Tenterfield LGA
Aboriginal Heritage Study

Prepared by Australian Museum Business Services for Tenterfield Shire Council

Final
Adopted by Council Resolution 139/13 of 24 April 2013

1101192

WARNING: Aboriginal and Torres Strait Islander people are warned that the following document contains images of deceased persons.

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Executive Summary

Australian Museum Business Services (AMBS) was commissioned by Tenterfield Shire Council (Council) to prepare an Aboriginal Heritage Study for Tenterfield Local Government Area (LGA). The heritage study will inform future management of Aboriginal cultural heritage within the existing relevant New South Wales (NSW) and Commonwealth Statutory frameworks. The aim of this Study is to identify places of significance, record those places and develop recommendations for their management and conservation, which will assist Council to develop strategies to manage Aboriginal sites and places and develop a protocol for ongoing Aboriginal community liaison. This Study will inform Council's updated Local Environmental Plan (LEP).

Consultation with local Aboriginal community members was undertaken to ensure that their views and opinions were included in the identification and recording of any objects or places of Aboriginal cultural or archaeological significance within the study area. A summary of the Aboriginal consultation that has occurred is provided in Section 3.

The Tenterfield Aboriginal community would prefer not to have detailed information about Aboriginal site locations included in a publically available document. It was therefore understood that not all heritage sites should be mapped or identified in detail, but that general areas that are important to the community, or where archaeological sites are present, should be indicated. However, historical research and consultation with the local Aboriginal community indicated that there are areas of Aboriginal heritage sensitivity within the LGA that Council should be made aware of when considering applications for development. These areas of Aboriginal heritage sensitivity are summarised in Section 5.

The environmental planning instrument that protects Aboriginal heritage in the Tenterfield Local Government Area is the Tenterfield Local Environmental Plan 1996. Council has advised that it expects that the current LEP will be superseded by a LEP based on the current standard instrument. This planning instrument requires Council to consider the impact of proposed development on known or potential Aboriginal heritage places and archaeological sites within Tenterfield LGA.

A number of recommendations to Council are provided in Section 6, and are summarised as follows:

In considering applications for development, Council should determine whether an Aboriginal Heritage Assessment has been undertaken, and whether there is any potential for an Aboriginal object, place or site to be affected by the development. If no such assessment has been undertaken by the proponent, and there is reasonable potential for an Aboriginal object, place, site or area to be affected, then Council should request that an Aboriginal Heritage Assessment be undertaken, in consultation with the local Aboriginal community in accordance with OEH's *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*, before development consent is issued.

Any Development Application (DA) which proposes harm to an Aboriginal object or Aboriginal place must be dealt with as Integrated Development under Section 91 of the *Environmental Planning & Assessment Act 1979*. Such applications must be forwarded to OEH to determine whether the Director General of OEH is prepared to issue an Aboriginal Heritage Impact Permit. Ultimately the DA cannot be approved by Council without the approval of OEH, if an Aboriginal Heritage Impact Permit is required to enable the development to proceed.

It is recommended that an Aboriginal Heritage Assessment be undertaken, in consultation with the local Aboriginal community in accordance with OEH's *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*, in cases of Integrated Development.

Where a proposed development area includes archaeologically sensitive landforms, it is recommended that Council should require a due diligence process for assessing potential harm to Aboriginal objects to be undertaken, in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010) or an industry specific code of practice adopted by the *National Parks & Wildlife Amendment Regulation 2010*.

Aboriginal heritage site mapping is to be treated confidentially by Council, and is only to be used to assist in consideration of the adequacy of the Aboriginal heritage components of development applications. The information should be considered as need-to-know, and should not be made publically available. Specific site location information should not be included on any publicly accessible media or websites.

The local Aboriginal community of the Tenterfield Local Government Area comprises a number of organisations. In the first instance, in liaising with the community, Council should contact the CEO of the relevant Local Aboriginal Land Council, and the Tenterfield Shire Aboriginal Consultative Committee. The Aboriginal community should be approached by Council for their input when the LEP is updated. .

This Aboriginal Heritage Study should be reviewed and updated, as appropriate, within ten years.

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1 Introduction

1.1 Preamble

Australian Museum Business Services (AMBS) has been commissioned by Tenterfield Shire Council (Council) to prepare an Aboriginal Heritage Study for the Tenterfield Local Government Area (LGA). The heritage study will inform future management of Aboriginal cultural heritage within the existing relevant New South Wales (NSW) and Commonwealth Statutory frameworks. The aim of this Study is to identify places of significance, record those places and develop recommendations for their management and conservation, which will assist Council to develop strategies to manage Aboriginal sites and places and develop a protocol for ongoing Aboriginal community liaison. This Study will inform Council's updated Local Environmental Plan (LEP).

1.2 Study Area

The study area comprises the whole of the Tenterfield LGA, covering an area of 7,332 km^2 (Australian Bureau of Statistics [ABS] 2011). This area includes the town of Tenterfield and the villages of Dalman, Drake, Leechs Gully, Legume, Lindesay Creek, Liston, Old Koreelah, Sandy Flat, Tooloom, and Torrington (Figure 1.1).

1.3 Methodology

This report is broadly consistent with the principles of the Burra Charter (*The Australia ICOMOS charter for the conservation of places of cultural significance*), and has been prepared in accordance with current heritage best practice and the requirements of the relevant statutory authorities, including the Office of Environment and Heritage, Department of Premier and Cabinet (OEH, formerly Department of Environment, Climate Change and Water [DECCW] and Heritage Branch, Department of Planning).

The report is consistent with the requirements of the *National Parks and Wildlife Act 1974*, the *Heritage Act 1977*, the *Environmental Planning & Assessment Act 1979*, and current archaeological best practice. Aboriginal community consultation has been undertaken in accordance with the process required by Council, which is broadly consistent in principle with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010). This report has been completed in accordance with current heritage best practice guidelines as identified in the Heritage Office *Heritage Manual* and associated publications including *Assessing Heritage Significance* (2001) and the Australian Historic Themes (Australian Heritage Commission 2001). AMBS have undertaken the following tasks for the Aboriginal Heritage Study:

- consultation with local Aboriginal groups, in accordance with Council requirements;
- preparation of a thematic history of the LGA, with particular emphasis on Aboriginal history;
- identification and recording of those Aboriginal heritage places within the LGA in accordance with the wishes of the local Aboriginal community;
- recording information obtained during the Aboriginal Heritage Study; and
- development of management policy and recommendations.

1.4 Authorship & Acknowledgements

This report has been prepared by AMBS Project Officer Ngaire Richards. AMBS Project Manager, Christopher Langeluddecke reviewed the Aboriginal components of this report. AMBS Senior Project Manager, Jennie Lindbergh reviewed the report for consistency and quality and provided technical assistance and advice.

Ngaire Richards and Christopher Langeluddecke participated in the Aboriginal community consultation meetings.

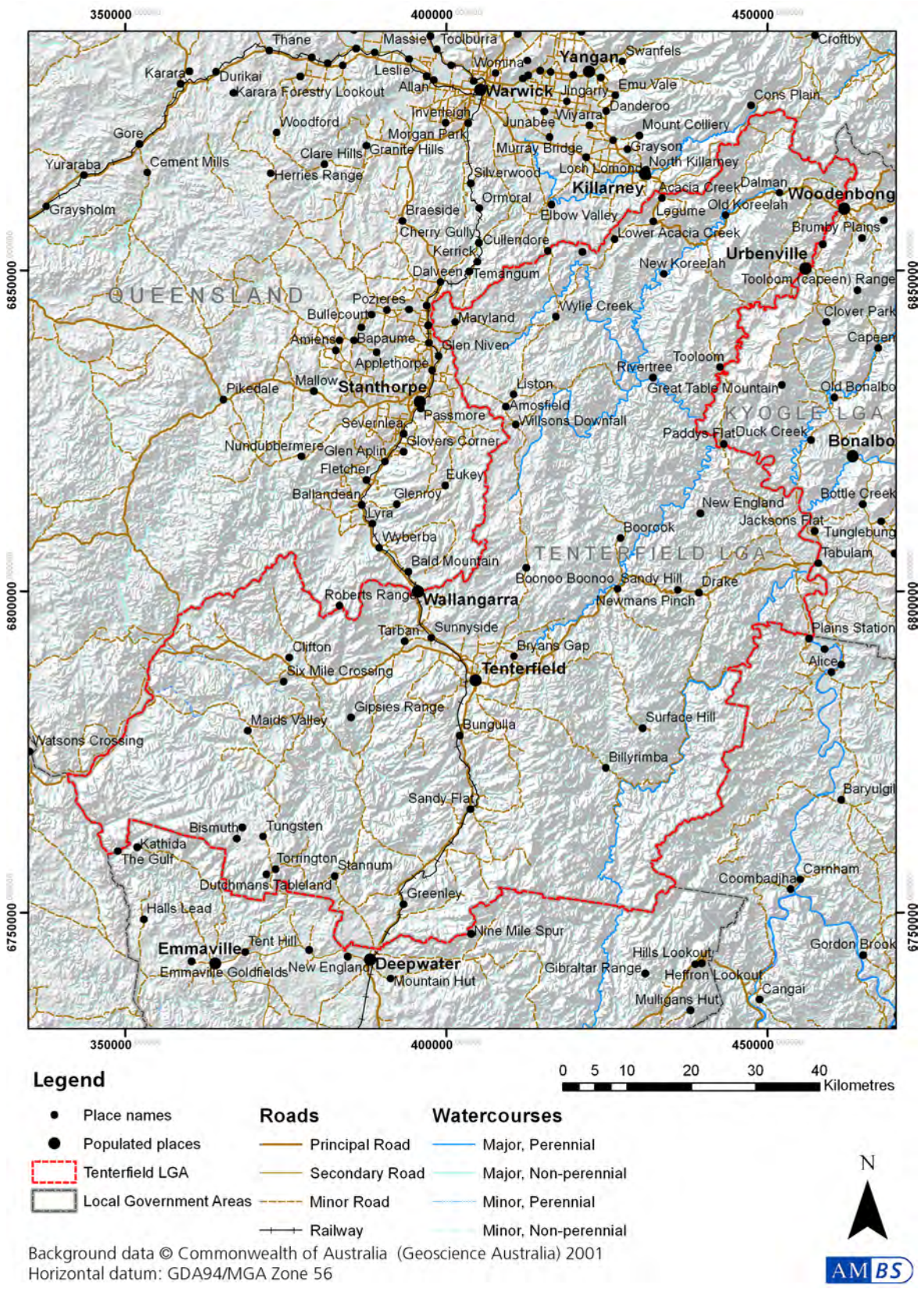


Figure 1.1 Tenterfield Local Government Area

2 Statutory Context

Aboriginal sites within NSW are protected under the *National Parks and Wildlife Act 1974* (amended 2010) and in some cases may be protected under the *Heritage Act 1977*. The investigation and assessment of Aboriginal heritage is triggered by provisions under the *Environmental Planning and Assessment Act* 1979 along with other environmental planning instruments, as detailed below.

2.1 Environment Protection & Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides a legal framework for the protection and management of places of national environmental significance. Several heritage lists are addressed by the EPBC Act, including the National Heritage List (NHL) and the Commonwealth Heritage List (CHL). The NHL protects places that have outstanding value to the nation. The CHL protects items and places owned or managed by Commonwealth agencies. The Australian Government Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) is responsible for the implementation of national policy, programs and legislation to protect and conserve Australia's environment and heritage and to promote Australian arts and culture. Approval from the Minister is required for controlled actions which would have a significant impact on items and places included on the NHL or CHL.

There are no Aboriginal heritage places or sites within Tenterfield LGA recorded on the NHL or CHL.

2.2 Native Title Act 1993

The *Native Title Act* 1993 (Native Title Act) recognises and protects native title in Australia, and establishes a mechanism for determining native title claims. It also provides for negotiations between native title holders or registered native title claimants (native title parties) and other parties regarding the use and management of land and waters, in the form of Indigenous Land Use Agreements (ILUAs).

2.2.1 Indigenous Land Use Agreements

Indigenous Land Use Agreements (ILUAs) are a form of voluntary agreement that can be made between native title parties and other people or organisations with an interest in an area, such as governments, miners, pastoralists or energy companies. The agreements are legally binding, and can cover a range of matters, including cultural heritage issues.

There is one registered ILUA that falls partly within Tenterfield LGA (National Native Title Tribunal [NNTT] file no: NI2006/001). The Githabul People ILUA area includes Mount Clunie National Park, Mount Nothofagus National Park, Koreelah National Park, North Obelisk Nature Reserve, Maryland National Park, Tooloom National Park, and Captains Creek Nature Reserve, and extends into Kyogle LGA and Tweed LGA (Figure 2.1).

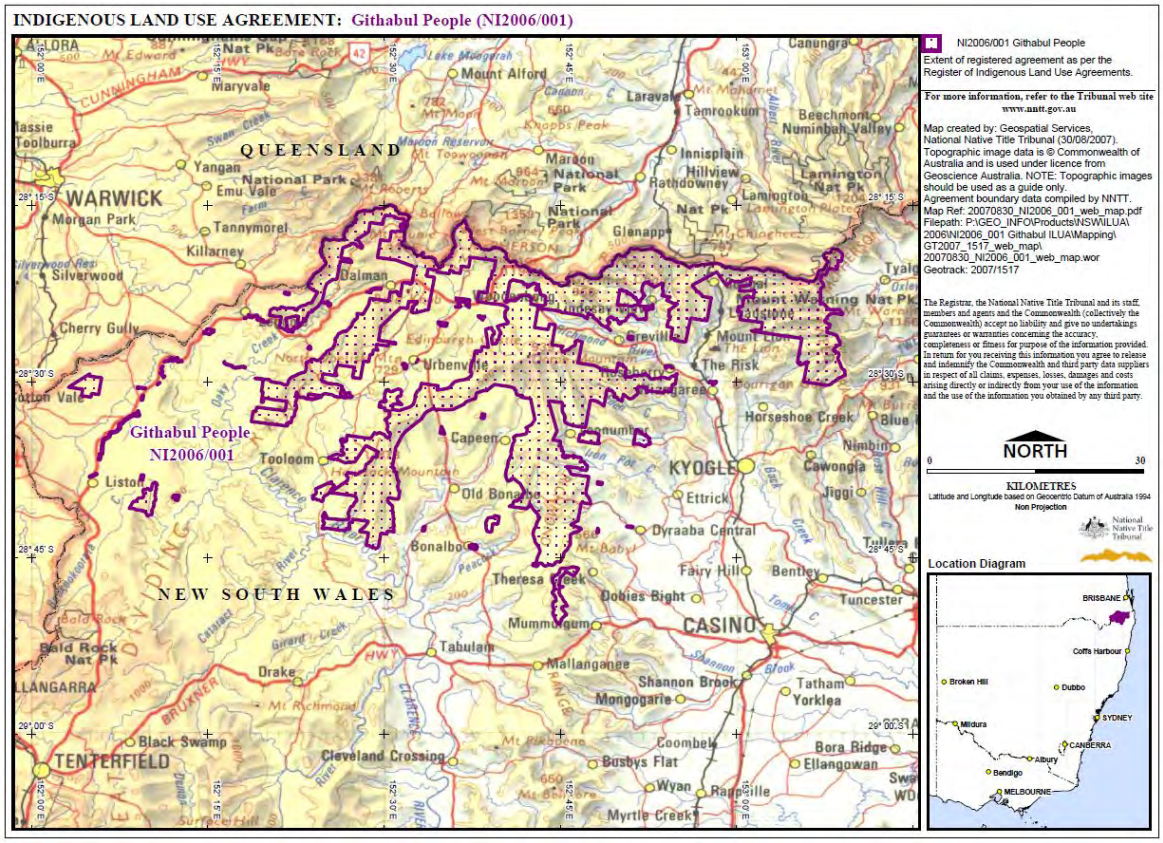


Figure 2.1 Extent of registered Githabul People Indigenous Land Use Agreement (Source: NNTT, http://www.nntt.gov.au/Indigenous-Land-Use-Agreements/Search-Registered-ILUAs/Documents/NI2006_001.pdf)

2.3 National Parks & Wildlife Act 1974 and National Parks & Wildlife Amendment Regulation 2010

Under the provisions of the *National Parks & Wildlife Act 1974* (NPW Act), the Director-General of the National Parks and Wildlife Service (NPWS; now OEH) is responsible for the care, control and management of all national parks, historic sites, nature reserves, state conservation areas, karst conservation reserves and regional parks. The Director-General is also responsible, under this legislation, for the protection and care of native fauna and flora, and Aboriginal places and objects throughout NSW.

