



REPORT OF AN ETHNOGRAPHIC ABORIGINAL HERITAGE SURVEY OF THE ANKETELL ROAD PROPOSAL AREA (KWINANA FREEWAY TO LEATH ROAD), WESTERN AUSTRALIA

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For Main Roads Western Australia (Main Roads)



archae-aus

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Warning

Please be aware that this report may contain images of deceased persons and the use of their names, which in some Aboriginal communities may cause sadness, distress or offence.

Disclaimer

The authors are not accountable for omissions and inconsistencies that may result from information which may come to light in the future but was not forthcoming at the time of this research.

Report Format

The front end of the report includes the terms and abbreviations used in the document and the personnel involved in the heritage survey. Section One introduces the project scope, which outlines the work's key objectives, and the relevant legislation used to guide the fieldwork and reporting processes. It outlines the personnel who attended the survey. Section Two provides the ethnographic background of the Survey Area and surrounding region and provides a summary of DPLH reports detailing prior research in the area. Section Three describes the methods used for surveying and recording. Section Four discusses the results of the ethnographic heritage assessment. Section Five presents cultural heritage management recommendations in light of the research conducted. The Appendices includes a copy of ACHIS (Aboriginal Cultural Heritage Inquiry System) register search, a copy of the Traditional Owner Cultural Heritage Survey Verification Form, and an ACH Submission Summary.

Spatial Information

All spatial information contained in this report uses the Geocentric Datum of Australia (GDA20), Zone 50, unless otherwise specified. All information obtained from Main Roads is assumed to be accurate to two decimal places. All spatial information obtained during fieldwork was taken using a handheld Garmin GPS with a purported accuracy of ± 3 m. Where we report spatial information collected in the field, we have opted for a slightly wider degree of accuracy of ± 5 m.

Authorship

This report was written by Dr Janelle White (PhD *UniSA*), with Adrian Di Lello [BA (Hons) Archaeology W.Aust.], and Victoria Huntley [BA (Hons) Archaeology UWA, BA History ECU, DipScreenMedia North Metro TAFE] providing information relating to the archaeology of the Survey Area.

Executive Summary

This document details the results of an ethnographic Site Identification survey for Main Roads Western Australia (Main Roads) Anketell Road Proposal Area (Kwinana Freeway to Leath Road), Western Australia. Main Roads is proposing to upgrade Anketell Road from Leath Road to Kwinana Fwy, as part of a broader plan to provide a Transport Corridor across Anketell Road and Thomas Road to service the proposed Westport Port at Kwinana. The survey area was situated within the City of Kwinana and the Shire of Serpentine - Jarrahdale.

The combined Scope of Works were to:

- ▶ Conduct Aboriginal Ethnographic and Archaeological surveys to Site Identification level, sufficient for Main Roads to make a successful application under section 18 of the *Aboriginal Heritage Act 1972 (AHA)*;
- ▶ Conduct the surveys in accordance with the Noongar Standard Heritage Agreement (NSHA), with the participation of the Gnaala Karla Booja representatives as provided by the South West Aboriginal Land and Sea Council (SWALSC).

A pre-survey meeting was held at the Main Roads Office on the 10th of April 2024. During this meeting Main Roads representatives presented the project to the Gnaala Karla Booja (GKB) Knowledge Holders. They provided an overview of the Survey Area and Archae-aus archaeologist Adrian Di Lello discussed which parts of the Survey Area have potential for archaeological cultural material, based on the desktop assessment of previous land use and disturbance. The GKB Knowledge Holders agreed on the areas that would require archaeological survey and agreed on a survey methodology.

Both archaeological and ethnographic surveys were conducted over the Survey Area during separate consultations. The ethnographic survey was conducted in collaboration with a representative group GKB Traditional Owners. This report details the ethnographic component only, which took place on Tuesday, 9th July 2024. The details of the archaeological survey have been reported on separately.

Results

An initial search of the Department of Planning, Lands, and Heritage (DPLH) Aboriginal Cultural Heritage Inquiry System (ACHIS) uncovered one Historic Aboriginal Cultural Heritage Site in close proximity to the Survey Area. This site, **DPLH ID 3427 Mandogalup Swamp/Spectacles**, is currently of 'historic' status, meaning it is an Aboriginal heritage place that has been assessed by the Aboriginal Cultural Heritage Committee (ACHC) as not meeting the criteria of Section 5 of the AHA. Despite this, the GKB Traditional Owners who took part in the ethnographic survey were adamant that the Spectacles did constitute an Aboriginal cultural heritage site. Furthermore, they advised that the waters running into the Spectacles from the north through the Peel Main Drain need to be recognized and understood as a part of the extensive cultural heritage landscape that spans the Perth coastal plain.

The GKB Traditional Owners requested that the Spectacles wetlands to the south of the Survey Area be submitted to the DPLH for registration/re-assessment. The request to re-assess the Spectacles included both waterbodies and the surrounding vegetation located to the immediate south of the Survey Area. Reassessment of the site was recommended by Heritage Consultant Brad Goode in 2011 (ref. DPLH ID 3427 Site File). At this time, DIA supported a reassessment process occurring; however, there is no record in the site files of any re-assessment having yet occurred. Archae-aus contacted

DPLH to request an update on the reassessment process and was advised via email on 09/09/2024 that:

- Aboriginal Heritage Place Mandogalup Swamp/Spectacles (ID 3427) has a current status on ACHIS as Historic/not a site;
- It does not appear that remapping of the area or any information updates have been received by the Aboriginal Heritage Conservation Team.

The GKB Traditional Owners stated that the area with remnant vegetation between the two pools of the Spectacles Wetlands should also be considered part of the heritage site, as it is an intrinsic part of the cultural landscape of the Spectacles. The ethnographic information provided during the survey was in accordance with Sections 5b and 5c of the Aboriginal Heritage Act 1972. In addition to information gained during the Survey, documentary research included a review of historic maps which provided further insight into landscape change. A key informant interview also allowed for further insight into the ethnographic history of the place. The combined research has informed an ACH Submission Summary, to be sent to the DPLH recommending a proposed boundary and the registration of the Spectacles Wetlands (Appendix 3). The proposed boundary does not intersect with the Survey Area.

There was some discussion during the survey as to whether the waterway feeding the Spectacles (contained in the Peel Main Drain) also constitutes (part of) a site. It was determined that there is no ethnographic information to date that supports this. However, water is considered culturally significant in accordance with broader Noongar belief and is associated with the biocultural health of the Spectacles Wetlands. In recognition of this, this area is referred to as a **Heritage Sensitive Area (water flow)** in this report, and the GKB Traditional Owners requested to monitor the Heritage Sensitive Area following the works to ensure the flow of water has been maintained.

Advice

The following advice is made to Main Roads and their contractors, based on the combined survey findings and the follow-up ethnographic interview.

It is **advised** that Main Roads and their contractors are aware that:

- 1) the ethnographic assessment of the Survey Area is **complete**;
- 2) no new Aboriginal ethnographic sites were located within the Survey Area;
- 3) the Gnaala Karla Booja Traditional Owners are supportive of the proposed Main Roads project; however,
- 4) the Project Area is in close proximity to DPLH historic site ID 3427/Mandogalup Swamp/Spectacles; and,
- 5) the GKB Traditional Owners recommend that historic site ID 3427 be re-assessed by the DPLH for registration, with a boundary that includes the two waterbodies known as the Spectacles and the surrounding vegetation;
- 6) while not a site under the Act, the water flowing into the DPLH site ID 3427/Mandogalup Swamp/Spectacles, through the Peel Main Drain, is important for maintaining the health of the Spectacles, and the flow of the water should be protected;

The Gnaala Karla Booja Traditional Owners recommended that:

- 7) that two Gnaala Karla Booja Noongar monitors be invited to view the completed works in the vicinity of the Peel Main Drain to ensure the continued flow of water. Of specific interest

is where the Peel Main Drain passes under the Anketell Road Proposal Area at 'White Bridge' and 'Jolly Bridge'.

- 8) that remnant flora and fauna is protected during the proposed works.

Table of Contents

DOCUMENT INFORMATION	2
COPYRIGHT	3
WARNING	3
DISCLAIMER	3
REPORT FORMAT	3
SPATIAL INFORMATION	3
AUTHORSHIP	3
EXECUTIVE SUMMARY	4
RESULTS	4
ADVICE	5
TABLE OF CONTENTS.....	7
LIST OF FIGURES.....	9
LIST OF TABLES	9
LIST OF MAPS.....	9
TERMS AND ABBREVIATIONS.....	10
SECTION ONE – INTRODUCTION	11
SCOPE OF WORKS	11
SURVEY AREA	11
PERSONNEL	13
PRE-SURVEY MEETING	13
GNAALA KARLA BOOJA NOONGAR TRADITIONAL OWNERS	13
ARCHAE-AUS.....	13
MAIN ROADS WA	13
HERITAGE SURVEY	13
GNAALA KARLA BOOJA NOONGAR TRADITIONAL OWNERS	13
ARCHAE-AUS.....	13
MAIN ROADS WA.....	14
LEGISLATION	15
ABORIGINAL HERITAGE ACT 1972.....	15
ABORIGINAL CULTURAL HERITAGE ACT (ACHA) 2021	16
AMENDMENTS TO THE ABORIGINAL HERITAGE ACT 1972	17
COMMONWEALTH ABORIGINAL AND TORRES STRAIT ISLANDER HERITAGE PROTECTION ACT 1984... 17	
THE BURRA CHARTER 2013	17
THE ‘DARWIN STATEMENT’ – IMPLEMENTING BEST PRACTICE CULTURAL HERITAGE PRINCIPLES 2018 . 18	
UN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLE (UNDRIP) 2008	18
FREE, PRIOR AND INFORMED CONSENT (FPIC)	19
UNESCO CONVENTION FOR THE SAFEGUARDING OF INTANGIBLE CULTURAL HERITAGE 2003	20
SECTION TWO – BACKGROUND	21
LAND USE PATTERNS AND ARCHAEOLOGICAL LANDSCAPE	21

ETHNOGRAPHIC LANDSCAPE	21
GNAALA KARLA BOOJA (GKB)	23
PREVIOUS HERITAGE ASSESSMENTS	24
DPLH ID 3427 Mandogalup Swamp/Spectacles.....	24
Aboriginal Cultural Heritage within 3km of the Survey Area	26
DPLH ID 3698 Chalk Hill Camps	26
DPLH ID 3710 Thomas Oval	26
DPLH ID 38661 Thomas Road	26
REPORT SUMMARIES	28
Report ID 17663	30
Report ID 17664	31
Report ID 19122	31
Report ID 20027	31
Report ID 20507	32
Report ID 20508	32
Report ID 20653	32
Report ID 21422	33
Report ID 21817	33
Report ID 21818	33
Report ID 22366	34
Report ID 22530	34
Report ID 22628	34
Report ID 23099	34
Report ID 28551	35
Report ID 102670	35
Report ID 103564	35
Report ID 104160	36
Report ID 104475	36
Report ID 104489	36
Report ID 105321	36
WA HISTORICAL HERITAGE LISTINGS	39
STATE HERITAGE REGISTER.....	39
CITY OF KWINANA LOCAL HERITAGE SURVEY	39
HISTORICAL MAP COLLECTION AND ARCHIVAL RESEARCH.....	43
CONCLUSION BASED ON DOCUMENTARY EVIDENCE	50
SECTION THREE –METHODS.....	51
ETHNOGRAPHIC ASSESSMENT	51
DESKTOP RESEARCH.....	51
PRE-SURVEY MEETING	51
SURVEY	51
FOLLOW-UP INTERVIEW.....	52
SECTION FOUR – RESULTS.....	53
ETHNOGRAPHIC SURVEY RESULTS	53
QUANDONG TREES	53
MANDOGALUP SWAMP, THE SPECTACLES, AND SURROUNDING BUSH.....	53
CREEK RUNNING FROM THE NORTH, INTO THE SPECTACLES	54

SKELETAL REMAINS FOUND AT THOMAS ROAD	54
FOLLOW-UP KEY INFORMANT INTERVIEW RESULTS	56
QUANDONG TREES AND LOCAL VEGETATION	56
MANDOGALUP SWAMP, THE SPECTACLES AND SURROUNDING BUSH.....	56
SECTION FIVE – DISCUSSION & RECOMMENDATIONS.....	61
ETHNOGRAPHIC DISCUSSION.....	61
ADVICE	62
REFERENCES.....	63
APPENDIX ONE – DPLH ACHIS REGISTER SEARCH.....	65
APPENDIX TWO – VERIFYING HERITAGE SURVEY INFORMATION FORM	66
APPENDIX THREE – ACH SUBMISSION SUMMARY.....	67

List of Figures

FIGURE 1: ROSLYN INDICH, SHIRLEY VITI AND CHARNE HAYDEN YARNING DURING THE SURVEY AT THE SPECTACLES. MONTANA COLLARD IN DISTANCE.....	14
FIGURE 2. ABOVE: CHARNE HAYDEN WALKING BOARDWALK TO BIARA LOOKOUT, THE SPECTACLES WETLANDS.	59
FIGURE 3. ABOVE: PEEL MAIN DRAIN , LOOKING NORTH FROM THE EDGE OF THE SURVEY AREA, TOWARDS MANDOGALUP.	60

List of Tables

TABLE 1. ARCHAEO-AUS DOCUMENT CONTROL	2
TABLE 2. DISTRIBUTION OF COPIES	2
TABLE 3. PREVIOUSLY RECORDED ABORIGINAL CULTURAL HERITAGE INTERSECTING THE SURVEY AREA.	24
TABLE 4. ABORIGINAL CULTURAL HERITAGE WITHIN 3KMS OF THE SURVEY AREA.	26
TABLE 5. PREVIOUS HERITAGE SURVEYS THAT INTERSECT THE SURVEY AREA.	28
TABLE 6. KNOWN HISTORICAL HERITAGE PLACES INTERSECTING THE SURVEY AREA (SOURCE: WA HERITAGE COUNCIL, INHERIT). ..	39

List of Maps

MAP 1. OVERVIEW OF WESTPORT ANKETELL TO THOMAS ROAD TRANSPORT CORRIDOR, KWINANA, WA.....	12
MAP 2. ACH PLACES INTERSECTING AND WITHIN 5KM OF THE PROJECT AREA, KWINANA	27
MAP 3. PREVIOUS HERITAGE SURVEYS INTERSECTING THE PROJECT AREA	38
MAP 4. LOCAL HERITAGE SURVEY PLACES INTERSECTING THE PROJECT AREA	42
MAP 5. 1846 SKETCH OF COUNTRY TO EAST OF COCKBURN AND WARNBRO SOUNDS (CONS_3844_ITEM_314).....	45
MAP 6. 1921 NATIONAL LIBRARY OF AUSTRALIA OBJECT 2848471400	46
MAP 7. 1942 NATIONAL LIBRARY OF AUSTRALIA OBJECT 2848471616	47
MAP 8. 1975 AIR PHOTO NATIONAL LIBRARY OF AUSTRALIA CAF4157 FRAME 42	48
MAP 9. PRESENT DAY GOOGLE SATELLITE MAP.....	49
MAP 10. RESULTS OF THE ETHNOGRAPHIC SURVEY.....	58

TERMS AND ABBREVIATIONS

Term / Abbreviation	Meaning / Interpretation
Aboriginal archaeological place or assemblage	A place (or group of physical sites) in which evidence of past activity by Aboriginal people is preserved (either prehistoric or historic or contemporary), and which has been, or may be, investigated using the discipline of archaeology and represents a part of the archaeological record.
Aboriginal Site	This term is used only for Aboriginal heritage sites to which the <i>AHA</i> applies by the operation of Section 5.
ACHC	The Aboriginal Cultural Heritage Committee
AHA	Abbreviation for <i>Aboriginal Heritage Act 1972</i>
ACHIS	The DPLH Aboriginal Cultural Heritage Inquiry System, an online and publicly accessible copy of the Register of Aboriginal sites.
Assessment	Professional opinion based on information that was forthcoming at the time of consideration
Cultural material / archaeological material	Any object (article, building, container, device, dwelling, ornament, pottery, tool, weapon, work of art etc.) made, affected, used, or modified in some way by humans.
DAA	Abbreviation for Department of Aboriginal Affairs, now the Department of Planning Lands and Heritage
DPLH	The Department of Planning Lands and Heritage
Ethnographic Site	A place that is significant to an Aboriginal group because of its stories and connections. These places have intangible heritage values and are linked to traditional custom and law.
GKB	Gnaala Karla Booja Aboriginal Corporation
GPS unit	Handheld device used as a Global Positioning System
Heritage survey	Survey and inspection undertaken in order to investigate and document the Aboriginal sites and material of a particular area
HPA	<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i> (the HPA).
LGM	Last Glacial Maximum
Main Roads	Main Roads Western Australia
Native Title	Recognition of the traditional rights and interests to land and waters of Aboriginal and Torres Strait Islander people
NSHA	Noongar Standard Heritage Agreement
NTA	Native Title Act 1993
Object	An artefact - any object made, affected, used, or modified in some way by humans.
OHP	Other Heritage Place
PDA	Proposed Development Area
PSP	Primary Shared Path
Section 17 Disturbance	When an Aboriginal site has been damaged by ground disturbance works without Section 18 permission.
Section 18 / S18	The section of the <i>Aboriginal Heritage Act 1972</i> that details the process for permission to disturb the land on which an Aboriginal site is located.
Section 18 Approval	A letter from the Minister of Aboriginal Affairs providing approval for the disturbance of land on which an Aboriginal site is located.
Section 39(2) Assessment	Process of the ACMC assessing a reported site's significance and interest.
Scope of Works / SoW	The nature of the work undertaken as requested by the client or proponent.
SWALSC	South West Aboriginal Land and Sea Council

SECTION ONE – INTRODUCTION

Scope of Works

The objectives of the Scope of Works were to:

- ▶ Conduct Aboriginal Ethnographic and Archaeological surveys to Site Identification level, sufficient for Main Roads to make a successful application under section 18 of the *Aboriginal Heritage Act 1972 (AHA)*;
- ▶ Conduct the surveys in accordance with the Noongar Standard Heritage Agreement (NSHA), with the participation of the Gnaala Karla Booja representatives as provided by the South West Aboriginal Land and Sea Council (SWALSC).

The main objectives of the Aboriginal Site Identification surveys were to:

- ▶ Identify any known or potential Aboriginal heritage sites within the Survey Area;
- ▶ Undertake research and/or consultation that may be required to meet the requirements of the AHA, particularly for lodging any potential s18 applications (if applicable);
- ▶ Make recommendations regarding the management of the above sites, including any further research and/or consultation that may be required during or after the works component of the proposal; and,
- ▶ Summarise the survey and any recommendations arising at the conclusion of the survey and request the Aboriginal consultants verify the information by signing the Verification Form (See Appendix Two).

Survey Area

Main Roads is proposing to upgrade the Anketell Road Corridor between Tonkin Highway and Rockingham. The Survey Area consists of a section of the corridor that falls within the City of Kwinana and the Shire of Serpentine – Jarrahdale, extending from Leath Road in the west to the Kwinana Freeway in the east. The Project Area includes adjacent road reserve, crown land and freehold land and is situated along the Anketell Road, extending for 8.4km with varying width to suit the road design, however the average corridor width is 100m. (Ref. **Map 1**)



Legend

 Survey Area



Map 1. Overview of the Anketell Road Upgrade Corridor, Kwinana, WA

Drafted by Tessa Woods, 29 August 2024. GDA94, Zone 50H.
Satellite imagery courtesy of Google Maps.

Personnel

Pre-Survey Meeting

(10th April 2024)

Gnaala Karla Booja Noongar Traditional Owners

Marie Walley	Roxanne Ali	Erin Quartermaine
Georgina Drayton	Roslyn Indich	Charne Hayden
Kay Walley	Shirley Viti	

Archae-aus

Adrian Di Lello	Koa Jaensch
(Archaeologist)	(Anthropologist)

Main Roads WA

Ryan Crawford – Heritage Contractor, Planning & Technical Services Directorate	Miranda Nikolich - Contractor, Strategy and Communications Directorate	Monique Pasqua – Heritage Contractor, Planning & Technical Services Directorate
Bree Atkinson – Environmental Contractor, Planning & Technical Services Directorate	John Morrell – Environmental Contractor, Planning & Technical Services Directorate (Provided briefing on potential contamination investigations).	Paul Fourie – Network Planning and Development Manager, Road Planning (via Teams, provided Project Briefing)

Heritage Survey

(9th July 2024)

Gnaala Karla Booja Noongar Traditional Owners

Marie Walley	Jennifer Ford	Erin Quartermaine
Tina Hayden	Roslyn Indich	Charne Hayden
Montana Collard	Shirley Viti	

Archae-aus

Adrian Di Lello	Janelle White
(Archaeologist)	(Anthropologist)

Main Roads WA

Ryan Crawford – Heritage
Contractor, Planning &
Technical Services Directorate

Miranda Nikolich - Contractor,
Strategy and Communications
Directorate



**Figure 1: Roslyn Indich, Shirley Viti and Charne Hayden
yarning during the survey at the Spectacles. Montana Collard
in distance.**

LEGISLATION

This section provides background and context from the perspective of legislation and Best Practice standards. It details Aboriginal Heritage Legislation and processes, as well as internationally recognised Cultural Heritage Standards.

ABORIGINAL HERITAGE ACT 1972

The *Aboriginal Heritage Act 1972* (AHA) remains the main legislative framework for Aboriginal heritage in the State, although it was recently, briefly, superseded by the *Aboriginal Cultural Heritage Act* (ACHA) 2021. The AHA is currently administered by the Department of Planning, Lands and Heritage (DPLH).

As highlighted in the findings of the 2020 Interim Report, the Western Australian AHA legislation was found to be ‘seriously (and) demonstrably flawed’ (Joint Standing Committee on Northern Australia, 2020) and should no longer be relied on as a guarantee that the interests of all stakeholders are adequately protected, regardless of existing s18 approvals.

The AHA was intended to protect sites and objects of significance to living Aboriginal people as well as Aboriginal sites of historical, anthropological, archaeological and ethnographic significance; however, in practice, the protections of the AHA were weak and inadequate due to a combination of factors outlined in the final report of the Joint Standing Committee on Northern Australia (Parliament of the Commonwealth of Australia, 2021, pp. 97–98). The committee noted that the original good intentions of the legislation ultimately failed and the law became in practice ‘a mechanism through which the disturbance, damage and destruction of both physical and intangible Aboriginal cultural heritage has repeatedly taken place’ (para 4.125). The committee attributed this to:

- Amendments that undermined the original purpose.
- How legislation was interpreted and administered by successive Ministers.
- The prominence of Section 18 as the basis for the system of damage by permit.
- The role of the Minister as arbiter for decisions about approval, to the exclusion of the voice and interests of traditional owners.

In summary, the ‘AHA has failed to strike a balance between the needs and aspirations of the various parties and has excessively favoured the interests of proponents’ (Joint Standing Committee on Northern Australia (2020): para 4.126).

The primary sections of the AHA that were usually considered when making significance assessments were Section 5, which defined the term ‘Aboriginal Site’, and sections 39 (2) and (3), which detailed what the Aboriginal Cultural Materials Committee (ACMC) should have regard to in considering the importance of objects and places. Section 17 of the AHA stated that it is an offence to: alter an Aboriginal site in any way, including collecting artefacts; conceal a site or artefact; or excavate, destroy or damage in any way an Aboriginal site or artefact; without the authorisation of the Registrar of Aboriginal Sites under Section 16 or the Minister of Aboriginal Affairs under Section 18 of the AHA.

