



ACT Heritage Council

Entry to the ACT Heritage Register

Heritage Act 2004

20139. Aboriginal Places – ACT Forests

Part Block 12

District of COTTER RIVER

Part Blocks 219 and 331

District of PADDYS RIVER

This entry which was previously part of the old heritage places or the old heritage objects registers (as defined in the ***Heritage Act 2004***), as the case may be, is taken to be registered under the ***Heritage Act 2004***.

Conservation Requirements (including Specific Requirements), as defined under the ***Heritage Act 2004***, that are contained within this document are taken to be Heritage Guidelines applying to this place or object, as the case may be.

Information restricted under ***the old heritage places register or old heritage objects register*** is restricted under the ***Heritage Act 2004***.

Contact: *ACT Heritage Council* *c/o Secretary PO Box 144*
Enquiries: *phone 02 6207 2164* *fax 02 6207 5715*

Lyneham ACT 2602
e-mail heritage@act.gov.au



ACT Government

environment ACT 

Helpline: 02 6207 9777
Website : www.cmd.act.gov.au
E-mail: EnvironmentACT@act.gov.au



ACT Heritage Council

**AUSTRALIAN CAPITAL TERRITORY
INTERIM HERITAGE PLACES REGISTER**

For the purposes of s. 68(2) of the *Land (Planning and Environment) Act 1991*, a listing for the following places has been prepared by the ACT Heritage Council, for the purpose of including:

Aboriginal Places in ACT Forests (6), comprising:

- **Aboriginal Places in Block 219, District of Paddys River (1)**
- **Aboriginal Places in Block 331, District of Paddys River (1)**
- **Aboriginal Places in Block 12, District of Cotter River (4)**

In an interim Heritage Places Register.

Copies of the listing are available for inspection at ACT Public Libraries and at all ACT Government Shopfronts. For further information please contact:

The Secretary
ACT Heritage Council
GPO Box 144, Canberra, ACT 2601

Telephone: (02) 6207 7378 Facsimile: (02) 6207 2200

Notifiable Instrument: NI2004-323
Effective (Date): 3 September 2004

IDENTIFICATION OF THE PLACES

The places comprise 6 Aboriginal sites located within:

- Part Block 219, District of Paddys River (n=1)
- Part Block 12, District of Cotter River (n=4)
- Part Block 331, District of Paddys River (n=1).

The Canberra 1:10 000 scale Adjusted Grid Co-ordinate (CMG) locations for the places are held within a database of ACT site locations. The CMG grid co-ordinates are restricted information under s.82 of the *Land (Planning and Environment) Act 1991*.

FEATURES INTRINSIC TO THE HERITAGE SIGNIFICANCE OF THE PLACES

The places comprise locations where Aboriginal rock shelters have been recorded (n=6), and their individually specified site buffer zones (as described in Schedule 2). The sites include a complex of four shelters within a natural setting which has also been identified as being culturally significant.

STATEMENT OF SIGNIFICANCE

The ACT Aboriginal community considers all archaeological evidence of the past occupation of the ACT by Aboriginal people to be significant. Aboriginal places have the capacity to demonstrate and provide information about ways in which Aboriginal people lived in the past. These places are part of a regional body of evidence that has potential to reveal information about patterns of past Aboriginal land-use and settlement. Details of the site locations and descriptive information about them builds upon and complements the considerable body of archaeological research that exists for the Canberra region.

These places are all part of the physical evidence of a traditional way of life that is no longer practised within the ACT. The presence of shelters and artefact scatters in these localities demonstrates past occupation and use of these places by Aboriginal people. Excavation of similar shelters in the Tidbinbilla Valley have yielded discoveries of exceptional scientific and cultural interest. Scientific dating of excavated cultural material from the Birrigai rock shelter has resulted in dating Aboriginal occupation and use of the region to 21,000 years ago. The large complex of four shelters in Pierces Creek has the potential to provide similar dating opportunities. Stone was an extremely important element of Aboriginal culture, essential to their day-to-day living. Stone artefacts thus constitute an enduring record of Aboriginal technology and settlement patterns. The individual artefacts at the sites also have significance due to their potential to contribute to research about Aboriginal stone technology.

