

**REPORT ON AN ABORIGINAL HERITAGE SURVEY -
WORK AREA CLEARANCE – OF THE
TRIUMPH PROJECT AREA
IN THE EASTERN GOLDFIELDS,
IN WESTERN AUSTRALIA.**

For

NEXUS MINERALS LTD

February 2015

**Daniel M de Gand – Anthropologist
of
Daniel de Gand & Associates Pty Ltd**

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ABSTRACT

This Report details the results of an Aboriginal *Work Area Clearance* Heritage Survey (the Survey) conducted over the Triumph Project Area for Nexus Minerals Ltd. The Triumph Project Area are located near Lake Raeside, north east of Kalgoorlie, in Western Australia. The Survey was conducted between Tuesday 2nd December and Thursday 4th December 2014, with Aboriginal Heritage Consultants of the Central East Native Title Claim Group (WC99/30). The Survey was designed to fulfil Nexus Minerals Ltd statutory obligations under the *Aboriginal Heritage Act 1972 (WA)* (the Act). Aboriginal Heritage Consultants were involved in all aspects of the Survey.

ACKNOWLEDGEMENTS

The Author would like to acknowledge the following people in this Report:

- The Aboriginal Heritage Consultants of the Central East Native Title Claim Group (WC 99/30); Dennis Forrest, Fabian Tucker





Plate 1: The Central East Group Survey Team (L to R) Fabian Tucker, Callum Forest, (unknown), Ivan Forest and Dennis Forest.



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EXECUTIVE SUMMARY

This Report details the results of an Aboriginal *Work Area Clearance* Heritage Survey (the Survey) conducted over the Triumph Project Area for Nexus Minerals Ltd. The Triumph Project Area consists of Tenements E31/819, E31/820, P31/1960, P31/1961, E31/1962, E31/1963 and P31/1964. Daniel de Gand - Ethnographer of *Daniel de Gand and Associates Pty Ltd* conducted the Survey that was designed to fulfil *Nexus Minerals Ltd* statutory obligations under the *Aboriginal Heritage Act 1972 (WA)* (the Act). Aboriginal Heritage Consultants of the Central East Group were involved in all aspects of the Survey. The Heritage Assessment of the Triumph Project Area included archival (desktop) research at the Department of Aboriginal Affairs (DAA) and a Field Survey and Consultation with Aboriginal Heritage Consultants of the Central East Group conducted on the Triumph Project Area. The Results and Recommendations of the Heritage Assessment are as follows;

1. It is **recommended** that *Nexus Minerals Ltd* be advised that there are no previously recorded Aboriginal Sites located on Tenements E31/819, E31/820, P31/1960, P31/1961, E31/1962, E31/1963 and P31/1964 (see *Appendix One*).
2. It is **recommended** that *Nexus Minerals Ltd* can conduct their Proposed Works within the Triumph Project Area as required.
3. It is **recommended** that *Nexus Minerals Ltd* its staff and contractors are advised that Aboriginal artefacts may occur within their tenements and that care should be taken during the Proposed Works to avoid these as they may constitute Aboriginal archaeological and/or ethnographic sites to which the *Aboriginal Heritage Act 1972(WA)* applies.
4. It is **recommended** that should *Nexus Minerals Ltd* during any stage of the implementation of the Proposed Work Program come upon material or sites

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of cultural significance (Aboriginal Site) that were not identified during the Survey, all work in the vicinity of this Aboriginal Site must come to a halt and the location of the Aboriginal Site noted and representatives of the Aboriginal Heritage Consultants and other relevant parties, such as the DAA, notified. The Aboriginal Site must remain undisturbed until such time that heritage clearance of the relevant parties is obtained. If human remains or skeletal material are discovered or unearthed during the implementation of *Nexus Minerals Ltd* Proposed Works, the WA Police and the DAA need to be contacted.

5. It is **recommended** that if *Nexus Minerals Ltd* intends to extend or alter their Proposed Works and/or Project Areas (from those stipulated in this Report), then these should be discussed, prior to any ground disturbing activity, with representatives of the Aboriginal groups that speak for this area and further heritage surveys conducted where deemed necessary.
 6. It is **recommended** that *Nexus Resources Ltd*, their agents and their subcontractors who are involved in the implementation of the Work Program are made aware of the contents and the recommendations of this Report and of their statutory obligations under the Aboriginal Heritage Act (1972).
 7. It is **recommended** that *Nexus Minerals Ltd* consider the implementation of an AHMP plan in order to ensure consistency in their heritage policies and the management of Aboriginal cultural material.
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SECTION ONE- INTRODUCTION AND BACKGROUND DATA

This Report details the results of an Aboriginal *Work Area Clearance* Heritage Survey (the Survey) conducted over the Triumph Project Area for Nexus Minerals Ltd. The Triumph Project Area consists of Tenements E31/819, E31/820, P31/1960, P31/1961, E31/1962, E31/1963 and P31/1964.

The Triumph Project Area are located near Lake Raeside, north east of Kalgoorlie, in Western Australia. The Survey was conducted between Tuesday 2nd December and Thursday 4th December 2014, with Aboriginal Heritage Consultants of the Central East Native Title Claim Group (WC99/30).

The Survey was designed to fulfil Nexus Minerals Ltd statutory obligations under the *Aboriginal Heritage Act 1972 (WA)* (the Act). Aboriginal Heritage Consultants were involved in all aspects of the Survey.

Daniel de Gand - Ethnographer of *Daniel de Gand and Associates Pty Ltd* conducted the Survey.

The objectives of the Heritage Assessment of the Triumph Project Area were to:

- Conduct a desktop assessment at the Department of Aboriginal Affairs' Heritage Information System in order to identify any previously recorded Aboriginal Heritage Sites and/or Heritage Places located on Tenements E31/819, E31/820, P31/1960, P31/1961, E31/1962, E31/1963 and P31/1964.
- Examine the designated Triumph Project Area by means of a Field Survey to locate any new Aboriginal Heritage Sites and/or Heritage Places, as defined by *Section 5* of the Act;
- Provide descriptions of any Aboriginal Heritage Sites and/or Heritage Places located on the designated Triumph Project Area, (if applicable);

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- Recommend avoidance and/or management strategies of any Aboriginal Heritage Sites and/or Heritage Places located on the designated Project Area, (if applicable).

PERSONNEL

The following people and organisations participated in the Survey.

de Gand Pty. Ltd.

Daniel de Gand: Ethnographer

Aboriginal Heritage Consultants of the Central East Native Title Claim Group (WC99/30).

- Dennis Forest
- Ivan Forest
- Fabian Tucker
- Calum Forest

ENVIRONMENTAL BACKGROUND

Climate

The Triumph Project Area are located firmly within the current arid zone and has a climate characterised as semi desert Mediterranean with hot summers and warm winters. Rainfall is therefore rather low with an average of 255 mm annually. Evaporation is high with rates averaging at 2200mm per annum (Hall and Newby 1993:7). Rainfall can be described as having a tendency to be non-seasonal (Hall and Newby 1993: 7; Beard 1975: 12-13). Winter months (May to August) record 8 rain days per month. The summer months record 3.6 rain days per month. Winter rainfall is generally the result of cold frontal activity, whereas the summer falls generally result from localised thunderstorm activity.



Daily temperatures range from an average January high of 33.7 C to a July low of 25.2 C, with corresponding minima of 18.3C and 5.0C respectively. The general humidity in the area ranges from 76% in July to 22% in December (Dames and Moore 1992).

Geology, Geomorphology and Topography

The Triumph Project Area are within the Yilgarn Geological Block, an Archaean/Proterozoic feature composed of granite and gneissic rocks. During the Eocene marine transgression, Archaean/ Proterozoic granites and gneiss bedrock were eroded flat. The eroded granite and gneiss were then covered with tertiary soils (Hall and Newby 1993: 9). A large belt of greenstone, formed during the Archaean, is located to the west of Lake Raeside, Lake Lefroy, Lake Cowan and Lake Dundas. This greenstone belt was eroded and outcrops now as low hills and ridges with colluvial flats (Hall and Newby 1993: 9).