The Aboriginal Heritage Inquiry System (AHIS), managed by the DPLH, was the tool through which the public could access information about heritage places and their legal status.¹ There are two broad categories by which the AHIS characterised heritage places: Registered Aboriginal Sites or Other Heritage Places.

¹ To align with the ACHA, the Aboriginal Cultural Heritage Inquiry System (ACHIS) was established (see below).

A Registered Aboriginal Site is a place that fulfils the following definitions for protection under Section 5 of the AHA:

- 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 [Aboriginal Cultural Material Committee, or ACMC], is or was associated with 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.
- d) Any place where objects to which the AHA applies are traditionally stored, or to which, under the provisions of the AHA, such objects have been taken or removed.

Section 39 (2) states that:

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.

Section 39 (3) states that:

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.

ABORIGINAL CULTURAL HERITAGE ACT (ACHA) 2021

The *Aboriginal Cultural Heritage Act 2021* passed in Western Australia's State Parliament and received Royal Assent on 22 December 2021, replacing the *Aboriginal Heritage Act 1972* (the AHA). As explained by the DPLH in the *A Way Forward* report (Parliament of the Commonwealth of Australia 2021), the objectives of the new legislation included:

- To recognise the importance of Aboriginal cultural heritage and Aboriginal custodianship.
- To recognise, protect and preserve Aboriginal cultural heritage.
- To manage activities that may harm Aboriginal cultural heritage.
- To promote an appreciation of Aboriginal cultural heritage.

The ACHA acknowledged Aboriginal Cultural Heritage (ACH) as a living entity. Under Section 12 of the ACHA, ACH referred to the tangible and intangible elements that are important to the Aboriginal people of the State, and are recognised through social, spiritual, historical, scientific or aesthetic values, as part of Aboriginal tradition.

In terms of the status of previously recorded places, all Registered Sites and Lodged Places were transferred to a new ACH Directory (Aboriginal Cultural Heritage Inquiry System, ACHIS). Places classified as Stored Data/ Not a site were not in the Directory, but information about them could be accessed through a historic layer.

The ACHA focused on continued engagement with Aboriginal parties and cultural heritage management. The main features of this process included that determining the presence of ACH material is the role of Aboriginal people, with key guiding principles of the ACHA including the recognised best practice principle of Free, Prior and Informed Consent (FPIC) and the cultural heritage values articulated in the Burra Charter.

AMENDMENTS TO THE ABORIGINAL HERITAGE ACT 1972

Due to extensive backlash and criticism of the ACHA, the WA Government has now officially repealed the ACHA and instead introduced amendments to the AHA. The legislative changes were proclaimed 15 November 2023.

The key amendments to the AHA relevant to this review attempt to address the criticisms of the Section 18 process by:

- Formally recognising Native Title holders and their rights of appeal in respect of s18 decisions by the Minister.
- Replacing the ACMC with an Aboriginal Cultural Heritage Committee, based on the composition of the Aboriginal Heritage Council established under the ACHA, with male and female Aboriginal co-chairs, and preferably a majority of members of Aboriginal descent.
- Requiring the Minister to be made aware of any new information about an Aboriginal site on land subject to a s18 consent.

The Aboriginal Cultural Heritage Inquiry System (ACHIS), managed by the DPLH, remains the tool through which the public can access information about Aboriginal Cultural Heritage (ACH) places and their legal status. ACHIS uses three categories for ACH places: Registered Aboriginal Sites, Lodged (information still being verified), and Historic (formerly 'Stored Data' / 'Not a Site').

COMMONWEALTH ABORIGINAL AND TORRES STRAIT ISLANDER HERITAGE PROTECTION ACT 1984

Aboriginal heritage sites are also protected under the *Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (the ATSIHP Act). The ATSIHP Act complements state/territory legislation and is intended to be used only as a 'last resort' where state/territory laws and processes prove ineffective. Under the ATSIHP Act the responsible Minister can make temporary or long-term declarations to protect areas and objects of significance under threat of injury or desecration. The ATSIHP Act also encourages heritage protection through mediated negotiation and agreement between land users, developers and Aboriginal people. Commonwealth heritage legislation is currently under review, as recommended by the Juukan Inquiry.

THE BURRA CHARTER 2013

The Burra Charter (Australian ICOMOS, 2013) is the foundational document for conserving Australia's cultural heritage. The Charter encapsulates two important aspects in conserving heritage places. First, it establishes the best practice principles and processes for understanding and assessing a place's significance, as well as developing and implementing a conservation plan. Second, the Charter defines and explains the four primary cultural values that may be ascribed to any place: aesthetic, historic,

social or spiritual, and scientific. These values are essential as they delineate the types and quality of information needed to accurately determine a heritage place's significance. The language of the *Aboriginal Cultural Heritage Act 2021* in sections defining ACH and in assessing significance and importance to the State aligned with the Burra Charter. More recent practice within DPLH with respect to site reporting and significance assessment under the AHA also refers to Burra Charter values.

THE 'DARWIN STATEMENT' – IMPLEMENTING BEST PRACTICE CULTURAL HERITAGE PRINCIPLES 2018

In 2018, the Heritage Chairs and Officials of Australia and New Zealand (HCOANZ) agreed to implement best practice cultural heritage principles under what they termed the 'Darwin Statement'. The Heritage Chairs were joined by representatives of Aboriginal and Torres Strait Islander heritage organisations from the Commonwealth, states and territories in an approach aimed at working together to advance 'a shared approach to Australia's cultural heritage' (Heritage Chairs of Australia and New Zealand, 2020, p. 33). The HCOANZ group emphasised the principles of:

- Sharing the comprehensive Australian heritage story (including the 'critical importance' of recording and sharing the stories of Aboriginal and Torres Strait Islander cultural heritage).
- Inclusion and engagement with Aboriginal and Torres Strait Islander people.
- Cooperation and collaboration.

Their objective was to facilitate Indigenous Cultural Heritage (ICH) legislation and policy across the country that is consistently of the highest standards.

The HCOANZ group made their recommendations at a time of statutory reviews of Commonwealth Acts, including the *Environment Protection and Biodiversity Act 1999* (Cth) (EPBC Act) and the Australian Heritage Strategy, the Commonwealth's key heritage policy document. Their vision, captured in a document entitled '*Dhawura Ngilan*'/Remembering Country, reminds us that, as a foundational principle, Australia's Indigenous Peoples are entitled to expect that Indigenous Cultural Heritage legislation will uphold the international legal norms contained within the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), and that the key to UNDRIP is the principle of self-determination. The four primary visions of '*Dhawura Ngilan*'/Remembering Country are:

1. Aboriginal and Torres Strait Islander people are the Custodians of their heritage. It is protected and celebrated for its intrinsic worth, cultural benefits and the well-being of current and future generations of Australians.
2. Aboriginal and Torres Strait Islander heritage is acknowledged and valued as central to Australia's national heritage.
3. Aboriginal and Torres Strait Islander heritage is managed consistently across jurisdictions according to community ownership in a way that unites, connects, and aligns practice.
4. Aboriginal and Torres Strait Islander heritage is recognised for its global significance.

This is the climate under which the *Aboriginal Cultural Heritage Act 2021* evolved and was enacted. Subsequent amendments to the AHA also reflect more of a rights-based approach, including the replacement of the ACMC with an Aboriginal Cultural Heritage Committee, with Aboriginal male and female chairs and majority Aboriginal membership, and the recognition of Native Title holders.

UN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLE (UNDRIP) 2008

The UN Declaration on the Rights of Indigenous People (UNDRIP) sets out the rights of Indigenous people around the world to set and pursue their own priorities for development, and to maintain and

control their cultural heritage (United Nations 2008). The key provisions relevant to mineral development in the Australian context include Indigenous people having the right to:

- *Practice and revitalise their cultural traditions and customs, and states shall provide redress for cultural property taken without free, prior and informed consent (Article 11).*
- *Practice their spiritual and religious traditions, customs and ceremonies, maintain sites, control ceremonial objects and repatriate human remains, and states shall seek to enable the access and/or repatriation of ceremonial objects and human remains (Article 12).*
- *Maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions and intellectual property over such heritage, knowledge and culture, and states shall, in conjunction with Indigenous peoples, take effective measures to recognize and protect the exercise of these rights (Article 31).*
- *Determine and develop priorities and strategies for the development or use of their lands or territories and other resources, and states shall consult and cooperate with Indigenous peoples in order to obtain their free and informed consent before the approval of any project affecting their lands, territories and resources, provide effective mechanisms for redress for any adverse impact from such activities (Article 32).*

A core principle of UNDRIP is the right of Indigenous people to make decisions about development proposals that have the potential to impact their land and culture from an informed position that is free from coercion, intimidation, or manipulation. In order to uphold these principles, Free and Prior Informed Consent (FPIC) has been recognised as the best practice approach for engaging with Indigenous people when seeking consent for projects or activities that affect Indigenous people's culture or country (Kemp & Owen, 2014).

While the UNDRIP has not been formally adopted into Australian law, there has been an increasing recognition within industry and through new cultural heritage legislation of the importance of FPIC in building meaningful relationships with Traditional Owners and maintaining a social licence to operate.

FREE, PRIOR AND INFORMED CONSENT (FPIC)

In relation to cultural heritage and development, the UNDRIP means that Indigenous communities have a right to know, and make decisions about, projects that affect them and their heritage. The principles of Free, Prior and Informed Consent (FPIC) for Indigenous persons or communities, in relation to development projects, are a best practice standard that should be applied. They protect and promote Indigenous Rights within the development process. The processes of FPIC should be ongoing throughout the life of the project. To break this down:

Free - the process to be free of manipulation or coercion (including financial).

Prior - the process occurring in advance of any activity associated with the decision being made and allowing time for traditional decision-making processes.

Informed - objective, accurate, current and easily understandable information.

Consent - right to approve or reject a project (Hill et al., 2010).

UNESCO CONVENTION FOR THE SAFEGUARDING OF INTANGIBLE CULTURAL HERITAGE 2003

As noted in the *‘Dhawura Ngilan’/Remembering Country* visionary document (Heritage Chairs of Australia and New Zealand, 2020, pp. 38–39), intangible cultural heritage can exist independently of the association with a particular place. Thus, ‘the management, protection and promotion of this form of cultural heritage can provide particular challenges in a legislative context’. Whilst this is understood, the HCOANZ group point to the importance of this manifestation of ACH as indicated by the number of international instruments, in addition to the UNDRIP, that address this topic. The 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (UNESCO 2003) remains the key instrument in the recognition and protection of such cultural heritage; however, Australia has not yet ratified it. Acknowledging the constitutional arrangements in Australia, the HCOANZ group support the development of national legislation for the recognition and protection of intangible ICH/ACH.

For the purposes of this Convention (UNESCO 2003: Appendix 2) ‘intangible cultural heritage’:

means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity.

Manifested inter alia in the following domains:

- (a) oral traditions and expressions, including language as a vehicle of the intangible cultural heritage
- (b) performing arts
- (c) social practices, rituals and festive events
- (d) knowledge and practices concerning nature and the universe
- (e) traditional craftsmanship.

The AHA (Section 5 and Section 39 (2) and (3)) does include consideration of intangible cultural heritage values that are considered important to the Aboriginal people of the State, and are recognised through social, spiritual, historical, scientific or aesthetic values, as part of Aboriginal tradition. However, most forms of intangible cultural heritage, including oral traditions and rituals, are excluded unless they are associated with place.

SECTION TWO – BACKGROUND

Land Use Patterns and Archaeological Landscape

Most archaeological sites on the Swan Coastal Plain are surface artefact scatters; other cultural sites include mythological sites, stone arrangements, culturally modified trees and historic camping places. Hundreds of surface stone artefact scatters have been recorded across the Perth Metropolitan area, most commonly on the Bassendean Sands (Anderson, 1984; Bowdler et al., 1991; Hallam, 1972, 1975, 1977; Strawbridge, 1988). These mark former camping areas and other activities associated with hunting, gathering and fishing, and collecting materials to make shelters and a range of tools and personal equipment.

Past Noongar occupation in the Perth Metropolitan region is commonly marked by scatters of stone artefacts, particularly associated with the chains of lakes and swamps on the Swan Coastal Plain. These wetland areas would have been rich resource areas. Moreover, rivers, creeks and wetlands in the region continue to be culturally important to Noongar people because of the spiritual associations with the Waugal creative being.

The distribution of these sites suggests a long-term stable pattern of land use particularly focused on the rivers and the resource-rich wetlands and swamps of the Swan Coastal Plain. Historical sources confirm the importance of wetland resources in past Aboriginal subsistence patterns (Hallam, 1987, 1991). Many wetlands were also used as Noongar campsites within living memory and continue to be visited to access traditional resources. Noongar people moved to manage seasonal variation in distribution and abundance of food resources. Local abundance of particular resources provided opportunities for large gatherings and there were seasonal movements between the coastal plain and the jarrah and marri forests of the Darling Scarp (Anderson, 1984).

Many of these sites have been disturbed by a range of European activities, such as farming, and more recently urban development. The arrival of European settlers and the establishment of the Swan River Colony in 1829 caused considerable disruption to Noongar life (Green, 1984). Nevertheless, Noongar people maintained strong cultural connections to the Perth Metropolitan area and to traditional resources. Traditional camping and resource areas continued to be used and wetland areas commonly retained mythological associations with the Waugul creation being.

Ethnographic Landscape

The Survey Area is located within the Gnaala Karla Booja ILUA (WI2015/005), which forms part of the broader South West Native Title Settlement (WC1998/058). Gnaala Karla Booja (GKB) covers approximately 34,427 square kilometres and stretches broadly from the south of Perth down the coast near Busselton. GKB land incorporates three original Noongar sub-groups: the Pinjarup (also known as Bindjareb), Wiilman, and Kaniyang.

Noongar people form a distinct cultural bloc now and into the distant past, based on shared linguistic and cultural traditions, a cohesive social structure and kinship network, shared regional identity, and a common geographical connection to the lands and waters that make up the southwest corner of the Australian continent. There are a range of social structures which further delineate Noongar people and connect them to particular parts of the Southwest region. This is articulated succinctly in the Noongar evidence provided to the Federal Court hearings (Federal Court of Australia, 2006; p.38), during which the claimants noted that the southwest region:

was occupied and used by Aboriginal people who spoke dialects of a common language and who acknowledged and observed a common body of laws and customs. Those Aboriginal people recognized local and regional names within the broader society but shared a commonality of belief, language, custom and material culture, which distinguished them from neighbouring Aboriginal groups and societies. Responsibility for and control of, particular areas of land and waters, were exercised by sub-groups or families, but the laws and customs under which the sub-groups possessed those rights and interests were the laws and customs of the broader society.

The term ‘Noongar’, also sometimes spelled Nyungar, Nyoongar or other variations, is a common term used almost ubiquitously around the region for local Aboriginal people. However, its use as a term of identity is thought to be a linguistic adaptation that originated during the post-European contact period. It originally meant ‘man’ in the languages of the Southwest (Bates, 1985:47), and Aboriginal people of the southwest region used to identify as ‘Bibbulmun’ rather than ‘Nyungar’ (Bates, 1985:46). The Noongar cultural bloc, also referred to as the “South-West” cultural bloc by Berndt (Berndt, 1980:84), incorporates the south-west corner of the Australian continent following a line from around Jurien Bay in the north, to Esperance in the southeast, and encompassing all the area between there and the coastline. The kaip ‘water’ and bilya ‘rivers’ of the South-West Coast drainage basin are fundamental to the economic, social, and spiritual lives of Noongar people. (Note: kaip and bilya may differ slightly between dialect groups, but essentially these are the Noongar words for water and river.) The rivers formed movement corridors and resource-rich landscape features integral to Noongar economy.

Rainfall levels which define the Southwest Botanical Province form a distinctive geographic and environmental zone, they also define Noongar country. As defining features of Noongar country, the rivers, lakes, creeks, and all of their tributaries are fundamental to Noongar culture, and thus maintain a special significance. Spiritual life is fundamental to Noongar culture, and it is inextricably linked to the organisation of Noongar society and to the management of Boodjar (Country). The responsibility to look after Boodjar is deeply engrained in Noongar cosmology, which enshrines a set of governing principles for the management of land and water. Perhaps the most salient element of Noongar spiritual beliefs is the Waugal (aka Waarkal):

In Nyungar Cosmology, the Waarkal is the Creator, the keeper of the fresh water sources. He gave us life and our trilogy of belief in the boodjar – the land – as our mother and nurturer of the Nyungar moort – family and relations – and our katitjin – knowledge so that we could weave that intricate tapestry known as the “web of life”.

Nyungar Katitjin is people’s knowledge based on cosmological stories from the Dreamtime, known as Nyitting to Nyungar, on which cultural knowledge is founded.

Nyitting (or Dreamtime) yarns are cosmological stories about events within and beyond the living memories of the Nyungar people. [...] Nyitting literally means ‘cold time’, and refers to the time of creation.” (Collard, Stocker and Rooney; Rottnest Island Authority, no date)

Fundamental to Noongar identity and culture is connection to Country. This concept articulates a series of rights and responsibilities that every Noongar person maintains to certain places, landscapes and regions. Perhaps the two most important aspects of connection to Country are 1) the responsibility to care for Country and 2) the right to speak for Country. The responsibility to care for Country is something that Noongar people inherit from their ancestors and bequeath to their children. Upholding these responsibilities are fundamental to Noongar culture and identity, and at some level to people's reason for being. On this basis, being able to uphold these responsibilities is pivotal to Noongar people's sense of purpose and self-worth and therefore, well-being. Intertwined with the responsibilities that people maintain to Country are rights to make collective decisions affecting Country.

Contemporary Noongar society has its roots deeply etched in the traditional social structures of the pre-contact period and like all societies continues to evolve and change as a result of both internal and external influences. European invasion and subsequent settlement of the region is a major external influence and the impacts on Noongar society have been severe and far-reaching. None the less, Noongar culture and society has evolved, adapted, and survived. Among all the layers of connection and identity that comprise the fabric of Noongar society, perhaps the most fundamental is that of family and kinship. Noongar people identify most fervently with their extended family, and they will very often define their primary identity on the basis of family.

The combination of these rights and responsibilities are the basis for contemporary Noongar custodianship. What this means in a practical sense, is that Noongar people expect to have a 'seat at the table' in decisions that affect their lands and waters. Put another way, Noongar people have a customary set of rights and responsibilities that require them to have real power in all decisions affecting their Country. As all Noongar people are now living within the modern economy of Australia, their time and input have costs associated with it. While the AHA stipulates the need to consult with Aboriginal people about a narrowly defined set of places and materials, Noongar people have a custodial interest and responsibility for a much broader set of places and values than those defined by legislation.

Gnaala Karla Booja (GKB)

'Gnaala Karla Booja' translates as 'our fire land'. This term is inclusive of the Noongar people that have historical and cultural links with GKB *booja* (aka *Boodja*). The GKB Working Group explain:

Boodja is the centre of our culture – our people feel safe on boodja, it is home to family spirits, stories, histories and futures.' 'Where you see a Karlap (our homelands) there will always be a Karla (campfire burning). (CAN WA, 2011)

Previous Heritage Assessments

The Department of Planning, Lands, and Heritage (DPLH) Register of Aboriginal Cultural Heritage (ACH) holds information about Aboriginal ethnographic and archaeological cultural material places across Western Australia. The Register also stores details about heritage surveys that have been conducted and provides a list of consultants' reports. Searches of the Register, using the Aboriginal Cultural Heritage Inquiry System (ACHIS), were made to determine if any previously recorded Aboriginal Heritage places have boundaries with the Survey Area.

The results of the ACHIS search found that one Aboriginal Heritage Place (Table 3) intersects the Survey Area and nine are located in the immediate vicinity (within 3 kms; Table 4) (ref. **Map 2**). The search also indicated that thirty-two previous cultural heritage surveys have intersected the Survey Area (Table 5; **Map 3**). (Refer to Appendix One for ACHIS Register search details and map.)

Table 3. Previously recorded Aboriginal Cultural Heritage intersecting the Survey Area.

DPLH ID	Name	Status	Type	Legacy ID
3427	Mandogalup Swamp/Spectacles	Historic	Creation / Dreaming Narrative; Hunting Place; Water Source	S02729

DPLH ID 3427 Mandogalup Swamp/Spectacles

DPLH ID 3427 Mandogalup Swamp/Spectacles is a group of waterbodies associated with the Creationary Dreaming Spirit, the Waugal. It is one in a series of wetlands, extending from Wattleup Road in the north to Hope Valley Road in the south (Fisher, 2008 - DPLH Report ID 20653).

The DPLH site file reports that Mandogalup Swamp and the Spectacles wetlands were originally recorded as an ethnographic Aboriginal site by R. O'Connor, J. Walley, P. Bennell and F. Nannup in 1991. This area had been a freshwater source, a food resource, camping and hunting site for local Aboriginal people before market gardens intruded into it in the post-World War Two years. [O'Connor and Hart (2003) – DPLH Report ID 20653 also mention that in the past, Noongar people cut bean stalks for market gardeners in the area.] The original site recording form provides the following site description:

This swamp system (ie. Mandogalup), and the nearby 'Spectacles', into which it drains, are well known to Aboriginal people. It was reported specifically by Mr P. Bennell, Mr F Nannup and Mr J Walley. It is located between Rowley Road and Hope Valley Rd., in an area to be traversed by the Kwinana Freeway extension. It is considered significant by Aboriginal people because of:

- *its former usage as a water source*
- *its former usage as a tortoise hunting area*
- *its mythological association, as its water supply is sustained by actions of a Waugal.*

The site is demarcated on an accompanying aerial photograph. (Note: in this site file there are two maps of the site boundary showing the Spectacles. One map shows only the northern water source included in the boundary – this is declared 'unreliable'; whilst the second map shows the boundary surrounding both water sources. This second boundary is declared 'reliable'.) (Site file pp. 44-45).

The site was recorded by the DPLH in 1997 and listed as 'stored data', meaning the information lodged at that time was considered by the ACMC as not to have met the criteria of Section 5 of the Aboriginal Heritage Act 1972. Following on from this, the site file contains site reports produced in 2000 and 2004 that give the site status as 'interim register; insufficient information', followed by a site registry status in August 2008 declaring 'stored data; not a site'.

In 2010, Traditional Owner Trevor Walley provided a site name: '*Ngaiyinup*' and Dreaming story. Trevor, along with Cyril Yarran, completed a site registration request at this time and listed the site types as artefacts; ceremonial; historical; and quarry, with supporting information including hunting place; water source; archaeological deposit; camp; dated evidence; meeting place; named place; natural feature; reserve; and plant resource.

In 2011, Heritage Consultant, Brad Goode recommended a reassessment of the site be carried out. Details of the recommendation are within an internal DIA Memorandum dated 21/12/2011. This Memorandum states that the current state of the site as 'Stored data' was the result of a 2008 assessment which 'appears to have occurred at a time when the ACMC were not ratifying site assessments' with a preliminary assessment being made only. Brad Goode requested that a reassessment process occur, due to a concern regarding potential impact to a heritage site due to its 'stored data' status. In 2011, the DIA supported a reassessment process occurring, noting that 'the site may need to be remapped and may not be seen as having enough information to enable an assessment to occur'. Despite this outcome, there is no further information in the site file to show that any more mapping details and/or information has since been provided to DPLH.

