

ABORIGINAL HERITAGE SURVEY OF

**M 74/51, M 74/53 M 74/41, M135, P 74/153
M74/176**

PREPARED FOR

FOR TECTONIC RESOURCES N.L.

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TAMORA PTY LTD

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GARMIN GPS**

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EXECUTIVE SUMMARY

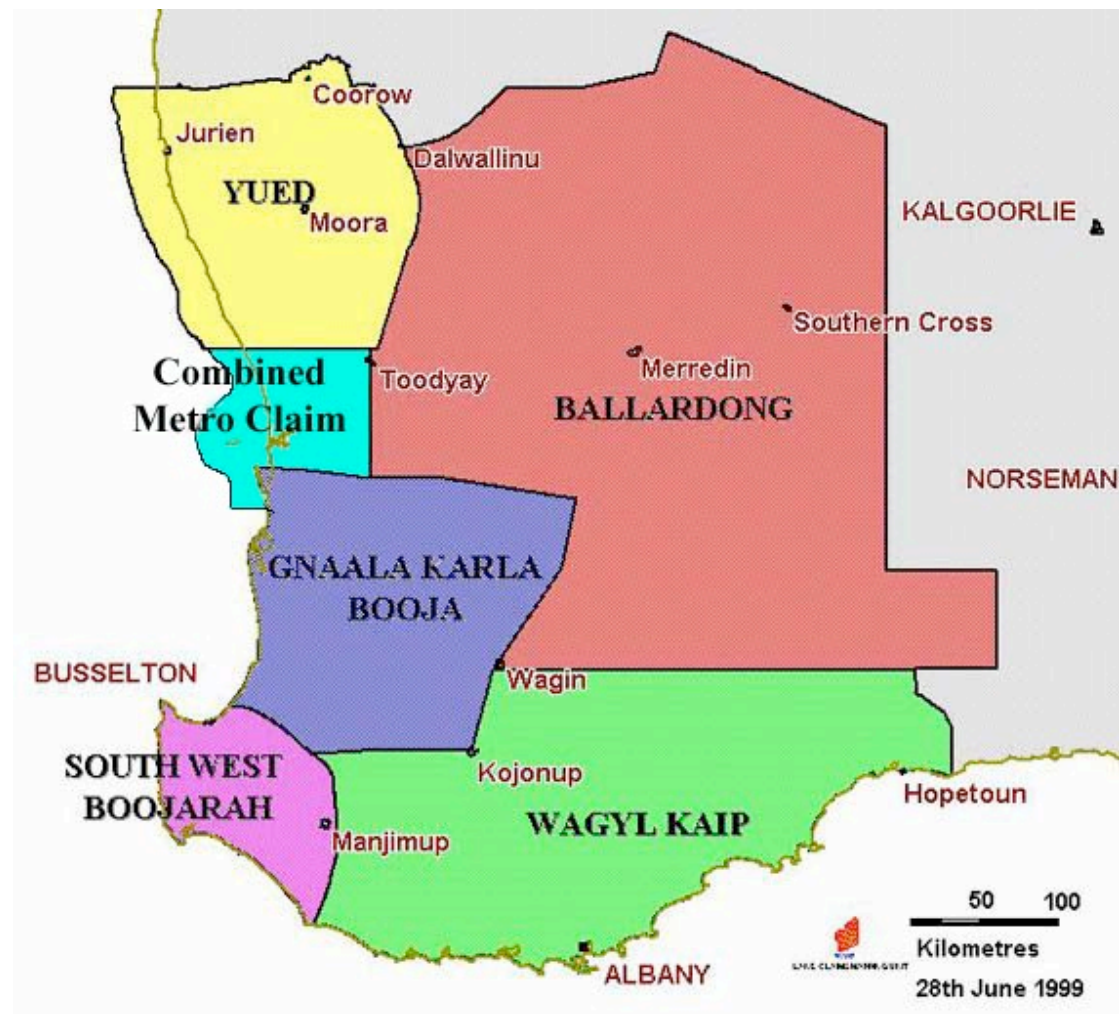
Dr. Machin carried out an ethnographic survey for Aboriginal heritage with Errol Williams, Graham Miniter, Gerald Williams junior and senior. William Woods and Lee-Ann Woods, Dallas Coyn, Errol Eades and Wayne Webb.