Areas of identified archaeological potential are considered to be significant cultural resources because of their potential to contain buried evidence of past Aboriginal occupation, likely to be intact and in better condition than other surface exposed sites.

CONSERVATION POLICY AND SPECIFIC REQUIREMENTS

The Heritage Council promotes a *general conservation policy* for all Aboriginal heritage sites. This policy states that Aboriginal sites are to be conserved appropriately in accordance with their individual heritage significance, taking into account their Aboriginal and archaeological heritage values. Aboriginal sites and their components form an integral part of the landscape. The spatial relationships between sites, as well as their geographic relationship to land, constitute significant information with potential to inform about past cultural practices. The maintenance of records about sites and their geographic location is essential for the conservation of this information. Areas that have potential to contain Aboriginal heritage sites, including areas in which archaeological survey has not yet been undertaken, are to be managed in a way that permits the identification, significance assessment and conservation, where appropriate, of the Aboriginal cultural heritage resource.

In addition to the general conservation policy, the Heritage Council has developed a series of *specific requirements* to provide direction for conservation of the heritage significance of Aboriginal heritage sites. The specific requirements have been prepared to implement conservation policies and objectives developed for the places.

The specific requirements for conservation of Aboriginal heritage places are set out in Schedule 1. This is preceded by general information about the different types of Aboriginal heritage places that can occur and their conservation objectives.

Artefact Scatters

Artefact scatters constitute identifiably dense occurrences of stone artefacts and represent geographic foci of Aboriginal occupation related to a range of activities. Scatters may form as a result of single intensive occupation events or build up over hundreds or thousands of years due to repeated use or occupation of an area. The current appearance and structure of an artefact scatter site will depend upon the impact of events, termed *formation processes*, that have affected the artefacts during and after their deposition. Formation processes include both natural and cultural factors such as soil erosion and deposition, other natural disturbances, reuse of places by Aboriginal people and later European land-use practices. The heritage values of artefact scatters are based upon their Aboriginal and archaeological significance.

All artefact scatters are considered to be significant by the Aboriginal community. Aboriginal people generally express the desire for all such sites to be left *in situ* wherever feasible. Their significance to Aboriginal people is primarily based on their provision of evidence of the occupation of land by their ancestors. Artefact scatters thus comprise a demonstrable link to place for contemporary Aboriginal people.

The archaeological significance of artefact scatters stems both from their physical representation of past cultural practices and for their potential to yield information through research that will increase our understanding of the past. The potential research value accorded to sites depends in turn on a range of factors including the individual quality and quantity of artefactual content, the condition and integrity of the site structure, whether the artefacts occur *in situ* within cultural deposit, and whether original relationships between artefacts are likely to be discernible and meaningful.

The significance of artefact scatters may be thus ranked from low to high according to their value to Aboriginal people, their archaeological value and their condition and integrity. **Their significance to Aboriginal people may not necessarily, however, relate to or accord with archaeological significance assessments.** The criteria for ranking artefact scatters into either low, medium or high categories of significance and their associated conservation objectives are detailed as follows:

- **Artefact scatters of Low Conservation Value**

Artefact scatters identified as having low conservation value are those sites with very few artefacts, with artefacts of a common type, with no associated cultural deposit and/or sites that have already been highly disturbed and where there is negligible potential for them to provide further information. Such sites may either be conserved *in situ* or be the subject of a program of archaeological investigation and salvage as recommended by the Heritage Council, after consultation with the relevant Aboriginal organisations.

Generally, the conservation objective for this site type is to record and retain where feasible, otherwise salvage.

- **Artefact scatters of Medium Conservation Value**

Artefact scatters identified as having medium conservation value include sites with high artefact numbers and/or density and/or with identified or potential associated deposit. They are also sites of common type and character. Sites of medium conservation value may either be conserved *in situ* or be the subject of a program of archaeological investigation and salvage. The investigation and salvage may include collection of artefacts, subsurface testing, excavation or other investigative techniques as recommended by the Heritage Council, after consultation with the relevant Aboriginal organisations.

Generally, the conservation objective for this site type is to record and retain where feasible, investigate further and/or salvage.