Surface Hydrology

The low rainfalls and the porous sands of the region result in an intermittent and internal drainage pattern. Streams flow only after very heavy rain and are either absorbed or drain into clay or saltpans, which forms chains over extinct river channels. Many of the flood channels in the area terminate in extensive salt flats and playa lakes. Many of the tributary creek channels around these lakes lose definition in the surrounding low-lying areas of sheet wash alluvium. (Beard 1981)

Vegetation

The Triumph Project Area are located within the South West Interzone (Beard 1975). This zone is an intermediate region with elements of Eremaean and South Western Botanical District vegetation. The Biological Survey of the Eastern Goldfields has used a standard mapping format describing a number of Landscape Units (Newby and Hnatiuk 1984). The Project Area is situated in a Landscape Unit that is characterised by a number of soil and bedrock types. Raised colluvial flats and ridges with shallow calcareous earths are vegetated by mixed low woodland that is characterised by *Eucalyptus Lesouefii*, *E. oleosa*, *E. dundasii*, over *Melaleuca pauperflora*, and *Eremophila scoparia*. The vegetation grades



into *Atriplex vesicaria* with scattered clumps of *Eucalyptus salubris* over *Cratystylis conocephala* in the heavier valley soils (Hall and Newby 1993: 27).

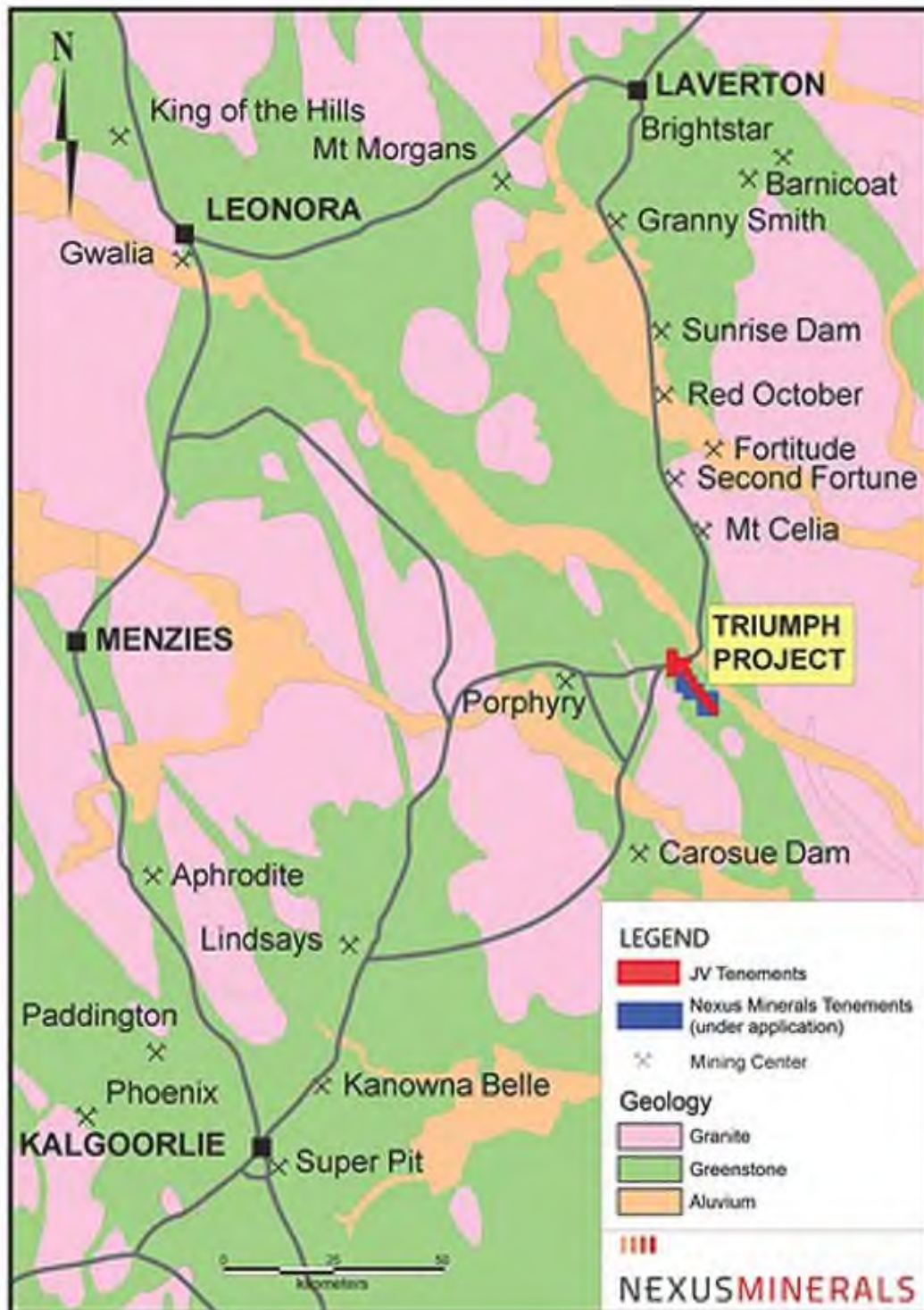
Fauna

The Project Area lies in the transition zone between the mesic South West and the Eyrean (arid) zoographical regions. This region is characterised by high species richness owing to a great variation in environmental units and flora changes. Woodlands, dominated by *Eucalyptus* spp. is the most common landscape unit in the region. This landscape provides varied and rich environmental niches for a range of different bird, mammal and reptile species. The large eucalypts provide habitats for arboreal fauna such as the *Oedura reticulata* (Gecko) and *Cercarterus concinnus* (Pygmy Possum), with leaf litter and decaying logs on the woodland floor providing habitats for skinks, geckos, legless lizards, burrowing frogs, and mammal species such as *Sminthopsis* spp. Eucalypt woodland with hummock grasslands such as *Trioda scarosa* provides habitats for species such as *Ningani* spp. And *Sminthopsis* spp.