The informants understood the extent of the leases and the survey areas and cleared the leases for mining, however they did identify a general area of camping at the old homestead but indicated that it could be disturbed.

FIGURE 1 LOCATION 1 250000 RAVENSTHORPE S151-05

**FIGURE 2 TECTONIC LEASES M 74/51, M 74/53, M 74/41,
M135, P 74/153, M74/176**

FIGURE 3 NATIVE TITLE CLAIM



Description of Claim Area

Wagyl Kaip covers an area of 52,250 square kilometres of land in the south west of Western Australia.

The claim stretches from Greenbushes to Kojanup, north to Wagin then continues to a point east of Ravensthorpe. The boundary changes to a southerly direction and follows the coast west to Gardner River where it swings north back to Greenbushes.

Major towns in the claim area include:


Albany, Boyup Brook, Cranbrook, Denmark, Gnowangerup, Jerramungup, Katanning, Kojanup, Mount Barker, Tonebridge, Walpole, Woodanilling

Wagyl Kaip passed the Federal Government's new registration test in April 1999. Like all of the Land and Sea Council's claims, Wagyl Kaip has a Working Party that represents all of the families in the claim. Their duties are

to: attend regular working group meetings with legal representatives. give instructions to legal representatives on conducting the Native Title claim. take information back to the family members that they are representing so that the family is informed about what is going on.

Wagyl Kaip is now incorporated into a joint Native Title Claim for the Southwest.

FIGURE 4 REGISTERED SITES



Register of Aboriginal Sites

Page 1

RPGSR V1.57

Reference No: AU-RPGSR-1031

DEPARTMENT OF INDIGENOUS AFFAIRS

Report run on December 11, 2003 2:39 PM

Selection Criteria

Site Search within specified polygon

Coordinates Type: MGA Coordinates - MGA Zone: 51

Coordinates: Easting: 230000 Northing: 6270000

Easting: 250000 Northing: 6270000

Easting: 230000 Northing: 6250000

Easting: 230000 Northing: 6250000

2 Site Records Found

Legend

Status

I Interim Register

P Permanent Register

S Stored Data

Restriction

F Female Access Only

M Male Access Only

N No Gender Restrictions

Access

C Closed

O Open

V Vulnerable

Reliability

R Reliable

U Unreliable

Site Types

C Ceremonial

RP Repository / cache

S Man-Made Structure

T Modified Tree

E Engraving

ART Artefacts / Scatter

HIST Historical

M Mythological

BUR Skeletal material/Burial

F Fish Trap

P Painting

Q Quarry

MD Midden / Scatter

G Grinding patches / grooves

Map coordinates (Latitude / Easting & Longitude / Northing) are based on the GDA94 datum. Coordinates are indicative locations and may not necessarily represent the true centre of sites, especially if access to specific site information is tagged as "Closed" or "Vulnerable". The metric grid on Site Search Maps are for a specific MGA zone, and does not cater for MGA metric coordinates for a different MGA zone.

Site Id	Status	Access	Restriction	Latitude/ Easting	Longitude/ Northing	Reliability	Site Type	Site Name	Informants	Site No
2032	I	O	N	33°43'23"S	120°14'58"E	U	ART	NORTH JERDACCUTTUP RIVER 1&2		W01174
				MGA Zone	51	245135 mE	6265156 mN			
2879	S	O	N	33°40'51"S	120°10'31"E	R		KUNDIP		W00314
				MGA Zone	51	238136 mE	6269656 mN			

1.0 INTRODUCTION

This report is based on ethnographic research carried out in December 2003. An ethnographic survey for Aboriginal sites was undertaken at M 74/51, M 74/53 M 74/41, M135, P 74/153 and M74/176 located approximately twelve kilometres south of Ravensthorpe (see Figures1 and 2).

In a previous survey in 1997 Tamora consulted representatives of Wiljen (Wheelmen) People (WC95/84), Wheelmen People (96/85), Womber (WC96/105) and Southern Noongar (WC96/109).