- **Artefact scatters of High Conservation Value**

Artefact scatters identified as having high conservation value include sites with high artefact numbers and/or density, with rare, or representative artefacts, and/or with identified or potential associated deposit. They may also be sites of good preservation and condition where the original site structure and contents have survived. Sites of high conservation value are to be conserved *in situ* in an appropriate setting, where feasible. However site investigations for the purposes of improving their conservation or research may be permitted, provided that the relevant Aboriginal organisations have been consulted about any proposed works and agree to their occurrence.

The identification of appropriate conservation actions may require preparation of a Conservation and Management Plan. Actions that propose impact upon their identified heritage values will be considered on a case by case basis by the Heritage Council in consultation with the relevant Aboriginal organisations, and with reference to the applicable Conservation and Management Plan or Research Plan, if prepared.

Generally, the conservation objective for this site type is to record, retain and actively conserve.

Potential Archaeological Deposits

Areas of potential Aboriginal Heritage sensitivity or potential archaeological deposits (PADs) are generally areas defined in the course of professional field or predictive archaeological assessment. They include areas where sites or artefacts are identified as likely to occur, but where ground visibility precludes site or artefact detection or where field survey has not been undertaken. Knowledge of regional and/or local patterns of site occurrence and site formation processes is generally prerequisite for the identification of areas of archaeological potential. Further investigation of areas of archaeological potential may be required prior to or during development. Such further investigation may include sub-surface testing, monitoring or excavation. The significance of such areas will ultimately depend on the outcome of the further investigations.

Generally, the conservation objective of this site type is to investigate, assess, record and retain if deemed appropriate.

Rockshelters

These sites occur within naturally formed hollows or overhangs in cliffs, outcrops of boulders, providing sheltered environments that were sometimes used for habitation or other activities by Aboriginal people. Evidence of their use by people is often provided through the presence of art on the shelter walls and occupation debris such as stone artefacts, grinding material, charcoal, bone and other refuse on the shelter floor. In the ACT they often occur in granite outcrops in Namadgi National Park and Tidbinbilla Nature Reserve. These sites are highly significant and can often have tremendous research potential.

Sites of high conservation value are to be conserved *in situ* in an appropriate setting, where feasible. However site investigations for the purposes of improving their conservation or research may be permitted, provided that the relevant Aboriginal organisations have been consulted about any proposed works and agree to their occurrence.

The identification of appropriate conservation actions may require preparation of a Conservation and Management Plan. Actions that propose impact upon their identified heritage values will be considered on a case by case basis by the Heritage Council in consultation with the relevant Aboriginal organisations, and with reference to the applicable Conservation and Management Plan or Research Plan, if prepared.

Generally, the conservation objective for this site type is to record, retain and actively conserve.

Schedule 1: Specific Requirements for the Conservation of Aboriginal Heritage Places

- 1 Information regarding the description and specific location of the place shall be held in a database of ACT Aboriginal heritage sites.
- 2 Actions that would affect the conservation of the heritage significance of the place require the agreement of the Heritage Council in consultation with the relevant Aboriginal organisations.
- 3 Works that improve or benefit the conservation of the heritage significance of the place are permitted. Proponents of such works shall advise the Heritage Council and consult with the relevant Aboriginal organisations about the proposal. The agreement of the Heritage Council must be obtained prior to works being undertaken.
- 4a The land manager shall be aware that the presence of an Aboriginal heritage site(s) within a development area may impose constraint upon the development. The nature of the constraint will vary according to the assessed significance of the site(s) and the potential heritage impact of the development. For *artefact scatters* assessed as being of *low conservation value* (LCV) the development constraint may range from nil constraint to a requirement to undertake further survey or investigation of a place, further recording of a place and/or collection of artefacts or other cultural materials.
- 4b The land manager shall be aware that the presence of an Aboriginal heritage site(s) within a development area may impose constraint upon the development. The nature of the constraint will vary according to the assessed significance of the site(s) and the potential heritage impact of the development. For *artefact scatters* assessed as being of *medium conservation value* (MCV) the development constraint may range from nil constraint to a requirement to undertake further survey or investigation of all or part of the place, further recording of a place and/or collection of artefacts or other cultural materials, subsurface testing, monitoring during development or salvage excavation, or a requirement to conserve a representative part of the site whilst carrying out further works on the remainder.
- 4c The land manager shall be aware that the presence of an Aboriginal heritage site(s) within a development area may impose constraint upon the development. The nature of the constraint will vary according to the assessed significance of the site(s) and the potential heritage impact of the development. For *artefact scatters, or rockshelters* assessed as being of *high conservation value* (HCV) the development constraint may range from nil constraint to a requirement to undertake investigation of a place, prepare and/or implement a Conservation and Management Plan for the place, to an inability to undertake part or all of the development within the affected area(s).
- 4d Areas of potential archaeological deposit shall be further investigated to assess their Aboriginal and archaeological significance prior to their development. Development proponents shall be aware that the presence of a PAD within a development area may impose constraint upon the development. For these areas the development constraint will occur in two stages. Initially the constraint may range from nil constraint to a requirement to undertake further investigative work such as additional field survey and/or subsurface testing. Any subsequent constraint will vary according to the assessed significance of any Aboriginal cultural heritage materials located within the area and the potential heritage impact of the development.
- 5 The ACT Heritage Council shall advise the proponent of the degree of constraint, based upon the nature of the development and its potential heritage impact and the significance assessment of the site(s).
- 6 The land manager shall inform the Heritage Unit and relevant Aboriginal organisations about management issues affecting the site as and when they are identified.
- 7a The condition of the sites should be monitored by the land manager and works should be undertaken to identify and control any damage that may occur to surface and sub-surface deposits within the shelter/s due to wombats, rabbits and other burrowing animals; to identify and control any damage that may occur to the surface and sub-surface deposits within the shelter due to down-slope movement of water; to monitor and control the build up of leaf litter and other flammable debris within the shelter/s and to monitor and control weed management around the shelter/s.