All Aboriginal Objects are protected regardless of their significance or land tenure under the NPW Act. Aboriginal Objects can include pre-contact features such as scarred trees, middens and open campsites, as well as physical evidence of post-contact use of the area such as Aboriginal built fencing and fringe camps. The NPW Act also protects Aboriginal Places, which are defined as 'a place that is or was of special significance to Aboriginal culture'. They may or may not contain Aboriginal objects, and may only be declared by the Minister administering the NPW Act. There are three declared Aboriginal Places in Tenterfield LGA (Table 2.1).

Table 2.1 Declared Aboriginal Places in Tenterfield LGA

Aboriginal place name	Local Aboriginal Land Council	Gazettal Date
Chinaman's Creek	Moombahlene	24/05/2002 (Partially revoked 15/11/2002)
Tooloom Falls	Muli Muli	16/12/1977
Wellington Rock / Woolool Wooloolni	Moombahlene	19/01/1979

Under Section 90 of the Act, it is an offence for a person to destroy, deface, damage or desecrate an Aboriginal Object or Aboriginal Place without the prior issue of an Aboriginal Heritage Impact Permit (AHIP). The Act requires a person to take reasonable precautions and due diligence to avoid impacts on Aboriginal Objects. AHIPs are issued by the Director-General, on submission of an AHIP application to the Environmental Protection and Regulation Division (EPRD) of OEH.

The *National Parks and Wildlife Amendment Regulation* 2010 commenced on 1 October 2010. This Regulation excludes activities carried out in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* from the definition of harm in the Act. That is, test excavations may be carried out in accordance with this Code of Practice, without requiring an AHIP. The Regulation also specifies Aboriginal community consultation requirements (*Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*). In addition, the Regulation adopts a Due Diligence Code of Practice which specifies activities that are low impact, providing a defence to the strict liability offence of harming an Aboriginal object.

2.3.1 Aboriginal Heritage Information Management System

Part of the regulatory framework for the implementation of the NPW Act is the Aboriginal Heritage Information Management System (AHIMS), managed by the Aboriginal Heritage Information Unit (AHIU), OEH. AHIMS includes a database of Aboriginal heritage sites, items, places and other objects that have been reported to the OEH. Also available through AHIMS are site cards, which describe Aboriginal sites registered in the database, as well as Aboriginal heritage assessment reports, which contribute to assessments of scientific significance for Aboriginal sites. The AHIMS is not a comprehensive list of all Aboriginal heritage in NSW, rather it reflects information which has been reported to OEH. As such, site co-ordinates in the database vary in accuracy depending on the method used to record their location. Heritage consultants are obliged to report Aboriginal sites identified during field investigations to OEH, regardless of land tenure, or whether such sites are likely to be impacted by a proposed development.

An AHIMS enquiry was made in March 2012, requesting an Aboriginal Heritage Information License Agreement (AHILA) for access to information covering all the previously recorded Aboriginal heritage sites within Tenterfield LGA. Endorsement of the AHILA was sought from Local Aboriginal Land Councils (LALCs) with an interest in the study area, including Jana Ngalee LALC, Muli Muli LALC, Baryulgil LALC, Glen Innes LALC, Jubullum LALC, and Moombahlene LALC. An AHILA was granted by OEH on 13 February 2013, and the site location information was used as one method of identifying zones of Aboriginal heritage sensitivity within Tenterfield LGA.

2.4 Heritage Act 1977

The *Heritage Act 1977* (Heritage Act) provides protection for heritage places, buildings, works moveable objects, precincts and archaeological sites that are important to the people of NSW. These include items of Aboriginal and non-Aboriginal heritage significance. Where these items or places have particular importance to the State of NSW, they are listed on the State Heritage Register (SHR).

There are no Aboriginal heritage items, places or sites within Tenterfield LGA, that are listed on the SHR.

2.5 Environmental Planning & Assessment Act 1979

The *Environmental Planning & Assessment Act 1979* (EP&A Act) is the main act regulating land use planning and development in NSW. The EP&A Act controls the making of environmental planning instruments (EPIs). Two types of EPIs can be made: Local Environmental Plans (LEPs), covering LGAs; and State Environment Planning Policies (SEPPs), covering areas of State or regional

environmental planning significance. LEPs and SEPPs commonly identify and have provisions for the protection of local heritage items and heritage conservation areas.

A Review of Environmental Factors (REF), Environmental Impact Statement (EIS) or Environmental Impact Assessment (EIA) considers environmental impacts as part of the land use planning process. In this context the environment includes Aboriginal and historic cultural heritage. The consent authority is required to consider the impact on all Aboriginal heritage values, including natural resource uses or landscape features of spiritual importance, as well as the impact on Aboriginal Objects and Aboriginal Places.

2.5.1 Tenterfield Local Environmental Plan 1996

Part 3, Regs 25-29 of the Tenterfield Local Environmental Plan (LEP) provide protection for heritage items, heritage conservation areas and relics within the LGA. This includes buildings, works, relics, trees or places (which may or may not be situated on or within land that is a heritage conservation area), and includes Aboriginal and non-Indigenous heritage. The LEP specifies that the consenting authority must consider the effect of a proposed development on the heritage significance of an item, heritage conservation area, or archaeological site, and on its setting, when determining a development application (Reg 29).

With respect to known or potential archaeological sites that have Aboriginal heritage significance, the consenting authority must consider the significance of the site, the effect the proposed development would have on its significance, notify local Aboriginal community groups of the proposed development, and take any response from them into consideration before development consent is granted. The consenting authority must also be satisfied that any necessary consent or permission under the NPW Act has been granted (Reg 28).

No Aboriginal heritage items are identified in Schedule 1 'Archaeological sites' or Schedule 2 'Heritage items' of the LEP.

2.6 Non-Statutory Registers

2.6.1 Register of the National Estate

The Register of the National Estate (RNE) was originally established under Section 22 of the *Australian Heritage Commission Act 1975* (AHC Act). Since the establishment of the NHL and CHL, there is now a considerable level of overlap between the RNE and heritage lists at the national, state and territory, and local government levels. In February 2012, all reference to the RNE was removed from the EPBC Act and the AHC Act. The RNE is now maintained on a non-statutory basis as a publicly available archive.

The RNE lists five Indigenous Places in Tenterfield LGA, which are identified as having Indigenous heritage value (Table 2.2). Three of these are Indicative Places, which were nominated for inclusion in the Register of the National Estate but were not assessed before it was frozen.

Table 2.2 Heritage places listed under the RNE identified as having Indigenous heritage value

Place ID	Name	Primary Address	Status
345	Wellington Rock Aboriginal Place	Tenterfield, NSW, Australia	Registered
349	Tooloom Falls Area	Urbenville, NSW, Australia	Registered
353	Kangaroo Flat Carved Tree and Bora Ground	Kangaroo Flat via Urbenville, NSW, Australia	Indicative Place
18924	Dingo Nob Bora Ground	Tabulam, NSW, Australia	Indicative Place
18934	Bora Mountain & Chinamans Creek Bora Rings	Tara Hills via Billyrimba, NSW, Australia	Indicative Place

3 Aboriginal Community Consultation

Consultation with local Aboriginal community members has been undertaken for this project, to ensure that their views and opinions were included as stakeholders in the identification and recording of any objects or places of Aboriginal cultural or archaeological significance within the study area.

Although there is no requirement for the project to be undertaken in accordance with the DECCW *Aboriginal cultural heritage consultation requirements for proponents 2010*, as the project will not include an application for a permit, Council requires a process of Aboriginal community consultation which is broadly consistent in principle with the requirements. The consultation process that was undertaken is outlined below.

3.1 Identifying Aboriginal People with Rights and Interests in the Area

The following organisations were contacted in order to identify appropriate Aboriginal people to consult:

- Heritage Branch, Office of Environment and Heritage, Department of Premier and Cabinet (Heritage Branch);
- Office of Environment and Heritage, Environment and Conservation Programs, Environmental Planning and Regulation Group North West Regional Office (OEH);
- Aboriginal Affairs, Office of Communities, Department of Education and Communities;
- National Native Title Tribunal (NNTT);
- Native Title Services Corporation Ltd (NTSCorp);
- Office of the Registrar, Aboriginal Land Rights Act 1983 (NSW);
- NSW Aboriginal Land Council;
- Moombahlene Local Aboriginal Land Council (Moombahlene LALC);
- Muli Muli Local Aboriginal Land Council (Muli Muli LALC);
- Jubullum Local Aboriginal Land Council (Jubullum LALC);
- Jana Ngalee Local Aboriginal Land Council (Jana Ngalee LALC);
- Baryulgil Local Aboriginal Land Council (Baryulgil LALC); and
- Glen Innes Local Aboriginal Land Council (Glen Innes LALC).

3.2 Agreeing on a Process

Based on contact with the above organisations, the following Aboriginal parties were identified as likely to have an interest in the Aboriginal Heritage Study:

- Moombahlene LALC;
- Muli Muli LALC;
- Jubullum LALC;
- Jana Ngalee LALC;
- Baryulgil LALC;
- Glen Innes LALC;
- Githabul Nation Aboriginal Corporation (GNAC);
- Kwiembal Elders Indigenous Group (KEIG);
- Trevor Close;
- Ms Glenda Roberts & Mr Avery Brown;
- Mr Eric Walker;
- Colleen Donnelly, Andrew Donnelly & Albert Robinson;
- Mr David Mundine & Mr Leon Errol Mundine;
- Ms Kathy Malera-Bandjalan;

- John Lasserre, Henry Lasserre, Gwenda Schalk, Rita Lord, Georgette Lord, Barbara Conners, Elizabeth Connors & Glady Irving;
- Cheryl Duroux;
- Ronella Jerome;
- Roxanne Bancroft-Stuart; and
- Helen Duroux.

Each of these organisations, or their representatives, was contacted to discuss the Aboriginal Heritage Study. An explanation of the Study was provided, and each party was invited to be consulted and involved in the Study. Not all of the identified parties responded to the invitation; however, those that did are:

- Barry Duroux/Cheryl Duroux, Moombahlene LALC;
- Matthew Green, Muli Muli LALC;
- Cedrick Walker/Ken McIntosh, Jubullum LALC;
- Trevor Potter, Glen Innes LALC;
- Gloria and Robin Williams, GNAC;
- Roxanne Bancroft-Stuart; and
- Helen Duroux.

A public meeting was organised, to which all interested Aboriginal parties were invited to discuss the aims of the project and the manner, timing and level of consultation. Following discussion with the identified Aboriginal parties, the meeting was organised on 26 April 2012, at 4:00pm in the Tenterfield RSL Pavilion. All organisations and individuals who had Aboriginal contacts were informed of the meeting time and place by telephone, email or letter, and asked to pass these details on to any of their Aboriginal contacts who may be interested in the Study.

The following community members attended the meeting on 26 April 2012:

- Cheryl Duroux;
- Roxanne Bancroft-Stuart; and
- Helen Duroux.

3.3 Establishing Protocols

Relevant protocols were established for the project at the face-to-face meeting held on 26 April 2012. A letter was sent in response to feedback received during the meeting, providing the registered Aboriginal stakeholders with information regarding the proposed methodology for this study, the type of information that will be included the report, and the ways in their organisations could contribute. It was agreed that AMBS would produce a large, A0-sized poster of Tenterfield LGA, showing place names, homesteads, and major watercourses within the study area, as well as the location of Declared Aboriginal Places, and places associated with of the Aboriginal history of the area identified in the draft thematic history. The poster was sent to Cheryl Duroux, with a request to display it in the Moombahlene LALC office, so that community members could mark areas with Aboriginal heritage sensitivity on the map before the next community meeting if they wished to do so.

A second public meeting was organised for 20 August 2012, at 4:00pm in the Tenterfield RSL Pavilion, to identify any additional items or places of cultural heritage significance, meet with members of the community who were unable to attend the last meeting, and discuss management recommendations for Aboriginal heritage within Tenterfield LGA. All registered Aboriginal organisations and individuals were informed of the meeting times and venues by telephone, email and/or letter, and asked to pass these details on to anyone in the local Aboriginal community who may be interested in the Study.

The following community members attended the meetings on 20 August 2012:

- Cheryl Duroux;
- Roxanne Bancroft-Stuart; and
- Helen Duroux.

The findings of the draft thematic history were discussed at the meeting, and the attendees mentioned a number of places within Tenterfield LGA that have heritage value to the present-day Aboriginal community. Possible options for heritage recording were discussed; however, while the local community would like Council to be aware of the heritage value of these places, they did not want them recorded in greater detail at this time.

Although no areas of sensitivity were marked on the map by the Aboriginal community, management recommendations for inclusion in the Aboriginal Heritage Study were discussed at the meeting. These recommendations are discussed in Section 6 of this report. It was made clear to AMBS that the Tenterfield Aboriginal community would prefer not to include detailed information about site locations in a publically available document. It was therefore proposed that a version of the document should be produced in which heritage sites are not identified in detail, but where general areas that are important to the community, or areas of sensitivity where archaeological sites may be present, should be indicated.

4 Thematic History

4.1 Preamble

The Commonwealth and State government authorities have developed a series of Historic Themes to provide a framework for identifying and understanding heritage places. These themes focus on the human activities that produced the places we value, and the human response to Australia's natural environment. The major historic themes that are identified as applying to the study area are discussed below.