The purpose of this survey was to identify, record and delineate the boundaries of any sites of Aboriginal significance within the PDA, and thus enable Tectonic Resources N.L., to fulfil its obligations under the Aboriginal Heritage Act (1972 – 1980,) and Aboriginal Heritage Amendment Act 1995.

In the course of the current fieldwork Tamora consulted with Aboriginal representatives of the Native Title claimants with an interest in the survey area. The relevant Act here is the Aboriginal Heritage Act. The Native Title Act tends to formalise who the consultants may be. To obtain a suitable list of informants Dr. Machin looked at his personal database and archive records and consulted: a. Lynette Lund at the South West Aboriginal Land and Sea Council, b. the Southern Aboriginal Corporation and c. Dallas Coyn and Wayne Webb.

Lynette Lund supplied the following names: Lomas Roberts, Graham Minitier, Gerald Williams senior and Junior, Dallas Coyn, and William Woods. The Southern Aboriginal Corporation gave William Woods and Lee-Ann Woods. Dallas Coyn gave Aiden Eades. Dr. Machin had recently used both of these informants in a survey near Walpole.

Dr. Machin also consulted Wayne Webb to help the survey and ensure the presence of all claimants at the meeting point in Ravensthorpe.

Aiden sent Errol Eades in his place and Lomas Roberts sent Errol Williams

All these claimants are from the Wagyl Kaip Claim which is now included in the combined Nyungar Claim.

Eades, Coyn, and Woods appear on the previous Southern Noongar WC96/109 claim.

The Woods, Eades and Williams appear on the previous Womber Claim WC96/105.

The Woods and Coyns appear on the previous Wagyl Kaip Claim WC 98/70. Minitier and Lomas Roberts are from the Wheelman Claim and, according to Graham Minitier are descendants of Hazel Brown.

Wayne Webb is from the combined claim and experienced, and has an interest, in surveys of the region.

RESEARCH BRIEF

Tamora undertook an ethnographic 'site identification assessment methodology, which comprises identification and documentation of all sites, recording of their spatial extent and an evaluation of their significance / representativeness.

ACKNOWLEDGEMENTS

The author gratefully acknowledges the assistance and advice given by the Aboriginal informants and Kim Bennett of Tectonic Resources NL.

METHODS

Format of the Report

The conduct of the Aboriginal site survey and format of this report are based upon:

- i) Research brief of Tectonic Resources NL.
- ii) The framework of a 'site identification' assessment methodology in accordance with Draft Guidelines for Aboriginal Heritage Assessment in WA produced by the Department of Aboriginal Sites (1993);
- iii) Requirements of the WA Aboriginal Heritage Act;
- iv) Procedures standardised by Tamora in a large number of similar exercises.

The survey was comprised of five separate stages:

- 1) DIA records and consultation about suitable Aboriginal Consultants, organisation of field consultation
- 2) Consultation with Aboriginal spokespersons
- 3) Field visit to the survey area and video of survey
- 4) Examination of existing ethnographic database
- 5) Report and video preparation

DIA

A search was conducted in the Department of Aboriginal Sites for sites currently registered in the area of 1:250,000 map number SI 51-05 between the metric grid coordinates Northerlies 627 and 625 Easterlies 230 and 250 (see Figure 1).

2.0 ETHNOGRAPHIC SURVEY

INFORMANTS

Errol Williams, Graham Minter, Gerald Williams junior and senior. William Woods and Lee-Ann Woods, Dallas Coyn, Errol Eades and Wayne Webb.

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Dr. Barrie Machin

TECTONIC

Kim Bennett. Environmental manager Tectonic Resources

Dr. Machin spent some time organising the informants to arrive at the selected time and place in Ravensthorpe. Wayne Webb assisted in these matters. Dr. Machin arrived in Kalgoorlie on to commence surveys in the area on Tuesday 2nd December.

On Friday 5th December Dr. Machin travelled to Kalgoorlie to pick up Gerald Gardiner senior and junior. They were unable to start travelling on that day because Gerald junior's son was in hospital.

We commenced travel next morning at 5 AM after rising early at 4.30 AM and we arrived in Ravensthorpe at 12 noon as arranged.

The other informants were waiting.

