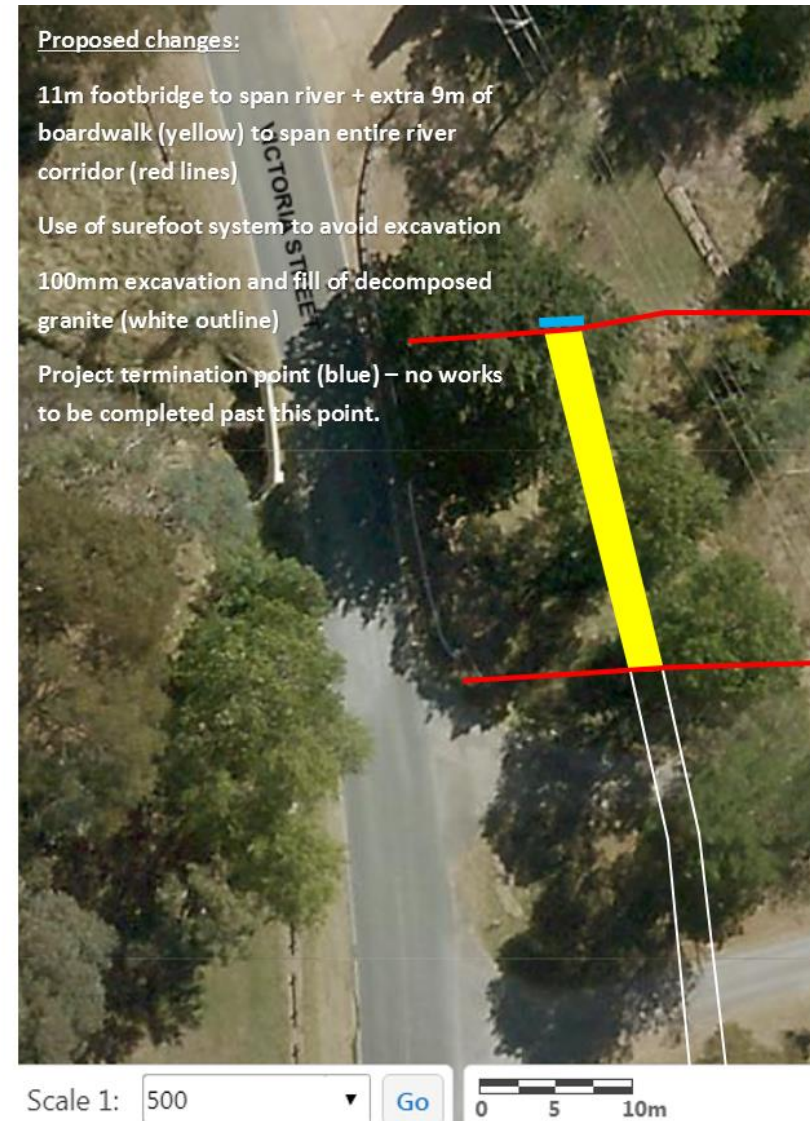


Figure 10.1 Impact alternative extension to boardwalk to avoid impact to Aboriginal Sites Zone



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APPENDIX 1

RECORD OF ABORIGINAL FIELD PARTICIPATION



Record of Aboriginal Representative Participation*

Project Name: Hall Centenary Trail Realignment

Client name & address: Anthony Davis
Parks and Conservation Service - Environment, Planning and Sustainable Development Directorate
16 Challis St, Dickson 2602
phone: (02)62074733 Email: Anthony.Davis@act.gov.au

Archaeologist name & address: Jasmine Fenyvesi
Navin Officer Heritage Consultants Pty Ltd
4/71 Leichhardt Street KINGSTON ACT 2604.....

Name of Representative	Organisation	Date	Type of Participation	Start time	Finish time	Total hours (excluding lunch break)	Sign off
Justin Bell	BNAC	12/10/18		10:30	11:30	1	

Issues raised:.....
.....



