

## 6.7 Aboriginal cultural heritage

This section describes Aboriginal cultural heritage impacts associated with the proposal with research and findings sourced from the *Great Western Highway Duplication – Katoomba to Lithgow Archaeological Survey Report* (Jacobs, 2020).

### 6.7.1 Methodology

Potential impacts on Aboriginal heritage during construction and operation of the proposal have previously been considered as part of the *Great Western Highway Duplication – Katoomba to Lithgow Archaeological Survey Report* (Jacobs, 2020). This report assessed a 37 kilometre proposed highway alignment between Katoomba and Lithgow (including the Medlow Bath proposal area) and included a 50 metre buffer either side (referred to as the project area in this report, which was prepared as part of the Stage 2 PACHCI process as discussed in Section 5.3).

Jacobs carried out surveys of public lands and accessible properties within the project area through 2019 and 2020. Representatives from the Local Aboriginal Land Councils (LALCs) relevant to the project area were present during each survey, apart from the March 2020 survey due to availability. As no recorded items were identified within the searches and the area generally disturbed, no additional field survey was undertaken for this REF.

A summary of the assessment is provided below, together with safeguards and management measures to mitigate any negative impacts associated with the proposal.

### 6.7.2 Existing environment

#### *Aboriginal context*

The project area spans three distinct Aboriginal language groups, these are the Darug, the Gundungurra, and the Wiradjuri peoples. During European contact it was recorded that the Darug occupied the main east-west ridge of the Blue Mountains, the northern Blue Mountains and the Cumberland Plain. The Gundungurra were to the south, and the Wiradjuri were to the west (Attenbrow 1993; Attenbrow 2010; Breckell 1993).

A variety of resources were exploited by Aboriginal groups within the upper Blue Mountains. The Macquarie River was considered to be a valuable source of food and fishing skills were considered expert as Aboriginal people showed 'patience and ingenuity' in making and using snares to catch prey (Meredith 1973: 104).

Stone artefactual material within the project area is part of the eastern regional sequence. The sequence consists of artefact types changing their appearance, frequencies of production, and use of different materials through time. Meredith (1973) provides descriptions of stone tools in the area including hafted stone axes and stone knives (Towle n.d: 87). Boswell (1890: 7) also provides descriptions of men carrying spears and nulla nullas 'a sort of rude club', as well as boomerangs which were carried in their belt (Boswell 1890: 7).

The first European thought to have entered the Blue Mountains, specifically into Gundungurra territory, was ex-convict John Wilson in 1792. He is supposed to have lived with the Gundungurra for several years in the Bargo – Picton area (Comber Consultants 2009: 9).

Aboriginal and European interaction and contact significantly increased the opening of Coxs Road across the Victoria Pass. The road was built in 1814 – 1815 and is the earliest built road in the Blue Mountains. Though this aided in the settlement of Europeans it came at the detriment of Aboriginal groups. Conflict and violence began to become more frequent. Disposition of Aboriginal groups and their culture continued in

the late nineteenth century and in the twentieth centuries. Aboriginal people were moved into missions and reserves where they had their existence monitored and controlled.

### ***Landscape context***

The proposal area follows a relatively narrow ridgeline which runs overall on a north-south alignment and crosses the Medlow Bath soil landscape which has a local relief of 20-50 metres, and a slope of 10-20 per cent. The underlying geology comprises Narrabeen Sandstone forming abrupt scarp edges and sandstone outcrops exposed within the dissected sandstone plateau landform pattern.

During site surveys undertaken by Jacobs, the project area was generally found to be highly disturbed with little to no areas of the natural land surface visible. Major landform modifications associated with previous expansion and realignment of the highway include cutting into the natural rock and clearance of vegetation on either side of the road corridor. Other types of disturbance are associated with the maintenance of the highway occur in the form of drainage channels and culverts that have disturbed any deposits that may have existed within the road corridor.