- 7b** The land manager should monitor and report to the Heritage Council any damage that occurs to the shelter/s and their surrounding buffer zones. Where damage is identified, consultation with the relevant Aboriginal organisations should occur in relation to any remedial actions required to conserve the heritage significance of the shelter/s.
- 8a** Artefacts and/or any other identified significant fabric or components of the site shall not be removed, damaged, altered or disturbed without the prior agreement of the Heritage Council, and consultation with the relevant Aboriginal organisations.
- 8b** Should further investigation determine that Aboriginal archaeological materials are present in a PAD then records about the place shall be updated, and the Heritage Council shall be consulted about the appropriate management of the place. In providing such advice the Heritage Council shall consult with the relevant Aboriginal organisations.
- 9** Any further investigation of sites and/or collection of artefacts and/or salvage of site fabric or other cultural materials agreed to by the Heritage Council shall be undertaken by a qualified archaeologist in consultation with the relevant Aboriginal organisations, in accordance with a proposed methodology provided to and endorsed by the Heritage Council.
- 10** Salvaged or collected materials shall be archived by the Heritage Unit, pending establishment of an appropriate storage facility.
- 11** If the Heritage Council advises collection or salvage then, following completion of salvage works as advised by the Heritage Council only Specific Requirement No. 1 shall apply to the identified place.
- 12** The place may not be promoted for public use, interpretation or visitation without approval from the Heritage Council in consultation with the relevant Aboriginal groups. Any proposed educational and presentational uses of the place shall be considered by the ACT Heritage Council and relevant Aboriginal organisations on the basis of whether sufficient information is provided about their impacts and potential impacts upon the place.
- 13** Any proposed research that may potentially impact upon the heritage significance of the place shall be conducted in accordance with a research proposal which provides for consultation with the relevant Aboriginal organisations and which is endorsed by the Heritage Council.
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Schedule 2: List of Aboriginal heritage places

GENERAL SITE DESCRIPTION	LOCATION	SPECIFIC REQUIREMENTS (refer to Schedule 1)
	The block and section details are correct as at the time of entry, and in accordance with subsequent changes made by the Authority.	
PC1 A rockshelter with a potential archaeological deposit and a low density scatter of at least two stone artefacts located 400m north of a creek on the crest of a ridge. Recorded – Church 1987	Part Block 219, District of Paddys River	Rockshelter, artefact scatter of HCV and PAD: 1 2 3 4c 4d 5 6 7a 7b 8a 8b 9 10 11 12 13
GF 37 A rockshelter with potential archaeological deposit and a low density scatter of at least eight stone artefacts located on a small knoll above a creek. Recorded – Winston-Gregson 1991; McKay 2003	Part Block 331, District of Paddys River	Rockshelter, artefact scatter of HCV and PAD: 1 2 3 4c 4d 5 6 7a 7b 8a 8b 9 10 11 12 13