4.2 Peopling Australia

4.2.1 Living as Australia's earliest inhabitants

Aboriginal occupation of NSW is likely to have spanned at least 20,000 years, although dates of more than 40,000 years have been claimed for artefacts found in gravels of the Cranebrook Terrace on the Nepean River (Nanson *et al.* 1987; Stockton 1993; Stockton & Holland 1974). Late Pleistocene occupation sites have been identified at Shaws Creek in the Blue Mountain foothills (14,700 BP, Kohen *et al.* 1984), Mangrove Creek and Loggers Shelter in the Sydney Basin (c.11,000 BP, Attenbrow 1981, 2004), and Burrill Lake on the South Coast (c.20,000 BP, Lampert 1971). Aboriginal occupation of the New England Tablelands dates back at least 9,000 years, according to radiocarbon dates obtained during archaeological excavation of the Graman A2 rock shelter, located approximately 90km west of Tenterfield LGA. Other Aboriginal sites in the area with evidence of early occupation include the Graman B1 rock shelter (c.5,400 years BP), the Bendemeer 2 rock shelter (c.5,000 BP), and the Moore Creek 4 and Moore Creek 6 rock shelters near Moore Creek (c.4,000 BP) which are located to the south of Tenterfield, near Tamworth (McBryde 1977:227,229).

A number of Aboriginal groups occupied the Tenterfield region at the time of European contact, including the Badjalang (Bundjalung), Kitabal (Githabul), Ngarabal, Jukambal and Keinjan (Gee-en yun). According to the anthropologist Norman Tindale, the Bundjalung occupied the area between the headwaters of the Clarence and Richmond Rivers, inland to Tabulum and Baryulgil. The traditional territory of the Githabul people included Urbenville, Woodenbong, Unumgar, and Tooloom, south to near Tabulam and Drake (Tindale 1974; Wilkinson Part 1. 1992:13; Moran 2004:48-49; OEH 2012). The Ngarabal people traditionally occupied the south west of the study area, from Bolivia south to Stonehenge in Glen Innes LGA (MacPherson 1905:679; Tindale 1974). In an interview for an anthropological study undertaken in 1998, elder Keith Byrne indicated that the northern boundary of Ngarabal territory was marked by the Mole River, and that the north eastern boundary was within Bolivia Station (Kerr *et al.* 1999:25). Parts of the study area were also occupied by the Jukambal in the south east and Gee-en-yun in the north (Tindale 1974; Gardner 1978 [1842-54]:245; MacPherson 1905:679). Tindale's descriptions of tribal boundaries are based on the distribution of language groups in this area, which are derived largely from linguistic evidence published from 1854 to 1969; however, the boundaries are approximate, and probably varied over time (Tindale 1974). A summary of the groups within the study area, and their distribution as identified by a selection of historic sources, is presented in Table 4.1, below.

Table 4.1 Distribution of Aboriginal language groups in the Tenterfield region

Language Group	Location	Source
Ngarabal (also known as Ngarabul, Ngarrabul, Narbul and Marbul [presumed to be mishearing or typographical error])	West of a line from near Tenterfield to Glen Innes, including Bolivia	Tindale 1974
Ngárrabul	From Stonehenge north to Bolivia	MacPherson 1905:679
Ngarrabul	Northern boundary the Mole River, north eastern boundary within Bolivia Station	Kerr *et. al.* 1999:25
Narbal	Severn River, and Beardy Plains in New England	Gardner 1978 [1842-54]:245
Márbul	About Tenterfield	MacPherson 1905:679
Badjalang (also known as Badjelang, Budulung, Buggul, Paikalyung, Paikalyug, Bandjalang, Bandjalong, Bunjellung, Bundela, Bundel, Widje (horde or hordes at Evans Head), Watchee, and Woomargou)	From northern bank of Clarence River to Richmond River; at Ballina; inland to Tabulam and Baryulgil	Tindale 1974
Kitabal (also known as Kidabal, Kidjabal, Kit(t)a-bool, Kittabool, Kitabool, Kitapul, Gidabul, Gidjoobal, Kuttibul, and Noowidal)	Headwaters of Clarence, Richmond, and Logan rivers on main Dividing Range; Killamey to Urbenville, Woodenbong, Unumgar, and Tooloom; at Rathdowney and about Spicer Gap in Queensland; south to near Tabulam and Drake	Tindale 1974
Jukambal (also known as Jukambil, Yukambal, Yukumbul, Yukumbil, Yacambal, Yookumbul, Yookumbil, Yookumbill, Yoocumbill, Ukumbil, Yookumble, Yoocomble, Ucumble, and Yukumba)	East of a line from near Tenterfield to Glen Innes	Tindale 1974
Keinjan (also known as Gee-en-yun)	Stanthorpe north to about Hendon and Allora; east to Dividing Range; west to Herries Range and beyond Thane; at Warwick and vicinity of Leyburn	Tindale 1974
Gee-én-yun	About Tabulum	MacPherson 1905:679
Gheeannon (also known as Geehunnon)	Clarence District	Gardner 1978 [1842-54]:245

A Ngarabal myth describes how Aboriginal people separated into different tribes and acquired different languages after surviving a great flood. The tribes were then distributed into groups (MacPherson 1905:682-683). William Gardner, who tutored the children of station owners in the New England region, observed in c.1842-54, that *[t]he languages of the various tribes of blacks differ, within a distance of from fifty to one hundred miles. Their dialects vary at shorter distances* (Gardner 1978 [1842-54]:245). There were up to twenty dialect groups among the Bundjalung, many of which shared similar languages (Tindale 1974; Wilkinson 1992, Part 1:5; Moran 2004:48-49; Muurrbay Aboriginal Language and Culture Co-operative [MALCC] 2012).

Territories were clearly defined by physical places in the landscape, and boundary lines were indicated by natural features such as hills, watercourses and rock outcrops. Hunting grounds, fishing waters and burial places were also marked by physical objects, such as carved trees or rocks. Trespassers were not allowed within these boundaries, although at times movement into the territory of other tribes was invited (Gardner 1978 [1842-54]:239,243; Kerr *et. al.* 1999:24). Charles Moran, who grew up at Pretty Gully near Tabulam in the 1930s and 1940s, recalled that Bundjalung people learned several dialects when they were children, as *it was vital to be able to converse with the owners of the lands where they travelled* (Moran 2004:49).

Evidence for movement and contact between tribes is demonstrated by the occurrence of edge-ground artefacts on the New England Tablelands and Darling Basin that originated from stone quarries at Moore Creek. The distribution of stone material supports the theory that objects may have been transported as part of trade or ceremonial exchange networks on the plateau. However, based on currently available research, the Clarence and Richmond river valleys do not appear to have been part

of this network. In these areas, raw stone material used to manufacture edge-ground artefacts appears to have been obtained locally from the gravel beds of the Clarence valley (McBryde 1979:114, 116; Davidson 1982:44-5, 131-132). Archaeological surveys of Torrington State Recreation Area (SRA) and forested areas within Tenterfield LGA found that stone tool assemblages were dominated by locally available quartz or acid volcanic rocks, with limited amounts of non-local stone material (Byrne 1993:24; Kerr *et. al.* 1999:25-26).

4.3 Utilising Natural Resources

In 1842, George James MacDonald, the Commissioner of Crown Lands for New England, estimated that there were 500-600 Aboriginal people in the region, and researchers initially thought that numbers of Aboriginal people on the New England Tablelands in pre-Contact times were relatively low in comparison to proportions in the colony as a whole. However, more recent analysis has indicated that the area was subject to at least moderate occupation. Seasonal movement of people occurred between the tablelands and the coastal plains, in order to exploit seasonal hunting grounds and to escape the winter cold. In 1854, Gardner suggested that Aboriginal people also moved west in late summer, in order to avoid the March fly (Commonwealth of Australia 1924:172; Walker 1966:3; McBryde 1974:9-10, 337-338; Connah, Davidson & Rowland 1977:128-130; Belshaw 1978; Bowdler and Coleman 1981:12; Davidson 1982:52-5; Gorman 1998:38; Sahukar *et. al.* 2003:159). This is corroborated by William Bates, who wrote c. 1840s that:

> *The blacks had no permanent or fixed camps. When the seasons changed, or food gave out or grew scarce, or if anyone died, the site of the camp was changed. They found it too cold to stay on the high tableland in winter, so they made it down to the Rocky River, or other branches of the Clarence, to the east, or to the Mole district on the west, in the cold weather* (Kerr *et. al.* 1999:22).

However, there is evidence to suggest that some people remained in the south west part of the Tablelands throughout the winter; for example, around Dundee and the Gulf Creek area in Glen Innes Severn LGA (Hartmann 1979:187; Kerr *et. al.* 1999:18-19).

4.3.1 Using indigenous foodstuffs

Animals in the Tenterfield area that were used by Aboriginal people as food resources included kangaroos and wallabies, possums, emu, native ducks and waterfowl, echidnas, goannas, bandicoot, flying foxes, turtles, snakes, fish and yabbies, and invertebrates such as witchetty grubs and curl grubs (Commonwealth of Australia 1842:653; Bundock 1978 [1898]:263; Ginibi 1994:123; Moran 2004:13, 38-46). Game such as kangaroo and wallaby were driven into standing nets made of Kurrajong fibres, where they were killed with spears and clubs (also known as *waddies*) (McBryde 1974:13; Bundock 1978 [1898]:263-264; Gardner 1978 [1842-54]:239). In the nineteenth and twentieth centuries, they were also hunted with guns or rifles (Moran 2004:12, 44-45; Gardner 1978 [1842-54]:249). Woven nets were used to trap ducks and other waterfowl (Moran 2004:44; Bundock 1978 [1898]:264). In the 1850s, Mrs McPherson of Keera Station described their manufacture:

> *These nets are the handiwork of the 'gins', as the native women are called, and are generally made of the fibres of the 'corryjong'* [kurrajong] *tree, or of the bulrush and 'wongul' roots* [possibly *Typha* sp., Gott 1999]. *These fibres are separated by maceration, and afterwards twisted together. The netting needle they use is a piece of hard smooth wood, and the string is wound around it ('A Lady' (McPherson) 1974 [1860]:249).*

When it was prepared correctly, the echidna was known for its sweet and tender meat (Moran 2004:38). It was rolled in clay before being baked in ashes, so that *the quills came off with the clay when it was broken away after cooking* (Bundock 1978 [1898]:263). It was believed that goanna was best eaten after winter, when it had emerged from hibernation and was still fat. Goanna meat was

roasted over coals, and goanna oil was rendered by cooking the fat with the meat, or by placing the fat on a rock or piece of corrugated iron that had been heated by the sun. The oil was rubbed on the skin as a cosmetic, and was also used as a treatment for arthritis or sore joints (Moran 2004:38). Possums were caught by climbing trees notched by hatchets (axes), supported by a vine looped around the trunk and tied around the waist (Figure 4.1; according to Sullivan (1978:106), the photograph was taken at Dyraaba Station on the Upper Richmond River). This left the hands of the hunter free to cut a hole in the tree where the possum was sleeping, enabling them to snare the animal (Gardner 1978 [1842-54]:249-250; Moran 2004:44). Grubs were roasted and eaten whole, and were described by Mrs. McPherson as a *great delicacy* (McPherson 1974 [1860]:250; Bundock 1978 [1898]: 262).

Figure 4.1 'Native climbing [tree] with vine' by Charles H. Kerry (Source: State Library of Victoria, Image a13366, http://www.slv.vic.gov.au/pictoria/gid/slv-pic-aab63858).

The Clarence River and its tributaries were a source of fish, which were traditionally caught with spears, or in woven nets made of reeds or other fibrous plants (Gardner 1978 [1842-54]:246; Commonwealth of Australia 1924:652; McBryde 1974:13). The small swamps on the New England Plateau may also have been an important source of food (Kerr *et al.* 1999:17; Byrne 1993:28). In the post-contact period, new materials became available for making fishing equipment. Moran described fishing in Tabulam with cord lines and hooks, and using fish traps constructed of wire and wire netting (Moran 2004:42-43).

Wild bush honey was obtained from the hives of native bees, and was either mixed with water to make a sweet drink or eaten with dippers made of ruffled bark. A darker variety of honey was used to treat

sore throats, colds and constipation. A mixture of pollen and nectar known as *bee bread* was collected with the honey, and functioned as a laxative when eaten dry (Commonwealth of Australia 1842:653; Moran 2004:40-41). In order to find honey, Aboriginal people would catch a native bee, attach a small piece of down to its wing, and track it as it flew back to the hive. Alternatively, they would watch which direction the bee flew after it left a waterhole (McPherson 1974 [1860]:253; Moran 2004:41). According to W.T. Cadell of Deepwater Station, the Aboriginal name for Tenterfield was 'Moombilleen', which means *place of wild bees* (*Tenterfield Star* 1954:5).

There are accounts of Aboriginal people grinding the seeds of goolah grass (*Panicum* spp.) and making them into cakes (Gardner 1978 [1842-54]:246; McPherson 1974 [1860]:251; McBryde 1974:320). Plants such as native yams (*Dioscorea transversa*), the shoots of the scrambling lily (*Geitonoplesium cymosum*, similar to asparagus), tree ferns (*Cyathea australis*), geebung (*Persoonia* spp.), wild raspberries (*Rubus rosifolius*), native cherry/oparra (*Exocarpos cupressiformis*), peach heath (*Lissanthe strigosa*), manna from the manna gum (*Eucalyptus viminalis)* and peppermint trees, and possibly cycad (*Macrozamia plurinervia*) would also have been eaten (Hartmann 1979:187; Walker 1966:4-5; Kerr *et al.* 1999:17; AMBS 2010:22). The bark and leaves of the manna gum were used to treat the eyes and cure diarrhoea (MacPherson 1902:642-643). The astringent sap of the 'Apple-tree' (possibly *Angophora* sp.) was also used by the Ngarabal and Jukambal for medicinal purposes, and was potable in times of drought (MacPherson 1902:641).

4.3.2 Aboriginal clothing and ornamentation

Clothing was rarely worn, although possum skin cloaks were used for protection during cold and wet weather. The cloaks were made by women, who cured the possum skins by securing them to small sheets of board with wooden pins, and then set them out to dry. When a sufficient number had been collected, they were sewn together with a bone or wooden needle using plant fibres or sinew from animals such as kangaroo. String belts woven out of possum hair were also worn by both men and women (McPherson 1974 [1860]:251, 253; Bundock 1978 [1898]:262; McBryde 1978:192). It has been noted that during battles, corroborees or other *grand occasions*, Aboriginal men decorated themselves with red and yellow ochre, and white clay. They adorned their hair with feathers, kangaroo teeth, and bird claws. Reed necklaces and belts would also be worn (McPherson 1974 [1860]:254; McBryde 1974:12-13). Ochre was obtained from places such as Tabulam, near the Turtle Point Aboriginal Reserve to the west of Tenterfield in Kyogle LGA (NPWS 2010:5). In 1860, Mrs McPherson observed that in *more civilized regions, some sort of clothing is always worn* by Aboriginal people, many of whom adopted elements of European dress (Figure 4.2). Brightly coloured garments were favoured, scarlet in particular, and blankets were used as mantles (McPherson 1974 [1860]:253).