### ***Hydrology***

The main tributaries in the Upper Blue Mountains are the Grose River and Coxs River with the general drainage flowing west to east. The Grose River catchment and Coxs River catchment are both located in the Hawkesbury–Nepean catchment and covers approximately 2.2 million hectares and is the main source of drinking water for the Sydney, Blue Mountains, and Illawarra region.

### ***Search of heritage registers and databases***

A search of the Aboriginal Heritage Information Management System (AHIMS) database was conducted on 29 October 2019 of the Great Western Highway corridor. This search identified 58 previously registered Aboriginal sites or areas of Potential Archaeological Deposit within the searched area however none of these were within the Medlow Bath proposal area. The search identified six Aboriginal sites within 500 metres of the project area (refer to Figure 6-12).

Additional AHIMS searches were conducted by MRB on 17 May 2021 of the proposal area (including a 200 metre buffer). This confirmed that no new Aboriginal sites or places had been identified on the database since the previous search was completed in 2019.

Searches of the Australian Heritage Places Inventory, the Register of the National Estate, the National Heritage List and the NSW Heritage Council's SHR websites identified no recorded Aboriginal sites within the proposal area.

### ***Native title and land use agreements***

A search of the National Native Title Register on 7 November 2019 by Jacobs shows there is one active native title claim (NC2018/002 – Warrabinga-Wiradjuri #7) and one Land Use Agreement (NI2014/001 – Gundungurra Area Agreement) over the project area (refer to Figure 6-13).