Correspondence with the DPLH has since been established via the online ACHKnowledge portal in order to confirm the latest situation in regards DPLH ID 3427. An update request was sent 27/08/2024, and a response received 09/09/2024 advising the following:

- Aboriginal Heritage Place Mandogalup Swamp/Spectacles (ID3427) has a current status on ACHIS as Historic/not a site;
- It does not appear that remapping of the area or any information updates have been received by the Aboriginal Heritage Conservation Team.

This letter also recommended that 'any submissions for ACH remapping and updating of details be submitted by the Traditional Owners or ILUA (where applicable) or accompanied by a letter of support for the proposed changes'.

Aboriginal Cultural Heritage within 3km of the Survey Area

Table 4. Aboriginal Cultural Heritage within 3kms of the Survey Area.

DPLH ID	Name	Status	Type	Legacy ID
3555	Treeby Road Lake	Historic	Artefacts/Scatter; Camp; Other	S02438
3698	Chalk Hill Camps	Historic	Camp	S02260
3710	Thomas Oval	Register	Camp	S02210
3776	Indian Ocean	Historic	Creation / Dreaming Narrative	S02169
4148	Natgas 127	Historic	Artefacts/Scatter	S01266
4360	Norkett Road	Historic	Artefacts/Scatter	S00772
17582	Hope Valley Trees 1-12	Lodged	Other	
20865	Mount Brown - Booyeeanup	Lodged	Creation / Dreaming Narrative	
38661	Thomas Road	Register	Burial; Artefacts/Scatter; Camp; Ritual/Ceremonial; Water Source	

DPLH ID 3698 Chalk Hill Camps

Goode and Harris (2018: 16) describe Place ID 3698 Chalk Hill Camping Area, as an area utilised in the 1950s and 1960s by many Aboriginal families during relocation from farms in the Baldivis/Serpentine area to a new urban environment.

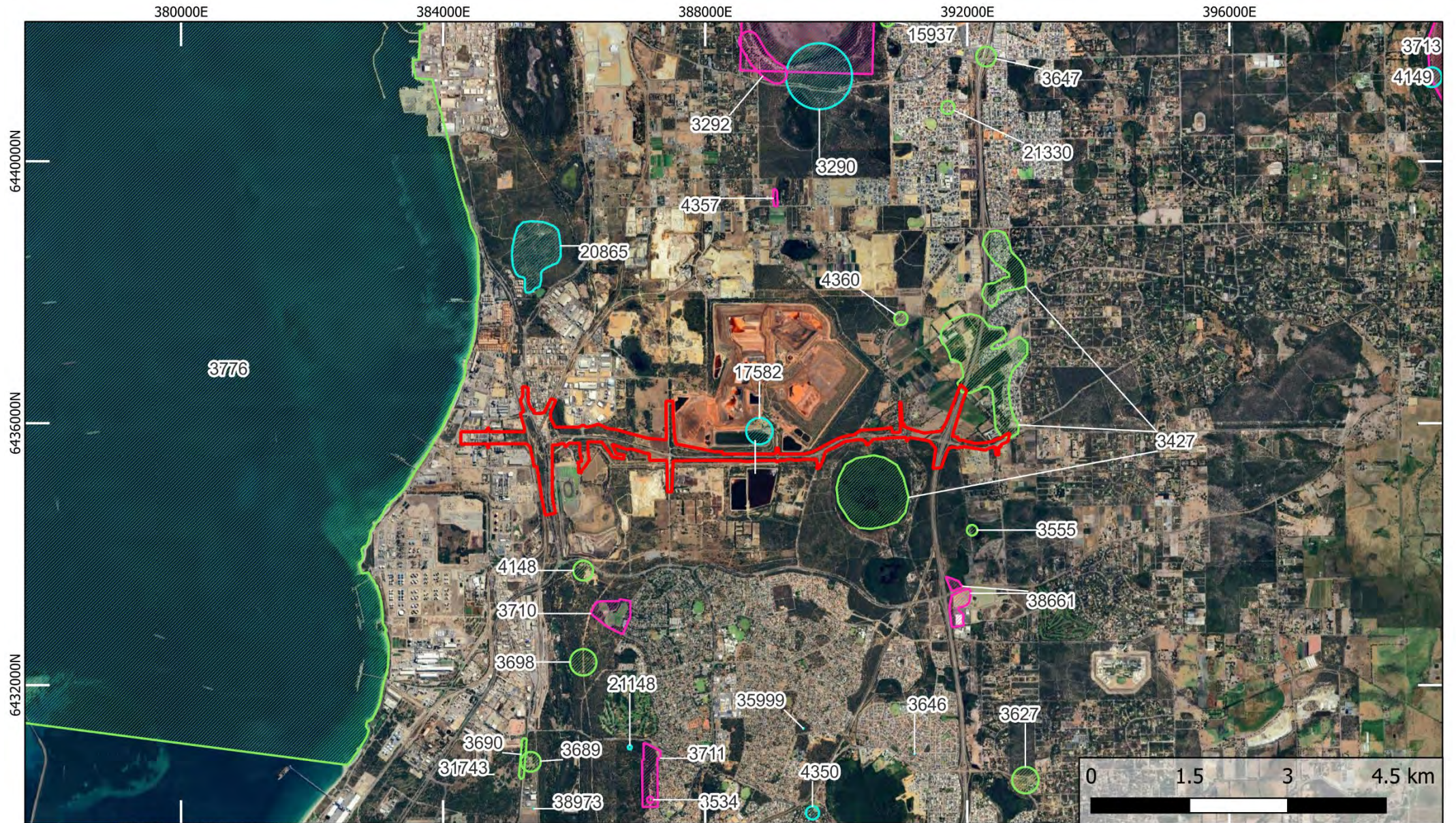
DPLH ID 3710 Thomas Oval

Thomas Oval in Medina was recorded as an Aboriginal campsite used by Aboriginal people in the 1920s. It was recorded during a survey by O'Connor, Bodney and Little in 1985 (DPLH Report ID 102670), located to the south of the western end of the current Survey Area.

DPLH ID 38661 Thomas Road

A registered DPLH site, including a burial, artefacts/scatter, camp, and water source. During a cultural heritage survey conducted in 2021 by Archae-aus (Archae-aus, 2021), Gnaala Karla Booja and Whadjuk Traditional Owners considered Thomas Road DPLH ID 38661 to be of 'high cultural significance':

The GKB consultants noted the cultural and spiritual importance of ensuring the Mandogalup Man's remains are reburied in an appropriate place and manner, with the Traditional Owners highlighting the importance of the project area in terms of its connection to the wider landscape of the wetlands, and the Ngitting or Dreaming stories and hunting areas associated with the Spectacles/Mandogalup' (p. 27).



Legend

- | | |
|--|--|
|  Westport Anketell-Thomas Road Transport Corridor |  DPLH Aboriginal Heritage Places
Lodged |
| |  Registered Site |
| |  Stored Data / Not a Site |



archae-aus

Map 2. ACH Places Intersecting and within 5 km of the Project Area, Kwinana, WA

Drafted by Tessa Woods, 25 July 2024. GDA94, Zone 50H.
Satellite imagery courtesy of Google Maps.

Report Summaries

The following section summarises a selection of reports which intersect the Survey Area (ref. **Map 3**).

Table 5. Previous Heritage Surveys that intersect the Survey Area.

DPLH ID	Report Title	Authors	Type
17059	Dampier to Perth Natural Gas Pipeline Route: A Survey for Aboriginal Sites. March 1979.	Dept of Aboriginal Sites.	Archaeological/ Ethnographic
17663	Report on an archaeological investigation for Aboriginal sites proposed international motor sports complex at Kwinana. August 1999.	Quartermaine, Gary.	Archaeological
17664	Report on an ethnographic survey of the proposed motor sports complex at Kwinana. August 1999.	O'Connor, R	Ethnographic
19122	Summary report section 18 notice to disturb Aboriginal Sites: Tonkin Highway extension Mills Road West, Martin to South Western Highway, Mundijong: March 2001 [OWE]	BSD Consultants Pty Ltd	Ethnographic
20027	From Perth on Harvey to Kwinana 330kv Transmission Line. Appendix 'C' Archaeology. (Dam) August 1987.	Quartermaine, Gary.	Archaeological
20507	Report on an ethnographic survey of the proposed South West Metropolitan Railway Reserve.	O'Connor, Rory.	Ethnographic
20508	Report on further archaeological investigations for Aboriginal sites South West Metropolitan Rail Line Corridor	Quartermaine, Gary.	Archaeological
20633	Management report of Aboriginal Heritage aspects of the Dampier to Bunbury Natural Gas Pipeline corridor through the Perth Metropolitan Area	Hames Consultancy Group	Archaeological/ Ethnographic
20653	Report on an ethnographic survey of the proposed South West Metropolitan Railway Alignment	O'Connor, Rory.	Ethnographic
21422	Report on the archaeological and ethnographic survey of the proposed route of the Perth Seawater Desalination Plant Projects Kwinana Beach Navel Base Nicholson Road Forrestdale in Western Australia	Australian Interaction Consultants	Archaeological & Ethnographic
21817	Ballaruk (traditional owners) Aboriginal site recording project	Machin, Barrie	Ethnographic
21818	Ballaruk (traditional owners of Whadjuk territorial boundaries the lands of the	Machin, Barrie	Ethnographic

DPLH ID	Report Title	Authors	Type
	Ballaruk Peoples) Aboriginal site recording project: additional material		
22366	Indigenous heritage of the Peel - Harvey Region: a review of previous research and archival data for phase 1 of the Peel Cultural Landscape Assessment Project	Dortch, Joe	Archaeological & Ethnographic
22419	Report on New Metro Rail Aboriginal consultative meetings held in August and September 2004	R & E O'Connor Pty Ltd	Ethnographic
22529	Report on the October 2006 Aboriginal Consultative Meetings	R & E O'Connor Pty Ltd	Ethnographic
22530	Report on April 2006 New Metro Rail Aboriginal Consultative Meetings	R & E O'Connor Pty Ltd	Ethnographic
22628	Report on archaeological recording, salvage and monitoring: Tonkin Highway extension Mills Road West (Martin) to Thomas Road (Byford)	Tempus Archaeology	Archaeological
23099	Report on an Aboriginal Heritage Survey of the proposed Kwinana Quay, Town of Kwinana / City of Cockburn, WA	Fisher, Stuart	Archaeological & Ethnographic
28551	A Report of an Aboriginal Heritage Survey of the Proposed Southern Corridor Infrastructure Upgrade Project	Western Heritage Research Pty. Ltd.	Archaeological & Ethnographic
101972	Report of an Aboriginal Heritage Survey, South-East Corridor Structure Plan. Oct.1995.	Blockley, E	Archaeological & Ethnographic
102670	Preliminary Report on the Survey of Aboriginal Areas of Significance in the Perth Metropolitan & Murray River Regions July 1985.	O'Connor, R	Ethnographic
103564	An Archaeological Survey Project: The Perth Area, Western Australia. Apr 1972.	University of Western Australia.	Archaeological
103677	Report of an Aboriginal Heritage Survey Department of Planning and Urban Development (Dpud) Land Requirement Plans South-West Corridor Area 'A' W.A. Oct.1993.	Edwards, K	Archaeological & Ethnographic
104087	An archaeological survey of the Dampier to Perth natural gas pipeline route: section 6 Muchea to Wagerup.	Pickering, M.	Archaeological
104155	A report of an Aboriginal Heritage assessment of proposed residue disposal areas, Kwinana	Jackson, Gavin.	Archaeological/ Ethnographic
104160	Report on an Aboriginal Consultation and	O'Connor, R	Ethnographic

DPLH ID	Report Title	Authors	Type
	an Ethnographic Survey of the Forrest Road to Thomas Road Section of the Kwinana Freeway. April 1991.		
104475	An Archaeological Survey for Aboriginal Sites along Gas Pipeline Laterals in the South Metropolitan Area.	Schwede, M.	Archaeological
104489	A Survey for Aboriginal Sites on the Proposed Route of the Kwinana Freeway Southern Extension (South St-Thomas Rd).	Reynolds, R.	Archaeological/ Ethnographic
105233	Report on an Aboriginal site survey of the proposed south west corridor transport reserve	O'Connor, R	Archaeological/ Ethnographic
105321	Proposed Harvey - Kwinana 330kv Transmission Line: Public Environmental Report. Report no. Sd233 February 1988.	Dames & Moore.	Archaeological
106204	Metropolitan Sites Project Southern Region: draft report	Yates Heritage Consultants	Archaeological
201130	Report of an Aboriginal Heritage Survey for the Tonkin Highway Extension: Thomas Road to South Western Highway in Shire of Serpentine-Jarradale, Western Australia	Brad Goode, Grant Preller, Thomas O'Reilly	Archaeological/ Ethnographic

Report ID 17663

Quartermaine, G. Report on an archaeological investigation for Aboriginal sites proposed international motor sports complex at Kwinana. August 1999.

This report details the archaeological survey conducted for the Kwinana “International Motor Sports Complex” commissioned by Adams and Associates Pty Ltd in 1999. The purpose of the survey was to investigate the project area for Aboriginal sites that may be harmed or disturbed during the proposed construction process.

The survey was conducted as desktop research and a sample survey of the proposed activity area. The sample survey was conducted on foot by walking ‘north-south and east-west meandering traverses’ over accessible terrain. The survey was hindered by low surface visibility, but it was estimated that 50% of the project area was surveyed. The survey found ‘no archaeological sites were located within the designated survey area’. Aboriginal consultants were not present during the archaeological survey, however, an ethnographic survey was conducted by R. O'Connor in July and August of the same year and is detailed in Report ID 17664.

Report ID 17664

O'Connor, R. Report on an ethnographic survey of the proposed motor sports complex at Kwinana. August 1999.

This report details the ethnographic survey conducted for the Kwinana "International Motor Sports Complex" commissioned by Adams and Associates Pty Ltd in 1999. The purpose of the survey was to locate Aboriginal traditional owners of the Kwinana area and consult with them in regard to the proposed project to determine areas of cultural significance which may be harmed or disturbed during the proposed construction process.

The survey was conducted via desktop research, consulting with Aboriginal organisations, and an inspection of the proposed activity area. The Aboriginal groups contacted were the Ballaruk Group, the Gnaala Karla Booja Group and the Peel Region Group. Members from all groups inspected the proposed activity area and agreed for the project to go ahead. The report concluded that 'the development has been approved by the relevant Aboriginal people as clear of significant sites'.

Report ID 19122

BSD Consultants Pty Ltd. Summary report section 18 notice to disturb Aboriginal Sites: Tonkin Highway extension Mills Road West, Martin to South Western Highway, Mundijong: March 2001 [OWE]

This report outlines the ethnographic research conducted for Main Roads WA in regard to the extension of the Tonkin Highway in March 2001. It details the history of the project seeking and being granted section 18 approval despite the objections from the 'Nyungah Circle of Elders'.

The Tonkin Highway project received section 18 approval to disturb Aboriginal archaeological sites THMR 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12; S0756 (a and b); S02954; and S02959; as well as Aboriginal ethnographic sites S02550 – Canning River; S02601 – Southern River; Frog Dreaming (Canning Tributary); Waugal Whiskers (Typha Grass); and S02602 – Wungong Brook. Further details of these sites are not provided in this report.

The report recommends continued consultation with Aboriginal Traditional Owners throughout the construction process and that further recording is conducted on sites THMR-6 and THMR-11 prior to construction. The ethnographic section of the report covers the research conducted to identify areas of Aboriginal significance which intersected the proposed project area. Aboriginal people with long-term traditional and cultural associations with the region were engaged to consult on the project. These people were from the Medina, Armadale, Mandurah, Pinjarra, and Harvey areas.

The ethnographic portion of the survey identifies three previously recorded sites (not listed in the archaeological section) which would be impacted by the project. These were Waugal Cave Avoidance Area (W.A.M. Site S2226) and Adam Road Camping Areas (W.A. Sites S2229 and S2230). It was recommended that permission be requested to disturb these sites.

Report ID 20027

Quartermaine, G. From Perth on Harvey to Kwinana 330kv Transmission Line. Appendix 'C' Archaeology. (Dam) Aug 1987.

This report details the site survey for the Kemerton to Kwinana Transmission Line. The report was prepared by Darnes & Moore, Consulting Engineers who approached Rory O'Connor and Gary Quartermaine to conduct an archaeological and ethnographic survey.

These surveys were conducted as sample surveys following the route of the proposed Transmission Line and to provide a suitable Buffer zone for the works. Seven archaeological *Field Sites* were recorded which were all small quartz artefact surface scatters of a low density (30 pieces per site). All sites were mostly 'dominated by flakes and chips', but Field Site 5 was found to have a microlith scraper, and a core and core fragments. Six were found within the 'margins of swamps' and the seventh 'on the northern bank of the Murray River'. All sites were disturbed due to vegetation clearance and firebreaks. Only Field Site 5 was identified to be at risk by the project area. The report recommends that continued consultation with Aboriginal Traditional Owners continues throughout construction. There may be further necessity for approval as disturbance is caused to the site.

Report ID 20507

O'Connor, Rory. Report on an ethnographic survey of the proposed South West Metropolitan Railway Reserve. May 2001.

This report outlines the ethnographic research conducted on behalf of the Department of Transport of the South West Metropolitan Railway Reserve as further study to a survey conducted in 1994. The research involved consultation with Aboriginal people and groups with traditional and cultural ties to the South West Metropolitan Area in relation to the Railway Reserve and assisted the Department of Transport in identifying any obligations to be fulfilled under the *Aboriginal Heritage Act (1972-95)*.

The Aboriginal groups engaged were the same who had consulted in the 1994 survey, who were the Peel Region Group, the Gnaala Karla Booja native title claimant group, the Naramaya Aboriginal Corporation, and the Medina Aboriginal Cultural Group, who all confirmed that the advice given in 1994 was still current.

The Medina Aboriginal Cultural Group were unable to be contacted as they had disbanded in 1999, and the members who participated in 1994 were now deceased. A different Aboriginal group made recommendations for new consultants who would represent the original Medina Aboriginal Cultural Group Members. The report confirms that there were 'no sites of Aboriginal significance within the proposed Reserve'.

Report ID 20508

Quartermaine, G. Report on further archaeological investigations for Aboriginal sites South West Metropolitan Rail Line Corridor. May 2001.

This report outlines the archaeological investigations conducted to assess Aboriginal sites in three sections of realignments for the South West Metropolitan Rail Line Corridor as well as reviewing previous survey results.

Report ID 20653

O'Connor, R. and Hart, T. (2003), Report on an ethnographic survey of the proposed South West Metropolitan Railway Alignment

In this report, the authors speak to the concept of (cultural) significance (pp. 7-8):

Significance is attributed by Aboriginal people to areas in the Perth-Mandurah region on the basis of former or current domestic usage, or on the basis of relevance to traditional ritual or mythology. ... One area may be viewed as significant from a historical/human/mundane viewpoint, and another from a mythological/sacred viewpoint.

The authors also describe 'rediscovery or realisation' of the existence of sites that may lead to 'an attribution of significance' ... (therefore) 'any archaeological or historical site in the survey region could

also be potentially significant to Aboriginal people' (p. 7). They speak of 'generalised significance', whereby Aboriginal people in the Perth Metro Area and in the South West of the State generally tend to attribute significance to wetlands and waterways, 'not necessarily always in terms of the Waugal or water-creative serpent myth, but on the basis that those natural features are repositories of water-dwelling species, who share a spiritual life-force with humans' (pp. 7-8).

O'Connor was involved in the original recording of DPLH Site ID 3427 Mandogalup Swamp and the Spectacles wetlands in 1991 (ref. Site File Summary Section above). He comments on how the water in this site has 'greatly diminished in volume since European usage commenced' and how it was believed that the water was 'maintained by a Waugal spiritual force' (p. 18). He also mentions recommendations from the survey relating to the protection of native wildlife in the vicinity of the bushlands and wetlands, with the Traditional Owners raising no objection to the project at hand, as the project footprint did not impact the wetlands or swamp, despite the fact that 'the Freeway passes through this site, as also will the railway line' (App 3).

Report ID 21422

Australian Interaction Consultants (2005). Report on the archaeological and ethnographic survey of the proposed route of the Perth Seawater Desalination Plant Projects Kwinana Beach Naval Base Nicholson Road Forrestdale in Western Australia

Monitoring of ground disturbance is recommended. Other nearby sites (artefact scatters) were surveyed for potential disturbance from the project. In regards the Indian Ocean, 'the Elders explained that they were concerned with the disturbance to the Indian Ocean and its bed as well as with the disturbance to the dune system. ... Concerns were on the process of information dissemination and the environmental aspects of the project – especially the impact on the water environment within Cockburn Sound. ...The group asserted the Indian Ocean and the dunal system along the coast to be sites as were the wetlands and lake system (ie. North Lake to Walyungup Lake)' (p. 42).

Monitors were requested for cultural, spiritual, and/or archaeological significance.

Report ID 21817

Machin, Barrie. Ballaruk (traditional owners) Aboriginal site recording project. 1994.

The report details an ethnographic and archaeological survey for Aboriginal Sites within Whadjuk territorial boundaries. A portion of the report is dedicated to a cultural and historical background of the Noongar people and an investigation into custodianship and the ability to speak for country.

The report details the investigation of five ethnographic locations that were inspected for archaeological and ethnographic significance. It is stated that a comprehensive archaeological survey was not undertaken for the investigated locations. Two of the ethnographic locations are redacted, the remaining locations are: Bullya Spring, Mead Brook Ramble; South Chittering Gorge; Gingin Brook Aboriginal Cemetery. None of these sites are located within or immediately adjacent to the current Survey Area.

Report ID 21818

Machin, Barrie. Ballaruk (traditional owners of Whadjuk territorial boundaries the lands of the Ballaruk Peoples) Aboriginal site recording project: additional material. 1995.

This report details an ethnographic survey of sites contained within the Whadjuk territorial boundaries. One Aboriginal Consultant, Corrie Bodney, accompanied the survey team. Six sites were recorded: Bonron Hill; Joondol Muryang Ceremonial Ground; Wokalup Hill; Maamba Reserve;

Lesmurdie Falls; and, Mundaring Weir Corroboree Site. The report details Corrie Bodney's knowledge of or familial connection to each of these sites. None of these sites are located within or immediately adjacent to the current Survey Area.

Report ID 22366

Dortch, J., Cuthbert, B., Cuthbert, D., and Walley, J. (2006) Indigenous heritage of the Peel – Harvey Region: a review of previous research and archival data for Phase 1 of the Peel Cultural Landscape Assessment Project

This report documented the Nyoongar cultural landscapes of the Peel Harvey region. The focal location was situated further south/south-west to the current Project Area, on the eastern foreshore of the Peel and Harvey inlets. Still, the following observations provide a clear summary of the importance of waterbodies in the greater region, (including that of the current project survey):

Page iv: 'The coastal plain contains many wetland and estuary systems that supported large numbers of plants and animals used by Indigenous people, particularly in spring and summer. The estuaries were particularly important for seasonal fish trapping, an activity that sustained hundreds of people at month-long gatherings.'

Page 29: 'The Waugal is a particularly important and powerful entity that inhabits all freshwater-bodies. ... All fresh waterbodies may be considered to be highly significant mythological sites, with certain areas having particular significance as a place where the Waugal enters or exits the ground, or where it rests.'

Report ID 22530

R & E O'Connor Pty Ltd. Report on April 2006. New Metro Rail Aboriginal Consultative Meetings.

This report recommended information boards and plaques provide information about Nyungar cultural histories at South Perth and the Narrows Bridge.