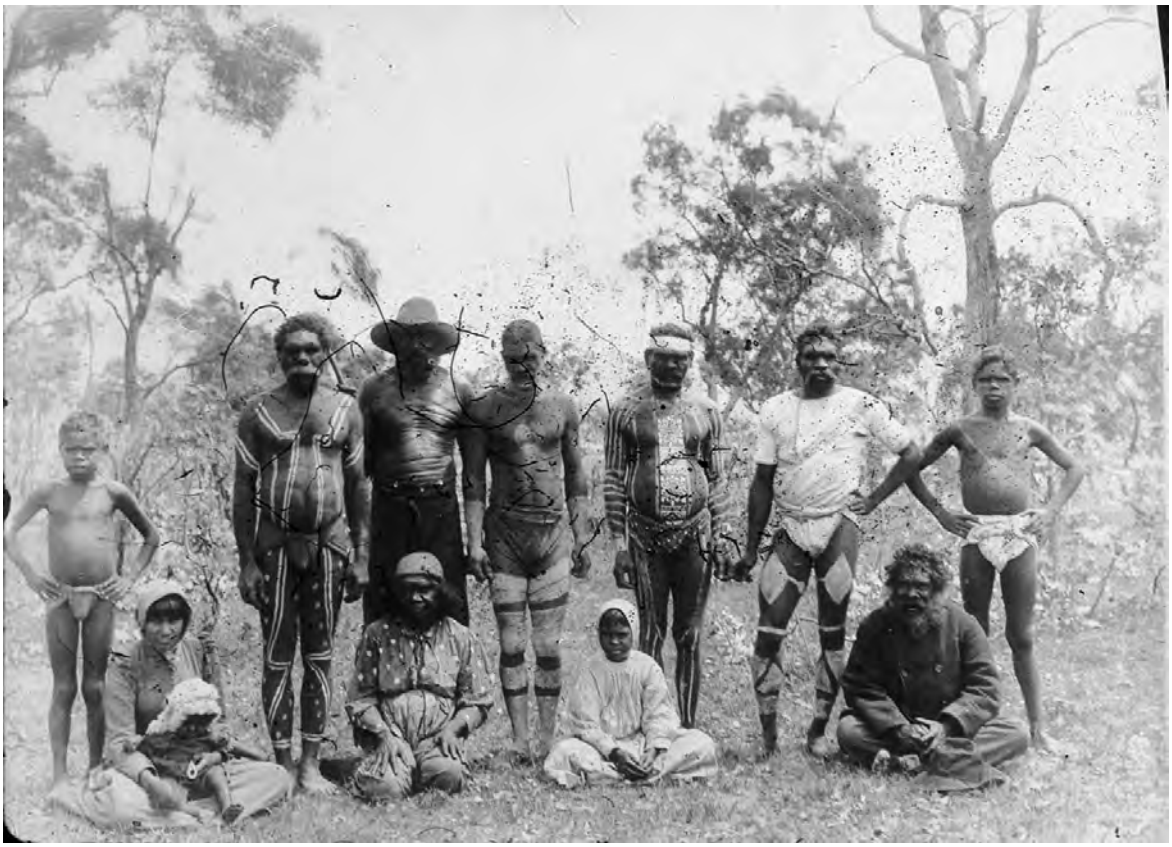


Figure 4.2 Group of Aboriginals - Tenterfield, NSW by Amelia Butler, 1895 (Source: Mitchell Library, State Library of NSW, BCP 06867)

4.4 Marking the Phases of Life

Rituals often brought different Aboriginal groups together, where they traded goods and information, or participated in special gatherings or festivals (MacPherson 1905:683; Moran 2004:49). According to information provided by Mrs Ethel Duncan, intermarriage occurred between the Jukambal and surrounding tribes such as the Ngarabal and Marbal (Kerr *et. al.* 1999:25). Tribes also joined together for initiation ceremonies (Gardner 1978 [1842-54]:243; Mathews 1894:114; Back to Glen Innes Week Committee [BTGIWC] 1988:1; Kerr *et al.* 1999:25). Gardner noted the Aboriginal people of the northern districts were *[…] frequently called upon to decide the quarrels of their neighbours, and to attend Corroboras and Borrahs to a considerable distance from their own district* (Gardner 1978 [1842-54]:246).

4.4.1 Being an adult

The Aboriginal community met periodically for initiation ceremonies, for the purpose of introducing boys to manhood (Howitt 1904:512). In the mid-nineteenth century, Gardner claimed that these meetings were convened quarterly; however, anthropologist R.H. Mathews stated that they took place *at irregular intervals as emergencies arise; they are generally held in the summer on account of the greater chance of having fine weather; but they may be held at any time of the year* (Mathews 1894:99). During the ceremony, young men from some tribes had one of their front teeth broken (a practice known as tooth avulsion), although John MacPherson was informed that this did not occur among the Ngarabal (MacPherson 1902:646). Afterward, they were *for the first time taken round the Boundaries of the tribe, and shown the various marks of their District* (Gardner 1978 [1842-54]:243). They also received instruction in medicine and the healing arts (MacPherson 1902:637). Women were forbidden from attending these ceremonies (McBryde 1974:60; Moran 2004:55). Some traditional customs changed following contact with Europeans; however, initiation ceremonies were still conducted in the Tenterfield region into the 1930s in *an abbreviated form* (Mathews 1894:99; Calley 1964:58).

In northern NSW, historical and ethnographic accounts most often describe male initiation ceremonies (also called *Boras*, *Borrahs* or *Boroes*) as taking place at bora grounds (Gardner 1978 [1842-54]:243, McPherson 1974 [1860]:255; Mathews 1894). Bora grounds are a ceremonial site type, usually consisting of a circular clearing defined by a raised earth circle. They are connected by a pathway to a second, smaller circle, and often accompanied by ground drawings or mouldings of people, animals or deities, and geometric designs carved on nearby trees. McBryde noted that there is often a close spatial association on the New England Tablelands between bora grounds and stone arrangements, which may have been used for different, but contemporaneous ceremonies. Some stone arrangements also include circles and pathways, although they more commonly consist of low stone cairns or heaps of stones of uncertain function. Unfortunately, the raised earth features are easily destroyed by agricultural and pastoral activities, vegetation growth and weathering (McBryde 1974:29-31,53; Connah *et al.* 1977:133-4).

In the vicinity of Tenterfield LGA, bora grounds have been reported at Kangaroo Flat, Dingo Nob, Bora Mountain, Chinamans Creek, Sandy Flat, Ruby Creek, Wheatley's Creek, near Rocky River/Demon Creek and Busbys Flat. A damaged bora ring was also recorded on a property six miles south of Silent Grove, on the Silent Grove-Torrington Road; however, it has since been destroyed by wild pigs (McBryde 1974:60; Hall 1977:29; Kerr *et. al.* 1999:28; Bowdler 2003).

It is possible that bora grounds may have also been used at times for corroborees (gatherings where dancing, singing and storytelling took place; Figure 4.3), celebrations or judicial meetings, although this may have only occurred in the post-contact period (McBryde 1974:30-31,53-54; Connah *et al.* 1977:134; Moran 2004:54-55; Gardner 1978 [1842-54]:243). A number of different matters were discussed at the gatherings, including *when to relocate the camp, preparations for visitors, or about trade and other special excursions* (Moran 2004:55). There is a newspaper report of a corroboree held in Tenterfield in 1931, which was attended by approximately 70 Aboriginal people. Activities that took place included traditional dance performances and chanting, as well as European influenced entertainments such as jazz singing and steer-riding competitions (*Barrier Miner* 1931:1). In 1932, a corroboree was held on the eastern side of the bridge at Tabulam. The ceremony was led by Harry Mundine, and was attended by both European and Aboriginal people (Hall 1977:30). According to one local history, corroborrees were also known to have been held in the historic period at Barney Downs (Hall 1977:28; Rich 1990:100).

It has been suggested that the higher regions of the New England Tablelands (greater than 1000m above sea level) were used predominantly for ritual, rather than economic, activities. This is based on the large number of ritual/ceremonial sites in the higher regions, in proportion to recorded occupation sites, which have comparatively lower artefact densities and are relatively few in number (Byrne 1993:27-28). Further, it has been noted that sky deities were part of the religious beliefs of the Aboriginal people in eastern NSW, and that ceremonies were often conducted in the higher elevations of people's territory (Bowdler and Coleman 1981:23-5; Davidson 1982:52-5; Hoddinott 1978:58). However, ceremonial and art sites are often the most easily identified by the general population and this, combined with a lack of extensive archaeological studies in the region, may have contributed to the overrepresentation of identified ritual/art sites (Connah *et al.* 1977:127).

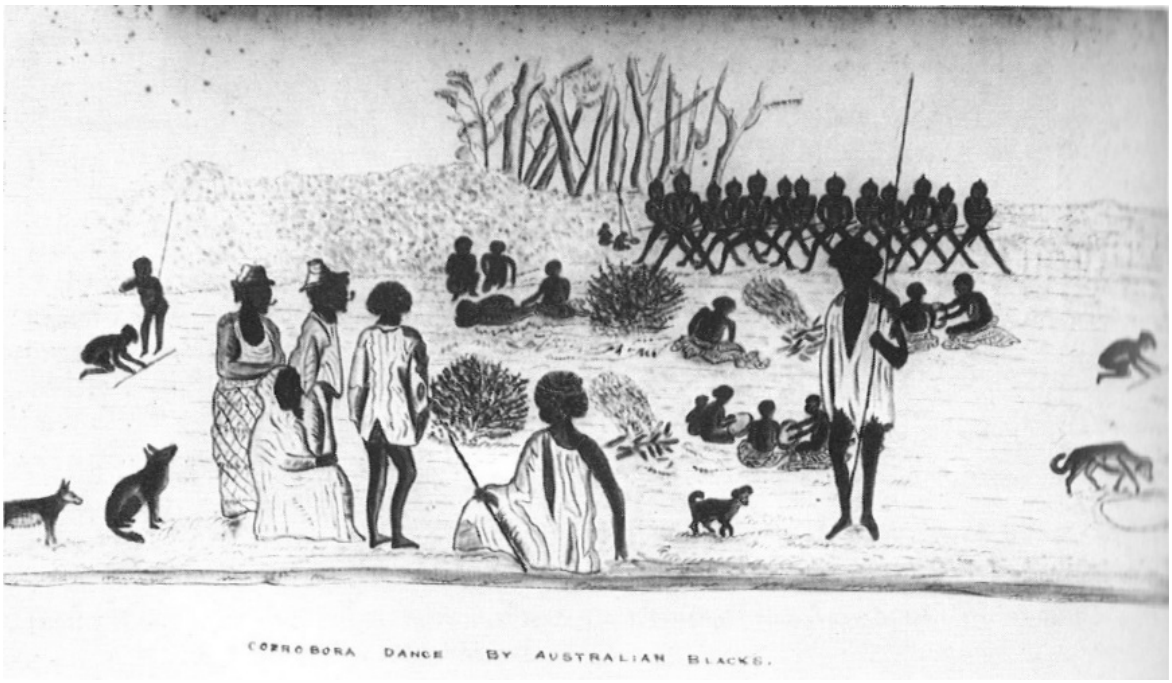


Figure 4.3 Drawing of 'Corrobora Dance by Australian Blacks' by William Gardner, c.1850s (McBryde 1974:236)

4.4.2 Dying

Dealing with human remains

Mrs McPherson (1974 [1860]:255-256) notes that in the Northern districts, some tribes used to *expose their dead on trees, or on wooden stages erected for that purpose*, and that others burned the corpses of the dead and collected the ashes. She reported that Aboriginal people in the region *have a great dislike to hear death spoken of, or the names of their deceased friends mentioned*, and that they disliked visiting burial grounds; however, it seems that graves were tended rather than being neglected. Burial sites may have been marked by carved trees, as at Keera, to the south west of the study area, where they were incised with animal designs, weapons such as boomerangs and waddies, and geometric patterns (Figure 4.4). According to Gardner (1978 [1842-54]:243), carvings of animals, such as emu or kangaroo, indicated that the person buried near the tree was known for hunting that animal. Graves were sometimes marked by burial mounds that were made of *gravel surrounded and supported by branches of trees* (Mrs. McPherson 1974 [1860]:256). There are only a few descriptions of burials in the Tenterfield region. William Bates provides an account of a burial he witnessed in the 1850s, after an Aboriginal man was killed in a fight at Barney Downs (McBryde 1974:149):

> *The other blacks rolled him in a sheet of bark tied with vines and put him up in a tree. This was one of their methods of dealing with their dead. Another method was to dig a hole in the ground, and after tying the dead man up in a crouching position, bury him, covering the grave over with sticks and logs. The idea of placing him in a crouching position was said to be so that he could jump up. So possibly the blacks had an idea of resurrection.*
> *The blacks also at times buried their dead in waterholes. There is a waterhole in a swamp in Woodlands where the blacks used to sink their dead.*

This was corroborated by Mr [Dick?] Donnelly of Woodenbong, who confirmed that in the late nineteenth century it was customary in the Tenterfield area to wrap the body in bark, and place it in a tree (McBryde 1974:148).

Figure 4.4 A burial ground at Keera in the 1850s (McPherson 1974 [1860]:252, Plate59a)

An example of a different type of burial was reported at Tabulam in 1933, when the skeletons of three adults were found in a rockshelter on the northwestern slope of a ridge overlooking the town. The bodies of one woman and two men had been placed on the floor of the cave on their sides, with knees drawn up to their chin. Ashes from burnt twigs and dry grass were observed under each skeleton, among which were approximately half a dozen marble-sized, coloured, water worn pebbles. A layer of fine sand had filtered down among the bones from the roof of the cave. The burials have not been dated; however, at the time they were found, the skeletons were *in a perfect state of preservation*, and the bones *had not decayed in any degree*. The police constables investigating the site concluded that the bodies could have been there for a hundred years or more, as Aboriginal people who had lived in the area all their lives were not aware of the burial site, and it had also not been mentioned by their fathers (McBryde 1974:146-147).

Aboriginal burial methods changed over time (Byrne 2007:11). European-style graves became more common in the post-contact period on reserves and pastoral stations, such as those at Jubullum Flat Camp Aboriginal Area at Tabulam (immediately east of Tenterfield LGA), although the graves were often unmarked (NPWS 2010:7; Byrne 2007:18, 22).

4.5 Fighting for land

4.5.1 Aboriginal weapons and tools

Contact between Aboriginal groups was not always peaceful, and raids and fights occurred between neighbouring groups. In 1842, Commissioner MacDonald wrote of the *widely scattered state of the Tribes*, their *distrust and fear of each other*, and *their constant feuds* (Commonwealth of Australia 1924:172). It has been noted that there was conflict between the Ngarabal and people from the western plains, the latter stealing women from the former (Kerr *et. al.* 1999:25). In the 1860s and 1870s, residents of the New England Tablelands reported seeing war-bands in the gorge country to the east, travelling to tribal fights (Walker 1966:172). In 1901, Peter Parry, who was adopted into the Ngarabal tribe, told MacPherson that in the early days, *as a rule, the New England tribes were friendly with each other, but hostile to the Queensland and Macleay River tribes, with whom they had many battles* (MacPherson1905:684). Calley, an anthropologist who worked with the Bundjalung in the 1950s, reported that the Dhangati of the Upper Macleay River valley and the Gumbaingheri of the Bellingen were considered traditional enemies, and that some Bundjalung people would not travel south of the Clarence River (Calley 1964:49, 58).

