

**Section 18 Consultation**  
under the Aboriginal Heritage Act (1972)  
of a proposed  
**Open Pit Mining Operation**  
**Tenement Areas M70/1012, M70/1013, M70/1014**  
at  
**Koolanooka Hills**  
**Western Australia**

Prepared for  
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## **ABBREVIATIONS USED IN THIS REPORT**

The Act	Aboriginal Heritage Act (1972)
ACMC	Aboriginal Cultural Material Committee
AIC	Australian Interaction Consultants
DIA	Department of Indigenous Affairs
HCG	Hames Consultancy Group
NTC	Native Title Claimant
Widi Mob	Widi Mob NTCs

## **ACKNOWLEDGEMENTS**

AIC acknowledges the input and participation of the Widi Mob, who have contributed by providing information about the culturally significant attributes and features of the survey area. Our appreciation for the input and participation of the staff of HCG and Mid West Mining Corporation is also expressed.

## **DISCLAIMER**

AIC attempts to give voice to the Indigenous people who take part in surveys such as the one reported here. As such, we neither claim the knowledge revealed to us, nor can we necessarily vouch for the veracity of the information given. We do, however, consult with those people who we consider to have the best knowledge of the area subject to the enquiry. In those instances where no ethnographic information is presented, it should not be presumed that no heritage values are present. Often, we are told by Indigenous people of how they have not known the consultant sufficiently well, or they have not been in the appropriate company, and have claimed ignorance of places that they may assert as a site at a different time, under different circumstances. Within the pages of this report we have intended that only the FACT of a site be recorded. This report is not designed to be the basis of the recording of sites – it is designed to advise the client of those places that may need to be accommodated under the Act. More elaborate details of the place or object will be provided in the site recording forms that AIC will submit to DIA to enable the site recording process to be completed.

## **GPS DATUM USED**

The GPS datum used during this survey was either **WGS 84** or **MGA 94**.

## **LIMITATIONS**

Whereas we endeavour to pin point geographical/site locations, the limitations of handheld GPS devices will create inaccuracies on occasion. Also, the potential for error from datum shift is ever present.

## **1 SUMMARY & RECOMMENDATIONS**

- 1.1 Mid West Corporation Ltd propose to undertake mining operations on a number of mining tenements (M70/1012, M70/1013, M70/1014) at the Koolanooka mining leases, located approximately 160 kilometres to the south east of Geraldton, Western Australia.
- 1.2 HCG was engaged by Mid West Corporation to oversee all heritage issues pertaining to the planned project. As that project will entail ground disturbance activity, HCG engaged AIC to complete the consultation with Widi Mob Elders to ensure that the integrity of their heritage remained intact. HCG advised AIC that Pandawn representatives had previously been consulted regarding heritage matters within the tenement areas.
- 1.3 Native Title claims covering this area include:
  - Widi Mob (unreg) – WAG6193/98 (WC97/072)
  - Pandawn (unreg) – WAG0043/98 (WC96/083)
- 1.4 AIC contacted the Widi Mob and explained details of the project to them and invited them to participate in a field inspection of the project area in order to assess the heritage values that might be present.
- 1.5 AIC engaged anthropologists Ronald T Parker to complete the ethnographic consultation with designated Widi Mob representatives on September 27<sup>th</sup> 2003.
- 1.6 A number of sensitive areas were identified during the ethnographic inspections including natural formations and waterways.
- 1.7 The Widi Mob representatives spoke of the Koolanooka Spring as being an extremely important place, as were the nearby granitic hills in which the people assert there are paintings. The entire area is significant and needed to be recorded as a mythological place where indigenous people hunted and camped.

- 1.8 The informant group voiced concern and disappointment relating to the extensive ground disturbance evidenced around the Koolanooka project area saying that the Widi Mob has never been consulted regarding heritage issues for it.
- 1.9 AIC recommends that the Koolanooka Hills and adjacent features be registered as a complex of sites significant to the Widi people as represented by the Martin family.
- 1.10 AIC recommends that the full extent of the water system shown on the Auslig 1 : 250000 maps as Nullewa Lake be registered as a site under the Act as it satisfies s5(c) as well as s39.2(b)&(c).
- 1.11 AIC recommends that, should Mid West intend to continue its exploration program, it makes application to the Minister under s18 of the Act to disturb sites ID 4496 and 5868.
- 1.12 AIC recommends that if any ground disturbing activity is planned Mid West ensures that all of its contractors and staff are fully aware of their obligations and responsibilities under the Act.

## **2 PREAMBLE**

In the conduct of consultation under the Aboriginal Heritage Act (1972), it should always be borne in mind that at least two cultures are being engaged with: the developmental culture of mainstream Australia on the one hand; and Aboriginal culture on the other.

Developmental culture has a vested interest in having the proposed project proceed with the minimum of encumbrance or delay, whereas the Aboriginal Cultural position is often more complex.

One of the most significant issues that requires attention in the endeavour towards reconciliation between the Indigenous population and the colonising culture is that of the diversity between Aboriginal groups and individuals.

Even within a relatively intact Indigenous cultural group, the levels of knowledge can vary significantly, for a whole variety of reasons. In today's relatively mobile (both geographically and socially) communities, the levels of knowledge can be difficult to ascertain except by the trained and experienced ethnologist. Although the systematic practice of surveys of the project area under the Act is not yet 10 years old, the Aboriginal Heritage Act is now 30 years in existence. Prior to the proclamation of the Native Title Act (1993) few routine surveys were carried out. Many of the Aboriginal people who today control the administration of the various NTC's were raised in missions and other environments that discouraged any adherence to, practice of, or even opportunity to be knowledgeable in, the traditional ways of the Old People.

Because of the tendency of Representative Bodies to support the Named Claimants, or applicants, of the claims within their jurisdiction area, their legal personnel have often insisted upon, and written, heritage conduct agreements that are biased towards the applicants rather than those Indigenous people who hold the traditional knowledge of the country.

It is often the case that developers focus their heritage assessment endeavours on the registered native title claims over the project area. Whereas this strategy is endorsed by the DMPR in that it only includes registered NTC's in its Tendex database, it can be misleading in the extreme as to who the people are that hold the knowledge of the country in a traditional sense.

In light of the above, it can be seen that one of the functions of the consultant in any survey or consultation under the Act is to focus on the identification of sites and to ensure that any site identified gets the full protection of the Act. The people who have identified any site should have control of the knowledge regarding that site, as it may well be culturally inappropriate for the uninitiated, or the opposite gender, to gain access to that knowledge. In the larger context, both males and females who embrace the traditional ways have knowledge of the major song lines and stories that originated in the Dreamtime. Those song lines often extend across much of this continent, and some traverse it completely from east and west as well as north and south.