Report ID 22628

Tempus Archaeology (2003), Report on archaeological recording, salvage and monitoring: Tonkin Highway extension Mills Road West (Martin) to Thomas Road (Byford).

The location of this study lay further east of the current Survey Area. It highlighted a number of archaeological and ethnographic sites located in the broader region and reported on monitoring, salvaging, and heritage signage activities. In studying the archaeological evidence and considering earlier research in the general area, the authors make reference to the outcrops of sand and sand over clay represented within the study area that not only provided areas suitable for camping but also acted as corridors for movement across a dynamically changing landscape characterised by widespread seasonal inundation (p.70).

Report ID 23099

Fisher, S. (2008) Report on an Aboriginal Heritage Survey of the proposed Kwinana Quay, Town of Kwinana / City of Cockburn, WA.

The survey project involved looking at two options for construction of the Kwinana Quay, which was to provide 'overflow' container and general cargo handling facilities to boost the capacity of existing infrastructure at Fremantle Inner Harbour. There were five separate survey groups and one group opposed the proposed development on the grounds that it was likely to disturb the spiritual Dreaming of Cockburn Sound. Another group also stated that they wanted to be adequately compensated. Monitoring was recommended. Also, signage acknowledging Nyoongar ownership and continuing

heritage of the area was requested, in addition to employment opportunities. No new Aboriginal cultural heritage sites were found during the survey.

Fisher concluded that the area and its surroundings are of 'significant Aboriginal heritage value' (p. 32). Features of the regional landscape (including DPLH site ID 3427) have mythical associations, and 'some of these sites are interconnected through the Dreamtime' (p. 32).

Report ID 28551

Western Heritage Research Pty. Ltd. A Report of an Aboriginal Heritage Survey of the Proposed Southern Corridor Infrastructure Upgrade Project.

Survey report missing from DPLH system.

Report ID 102670

O'Connor. R, Preliminary Report on the Survey of Aboriginal Areas of Significance in the Perth Metropolitan & Murray River Regions, July 1985.

Commissioned by the Centre for Prehistory at UWA on behalf of the Department of Aboriginal Sites at the Western Australian Museum, this report outlines an ethnographic survey conducted as a component of a larger project which required an overview of Aboriginal Sites in the Perth Metropolitan Area.

The report lists the Aboriginal Sites identified and provides an assessment of the significance of Aboriginal Sites as well as the assessment of short-term and long-term land modification developments to assist with effective planning strategies to protect and conserve the most significant sites. The original survey area was deemed too small by Aboriginal advisors in the early planning stages of the survey, however the area the advisors suggested was beyond the time and financial scope of the survey. The survey area was therefore only extended to include Yanchep National Park, Giddegannup and Pinjarra beyond the Perth Metropolitan Area. The survey was not restricted to Aboriginal knowledge of sites as the ethnographers also spoke to European-Australians and descendants of early settlers who held knowledge and materials of Aboriginal Sites. Information was also gathered by consulting databases and historical records.

Report ID 103564

University of Western Australia. An Archaeological Survey Project: The Perth Area, Western Australia. April 1972.

This report details an archaeological investigation of the changing patterns of Aboriginal settlement and land use, the ecological and symbolic ordering of life and landscape, in a sample area within the Southwest of Australia, centred on Perth. Three classes of data were used: ethnohistorical, from field survey, and from excavation.

The ethnohistorical sources demonstrate a picture of 'the seasonal round' – whereby Aboriginal people moved to different parts of the landscape during different seasons in order to exploit the more productive and reliable resources at certain times of the year. This is supported by the distribution of archaeological sites, which suggests two main zones of occupancy: one along the coastal plain; the other inland, from New Norcia through toward Albany. Hallam notes that archaeological sites on the coastal plain are highly varied in their material and the presence and absence of grindstones and mullers.

Report ID 104160

O'Connor, R. Report on an Aboriginal Consultation and an Ethnographic Survey of the Forrest Road to Thomas Road Section of the Kwinana Freeway. April 1991.

Restricted file. (Not reviewed to date – permission from knowledge holders required.)

Report ID 104475

Schwede, M. (1984) An Archaeological Survey for Aboriginal Sites along Gas Pipeline Laterals in the South Metropolitan Area.

This report details an archaeological survey of the proposed Gas Pipeline Laterals in the south metro area. The survey area comprised a single pipeline corridor with 10 m either side of the pipeline. No sites were found within the survey area, and comment is made on sites in the broader area generally corresponding to the availability of fresh water. Kangaroo pits located to the south-west of Thompson's Lake were also mentioned in relation to the hunting of resources in the general area.

Report ID 104489

Reynolds, R. (1984), A Survey for Aboriginal Sites on the Proposed Route of the Kwinana Freeway Southern Extension (South St-Thomas Rd).

In 1984, an archaeological and ethnographic survey of the proposed route of the Kwinana Freeway southern extension (South Street to Thomas Road) was carried out for the Main Roads Dept. No previously recorded sites occurred within the survey area. The survey located one site ('small artefact scatter') that would be destroyed by the proposed development. The ethnographic survey gained some information on the general area, but Aboriginal informants had no objections to the route as proposed.

This report speaks to a chain of lakes stretching from North Lake down to the Spectacles, reporting that in addition to the lakes there were 'a large number of low-lying swampy areas and depressions, some of which have been drained. A number of creeks cross the survey area, most of which have an east-west orientation' (p. 2). The artefact scatter was located on the banks of one of these creeks. The report also says that several creeks have been expanded or transformed into drains and the resulting earthworks may have obscured any archaeological evidence of occupation on their banks' (p. 2).

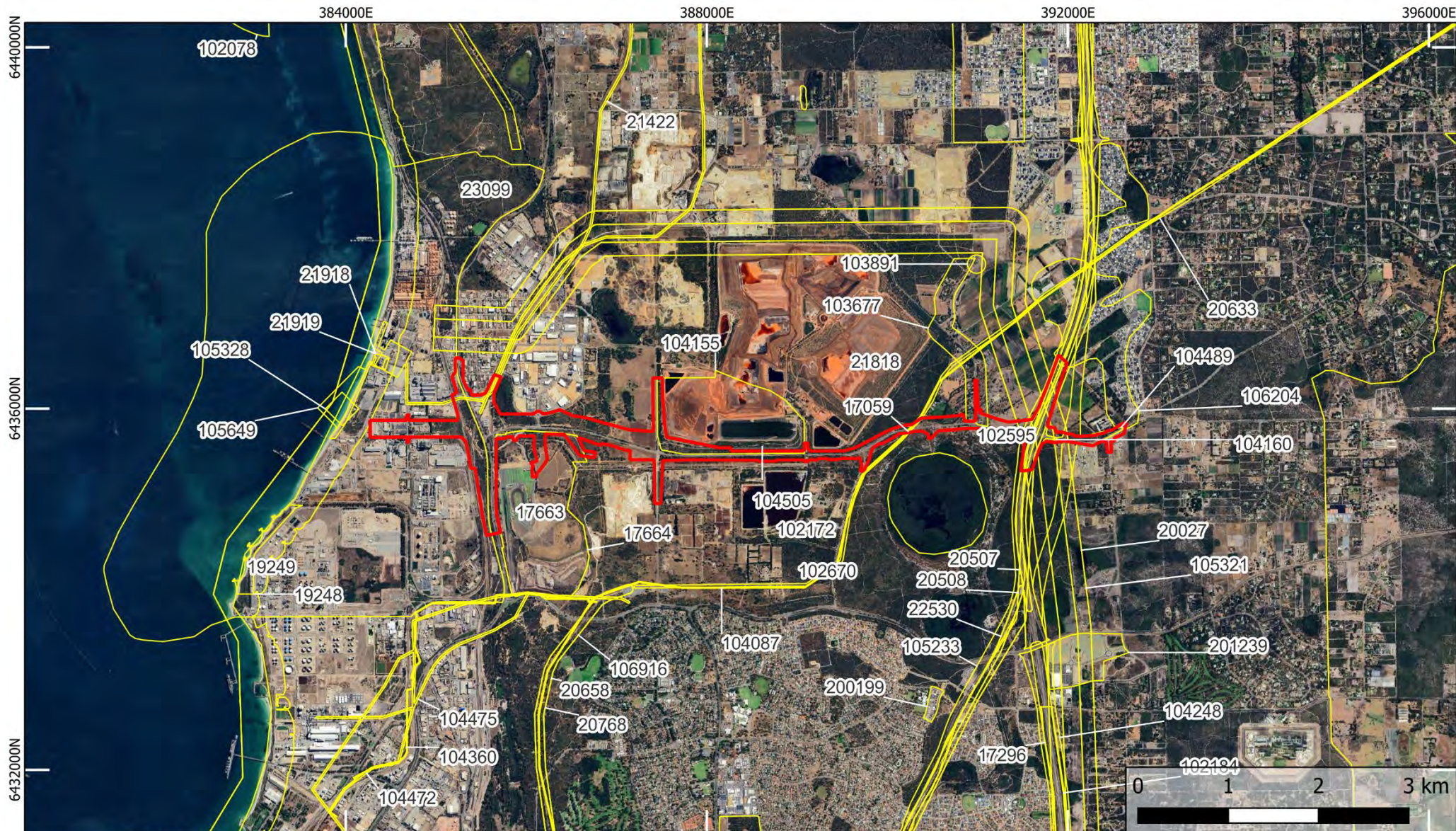
The ethnographic survey highlighted the importance of the chain of lakes as a 'major economic resource' for both traditional Aboriginal society, as well as for Aboriginal people in more recent times. Reynolds refers to Hammond recording major gathering places in the South-West, including North Fremantle, Bibra Lake, Rockingham and Mandurah. The tracks or 'pads' that he also records did not go straight from one of these places to another, but followed routes that offered the best resources. Reynolds reported that the route was still in use at the time of his research, with an informant referring to turtling in these lakes and movement from there up to Fremantle, crabbing at Preston Point and using a freshwater spring on the banks of Blackwall Reach. Concern was also expressed over the lack of consultation that had occurred in the past, particularly considering the importance of the area more generally.

(Note: this report also talks of an archaeological site associated with the Spectacles, situated on the western side of the lakes. No further location details provided.)

Report ID 105321

Dames & Moore. Proposed Harvey - Kwinana 330kv Transmission Line: Public Environmental Report. Report no. Sd233 February 1988.

Small, low density, quartz dominated surface artefact scatters were found in the vicinity of water sources (swamp margins), with one scatter on the alluvial terrace of the Murray River (located to the south of the current Project Survey Area). These sites represent 'short-term transient campsites' (p. C12).



Legend

- Survey Area
- Previous ACH Survey Areas



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Map 3. Previous Heritage Surveys Intersecting the Survey Area, Kwinana, WA

Drafted by Tessa Woods, 29 August 2024. GDA94, Zone 50H. Satellite imagery courtesy of Google Maps.



WA Historical Heritage Listings

Consideration of the Western Australia State Heritage Register highlighted the historic alteration of the landscape surrounding the Survey Area, including largescale draining of wetlands recorded by DPLH. As a result, a search of the State and Local Heritage Registers was conducted to help better understand the contextual factors influencing Aboriginal site boundaries nearby – in particular the boundary surrounding DPLH historic site ID 3427 Mandogalup Swamp/Spectacles.

State Heritage Register

A search of the Western Australia State Heritage Register revealed there are **no** State Registered Places within the Survey Area. There is one place that was determined to not warrant assessment for inclusion on the State Heritage Register (*P9198 Beeliar Regional Park and Adjacent Areas*), which is located within the City of Fremantle, City of Cockburn and City of Kwinana and includes The Spectacles Wetland (P12098) (Table 6; **Map 4**).

City of Kwinana Local Heritage Survey

The City of Kwinana adopted its first Local Heritage Survey (previously referred to as the Municipal Heritage Inventory or Local Government Inventory) in 1998, and subsequently updated in 2008, 2015 and 2022. The Spectacles Wetland (Place No. 12098) is included in the Local Heritage Survey and the boundary of this place intersects the Survey Area. In 1997, The Spectacles Wetland was determined an important remnant of ecosystems which were previously more widespread. As part of the larger Beeliar Regional Park, it was considered to form one of the most important systems of lakes and wetlands remaining in the Perth metropolitan region (Table 6; **Map 4**).

Additionally, the local heritage register has listed historic infrastructure related to land use clearing, including drainage. The Peel Main Drain is a drainage canal, construction of which commenced in 1920 to drain the wetlands in the southern suburbs of Perth as part of the post-World War I Group Settlement Scheme at the Peel Estate. The canal stretches from Banjup, north-west of the current Survey Area, south to Karnup, where it discharges into the Serpentine River.

Information on historic sites White Bridge (Place No. 12115), Jolly's Bridge (Place No. 12114) and 9 Mile Dumps (Place No. 12131) is included here as local heritage related to the Peel Estate drainage project. White Bridge and Jolly's Bridge are located within the current Survey Area. Today, there is a stone and concrete culvert where the earlier White Bridge stood. It was originally a timber bridge, 18 metres long and painted white (hence its name). Jolly's Bridge was named after Jack Jolly, the foreman of house building for the Peel Estate in the 1920s. The earlier bridge structure was replaced by the existing concrete culvert construction in 1991. Both bridges crossed the open Peel Main Drain as it extended south from Mandogalup Townsite (Place No. 12125). (Ref. **Map 4**)

(Note: Three single-storey cottages (Place 12092) located on the west side of Mandogalup Road were considered by the Heritage Council on 22 March 2024 and as per inHerit details, the Place was determined to not warrant assessment.)

Table 6. Known Historical Heritage Places intersecting the Survey Area (source: WA Heritage Council, inHerit).

Place	Place Name	Description	Status	Construction Date	Survey Area Location
09198	Beeliar Regional Park	Approximately 2700 ha, the Beeliar Regional Park and Adjacent Areas includes the Beeliar Wetlands, North Lake, Roe Swamp, Hope Road	Current	N/A	Intersects with and immediately north of the Survey Area; associated areas of

Place	Place Name	Description	Status	Construction Date	Survey Area Location
	and Adjacent Areas	Swamp, Bibra Lake, South Lake, Little Rush Lake, Yangebup Lake, Kogolup Lake, Banganup Lake, Mandogalup Swamp (Wattleup Lake), Spectacles Wetland, Blue Gum Swamp, Booragoon Lake, Piney Lake, Murdoch Swamp and bushland, Bollard Bulrush, Manning Lake, Lake Mount Brown, Brownman Swamps, M19, Lake Coogee, Market Garden Swamps and Long Swamp.			ecological value, including the Spectacles Wetland, intersects and is immediately south of to the Survey Area.
		<p><u>Statement of Significance</u></p> <p>The Beeliar Regional Park and Adjacent Areas is an important remnant of ecosystems which were previously more widespread. It has been estimated that, by 1964, 75% of the Swan Coastal Plain wetlands had been drained or filled. The Beeliar wetlands are considered to form one of the most important systems of lakes and wetlands remaining in the Perth metropolitan region. The place supports a number of plants and animals of conservation significance.</p> <p>The Beeliar Regional Park and Adjacent Areas make a significant contribution to the amenity of the region, providing visual and topographic variety in the landscape. The place is also important for scientific research and teaching purposes.</p>			
12098	The Spectacles Wetland	The Beeliar wetland system consists of two chains of lakes running roughly parallel to the coast for a distance of 25km south of the Swan River. The Spectacles Wetland within the Beeliar Regional Park is a large permanent wetland in the spearwood dunes and consists of two lakes, Large Eye and Small Eye, which are covered with paperbarks.	Current	N/A	Intersects with and immediately south of the Survey Area.
		<p><u>Statement of Significance</u></p> <p>The Beeliar Wetlands, including the Spectacles, would have provided a rich food source for the local Noongar. It is important as a refuge and breeding site for native fauna. The place has ethnographic significance for Aboriginal people as the traditional source of abundant food throughout the year due to the permanence of the water supply. Historically, the place is also associated with the Millar's timber line, which passed through the site on its way between Jandakot and Wellard, and made use of the water in the Large Eye to refill the boilers of the steam locomotives. Association with the implementation of the Group/Soldier Settlement Scheme on the Peel Estate in the 1920s meant the place contributed to the early development of farming and settlement at Mandogalup.</p>			
12114	Jolly's Bridge	The place comprises a simple road bridge crossing the open drain that extends southwest from Mandogalup. Culverts on either side of the bridge are constructed with concrete, and a circular channel runs beneath the road, providing free flow for water in the drain. The drains constructed during the Inter-War period can be clearly seen on either side of Mandogalup Road.	Current	1921	Intersects with the Survey Area.
		<p><u>Statement of Significance</u></p> <p>The place is named after local resident Jack Jolly, who was foreman for the Settlement Scheme house building in the 1920s. The place is associated with the Peel Estate drainage project, which involved draining lowland swamps to open up new tracts of land for farming. The original bridge was made from timber and was replaced by the existing concrete culvert in 1991. The place contributes to the community's sense of place for its presence in the landscape since the 1920s.</p>			
12115	White Bridge	The place comprises a simple road bridge crossing the open drain that	Current	1921	Intersects with the Survey Area.

Place	Place Name	Description	Status	Construction Date	Survey Area Location
		extends southwest from Mandogalup. Culverts on either side of the bridge are constructed with laterite stone and concrete and incorporate sloping buttresses. A circular channel runs beneath the road, providing free flow for water in the drain. The drains constructed during the Inter-War period can be clearly seen on either side of Anketell Road.			
		<p><u>Statement of Significance</u></p> <p>The crossing at Anketell Road, known as White Bridge, was most likely first constructed in the 1920s as part of the Drainage scheme works, and was originally a timber bridge, 18 metres long and painted white, explaining its name. The earlier bridge structure was replaced by the existing stone and concrete culvert in the 1960s. The place is a well-known crossing of the main Mandogalup drain, demonstrating the prevailing view of the Inter War period which prioritised agricultural land over the existing wetlands.</p>			
12131	9 Mile Dumps site	The place comprises a large drain, flanked by large sloping sand dunes on either side, being the northernmost extent of the Main drain before it enters the Spectacles. At their northern end, the dunes have a width of approx. 130 m, near where the drain crosses Thomas Road. Further south, the drain narrows, and the dunes are less pronounced. The embankments are almost entirely covered with trees and bushland.	Current	1920	Located adjacent and to the south of the Survey Area.
		<p><u>Statement of Significance</u></p> <p>The dumps are representative of the type of methods used during the construction of the drains in the Peel Estate. R.J.Anketell, engineer-in-charge of the Peel Estate Drainage Project, designed the Main Drain that started east of Mandogalup, passing through Beenyup, the Spectacles, Bollard Bulrush Swam, Baldavis and Folly Pool, onto Mandurah where it discharged into the sea. The Nine Miles Dump comprises one section of the drain, named for the nearby light railway line running between Jandakot and Wellard (the mileage being reckoned as the distance by rail from Jandakot). The distinctive sand dunes, also known as dumps, were the result of the extensive excavation in this area for the Main Drain pipes.</p>			



Legend

- Survey Area
- Local Heritage Survey Places



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Map 4. Local Heritage Survey Places Intersecting the Survey Area, Kwinana, WA

Drafted by Tessa Woods, 29 August 2024. GDA94, Zone 50H.
Satellite imagery courtesy of Google Maps.

Historical Map Collection and Archival Research

In considering the Survey Area in relation to the broader regional geographic context, a number of historical maps and resources were viewed. The following provides an overview of such maps, documenting land use and changes in the landscape across time. The map excerpts focus on the region around the historic DPLH site ID 3427 Mandogalup Swamps/Spectacles, with the DPLH boundary superimposed on each map. (Note: maps in this section were also used during the discussion of Aboriginal site locations and boundaries with GKB Elder, Mr Trevor Walley – see Section Four: Follow-up Key Informant Interview Results.)

These maps provide an historic overview of the landscape immediately surrounding the Survey Area since 1846. In particular, they show how previous swamps and waterbodies were located immediately adjacent to the Survey Area and that waters appeared to have naturally flowed through this area prior to drains being constructed. The boundary surrounding historic DPLH site ID 3427 does not correspond with the original location of these waterbodies, with the exception of the northern swamp of the Spectacles. With DPLH site ID 3427 having been captured in three separate bounded areas, it would appear that the site has been deemed ‘historic’ on the basis of no longer existing. However, while the Mandogalup Lakes to the north of the Survey Area have been drained, the waterbody mapped to the south of the Survey Area still exists today as the northern pool of the Spectacles Wetland (WA Historical Heritage Place 12098).

Map 5: 1846 Sketch of Country to East of Cockburn and Warnbro Sounds (Cons_3844_Item_314)

The northern Spectacle is clearly marked as a Teatree Swamp on this map, with two waterbodies located to the north-east, labelled Mandogerup and Dowalyup. The boundary of DPLH site ID 3427 does not appear to include the labelled waterbodies of this map, with only the Teatree Swamp corresponding to today’s northern-most waterbody of the Spectacles. However, note DPLH site ID 4360 Norkett Road is (was) located on the shore of Mandogerup. The location of such a place (artefacts/scatter) would suggest Aboriginal people’s former use of the waterbodies and surrounds.

Map 6: 1921 National Library of Australia Object 2848471400

This map shows two waterbodies to the north of the current Survey Area, labelled ‘North Mandogalup Lake’ and ‘South Mandogalup Lake’. Once again, the boundary of DPLH site ID 3427 does not appear to correspond with the exact location of the original waterbodies. Two waterbodies are also clearly located to the southwest of the lakes. These are labelled ‘The Spectacles’, with the northern swamp described as ‘Large Eye’ and the southern ‘Small Eye’. There is also a ‘Grassy Swamp’ drawn on the map between the waterbodies, in the approximate location of today’s Peel Main Drain that runs under the Anketell Road, intersecting the current Survey Area. This map shows the large areas of swamp land scattered throughout the broader region.