Kim Bennett explained the survey areas to the informants over lunch.

We then went to the lease areas.

We started at the old homestead and from there went to the old workings and kaolin pit.

The informants identified a generalised camping area at the old homestead.

After touring M 74/51, M 74/53 M 74/41, M135, P 74/153 that we went to the second and more barren area M74/176 where no sites were identified.

These events are documented in the photographs and accompanying video.

The survey was complete by 4 PM. Dr. Machin took the Gardiners to Esperance arriving around 6 PM. They stayed until Monday. Dr. Machin stayed in Esperance and drove back to Kalgoorlie on Sunday catching the evening plane.

FIGURE 5 KIM EXPLAINS POSITION OF LEASES AND SURVEY PLAN



FIGURE 6 AT THE OLD HOMESTEAD 1.35 PM



FIGURE 7 DALLAS COYN EXPLAINS CAMPING IN THE AREA



FIGURE 8 KIM POINTS OUT OUR POSITION ON M74/53

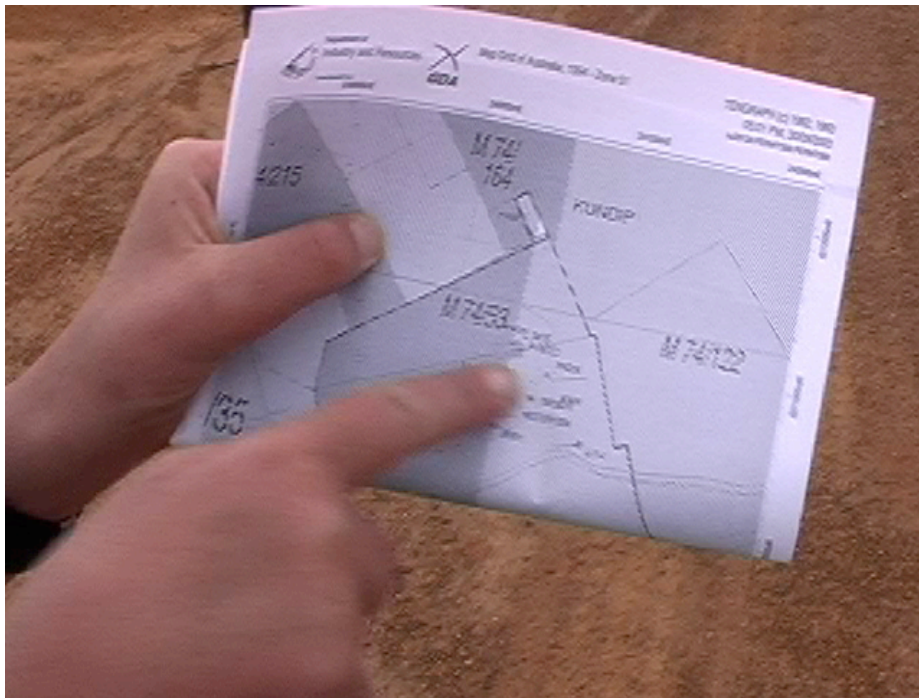


FIGURE 9 DALLAS AND GRAHAM AT OLD WORKINGS



FIGURE 10 AT THE FLAG 2.35 PM

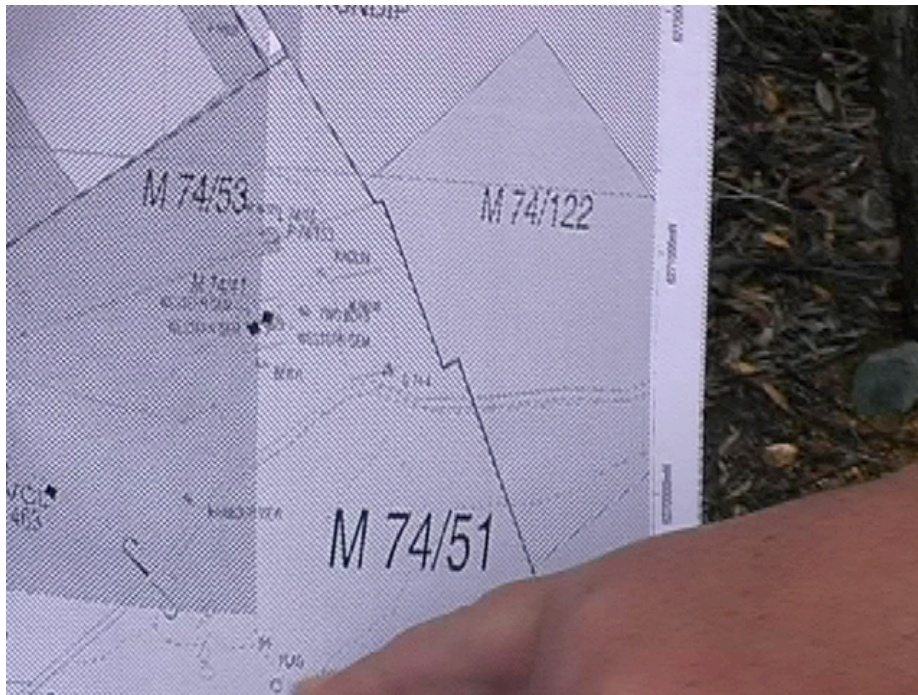


FIGURE 11 AT TRILOGY DEPOSIT M74/176 3.36 PM





3.0 CONCLUSIONS

Dr. Machin carried out an ethnographic survey for Aboriginal heritage with Errol Williams, Graham Miniter, Gerald Williams junior and senior. William Woods and Lee-Ann Woods, Dallas Coyn, Errol Eades and Wayne Webb. The informants understood the extent of the leases and the survey areas and cleared the leases for mining, however they did identify a general area of camping at the old homestead but indicated that it could be disturbed.

4.0 ETHNOGRAPHIC BACKGROUND

Anthropological Considerations

O'Connor and Quartermaine (1990: 3) provide the following summary statements which are relevant to the present exercise:

South-Western Aborigines were a distinct sociocultural group in pre-contact times.

Dialectal variation occurred within a single South-Western language family.

A regional system of land tenure, based on either kinship or dialectal units existed.

As contemporary accounts of these systems are internally inconsistent and sometimes contradictory, it is now impossible to accurately reconstruct the pre-contact political geography of the region.