Traditional weapons included spears, fighting boomerangs, war clubs (known as *nulla nulla*), spear throwers (*wummerah* or *woomerah*), shields (*hielaman*), and battle axes (or *palolour*) (Figure 4.5-Figure 4.7). An illustration by Gardner shows a war spear, or *malmi*, with a barbed end and ten foot wooden haft (Figure 4.6). Spears could be thrown by hand, or with a woomerah (McBryde 1974:13). They were reportedly poisoned for use in battle, and only women could apply the poison and treat any resultant injuries (MacPherson 1902:645). Hatchets or axes (also called tomahawks by European observers) were one of the tools used for hunting. They had a stone head that was fastened to a wooden haft with strips taken from the inside of the stringy bark. Small metal axes were adopted following contact with Europeans (McBryde 1974:13; Hartmann 1979:188).

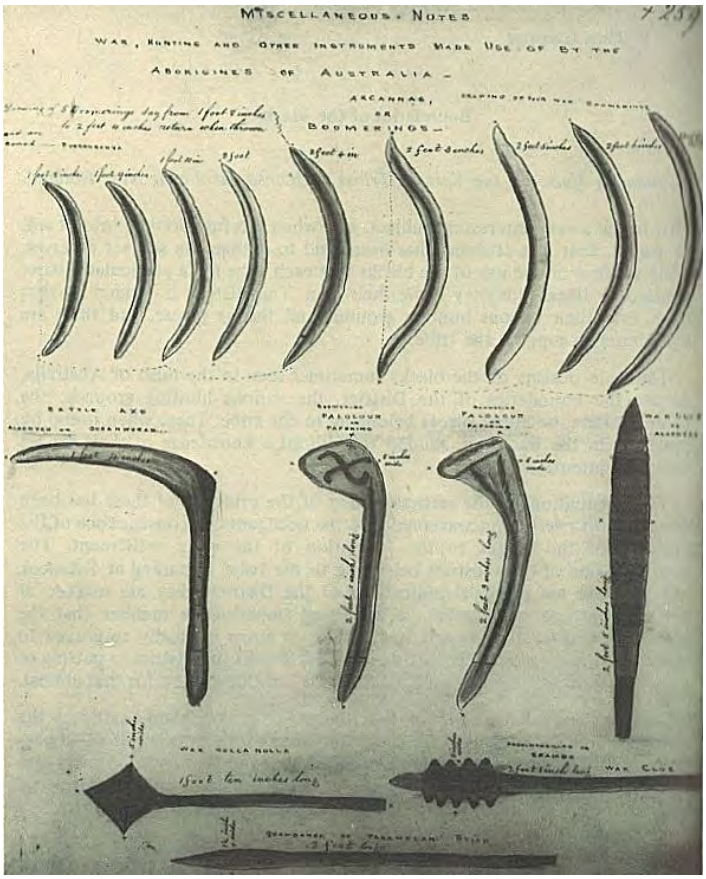


Figure 4.5 Illustrations of boomerangs, battle axes and clubs by Gardner (1978 [1842-54]:240)

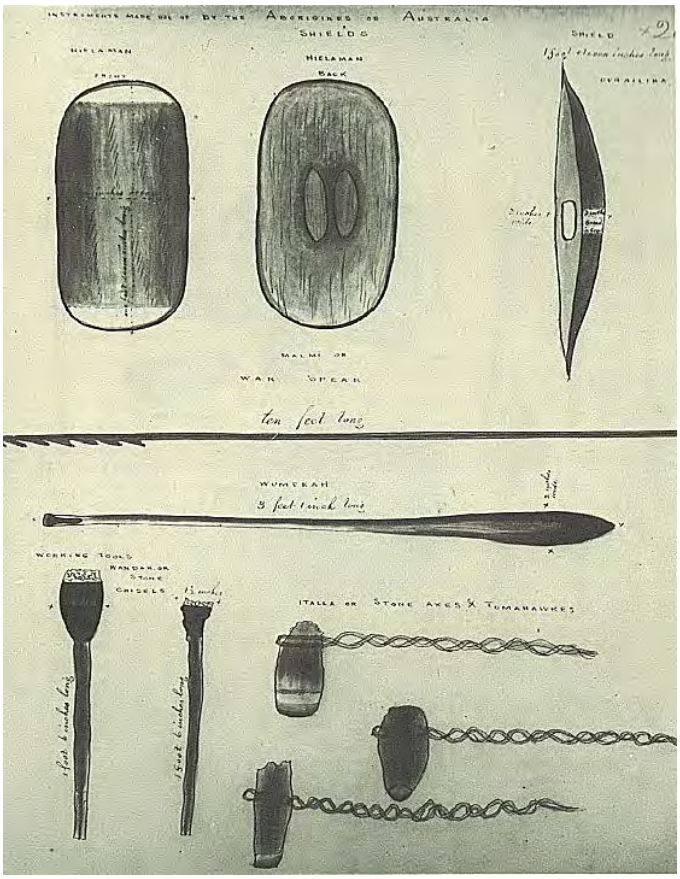


Figure 4.6 Illustration of shields, axes, chisels, war spear and woomerah (Gardner 1978 [1842-54]:241)

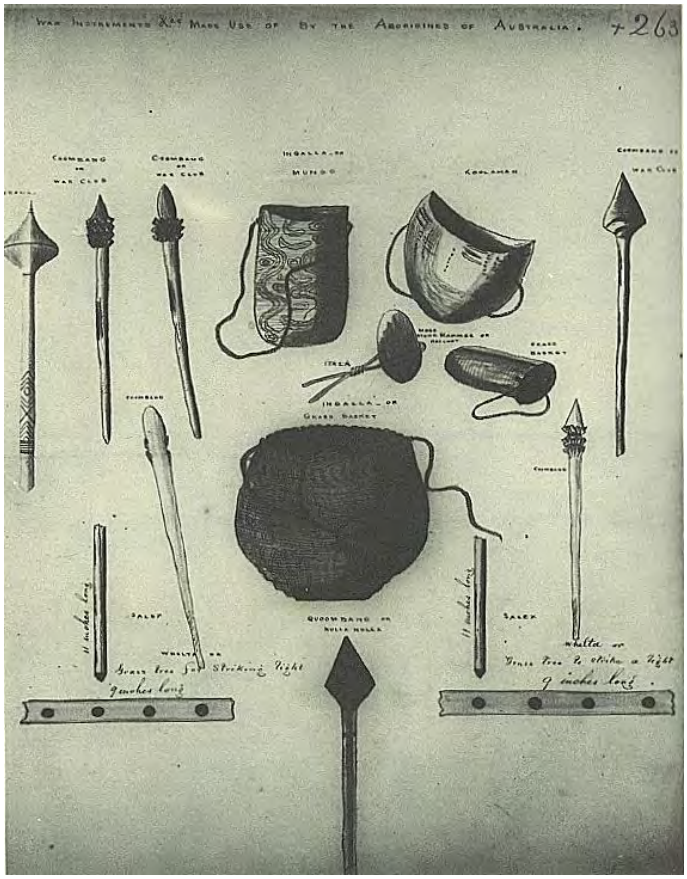


Figure 4.7 Illustration of clubs, baskets, coolamons, axe and firesticks (Gardner 1978 [1842-54]:242)

4.5.2 Resisting the advent of Europeans and their animals

Squatters and pastoralists arrived in the New England Tablelands in the 1830s, and European occupation rapidly expanded northward, reaching the Tenterfield area by 1839 (Commonwealth of Australia 1924:172; Campbell 1978:7; Kerr *et. al.* 1999:31). This soon had an impact on Aboriginal land use and procurement of food resources, as native grasslands and woodlands were taken up for pasture. Aboriginal trapping nets were destroyed by shepherds, trees were cleared, swamps were drained, and fire was used to promote hardy grasses for pasturage. Grazing stock destroyed the habitat of native animals such as wallabies, driving them away from water sources, as well as eating the plant foods, roots and seeds, on which Aboriginal people had subsisted (Keith 2006:90-91, 134-135; Campbell 1978:9; Kerr *et. al.* 1999:32; Walker 1966:5, 172). Introduced species such as the fox also preyed on native animals (Blomfield 1978:25-26). Mrs. McPherson observed that some hunting grounds in the vicinity of large towns had been destroyed, and conceded that *game may be somewhat scarcer than formerly* (McPherson 1974 [1860]:260).

The European and Aboriginal populations soon came into conflict, with Aboriginal people taking sheep and cattle either to replace the food sources which had been lost to the pastoralists, or in retaliation for the damage caused to hunting grounds, fishing waters, and burial places (Gardner 1978 [1842-54]:239). According to a report by Commissioner MacDonald, the years between 1839 and 1842 were characterised by *hostile feeling and outrage on the part of the Shepherds and Stockmen towards the Aborigines*, with *attacks on the life and property of the Europeans* that were *ever so rife and prolific of frequent and savage retaliations* (Commonwealth of Australia 1924:653). Violence appears to have been most intense during this period, with fatalities on both sides (Campbell 1978:8). Europeans generally feared the New England Aboriginal people in the initial period of settlement, with one settler noting that people would travel to the area by boat along the Clarence River, rather than riding overland on horseback (Kerr *et. al.* 1999:33).

The well-known massacre of Aboriginal people at Myall Creek in 1838 occurred mid-way between Bingara and Delungra, outside Tenterfield LGA. Although the general public was sympathetic to the European offenders, based on a subscription list contributing to their defence, the trial resulted in the hanging of seven Europeans. Afterwards, confrontations with Aboriginal people in the Tenterfield region were probably under-reported, in order to protect squatters and their property (Walker 1962:2-3; Creamer 1981:27; Blomfield 1986:29-31; see also McPherson 1974 [1860] for European views on the right to defend property with violence).

In two separate incidents in 1841, the squatter Peter Cunningham Pagan, one of the first settlers at Tabulam, was killed at Pagans Flat, and a hut-keeper from Yugilbar (to the east of Tenterfield LGA near Baryulgil) was killed on the Clarence River. According to newspaper reports, the men were speared while following Aboriginal people who had robbed them of various belongings. Several days after the death of Pagan, a small armed force led by the Commissioner of Crown Lands for Port Macquarie, Henry Oakes, shot down several members of the tribe believed to be responsible, only a few of whom escaped (*The Sydney Monitor and Commercial Advertiser* 1841:2; *The Sydney Herald* 1841:2; *The Brisbane Courier* 1928:17; Wilkinson 1992, Part 1:13; Part 2.:112). There are other reports of Aboriginal people driving off sheep and spearing shepherds at Deepwater Station in 1840, and Bolivia Station in 1844 (*The Sydney Herald* 1840:5; Glen Innes Municipal Council [GIMC] 1972:21; Rich 1990:99).

Campbell argues that by 1841, some Aboriginal people had retreated into the rugged gorges on the eastern edge of the New England plateau, which was traditionally occupied during winter. Guerrilla raids were conducted from this region, with the difficult terrain preventing effective police pursuit (Campbell 1978:10). In 1842, Leonard Irby of Bolivia Station wrote in a letter that:

> *There is not a single station between this [Bolivia] and the Clarence that has not had a flock taken off it by the natives since we have been up here, and in two or three cases the shepherd has been killed (Kerr et al. 1999:34).*

The death of the shepherd at Bolivia, who was attacked with spears and axes and left floating in a river, was the impetus for the massacre that took place at Bluff Rock in 1844 (Figure 4.8). It involved brothers Edward and Leonard Irby, who had taken up Bolivia Station in 1841. The precise nature of events is unclear; however, it appears that the Irbys, assisted by Major Windeyer from the neighbouring Station at Deepwater, pursued the local Aboriginal tribe to Bluff Rock and drove them over the edge, resulting in the death and disablement of several men, women and children (Walker 1962:3, 1966:28-29; Halliday 1986:62-63; Kerr *et. al.* 1999:34; Elder 2003:235). Although the Colonial Secretary was officially informed of the theft of the sheep and murder of the shepherd, the ensuing massacre went unreported (Commonwealth of Australia 1925a:264). A plaque has been erected in the Bluff Rock rest area to the east of the New England Highway, approximately 11km south of Tenterfield, *[i]n memory of the Aboriginals killed in this area during settlement […]* (Figure 4.9). Bluff Rock was identified by Moombahlene Local Aboriginal Land Council as a very sensitive place. According to oral tradition, an unmarked grave in the vicinity of Bluff Rock, to the east of the highway, is said to belong to an Aboriginal girl (pers. comm. C. Duroux, R. Bancroft-Stuart and H. Duroux 20/8/2012).

Figure 4.8 Bluff Rock

Figure 4.9 Bluff Rock memorial, New England Highway

Only a few months after the Bluff Rock massacre, a shepherd was killed in the Clarence district and a large flock of sheep was driven off. The Commissioner of Crown Lands for the Clarence River, Oliver Fry, and three troopers tracked the Aboriginal tribe to a ravine near Deepwater Station and shot seven men, four women and five children (Walker 1966:30).

Direct confrontation was only one aspect of the conflict over land and resources. One local history describes how an *old dear in her nineties explained […] that when she was a girl at Broadwater on Yugilbar Station, she had helped her mother mix the poisoned flour for the aborigines* (Hall 1977:28). Such poisoning of food supplies was not an isolated occurrence. Thomas Coutts of Kangaroo Creek Station in the Clarence Valley, approximately 80km south east of Tenterfield LGA, was arrested in 1848 after being accused of a similar act that caused several deaths (*The Maitland Mercury & Hunter River General Advertiser* 1848:3).

In February 1845, Commissioner MacDonald observed that Aboriginal people continued to occasionally steal and slaughter livestock from *the Eastern Falls of the Table Land, the precipitous and profound Ravines of which afford them safe harbour and secure retreat, where neither Man nor horse can follow.* However, there were fewer raids and reprisals than in previous years, and he described the New England tribes in general as *perfectly peaceful and well conducted* (Commonwealth of Australia 1925a:264). Despite this, armed conflicts between Europeans and Aboriginal people appear to have continued sporadically on the upper Richmond and Macleay Rivers to the east of Tenterfield LGA until c.1860 (*The Sydney Morning Herald* 1852:2, 1860:12; Walker 1962:14).

4.5.3 Displacing Indigenous people

From the 1870s, the attitude of the public towards Aboriginal people began to change. Given the damage that had already been done to their traditional way of life, it was believed that their race would

soon become extinct (Pöch 1978 [1915]:274; Walker 1962:14; Warburton 1962:22; Campbell 1978:13). Historical records suggest that seasonal movement became restricted during the historic period, with people staying in Tenterfield LGA throughout the winter, living and working on pastoral stations (see Section 4.6) (McBryde 1974:338). MacPherson noted that although large gatherings of Aboriginal people had taken place in northern New England within living memory of residents, by 1905 *the remnants of the tribes are now comparatively few* (MacPherson 1905:683).