Individuals, families or clan groups can be the traditional repositories of stories and traditions. Totems may also be influential in determining who should be consulted regarding a particular place.

Our present position is that we believe that Indigenous people may well belong to country, because of their level of knowledge of that country, rather than the country belonging to any person or group.

Indigenous people in Western Australia have been adapting, out of necessity, to the European culture for some seven generations. That adaptation has taken many forms and has, to a large extent, resulted in a myriad of synthesised, in the Hegelian sense, local systems of role and identity construction. Those evolving constructions, whilst based to varying degrees on the traditional beliefs of the old people, today have an emphasis on social strata based on age and experience, and the care and preservation of the environment, as well as that, which persists of the knowledge of traditional spirituality

Pre-contact indigenous people had a well-developed system of kinship that located different responsibilities with various kinsfolk. These responsibilities included those that perpetuated and safeguarded all aspects of the pre-literate society; not the least of which were those relating to ceremony and places. Significant sites included those associated with conception, renewal, initiation, birth, camping, and the majority of the physical terrain concerning Dreaming activities of the creation beings, and ceremonial locations generally. The people, both in the past and in the present, relate to the land in a spiritual and symbiotic manner that is difficult for non-Aboriginal people to comprehend or empathise with. Within that system it was (and in many places still is) usual for the responsibility, or “ownership”, of the correct and full story of any place to reside with few, or even solitary, individuals. However, as people progress through the various stages of their initiation into the Law (as decree and established by the Dreaming Beings) they were made aware of the activities of the Creators or Earth Formers as they progressed throughout the countryside. As an example, men from Central Australian areas would be taught of the earth creating exploits of the various Dreaming Beings as they had journeyed across the “soft” earth forming ridges, hills waterways, claypans, lakes etc.

To gain information about any site it is proper and important to consult with the person or people who are the “proper” or “traditional” custodians of the country, and the knowledge surrounding it – even though many others would be familiar with the story; there were those that had prime custody of that place. Sometimes the traditional custodian of a place would perish and the story would not have been passed down to his or her, descendants and knowledgeable people from elsewhere would have to be consulted to revitalise the knowledge locally.

Under the Aboriginal Heritage Act (1972) [the Act] all sites that Aboriginal people consider important can be identified and protected. The draft *Guidelines for Aboriginal Heritage Assessment in Western Australia (1994)* suggests under its section *Ethnographic reporting requirements (2)*

*All Aboriginal individuals and formal organisations which have a reasonable interest in the land in question or who might reasonably be expected to have an interest in the land that is subject to the survey, should be consulted and their views reported, or the reasons for their exclusion discussed.*

This report tells of all who have been approached, both the groups and the individuals, in an attempt to include all those who might have knowledge of the country covered by the project in question. However, for a number of reasons it sometimes happens that our best efforts to make contact are to no avail and those people do not take part in the survey.

In an attempt to gain an understanding of the contemporary Aboriginal worldview and circumstance, we take an extract from the foreword of Elkin's *Aboriginal Men of High Degree* (1994):

*Changes that have been forced on the tradition of Aboriginal men of high degree have caused contemporary Australian Aboriginal society to adapt to the forceful powers of colonial oppression. The dominant white culture in Australia is based on a historical belief that Aborigines must be assimilated into the Australian culture. In 200 years we have seen Aboriginal religions, customs, languages, land management, and social cohesion calculatedly forced out of Australian Aborigine society. The view of whites has been, and continues to be, that Australians are one people and that Aborigines must be assimilated to remove the indigenous consciousness from the "new nation". The assimilation program has failed, but it is still a covert objective in the minds of the majority of Australians.*

*Aboriginal perspectives on spiritual knowledge in such areas as healing, death, punishment, magic, and interactive psychic and animistic beliefs are not clearly understood by white people. Even most Aboriginal people today do not understand them. Those who do have some grasp on Aboriginal spirituality to the depth of high degree are adapting that knowledge to a broader need in Aboriginal cultural maintenance.*

*Contemporary Aboriginal society is changing at an incredible pace. Its amalgamation with Western technologies and its yielding to social and cultural pressures create an immense threat to indigenous relationships with the world ecological order. Aboriginal people are in the throes of a political struggle to have their land and rights restored. As modern society intrudes into indigenous minds, introducing different values and directions, Aborigines can be expected to lose sight of certain principles in the process.*

*"Aboriginal land rights" does not mean that the people are simply entitled to land. Nor does the term mean that the land owes anything to the people. Aborigines do not justify land rights in terms of economy, accommodation, or possession. Rather, Aboriginal land rights represent a whole set of responsibilities, among which is the obligation to preserve the unique essence of their original law. Aborigines have the responsibility to be custodians of land, sea, and sky. They must remain accountable to the ecological world, which accepts indigenous intrusion and use of that ecology only on sound practices of interaction with the spirit of the land, manifested in strict rules of respect and protection.*

*Today, Aboriginal men and women of high degree, who understand their responsibilities as keepers of indigenous principles, can learn much from Professor Elkin's *Aboriginal Men of High Degree*—not about the tribal practice or mystical world of yesterday, but about the intangible accountability woven between the lines of this book. Elkin brings out the views but not the inner workings; Aboriginal people of high degree must seek the details for themselves, whether in the areas of healing, the law, the animistic meshing with people, or the rules of land management. In all those endeavours, the responsibilities of indigenous people of high degree can be carried with us as a symbol of human accountability in being allowed the right to participate in the planet's ecology.*



*Undoubtedly, failure to achieve recognition and practice of indigenous principles will end this era of human life on planet Earth.*

**Jim Everett**  
**Aboriginal Writer in Residence**  
**Riawunna**  
**Aboriginal Student Services**  
**University of Tasmania**  
**June 1993**

Because of the sensitivity, under the process of the Native Title Act (1993) and the Native Title Amendment Act (1998), of the ownership of spiritual, traditional, historical and other ethnographic knowledge we have endeavoured to keep the focus on whether any site currently exists within the survey area and what the attitude of the Widi people might be if those sites were to be disturbed by the project planned. In the instances where no site has been indicated in the immediate vicinity of the project, no ethnographic data has been solicited. Where a site has been identified and is in danger of interference from the project, full details are required to be collected and verified in order for that site to be extended the protection afforded by the Act.

This report is designed to identify, and indicate the presence of, any Aboriginal site within the project area that may require the project to be modified, if possible, and to allow sites to be registered with the DIA and thus be afforded protection under the Act.