Map 7: 1942 National Library of Australia Object 2848471616

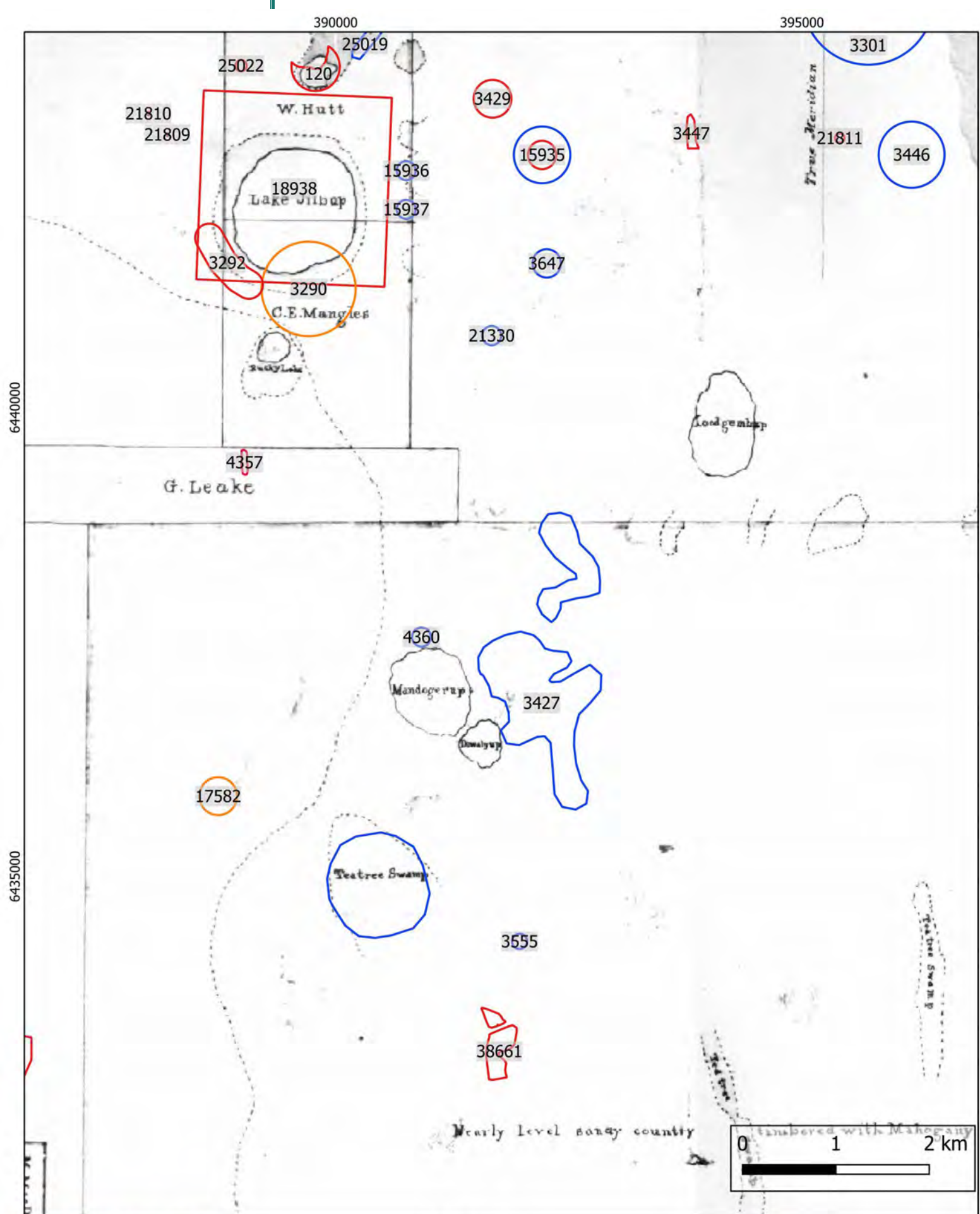
This map shows the effects of drainage and cadastral boundaries encroaching upon the previously identified waterbodies. As mentioned in the WA Historic Heritage Section above, the Peel Estate drainage project involved the draining of lowland swamps to open up new tracts for farming in the post WWI landscape. The drain that runs through the Survey Area is visible on this map.

Map 8: 1975 Air Photo National Library of Australia CAF4157 Frame 42

In this photo, the extent of the drainage is clear, with the two waterbodies identified in previous maps now drained and replaced with fields.

Map 9: Present day Google Satellite Map

The present day map shows the location of contemporary roads intersecting the boundaries of both the original waterbodies, as mapped historically, as well as the boundary of DPLH site ID 3427. While the DPLH site file does not explain the reasoning behind the determination of site boundary, it does contain a street map with a hand-drawn boundary that appears to capture remnant bushland to the northeast of the original lakes, as depicted in this map.



Legend

Aboriginal Heritage Places (ACHIS)

- Lodged Site
- Registered Site
- Historic Records Place



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Map 5. 1845. Sketch of the country east of Cockburn Sound SROWA Cons 3844 Item 314

Drafted by Caroline Bird, 22/07/2024. GDA94, Zone 50. Satellite imagery courtesy of Google and Wiki Maps.



Legend

Aboriginal Heritage Places (ACHIS)

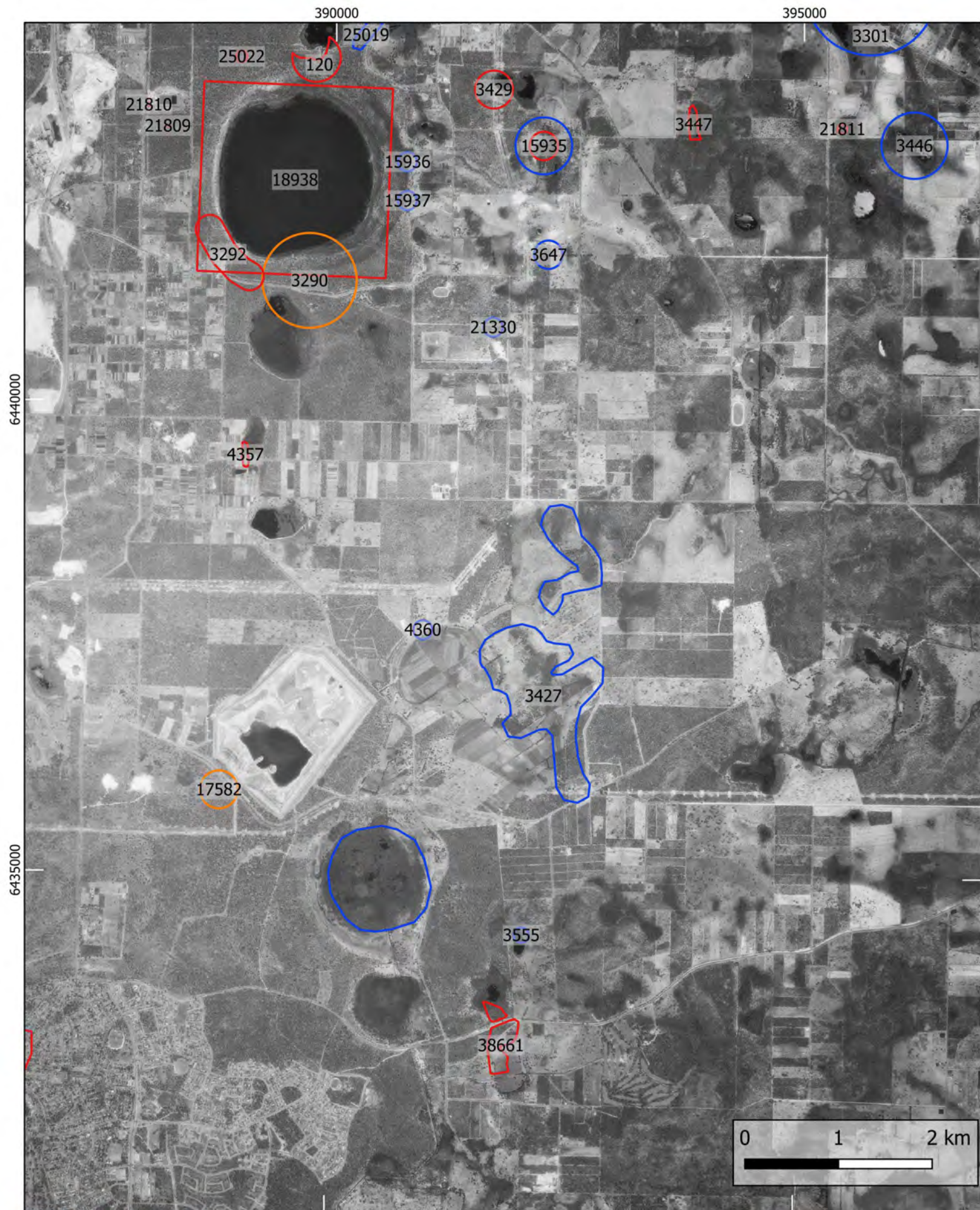
- Lodged Site
- Registered Site
- Historic Records Place



archae-aus

Map 7. 1942. National Library of Australia object 2848471616

Drafted by Caroline Bird, 22/07/2024. GDA94, Zone 50. Satellite imagery courtesy of Google and Wiki Maps.



Legend

Aboriginal Heritage Places (ACHIS)

 Lodged Site

 Registered Site

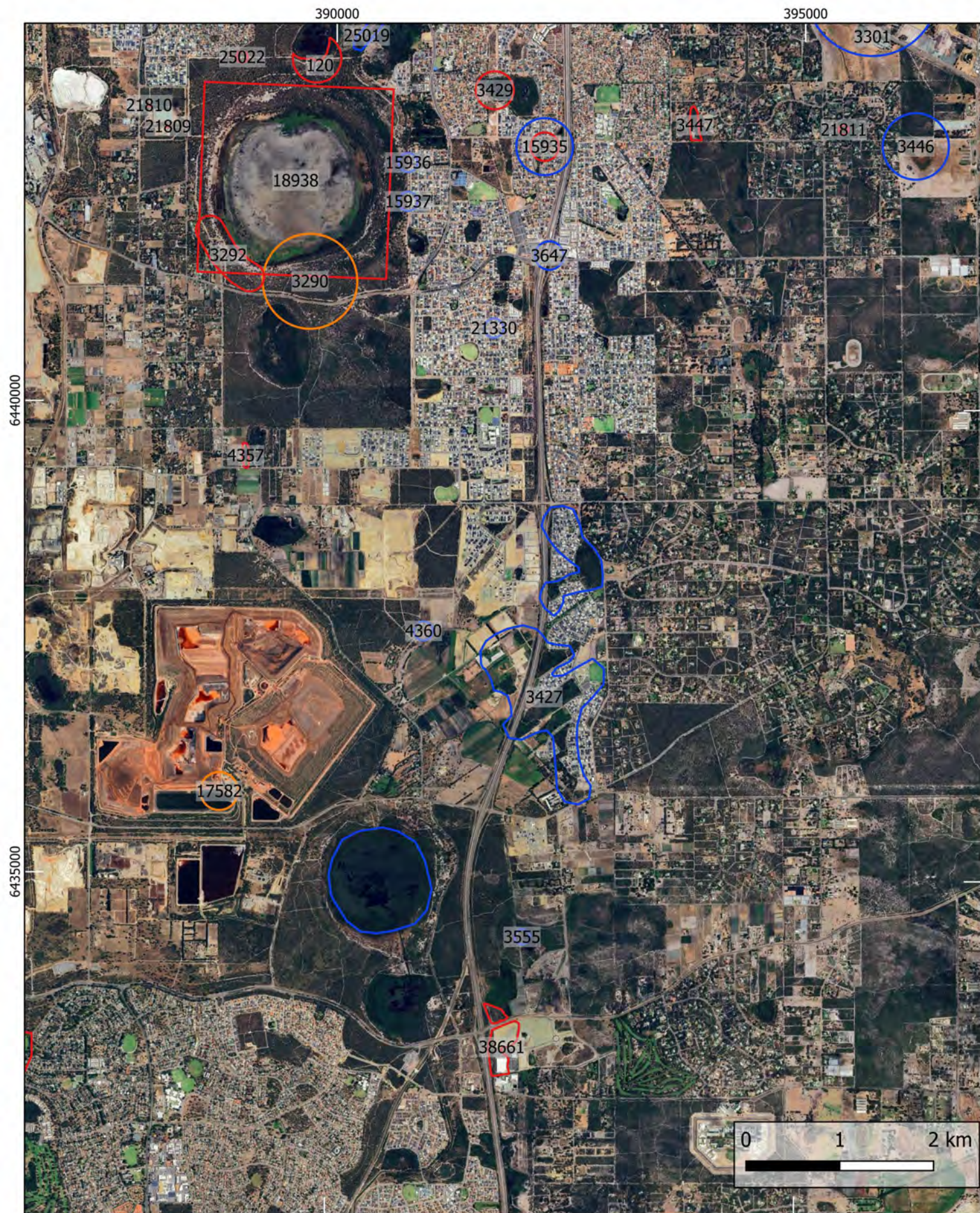
 Historic Records Place



archae-aus

Map 8. 1975. Air photo. National Library of Australia. CAF4157 Frame 42.

Drafted by Caroline Bird, 22/07/2024. GDA94, Zone 50. Satellite imagery courtesy of Google and Wiki Maps.



Legend

Aboriginal Heritage Places (ACHIS)

- Lodged Site
- Registered Site
- Historic Records Place



archae-aus

Map 9. Present: Google satellite

Drafted by Caroline Bird, 22/07/2024. GDA94, Zone 50.
Satellite imagery courtesy of Google and Wiki Maps.

Conclusion Based on Documentary Evidence

The cited documentation above provides a clear overview of the importance of waterbodies in the region of the coastal plain, including that of the current Survey Area. The many wetland and estuary systems were particularly important for seasonal foods, including turtles, with all freshwater bodies also considered to be significant mythological sites. Additionally, the region more generally was associated with widespread seasonal inundation, with large areas of swamp having been drained over time.

Across the Swan Coastal Plain, most of the remaining freshwater lakes are registered Aboriginal Places with the DPLH and are protected as such. In the suburbs south of the river the following lakes are recognised for their Aboriginal heritage values:

- *Yangebup Lake*, DPLH ID 18937
- *Kogolup Lake*, DPLH ID 120
- *Thomsons Lake*, DPLH ID 18938
- *North Lake and Bibra Lake*, DPLH ID 3709
- *Lake Coogee*, DPLH ID 20866

The background information contained above suggests that historic DPLH place ID 3427 needs to be formally re-mapped and reassessed. Based on the information contained within the site file, it would appear the Spectacles Wetlands, both the larger northern-most waterbody, along with the smaller southern-most waterbody should be included in the site boundary. As to the water flowing from the north into the Spectacles – ie. from what would have been the Mandogalup Swamp, it would appear that the flow of this water connected the water bodies, at least on a seasonal basis, and was associated with the biocultural health of the Spectacles. The Peel Main Drain was built to drain the Mandogalup Swamp, and has resulted in control of the water flow to ensure it is contained within the drainage system. The flow passes through the Survey Area under Jolly's Bridge (Place No. 12114) and White Bridge (Place No. 12115) (ref. **Map 4**).

Finally, in terms of previous recommendations regarding cultural heritage protection, Traditional Owners have routinely requested Knowledge Holders monitor the cultural, spiritual, and/or archaeological significance of this place during works.

SECTION THREE –METHODS

Ethnographic Assessment

A Site Identification survey model was selected for this project understanding that Main Roads may be required to seek Section 18 approval to undertake works. The aims of the ethnographic assessment were to:

- ▶ Examine areas within the MRWA to locate any Aboriginal cultural heritage sites, as defined by Section 5 of the Aboriginal Heritage Act 1972; and
- ▶ Identify any previous sites within the Survey Area that may impact the proposed development;
- ▶ Record any new sites under the Site Identification Level, as defined by the *AHA*;
- ▶ Integrate the ethnographic assessment results with the archaeological assessment to inform a discussion of management recommendations with the GKB Noongar Traditional Owners.

Desktop Research

Pre-survey desktop research included a search of the Register of Aboriginal Sites using the online Department of Planning, Lands, and Heritage's (DPLH) Aboriginal Cultural Heritage Inquiry System (ACHIS) for heritage sites intersecting with and in the proximity of the Survey Area. Heritage reports relating to the area were reviewed for relevant information to inform the fieldwork and report, (noting that the great majority of requested DPLH reports were received post survey). Additionally, following on from the survey, further research was carried out, specifically in relation to DPLH historic site ID 3427 Mandogalup Swamp/Spectacles. This included a search of archival materials and maps relating to the history of the swamp and its surrounds, as well as the WA Cultural Heritage *inHerit* database.

Pre-Survey Meeting

A pre-survey meeting was held at the Main Roads Office on the 10th of April 2024. During this meeting Main Roads representatives presented the project to the GKB Knowledge Holders. They provided an overview of the Survey Area and Archae-aus archaeologist Adrian Di Lello discussed which parts of the Survey Area have potential for archaeological cultural material, based on the desktop assessment of previous land use and disturbance. The GKB Knowledge Holders agreed on the areas that would require archaeological survey and agreed on a survey methodology. This methodology focussed on areas that had not been previously disturbed, or that may have ethnographic significance due to natural features, such as waterways.

Survey

The survey was undertaken in accordance with the guiding principles of the Burra Charter (Australian ICOMOS, 2013), assessing the cultural significance of the place through one-on-one and group discussions and an on-ground assessment with a representative group of Traditional Owners. The assessment considered the proponents 'needs' (Section 6.3) expressed in the form of the proposed Scope of Works, which represents a potential 'change in circumstance' for the place (Section 6.5). It also considered the physical condition of the place and other external constraints (Section 6.3) as appropriate before developing management recommendations to form the basis of a 'policy for managing the place' (Section 6.2).

During the field survey, the Archae-aus anthropologist cross-referenced maps and information provided by Main Roads. This was to ensure that the GKB Traditional Owners were given sufficient

information to make informed decisions regarding any impact or disturbance proposed and how this will affect their Country now and into the future.

The intersection between archaeological and ethnographic assessments provided the advantage of allowing the archaeological findings to inform the ethnographic assessment. This helped to solidify the recommendations and discuss management of Aboriginal heritage features and cultural values, including landscape features, previous disturbance, as well as flora and fauna.

The locations visited during the ethnographic survey were based on the discussion of significant areas from the pre-survey meeting. The GKB Traditional Owners were also provided the opportunity to revisit sites that were identified during the archaeological survey as being of ethnographic significance. Hard copies were made of the Survey Area maps and they were used to further identify areas of landscape type often associated with ethnographic information (including waterways), to help with the focus of the ethnographic survey. Once ethnographic values were identified within and adjacent to the Survey Area, specific locations were visited and site details recorded. Additionally, photographs were taken.

Visiting the Spectacles Wetlands led to discussion relating to potential boundaries. Information was provided by the anthropologist in relation to historic treatment of the area and consensus was gained as to protection methods. Natural and man-made features were identified and visited (including wetlands and drains), with more detailed cross-checking of appropriate boundaries for site avoidance and protection set to occur using a mixture of spatial information gained *in situ*, as well as visual cues and information from QGIS, Google Maps, and archival information and maps once returned from the field. Any specific concerns expressed by the Traditional Owners and/or management recommendations were recorded *in situ*.

Following the on-Country discussions, the anthropologist (accompanied by the archaeologist) relayed to the GKB Traditional Owners the details they had recorded, including any recommendations, to assess whether there was a group consensus. This information was captured in a document verifying the Heritage Survey Information (ref Appendix Two: Heritage Verification Form).

Follow-up Interview

The findings of the desktop research combined with the fieldwork led to a need to conduct a follow-up interview with a key individual holding knowledge relating to intangible cultural heritage in regards DPLH historic site 3327 Mandogalup Swamp/Spectacles. This individual was identified during the research process, having been mentioned in the DPLH site files. The aim of this interview was to determine a site boundary in consideration of the SOW requirement to document culturally significant areas to Site Identification level, sufficient for Main Roads to make a successful application under section 18 of the Aboriginal Heritage Act 1972 (AHA).

SECTION FOUR – RESULTS

Ethnographic Survey Results

The ethnographic survey results have been reported thematically below and resulting **Ethnographic Heritage Zones** are depicted on **Map 10**.

Quandong trees

Prior to the ethnographic survey it had been flagged to Main Roads that there were quandong trees (*Santalum acuminatum*) within the Survey Area. The quandong trees were located between the railway lines, so it was not possible to get close to the trees.² The GKB Knowledge Holders agreed that the trees held cultural significance as a species, rather than the significance being held in these specific trees. The quandong is a tree whose fruit provides bush tucker (traditional food) and medicine. In some Australian regions, it also features in local mythologies. Of this particular swathe of trees, the following comments were recorded:

There is nothing special about this tree, as an individual tree

We want to keep them (as a species).

Mandogalup Swamp, The Spectacles, and surrounding bush

Marie explained that she regularly accesses the area of the Spectacles and surrounding parklands for cultural teachings. She said she collects ochre in the area, and takes her grandkids out there, teaching them about the waterways, plant identification and use. She explained how the Spectacles are associated with food, with the freshwater reeds being used to clean the water (as a filter). The resources are still used, including tree saps and bark. She also mentioned several endangered species of flora, including buttercups and snap-dragons. She said honey is also gathered from the banksias. She also remembered turtles, and them being found between the waterbodies (the larger northern swamp and the smaller southern swamp). She said the turtles used to travel between the two waterbodies. Marie used to visit the southern waterbody when she was a child and get turtles there. She also mentioned the Ngoorlak (Black Cockatoo) which lived in trees at the eastern end of the Survey Area - (reportedly these habitat trees and species of bird were mentioned during the Archaeology survey). Jenny (Marie's niece) also spoke of visiting the Spectacles with family, including her children – leading to three generations handing down knowledge of this particular place.

Roslyn explained how she used to take tourists out to the Spectacles and surrounding bushland, cooking kangaroo and damper, while teaching about culture and place. She worked with schools, teaching about the animals, and the waterbodies. Medina Aboriginal Cultural Centre (MACC) organised these tours. In relation to the registration of this site, Roslyn said 'it must be back on the (DPLH) register' (understanding that the current situation is that the site is classed as 'historic'). Roslyn grew up in the broader area, living in a camp around Medina when she was a child (ref. DPLH sites ID 3710 and ID 3698).

Charne explained that the (two) waterbodies of the Spectacles are the Miyall (eyes – 'the eyes of Country'), and that they form part of a significant trade route/area. She spoke of the likelihood of the area being used as a meeting place – [and explained that the word 'Mandogalup could be interpreted

²Note: Additional effort was made to access the Arc Infrastructure Rail Corridor under escort; however, the trees were located between rail lines which could not be accessed at the time. The trees were also not fruiting so it was hard to identify the trees from across the rail line.

as meaning ‘mando’ – meeting/exchange, with ‘up’ – (place of) water.] She explained that the park signage was completed by Elders from MACC, with support from ‘Friends of the Spectacles’. (Trevor Walley worked for Parks and Wildlife.) Charne spoke of other areas of Country being named and described according to body parts. She explained how Kings Park is related to the head, and the Darling Scarp translates from the Noongar as ‘Dark Heads’. Charne said that Noongar people showed European explorers areas and she points to how the associated Noongar names continue to be used today. Charne spoke of the dried banksia cones being used to carry fire from camp to camp. She said Mungite (bull banksia; *Banksia grandis*) was used as a firestick, and was a sign of welcome. There was also medicinal pigface beside the path and the signage showed Yarkan (long-neck/snake-neck turtle):

Yellagonga’s campsite welcomed the whiteman with Mungite.

Yarkan...Old people eat them.

Charne explained that her mother came from the Brookton area and that long neck turtles were a food source there, along with their eggs. Other foods included possum, jilgies, and racehorse goanna. The paperbark trees (Mudruru or Bibool) were also used for shelter and Charne described a painting she has that is on paperbark.

Creek running from the north, into the Spectacles

Marie mentioned the creek running from the north, explaining that this formed part of the archaeological survey. She asked whether this waterbody can also be protected, and suggested perhaps registering it.

Following the survey, anthropologist Janelle White conducted historical map research, and a key informant interview (see below) that showed that the creek connecting the section of historic DPLH site 3427 Mandogalup Swamp (located to the north of the Survey Area) to the Spectacles section of the historic site (located to the south of the Survey Area) was not included in the site boundary. Rather, its waters flowed between the two sections of the historically recorded site.

Contemporary knowledge would appear to relate to the Spectacles section of the historic site only (ie. the two waterbodies located to the south of the Survey Area), with the understanding that the waters of the creek are today contained within the Peel Main Drain, but they still create the waterbody (Ref. **Heritage Sensitive Area (water flow) on Map 10**).

[**Note:** Janelle met briefly with Marie in September and explained the process followed in relation to proposing a site boundary for DPLH registration of the Spectacles (ref. **Map 10**). Marie again confirmed the need to protect the waters associated with the Spectacles, including the water flowing through the Peel Main Drain. She viewed the proposed site boundary and understood that the section of the Peel Main Drain that crosses the Survey Area is not included within the proposed site boundary. She understood that this was as a result of the heritage research findings showing that it would not meet the criteria for ACH registration.