THE PROJECT AREAS

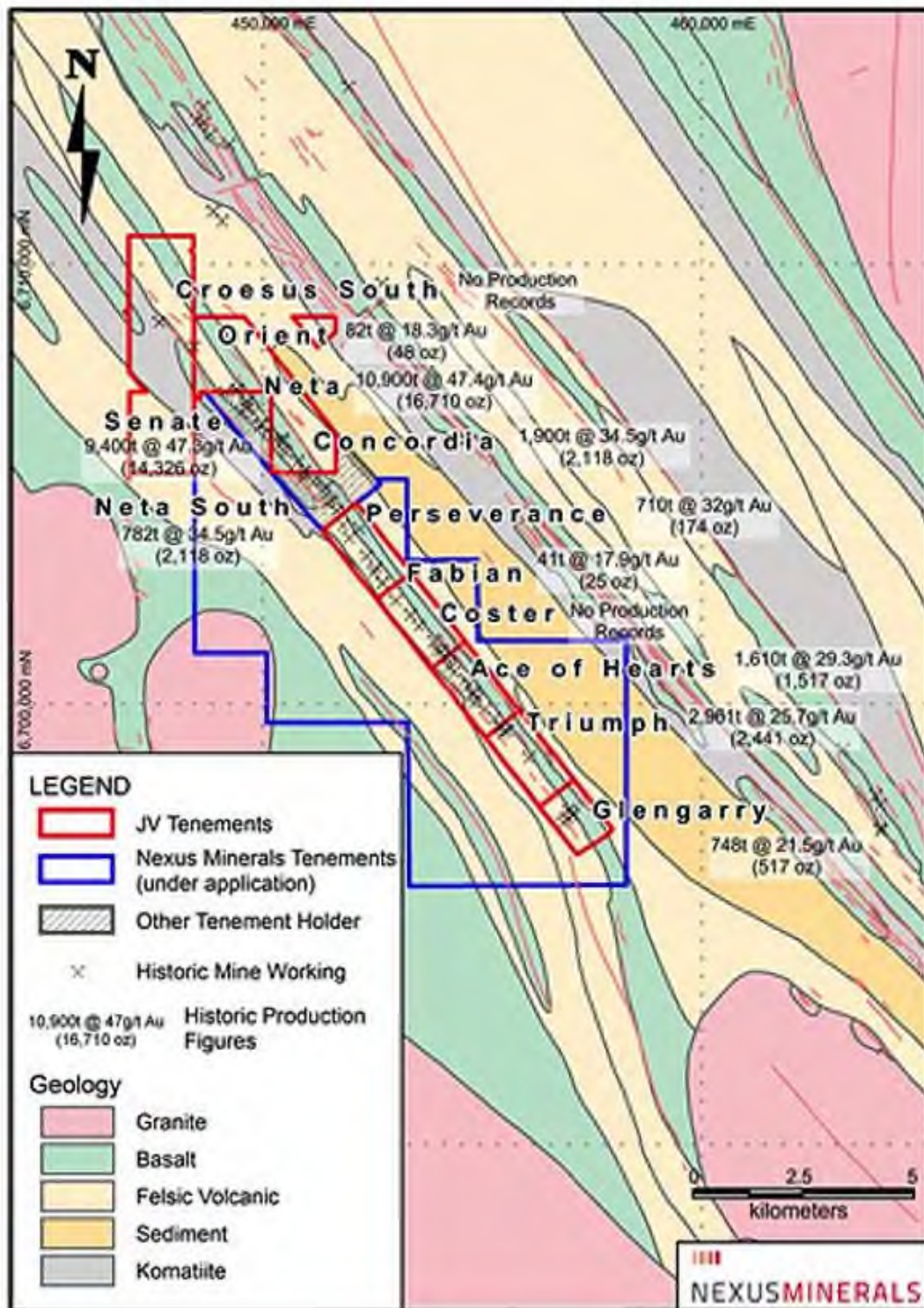
The Triumph Project Area covers an area of historic gold mine workings with a mineralised structure of approximately 16km. The Triumph tenements cover 13km. The area was extensively mined between 1897 and 1921, with recorded production of 8,100t @ 24.5g/t gold from one section of the workings and 22,168t @ 46.4g/t gold from another. The deepest shaft in the area is 150m deep. There has been very limited exploration undertaken on the tenements since the turn of the century, and only in the search for shallow oxide gold potential during the late 1980's / early 1990's. The limited amount of drilling that has taken place has yielded significant gold results. There are only 5 holes drilled which are deeper than 80m, with the deepest being 160m. A number of historic mine workings, and more recent results from limited auger soil sampling and broad spaced shallow RAB drilling on the northern area of the Triumph Project Area also confirmed the strike extension of the mineralised structure.





Map 1: General Location of the Triumph Project Area





Map 2: Triumph Project Area and associated Tenements (in Red).



ETHNOGRAPHIC BACKGROUND

PREVIOUS ETHNOGRAPHIC BACKGROUND RESEARCH IN THE REGION

There is scant ethnographic information about the pre-European contact social and cultural organisation of the Aboriginal groups belonging to the region of the Triumph Project Area. Existing information about Aboriginal groups of the region of the ethnographic assessment is generally limited to the ethnocentric observations and summary notes of colonial administrators and government officials such as those of Travelling Inspectors of Aborigines, Native Welfare and police officers. By the time professional ethnographic research was conducted in frontier regions of Australia, European impact had already altered the social and cultural fabric of traditional Aboriginal society in those regions.

Early anthropologists, such as Daisy Bates who conducted interviews and fieldwork in the Goldfields region early in the twentieth century, stated that the integrity of the social and cultural organisation of Aboriginal people was so fundamentally affected by European impact, that at the beginning of the 20th century there were but '*few remnants of traditional Aboriginal society*' (Bates 1985).

Some of these early observations of the colonial administrators, and others, at the frontier regions did shed some light upon the social and cultural organisation of Aboriginal groups at the time of contact in the context of subsequent professional historical, linguistic, archaeological and anthropological research that was, and is, conducted in Australia. Such professional research has also allowed for the development of anthropological models of traditional Aboriginal society.

This section entitled *Ethnographic Background* begins by addressing the region of the Triumph Project Area as a culturally and socially distinct constellation of



Aboriginal groups which is referred to as the *Western Desert Cultural Bloc*. A brief description is given of anthropological models pertaining to the local organisation, or, the ways in which the Aboriginal groups traditionally related to land, of Aboriginal groups, which belong to the *Western Desert Cultural Bloc*.

With regard to the region of the Triumph Project Area there are two traditional Aboriginal Groups which ancestral areas are closely related to this region. These groups are the *Ngadju* and the *Tjeradidjal* Aboriginal groups and affiliated groups that have strong cultural connections to the Western Desert and reside in Coonanna Aboriginal Community.

The ‘Western Desert’

Ethnographers who conducted ethnographic research in Western Desert regions have identified similarities in the organisational, linguistic and socio-cultural aspects of Western Desert Aboriginal groups to such an extent that it can be said that the Aboriginal groups of the Western Desert region belong to a *Cultural Bloc* (Berndt 1980:7, 8, 11).

Recent primary and secondary research has confirmed the *Tjeradidjal* groups’ and their affiliates as having strong cultural and linguistic affiliation to the *Western Desert Culture Bloc* ((Berndt (1959:88), Berndt (1980), Tindale (1974:143), de Gand (2000); de Gand & Vachon (2001)).

The *Western Desert Culture Bloc* ‘model’ of Aboriginal groups in Western Desert regions of Australia involves principles of local organisation, size of the family group and bands, occupational orbits, the significance of cultural knowledge during transmigration, knowledge of the cultural geography specific to the group, social organisation, types of food, knowledge of mythological landmarks, socio-cultural responses to environmental factors such as climate, geomorphology, topography, surface hydrology, vegetation and fauna, and language.