The attitude of the Widi Mob representatives regarding the Mid West Corporation proposal to undertake mining operations in an area where there may be sites that might be disturbed by the project, will be ascertained and documented within the pages of this report.

### **3 BRIEF AND REASON FOR SURVEY**

- 3.1 Mid West Corporation Ltd proposes to undertake mining operations on a number of mining tenements at the Koolanooka iron ore mining project, located approximately 160 kilometres to the south east of Geraldton, Western Australia.
- 3.2 The lease areas to be the location for the planned operation are M70/1012, M70/1013 and M70/1014. The three contiguous granted mining leases cover an area of 23.96 square kilometres and make up Mid West Corporation's Koolanooka iron ore reserve.
- 3.3 The planned mining operation is to involve an extension of the existing open pit operations and the recovery of a magnetite iron ore concentrate from mine site ore processing.
- 3.4 To comply with responsibilities stipulated within, and avoid contravention of, the Aboriginal Heritage Act (1972), Mid West Corporation engaged Hames Consultancy Group who instructed AIC to conduct ethnographic studies and consultation for the proposed works and to record the attitude of the Widi people.
- 3.5 Field inspections of the project area were completed on the 27<sup>th</sup> September 2003, with representatives from the Widi Mob NTCs.
- 3.6 This report documents the proceedings of an ethnographic survey conducted by AIC consultants. The report identifies any Aboriginal site requiring a Section 18 application with respect to activity/development that may disturb the site/s.

## **4 METHODOLOGY**

In the completion of this project AIC will followed the methodology set out below:

- Search of the DIA sites database for known and recorded sites and the reports of previous surveys completed in, or near, the project area.
- Analysis of the results of the above.
- Discussion, or pre-consultation, with the indigenous people ascertained to have knowledge of the area.
- Conduct of a field inspection of the project area with those of the people who wish to do so.
- Feedback to Hames Consultancy Group regarding the impact of the proposed project on Aboriginal Heritage values.
- Preparation of a draft of a report of the proceedings of the research and consultation undertaken.
- Submission of the draft reports to all the participating groups asking for input.
- Editing of the reports where necessary.
- Submission of the final reports to all groups including the Perth offices of the DIA.
- If necessary, further consultations with the groups in relation to s18 applications to disturb sites unavoidably affected by development.

## 5 REVIEW OF DIA DATABASE SEARCH RESULTS

- 5.1 AIC conducted a search of the Department of Indigenous Affairs Register of Aboriginal Sites database on the 14<sup>th</sup> October 2003 to ascertain the number and nature of sites known to exist in the area of the iron ore mine operation proposed by **Mid West Corporation** on mining tenements held by them at **Koolanooka**, in the mid west region of WA. The search involved accessing the database via on-line access, down loading the results and using GIS technology *Mapinfo* to plot the registered sites on a map to indicate their proximity to the proposed works.
- 5.2 The area searched to identify already recorded sites and reported surveys under the Act, was contained within the following coordinates.  
MGA Coordinates – MGA Zone: 50  
Easting 415000, Northing 6780000  
Easting 430000, Northing 6780000  
Easting 430000, Northing 6760000  
Easting 415000, Northing 6760000
- 5.3 Based on that search area, a print out of recorded sites was obtained and analysed.
- 5.4 The purpose of the search is to provide a background to both the archaeological and ethnographic sites in the area as well as an indication of the nature and frequency of surveys under the Act.
- 5.5 The results of the search establish the heritage context from which the potential impact of proposed works and the likelihood of identifying further sites or heritage issues may be assessed.
- 5.6 The search revealed nineteen (19) previously recorded sites in the general area and one (1) report related to Aboriginal heritage in the search area.
- 5.7 Of the nineteen listed sites seventeen are archaeological sites with one of the two ethnographic sites being a closed site. The closed nature of a site indicates that culturally sensitive information is involved with access restricted unless written permission is granted by the informant/recorder to gain access to the file.
- 5.8 The single report listed relates to a project specific survey undertaken in the area prior to the introduction of the Native Title Act 1993 (O'Connor 1988) with no reported surveys since.

5.9 GIS computer program *Mapinfo* was used plot the existing sites onto a map to establish their proximity to the project area and to determine which sites, if any, may be impacted by the proposed works.

5.10 Research was undertaken at DIA accessing the individual site files of the recorded sites.

Site Id	Site No	Site Name	Details
4496	S02619	Koolanooka Hills	Closed site. Written permission required to access details. Project area within the DIA boundary of the site.
5364	S00912	Koolanooka Quarry	Archaeological site. Recorded by I Kirkby in 1979 although the file contains no details of the site. Location information considered insufficient to accurately or reliably locate the site which remains on the interim register having been considered by the ACMC (8.8.2000) to have insufficient information for permanent register status.
5365	S00913	Cunningham Outcrop	Surface scatter recorded by I Kirkby in 1979. Site status and location information as above.
5385	S00878	Nullewa Lake 2	Surface scatter recorded by I Kirkby in 1979. Site status and location information as above.
5434	S00872	Koolanooka Quarry	Quartz quarry recorded by I Kirkby in 1979. Location information considered insufficient to accurately or reliably locate the site which has been accorded permanent register status under S5(a), 39.2(c) of the Act by the ACMC (8.8.2000) although file contains no details.
5437	S00875	Koolanooka Spring	Surface scatter recorded by I Kirkby in 1979. Location information considered insufficient to accurately or reliably locate the site which remains on the interim register having been considered by the ACMC (8.8.2000) to have insufficient information for permanent register status.
5495	S00640	Perenjori Artifact 17	Artefact site reported by Lippie in 1976 as a result of a geological survey. Described as abundant artefacts from which 3 were collected. The site remains on the interim register having been considered by the ACMC (8.8.2000) to have insufficient information for permanent register status
5497	S00624	Perenjori Artefact 19	Artefact site reported by Lippie (as above). Described as 1 specimen, site status as above.
5498	S00643	Perenjori Artifact 20	Artefact site reported by Lippie (as above). Described as 1 specimen, the site remains as stored data having been considered not a site by the ACMC (8.8.2000).
5499	S00644	Perenjori Artifact 21	Artefact site reported by Lippie in 1976 as a result of a geological survey. Described as 4 specimens, the site remains on the interim register (considered as above)
5500	S00645	Perenjori Artifact 22	Artefact site reported by Lippie in 1976. Described as 5 specimens, the site remains on the interim register (considered as above)
5501	S00646	Granite Art Workshop	Archaeological site described as a workshop and manufacture site located on granite some 100m west of the source material with 1 specimen collected. Reported by Lippie in 1976 the site remains on the interim register (considered as above)
5502	S00647	Perenjori Artifact 23	Artefact site reported by Lippie in 1976. Described as abundant artefacts from which 2 were collected. On the interim register (considered as above)
5503	S00648	Perenjori	Artefact site reported by Lippie. Described as abundant artefacts

		Artifact 24	from which 1 was collected. Interim register status (considered as above).
5508	S00653	Koolanooka Spring	Reported by Lippie. Described as a possible ceremonial ground although the file contains no details. Interim register status (considered as above).
5537	S00630	Perenjori Artifact 9	Artefact site described as 1 specimen reported by Lippie Interim register status (considered as above).
5538	S00631	Perenjori Artifact 10	Artefact site described as 1 specimen reported by Lippie Interim register status (considered as above).
5539	S00632	Perenjori Artifact 11	Artefact site described as 1 collected artefact reported by Lippie Interim register status (considered as above).
5868	S00126	Koolanooka Hills	Site file not available. Register indicates man made structure and attributes Ceremonial and Mythological significance. Permanent register status. Project area within the boundary of the site.