At the same time, Marie understood that the significance of the water would be monitored to ensure continual flow. She therefore had no further comment, but agreed to the proposed boundary including the two waterbodies and the surrounding bushland (as per **Map 10**).]

Skeletal remains found at Thomas Road

After looking at the maps and noting cultural areas surrounding the Survey Area, there was general discussion about a previous survey during which human bones had been found (now DPLH registered site ID 38661 Thomas Road). Tina asked where the artefacts are, and explained that GKB would like to

repatriate materials, and so asked for more information be provided by Archae-aus in order for this to occur.³

³ Note: Registered site ID 38661 Thomas Road is located approx. 2 kms south/south-west of the Survey Area.

Follow-up Key Informant Interview Results

A follow-up interview was held on Friday 26th July at the Archae-aus office in North Fremantle. Mr Trevor Walley was interviewed as a knowledgeable Elder of the GKB community able to contribute cultural information to the discussion regarding historic DPLH site 3427 Mandogalup Swamp/ Spectacles. Senior Anthropologist, Dr Janelle White conducted the interview alongside Archaeology Research Manager, Dr Caroline Bird. Dr Bird had researched historic maps relating to the Spectacles area (ref. Section Two above) and was able to present a succinct timeline of information in relation to landform documentation. Additionally, Dr Bird has previously conducted many cultural heritage surveys in the broader region of the Perth coastal plains and therefore brought a wealth of contextual knowledge to consider.

Quandong trees and local vegetation

Trevor had driven past the Spectacles earlier on Friday morning, and arrived at the Archae-aus office with a piece of a plant which he called Tjalk (Djiyak or Cherry Bush; *Exocarpos cupressiformis*). He explained that this plant was one of three he'd found growing along the southern side of Anketell Road, and that these trees were totemic species. Additionally, he demonstrated the use of the foliage of such plants to help keep flying insects away (by flicking), and clearing ground for ceremonies and such like (by sweeping).

In regard to quandong trees, Trevor explained how the species relates to Dreaming stories about the broader region, including nearby Garden Island / Cockburn Sound (DPLH Aboriginal Cultural Heritage ID 18417). He wondered whether such trees could be transplanted elsewhere, in the desire to save and protect native plants species more generally.

Mandogalup Swamp, The Spectacles and surrounding bush

Trevor related a Dreaming story connected to the two waterbodies associated with the Spectacles. This story is also in the DPLH site file and relates to Aboriginal astronomical knowledge and spirituality. The story tells of two boys, who Trevor says are represented in the two water bodies - the northern large eye swamp and the southern small eye swamp:

That's the two – the two boys.

Looking through the historic maps (as detailed in Section Two of this report), Trevor speculated on the meaning of place names previously recorded. Such names included Mandogalup Swamp and a nearby swamp named Dalwalyup (ref. **Map 6**):

Manjar – gathering

Jokalan – dance

Song and dance... gathering place.

Understanding that the area located between the Spectacles is sandy and that 'sandhills move', he spoke of the area located between the two waterbodies as potentially containing tangible cultural heritage that may now be covered by sand.⁴ In regards a site boundary, he says:

⁴ Note: Trevor participated in the cultural heritage survey conducted in 2021 that resulted in the nearby DPLH site ID 38661 Thomas Road being registered (Archae-aus, 2021).

(The) Spectacles has a scattering of material which makes that place thrive... and if you take it away – the trees, vegetation... (These are) needed for the wetlands and the unstable sand dune, to prevent blowouts of sand hills. How much do you take away that devalues the story?

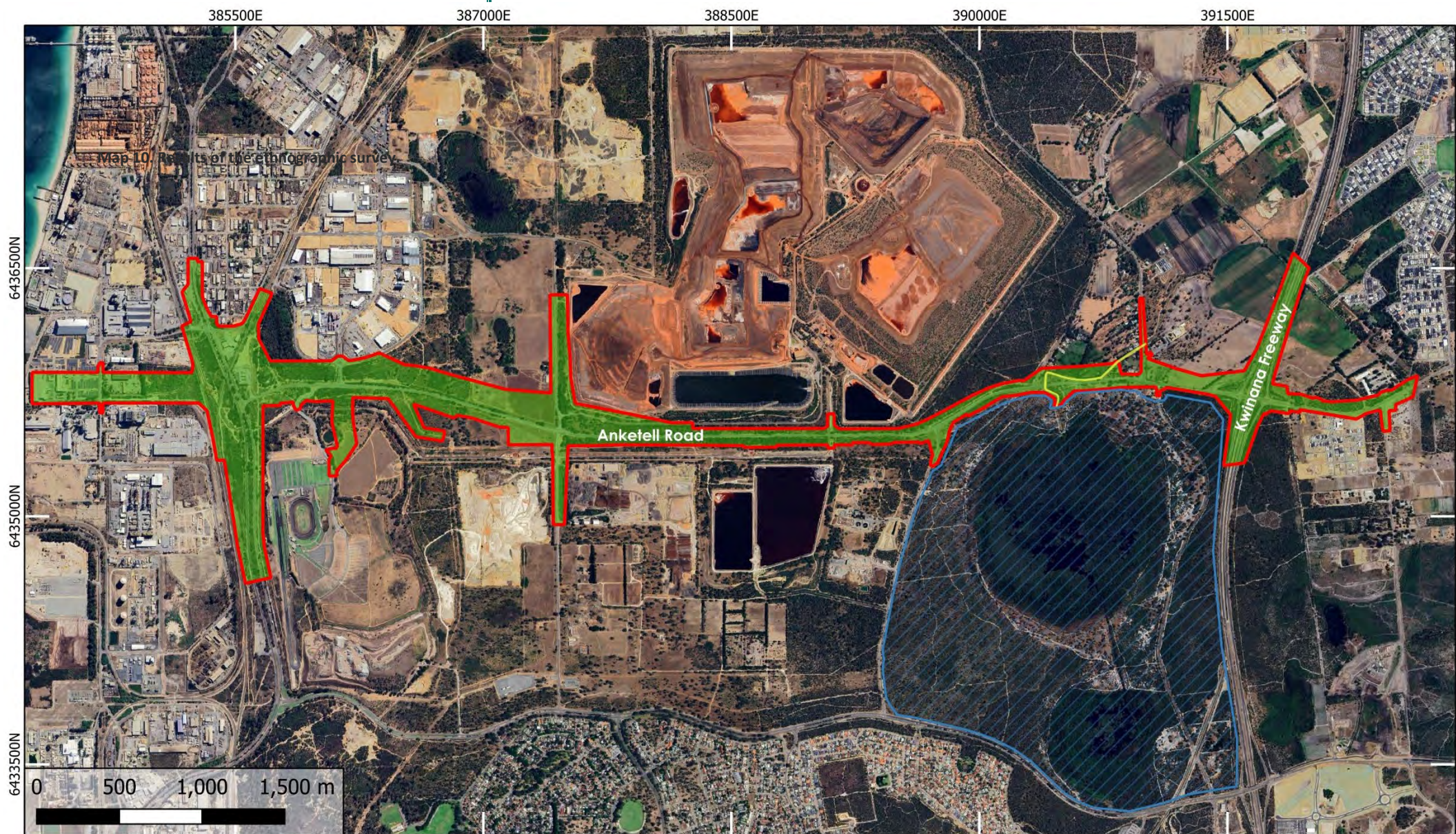
In this way, Trevor supports the idea of registering the site of the Spectacles (located to the south of the Survey Area), with the site consisting of the two pools, the sandy area between, as well as surrounding bushland:

Water source needs surrounding country to feed it.

Trevor comments on the fact that the old maps had named specific places in Noongar and that such places therefore must've been important. With the aid of the historic maps, he speculates about the possible connection of the Mandogalup Swamps and its boundary in relation to DPLH historic site ID 3427 Mandogalup Swamp/Spectacles. He points to the Noongar names recorded on the historic maps as likely reflecting meanings associated with the Two Boys Dreaming story he has related about the Spectacles and agrees that the flow of water between Mandogalup Swamps and the Spectacles must be respected.

In regards placing a boundary around the site, Trevor speaks of the Spectacles two pools and the surrounding native bushland (ie. all located to the immediate south of the Survey Area). He also recognises the importance of the creek running across the Survey Area in keeping the Spectacles healthy. No more information relating to the Mandogalup Swamp boundaries located to the north of the Survey Area was forthcoming.

As it is evident that the original swamp/waterbodies have been drained, and that there is no information found to date about how the boundaries of historic DPLH site 3427 were determined, it is suggested that an application be made to DPLH to amend the historic site boundary and to register the Spectacles wetlands. (Ref. **Ethnographic Heritage Zone (proposed site boundary)** on **Map 10**)



Legend

- Survey Area
- Ethnographically Surveyed Area
- Updated Spectacles Heritage Place (Proposed Boundary)
- Heritage Sensitive Area (water flow)



archae-aus

Map 10. Results of the Ethnographic Survey of the Anketell Road Upgrade Corridor, Kwinana, WA

Drafted by Tehya Scholz, 4th September 2024. GDA94, Zone 50H. Satellite imagery courtesy of Google Maps.



Figure 2. Above: Charne Hayden walking boardwalk to Biara Lookout, the Spectacles Wetlands.

Middle: View of the large northern waterbody (the large eye) of the Spectacles from Biara Lookout.

Below: Signage welcoming people to the Spectacles Wetlands, which it acknowledges is an important site for Aboriginal people.

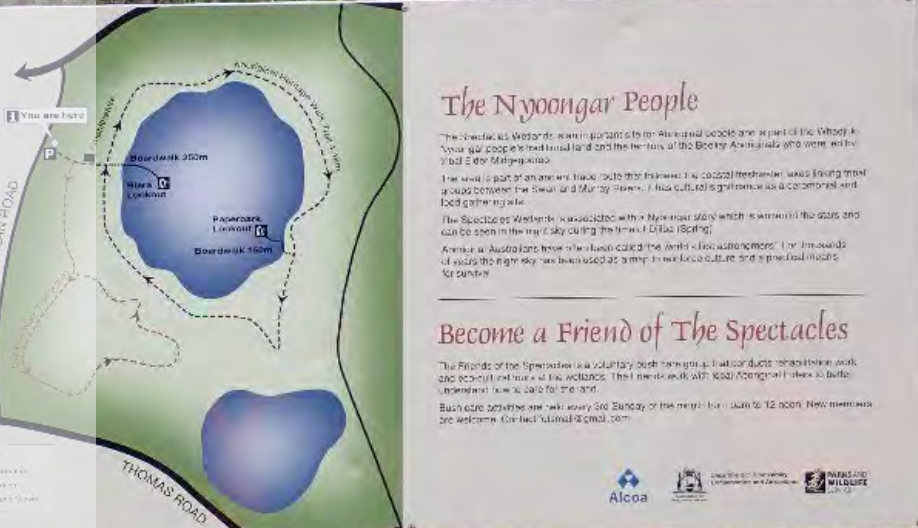




Figure 3. Above: Peel Main Drain , looking north from the edge of the Survey Area, towards Mandogalup.

Middle: Charne Hayden speaking about cultural use of Mungite, the Bull Banksia.

Below: Signage for Aboriginal Heritage walks around the waterbodies.



SECTION FIVE – DISCUSSION & RECOMMENDATIONS

Ethnographic Discussion

The ethnographic survey of the Anketell Proposal Area (Kwinana Freeway to Leath Road) is complete. The survey resulted in two areas of cultural significance being recorded. This related to the Spectacles/Mandogalup Swamp area (ref. **Ethnographic Heritage Zones** on **Map 10**).

There is a precedence for lakes and wetlands being recorded as Aboriginal cultural heritage sites, and the ethnographic survey and follow-up interview have confirmed the cultural significance of the water sources surrounding the Main Roads Project Area. The GKB Knowledge Holders recommended that an application be made to DPLH to re assess the registration of the Spectacles as an Aboriginal heritage site. Appendix 3 contains an ACH Submission Summary for this application. The proposed site boundary shown on **Map 10** corresponds with the findings of the research to date. This boundary does not intersect with the current Main Roads Survey Area.

The sheer amount of tangible cultural heritage found in close proximity to the Spectacles and surrounds, including registered site DPLH ID 38661 Thomas Road, points to the importance of the broader area in terms of Aboriginal cultural heritage. As the Literature Review / Section Two of this report detailed, cultural significance has previously been attributed to areas immediately surrounding the Survey Area, often focussed on the importance of former and current resource use. Although the location and movement of water in and through the broader landscape has changed over time, there is still contemporary concern for the water flow, as well as the multitude of species dependent on it for survival. In this sense, there is consistency with today's Traditional Owners regarding recommendations relating to the protection of native plants and wildlife in the bushlands and wetlands surrounding the Survey Area. The waterway flowing into the Spectacles has been delineated as a **Heritage Sensitive Area (water flow)**. The water flows through this zone into the Survey Area via Jolly's Bridge (Place No. 12114) and White Bridge (Place No. 12115), works impacting this zone should ensure the flow continues, to ensure the health of the Spectacles. To this end, GKB Knowledge Holders suggested monitors to help ensure water contained within the Peel Main Drain and passing through the Survey Area continues to flow.

Advice

The following advice is made to Main Roads and their contractors, based on the combined survey findings and the follow-up ethnographic interview.

It is **advised** that Main Roads and their contractors are aware that:

- 1) the ethnographic assessment of the Survey Area is **complete**;
- 2) no new Aboriginal ethnographic sites were located within the Survey Area;
- 3) the Gnaala Karla Booja Traditional Owners are supportive of the proposed Main Roads project; however,
- 4) the Project Area is in close proximity to DPLH historic site ID 3427/Mandogalup Swamp/Spectacles; and,
- 5) the GKB Traditional Owners recommend that historic site ID 3427 be re-assessed by the DPLH for registration, with a boundary that includes the two waterbodies known as the Spectacles and the surrounding vegetation;
- 6) while not a site under the Act, the water flowing into the DPLH site ID 3427/Mandogalup Swamp/Spectacles, through the Peel Main Drain, is important for maintaining the health of the Spectacles, and the flow of the water should be protected;

The Gnaala Karla Booja Traditional Owners recommended that:

- 7) that two Gnaala Karla Booja Noongar monitors be invited to view the completed works in the vicinity of the Peel Main Drain to ensure the continued flow of water. Of specific interest is where the Peel Main Drain passes under the Anketell Road Proposal Area at 'White Bridge' and 'Jolly Bridge'.
- 8) that remnant flora and fauna is protected during the proposed works.

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APPENDIX ONE – DPLH ACHIS REGISTER SEARCH

Search Criteria

No Aboriginal Cultural Heritage (ACH) Register in Shapefile - WP_S3_ATRFC_WEST_OF_KWINANA_EPA_REFERRAL_PL_20230829

Disclaimer

Aboriginal heritage holds significant value to Aboriginal people for their social, spiritual, historical, scientific, or aesthetic importance within Aboriginal traditions, and provides an essential link for Aboriginal people to their past, present and future. In Western Australia Aboriginal heritage is protected under the *Aboriginal Heritage Act 1972*.

All Aboriginal cultural heritage in Western Australia is protected, whether or not the ACH has been reported or exists on the Register.

The information provided is made available in good faith and is predominately based on the information provided to the Department of Planning, Lands and Heritage by third parties. The information is provided solely on the basis that readers will be responsible for making their own assessment as to the accuracy of the information. If you find any errors or omissions in our records, including our maps, it would be appreciated if you provide the details to the Department via <https://alt.jotfor.ms/DPLH/aboriginal-heritage-enquiry> and we will make every effort to rectify it as soon as possible.

South West Settlement ILUA Disclaimer

Your heritage enquiry is on land **within or adjacent to** the following Indigenous Land Use Agreement(s): Gnaala Karla Booja Indigenous Land Use Agreement.

On 8 June 2015, six identical Indigenous Land Use Agreements (ILUAs) were executed across the South West by the Western Australian Government and, respectively, the Yued, Whadjuk People, Gnaala Karla Booja, Ballardong People, South West Boojarah #2 and Wagyl Kaip & Southern Noongar groups, and the South West Aboriginal Land and Sea Council (SWALSC).

The ILUAs bind the parties (including 'the State', which encompasses all State Government Departments and certain State Government agencies) to enter into a Noongar Standard Heritage Agreement (NSHA) when conducting Aboriginal Heritage Surveys in the ILUA areas, unless they have an existing heritage agreement. It is also intended that other State agencies and instrumentalities enter into the NSHA when conducting Aboriginal Heritage Surveys in the ILUA areas. It is recommended a NSHA is entered into, and an 'Activity Notice' issued under the NSHA, if there is a risk that an activity will 'impact' (i.e. by excavating, damaging, destroying or altering in any way) an Aboriginal heritage site. The Aboriginal Heritage Due Diligence Guidelines, which are referenced by the NSHA, provide guidance on how to assess the potential risk to Aboriginal heritage.

Likewise, from 8 June 2015 the Department of Mines, Industry Regulation and Safety (DMIRS) in granting Mineral, Petroleum and related Access Authority tenures within the South West Settlement ILUA areas, will place a condition on these tenures requiring a heritage agreement or a NSHA before any rights can be exercised.

If you are a State Government Department, Agency or Instrumentality, or have a heritage condition placed on your mineral or petroleum title by DMIRS, you should seek advice as to the requirement to use the NSHA for your proposed activity. The full ILUA documents, maps of the ILUA areas and the NSHA template can be found at <https://www.wa.gov.au/organisation/departments/departments-of-the-premier-and-cabinet/south-west-native-title-settlement>.

Further advice can also be sought from the Department of Planning, Lands and Heritage via <https://alt.jotfor.ms/DPLH/aboriginal-heritage-enquiry>.

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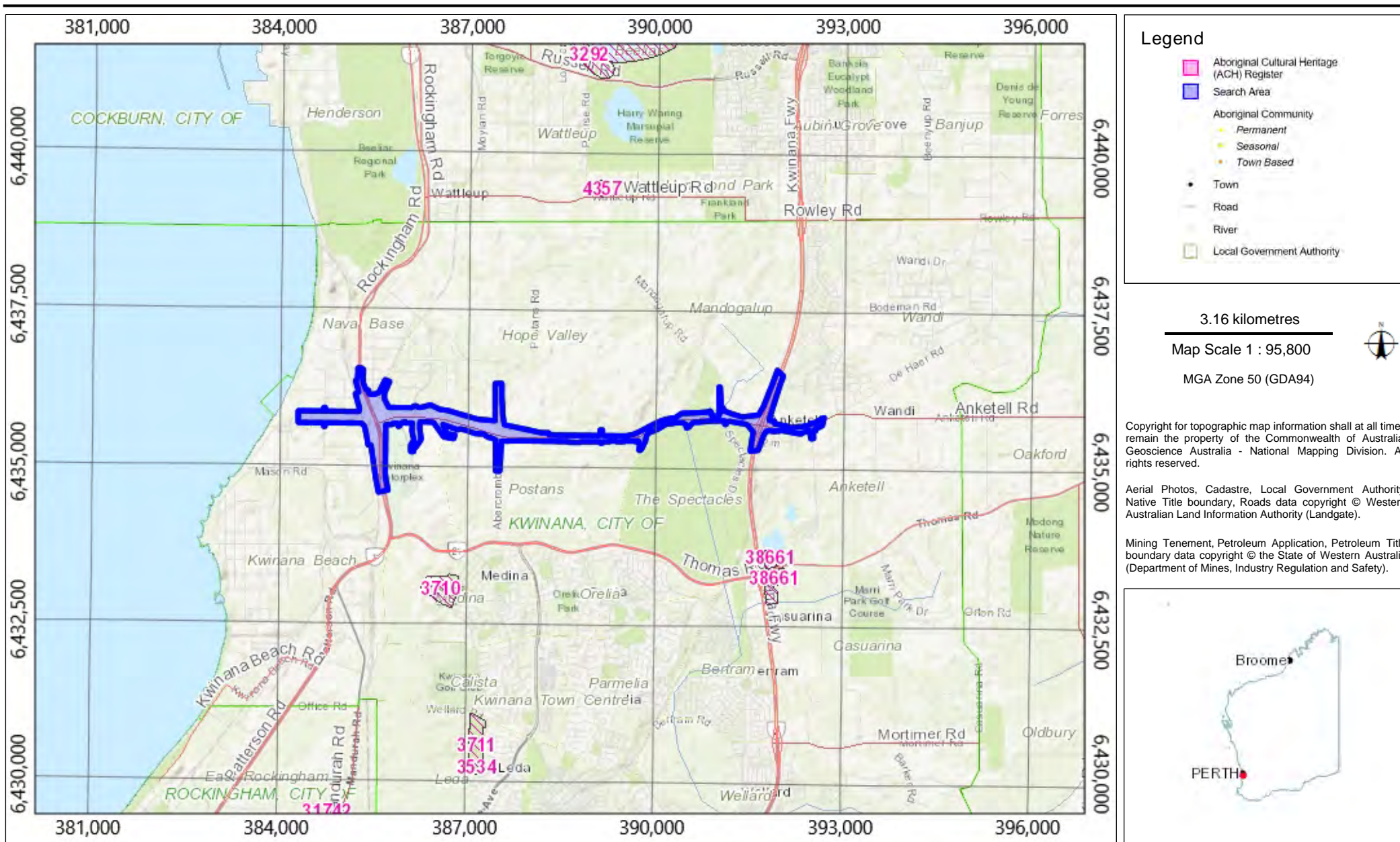
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Aboriginal Cultural Heritage Inquiry System

Map of Aboriginal Cultural Heritage (ACH) Register

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Search Criteria

No Aboriginal Cultural Heritage (ACH) Lodged in Shapefile - Anketell_HertiageSurvey_Area_Updated_20240614

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South West Settlement ILUA Disclaimer

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Likewise, from 8 June 2015 the Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) in granting Mineral, Petroleum and related Access Authority tenures within the South West Settlement ILUA areas, will place a condition on these tenures requiring a heritage agreement or a NSHA before any rights can be exercised.