PF 40A A rockshelter with a potential archaeological deposit and a scatter of at least seventeen stone artefacts situated in a natural setting comprising granite outcrops and xanthorrhcea stands between two drainage gullies. Recorded – Heffernan 1992; McKay 2003	Part Block 12, District of Cotter River	Rockshelter, artefact scatter of HCV and PAD: 1 2 3 4c 4d 5 6 7a 7b 8a 8b 9 10 11 12 13
PF 40B A rockshelter with a potential archaeological deposit and a scatter of at least twenty stone artefacts situated in a natural setting comprising granite outcrops and xanthorrhcea stands between two drainage gullies. Recorded – Heffernan 1992; McKay 2003	Part Block 12, District of Cotter River	Rockshelter, artefact scatter of HCV and PAD: 1 2 3 4c 4d 5 6 7a 7b 8a 8b 9 10 11 12 13

PF 40C A rockshelter with a potential archaeological deposit and a low density scatter of at least five stone artefacts situated in a natural setting comprising granite outcrops and xanthorrhaea stands between two drainage gullies. Recorded – Heffernan 1992; McKay 2003	Part Block 12, District of Cotter River	Rockshelter, artefact scatter of HCV and PAD: 1 2 3 4c 4d 5 6 7a 7b 8a 8b 9 10 11 12 13
PF 40D A rockshelter with a potential archaeological deposit and a high density scatter of a minimum 130+ stone artefacts situated in a natural setting comprising granite outcrops and xanthorrhaea stands between two drainage gullies. Recorded – McKay 2003	Part Block 12, District of Cotter River	Rockshelter, artefact scatter of HCV and PAD: 1 2 3 4c 4d 5 6 7a 7b 8a 8b 9 10 11 12 13

BACKGROUND INFORMATION

1. DESCRIPTION OF PLACES

The places comprise 6 Aboriginal sites located within the Districts of Cotter River and Paddys River, ACT. The sites are shelters with associated artefact scatters and potential archaeological deposits (n=6). Four of the shelters occur in a complex within a natural setting of *xanthorrhaea* which has also been identified as being culturally significant. Located close to Hardy's Range, the shelters are granite boulder formations situated between two drainage gullies with extensive views to the north and east.

2. STATUS OF PLACES AT NOMINATION DATE:

The places are not previously recorded or entered into any ACT or Commonwealth Register.

3. BACKGROUND

A regional understanding of the variability, condition and conservation status of Aboriginal sites throughout the Territory is essential for the sound assessment of site significance and development of appropriate conservation strategies for Aboriginal heritage places and cultural landscapes. 'Site' is the common term for the locations where material remains relating to past Aboriginal occupation are in evidence, whereas the legislation refers to 'places'. These two terms are used interchangeably in this document.

These places were originally recorded during cultural heritage surveys of ACT Forests in the late 1980's and early 1990's. A large percentage of pine plantations were totally burnt out during the bushfires of January 2003, the fires also burning away most of the almost impenetrable ground cover. This provided a brief window of opportunity to resurvey these significant sites before the regrowth reduced ground visibility again. These shelters were re-recorded during a Heritage Unit audit of historical and significant Aboriginal sites in ACT Forests during 2003.

Unregistered Aboriginal sites are legally protected from disturbance, however the poor state of knowledge regarding their nature and location, and difficulties with their recognition and detection has undoubtedly already resulted in inadvertent disturbance to and destruction of a proportion of the record. The remaining sites, for the most part, are considered to be under potential threat due to future development pressure, with the exception of registered places and sites located in the small proportion of land in the Territory that is unsuitable for development.

4. CONSULTATION WITH STAKEHOLDERS

The three Aboriginal organisations defined as relevant regarding consultation on heritage matters according to the *Land (Planning and Environment) Act, 1991*, are strongly supportive of actions that increase awareness and protection of Aboriginal cultural heritage places.