*Table 1: Synthesis of previously recorded sites identified during archival search*

- 5.11 The project area lies within the boundaries of two recorded ethnographic sites named Koolanooka Hills one of which is a closed site, and no details were available from the site file of Id 5868/S00126 as it was not provided when research was undertaken.
- 5.12 The archaeological sites in the Koolanooka search area are located outside the project area and were recorded in 1976 and in 1979 during a geological survey and include artefacts in various locations and for which no reports are listed.
- 5.13 The existing sites indicate both the presence of artefactual material in the area and ethnographic interest and support the recognition of utilisation of the land by Aboriginal people over time in accordance with lifestyle and traditions prior to and during the disruption of European settlement. The results of the research reflect the potential for further archaeological and ethnographic sites to exist in the area which may be exposed to the risk of inadvertent damage or destruction should ground disturbing work be undertaken.
- 5.14 The number of reports listed indicate that, despite the region being the focus of general and extensive mining interests, little work has been undertaken or reported in the area and suggests either lack of development, paucity of research or lack of consultation with Aboriginal people with regard to the requirements of the Act, rather than necessarily, the lack of heritage issues in the area.
- 5.15 Prior to the introduction of the Native Title Act (1993) many developers may have assumed that a check of the DIA sites register was sufficient to be informed about the presence and location of sites in any given area without giving thought to how sites come to be recorded, and thus failed to

conduct either archaeological or ethnographic surveys or consult with any Aboriginal custodians.

- 5.16 Since the introduction of the Native Title Act in 1993 and the subsequent Draft Guidelines 1994 to the Aboriginal Heritage Act, both archaeological and ethnographic surveys are undertaken on a routine basis as developers become more aware of their obligations and responsibilities under the Act with regard to proposed works. As a result, consultation with Aboriginal elders who have knowledge of an area has been included and often results in further sites being identified. Aboriginal people with local historical and traditional knowledge may identify further sites in the area of the proposed works or may add to the body of knowledge regarding those currently recorded. Consultation with Aboriginal elders is recommended.
- 5.17 The lack of reported investigation maybe misleading as there is no compulsion for survey reports to be lodged with DIA.
- 5.18 The DIA database search results and a map to show the proximity of the existing site to the area of the proposed works are attached.

## 6 PRECONSULTATION AND FIELDWORK

### 6.1 Preconsultation

- 6.1.1 Having been briefed by Mid West Corporation regarding the scope, extent and location of the planned project, AIC made pre-consultation arrangements with the Widi NTC group.
- 6.1.2 The contact persons for the Widi Mob is Mrs Joan Martin.
- 6.1.3 Arrangements were made for representatives from the groups to conduct a field inspection of the Koolanooka tenements with AIC consultants.

### 6.2 Fieldwork

- 6.2.1 On Friday 26 September 2003 AIC Heritage Consultant Ron Parker drove to the Mid West area with representatives of the Widi Mob NTC as arranged. Present were Mrs Joan Martin, Errol Martin Snr., Errol Martin Jnr, Warren Yorkshire, Jodie Martin and Karen Martin.
- 6.2.2 When in the area, the survey team drove eastwards from the town of Morawa to the Koolanooka Hills where the tenements are located.
- 6.2.3 As the team approached the area it was remarked that the it has been subjected to extensive disturbance and the Widi people say that they have never been consulted regarding Heritage issues or any other matter in the area. They asked the consultant to include in the report their request that they meet with the management of Mid West to agree on suitable arrangements
- 6.2.4 Joan told of how, as a child going through these hills, she recalls seeing paintings and a spring that she was told were important places. In the 1940's her uncle, who was a shire grader driver, unearthed 8 skeletal remains on the Koolanooka Spring road during road works. Joan says that the mining workings in the hills are at least 30 years old.
- 6.2.5 On instructions from the Widi people, the team drove through the



VIEW OF THE KOOLANOOKA HILLS APPROACHING FROM THE WEST

tenement area up through the designated rehabilitated mining, now picnic areas, and onto the main ridge of the hills. It is obvious that



the area has been extensively and traumatically disturbed by previous mining operations that apparently date from the 1960's, or earlier. The picnic area to the northern end gives a magnificent view of the lake system and the general countryside through to the northwest. There are hills evident directly to the north where there is a lake. The Widi people said that they wanted Lake Nullewa registered (MW02). To the northeast are other hills on the horizon. In the foreground to the north is cereal cropping farms stretching to the horizon. The Koolanooka Hills themselves are significant in as much as Joan was told that she was not to go into them as she had been taught from an early age that this is a home of the *Wudargi* spirit people. Whilst on the ridge the team stopped at a drilling rig and spoke to Graeme Johnson, who introduced himself as the drilling supervisor. Graeme explained the drilling that was taking place within the tenement areas.

- 6.2.6 The Widi Mob people asked that a complaint be lodged with the DIA about the drilling going ahead on a site without a s18 permission or any consultation with them. They insist that they should have been consulted before the drilling began.
- 6.2.7 This line of hills extends for at least 6km from north to south, and is in a crescent-shape open to the west with the top and the bottom that opens north south to each other then extends to the east with the heel about one km deep. The Widi people said that the Hills were associated with the *Bimurra* and the Echidna.
- 6.2.8 The team then travelled around the hills and travelled further to the south along, and across the main ridge until no further safe passage was possible. The hills are relatively high and rugged.
- 6.2.9 Having joined up with the Koolanooka Springs Road the team travelled to the east to the spring.
- 6.2.10 As the road turned to the north and passed between two granite hills the people remarked at the boulder strewn nature of the eastern end. They said that the spring is a site and that the two hills that flank it are to be included into the site area. Koolanooka Spring, located at 425992e 6771058n, is a spring in a watercourse to the west of the granite rocks in which the Widi People assert there are paintings. The people said that this area needs to be re-recorded as a mythological place with association to the mallee hen and porcupine. (MW01). The people noted that the ground was strewn with stone artefacts and asked that a new archaeological survey of the area be completed as the only work completed to date is aged. The area was identified as being of archaeological significance as well as hunting, camping and a water source meeting area.