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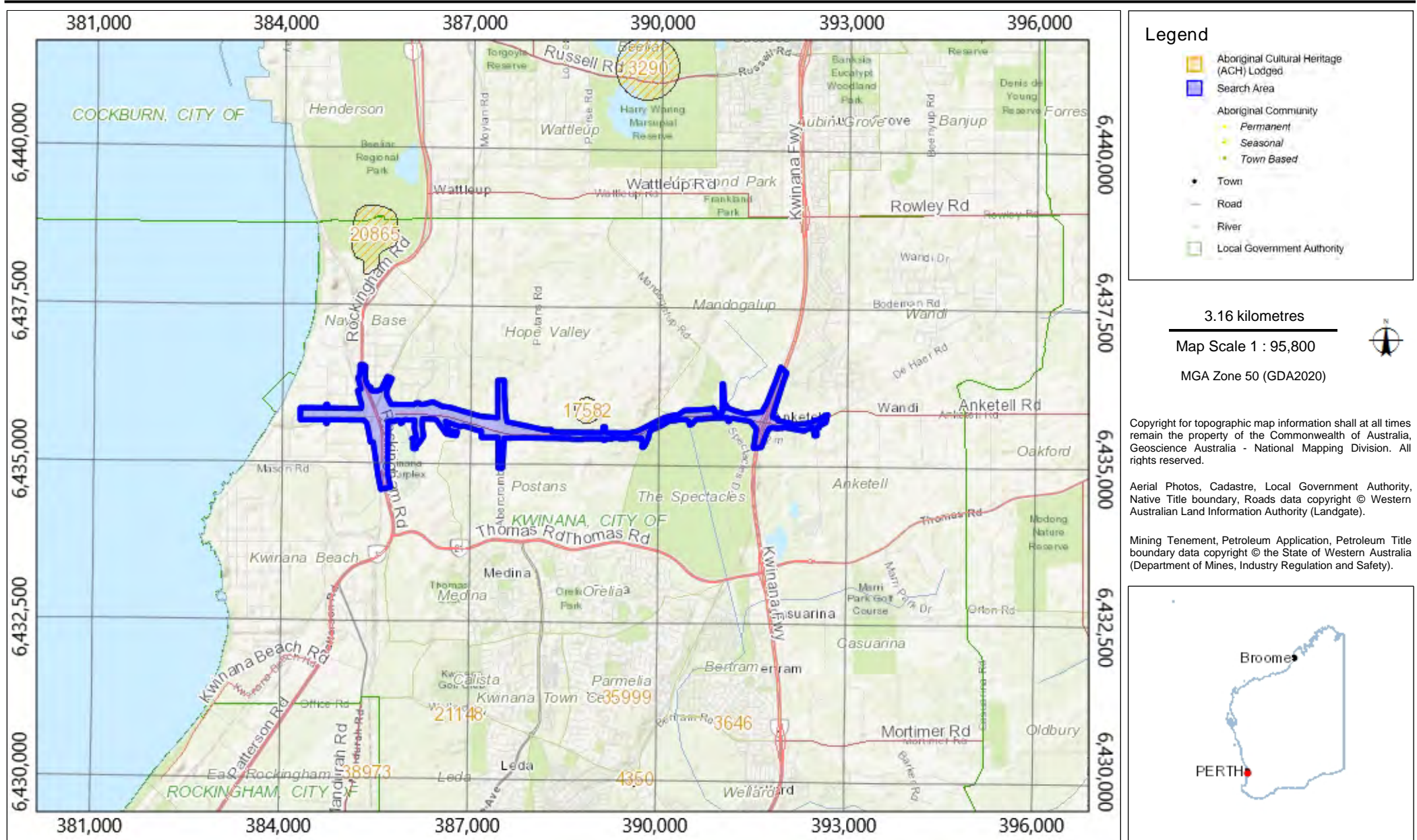
Topographic basemap sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community.



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Map of Aboriginal Cultural Heritage (ACH) Lodged

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Search Criteria

1 Aboriginal Cultural Heritage (ACH) Historic in Shapefile - Anketell_HertiageSurvey_Area_Updated_20240614

Disclaimer

Aboriginal heritage holds significant value to Aboriginal people for their social, spiritual, historical, scientific, or aesthetic importance within Aboriginal traditions, and provides an essential link for Aboriginal people to their past, present and future. In Western Australia Aboriginal heritage is protected under the Aboriginal Heritage Act 1972.

All Aboriginal cultural heritage in Western Australia is protected, whether or not the ACH has been reported or exists on the Register.

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Terminology

ID: ACH on the Register is assigned a unique ID by the Department of Planning, Lands and Heritage using the format: ACH-00000001. For ACH on the former Register the ID numbers remain unchanged and use the new format. For example the ACH ID of the place Swan River was previously '3536' and is now 'ACH-00003536'.

Access and Restrictions:

- Boundary Reliable (Yes/No): Indicates whether to the best knowledge of the Department, the location and extent of the ACH boundary is considered reliable.
- Boundary Restricted = No: Represents the actual location of the ACH as understood by the Department..
- Boundary Restricted = Yes: To preserve confidentiality the exact location and extent of the place is not displayed on the map. However, the shaded region (generally with an area of at least 4km²) provides a general indication of where the ACH is located. If you are a landowner and wish to find out more about the exact location of the place, please contact the Department of Planning, Lands and Heritage.
- Culturally Sensitive = No: Availability of information that the Department of Planning, Lands and Heritage holds in relation to the ACH is not restricted in any way.
- Culturally Sensitive = Yes: Some of the information that the Department of Planning, Lands and Heritage holds in relation to the ACH is restricted if it is considered culturally sensitive information. This information will only be made available if the Department of Planning, Lands and Heritage receives written approval from the people who provided the information. To request access please contact via <https://achknowledge.dplh.wa.gov.au/ach-enquiry-form>.
- Culturally Sensitive Nature:
 - No Gender / Initiation Restrictions: Anyone can view the information.
 - Men only: Only males can view restricted information.
 - Women only: Only females can view restricted information.

Status:

- Register: Aboriginal cultural heritage places that are assessed as meeting Section 5 of the Aboriginal Heritage Act 1972.
- Lodged: Information which has been received in relation to an Aboriginal cultural heritage place, but is yet to be assessed under Section 5 of the Aboriginal Heritage Act 1972.
- Historic: Aboriginal heritage places assessed as not meeting the criteria of Section 5 of the Aboriginal Heritage Act 1972. Includes places that no longer exist as a result of land use activities with existing approvals.

Place Type: The type of Aboriginal cultural heritage place. For example an artefact scatter place or engravings place.

Legacy ID: This is the former unique number that the former Department of Aboriginal Sites assigned to the place.

Coordinates

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Aboriginal Cultural Heritage Inquiry System

List of Aboriginal Cultural Heritage (ACH) Historic

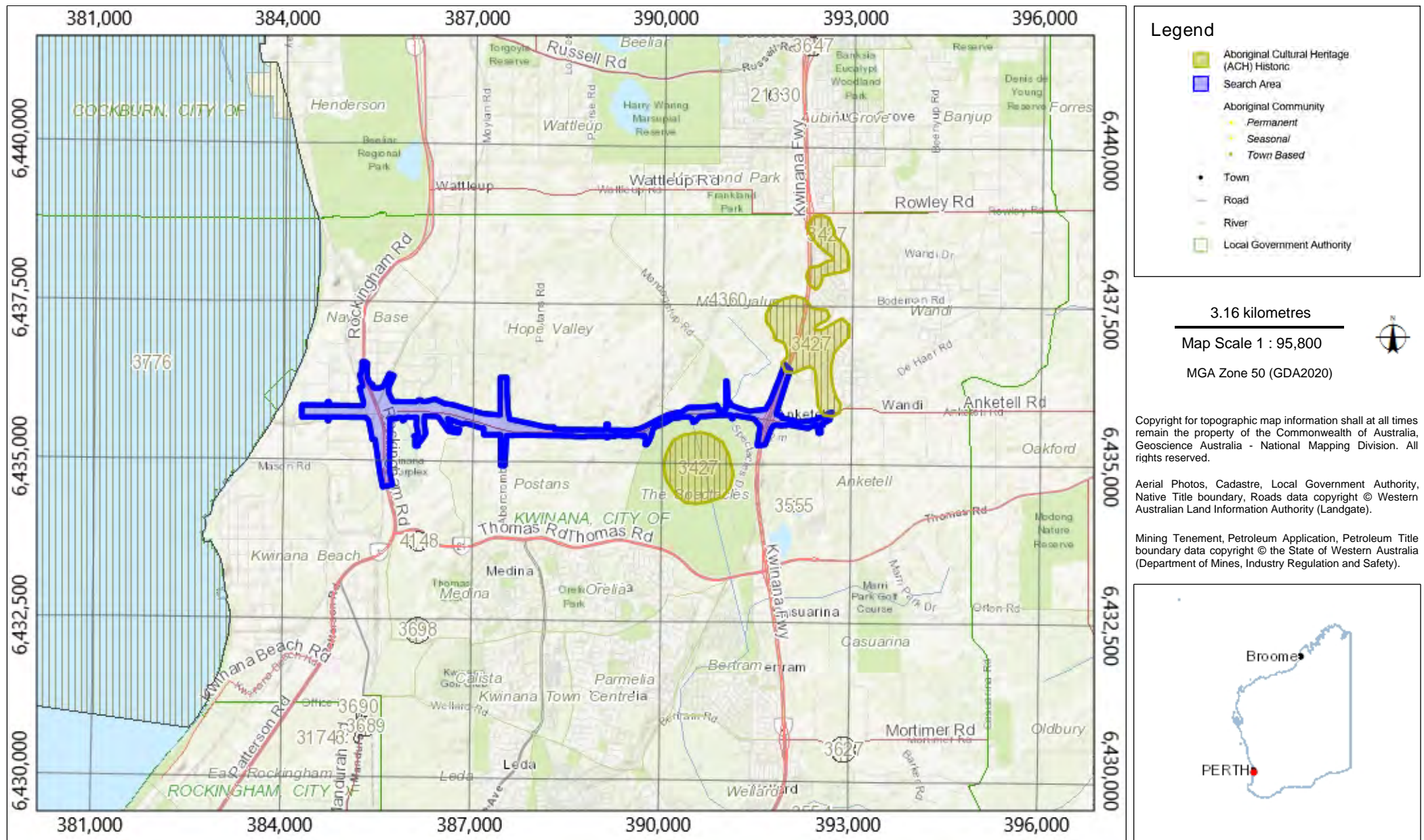
ID	Name	Boundary Restricted	Boundary Reliable	Culturally Sensitive	Culturally Sensitive Nature	Status	Place Type	Knowledge Holders	Legacy ID
3427	MANDOGALUP SWAMP/SPECTACLES.	No	No	No	No Gender / Initiation Restrictions	Historic	Creation / Dreaming Narrative; Hunting Place; Water Source	*Registered Knowledge Holder names available from DPLH	S02729



Aboriginal Cultural Heritage Inquiry System

Map of Aboriginal Cultural Heritage (ACH) Historic

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Search Criteria

26 Heritage Surveys containing 29 Survey Areas in Shapefile - WP_S3_ATRFC_WEST_OF_KWINANA_EPA_REFERRAL_PL_20230829

Disclaimer

Heritage Surveys have been mapped using information from the reports and / or other relevant data sources. Heritage Surveys consisting of small discrete areas may not be visible except at large scales. Reports shown may not be held at the Department of Planning, Lands and Heritage (DPLH). Please consult report holder for more information. Refer to <https://www.wa.gov.au/organisation/departments-and-agencies/departments/departments-of-planning-lands-and-heritage/aboriginal-heritage> for information on requesting reports held by DPLH.

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Access

Some reports are restricted.

Spatial Accuracy

The following legend strictly applies to the spatial accuracy of heritage survey boundaries as captured by DPLH.

Very Good	Boundaries captured from surveyed titles, GPS (2001 onwards) submitted maps georeferenced to within 20m accuracy.
Good / Moderate	Boundaries captured from GPS (pre 2001) submitted maps georeferenced to within 250m accuracy.
Unreliable	Boundaries captured from submitted maps georeferenced to an accuracy exceeding 250m.
Indeterminate	Surveys submitted with insufficient information to allow boundary capture.

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List of Heritage Surveys

Survey Report ID	Survey Area ID	Report Title	Report Authors	Survey Type	Area Description	Spatial Accuracy	Field / Desktop
17059	13207	Dampier to Perth Natural Gas Pipeline Route: A Survey for Aboriginal Sites. March 1979.	Dept of Aboriginal Sites.	Archaeological/ Ethnographic	The survey area consists of the 1486km preferred route of the Dampier to Perth Natural Gas Pipeline. The survey extended from Dampier to Wagerup. The width of the survey corridor is not known. A default 5m width, either side of the centreline is assumed.	Unreliable	Field and Desktop
17663	15749	Report on an archaeological investigation for Aboriginal sites proposed international motor sports complex at Kwinana	Quartermaine, Gary.	Archaeological	Proposed Motor Sports Complex at Kwinana. It is bounded by Anketell Road to the north, Rockingham Road to the west, Thomas Road to the south and the proposed Rockingham Highway alignment to the east as shown in Fig. 2	Very Good	Field and Desktop
17664	14850	Report on an ethnographic survey of the proposed motor sports complex at Kwinana	O'Connor, R	Ethnographic	Proposed Motor Sports Complex at Kwinana. It is bounded by Anketell Road to the north, Rockingham Road to the west, Thomas Road to the south and the proposed Rockingham Highway alignment to the east as shown in Fig. 2	Very Good	Field and Desktop
20027	14087	From Perth on Harvey to Kwinana 330kv Transmission Line. Appendix 'C' Archaeology. (Dam) Aug 1987.	Quartermaine G	Ethnographic	Proposed Harvey-Kwinana 330kV transmission line. The proposed line goes from the proposed Harvey substation site via the Pinjarra and Mandogalup areas to the existing power station at Kwinana, a distance of approximately 102 km. The 500m wide transmission	Good	Field and Desktop
20027	14655	From Perth on Harvey to Kwinana 330kv Transmission Line. Appendix 'C' Archaeology. (Dam) Aug 1987.	Quartermaine G	Archaeological	Proposed Harvey-Kwinana 330kV transmission line. The proposed line goes from the proposed Harvey substation site via the Pinjarra and Mandogalup areas to the existing power station at Kwinana, a distance of approximately 102 km. A 100m corridor either side	Good	Field and Desktop
20507	14294	Report on an ethnographic survey of the proposed South West Metropolitan Railway Reserve	O'Connor, Rory.	Ethnographic	Proposed South West Metropolitan Railway Reserve. A distance of 50m on both sides of the rail route for its entire length between the Anketell Tunnel and Mandurah. It includes the Rockingham Loop alignment and the Rail Car Depot site adjacent to Mandurah	Moderate	Field and Desktop
20508	13957	Report on further archaeological investigations for Aboriginal sites South West Metropolitan Rail Line Corridor	Quartermaine, Gary.	Archaeological	South West Metropolitan Rail Line Corridor. Approximately 80km in length, and stretches from Jandakot through Wattleup, Kwinana and Rockingham to Mandurah, across the Swan Coastal Plain. A width of 50m either side of the centre-line was surveyed for the r	Moderate	Field and Desktop
20633	15361	Management report of Aboriginal Heritage aspects of the Dampier to Bunbury Natural Gas Pipeline corridor through the Perth Metropolitan Area	Hames Consultancy Group	Archaeological/ Ethnographic	Dampier to Bunbury Natural Gas Pipeline corridor, Bullsbrook to Postans, an alignment 70km long by 30m wide as shown in Sheets 1 & 2	Good	Field and Desktop

Aboriginal Cultural Heritage Inquiry System

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List of Heritage Surveys

Survey Report ID	Survey Area ID	Report Title	Report Authors	Survey Type	Area Description	Spatial Accuracy	Field / Desktop
20653	15279	Report on an ethnographic survey of the proposed South West Metropolitan Railway Alignment	O'Connor, R	Ethnographic	Proposed South West Metropolitan Railway Alignment from sections between the Narrows Bridge and the combined Mandurah Train Terminus and Busport as shown in Fig. 1	temp	Field and Desktop
20653	19985	Report on an ethnographic survey of the proposed South West Metropolitan Railway Alignment	O'Connor, R	Ethnographic	Report on an ethnographic survey of the proposed South West Metropolitan Railway Alignment	Moderate	Field and Desktop
21422	19259	Report on the archaeological and ethnographic survey of the proposed route of the Perth Seawater Desalination Plant Projects Kwinana Beach Navel Base Nicholson Road Forrestdale in Western Australia	Australian Interaction Consultants	Archaeological/ Ethnographic	Report on the archaeological and ethnographic survey of the proposed route of the Perth Seawater Desalination Plant Projects Kwinana Beach Navel Base Nicholson Road Forrestdale in Western Australia	Moderate	Field and Desktop
21817	16317	Ballaruk (traditional owners) Aboriginal site recording project	Machin, Barrie	Ethnographic	Whadjuk territorial boundaries the lands of the Ballaruk Peoples as shown in Figure 10.	Unreliable	Field and Desktop
21818	16458	Ballaruk (traditional owners of Whadjuk territorial boundaries the lands of the Ballaruk Peoples) Aboriginal site recording project : additional material	Machin, Barrie	Ethnographic	Whadjuk territorial boundaries the lands of the Ballaruk Peoples as shown in Figure 10.	Unreliable	Field and Desktop
22419	19634	Report on New Metro Rail Aboriginal consultative meetings held in August and September 2004	R & E O'Connor Pty Ltd	Ethnographic	Report on New Metro Rail Aboriginal consultative meetings held in August and September 2004		Field and Desktop
22529	19676	Report on the October 2006 Aboriginal Consultative Meetings	R & E O'Connor Pty Ltd	Ethnographic	Perth Central Business District: section of the proposed Perth to Mandurah Railway		Field and Desktop
22530	19685	Report on April 2006 New Metro Rail Aboriginal Consultative Meetings	R & E O'Connor Pty Ltd	Ethnographic	New Metro Rail		Field and Desktop
23099	15820	Report on an Aboriginal Heritage Survey of the proposed Kwinana Quay, Town of Kwinana / City of Cockburn, WA	Fisher, Stuart	Archaeological/ Ethnographic	The proposed Kwinana Quay covers an area of 1,783 hectares, including 915 ha of Cockburn Sound, at Kwinana/Naval Base in the Town of Kwinana Local Government Area. As shown in KQ Maps 1-3 of Report. The Land part of the survey area is bounded by Rockingham	Very Good	Field and Desktop
102670	16126	Preliminary Report on the Survey of Aboriginal Areas of Significance in the Perth Metropolitan & Murray River Regions July 1985.	O'Connor, R	Ethnographic	Perth Metropolitan & Murray River Regions. A roughly triangular region, with Yanchep National Park as the Northern point, Gidgegannup as the Eastern point and Pinjarra as the Southern point.	Indeterminate	Field and Desktop
103564	14104	An Archaeological Survey Project: The Perth Area, Western Australia. Apr 1972.	University of Western Australia.	Archaeological	The Perth Area. 103 site locations in 67 site groups were investigated.	Indeterminate	Field and Desktop

Aboriginal Cultural Heritage Inquiry System

List of Heritage Surveys

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Survey Report ID	Survey Area ID	Report Title	Report Authors	Survey Type	Area Description	Spatial Accuracy	Field / Desktop
103677	13302	Report of an Aboriginal Heritage Survey Department of Planning and Urban Development (Dpud) Land Requirement Plans South-West Corridor Area 'A' W.A. Oct.1993.	Edwards, K	Archaeological/ Ethnographic	The survey area consists of a sample of the South West Corridor Area A, as shown in Figure 1.	Good	Field and Desktop
104087	14169	An archaeological survey of the Dampier to Perth natural gas pipeline route : section 6 Muchea to Wagerup.	Pickering, M.	Archaeological	Dampier to Perth Naturla Gas Pipeline Route, Muchea to Wagerup. This section runs from the 1314km point, 6 km south west of Muchea, to the 1478km point at Wagerup, a total distance of 164km as shown in Fig. 1.	Unreliable	Field and Desktop
104155	14804	A report of an Aboriginal Heritage assessment of proposed residue disposal areas, Kwinana	Jackson, Gavin.	Archaeological/ Ethnographic	Proposed Residue Disposal Areas, Kwinana. It is an extension to existing bauxite residue areas located to the north of Hope Valley Road as shown in Fig. 1	Good	Field and Desktop
104160	14477	Report on an Aboriginal Consultation and an Ethnographic Survey of the Forrest Road to Thomas Road Section of the Kwinana Freeway. April 1991.	O'Connor, R	Ethnographic	Forrest Road to Thomas Road Section of the Kwinana Freeway. The designated survey area is defined as the road reserve for the Freeway and associated interchange areas as shown in Fig. 1	Very Good	Field and Desktop
104475	14684	An Archaeological Survey for Aboriginal Sites along Gas Pipeline Laterals in the South Metropolitan Area.	Schwede, M.	Archaeological	The survey area comprises a proposed gas pipeline laterals near Thomson's Lake, as shown in Figure 1. The width of the survey corridor was 10m either side of the centreline, except next to the road verge, where it was 10m from the centreline, on the side	Good	Field and Desktop
104489	13902	A Survey for Aboriginal Sites on the Proposed Route of the Kwinana Freeway Southern Extension(South St-Thomas Rd).	Reynolds, R.	Archaeological/ Ethnographic	The survey area comprises the Kwinana Freeway southern extension, South Street to Thomas Road, as shown in Drawings 7721-81-1, 7721-82 and 7721-83.	Good	Field and Desktop
105233	14163	Report on an Aboriginal site survey of the proposed south west corridor transport reserve	O'Connor, R	Archaeological/ Ethnographic	The survey area consists of the proposed South West Corridor Transport Reserve. The survey corridor is approximately 80km long and 100m wide.	Good	Field and Desktop
105321	13954	Proposed Harvey - Kwinana 330kv Transmission Line: Public Environmental Report. Report no. Sd233 February 1988.	Dames & Moore.	Ethnographic	Proposed Harvey-Kwinana 330kV transmission line. The proposed line goes from the proposed Harvey substation site via the Pinjarra and Mandogalup areas to the existing power station at Kwinana, a distance of approximately 102 km. The 500m wide transmission	Good	Field and Desktop
105321	14537	Proposed Harvey - Kwinana 330kv Transmission Line: Public Environmental Report. Report no. Sd233 February 1988.	Dames & Moore.	Archaeological	Proposed Harvey-Kwinana 330kV transmission line. The proposed line goes from the proposed Harvey substation site via the Pinjarra and Mandogalup areas to the existing power station at Kwinana, a distance of approximately 102 km. A 100m corridor either sid	Good	Field and Desktop



Aboriginal Cultural Heritage Inquiry System

List of Heritage Surveys

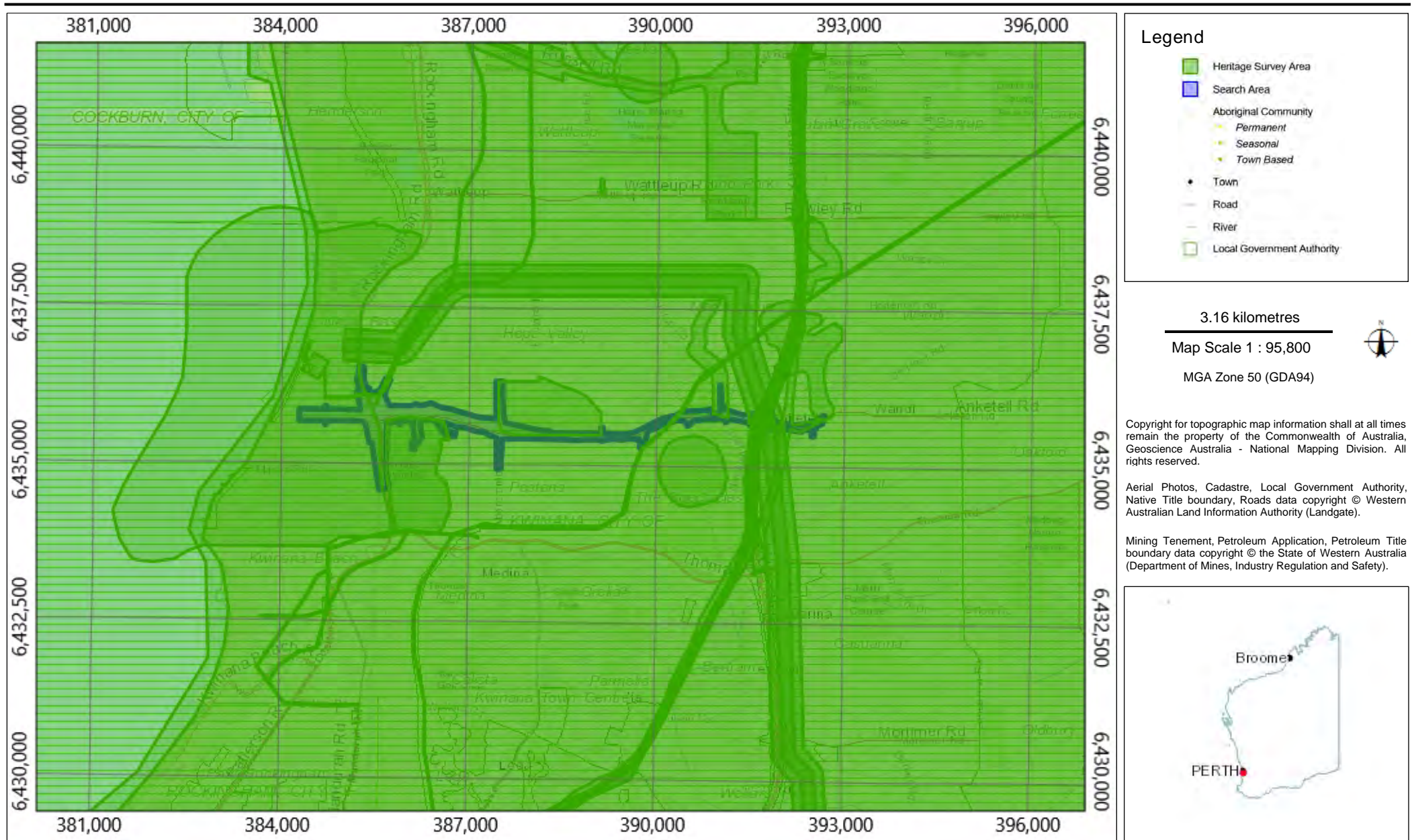
Survey Report ID	Survey Area ID	Report Title	Report Authors	Survey Type	Area Description	Spatial Accuracy	Field / Desktop
106204	15753	Metropolitan Sites Project Southern Region : draft report	Yates Heritage Consultants	Archaeological	Metropolitan Sites Project, Southern Region. 50 heritage locations on the AHMS were re-examined as shown in Tables on pages 1-3, of which 49 were OPEN.	Unreliable	Field and Desktop



Aboriginal Cultural Heritage Inquiry System

Map of Heritage Survey Areas

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APPENDIX TWO – VERIFYING HERITAGE SURVEY INFORMATION FORM

Appendix 2: Template Form for Verifying Heritage Survey Information

Name of Heritage Survey	MR23WPla } Main Roads Westport Anketell to Thomas Road Corridor
Date(s) of Heritage Survey	9th July, 2024
Location	Anketell Road
Proponent	Main Roads
ILUA Group	Gnarla Karla Goodja (GKB) Noongar
Consultant	Archae-ans Pty. Ltd.