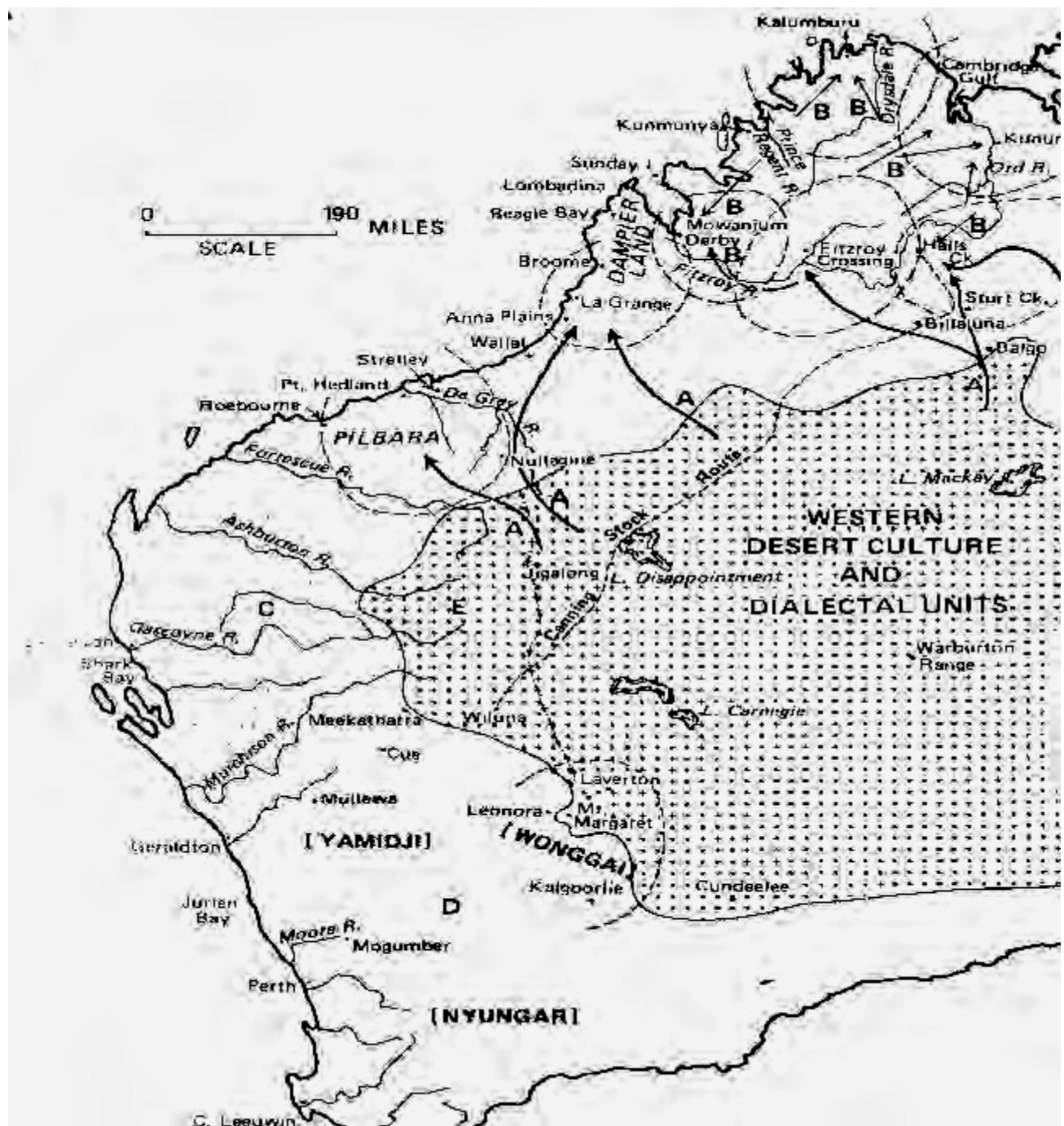
Local organisation refers to the ways in which Aboriginal people and groups relate to land. The nature of traditional local organisation is at the present difficult to determine, however, notions of local organisation is crucial when considering claims made by Aboriginal people with regard to land ownership. To understand the contemporary situation of Aboriginal groups on Western Desert fringes, it is necessary to examine issues such as tribes, socio-DAA lectical units, land tenure, migration, dislocation, and the rights and the responsibilities of owners and custoDAA ns. A number of researchers such as, Norman B. Tindale, Ronald and Catherine Berndt, Robert Tonkinson, Richard Gould and Frederic Meyers have commented on these aspects of Aboriginal society in the Western Desert. The anthropological models these researchers propose in respect of the Western Desert fringes will be briefly illustrated.

Ecological factors, patterns of aggregation and dispersal

Norman B. Tindale (1976) discusses a causal link between social factors, cultural factors, the environment, and the physical needs for survival (Peterson 1976: 2; Anderson 1988: 143). Tindale (1976) saw Aboriginal *tribes* as amenable to physiographical definition and considered ecological factors as pre-eminent in determining the size and nature of tribes and the area of their territories (Tindale 1976: 14, Anderson 1988: 142).

Tindale also contends that the food resource levels and the water supplies are the most significant factors in human patterns of aggregation and dispersal (Tindale 1974: 31, 35, 62, 114). Tindale (1974: 236) further states that territorial limits 'are usually at places least likely to sustain life for long periods of time'. Tindale's *Tribal Map of Australia* (1974) has clearly defined boundaries among desert Aboriginal people. The names on his map indicate defined territorial boundaries suggesting discrete tribes that, according to Tindale, imply a clear territorial identity (1974).





Map 3: Traditional Cultural Variations and socio cultural movement (Berndt 1980).



‘Cultural and Linguistic Blocs’, Permeable Boundaries and Socio-cultural Interaction.

In contrast to Tindale, Ronald and Catherine Berndt (1959: 91) contend that Western Desert Aboriginal groups *‘are not “tribes”*, that there are no strict boundaries, that movement was relatively frequent, and what researchers are faced with is *‘a cultural and a social bloc’*. Rather than using Tindale’s concept of *‘tribe’*, *as a clearly bounded, basic social and spatial unit of traditional Aboriginal society’* (Peterson 1976: 1), Ronald Berndt speaks of a *‘cultural bloc’* (Berndt 1959; 1980). Berndt further remarks that using the notion ‘tribe’ *‘suggests a hardening effect in relation to the unit’s boundaries’*. Instead of using the notion of ‘tribe’, Berndt proposes the use of *‘language buffers or barriers’*, *which implies permeability*, and communication between contiguous units, which are in reality partially separate but also partly overlapping *‘spheres of communication’* (Berndt 1976: 134).

Berndt (1959: 102) notes that differences in DAA lect are the primary factor in distinguishing Aboriginal groups. Consequently, because these groups speak a specific DAA lect and are land possessing, there is a territorial perspective. However, Berndt states that these DAA lect groups are not to be equated with Tindale’s concept of *‘tribe’* because *‘DAA lect’* is, according to Berndt, *‘incidental’* (Gould 1969: 271). DAA lects were sufficiently distinctive from each other to distinguish between groups and hence connect specific stretches of country to particular Aboriginal groups.

With regard to language in the Western Desert regions, Berndt (1980), states that the Western Desert Aboriginal groups shared one language complex. He further noted that economic, social and cultural interaction between groups in the region was common. Berndt (1980) indicates that because of this economic, social and cultural interaction between Aboriginal people belonging to the *Western Desert Bloc* (1959:84), people have been and were still - in 1959 at the time of Berndt’s fieldwork in the region - spreading north-west, west, south, and south-west.

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This is consistent with Tindale's proposition (1974) of a westward movement of Aboriginal groups in the south-western part of the Western Desert.

Significantly, Berndt (1980: 7) states that a westward movement occurred long before European settlement in the region. However, because of the establishment of settlements on the desert fringe areas such migratory movements gained considerable momentum. Because of this movement towards the desert fringes, cultural differentiation between the groups of the Western Desert Bloc further diminished as these groups recognised their DAA lectical, social and cultural affiliations (Berndt 1980).

Domain, Estate and Range

Ronald Berndt (1959: 102) uses W.H. Stanner's concept of *estate* as the territorial anchorage of families. According to Stanner (1965: 2), *estate* is the traditionally recognised locus (*country, home, dreaming place*) of a descent group forming the core of the territorial group. This, however, does not prevent them from temporarily foraging and visiting distant areas near the *estates* of other people, usually those of wives and/or in-laws. This temporary foraging beyond ones *estate* concurs with Stanner's concept of *range*, which was the tract over which the group ordinarily hunted in order to ensure subsistence. Both *Estate* and *range* constitute a *domain* that is the ecological life space of the group.

Stanner's notions of *estate* and *range* remain useful concepts in regards to Aboriginal territoriality (Tonkinson 1974; Gould 1969; Berndt 1959). In particular, the notion of *range* suggests flexibility and permeability between territorial boundaries. However, under all circumstances each Aboriginal maintains proprietary rights to their *estate* as an intrinsic part of their identity, even when temporarily foraging in a *range* different from that surrounding their *estate* (Gould 1969:268). It is clear that Berndt suggests a much less exclusive group membership than Tindale which is a proposition that is confirmed by most



recent studies (Berndt 1976; Christensen 1980; Myers 1986; Tonkinson 1978; de Gand 2000; de Gand/Vachon 2001).

Risk Minimisation through Reciprocal Rights in Territories other than one's own.

More recent ethno-archaeological research conducted by Richard Gould indicates risk minimisation as one of the most important adaptive processes amongst the Aborigines of the Western Desert (Anderson 1988: 136, 137). In this regard, Gould's 'model' (1982) stresses a functional relationship between socio-cultural institutions and ecological variables. For example, Gould (1969) argues that ceremonies have utilitarian functions by inculcating discipline in the initiate and facilitating the learning of sites' names that are associated with waterholes. Hence, according to Gould (1969), Aboriginal ceremonial life is not dissociated from the practicalities of ensuring subsistence.