In 1883, the Board for the Protection of Aborigines was established to provide recommendations concerning the welfare of Aboriginal people and to manage Aboriginal Reserves in New South Wales. The responsibilities of the Board included organising housing, and issuing blankets, clothing and ration coupons (NSW Government State Records 2010a; Thinee and Bradford 1998:20; *The Sydney Morning Herald* 1895:3). As access to traditional lands became more difficult and game became scarcer, people became more reliant on blankets instead of possum skin cloaks as a means of keeping warm (State Library of NSW 2011). The government started to distribute blankets in New England in the 1840s, and this practice continued in Tenterfield into the twentieth century (*The Maitland Mercury & Hunter River General Advertiser* 1863:3, 1893:3; *Clarence and Richmond Examiner and New England Advertiser* 1872:2; Campbell 1978:13; Moran 2004:10).

During this time, the Aboriginal population of New England was concentrated in rural areas. Large pastoral properties were subdivided, and government resettlement schemes encouraged people to move from stations and towns to Aboriginal camps and reserves (Giggs, Greenwood and Lea 1977:202; NPWS 2010:12; Hall 1977:27-28; Moran 2004:7). In the Tenterfield region, Aboriginal reserves and settlements were established at places such as Bokal-ynee, at Muli Muli south west of Woodenbong (in 1908); Pretty Gully (1909); Turtle Point, south of Tabulam (1929); Tabulam Aboriginal Reserve, adjacent to Plumbago Creek (1949); and Tenterfield Aboriginal Reserve, also known as Leechs Gully Reserve, on Leechs Gully Road (1967, Figure 4.10) (Long 1970:39; Rich 1990:97; Thinee and Bradford 1998:348, 366-367; NPWS 2010:12-13). After the Second World War, an Aboriginal fringe camp was also established on the Tenterfield Western Common on the edge of town (Rich 1990:96).

Figure 4.10 Former Aboriginal Reserve (AR 86307), Leechs Gully Road, Leechs Gully (foreground)

For Aboriginal people living at Pretty Gully, fortnightly ration coupons were distributed from Tabulam Police Station. The coupons could be exchanged for goods such as sugar, butter, flour and tea, and more rarely golden syrup, jam, or peanut butter. Meat rations from Tabulam were *irregular*, although offal could be obtained for free from the killing yards on slaughtering days (*The Australian Abo Call* 1938:2). According to Moran, butcher's meat *was an unheard of luxury* for his family. Rations were supplemented with fruit and vegetables gathered from the bush, and by hunting wild birds and animals (Moran 2004:8-10).

Living conditions were generally basic, with no electricity or running water. Three families lived at Pretty Gully during the Depression in the 1930s. Typical housing consisted of bark huts with frames made of stringy bark or tallow-wood saplings. Ant bed (crushed material from termite nests) was watered and compacted in order to form a smooth floor, and was mixed with mud and stabilised with rocks to construct a chimney and fireplace (Moran 2004:13-14).

At Turtle Point, the accommodation was considered to be so poor that new timber houses (known as *barns*) were constructed by the government in 1938. Each building *had two rooms with an open fireplace at one end, and open verandahs on two sides* (Moran 2004:25). Some had water tanks, but drinking water still had to be carried up from the river by hand. Cooking was typically done out in the yard, over an open fire (*The Australian Abo Call* 1938:2; Moran 2004:13-14, 25). In the 1940s, the Board decided to establish a new reserve at Tabulam; however, building delays meant that Tabulam Aboriginal Reserve did not open until 1952. There were eighteen houses, all of which had running water, although electricity was not connected up. By the early 1960s, there were more people living in the reserve than in the neighbouring village of Tabulam (Long 1970:39-40).

A number of extended families lived in a fringe camp on the Tenterfield Western Common, including the Binges, Dawsons, Durouxes, and Kirks. The settlement was connected to the town by a walking

track, and bush tucker was gathered from the surrounding area (pers. comm. C. Duroux and H. Duroux 20/8/2012). In 1962, there was approximately 30-40 Aboriginal people living in the camp in what were described as *extremely depressed conditions* (Warburton 1962:2). Today, the former Common is largely within Currys Gap State Conservation Area, and is managed by the National Parks and Wildlife Service (NPWS 2011) (Figure 4.11).

Figure 4.11 Currys Gap State Conservation Area

Under the *Aborigines (Amendment) Act 1973*, freehold title and mineral rights to all existing Aboriginal reserves in NSW were transferred to the Aboriginal Lands Trust (NSW Government State Records 2010b). The Aboriginal Reserves at Leechs Gully and Tabulam were revoked in 1974 and 1975, respectively, and deeds for the land were issued to the Trust.

4.6 Working

4.6.1 Surviving as Indigenous People in a White-Dominated Economy

Not all contact between Aboriginal people and Europeans was violent, and gradually relations between the two began to change. The restrictions on access to their traditional lands increasingly led Aboriginal people to seek employment and medical aid from Europeans, due to the difficulty of obtaining traditional foods and medicines, as well as the introduction of previously unknown European diseases (MacPherson 1902:647; Campbell 1978:12). Commissioner MacDonald reported at the start of 1843, that *[…] there are but few Stations in the [New England] District that have not now one or two Natives constantly on the establishment* (Commonwealth of Australia 1924:654). From the 1850s, Aboriginal people were encouraged to move from the north coast to the New England Tablelands in order to replace the European labour force, many of whom had left to try their luck on the gold fields (Warburton 1962:23; Campbell 1978:12).

Aboriginal people began to work on stations as shepherds, stockmen and house servants, staying on the rural properties where they were employed (Campbell 1978:12). At Tabulam Station, for example, Aboriginal stockmen and their families lived with other tribal members at several camp sites on the banks of the Clarence River up until the 1930s, in the vicinity of what is now the Jubullum Flat Camp Aboriginal Area (NPWS 2010:7). Housing was constructed out of material such as *bags, bark and corrugated iron over a framework of saplings* (Wilkinson 1992, Part 1:100) (Figure 4.12). A few people received wages for their labour, but it was more common for Aboriginal employees to be paid in rations such as tea, sugar, flour, salt, tobacco, shots of rum (*jiggerah*), and occasionally meat; or clothing (Commonwealth of Australia 1925b:565; Wilkinson 1992, Part 1:98-100).

Station employees remained part of Aboriginal society and sometimes left abruptly in order to attend ceremonies and maintain tribal obligations (Campbell 1978:12-13; Kerr *et al.* 1999:35; AMBS 2010:31). In 1854, Dr. Triall of Tenterfield reported that Aboriginal people were employed at Clifton Station to look after three flocks of sheep. Although he considered them to be *excellent shepherds,* he also noted that *[t]hey may leave in a body without any warning* (Walker 1966:172).

Figure 4.12 Native camp, Tabulam c.1895 by Charles H. Kerry (Source: National Library of Australia, NLA ref: nla.pic-an3298931)

In the early- to mid-twentieth century there was little permanent work available in the Tenterfield district. Many Aboriginal people moved between settlements, influenced by the availability of seasonal work such as corn and pea picking, and farm labour including clearing, poisoning, fencing and ringbarking. People came to the Tenterfield area (Mingoola) to pick tobacco, and travelled to Queensland to pick potatoes (Long 1970:41-42; Wilkinson 1992, Part 2:232-233; Aunty Lil in Department of Education and Communities [DEC] 2010). According to Thomas Welburn, one method of making money involved stripping bark from trees, and selling it to settlers for sixpence a sheet (*Tenterfield Star* 1950:6; Halliday 1988:96). Moran describes a cottage industry that involved

cutting Rhodes grass (*Chloris* spp.) growing on the side of the road. When it was dried and threshed, the grass seed could be sold to traders. Some Aboriginal people made a living fossicking for alluvial gold at Pretty Gully Creek and along the Rocky River, or from underground mining at Lionsville (outside Tenterfield LGA, between Tabulam and Grafton) (Moran 2004:14-15, 178; Rich 1990:100; Mrs Dorothy Bancroft in DEC 2010). In the 1960s, a report indicates that a small number of people from Tabulam were employed at the nearby lime quarry, in local sawmills and at the Baryulgil asbestos mine (Long 1970:41). Data from the 1971 census suggests that permanent work continued to be scarce, with almost a third of the Aboriginal population of New England unemployed, and the remainder concentrated in poorly paid and low-skilled occupations such as farm work and labouring (Giggs, Greenwood and Lea 1977:200). By the start of the twenty first century, official government records indicate that Indigenous people in Tenterfield LGA were employed in a more diverse range of fields, including professional jobs, and administration and clerical work (ABS 2007).

4.7 Educating

4.7.1 Educating Indigenous people in two cultures

No schools for Aboriginal people existed in the New England region until 1860, despite a proposal by Sir William Thomas Denison, the governor of New South Wales, to finance mission schools in 1855 (Walker 1962:10). However, reports from the Aborigines Protection Board suggest that by 1891, Aboriginal children were irregularly attending public school in the Tenterfield district (Warburton 1962:30).

A special curriculum for Aboriginal schools was developed by the Board of Education in 1916, emphasising manual work in order to train Aboriginal people as station labourers and domestic servants (Cadzow 2009:13). In 1938, a small, one-teacher provisional school was established on the outskirts of Tabulam, to cater for children living on the Turtle Point Aboriginal Reserve. At this time, the Department of Education had an exclusion on demand policy, where Aboriginal children could be removed from government schools if any white family made a complaint, which had occurred at the local primary school. Although some Aboriginal girls attended sewing lessons there on an irregular basis, segregation continued until Tabulam Aboriginal Public School closed in 1967 (Wilkinson Part 2. 1992:147-148, 158; Moran 2004: 24-25; NSW Government State Records 2012).

Until Tabulam Central School opened in 1956, the nearest high school that accepted Aboriginal students was Casino High School. For many Aboriginal students this meant a high school education was not possible, as only children from local families were allowed to enrol (Wilkinson Part 2. 1992:147-148, 158; Moran 2004: 24).

Charles Moran attended Tabulam Aboriginal Public School and was taught reading, writing and basic mathematics (Moran 2004:24-25). He recalls that *the teacher used to give us a hard time,* and that *there were no high expectations about what we could cope with at school or the sort of work we could do later on.* In contrast, Moran perceived his bush education to be more interesting and relevant. Traditional knowledge and survival skills were passed down by Bundjalung Elders, including how to build a bark hut, and hunting and cooking techniques (Moran 2004:13-14, 30). Moran says:

> *They were the holders of our history and culture, our languages, songs and stories, spirituality and about the land in which they lived. Many had passed through tribal initiation and had earned their right to hold knowledge (Moran 2004: 30-31).*

Aunty Lil (Lillian) Bartholomew and her brother went to primary school at Sir Henry Parkes Memorial Public School, Tenterfield, where they were teased by other children because they were Aboriginal, and got into fights as a result. In an interview conducted in 2010, she remembered that in

fourth/fifth class, she was told by a teacher that she would *never amount to anything*. She was later sent to school with other Aboriginal students at Mirriwinni Gardens, a Seventh-day Adventist boarding school on Five Day Creek, to the west of Kempsey. However, she noted that she now had a *good relationship with people in Tenterfield, around the community*, and that *things just started to get better as the years went on* (Aunty Lil in DEC 2010)..

Preserving Indigenous languages

Bundjalung dialects were still widely spoken in the Tenterfield region in the late 1940s and 1950s, particularly in the Aboriginal reserves at Tabulam and Woodenbong, on the eastern boundary of the study area. Aboriginal children were often bilingual, and were able to converse in a number of different dialects (Rose 1956:203; Calley 1964:48; BTGIWC 1988:1). However, by the start of the twenty first century, English had become the most common language spoken at home, with only a few Aboriginal people in Tenterfield LGA able to speak an Indigenous language fluently (ABS 2007). Moran observed that *The need to be absolutely precise in the pronunciation is breaking down with the loss of the Elders, With their passing, no-one will be left who can correct the mispronunciations of the younger people […]* (Moran 2004: 49-50). The Muurrbay Aboriginal Language and Culture Co-operative, based in Nambucca Heads on the mid north coast, runs a language revitalisation program with the goal of preserving, maintaining and reviving Aboriginal languages. Audio recordings of Bundjalung speakers made in the 1960s and 1970s, together with grammars and word-lists of various dialects complied during the nineteenth and twentieth centuries, are used as teaching and educational resources (Muurrbay Aboriginal Language and Culture Co-operative [MALCC] 2012).

4.7.2 Maintaining religious traditions and ceremonies

Many Aboriginal places of significance are secret/sacred; however, there are a number of natural landscape features in the Tenterfield region that have mythological importance, and which are known to the general public (Haigh 1980:83). For example, the laws and customs of the Githabul people are derived from the *Nguthungali-garda,* or spirits of the grandfathers, which reside in significant landscape features such as Tooloom Falls, the Clarence River, and Haystack Mountain. Other places of significance are known as *jurbihls* (also spelled *djuribil* or *jurraveel*), which refers to both the site and the totem spirit which inhabits it. *Jurbihl* in the vicinity of Tenterfield LGA include Tooloom Falls, Woolool Wooloolni (Wellington Rock) and Mt Lindesay in Queensland (Creamer 1980:96; National Native Title Tribunal [NNTT] 2007).

Tooloom Falls (Dooloomi) and the Clarence River

Tooloom Falls, also known as Dooloomi, is associated with the creation story of the Clarence River. It is used as a teaching site to educate young Aboriginal people about their traditional heritage. The name Dooloomi is derived from the Githabul word *doloom*, which means head lice. It is believed that head lice are plentiful in the pool below the falls, and that people who swim there can become infested (Creamer 1980:96; Moran 2004:180).

In a legend known to several Aboriginal groups, including the Bundjalung and Githabul people, the 'clever' woman Dirrangun camped at Dooloomi under a fig tree with her family. After quarrelling with her two daughters and her son-in-law Balugan, Dirrangun steals the only fresh water from the pool below the falls, and hides it in her *coolamon* (bark dish). Balugan and his wives search for the water, which is eventually found by one of Balugan's dogs. In his anger, Balugan splits the coolamon with a spear or super-natural echidna quill. The water gushes out, and assisted by a big rain, it carries Dirrangun and the fig tree down towards Grafton. According to the legend, the hollow below Tooloom Falls was created when the fig tree was swept away, and waterfalls were formed when Dirrangun sat down in the flood with her legs outstretched, trying to stop the torrent. Finally, the

Clarence River was created, and Dirrangun and the fig tree were left on the river bank somewhere below Grafton (Creamer 1980:96; Robinson & Bancroft 1994; OEH 2012b).

According to information provided to Howard Creamer by Githabul descendants Gordon Williams, Milli Boyd, Charlotte Williams and Dick Donnelly, *the area of the waterfalls is believed to be inhabited by many spirits which could be a danger to visitors at the site, especially at night* (Creamer 1980:96).

Woolool Wooloolni (Wellington Rock)

Woolool Wooloolni (Wellington Rock) is an outcrop of stone boulders that rise to a height of 1040 m above sea level, with a view across the New England Tablelands (Figure 4.13). The site is bounded on all sides by the Cataract River and its tributaries, which drain north into the Clarence River. This site has spiritual importance to a number of Aboriginal families in the area; for example, it was identified by Dick Donnelly as the totemic dreaming centre of the Donnelly family. It is remembered as a place where ceremonial activities occurred, although the exact location of these activities is no longer certain (Creamer 1981:30; OEH 2012c). Donnelly explained:

> *A whole big mob of them used to sing, old timers…That's the rock, wujun (cleaver?) – they were sitting on top of one another (the rocks). Well that's my father's worship place, jurraveel see. Well them two rocks, we named them wujun and my father worshipped there and no-one could go there because he owned that property. If you did go there you were breaking the Aborigine's law by doing things you shouldn't do. You mustn't go to other peoples' jurraveel., worship places you see?* (OzArk 2009:6).