Summary of Survey

Drove along Anketell Rd. to the Spectacles. Walked through the area, talking about connections to the place. Then headed to the railway line area to the west of the Project Area. Couldn't access Quindong trees.

Aboriginal Consultants' Statement

• Marie would like to see the Spectacles registered along with feeder creek to the north (nearby to Project Area) - no issues with main roads current project. Just for protect flora/fauna as much as possible.

Aboriginal Consultants' Recommendations

- Monitoring of ground disturbance works in T. Owners.
- Where possible - protection of remnant vegetation
- ABORIGINAL CONSULTANTS SATISFIED that the additional survey areas added to original scope have been surveyed (as part of original survey).
- Support a culvert if needed to continue flows between North & South side of the road, where waterway flows into Spectacles from north - but there should be no interference with the flow. (Monitors to be onsite).

Names and Signatures of Aboriginal Consultants

Name	Signature	Date
Marie Walley		9/07/2024
Jennifer Ford		9/7/2024
Erin Duck-tecmarie		9/7/2024
THAI HAYDEN		
RASHIA FORTEN		
Charne McHayden		
SHIRLEY VETI		9-7-2024
MONTANA COLLARD		9-7-2024

APPENDIX THREE – ACH SUBMISSION SUMMARY

ACH Details

Update Existing ACH Directory Record?	Yes
ACH Directory	DPLH ID 3427 MANDOGALUP SWAMP/SPECTACLES
Are the location details of this ACH restricted	No
Place Name	The Spectacles
Region	Metro/Wheatbelt
Restricted Place type	No
Boundary Description	The boundary is a closed polygon based on the physical extent of the two Spectacles waterbodies, and the surrounding remnant bushland.
Why did you select this boundary and what methodology did you use to arrive at this boundary?	<p>It is a proposed site boundary for the Spectacles wetlands based on research to date, including on-the-ground surveys. Google-Earth map was used to help identify the extent of the bushland surrounding the waterbodies.</p> <p>Speaking with Elder Trevor Walley, he spoke of the area located between the two waterbodies (often referred to as the Large Eye and the Small Eye) as potentially containing tangible cultural heritage that may now be covered by sand. In regards a site boundary, he says: <i>(The) Spectacles has a scattering of material which makes that place thrive... and if you take it away – the trees, vegetation... (These are) needed for the wetlands and the unstable sand dune, to prevent blowouts of sand hills. How much do you take away that devalues the story?</i></p> <p>In this way, Trevor supports the idea of registering the site of the Spectacles with the site consisting of the two pools, the sandy area between, as well as surrounding bushland. The boundary selection is therefore also understanding that: <i>Water source needs surrounding country to feed it.</i></p>
Describe how these places are interconnected	<p>The historic site DPLH ID 3427 includes the northern waterbody of the Spectacles only; however, research suggests the two waterbodies constitute the site (as per the current DPLH site file ID 3427).</p> <p>[Note: As historic site DPLH ID 3427 included Mandogalup Swamp to the north-east of the Spectacles, it is unknown whether it might be better to seek registration of the Spectacles separate from the historic site (ie. rather than</p>

amending boundaries), as it is understood that the Mandogalup Swamp area has been drained and no longer exists as a swampland.]

DPLH ID 3427 Mandogalup Swamp/Spectacles

In this site file, there are two maps of the site boundary showing the Spectacles. One map shows only the northern water source included in the boundary – this is declared ‘unreliable’; whilst the second map shows the boundary surrounding both water sources. This second boundary is declared ‘reliable’.) (Site file pp. 44-45).

The site was recorded by the DPLH in 1997 and listed as ‘stored data’. Following on from this, the site file contains site reports produced in 2000 and 2004 that give the site status as ‘interim register; insufficient information’, followed by a site registry status in August 2008 declaring ‘stored data; not a site’. However, in 2010, Traditional Owner Trevor Walley provided a site name: ‘*Ngaiyinup*’ and Dreaming story. Trevor, along with Cyril Yarran, completed a site registration request at this time and listed the site types as artefacts; ceremonial; historical; and quarry, with supporting information including hunting place; water source; archaeological deposit; camp; dated evidence; meeting place; named place; natural feature; reserve; and plant resource.

In 2011, Heritage Consultant, Brad Goode recommended a reassessment of the site be carried out. Details of the recommendation are within an internal DIA Memorandum dated 21/12/2011. This Memorandum states that the current state of the site as ‘Stored data’ was the result of a 2008 assessment which ‘appears to have occurred at a time when the ACMC were not ratifying site assessments’ with a preliminary assessment being made only. Brad Goode requested that a reassessment process occur, due to a concern regarding potential impact to a heritage site due to its ‘stored data’ status. In 2011, the DIA supported a reassessment process occurring, noting that ‘the site may need to be remapped and may not be seen as having enough information to enable an assessment to occur’. Despite this outcome, recent correspondence with the DPLH has confirmed that no further

	<p>information has been received since 2011 (DPLH correspondence ADV-10005126)</p> <p>DPLH ID 38661 Thomas Road</p> <p>A nearby registered DPLH site, including a burial, artefacts/scatter, camp, and water source. During a cultural heritage survey conducted in 2021 by Archae-aus (Archae-aus, 2021), Gnaala Karla Booja and Whadjuk Traditional Owners considered Thomas Road DPLH ID 38661 to be of 'high cultural significance', and located the place in relation to the Spectacles wetlands:</p> <p><i>The GKB consultants noted the cultural and spiritual importance of ensuring the Mandogalup Man's remains are reburied in an appropriate place and manner, with the Traditional Owners highlighting the importance of the project area in terms of its connection to the wider landscape of the wetlands, and the Ngitting or Dreaming stories and hunting areas associated with the Spectacles/Mandogalup' (p. 27).</i></p>
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Condition Report

Update due to Conditions Report	No
Update Related to 1972	No
Consent ID	(See below)
Place Status	Historic
Description of Update	Site registration suggested

Culturally Sensitive Information

Culturally Sensitive	No
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Type of Site

Type of Site	Item B: Place with sacred, ritual or ceremonial site, of importance and special significance to persons of Aboriginal descent (Act, Section 5(b)); Item C: Sites of importance to the cultural heritage of the state (Act, Section 5(c))
Type of Place	Creation / Dreaming Narrative; Hunting Place; Water Source
Site Description	The Spectacles comprise two waterbodies and the surrounding remnant bushland that constitute the Spectacles Wetlands. The area has been associated

	<p>with a Dreaming story, and is actively used in facilitating the passing on of cultural knowledge (strengthening intangible cultural heritage). There is also documented evidence of historic resource use (of both flora and fauna) by Aboriginal people – including the cutting and collection of stalks for market gardens, and the hunting of turtles (DPLH ID 3427 file; O'Connor and Hart, 2003).</p> <p>The DPLH site file reports that Mandogalup Swamp and the Spectacles wetlands were originally recorded as an ethnographic Aboriginal site by R. O'Connor, J. Walley, P. Bennell and F. Nannup in 1991. This area had been a freshwater source, a food resource, camping and hunting site for local Aboriginal people before market gardens intruded into it in the post-World War Two years. [O'Connor and Hart (2003) also mention that in the past, Noongar people cut bean stalks for market gardeners in the area.]</p> <p>The original site recording form provides the following site description:</p> <p><i>This swamp system (ie. Mandogalup), and the nearby 'Spectacles', into which it drains, are well known to Aboriginal people. It was reported specifically by Mr P. Bennell, Mr F Nannup and Mr J Walley. It is located between Rowley Road and Hope Valley Rd., in an area to be traversed by the Kwinana Freeway extension. It is considered significant by Aboriginal people because of:</i></p> <ul style="list-style-type: none"> - <i>its former usage as a water source</i> - <i>its former usage as a tortoise hunting area</i> - <i>its mythological association, as its water supply is sustained by actions of a Waugal.</i>
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Item B: Sacred ritual or ceremonial place

Site Type	Creation / Dreaming Narrative; Water Source
Provide a description of the ACH	Traditional Owner, Trevor Walley related a Dreaming story connected to the two waterbodies associated with the Spectacles. This story is also in the DPLH file (historic place ID 3427) and relates to Aboriginal astronomical knowledge and spirituality. The story tells of two boys, who Trevor says are

represented in the two water bodies - the northern large eye swamp and the southern small eye swamp:

That's the two – the two boys.

This story is also briefly referenced on the signage at the Spectacles Wetlands.

Further references to the mythology of the site include:

DPLH Survey Report ID 22366

Dortch, J., Cuthbert, B., Cuthbert, D., and Walley, J. (2006) Indigenous heritage of the Peel – Harvey Region: a review of previous research and archival data for Phase 1 of the Peel Cultural Landscape Assessment Project

This report documented the Nyoongar cultural landscapes of the Peel Harvey region, including observations providing a clear summary of the importance of waterbodies in the greater region, (including the area of the Spectacles wetlands):

Page iv: 'The coastal plain contains many wetland and estuary systems that supported large numbers of plants and animals used by Indigenous people, particularly in spring and summer. The estuaries were particularly important for seasonal fish trapping, an activity that sustained hundreds of people at month-long gatherings.'

Page 29: 'The Waugal is a particularly important and powerful entity that inhabits all freshwater-bodies. ... All fresh waterbodies may be considered to be highly significant mythological sites, with certain areas having particular significance as a place where the Waugal enters or exits the ground, or where it rests.'

Traditional Owner, Charne Hayden also explained that the (two) waterbodies of the Spectacles are the Miyall (eyes – 'the eyes of Country'), and that they form part of a significant trade route/area. She spoke of the likelihood of the area being used as a meeting place – [and explained that the word 'Mandogalup could be interpreted as meaning 'mando' – meeting/ exchange, with 'up' – (place of) water.] Charne spoke of other areas of Country being named and described according to body parts and explained how Kings Park is related to the head, and the Darling Scarp translates from the Noongar as 'Dark Heads'.

	<p>Noongar Elder Joe Walley is quoted on the Spectacles Wetlands signage in regards use of Mungite (the local banksia species) in times of celebrations and ceremonies: 'The ceremonies were usually at initiation times and that was before summer – after the rains and when the blooms of the Mungite were out.'</p> <p>During a visit to the Spectacles Wetlands, Traditional Owner Charne Hayden also spoke of the use of Mungite in keeping fire (as a torch).</p>
Provide details of the site	<p>The Spectacles are wetlands and surrounding bushland, located in the Beeliar Regional Park. Comprising two main waterbodies (often referred to as the Large Eye and the Small Eye), this area of wetlands form part of a chain of wetlands stretching across the Perth Coastal Plain.</p>
To which persons of Aboriginal descent is the place of importance and special significance	Gnaala Karla Booja Noongar
Why is the site of importance and special significance?	<p>In relation to the registration of this site, Gnaala Karla Booja Traditional Owners said 'it must be back on the (DPLH) register' (understanding that the current situation is that the site is classed as 'historic'). The site is visited to teach both intra- and inter-culturally, playing an important role in strengthening intangible cultural heritage, as well as being an important place for activities that encourage practical reconciliation.</p>

Item C: Sites of importance to the cultural Heritage of the state

Is or was the place associated with Aboriginal People?	Yes
Provide relevant details of how the place is associated with Aboriginal people	<p>The Spectacles are located within the Spectacles Wetlands, a wetland reserve comprising two distinct swamps, the Large Eye Swamp in the north and the Small Eye Swamp in the south. Park signage was completed by Elders from Medina Aboriginal Cultural Centre (MACC), with support from 'Friends of the Spectacles'. The park signage and associated boardwalk describe the wetlands and surrounds as an important camping area and source of food for people of the Noongar nation: <i>'The area is part of an ancient trade route that followed the coastal freshwater lakes linking tribal groups between the Swan and Murray Rivers. It has cultural significance as a ceremonial and food gathering site. The Spectacles Wetlands is associated with a Nyoongar story which is written</i></p>

	<p><i>in the stars and can be seen in the night sky during the time of Djilba (Spring).'</i></p> <p>There is an Aboriginal Heritage Walk Trail through the surrounding bushland that explains resource usage in the area, including: Mangatj (banksia); Mily Mily (Paperbark); Kwenda (Bandicoot); and Yaargan (tortoise).</p>
Interest Type	Anthropological interest; Ethnographic interest
Provide details about the interest	<p>Gnaala Karla Booja Traditional Owners present during the survey explained how the Spectacles Wetlands signage was completed with the support of local Elders. The signage provides information about traditional resource use and the location is actively used for cultural learnings by contemporary Traditional Owners.</p> <p>Nyoongar Elder Joe Walley is quoted as saying: <i>'Mostly people don't even know about this place now. The young people too, they can come out here and learn about their heritage. We can share this place and learn together, black and white – learn from each other.'</i></p>
Provide details of why this place should be preserved of its importance and significance to the cultural heritage of the state	<p>This site is of importance and significance to the Western Australian (and Australian) anthropological community and to the people of Western Australia. It contributes to the ongoing understanding of the cultural heritage of the South West, particularly in regard to traditional landscape understanding and resource use by Noongar people. This site should be preserved for ongoing cultural activities which help strengthen intangible cultural heritage.</p>
Provide details of expert opinions that support the claim of importance and significance	<p>This place is considered to be of importance and significance by the Gnaala Karla Booja representatives who participated in the survey, who are the primary experts about their cultural heritage. In addition, the archaeologists and anthropologists who have recorded this place over time, are also overwhelmingly of the opinion that the Spectacles wetlands are of cultural importance and significance. The ethnographic survey of Reynolds (1984) (DPLH Report ID 104489) for example, highlighted the importance of the chain of lakes as a 'major economic resource' for both traditional Aboriginal society, as well as for Aboriginal people in more recent times. (Ref. DPLH site file ID 3427 for more information.)</p>

Other DPLH reports highlighting the cultural heritage significance of this place include:

Report ID 20653

O'Connor, R. and Hart, T. (2003), Report on an ethnographic survey of the proposed South West Metropolitan Railway Alignment

In this report, the authors speak to the concept of (cultural) significance (pp. 7-8):

Significance is attributed by Aboriginal people to areas in the Perth-Mandurah region on the basis of former or current domestic usage, or on the basis of relevance to traditional ritual or mythology. ... One area may be viewed as significant from a historical/human/mundane viewpoint, and another from a mythological/sacred viewpoint.

The authors also describe 'rediscovery or realisation' of the existence of sites that may lead to 'an attribution of significance' ... (therefore) 'any archaeological or historical site in the survey region could also be potentially significant to Aboriginal people' (p. 7). They speak of 'generalised significance', whereby Aboriginal people in the Perth Metro Area and in the South West of the State generally tend to attribute significance to wetlands and waterways, 'not necessarily always in terms of the Waugal or water-creative serpent myth, but on the basis that those natural features are repositories of water-dwelling species, who share a spiritual life-force with humans' (pp. 7-8).

O'Connor was involved in the original recording of DPLH Site ID 3427 Mandogalup Swamp and the Spectacles wetlands in 1991. He comments on how the water in this site has 'greatly diminished in volume since European usage commenced' and how it was believed that the water was 'maintained by a Waugal spiritual force' (p. 18). He also mentions recommendations from the survey relating to the protection of native wildlife in the vicinity of the bushlands and wetlands, with the Traditional Owners raising no objection to the project at hand, as the project footprint did not impact the wetlands or swamp, despite the fact that 'the Freeway passes through this site, as also will the railway line' (App 3).

	<p>Report ID 104489 Reynolds, R. (1984), A Survey for Aboriginal Sites on the Proposed Route of the Kwinana Freeway Southern Extension (South St-Thomas Rd).</p> <p>This report speaks to a chain of lakes stretching from North Lake down to the Spectacles, reporting that in addition to the lakes there were 'a large number of low-lying swampy areas and depressions, some of which have been drained. A number of creeks cross the survey area, most of which have an east-west orientation' (p. 2). An artefact scatter was located on the banks of one of these creeks. The report also says that several creeks have been expanded or transformed into drains and the resulting earthworks may have obscured any archaeological evidence of occupation on their banks' (p. 2).</p> <p>The ethnographic survey highlighted the importance of the chain of lakes as a 'major economic resource' for both traditional Aboriginal society, as well as for Aboriginal people in more recent times. Reynolds refers to Hammond recording major gathering places in the South-West, including North Fremantle, Bibra Lake, Rockingham and Mandurah. The tracks or 'pads' that he also records did not go straight from one of these places to another, but followed routes that offered the best resources. Reynolds reported that the route was still in use at the time of his research, with an informant referring to turtling in these lakes and movement from there up to Fremantle, crabbing at Preston Point and using a freshwater spring on the banks of Blackwall Reach. Concern was also expressed over the lack of consultation that had occurred in the past, particularly considering the importance of the area more generally.</p> <p>(Note: this report also talks of an archaeological site associated with the Spectacles, situated on the western side of the lakes. No further location details provided.)</p>
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Place Details

ACH Related To Application Type 1972	No
Related Section 16 Application	No
Related Section 18 Application	No
Related Regulation application	No

Section 39

<p>Section 39(2) Further Details</p>	<p>Traditional Owner, Marie Walley explained that she regularly accesses the area of the Spectacles and surrounding parklands for cultural teachings. She collects ochre in the area, and takes her grandkids out there, teaching them about the waterways, plant identification and use. She explained how the Spectacles are associated with food, with the freshwater reeds being used to clean the water (as a filter). The resources are still used, including tree saps and bark. She also mentioned several endangered species of flora, and said honey is also gathered from the banksias. She also remembered turtles, and them being found between the waterbodies (the larger northern swamp and the smaller southern swamp). She said the turtles used to travel between the two waterbodies. Marie used to visit the southern waterbody when she was a child and get turtles there. She also mentioned the Ngorlak (Black Cockatoo) which lives in trees nearby. Jenny (Marie's niece) also spoke of visiting the Spectacles with family, including her children – leading to three generations handing down knowledge of this particular place.</p> <p>Traditional Owner Roslyn Indich explained how she used to take tourists out to the Spectacles and surrounding bushland, cooking kangaroo and damper, while teaching about culture and place. She worked with schools, teaching about the animals, and the waterbodies. Medina Aboriginal Cultural Centre (MACC) organised these tours.</p>
<p>Section 39(3) Further information</p>	<p>Traditional Owner, Trevor Walley related a Dreaming story connected to the two waterbodies associated with the Spectacles. This story is also in the DPLH site file (historic place ID 3427) and relates to Aboriginal astronomical knowledge and spirituality. The story tells of two boys, who Trevor says are represented in the two water bodies - the northern large eye swamp and the southern small eye swamp:</p> <p><i>That's the two – the two boys.</i></p>
<p>Former or reputed Use or Significance</p>	<p>Noongar Elder, Joe Walley, is quoted on the Aboriginal Heritage Walk Trail signage at the Spectacles:</p>

	<i>'Our Ancestors roamed all over here. There was plenty of food, bush food, and plenty of animals. They all came here for a drink, even when most other waterholes were dried up. The old people lived all over here but are now living in houses.'</i>
Potential Anthro, Arch or Ethno interest	This site would be of interest to the anthropological community and to the people of Western Australia. The site location and physical proximity to other previously recorded sites across the Perth Coastal Plain provides anthropologists with a rich database of cultural heritage information pertaining to resource use and seasonal movement of Gnaala Karla Booja ancestors. There is potential for this site to inform interpretation of broader landscape use and resource exploitation of Aboriginal people in the Southwest.
Aesthetic values	Freshwater and its strategic location would have provided a useful resting place for people moving across the Perth Coastal Plain, exploiting resources. Today, people continue to enjoy the Spectacles wetlands and surrounding bushland for the beautiful walks and lookouts, including the peaceful paperbark swamps.

Site Condition and Views

Provide details regarding the current condition of the site, particularly if it has been damaged or disturbed	It is currently fenced as part of the Beeliar Regional Park. The Dept of Biodiversity, Conservation and Attractions appears to work alongside Parks and Wildlife to manage and maintain the park.
Are there any aboriginal people or appropriately qualified experts known or believed to hold other views in respect of any information provided by the informant?	No

Knowledge Holders

Knowledge Holders names [Portal]	
Organisation Name	Gnaala Karla Booja
Address	Unit 1, 31 Victoria Street
Suburb/Town	Bunbury
State	WA
Postcode	6223
Email	contact@gkb.org.au
Phone Number	(08) 6717 0010

Is the person an Aboriginal person who holds cultural knowledge about the place?	Yes
What is their relationship to place?	Gnaala Karla Booja
Did you gather information from this person?	Yes

Name	Address	Organisation
Marie Walley	Unit 1, 31 Victoria Street	Gnaala Karla Booja
Tina Hayden	Unit 1, 31 Victoria Street	Gnaala Karla Booja
Montana Collard	Unit 1, 31 Victoria Street	Gnaala Karla Booja
Jennifer Ford	Unit 1, 31 Victoria Street	Gnaala Karla Booja
Roslyn Indich	Unit 1, 31 Victoria Street	Gnaala Karla Booja
Shirley Viti	Unit 1, 31 Victoria Street	Gnaala Karla Booja
Charne Hayden	Unit 1, 31 Victoria Street	Gnaala Karla Booja
Trevor Walley	Unit 1, 31 Victoria Street	Gnaala Karla Booja



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