Gould (1969) also notes the importance of *range* as intrinsic to risk minimising behaviour and he considers *sharing behaviour* as a way of *minimising risks in an inherently risky environment* (Gould 1982: 73). Thus, Aborigines establish and maintain a kin-sharing network over long distances that enable people to move freely to favoured areas during drought. Similarly, exogamous marriages are, according to Gould, instrumental in establishing reciprocal usage rights in territories other than one's own (Anderson 1988: 136).

The Social Emphasis on Mobility

As noted, to avoid the connotations of the term 'tribe', the terms linguistic/DAA lectic units or socio-DAA lectic groups are often used by researchers. However, these terms are also not entirely adequate. Other important aspects which affected local organisation of Western Desert Aboriginal groups such as the use of multiple DAA lects were also the norm. Robert Tonkinson (1989) notes that the contemporaries between DAA lect, country and people originated in the Dreamtime. A specific DAA lect is related to particular territory regardless of



what the people actually speak on the ground. People are linked to certain places not only through a particular language, but also through a range of affiliations such as, marriage, descent, totemic connection or whatever other affiliatory connection that is recognised (Myers1986).

Tonkinson states that the linguistic unit was named based on the DAA lect that was spoken by its members and was composed of several connected groups related by marriage. Such a group occupied a specific area with known, but not precisely defined borders (Tonkinson 1974: 18). He also suggests that the social emphasis was on mobility, flexibility and permeable boundaries between groups with a resulting lack of exclusiveness in-group membership (Tonkinson 1978; 1989).

More recent studies of Western Desert people in Goldfields towns which were conducted by Will Christensen indicate that there is a continuous contradiction in Western Desert groups between parochialising tendencies and mutual dependencies in the form of networks of interdependence, through marriage, kinship and ritual. Christensen also refers to the fact that local group or *tribal* names are now not commonly used, as there is a tendency to use portmanteau labels such as *Wongi*, *Yamadji*, or *Nyungar*. These and other terms, such as *Jigalong mob* or *Mt. Margaret mob*, have implications for land tenure. On a local level, Christensen (1990: 5) reports, each group had its own relatively delimited social and geographic horizons with intense loyalties concentrated within a narrow range.

This importance of localism has also been pointed out by Basil Sansom, who states that what Aboriginal groups have in common is a tendency to gravitate to the local, the particular and the familiar. Sansom (1982: 135-137), points out that traditional and contemporary Aboriginal society is small scale and that: ‘...the Aboriginal commonality is at once an extensive and distributed sharing in understanding, and a limited and constricted vision of those others who may be



admitted to one's own known world made up of trusted and established persons'. Frederic Myers (1986:60), in relatively recent studies in remote Western Desert regions, uses, what he calls '*the geographically based narrative*' as a way of classifying '*places into potentially larger systems*'. He explains that such '*systems*' establish; '*...a framework for the theory and the politics of 'ownership' in which claims about rights may be based on the geographical continuity of a single Dreaming*'. However, Meyers (1986:60) is careful to note that such systems of geographically based narratives are not immutable but are until the present day, reworked and recreated systems of stories which constitute '*a changing political charter of who and what are identified at different levels*' (Myers 1986:60).

On a societal level this results in 'landownership' being dependent upon members of the group knowing the cultural traditions and mythology (i.e. The Dreaming) that is specific to the places that make up 'country'. Yet determining who 'holds the country', and hence 'speaks for the country', transforms persons and arranges these persons within the group into an enduring 'structure' (Myers 1986:127,128) (Sansom 1980:20). This 'structure' is also open to change as the identification and the standing of persons who know cultural traditions and mythology (i.e. senior men and woman) is an ongoing process that is dependent on claim and counterclaim and upon validation and acceptance or non-validation and non acceptance.

Frederic Myers (1986) suggests that definite social boundaries between groups are generally very difficult to establish. This is so because when 'country' is described and discussed by members of a group, the 'places' those members might refer to as being part of 'their country' are likely to be similar but they will not be identical. However, living together as a group is an assertion of identity and unity, and such an assertion of identity and unity is based upon sharing cultural tradition and mythology, and as a consequence 'country'.



Even though the rights over places (such as sacred sites) are acquired through political activity, as briefly discussed above, claims to belonging to a 'place', or for referring to a place as one's own can be made for a number of reasons. Myers (1986) suggests the following possibilities for such claims;

1. Conception at a place (A);
2. Conception at a place (B) made by and/or identified with the same Dreaming as (A);
3. Conception at a place (B) whose Dreaming is associated mythologically with The Dreaming at (A);
4. Initiation at (A)(For a male);
5. Birth at (A);
6. Father conceived at (A), or conditions 2-5 apply for the father;
7. Mother conceived at (A) or conditions 2, 3, or 5 apply for the mother;
8. Grandparents (*Tjammu*, *Kaparli* including all kin types so classified) conceived at (A) or conditions 2-5 apply;
9. Residence around (A);
10. Death of a close relative at or near (A);

Such extended relationships require ways of establishing relatedness within a region, and ways of maintaining this relatedness. This occurs by means of established social processes, such as initiation ceremonies, which involves 'giving' of wives and which results in subsequent enduring reciprocal relationships, affinity and responsibilities between the parties involved. Myers (1986:229) relates how 'initiation' is part of a larger social process that helps reduce 'difference' and 'distance' between groups, and how; *'The symbolic action of the initiatory process, prescriptively including people from 'far away', converts difference in relatedness'*.

Hence, identification with 'country', or 'claims to country' refers to an entire set of possible relationships that can be asserted by a person, between himself or herself and 'country'. Myers (1986) notes that because of the multiple bases upon which country can be 'claimed', land holding groups are essentially bilaterally

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descending kin relations. Group membership in the Western Desert is, because of this type of kin relations, very extensive and makes 'groups', as such, very difficult to determine and for fluid boundaries between groups.