Representatives of the three relevant Aboriginal organisations did not participate in the heritage audit of these places, but were later invited to visit these rockshelters and to provide comments on the significance of these Aboriginal heritage places. During the registration process the three relevant Aboriginal organisations have also had the opportunity to provide comments on the Aboriginal significance of these places and their management. The Interim Namadgi Board has also been consulted about the proposal in accordance with the Namadgi National Park Management Agreement.

Copies of the draft register entry have also been circulated to other stakeholders, including the land owners/managers of the affected areas and parties that originally reported the sites.

5. ANALYSIS AGAINST THE CRITERIA SPECIFIED IN SCHEDULE 2 OF THE LAND (PLANNING AND ENVIRONMENT) ACT 1991:

Criterion (i): **A place which demonstrates a high degree of technical and/or creative achievement, by showing qualities of innovation or departure or representing a new achievement of its time.**

Not applicable

Criterion (ii): **A place which exhibits outstanding design or aesthetic qualities valued by the community or a cultural group.**

Not applicable

Criterion (iii): **A place which demonstrates a distinctive way of life, taste, tradition, religion, land use, custom, process, design or function which is no longer practised, is in danger of being lost, or is of exceptional interest.**

The sites are all the product of past Aboriginal land-use and demonstrate varied aspects of a traditional way of life no longer practised in the ACT. The shelters present in these localities demonstrate occupation and use of land by Aboriginal people, in the past. The natural setting and views from the shelter complex give an insight into the living conditions and further our understanding of occupation site selection processes.

Criterion (iv): **A place which is highly valued by the community or a cultural group for reasons of strong or special religious, spiritual cultural, educational or social associations.**

The places are all of significance to the Aboriginal community due to their association with traditional Aboriginal culture and their ability to demonstrate the comprehensive occupation of the ACT by their ancestors. These shelters have special importance to the Aboriginal community as places where there is an immediate link to the past, where they can walk in the footsteps of their ancestors and see some of what they saw. The complex of four shelters has additional significance as providing direct evidence for there having been a large Aboriginal population supported in this area. The density and variety of stone artefacts located in and around the shelters potentially are an excellent educational resource for the Aboriginal community today as well as having broader scientific research potential to the wider community.

Criterion (v): **A place which is the only known or only comparatively intact example of its type.**

Not applicable

Criterion (vi): **A place which is a notable example of a class of natural or cultural places or landscapes and which demonstrates the principal characteristics of that class.**

The complex of four shelters, each with its own potential archaeological deposit and associated artefacts is, to date, a unique occurrence in the ACT. This complex provides a tangible link to the past and has potential through research to further our knowledge of Aboriginal occupation of the region. The complex is set within a natural landscape that includes a large stand of very tall (and therefore very old) *xanthorrhaea* which should be conserved within this cultural setting.

Criterion (vii): A place which has strong or special associations with a person, group, event, development or cultural phase which played a significant part in local or national history.

These places have been identified as significant by the ACT Aboriginal community. They provide physical evidence of the past occupation and use of the areas in the Cotter and Paddys River Districts by Aboriginal people.

Criterion (viii): A place which represents the evolution of a natural landscape, including significant geological features, landforms, biota or natural processes.

Not applicable

Criterion (ix): A place which is a significant habitat or locality for the life cycle of native species; for rare, endangered or uncommon species; for species at the limits of their natural range; or for distinct occurrences of species.

Not applicable

Criterion (x): A place which exhibits unusual richness, diversity or significant transitions of flora, fauna or natural landscapes and their elements.

Not applicable

Criterion (xi): A place which demonstrates a likelihood of providing information which will contribute significantly to a wider understanding of natural or cultural history, by virtue of its use as a research site, teaching site, type locality or benchmark

These sites comprise part of a related body of evidence with potential to provide information about local and regional patterns of past Aboriginal land-use practices and settlement patterns. Some of the sites have potential to contain information that, via research, could provide information about past Aboriginal occupation of the locality and region.

6. REFERENCES

Church, J.M. 1987. An archaeological investigation of Part Block 33, Paddys River. An unpublished report to the Forests Branch, Department of Territories, Canberra, ACT.

Heffernan, K. 1992. Site recording forms lodged with the Heritage Unit of Environment ACT.

McKay, S. 2003. Site Recording Forms lodged with the Heritage Unit of Environment ACT.

Winston-Gregson, J. 1991. Site recording form lodged with the Heritage Unit of Environment ACT.