ABN : 24 059 704 833

Navin Officer Heritage Consultants
Number 4, Kingston Warehouse
71 Leichhardt Street
KINGSTON ACT 2604

Centenary Trail Realignment Hall Gungahlin, ACT – Report Response



Yours faithfully

Wally Bell (Ngunawal TC)
Chair

23 January 2019

PO Box 255 KIPPAX ACT 2615

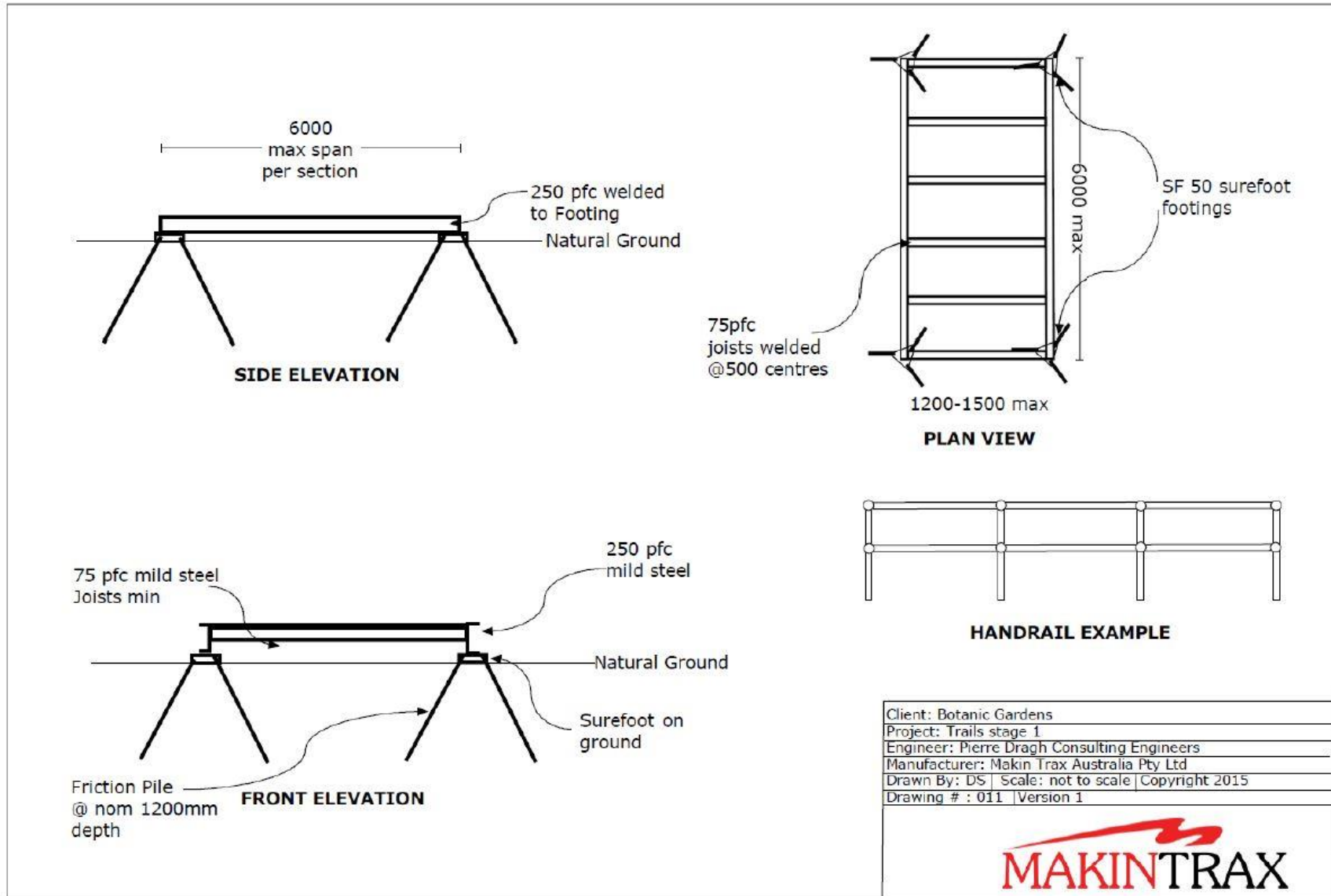
Mb: 0419 425347

Email: wally@buru-ngunawal.com



APPENDIX 2

ADDITIONAL IMPACT INFORMATION

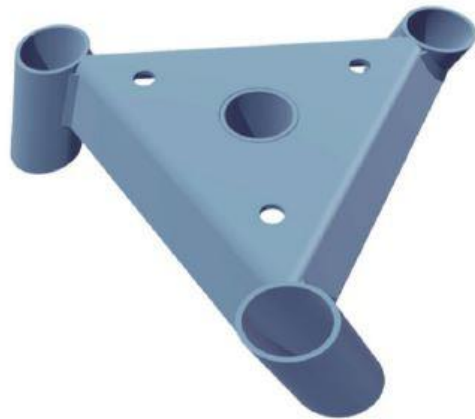


Example of bridge design using the Surefoot system



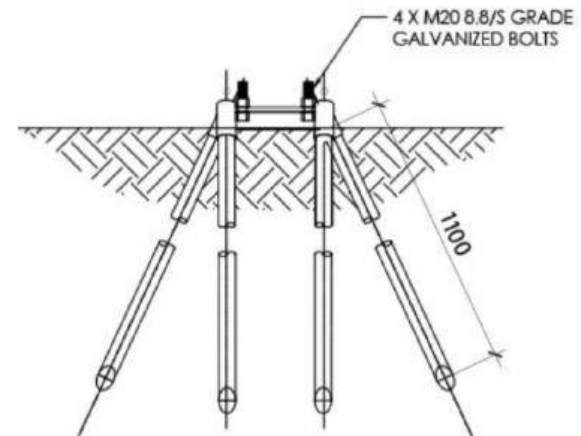
Surefoot – concrete-free footing system