Figure 4.13 Woolool Wooloolni (Wellington Rock)

Haystack Mountain

The gulf area within Torrington State Recreation Area (SRA) and west to Haystack Mountain was previously identified by Ngarabal elder Keith Byrne as a taboo area, *where generally individuals were told not to go as it was a place that people went to die; they would take their possessions and walk into the area not to be seen again* (Kerr *et al.* 1999:29-30). The area was also reported by Byrne to be associated with protective spirits such as the hairy man and gunj (ghosts). Torrington SRA has been previously assessed as being significant to the Aboriginal community for its educational value and archaeological significance (Kerr *et al.* 1999:105-106). It was also identified as a culturally significant area to the Moombahlene LALC community during consultation for the current study (pers. comm. C. Duroux, R. Bancroft-Stuart and H. Duroux 20/8/2012).

Mt Lindesay

Mt Lindesay, approximately 14 km east of Tenterfield LGA in Queensland, was called Julbootherlgoom or Jalbungum, which means *sacred home of the hairyman spirit* (Ginibi 1994:129; 2007:276). The mountain is believed to be inhabited by the hairy man Nimbunji, who may get angry if he is disturbed. According to a legend recounted by Ruby Langford Ginibi, a Bundjalung woman, the *mountain was a tree, which a warrior climbed with a vine, looking for wild honey. He cut footholds in the mountain with his stone axe, and the footholds can still be seen today on the side of Julbootherlgoom* (Ginibi 1994:197).

5 Aboriginal Heritage Places

The Tenterfield Aboriginal community explained to AMBS that they would prefer that detailed information about site locations, outside of those already available, was not included in a publicly accessible document. However, historical research and consultation with the local Aboriginal community indicated that there are areas of Aboriginal heritage sensitivity within the LGA that Council should be made aware of when considering applications for development.

5.1 AHIMS Sites

A search of the AHIMS database was undertaken on 18 February 2013, which identified 174 previously reported sites within Tenterfield LGA (Table 5.1). Previously recorded sites generally occur in the vicinity of watercourses, in elevated areas, and in areas with suitable geology or mature vegetation. Table 5.2 identifies and describes the types of Aboriginal sites which are known to, or potentially may, occur in Tenterfield LGA, and where such sites are usually located.

Table 5.1 Summary of AHIMS data for Tenterfield LGA

Site Feature	Count	Percentage (to 2 decimal places)
Artefacts	103	59.20%
Modified Tree	21	12.07%
Ceremonial Ring	16	9.20%
Art	8	4.60%
Aboriginal Ceremony and Dreaming	7	4.02%
Potential Archaeological Deposit	5	2.87%
Stone Arrangement	3	1.72%
Aboriginal Resource and Gathering, Artefacts	2	1.15%
Conflict	2	1.15%
Artefacts, Stone Quarry	2	1.15%
Aboriginal Ceremony and Dreaming, Ceremonial Ring	1	0.57%
Art, Artefacts	1	0.57%
Burials	1	0.57%
Aboriginal Resource and Gathering, Modified Tree	1	0.57%
Artefacts, Potential Archaeological Deposit	1	0.57%
Total	**174**	**100.00%**

Table 5.2 Summary descriptions of known and potential Aboriginal site types for Tenterfield LGA

Site Feature	Description
Artefact (open camp sites/ stone artefact scatters/ isolated finds)	These are the most common types of sites that have been recorded on the AHIMS in the Tenterfield LGA. Artefact sites represent past Aboriginal subsistence and stone knapping activities, and include archaeological remains such as stone artefacts and hearths. This site type usually appears as surface scatters of stone artefacts in areas where vegetation is limited and ground surface visibility increases. Such scatters of artefacts are also often exposed by erosion, agricultural events such as ploughing, and the creation of informal, unsealed vehicle access tracks and walking paths. Isolated finds may represent a single item discard event, or be the result of limited stone knapping activity. The presence of such isolated artefacts may indicate the presence of a more extensive, in situ buried archaeological deposit, or a larger artefact scatter obscured by low ground visibility. Artefact sites are likely to be located on landforms associated with past Aboriginal activities, such as ridgelines that would have provided ease of movement through the area, and on dry, relatively flat or gently sloping land along with access to water, particularly creeks and rivers.

Site Feature	Description
Modified Tree (scarred or carved trees)	Tree bark was utilised by Aboriginal people for various purposes, including the construction of shelters (huts), shields and containers (coolamons), hafting axes, wrapping bodies for burial, as well as being beaten into fibre for string bags or ornaments. The removal of bark exposes the heart wood of the tree, resulting in a scar. Over time the outer bark of the tree grows across the scar (overgrowth), producing a bulging protrusion around the edges of the scar. Trees may also be scarred in order to gain access to food resources (e.g. cutting toe-holds for climbing trees in order to catch possums or gather honey). Carved trees generally marked areas used for ceremonial purposes, or the locations of hunting grounds or fishing waters. Gardner (1978 [1842-54]:243) reports that some tribes used carved trees to indicate the location of burial grounds. Carvings of animals, such as emu or kangaroo, identified that the person buried near the tree was known for hunting that animal. Other carved designs included weapons such as boomerangs and waddies, and geometric patterns (McPherson 1974 [1860]:256). Modified trees have been recorded on the AHIMS in the Tenterfield LGA, but their locations most likely reflect historical clearance of vegetation rather than the actual pattern of scarred trees. Unless the tree is over 80 years old, scarring is not likely to be of Aboriginal cultural origin; therefore, these sites most often occur in areas with mature, remnant native vegetation.
Ceremonial Ring (bora grounds)	Ceremonial rings (bora grounds) are locations that have spiritual or ceremonial values to Aboriginal people. This site type is most often cited as being used for male initiation ceremonies (Gardner 1978 [1842-54]:243, McPherson 1974 [1860]:255; Mathews 1894). They usually consist of a circular clearing defined by a raised earth circle, connected to a second, smaller circle by a pathway, and were often accompanied by ground drawings or mouldings of people, animals or deities, and geometric designs carved on nearby trees. Unfortunately, the raised earth features are easily destroyed by agricultural and pastoral activities, vegetation growth and weathering (McBryde 1974:29-31,53; Connah et al. 1977:133-4). These sites may have also sometimes been used for corroborees (dances), fights or judicial meetings, although this may have only occurred in the Contact period (McBryde 1974:30-31,53-54; Connah *et al.* 1977:134; Moran 2004:54-55; Gardner 1978 [1842-54]:243). Ceremonial rings have been recorded on the AHIMS in Tenterfield LGA.
Art (shelter sites with art)	Art sites have been identified in association with shelters, in areas where suitable rock outcrops and boulders form surfaces suitable for painting. Many of the rock art sites in Tenterfield LGA share similar characteristics, including use of red ochre, and use of motifs such as human figures, bird tracks, and branching motifs possibly representing cycad leaves (McBryde 1974: 109-112; Kerr *et al.* 1999:22-23; NPWS 2003:8).
Aboriginal Ceremony and Dreaming (natural mythological (ritual) sites)	Aboriginal Ceremony and Dreaming sites are locations that have spiritual or ceremonial values to Aboriginal people. These types of sites are usually identified by the local Aboriginal community as having cultural significance, and do not necessarily contain physical evidence of Aboriginal occupation or use. Within Tenterfield LGA, Aboriginal Ceremony and Dreaming sites are recorded on elevated landforms (ridges and hilltops), and are sometimes found in association with ceremonial rings and stone arrangements. Sites known to the general public include natural landscape features such as Woolool Wooloolni (Wellington Rock) and Tooloom Falls.
Potential Archaeological Deposit (PAD)	This type of site is an area in which subsurface artefacts or other cultural material is considered likely to occur, based on a review of the environmental and historical context of the area, and previous archaeological investigations. Physical evidence of the potential deposit may or may not be visible on the ground surface. Within Tenterfield LGA, PADs have generally been identified on low rises or small hills in the immediate vicinity of permanent water sources, in areas suitable for camping that also provide access to natural resources, such as food and raw materials suitable for manufacturing stone tools (OzArk 2011:67-69).
Stone Arrangements	Stone arrangements usually consist of low stone cairns or heaps of stones, although some also include circles and pathways. They are often found in close spatial association with bora grounds. The function of this site type is uncertain; however, they are thought to be ceremonial in nature (McBryde 1974:31,54-55; Connah *et al.* 1977:134). Stone arrangements are often isolated from known camp sites.

Site Feature	Description
Aboriginal Resource and Gathering	These types of sites are related to everyday economic activities, including gathering food, hunting, procuring materials, and manufacturing goods for use or trade. Aboriginal Resource and Gathering sites in Tenterfield LGA have been identified near fresh water sources, in the immediate vicinity of minor creek lines. They may also potentially occur near resource rich areas, such as small swamps (Kerr *et al.* 1999:17; Byrne 1993:28).
Conflict (massacre sites)	Conflict sites are locations where confrontations occurred between Aboriginal groups, or between Aboriginal people and non-Aboriginal people. Conflict sites have been recorded on the AHIMS in Tenterfield LGA.
Quarries	Aboriginal quarry sites are sources of raw materials, primarily for the manufacture of stone tools, but also for ochre procurement. They are only found where raw materials (stone or ochre) occur within the landscape, and where these have been exploited in the past. Such sites are often associated with stone tool artefact scatters and stone knapping areas. Loose or surface exposures of stone or cobbles may be coarsely flaked for removal of portable cores. Raw materials can be sourced to these sites and provide evidence for Aboriginal movement and/or exchange. Quarries have been recorded on the AHIMS in Tenterfield LGA.
Burials	Aboriginal burial of the dead often took place relatively close to camp site locations. This is due to the fact that most people tended to die in or close to camp (unless killed in warfare or hunting accidents), and it is difficult to move a body long distances. Soft, sandy soils on, or close to, rivers and creeks, allowed for easier movement of earth for burial; however, bodies were also placed in caves or rock shelters, or wrapped in bark and put in a tree. Aboriginal burial sites can be marked by mounds or carved trees (McBryde1974:146-149). They may also be identified through historic records, or oral histories. European-style graves became more common in the post-contact period on reserves and pastoral stations, although these are often unmarked (NPSW 2010:7; Byrne 2007:18, 22). Burials have been recorded on the AHIMS in the Tenterfield LGA.
Contact/ Historical Sites	These types of sites are most likely to occur in locations of Aboriginal and settler interaction, such as on the edge of pastoral properties or towns. Artefacts located at such sites may involve the use of introduced materials such as glass or ceramics by Aboriginal people, or be sites of Aboriginal occupation or employment in the historical period. Historical sites have been identified within Tenterfield LGA in this study, although they have not been recorded on the AHIMS.
Waterhole	These sites are a source of water, and may be natural or man-made holes in a natural stone outcrop surface, where water collects. Waterholes may also have cultural significance for Aboriginal groups. No water holes/rock wells have been recorded on the AHIMS in Tenterfield LGA.

5.2 Areas of Aboriginal Heritage Sensitivity

As discussed in Section 3.3, during the Aboriginal community consultation, it was agreed that AMBS would produce an A0-sized map of Tenterfield LGA, showing all Aboriginal Places and Aboriginal heritage sites referred to in the thematic history. The mapping was undertaken so that the Study could identify places within Tenterfield LGA that have heritage significance, or are culturally sensitive. It was made clear by the community that not all heritage sites should be mapped or identified in detail, but that general areas that are important to the community, or where archaeological sites are present, could be indicated. For the purposes of this report, Aboriginal heritage sites and places of heritage sensitivity in Tenterfield LGA are reproduced in a series of A3 maps (Figure 5.1-Figure 5.3). In addition, based on an understanding of the area and its archaeology, areas that AMBS believe have the potential to contain Aboriginal archaeological sites are indicated as having high and moderate sensitivity. The distribution of registered Aboriginal sites within Tenterfield LGA forms the basis for the sensitivity mapping. However, the site distribution pattern is partly the result of a small number of intensive surveys triggered by proposed developments or undertaken as part of academic and National Parks and Wildlife Service research programmes (for example, see OzArk 2011; McBryde 1974; Creamer 1980, 1981), rather than accurately reflecting the nature of Aboriginal land use. There is still potential for sites to occur outside these areas in the LGA. As further work in undertaken in the Tenterfield region, refinements may be made to the predicted areas of sensitivity. Mapping information will be provided to Council in electronic format, for their reference.

A summary of areas of Aboriginal heritage sensitivity identified by historical research and through consultation with the local Aboriginal community is provided in Table 5.3 and Table 5.4. Table 5.3 identifies areas which are within Tenterfield LGA. Table 5.4 identifies areas which have significance to the local Aboriginal community, but which are located outside of Tenterfield LGA. It is important to note that this information should be used in conjunction with the heritage sensitivity mapping, as not all of the areas were able to be accurately located for mapping.