Territorial separateness disappeared soon after European settlement, due to population movements, deaths and the development of fringe camps (and later settlements and "missions").

Eventually, there developed a widely-scattered population of mixed-ethnic background, who live in the South-West of this State, see themselves as sharing a common identity and refer to themselves as Nyungars.

Continuity with the traditional past, knowledge of regional mythology and knowledge of areas of religious significance was passed to the present senior adult generation of Nyungars by a pivotal generation of culture transmitters.

A determination exists among the present senior adult generation to protect remaining areas of significance from development.

Regional Framework

In relation to the widespread sacred mythologies of the Nyungar peoples O'Connor (1990:4) states:

Waugal (also Wagal, Wagyl or Uocol) is the Dreaming Ancestor who, according to local tradition, created the Swan, Avon, Canning, Murray and Serpentine River systems, and retains a presence in some of the deep pools in the area. Waugal beliefs, widespread throughout the south-west, refer to a water-creative spiritual force with a serpentine physical manifestation. In some cases the Waugal is seen as ubiquitous (described by one person as "a bit like God", i.e. the Christian Deity) or, at least, multi-locational; in

others, as purely local and associated with a particular creek or spring. This religious philosophy is not unique to the south – west; Maddock (1982: 114 – 115) describes a similar system in Arnhem Land.

Apart from Waugal beliefs, however, a number of other myths, fragments of which have continued to the present day, are associated with the coastal plain and its hinterland. Under the mythological/ supernatural/ sacred rubric could also be grouped rainmaking sites, which generally occurred in relationship with Waugal sites, and ritual grounds (colloquially known as “corroboree grounds”), generally located in proximity to large camping areas.

Aboriginal people throughout the Southwest also attach significance or sentimental importance to camping grounds which were utilised either by deceased relatives in the recent past, or ancestors in the distant past. Again, many of these may be associated with springs or soaks, which, in turn, are associated with Waugal beliefs.