Aboriginal Groups in the region of the Triumph Project Area

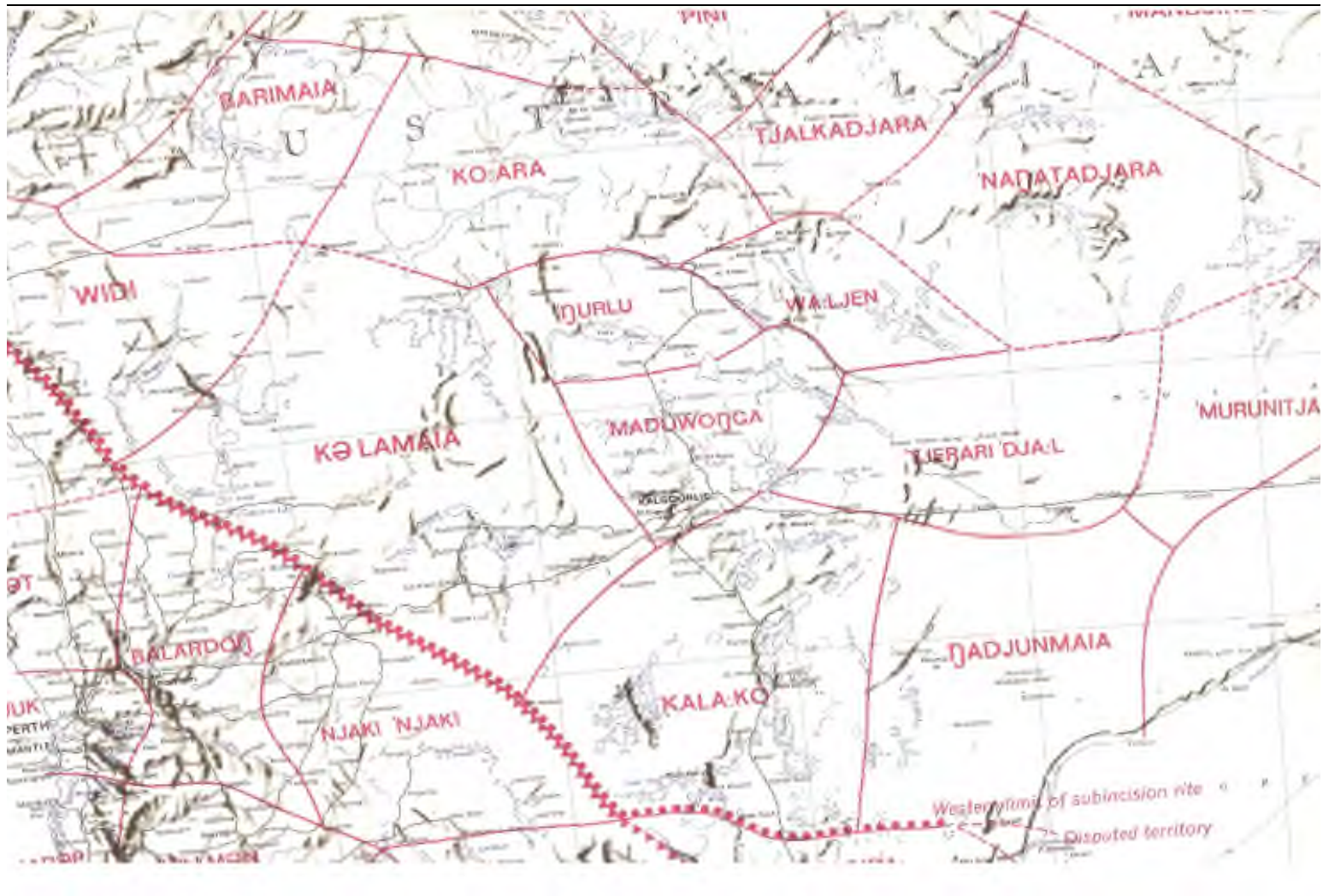


Map 4: Region of the Triumph Project Area

The region of the Project Areas has been associated with two Aboriginal groups. According to previous research in the region these groups are the *Ngadju* and the *Tjeradidjal* and affiliated Aboriginal groups.



Tindale places these groups in the region of the Triumph Project Area as follows;



Map 5: Region of the Triumph Project Area according to Tindale

Central East - *Tjeraridjal*

The area, which is claimed by the Central East Native Title Claim group, is according to Tindale associated with the ancestral areas of the *Tjeraridjal* people. Specifically Tindale places the *Tjeraridjal* as follows;



At Queen Victoria Spring, n.n. ['Mun:u'runa] also called ['Kaluru]; west to about Kurnalpi, Lake Yindarl-gooda, Piniin, and Karonie; on Ponton and Goodard creeks; east to near Naretha on the edge of the treeless Nullarbor Plain. Southern boundary is a little farther south than shown on the 1940 map. Northeastern boundary shown only approximately as at ['Kapi Kirkela] and ['Tjikarunja], native places not yet fixed. Serventy traversed some of their country and gives details of the ecology.

Tindale has fairly rigid boundaries around the territories associated with certain groups. However subsequent and more recent research in the Western Desert by Berndt, has indicated that such boundaries are in fact fluid. Through cultural practices particular to the Western Desert, such as initiations and associated wife giving and subsequent extension of kin, the notion of having specific boundaries between groups has been reduced in relevance. In addition, linguistic similarities between groups facilitated mobility and interaction between groups.

Recent research in the Western Desert consolidates some of the previous researchers' observations and findings about the regions' widely flung Aboriginal groups in the arid interior of Australia regarding their laws their customs and their language. Recent research not only finds that these groups are part of the 'Western Desert cultural bloc', but also consolidates Berndt's findings regarding a cultural basis for a regional system within this 'bloc' and the indigenous means by which individuals come to identify with this system and acquire an interest in it. (de Gand (2000); de Gand & Vachon (2001))

High mobility in response to local or regional environmental conditions does not mean random wandering in order to alleviate stress put upon tribal groups, bands or small family groups by lack of resources. Rather, movement within a region would have relied on kinship ties, past relationships formed during ritual



gatherings, knowledge of resources over a large area and common beliefs and ideas. Data gathered during recent primary and secondary research shows that the previous occupiers and the Aboriginal heritage consultants shared laws, customs and knowledge of the cultural geography of country extended over very large areas. At the present the breadth of many senior claimants genealogical knowledge is extensive as is the number of people to whom they assert a kinship relationship. In regards to ceremonial practice Inspector Bailey – The Travelling Inspector of Aborigines – found that in 1897 Aboriginal people in the Goldfields would come together regularly for ceremonial meetings walking up to 160 Km. Such events are still observed in a number of ceremonial centres in the Goldfields such as Wiluna, Laverton, Warburton, Cundeelee, and Coonanna.

The knowledge of country of Western Desert people is extensive. For example Bates' informant *Turada* knew place names, their locations and associated resources. The social history of such places (those named persons connected with these places) and their mythological associations within an area of 14,000 square kms. In 1934 Tindale found that men in Warburton could detail ceremonial Dreaming Tracks which extended over a distance of more than 750 km. For leading experts on Desert Aboriginal such as Tindale and Berndt, ecological factors not only demanded such cultural responses but also provide the explanation for the similarities of laws and customs throughout the Western Desert.

Pre contact Aborigines moved sometimes to the desert margins or to areas with available food and water, as it was an established response to a regular and quite unremarkable cycle of scarcity and plenty. When the conditions improved the distribution of people over the land changed and dispersal took place. However, the social, cultural, and linguistic framework that made movement possible occasionally prompted it without the environmental pressure to do so. Regional ceremonies, distant marriages and exchanges, and post-initiatory travel need not have to be always tied to environmental concerns.



Boundaries between different ‘tribes’ or ‘Cultural Blocs’ are difficult to determine. The locations of these boundaries are sometimes the subject of inter-community disputes. This is also the case in the Coolgardie/Kalgoorlie region. Both Western Desert groups and groups of the Coolgardie/Kalgoorlie region are in conflict with regard to claims of traditional ownership. Anthropological evidence however suggests that despite differences between the ‘Cultural Blocs’, there was, and is, typically exchange, trade, and relationships - including ritual and marriage - between localised groups of different cultural and language areas.

The Post Contact period

The Europeans arrival impacted unintentionally, in the beginning at least, upon the Aborigines’ patterns of occupation. However, the Europeans at the frontier located themselves within the occupational orbits of the Aborigines. Mining camps, towns and settlements were incorporated in pre-contact patterns of occupation. Over time the Aboriginal occupation became increasingly tethered to these centres. Hence, the imposition of European economic, administrative and political structures did not replace the pre-existing indigenous one. A pattern of regular aggregation and dispersal of indigenous groups persisted. This is still the case today where Aboriginal people from different areas regularly come together for regional ceremonies, funerals and other social events; they gather resources widely and it is quite common that Aboriginal people shift their residence within a network of Western Desert communities. This is also the reason why different Aboriginal groups have overlapping affiliations with areas of land within a given region.



ETHNOGRAPHIC SURVEY METHODOLOGY

The Ethnographic Survey component consisted of the following methods.

1. Archival research

The archival research involved a Register search conducted at the Department of Indigenous Affairs (DAA) in order to access site files pertaining to previously recorded sites within the Triumph Project Area and heritage survey reports detailing previous ethnographic and archaeological surveys conducted in the region of the Triumph Project Area. (See *Appendix One*).

2. Consultation with Aboriginal Heritage Consultants who are recognised as being the appropriate people to speak for Aboriginal interests in the region of the Triumph Project Area.

The *bona fides* of the Aboriginal Heritage Consultants who composed the Survey Team and who assisted in all aspects of the ethnographic field survey, were assessed on the basis of their;

- Ancestry to Aboriginal people and Aboriginal families who have longstanding, and documented, connections to the region of the Triumph Project Area.
- Length of residence in the region of the Triumph Project Area.
- Knowledge of country, e.g. through either living or working in the region and/or being told about the region by their ancestors.
- Knowledge of genealogical information of the Aboriginal families affiliated with the region of the Triumph Project Area.
- Knowledge of the oral history of the region of the Triumph Project Area.