**VIEW OF KOOLANOOKA SPRING FROM THE EAST**

6.2.11 The team then retired.

COPY

## **7 DISCUSSION**

- 7.1 The general area of the Koolanooka Hills and the surrounding countryside has been identified, over time, as hosting some important places and objects of heritage significance to the local Indigenous people.
- 7.2 The lake system known as Nullewa Lakes is but one aspect of that ethnoscape and warrants protection under the Act. The area known as Koolanooka Spring is an obvious archaeological site and the hills flanking it requires further research and on-ground investigation.
- 7.3 As has been noted in the text of this report (6.2.5, 6.2.6), the Widi people have requested consultation and explanation from the DIA as to how any work can take place on a registered site without the Minister (who has the responsibility to preserve and protect sites) giving permission for that work to take place. They also asked what DIA procedures are in place to ensure that this form of unauthorised disturbance does not take place.
- 7.4 It is somewhat surprising to note that the DIA database does not refer to reports of consultation and surveys carried out since 1988 as there is strong anecdotal evidence to suggest that such enquiries have been undertaken. However, as there is no compulsion to make DIA aware of any report that has been prepared under the Act, such reports may exist even though not referred to within the DIA sites database. It should also be noted that present DIA policy is to regard surveys completed more than five (5) years not accepted as representing current views and further consultation may be required should a s18 application be made.
- 7.5 In the instance of this survey, it should be made clear that the Widi people were cognisant of the fact that the mining disturbance to the Koolanooka Hills was the result of activities that dated back some thirty years or more. The immediate complaint was restricted to the drilling that was being carried out at the time of the survey and the fact that that work had started before the inspection by the people had been completed.
- 7.6 The Widi people did not express any opposition to the project proceeding, only to the breakdown in the proper sequencing of the heritage management of the area. To that end they asked for a meeting to be arranged with the management of Mid West. That request has been agreed to by the mining company and talks are due to begin in November.

## **8 CONCLUSIONS**

- 8.1 After having completed a field inspection of the Project areas with representatives of the Widi Mob NTC as requested, AIC concludes that the project area lies within almost contiguous registered sites ID 5868 (open) and 4496 (closed). The extent of these sites has been poorly defined as straight-line polygons and, as such, does not include the full extent of the Koolanooka Hills as was, presumably, originally intended. If that is the case, the entire extent of the three mining leases M70/1012 – 4 are within the site. The drilling that was observed by the Widi Mob people is along the top ridge of the northern extent of the hills and is well inside the extent of both sites. Both registered sites are overlapping and are, essentially the same site.
- 8.2 The Koolanooka Spring site identified by the Widi people lies outside of the project area and, along with the entire system of hills, is already registered with DIA.
- 8.3 The Nullewa Lake is outside of the project area.
- 8.4 Any development of an open cut nature within the extent of the sites will require permission from the Minister under s18 of the Act.

## **9 RECOMMENDATIONS**

- 9.1 AIC recommends that the Koolanooka Hills and adjacent features be registered as a complex of sites significant to the Widi people as represented by the Martin family. The Koolanooka Spring (MW01) should also be recorded as a site significant to the Widi people.
- 9.2 AIC recommends that the full extent of the water system (MW02) shown on the Auslig 1 : 250000 maps as Nullewa Lake be registered as a site under the Act as it satisfies s5(c) as well as s39.2(b)&(c).
- 9.3 AIC recommends that, should Mid West intend to continue its exploration program, it makes application to the Minister under s18 of the Act to disturb sites ID 4496 and 5868.
- 9.4 AIC recommends that if any ground disturbing activity is planned Mid West ensures that all of its contractors and staff are fully aware of their obligations and responsibilities under the Act.

## 10 REFERENCES

Elkin, A P 1994

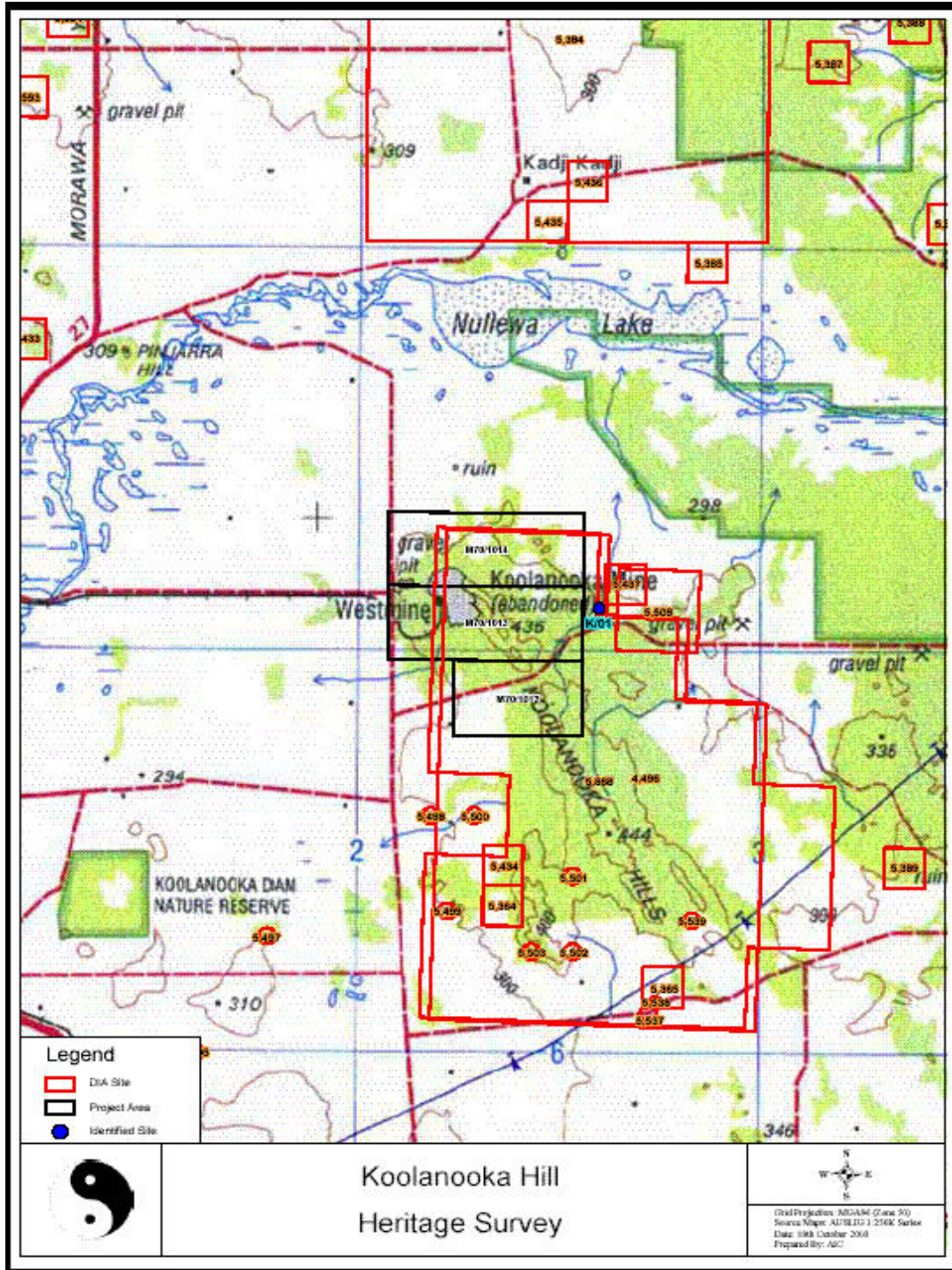
*Aboriginal Men of High Degree*. St Lucia: University of Queensland Press.