According to Tindale’s interpretation of Noongar sub-group territories, the Ravensthorpe district is central within what was in traditional times the land of a Noongar linguistic, land-holding sub-group called Wudjari (see Figure 6). Dortch (1993: 11) states:

Very little is recorded about this group, though the information about semi-traditional life in the Jerramungup district, 110 km to the west, and in adjacent coastal districts, as recorded by Edith Hassell during the late nineteenth century, is probably applicable to much of the region between Albany and Esperance (Hassell 1936; 1975). However, none of Hassell’s published accounts, or to our knowledge, none of her MSS held in the Battye Historical Library, Perth, include any eye-witness accounts of traditional life around Ravensthorpe.

In his archaeological survey of a proposed dam catchment extension and gravel source 6-8 kms south of Ravensthorpe, and which contains an ethnographic commentary, Dortch (1993:4) states:

The most important sites probably would be open-air campsites in the alluvium along the Jerdacuttup River, 8 – 12 kms E of the townsite...It is suggested that these south flowing rivers, usually 20 – 30 kms apart along an east-west axis, were key features enabling systematic movement up and down river valleys, and transversely between valleys in the vast sub-coastal zone between Albany and Esperance. The divides between the valleys...can reasonably be assumed to have been traversed only occasionally by foragers,

hunters, and, more importantly, by groups moving between river valleys. It is largely the scarcity of artifacts on the divides which strengthens my opinion that the river valleys were the focal points of human occupation and movement.

In describing the role of Aborigines in the pastoral stations in the region of the south coast of Western Australia at the turn of the century Heabich (1988:1) states:

The stations were large sprawling properties often totalling over 20,000 acres and pastoral leases were widely dispersed so as to take up the best pastures and water holes. Interspersed between the leases were vast tracts of unalienated Crown land unsuited to pastoral use. The stations required a high labour input, in particular, the general lack of fencing at the turn of the century meant that stock needed constant supervision. Aborigines were employed from the earliest days of the stations (in the mid – 1840s) and their bush skills and intimate knowledge of the country made them valuable workers. For the Aborigines, work on the stations provided an alternative support as traditional foods were depleted by stock. It also enabled them to remain in their home territories and to retain aspects of their traditional way of life. Most stations had a small core of permanent Aboriginal workers together with a floating population combining a life of hunting with seasonal work on the stations. Over the years an exploitative paternalistic relationship developed between employers and Aborigines which was based on the former's fundamental belief in white superiority, the acceptance of widely differing living conditions for Europeans and Aborigines and the prolonged dependence of Aboriginal workers on their employers. Nevertheless, isolated from European settlement, the station owners and their few white employees often found companionship with the Aborigines and a number of workers settled down with local Aboriginal women.

The history of the Ravensthorpe district since the arrival of permanent European settlers in the 1860s, written from the settlers' perspective and containing historical writings of the settlers, is contained in a book authored by Archer (1979). There are a number of articles which discuss the relationship between settlers and local Aborigines, most of which show evidence of the exploitation and paternalism as characterised by Haebich. The book contains extracts from "The Enquirer", Perth – April 21, 1880, and July 14, 1880, which report the killing of a male settler by natives. There is no mention in the book of a massacre of Aborigines in the district. Local Aboriginal oral history however, tells of a massacre of Aboriginal people in this district at around this time. This gives the impression that only one side of the story has been told regarding the history of race relations in the district. In the current period of national reconciliation between Aboriginal and non-Aboriginal Australians it is important that the unfortunate circumstances of the past are acknowledged and openly recognised by all.

FIGURE 6: 'TRIBAL' MAP OF THE SOUTH WEST OF WESTERN AUSTRALIA AFTER TINDALE (1940) AND BERNDT AND BERNDT (1979).

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- Hassell, E. 1936 Notes on the ethnology of the Wheelmen Tribe of south western Australia. *Anthropos* 31: 679 – 711.
- O'Connor, R. and Quartermaine, G. 1990 Report on a Survey for Aboriginal Sites, Armadale – Ravensthorpe Road. Report prepared for Main Roads Department.