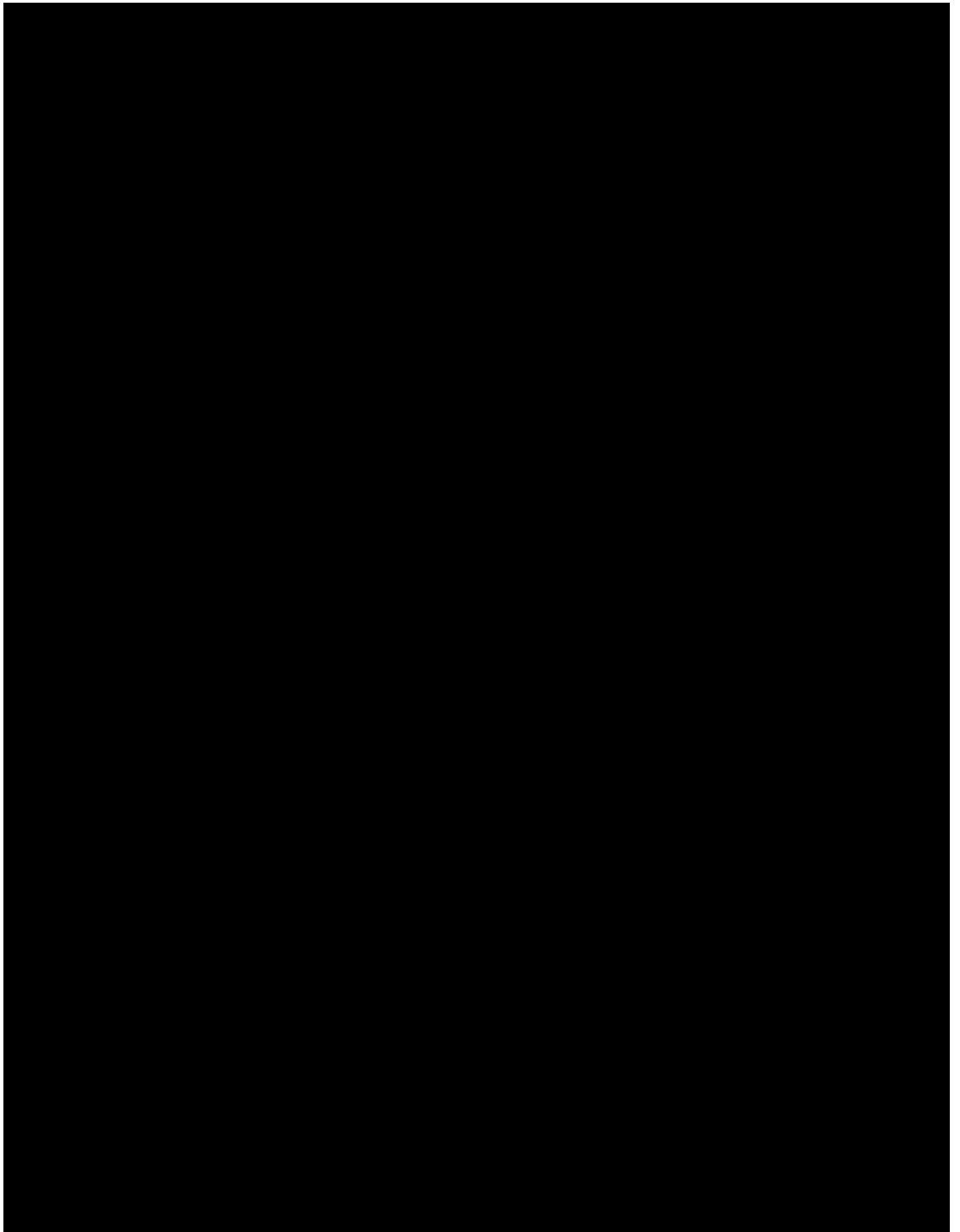


Figure 6-12: AHIMS sites around Medlow Bath (Jacobs, 2020)



# Schedule A to the Gundungurra Indigenous Land Use Agreement: Agreement Area



- Gundungurra ILUA
- Hawkesbury River Basin
- Hawkesbury River Sub-Catchment Area
- Hawkesbury River Sub-Sub-Catchment Area

Agreement boundary data compiled by the NNTT from data sourced from DOL (NSW).  
Nested Catchments dataset with a minimum area threshold of 50 square kilometres created by the Centre for Resource and Environmental Studies Australia's River Basins 1997 data © Commonwealth of Australia (Geoscience Australia) 1997.

Topographic image data is © Commonwealth of Australia and is used under licence from Geoscience Australia, 2008.  
NOTE: Topographic images should be used as a guide only

Map created by: Geospatial Services, National Native Title Tribunal (14/05/2013)

**NORTH**

0 15

**KILOMETRES**

Latitude and Longitude based on Geocentric Datum of Australia 1994  
Nose Projection

© Commonwealth of Australia 2013

The Registrar, the National Native Title Tribunal and its staff, members and agents and the Commonwealth (collectively the Commonwealth) accept no liability and give no undertakings, guarantees or warranties concerning the accuracy, completeness or fitness for purpose of the information provided. In return for you receiving this information you agree to release and indemnify the Commonwealth and third party data suppliers in respect of all claims, expenses, losses, damages and costs arising directly or indirectly from your use of the information and the use of the information you obtained by any third party.