- Initiation in traditional Aboriginal Law pertaining to the region of the Triumph Project Area.
- Knowledge of areas within the Triumph Project Area that have mythological, traditional, historical or biographical significance for the Aboriginal people of the region.

Consultation with Aboriginal people also occurred on the basis that those Aboriginal Heritage Consultants who participated in the survey are recognised as the appropriate people to speak for the Aboriginal heritage and Native Title interests in the area by relevant Aboriginal groups such as the Central East Native Title Claim Group, and Aboriginal organisations such as; the *Goldfields Land and Sea Council* and the *Department of Aboriginal Affairs* (DAA).

All the Aboriginal people who were consulted on heritage matters during the Newmont Survey have an interest in the land that comprises the Triumph Project Area . This interest is evidenced by the *ex* Central East Native Title Claim (Registered NT Claim). This Native Title Claim encompassed the Triumph Project Area.

All the Aboriginal Heritage Consultants who participated in the Survey are either applicants, claimants, or are genealogically and/or culturally affiliated with these Native Title Claim Groups. All the Aboriginal Heritage Consultants who participated in the Survey have long-term historical, traditional and ancestral affiliations with the region within which the Triumph Project Area is located. These affiliations have been previously documented by a number of researchers, including the author of this report.

3. Briefing the Aboriginal Heritage Consultants about *Nexus Resources Pty Ltd* Proposed Works on the Triumph Project Area.

Prior to the *Work Area Clearance* Survey, all the Aboriginal Heritage Consultants



were briefed by Daniel de Gand (ethnographer), about *Nexus Resources Pty Ltd* Proposed Works.

Maps were made available to the groups for their use during the field component of the *Work Area Clearance Survey*.

The directions and suggestions from the Aboriginal Heritage Consultants regarding Aboriginal heritage in the region of the Triumph Project Area were recorded in a field notebook. Following the presentation and discussion, a formal ethnographic field survey was conducted.

4. Consultation with the Aboriginal Heritage Consultants during the *Work Area Clearance Survey* of the Triumph Project Area.

After the presentation and discussion of the Proposed Works on the Triumph Project Area, the Aboriginal Heritage Consultants participated in a field survey on Wednesday 3rd December 2015 that was conducted with Aboriginal Heritage Consultants of the Central East Native Title Claim Group.

The Ethnographic Field Survey followed a *Work Area Clearance* methodology as delineated in the *Guidelines for Aboriginal Heritage Assessment in Western Australia (Department of Aboriginal Sites - 1993)*. In this type of survey, the developer provides details of the Work Area to the Aboriginal Heritage Consultants and the ethnographer. The ethnographer then consults with the Aboriginal Heritage Consultants as to whether sections of the Work Area are precluded from the Work Program because of the presence of ethnographic sites on or near the proposed Work Area. No information about the cultural significance of the landscape and the sites is given to the developer. However, such cultural information may be lodged in confidence with the *Department of Indigenous Affairs (DAA)*.



This survey strategy is appropriate at the initial stages of planning a project when the location, nature and extent of impacts on the land need to be defined.

All the Work Areas on the tenements were inspected by four-wheel drive using existing access tracks and drill lines. Areas of specific significance to the Aboriginal Heritage Consultants were inspected on foot by the Survey team. Ethnographic and ethno-historical information about the region of the Triumph Project Area were recorded in a field notebook. Genealogical and biographical information establishing the longstanding associations of the Aboriginal Heritage Consultants to the region of the Triumph Project Area were also recorded.

5. Post Survey meetings.

At the completion of the *Work Area Clearance* Heritage Survey, a debriefing was held with the Aboriginal Heritage Consultants in the field to allow them to formally discuss the recommendations and the heritage management strategies that they provided during the Survey. At the completion of this meeting, the Aboriginal Heritage Consultants acknowledged that they were satisfied with the heritage methodologies utilised during the field component of the Survey and that they had no further comments or suggestions on the results of the field work component of the Survey and the heritage recommendations discussed during the meeting.

ABORIGINAL HERITAGE MANAGEMENT PLAN

An AHMP generally outlines a company's cultural heritage obligations and assets, and identifies any required administrative and physical controls, e.g. policies, procedures, training, monitoring and physical barricading, to ensure appropriate management and protection of any cultural heritage within a work area. Identified controls need to be adequately rolled out to all company and contractor personnel conducting ground-disturbing activities.



Specifically, it is recommended that the *Nexus* AHMP include:

1. Information for operators on identifying archaeological and cultural material;
2. A procedure for operators to be followed in the event that any archaeological or cultural material is identified; and
3. A procedure for identification of skeletal remains.

The following procedure should be followed if *any* person (staff, contractor, sub-contractor or visitor) has reason to suspect the presence of any previously reported non-skeletal archaeological material.

1. If a suspected Aboriginal Site is encountered, work must stop immediately. The area is to be demarcated by non-intrusive methods (e.g. flagging tape, caution tape or bunting) to locate the site and prevent unauthorised entry.
2. The Site Manager (or responsible person) is to be informed immediately. The Site Manager is to contact DAA Heritage and Culture Division Perth or heritage consultant if appointed.
3. The company is to arrange for a suitably qualified archaeologist to conduct an assessment of the potential site or object, in consultation with the relevant Aboriginal communities.
4. Details of the potential site are to be recorded on a DAA site recording form and a report prepared on the assessment of the site. Both are then to be submitted to DAA.
5. Any mitigation recommended as a result of the assessment may require Section 18 consent under the AHA.
6. Any mitigation activities should be conducted by a suitably qualified archaeologist in consultation with the relevant Aboriginal communities.

If any person has reason to suspect the presence of *human skeletal remains*, the following process must be followed. (See also <http://www.DAA>



[.wa.gov.au/Heritage--Culture/Heritage-management/Aboriginal-SkeletalAncestral-Remains/#Procedures](http://www.wa.gov.au/Heritage--Culture/Heritage-management/Aboriginal-SkeletalAncestral-Remains/#Procedures)).

1. If suspected human skeletal material is located, work must stop immediately. The area is to be demarcated by non-intrusive methods (e.g. flagging tape, caution tape or bunting) to locate the site and prevent unauthorised entry.
2. The Site Manager (or responsible person) is to be informed immediately.
3. The Site Manager is to contact the Police and the Registrar of Aboriginal Sites at DAA.
4. The Police will investigate the remains as soon as possible. The Registrar will liaise with the Police to ensure that the minimum amount of disturbance takes place before determination of whether the remains are of Aboriginal origin and not a matter for further police involvement.
5. Upon notification that the remains are of Aboriginal origin and not a matter for further police involvement, the Registrar will seek the immediate involvement of relevant Aboriginal people.
6. The Company will develop an appropriate action plan for the management of the remains, in consultation with relevant Aboriginal people and the Registrar.
7. The Registrar will ensure that the burial place is recorded and placed on the Register of Aboriginal Sites and is reported to the Commonwealth Minister for Indigenous Affairs, in accordance with the legal requirements under the *Aboriginal and Torres Strait Islander Protection Act 1984*.

If *Nexus* wishes to carry out further development activities on the location after a site has been located, Section 18 consent under the AHA is required.

Applicable Legislation

Relevant legislation for the purpose of this Aboriginal Heritage Survey includes:

1. Western Australian *Aboriginal Heritage Act 1972*;

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2. Commonwealth *Aboriginal and Torres Strait Islander Heritage Protection Act* 1984;
3. Commonwealth *Environment Protection and Biodiversity Conservation Act* 1999.

The WA *Aboriginal Heritage Act* 1972 (the AHA) provides automatic protection for all places and objects in Western Australia that are important to Aboriginal people because of connections to their culture. These places and objects are referred to as Aboriginal Sites. *Section 5* of the AHA defines the places to which it applies as:

1. 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;
2. Any sacred, ritual or ceremonial site, which is of importance and special significance to persons of Aboriginal descent;
3. Any place which, in the opinion of the Aboriginal Cultural Material Committee (the Committee), is or was associated with the Aboriginal people and which is of historical, anthropological, archaeological or ethnographic interest and should be preserved because of its importance and significance to the cultural heritage of the State;
4. Any place where objects to which this Act applies are traditionally stored, or to which, under the provisions of this Act, such objects have been taken or removed.