Table 5.3 Summary of areas of Aboriginal heritage sensitivity within Tenterfield LGA referred to in the thematic history

Area of Aboriginal Heritage Sensitivity	Reference/Source of Information
Barney Downs: corroboree ground in the historic period	Hall (1977:28) Rich (1990:100)
Bluff Rock: massacre site, burial site	Walker (1962:3; 1966:29) Halliday (1986:62-63) Kerr *et al.* (1999:33) Elder (2003:235) Aboriginal community consultation meeting (20/08/2012)
Bolivia Station: associated with the Bluff Rock massacre	Walker (1996:30) Secomb and Irish (1998:30) Kerr *et al.* (1999:33-34)
Bora Mountain: bora ground	RNE Site 18934 Bowdler (2003)
Chinaman's Creek Aboriginal Place: ceremonial site, bora ground	RNE Site 18934 Bowdler (2003)
Clarence River: Bundjalung territorial boundary, natural feature of spiritual significance	Calley (1964:49, 58) Tindale (1974) NNTT (2007)

Clifton Station: place of employment for Aboriginal people in historic period	Walker (1966:172)
Deepwater Station: massacre site, place of employment for Aboriginal people in historic period	Kerr *et al.* (1999:33) Walker (1966:30)
Dingo Knob: ceremonial ring, corroboree ground, bora ground	RNE Site 18924 Rose (1956:172) Bowdler (2003)
Haystack Mountain: natural feature of mythological significance, associated with protective spirits	Kerr *et al* (1999:29-30, 105-106)
Kangaroo Flat: bora ground, carved tree	RNE Site 353 Bowdler (2003)
Leech's Gully Reserve, also known as **Tenterfield Aboriginal Reserve**	Thinee & Bradford (1988:367) Aboriginal community consultation meeting (20/08/2012)
Mingoola: tobacco growing area, place of employment	Aunty Lil in DEC (2010)
Mole River: Ngarabal territorial boundary	Kerr *et al.* (1999:33)
Pretty Gully: Aboriginal Reserve, bush camp, gold fossicking area	Moran (2004:6-15) Thinee & Bradford (1988:348)
Near **Rocky River/Demon Creek:** bora ground	McBryde (1974:60)
Rocky River: gold fossicking area	Rich (1990:100)
Ruby Creek: bora ground	McBryde (1974:60)
Sandy Flat: bora ground	McBryde (1974:60)
Silent Grove/Torrington Road: bora ground (no longer extant)	McBryde (1974:60) Kerr *et. al.* (1999:28)
Tabulam Aboriginal Reserve: Aboriginal settlement	Long (1970:39-42) Thinee & Bradford (1988:366)
Tenterfield: blanket distribution site	*The Maitland Mercury & Hunter River General Advertiser* (1863:3, 1893:3) *Clarence and Richmond Examiner and New England Advertiser* (1872:2)
Tenterfield Western Common, now largely within **Currys Gap State Conservation Area:** Aboriginal fringe camp	Warburton (1962:2) Rich (1990:96) Aboriginal community consultation meeting (20/08/2012)
Tooloom Falls: natural feature of mythological significance, associated with the Clarence River creation story.	Declared Aboriginal Place RNE Site 349 Creamer (1980:96) Robinson & Bancroft (1994) NNTT (2007) OEH (2012b)

Torrington/Torrington SRA to Haystack Mountain/Emmaville: taboo place, where people went only to die.	Kerr *et al.* (1999:29-30,105-106) AMBS (2010:40)
Wellington Rock, also known as **Woolool Wooloolni :** natural feature of spiritual importance to local Aboriginal people	Declared Aboriginal Place RNE Site 345 Creamer (1981:30) NNTT (2007) OzArk (2009:6) OEH (2012c)
Wheatley's Creek: initiation site, bora ground	McBryde (1974:60)
Near **Woodlands**: a swamp where Aboriginal people reportedly used to sink the dead	McBryde (1974:149)

Table 5.4 Summary of areas of Aboriginal heritage sensitivity outside Tenterfield LGA

Area of Aboriginal Heritage Sensitivity	Reference/Source of Information
Baryulgil (Clarence Valley LGA): place of employment for Aboriginal people in historic period	Long (1970:41) Wilkinson (1992, Part 2:233)
Bokal-ynee, also known as **Woodenbong Aboriginal Reserve,** Muli Muli (Kyogle LGA): Aboriginal settlement	Thinee and Bradford (1998:344)
Busbys Flat (Richmond Valley LGA): corroboree ground, bora ground	Hall (1977:29)
Jubullum Flat Camp Aboriginal Area (Kyogle LGA): former camp sites, burial site, and cultural teaching place	NPWS (2010)
Lionsville (Clarence Valley LGA): gold mining area	Mrs Dorothy Bancroft in DEC (2010) Aboriginal community consultation meeting (20/08/2012)
Mirriwinni Gardens Aboriginal Academy (Kempsey LGA): boarding school	Aunty Lil in DEC (2010)
Mount Lindesay, also known as **Julbootherlgoom** or **Jalbungum** (QLD): natural feature of mythological significance, associated with the hairy man story	Ginibi (1994:129, 197) NNTT (2007)
Myall Creek: massacre site	Walker (1962:2-3) Creamer (1981:27) Blomfield (1986:29-31)
Pagans Flat (Kyogle LGA): place associated with massacre	*The Sydney Monitor and Commercial Advertiser* (1841:2) *The Sydney Herald* (1841:2) *The Brisbane Courier* (1928:17) Wilkinson (1992, Part 1:13; Part 2.:112)
Tabulam Station (Kyogle LGA): place of employment for Aboriginal people in historic period	Wilkinson (1992, Part 1:98-100) NPWS (2010:12)
Turtle Point, near Tabulam (Kyogle LGA): Aboriginal reserve	Moran (2004) NPWS (2010:12-13)

This image has been removed for reasons of confidentiality.

Figure 5.1 Registered AHIMS sites and areas of Aboriginal heritage sensitivity in the west of Tenterfield LGA

This image has been removed for reasons of confidentiality.

Figure 5.2 Registered AHIMS sites and areas of Aboriginal heritage sensitivity in the east of Tenterfield LGA

This image has been removed for reasons of confidentiality.

Figure 5.3 Registered AHIMS sites and areas of Aboriginal heritage sensitivity in the north of Tenterfield LGA

6 Protecting Aboriginal Heritage

The following recommendations are based on the statutory requirements, heritage best practice and consultation with the local Aboriginal community.

6.1 Background to Statutory Provisions

The current environmental planning instrument for Tenterfield Shire is the Tenterfield Local Environmental Plan 1996. Council has advised that it expects that the current LEP will be superseded by a LEP based on the current standard instrument, which commenced on 25 February 2011. The LEP will contain the compulsory Clause 5.10 Heritage Conservation, which aims to conserve environmental heritage, archaeological sites, Aboriginal objects and Aboriginal places of heritage significance. It is understood that Council will include this Clause as written in the standard instrument. Subsections 2 and 8, in particular, address Aboriginal heritage:

(1) Requirement for consent

Development consent is required for any of the following:

- *(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):*
  - *(i) a heritage item,*
  - *(ii) an Aboriginal object,*
  - *(iii) a building, work, relic or tree within a heritage conservation area,*
- *(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,*
- *(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,*
- *(d) disturbing or excavating an Aboriginal place of heritage significance,*
- *(e) erecting a building on land:*
  - *(i) on which a heritage item is located or that is within a heritage conservation area, or*
  - *(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,*
- *(f) subdividing land:*
  - *(i) on which a heritage item is located or that is within a heritage conservation area, or*
  - *(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.*

and

(8) Aboriginal places of heritage significance

The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

- *(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and*
- (b) *notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.*

A diagrammatic overview of the regulatory and procedural framework, which will apply to development proposals, under the provisions of the EP&A Act and the updated LEP, is provided in Figure 6.1.

6.1.1 Draft LEP Consultation

The EP&A Act imposes requirements on Council to consult with the public regarding a draft LEP. As part of this process it is recommended that Council ensure that direct consultation occurs with Aboriginal community groups regarding:

- regulatory requirements which affect development proposals;
- the content of the draft LEP and associated maps; and
- provisions within the LEP regarding Aboriginal heritage.

The most appropriate method for this consultation may be for Council to liaise with the Local Aboriginal Land Councils, to explain the Draft LEP and how it is to be implemented, and to invite input from the Community.

6.1.2 Development Applications

When considering applications for development, Council should determine whether an Aboriginal Heritage Assessment has been undertaken, and whether there is any potential for an Aboriginal object, place or area to be affected by the development. If no such assessment has been undertaken by the proponent, Council should require a due diligence process for assessing potential harm to Aboriginal objects to be undertaken, in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010) or an industry specific code of practice adopted by the NPW Regulation. Should a person later unknowingly harm an Aboriginal object without an AHIP, following a due diligence process will constitute a defence against prosecution for the strict liability offence under Section 86(2) of the NPW Act.

If there is reasonable potential for an Aboriginal object, place, site or area to be affected, then Council should request that an Aboriginal Heritage Assessment be undertaken, in consultation with the local Aboriginal community in accordance with OEH's *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*, before development consent is issued, in the following events:

- That the development site adjoins, or is located within, an area that has:
  a) permanent or intermittent water bodies, or;
  b) mature, natural trees, or;
  c) rock outcrops or exposures, other than a non-Aboriginal mine or quarry site, or;
  d) elevated landforms such as ridges and hilltops.

  Although there is a higher frequency of sites being found in association with these features, it should be noted that Aboriginal sites can be found in other contexts, including land that has been cleared or ploughed. Also, some locations in town and village areas may have historical significance to the local Aboriginal community.
- Prior to any proposed development or activities that would damage or disturb the ground surface in the vicinity of identified sites or areas of archaeological potential (see Section 5 for the locations of sites and areas of archaeological potential).

6.1.3 Integrated Development

Any Development Application (DA) which proposes harm to an Aboriginal object or Aboriginal place must be dealt with as Integrated Development under Section 91 of the EP&A Act. Such applications must be forwarded to OEH to determine whether the Director General of OEH is prepared to issue an Aboriginal Heritage Impact Permit. Ultimately the DA cannot be approved by Council without

the approval of OEH, if an Aboriginal Heritage Impact Permit is required to enable the development to proceed.

In cases of Integrated Development, it is recommended that an Aboriginal Heritage Assessment be undertaken, in consultation with the local Aboriginal community in accordance with the OEH *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

Confidentiality

Aboriginal heritage site and sensitivity mapping is to be treated confidentially by Council, and is only to be used to assist in consideration of the adequacy of the Aboriginal heritage components of development applications. The information should be considered as *need-to-know*, and should not be made publically available. The mapping and site location information contained in Section 5 should not be included on any publicly accessible media, including websites. AMBS has provided two versions of the report to Council, one of which includes all confidential information and mapping, while the other contains none of the Aboriginal heritage sensitivity mapping, and as such can be treated as a publicly available document.

6.1.4 Aboriginal Liaison

The local Aboriginal community in Tenterfield comprises a number of individuals and organisations. In the first instance, in liaising with the local Aboriginal community, Council should contact the CEO of the relevant LALC, and the Tenterfield Shire Aboriginal Consultative Committee, who should then be able to present Council's request/information to the members of these organisations, if appropriate. Current contact details for Local Aboriginal Land Councils within Tenterfield LGA are:

Baryulgil Square LALC
Baryulgil Square Community, Baryulgil via Grafton NSW 2460
PO Box 1383, Baryulgil via Grafton NSW 2460
Phone: (02) 6647 2131 Fax: (02) 6647 2131
Email: baryulgillalc@activ8.net.au

Glen Innes LALC
181 Lang Street, Glen Innes NSW 2370
PO Box 157, Glen Innes NSW 2370
Phone: (02) 6732 1150 Fax: (02) 6732 6413
Email: gilalc@northnet.com.au

Jana Ngalee LALC
Malabugilmah Village, Baryulgil via Grafton NSW 2460
PO Box 1398, Grafton NSW 2460
Phone: (02) 6647 2209 Fax: (02) 6647 2119
Email: janangalee.council@harboursat.com.au

Jubullum LALC
Jubullum Street, Jubullum Village via Tabulam NSW 2469
PO Box 25, Tabulam NSW 2469
Phone: (02) 6666 1337 Fax: (02) 6666 1386
Email: jubullum@gmail.com

Moombahlene LALC
299 Rouse Street, Tenterfield 2372
PO Box 70, Tenterfield NSW 2372
Phone: (02) 6736 3219 Fax: (02) 6736 1486
Email: moombahlenelalc1@bigpond.com

Muli Muli LALC
Muli Muli Crescent, via Woodenbong NSW 2476
PO Box 68, Woodenbong NSW 2476
Phone: (02) 6635 1487 Fax: (02) 6635 1498
Email: matthew.green@y7mail.com

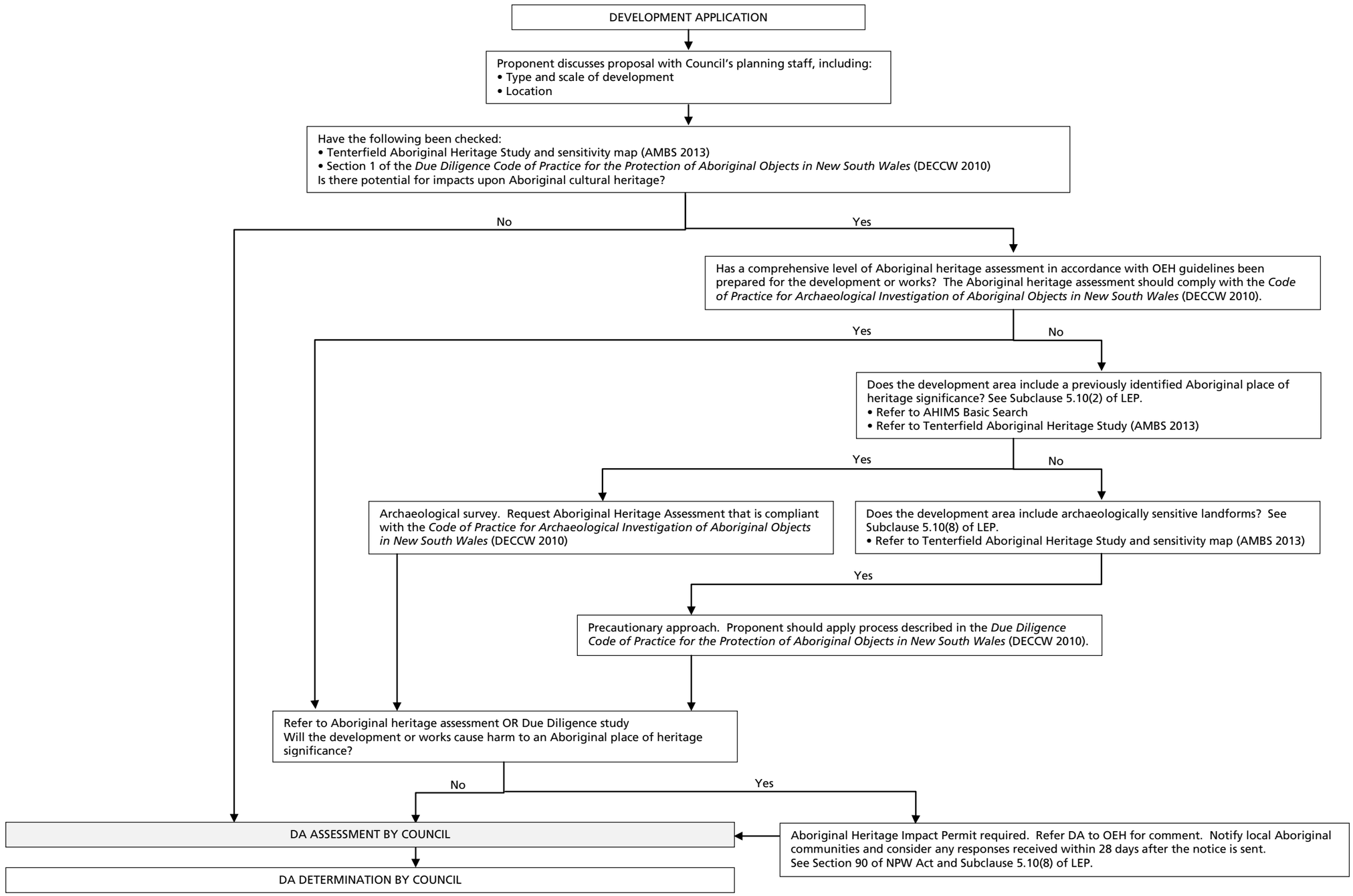
Aboriginal Community Feedback on the Aboriginal Heritage Study

This report will be provided to the local Aboriginal community for their review and comment. Any feedback received will be incorporated into the report where relevant. The Aboriginal community should be approached by Council for their input into the Draft LEP, and to discuss a process for determining whether there is any potential for an Aboriginal object, place or area to be affected by a development application.

6.1.5 Review of the Aboriginal Heritage Study

This Aboriginal Heritage Study should be reviewed and updated, as appropriate, within ten years.

Figure 6.1 Development Applications and Aboriginal Heritage Assessment under the Standard Instrument LEP



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