O'Connor, R. (1988).

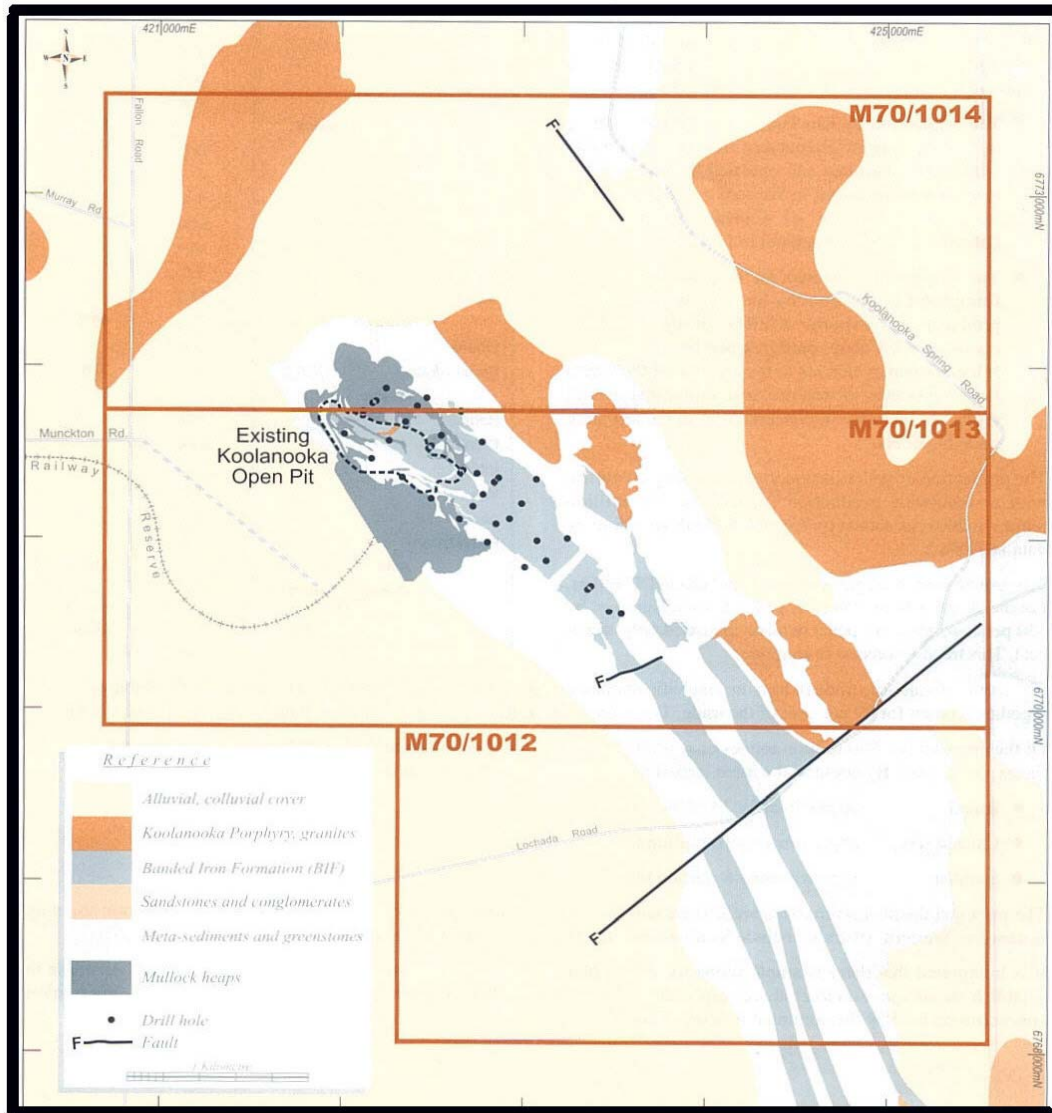
Report on a survey for Aboriginal sites at the proposed 132kv powerline route