The Surefoot system is designed to reduce impact. Piles (steel posts) are driven through the ‘pile cap’ (which sits on the ground surface) and into the ground to approximately 1200mm at different angles. These opposing forces of the multi-directional piles provide a solid, stable footing without the need for excavation or the use of concrete.



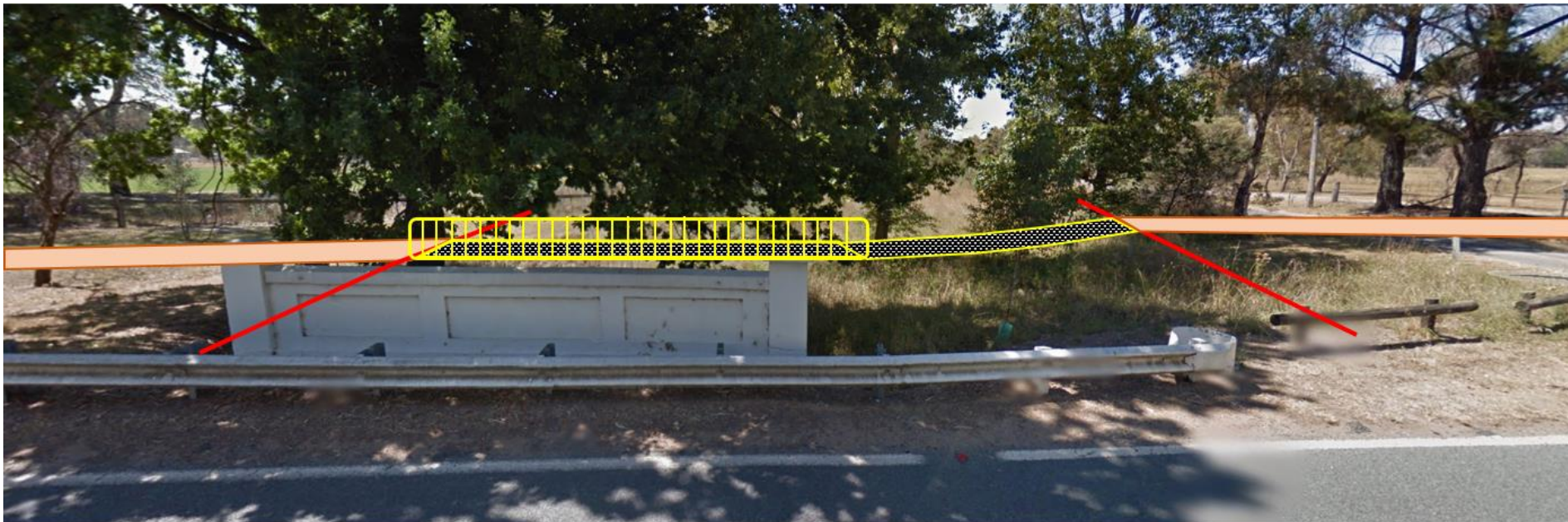
T150

- **Bolting Pattern:**
147mm x 3 x 16mm Holes
- **Micro Piles:**
3 x 32NB (Nominal Bore) 42.40D
Galvanised Pipe Light, Medium, Heavy
- **Load Capacity:**
Up to 25kN
- **Average installation time:**
10 minutes approx.