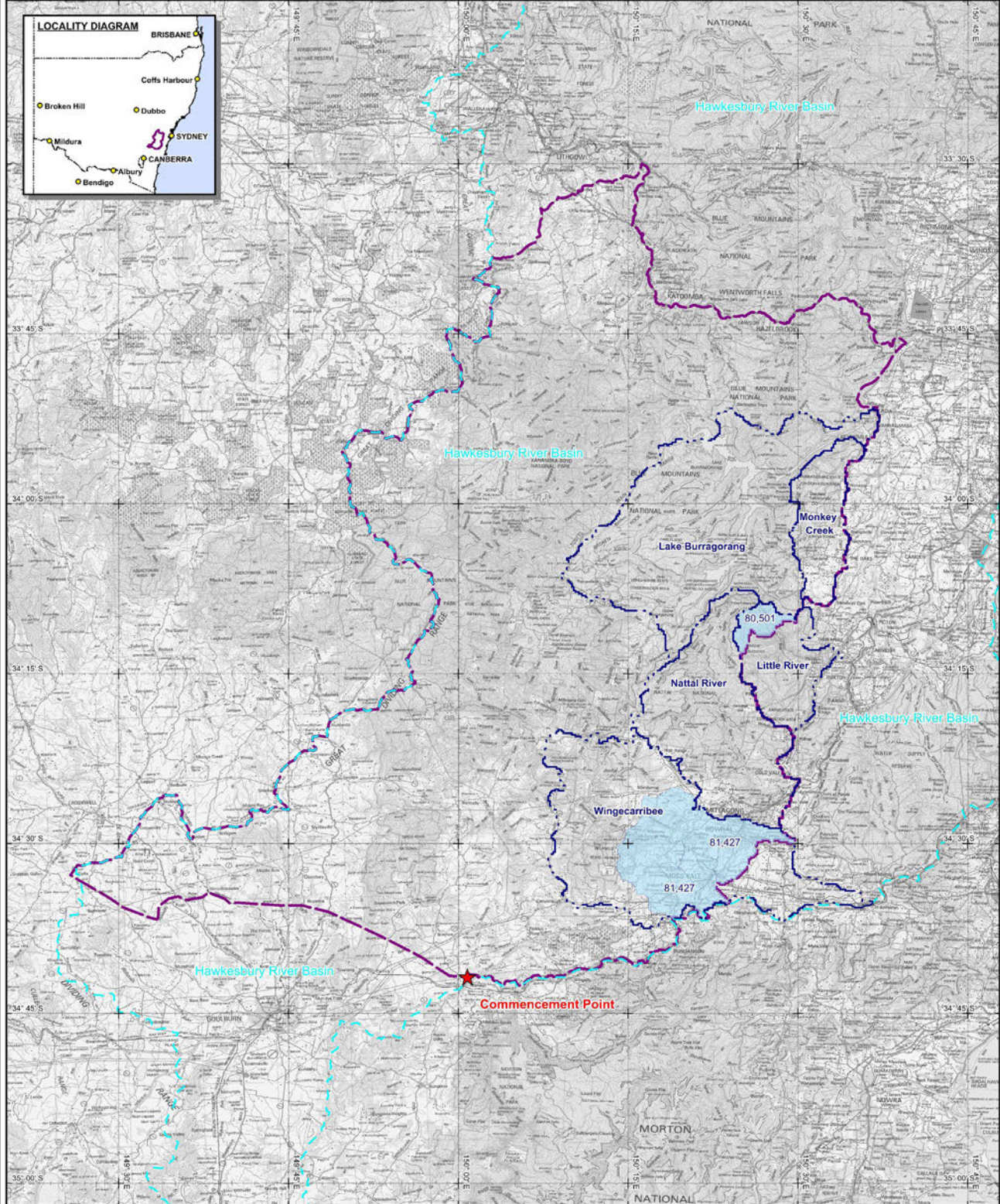


Figure 6-13: Gundungurra Indigenous Land Use Agreement area (National Native Title Tribunal, 2013)

### **6.7.3 Potential impacts**

#### ***Construction***

Construction would include excavation and other ground disturbing activities which can potentially impact Aboriginal archaeology, if present. There are no known Aboriginal sites identified within the proposal area. In addition, the proposal area has undergone extensive landscape modification and high level of disturbance from previous transport development which has been documented as part of previous Aboriginal heritage investigations (Jacobs, 2020). Therefore, there is a low likelihood that the proposal would impact any previously unidentified culturally sensitive items.

#### ***Operation***

The proposal is not expected to impact on any items of Aboriginal heritage or cultural values once operational.

## 6.7.4 Safeguards and management measures

Table 6-32: Safeguards and management measures – Aboriginal heritage

Impact	Environmental safeguards	Responsibility	Timing	Reference
Aboriginal heritage	<p>The <i>Standard Management Procedure – Unexpected Heritage Items</i> (Roads and Maritime Services, 2015d) will be followed in the event that an unknown or potential Aboriginal object/s, including skeletal remains, is found during construction. This applies where TfNSW does not have approval to disturb the object/s or where a specific safeguard for managing the disturbance (apart from the procedure) is not in place.</p> <p>Work will only re-commence once the requirements of that procedure have been satisfied.</p>	Contactator	Construction	Section 4.9 of QA G36 <i>Environment Protection</i>