



ACT Heritage Council

Entry to the ACT Heritage Register

Heritage Act 2004

20129. Aboriginal Places – Block 86 Dunlop

Parts Block 86

Dunlop

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***.

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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 on Block 86, Dunlop, District of Belconnen (3)**

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:

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Notified: Notifiable Instrument 2003-190

IDENTIFICATION OF THE PLACES

The places comprise 3 Aboriginal sites located within:

- Block 86, Suburb of Dunlop, District of Belconnen, ACT.

The Canberra 1:10 000 scale Adjusted Grid Co-ordinate (AGC) locations for the places are held within a database of ACT site locations. The AGC 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 stone artefacts have been recorded (n=2) and areas of potential archaeological deposit (n=1), and their individually specified site buffer zones (as described in Schedule 2).

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 artefact scatters in these localities demonstrates past occupation and use of these places by Aboriginal people. 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. Any actions that affect the conservation of the heritage significance of the places constitute 'development' for the purposes of the Act and approval will be required prior to undertaking the action. To undertake development without approval may be an offence.

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.

Areas of Potential Aboriginal Deposits

Areas of potential Aboriginal heritage sensitivity or 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.

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 constitute 'development' for the purposes of the Act.
- 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** Development proponents 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** Development proponents 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** Development proponents 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 *Aboriginal scarred trees* 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 deposits 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), and in consultation with the relevant Aboriginal organisations.
- 6a** Artefacts (including scarred trees) 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, in consultation with the relevant Aboriginal organisations.
- 6b** 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. Artefacts (including scarred trees) 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, in consultation with the

- relevant Aboriginal organisations.
- 7** 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, in consultation with the relevant Aboriginal organisations.
 - 8** Salvaged or collected materials shall be archived by the Heritage Unit, pending establishment of an appropriate storage facility.
 - 9** 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.
 - 10** 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.
 - 11** Any proposed research that may potentially impact upon the heritage significance of the place shall be conducted in accordance with a research proposal endorsed by the Heritage Council after consultation with the relevant Aboriginal organisations.
 - 12** Prior to the approval of any proposed development that may potentially impact upon the heritage significance of the place the proponent shall prepare a Conservation and Management Plan for the place. The plan must be provided to the Heritage Council for endorsement. Prior to giving such endorsement the Heritage Council will consult the relevant Aboriginal groups about the management of the site. Any subsequent development of the place shall then be undertaken in accordance with the endorsed plan, unless the Heritage Council advises the proponent otherwise.
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Schedule 2: List of Aboriginal heritage places

GENERAL SITE DESCRIPTION	LOCATION	SPECIFIC REQUIREMENTS (refer to Schedule 1)	RESTRICTED INFORMATION The precise location details as provided are based upon the visually apparent extent of a place inclusive of a small buffer area. There is always a possibility a site may extend further than indicated by its surface appearance. (Note that Canberra 1:10 000 Adjusted Grid Co-ordinates are restricted information)
<p>CLWB1 An open artefact scatter located on the lower slope of a creek margin, and within the spoil heap in centre of containment line.</p> <p>Recorded – Dearling 2003</p>	<p>Block 86 Dunlop</p>	<p>Artefact scatter of LCV: 1 2 3 4a 5 6a 7 8 9</p>	<p>Map No. 200-612</p>
<p>CLWB2 An open artefact scatter located west of Kerrigan Street and to the north of a dam and associated creek line. The site extends up the slope to the crest and beyond.</p> <p>Recorded – Dearling 2003</p>	<p>Block 86 Dunlop</p>	<p>Artefact scatter of MCV: 1 2 3 4b 5 6a 7 8 9</p>	<p>Map No. 200-612</p>
<p>CLWB PAD 1 An area of archaeological potential on a slightly elevated area adjacent to Gooromon Ponds.</p> <p>Recorded – Dearling 2003, Heritage Unit 2003</p>	<p>Block 86 Dunlop</p>	<p>PAD: 1 2 3 4d 5 6b</p>	<p>Map No. 200-612</p>

BACKGROUND INFORMATION

1. DESCRIPTION OF PLACES

The places are 3 Aboriginal sites located within Block 86 Suburb of Dunlop, District of Belconnen, ACT. The sites comprise scatters of stone artefacts (n=2) and an area (n=1) of potential Aboriginal archaeological deposits.

2. STATUS OF PLACES AT NOMINATION DATE:

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

3. BACKGROUND

In March 2003 the Heritage Unit, Environment ACT commissioned surveys of containment lines put in place during the January 2003 ACT bushfires under the declared 'State of Emergency'. The Aboriginal heritage places included in this registration were initially recorded by heritage consultant Charlie Dearing during the containment line surveys. Following the initial discovery, Dearing (2003) subsequently investigated a proposed trunk sewer line running across Block 86 and provided further information on the nature of site CLWB 2.

The proposal to interim register the area with potential to contain Aboriginal archaeological materials is intended as an alert that heritage constraints may exist for this area and that some further investigation should precede development. Its status as interim registered places with appropriate specific requirements will also permit the area to be investigated without contravention of s.70 of the Act. (Investigation involving disturbance of an unregistered place would otherwise have to cease upon detection of an artefact.)

4. CONSULTATION WITH STAKEHOLDERS

Representatives of the three relevant Aboriginal organisations participated in the containment line surveys and were present during the discovery of these sites.

During the registration process representatives from the three Aboriginal organisations defined as relevant [regarding consultation on heritage matters according to the *Land (Planning and Environment) Act 1991*], were consulted regarding the significance and management of these sites. Representatives from the Interim Namadgi Board were also consulted about the proposal, in accordance with the Namadgi National Park Management Agreement.

Copies of the draft register entry were also circulated to other stakeholders, including the land owners/managers of the affected areas, development proponents 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 artefact scatters present in these localities demonstrate occupation and use of land by Aboriginal people, in the past.

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.

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.

Not applicable

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 Belconnen District 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

Dearling, C. 2003. *Sub-Surface Testing Program. Proposed Sewer Pipeline, Dunlop 4, ACT.* Unpublished report to Land and Property, Department of Urban Services.