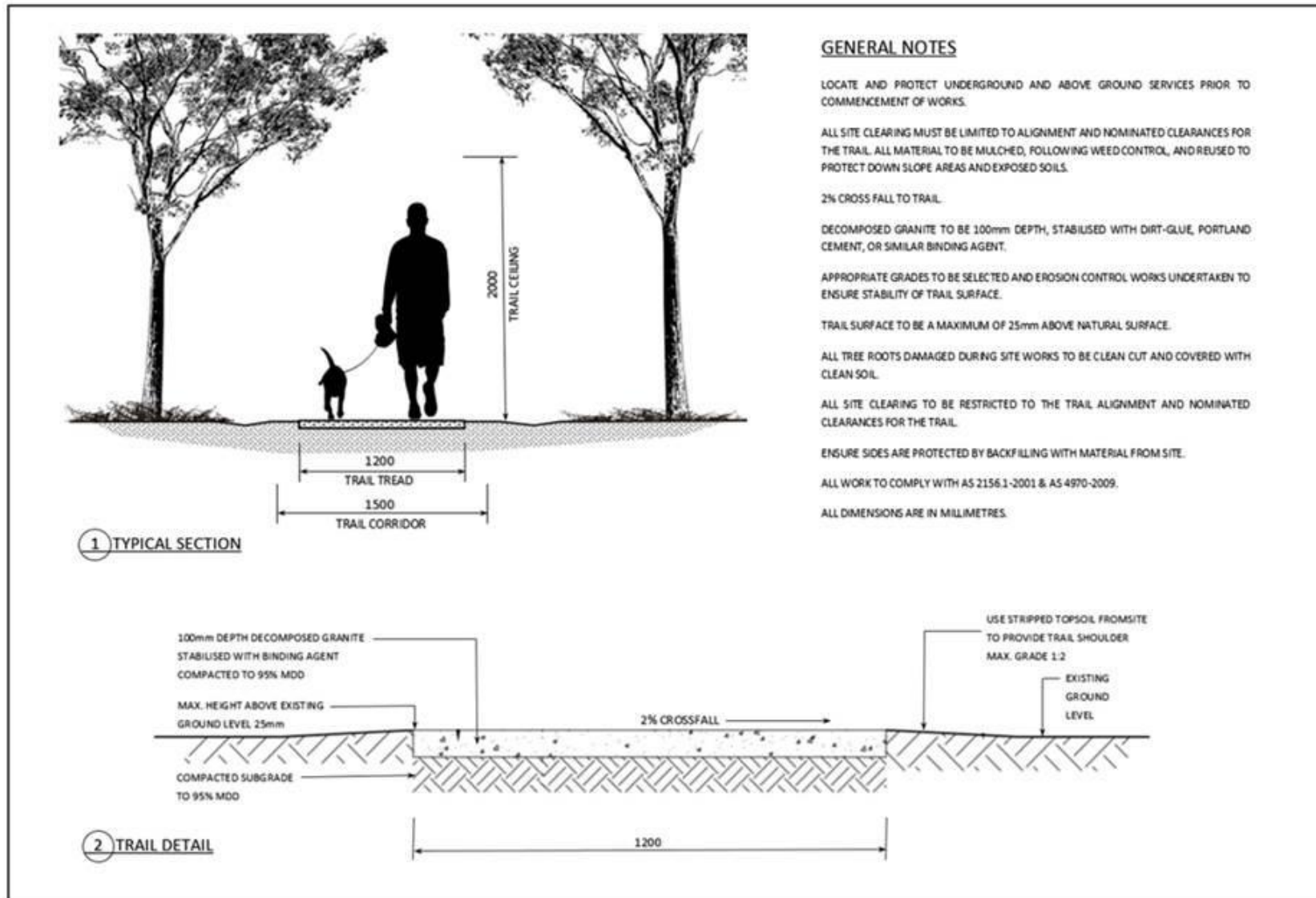




Proposed Bridge Design



Example of boardwalk extension



Proposed Track Design



APPENDIX 3

UNANTICIPATED DISCOVERY PROTOCOLS



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

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



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

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



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

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ACT Heritage Council

Statement of Heritage Effect Approval

Under Section 61H of the *Heritage Act 2004*

Heritage Reference:
Contact Officer:
Received by Council:

Hall-General
MR
29 January 2019

TO: Navin Officer Heritage Consultants
Nicola Hayes
nhayes@nohc.com.au

Locality: Victoria Street road reserve, Hall
Status of Place: Registered Heritage Place: Aboriginal Sites Zone
Description of Works: Trail Construction
Report Details: “*Statement of Heritage Effects, Centenary Trail Realignment, Hall*” (Navin Officer Heritage Consultants, January 2019)
Council Advice provided by: Chair / Heritage Council

Pursuant to Section 61H of the *Heritage Act 2004*, the ACT Heritage Council advises that:

- The Statement of Heritage Effect is approved, with conditions as set out below, on the basis that:
- (a) the proposed activity is justifiable at, or near, the place; and
 - (b) there are no reasonably practicable alternative ways to carry out the proposed activity at the place; and
 - (c) that reasonable steps have been identified to reduce the risk of diminishing the heritage significance of or damage to the place.