APPENDIX ONE: SECTIONS OF THE ABORIGINAL HERITAGE ACT 1972 / AMENDMENT ACT 1995

AN ACT to make provision for the preservation on behalf of the community of places and objects customarily used by or traditional to the original inhabitants of Australia or their descendants, or associated therewith, and for other purposes incidental thereto.

Part I - Preliminary

“Aboriginal Site” means a place to which this Act applies by the operation of section 5.

“The Trustees” means the Trustees of the Museum.

“Traditional Custodian” in relation to any place or object means a person named by the Trustees in relation thereto under section 9.

Part II - Application and Traditional Use

5. This Act applies to:

- a) any place of importance and significance where persons of Aboriginal descent have, or appear to have, left any object, natural or artificial, used for, or made or adapted for use for, any purpose connected with the traditional cultural life of the Aboriginal people, past or present;
- b) any sacred, ritual or ceremonial site, which is of importance and special significance to persons of Aboriginal descent;
- c) any place which, in the opinion of the committee, is or was associated with the Aboriginal people and which is of historical, anthropological, archaeological or ethnographical interest and should be preserved because of its importance and significance to the cultural heritage of the State;

6. (1) Subject to subsection (2a), this Act applies to all objects, whether natural or artificial and irrespective of where found or situated in the State, which are or have been of sacred, ritual or ceremonial significance to persons of Aboriginal descent, or which are or were used for, or made or adapted for use for, any purpose connected with the traditional cultural life or the Aboriginal people past or present.

7. (a) ... Aboriginal possessor or custodian ... sanctioned by the Aboriginal tradition.

(b) ... prohibition of the relevant Aboriginal customary law or tradition.

8. ... a representative body of persons of Aboriginal descent who usually live subject to Aboriginal customary law has an interest in a place or object...

9. (1) Where the Committee is satisfied that a representative body of persons of Aboriginal descent has an interest in a place or object to which this Act applies that is of traditional and current importance...

18. (1) For the purposes of this section, the expression "the owner of any land" includes a lessee from the Crown, and the holder of any mining tenement or mining privilege, or of any right or privilege under the Petroleum Act 1967, in relation to the land.

(2) Where the owner of any land gives to the Committee notice in writing that he requires to use the land for a purpose which, unless the Minister gives his consent under this section, would be likely to result in a breach of section 17 in respect of any Aboriginal site that might be on the land, the Committee shall, as soon as it is reasonably able, form an opinion as to whether there is any Aboriginal site on the land, evaluate the importance and significance of any such site, and submit the notice to the Minister together with its recommendation in writing as to whether or not the Minister should consent to the use of the land for that purpose, and where applicable, the extent to which and the conditions upon which his consent should be given.

(3) Where the Committee submits a notice to the Minister under subsection (2) of this section he shall consider its recommendation and having regard to the general interest of the community shall either:

(a) consent to the use of the land the subject of the notice, or a specified part of the land, for the purpose required, subject to such conditions, if any, as he may specify; or

(b) wholly decline to consent to the use of the land the subject of the notice for the purpose required,

and shall forthwith inform the owner in writing of his decision.

19. (1) Where the Committee recommends to the Minister that an Aboriginal site is of outstanding importance and that it appears to the Committee that the Aboriginal site should be declared a protected area the Minister shall give notice in writing of the recommendation.

(5) The declaration of a protected area shall specify the boundaries of that area in sufficient detail to enable them to be established but it shall not be necessary that the boundaries are surveyed or demarcated.

25. (1) An Order in Council declaring an area to be a protected area may subsequently be varied or revoked if the Governor, after consultation with the Registrar, or after considering a recommendation of the Minister under section

21 is satisfied that it is in the general interest of the community so to do, but not otherwise.

39. (2) In evaluating the importance of places and objects the Committee shall have regard to:

(a) any existing use or significance attributed under relevant Aboriginal custom;

(b) any former or reputed use or significance which may be attributed upon the basis of tradition, historical association, or Aboriginal sentiment;

(c) any potential anthropological, archaeological or ethnographical interest; and

(d) aesthetic values.

39. (3) Associated sacred beliefs, and ritual or ceremonial usage, in so far as such matters can be ascertained, shall be regarded as the primary considerations to be taken into account in the evaluation of any place or object for the purposes of this Act.