COPY

# 11 REGIONAL MAP OF THE SURVEY AREA SHOWING RECORDED SITES

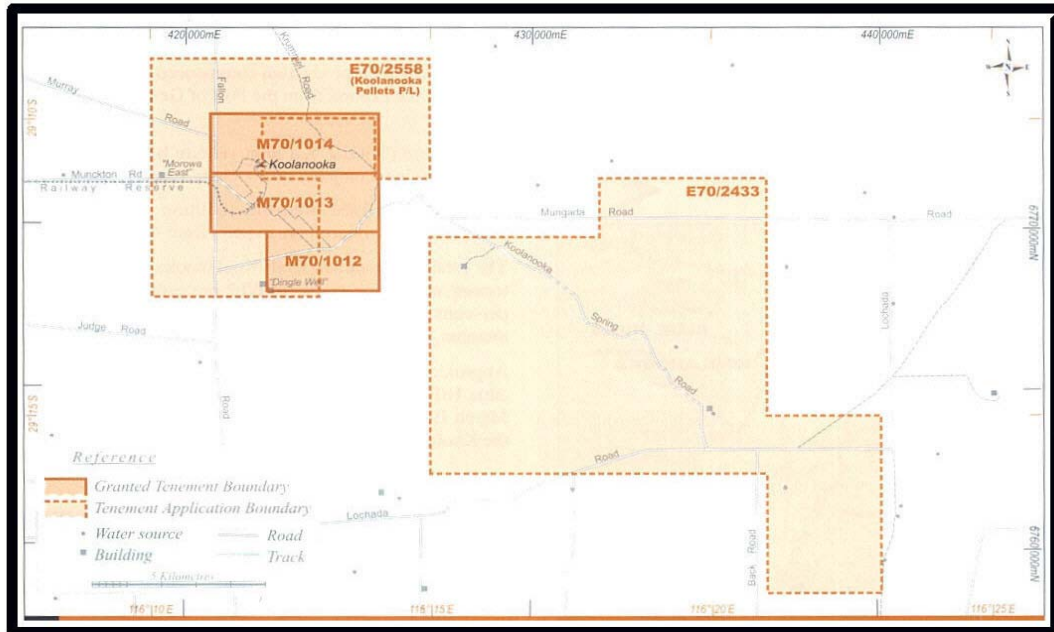


## 12 MAP OF PROJECT AREA





### 13 MAP OF PROJECT AREA



14 RESULTS OF THE DIA DATABASE SEARCH

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 RFGSR V1.57  
 Reference No: IQ-RFGSR-4999

Register of Aboriginal Sites  
 Report run on October 14, 2003 2:37 PM



Selection Criteria		Legend	
Site Search within specified polygon	Status	Access	Site Types
Coordinates Type: MGA Coordinates - MGA Zone: 50	I Interim Register	C Closed	C Ceremonial
Coordinates: Easting: 4 150000 Northing: 67600000	P Permanent Register	O Open	RP Repository / cache
Easting: 4 300000 Northing: 67600000	S Stored Data	V Vulnerable	S Man-Made Structure
Easting: 4 150000 Northing: 67600000	Restriction	Reliability	T Modified Tree
19 Site Records Found	F Female Access Only	R Reliable	E Engraving
	M Male Access Only	U Unreliable	ART Artefacts
	N No Gender Restrictions		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
4490	I	C	N	29°13'35"S	116°14'12"E	R		KOOLANOOKA HILLS	Date: 01/01/1988 Primary: [**Contact details have been suppressed**] Or [**Contact details have been suppressed**] Or [**Contact details have been suppressed**] Or [**Contact details have been suppressed**]	S02619
5364	I	O	N	29°15'13"S	116°12'51"E	U	Q	KOOLANOOKA QUARRY		S00912
5365	I	O	N	29°16'19"S	116°15'16"E	U	ART	CUNNINGHAM OUTCROP		S00913
5385	I	O	N	29°16'35"S	116°15'00"E	U	ART	NULLEWA LAKE 2		S00678
5434	P	O	N	29°14'41"S	116°12'51"E	U	Q	KOOLANOOKA QUARRY		S00672
5437	I	O	N	29°10'54"S	116°14'44"E	U	ART	KOOLANOOKA SPRING		S00675
5495	I	O	N	29°17'11"S	116°07'7"E	R	ART	PERENJORI ARTIFACT 17		S00640
5497	I	O	N	29°15'38"S	116°09'13"E	R	ART	PERENJORI ARTIFACT 19		S00642

**Register of Aboriginal Sites**



DEPARTMENT OF INDIGENOUS AFFAIRS

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RPGSR V1.57  
Reference No: IQ-RPGSR-4999

Report run on October 14, 2003 2:37 PM

Site Id	Status	Access	Restriction	Latitude/ Easting	Longitude/ Northing	Reliability	Site Type	Site Name	Informants	Site No
5496	S	O	N	29° 14'1"S	116° 11'44"E	R	ART	PERENJORI ARTIFACT 20		S00643
		MGA Zone	50	421827 ME	6765679 MN					
5499	I	O	N	29° 15'18"S	116° 11'59"E	R	ART	PERENJORI ARTIFACT 21		S00644
		MGA Zone	50	422248 ME	6763512 MN					
5500	I	O	N	29° 14'1"S	116° 12'24"E	R	ART	PERENJORI ARTIFACT 22		S00645
		MGA Zone	50	422907 ME	6765686 MN					
5501	I	O	N	29° 14'49"S	116° 13'55"E	R		GRANITE ART. WORKSHOP.		S00646
		MGA Zone	50	425373 ME	6764305 MN					
5502	I	O	N	29° 15'51"S	116° 13'55"E	R	ART	PERENJORI ARTIFACT 23		S00647
		MGA Zone	50	425385 ME	6762517 MN					
5503	I	O	N	29° 15'51"S	116° 13'17"E	R	ART	PERENJORI ARTIFACT 24		S00648
		MGA Zone	50	424360 ME	6762510 MN					
5506	I	O	N	29° 11'32"S	116° 14'53"E	R	(C)	KOOLANOOKA SPRING.		S00653
		MGA Zone	50	426899 ME	6770499 MN					
5537	I	O	N	29° 16'40"S	116° 15'5"E	R	ART	PERENJORI ARTIFACT 09		S00630
		MGA Zone	50	427264 ME	6761021 MN					
5538	I	O	N	29° 16'31"S	116° 15'1"E	R	ART	PERENJORI ARTIFACT 10		S00631
		MGA Zone	50	427445 ME	6761269 MN					
5539	I	O	N	29° 15'25"S	116° 15'45"E	R	ART	PERENJORI ARTIFACT 11		S00632
		MGA Zone	50	426349 ME	6763306 MN					
5866	P	O	N	29° 13'37"S	116° 14'20"E	U	(C), M, S	KOOLANOOKA HILLS	Date: 10/02/1999 Contract Details Unknown.	S00126
		MGA Zone	50	426034 ME	6766619 MN					