Background:

On 29 January 2019, Navin Officer Heritage Consultants made an application to the ACT Heritage Council (the Council) for approval of a Statement of Heritage Effect (SHE) for the proposed realignment of the Centenary Trail at Hall.

The “*Statement of Heritage Effects, Centenary Trail Realignment, Hall*” report (the SHE) sets out that community stakeholders have requested the realignment due to safety concerns, as the current Centenary Trail runs along the Halls Creek Road Bridge, putting vehicles and trail users in close contact.

The proposed realignment would include the following works:

1. Construction of a new bridge within the Victoria Street road reserve, across Halls Creek directly east of the existing Halls Creek Road Bridge. The new bridge would be approximately 11 metres by 1.5 metres in size, and constructed

using the 'Surefoot' system to minimise heritage impacts. This system does not require excavation, with the bridge instead build on four pile caps, with each pile cap supported by three direct driven posts 1.2 metres deep and 42 millimetres in diameter; and

2. Construction of a new section of trail within the Victoria Street road reserve, extending south of the new bridge for approximately 30 metres. Directly south of the new bridge, adjacent to Halls Creek, the Surefoot system would also be used for a 9 metre by 1.5 metre boardwalk. Beyond this, the trail would be 1.2 metres wide by 10 centimetres deep, with the area of shallow excavation filled with decomposed granite.

The SHE presents an assessment of the heritage values of the area and the likely effects of proposed development; informed by research, archaeological survey and consultation with Representative Aboriginal Organisations (RAOs). The key findings of the SHE include:

- The proposed works are located within the Hall Village Heritage Precinct (the Precinct);
- The proposed works are located adjacent to two items of historic significance within the Precinct, being the War Memorial Grove (Item 1) and the Halls Creek Road Bridge (Item 23); but neither will be damaged by proposed works;
- The proposed works are located within the Aboriginal Sites Zone of the Precinct, but will not impact any known surface heritage sites. While the creek banks in this section have been heavily eroded, the locality is assessed to be of moderate archaeological potential;
- To minimise the potential Aboriginal heritage effects of the proposal, the Surefoot system has been adopted for the new bridge and boardwalk, as these will span and be directly adjacent to Halls Creek. The remaining section of trail within the Aboriginal Sites Zone, which the Council notes occurs within a disturbed section of the Victoria Street road reserve, would be constructed through shallow excavation; and
- With the above controls adopted, the proposed development is not likely to damage Aboriginal places or objects, and no further heritage assessment or management actions are recommended.

From information provided in the SHE, the Council understands that direct ground surface disturbance associated with the project would be 3.9m³; of which, 1.38m³ relates to Surefoot construction methods adjacent to Halls Creek and 2.52m³ relates to trail excavation within the disturbed Victoria Street road reserve. Additionally, some soil displacement and compaction will occur around each direct driven pile, although these extent of this impact is considered to be minimal.

The SHE also sets out that all RAOs were notified of the proposed works, invited to participate in the archaeological survey, and invited to comment on the draft report recommendations. In response, three RAOs provided written or verbal support for the SHE application, being Buru Ngunawal Aboriginal Corporation, King Brown's Tribal Group and Mirrabei. Comment from Ngarigu Currawong Clan [REDACTED].

Decision:

Following review of the application, the Council is satisfied on reasonable grounds that:

- The proposed activity is justifiable; as the current pedestrian use of the Halls Creek Road Bridge has public safety considerations;
- There are no other reasonably practicable alternative ways to carry out the proposed activity; as the Victoria Street road reserve in this location is narrow, limiting realignment options – and as the new alignment and construction methods have been selected to minimise heritage effects of the proposal; and
- That reasonable steps have been adopted to reduce detrimental heritage impacts; as the Surefoot system has been adopted to minimise ground surface disturbance within the Aboriginal Sites Zone, and excavation will only be employed within previously disturbed sections of the Victoria Street road reserve.

On this basis, the Council approves the Statement of Heritage Effect application subject to the following conditions:

1. All heritage management actions are to be undertaken in accordance with the “*Statement of Heritage Effects, Centenary Trail Realignment, Hall*” (Navin Officer Heritage Consultants, January 2019);
2. A copy of this Statement of Heritage Effect approval is to be provided to RAOs prior to the commencement of works; and
3. The SHE is approved for a period of two years.



David Flannery FRAIA MPIA
**Chair (as delegate for),
ACT Heritage Council**

28 June 2019