**WESTERN AUSTRALIA**  
*Aboriginal Sites Register*  
**Site Search Overview Ma**

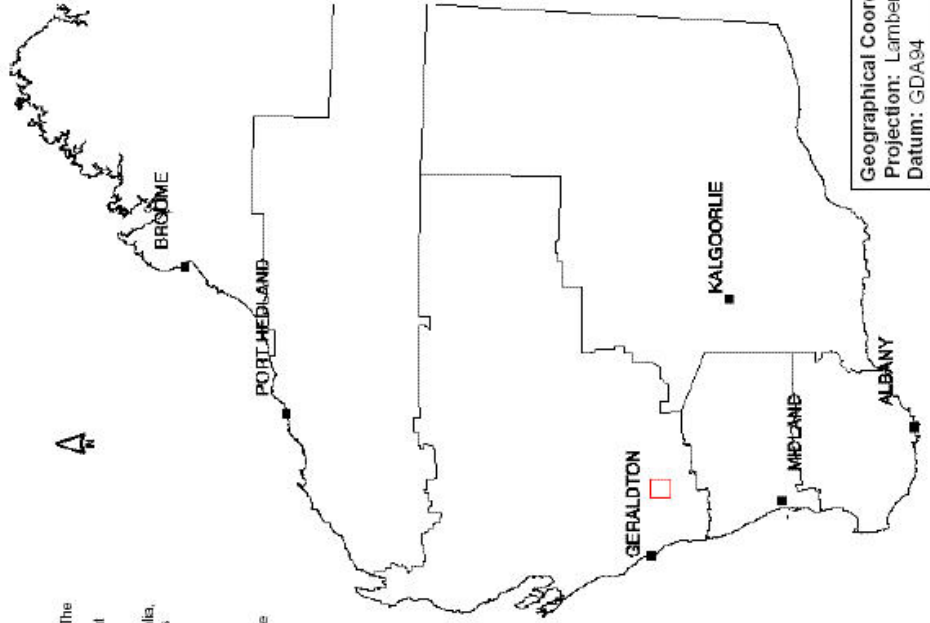
Sites may exist that are not yet entered into the Register system, or are on the Register and no longer exist. The Aboriginal Heritage Act 1972 protects all Aboriginal sites in Western Australia whether they are known to the Dept of Indigenous Affairs / Aboriginal Cultural Material Committee or not. On-going consultation with relevant Aboriginal communities is required to identify any additional sites that may exist.

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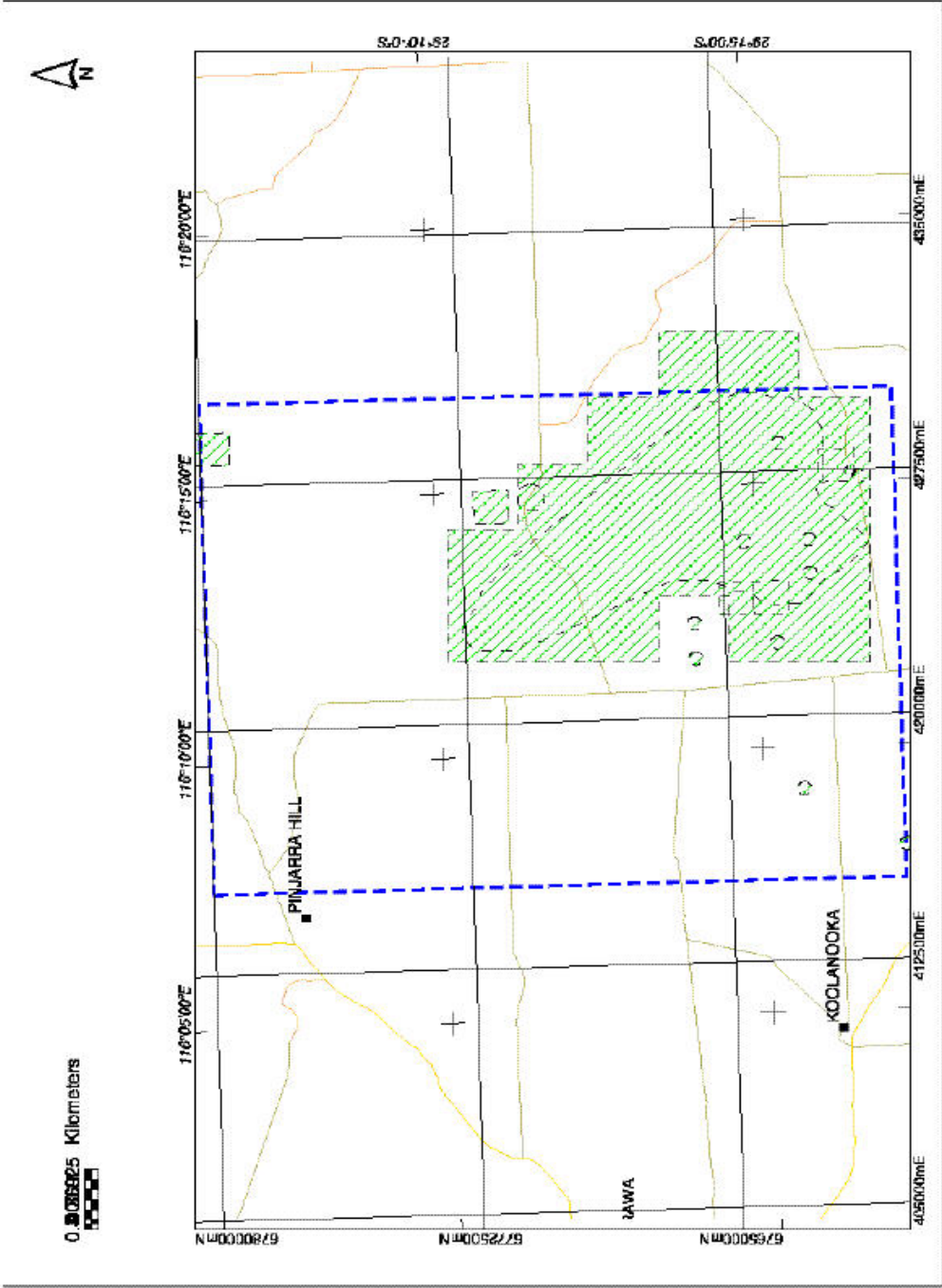
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Geographical Coordinates  
 Projection: Lambert  
 Datum: GDA94

<b>Legend</b>	
	<b>Selection Area (User Polygon, LGA, Land Claim, ...)</b>
	<b>Site Search Map</b>
	<b>Selected Sites</b>
 WALLIS DEPARTMENT OF INDIGENOUS AFFAIRS	

Site Search Map





DEPARTMENT OF INDIGENOUS AFFAIRS

Gis Site Reports

Page 1  
RPGLR V1.3

Report run on: October 14, 2003 2:37 PM

**Selection Criteria**

Site Search within specified polygon  
Coordinates Type: MGA Coordinates - MGA Zone: 50  
Coordinates: Easting: 415000 Northing: 6780000  
Easting: 430000 Northing: 6780000  
Easting: 430000 Northing: 6760000  
Easting: 415000 Northing: 6760000

Report Id	Catalogue No.	Title	Author(s)	Old Ref No.
104255	HSR MW 1988 OCO [OWE]	Report on a survey for Aboriginal sites at the proposed 132kv powerline route from Three Springs to	O'Connor, Roy.	89005

**Total No. of Reports Identified: 1**