Under *Section 17* of the AHA, it is an offence to:

1. Excavate, destroy, damage, conceal or in any way alter any Aboriginal site;
2. In any way alter, damage, remove, destroy, conceal, or deal with in a manner not sanctioned by relevant custom, or assume possession, custody or control of, any object on or under an Aboriginal site;



Unless it has been authorised by the Registrar of Aboriginal Sites under *Sections 16 or 18* of the AHA, the Commonwealth *Aboriginal and Torres Strait Islander Heritage Protection Act* 1984 protects places of significance to Indigenous Australians and is administered through the federal Department of Environment, Water, Heritage and the Arts. The AHA offers protection for significant places or objects through ministerial decision. Aboriginal people who believe that a place or object is threatened and that state government processes offer inadequate protection can apply to the Australian Government Environment Minister to protect the place or object.

The Commonwealth *Environment Protection and Biodiversity Conservation Act* 1999 protects the environment, particularly matters of National Environmental Significance. It streamlines national environmental assessment and approvals processes, protects Australian biodiversity and integrates management of important natural and cultural places.

ABORIGINAL SITE RECOGNITION

A distinction is often drawn between relatively dense, localised concentrations of archaeological material and the sparsely distributed archaeological materials that usually surround them. The relatively sparse scatter of stone artefacts is usually known as the ‘background scatter’, while concentrations of artefacts are termed ‘sites’. For the purposes of this Survey, an archaeological ‘site’ is defined as a concentration of artefacts that contains greater than five (5) artefacts, which has an artefact density of greater than 0.2 artefacts/m².

On the basis of previous Aboriginal heritage surveys in the region, a number of different types of Aboriginal sites were expected to be encountered within the Project Areas. Definitions of these sites are as follows:

Artefact scatter refers to locations where a range of activities have occurred such as the manufacture and maintenance of tools and the processing of foods. These



sites will often contain a wider range of lithic materials than quarries and knapping floors.

Camp refers to a location that may have associated stone artefacts or may be a historic camp with evidence of post-contact settlement such as star pickets, wire, tin cans, glass, Government Wells and old car bodies. Campsites may have an associated traditional name.

Ceremonial refers to a location where Aboriginal people practice or continue to practice traditional ceremonies. Ceremonial sites usually have an associated traditional name.

Gnamma hole/water source refers to a natural or artificial rock cavity, which holds water after rain or is linked to the water table. Gnamma holes may have an associated traditional name. A water source may be a pool in a creek.

Modified tree refers to a tree, which has trunks and/or limbs that have been modified by the removal of bark and/or wood. Aboriginal people removed wood and bark for material items such as shields and baskets or to access native honey inside hollows in the tree.

Mythological refers to a location where Aboriginal people have knowledge in story and or song about the activities of their Ancestral Beings. Mythological sites usually have an associated traditional name.

Named locality usually refers to a creek, Section of river or other natural feature that has no associated mythological or ceremonial significance. Such localities are not necessarily considered to be Aboriginal sites.

Quarry refers to a location from which stone used to manufacture flaked or ground stone artefacts has been extracted.



Reduction area (or knapping floor) refers to a cluster of stone artefacts, which represent the remains of an episode (or episodes) of stone artefact manufacture. Artefacts within a knapping floor can usually be conjoined back together.

Rock shelter refers to an overhang or cave, which contains cultural material. For example rock shelters in the Pilbara area tend to contain grinding material and a surface assemblage of fewer than 10 artefacts. These sites may also contain sub-surface archaeological deposits and on very rare occasions, stone features (such as cairns, walled sections and rock ladders) or rock art.

Stone arrangement refers to a location where stones/rocks have been placed either as single events (standing stones) or as clusters or arrangements and which may have contemporary ceremonial and/or mythological significance. Stone arrangements may have an associated traditional name.

Structure is a term used by the DAA to refer to groupings or piles of rocks or tree branches, relating to economic (e.g. habitation) or ceremonial practices. Cairns may mark water sources; rock shelters may be walled to make small animal habitats and traps; tall stones or lines of stones may indicate ritual grounds. In addition de Gand (2004) recorded a wooden feature interpreted as being a 'ladder' to gain access to the roof of a cave to harvest resin.



SECTION TWO - RESULTS AND RECOMMENDATIONS

Previously Recorded Aboriginal Sites

The archival research involved a Site Register search conducted at the Department of Indigenous Affairs (DAA) Heritage Information System in order to access site files pertaining to previously recorded sites and reports within the Triumph Project Area.

This research was conducted on *all* the tenements, which together constitute the Triumph Project Area. The results of the search indicated that there are **no** previously **recorded Aboriginal Sites and/or Heritage Places on Tenements E31/819, E31/820, P31/1960, P31/1961, E31/1962, E31/1963 and P31/1964.** (*See Appendix One*).



Plate 2: Evidence of previous disturbance on the Triumph Project Area (View East)





Plate 3: Evidence of previous disturbance on the Triumph Project Area (View East)



Plate 4: Evidence of previous disturbance on the Triumph Project Area (View South East)





Plate 5: Evidence of previous disturbance on the Triumph Project Area (View South)



Plate 6: Evidence of previous disturbance on the Triumph Project Area (View North East)





Plate 7: Historic Prospector building on the Triumph Project Area.



Plate 8: Track traversing the Tenements of the Triumph Project Area



Field Survey Results

Historic and also recent drilling and mining activity have extensively disturbed the Triumph Project Area. This disturbance is evidenced by old buildings, drill tracks, grid lines, fence lines, sumps and mine shafts.

The *Nexus* Work Areas were inspected by four-wheel drive using existing access tracks and old drill lines. Ethnographic and ethno-historical information about the region of the Triumph Project Areas was recorded in a field notebook. Genealogical and biographical information establishing the longstanding associations of the Aboriginal Heritage Consultants to the region of the Triumph Project Area were also recorded.

Areas of specific significance to the Aboriginal Heritage Consultants on the Triumph Project Area were inspected on foot by the Survey team.

The previous disturbances on the Triumph Project Area made it unlikely that archaeological deposits would be located. However, the Survey Team investigated areas likely to contain archaeological deposits on all the tenements on foot.

Aboriginal Heritage Recommendations.

- No areas of ethnographic significance were located on the proposed Work Areas.
- No areas of archaeological significance were located on the proposed Work Areas.



RECOMMENDATIONS

Note: The Recommendations made in this Report will be made null and void if the Proposed Works and/or the Project Area(s) differ from those stipulated in this Report.

SITE MANAGEMENT RECOMMENDATIONS

Site Management Recommendations for the Aboriginal sites recorded during the Survey were established through consultation with the Aboriginal Heritage Consultants present at the field Survey. The *Site Management Recommendations* were determined by the size, the location and the relative significance of the sites to the Aboriginal custodians who suggested that different types of management recommendations were required for particular sites. These are as follows:

Buffer or Exclusion zone

A buffer or exclusion zone implies a protected area around the boundary of the site. Within this area, free access remains possible on existing tracks and roads. It is **recommended**, however, that for any work that needs to be undertaken within the specified buffer zone, prior consultation with the Aboriginal custodians who consulted in the field survey take place.

Anonymity

Anonymity serves to protect particular sites by ensuring that knowledge of the location of the site is known only to those parties who have a need to know (eg. Aboriginal Custodians, *Nexus Minerals Ltd* and the Department of Indigenous Affairs) or where it is considered inappropriate to draw undue attention to the site through the erection of fences and signs. This type of recommendation is most appropriate for sites of 'secret sacred' significance.

8. It is **recommended** that *Nexus Minerals Ltd* be advised that there are no previously recorded Aboriginal Sites located on Tenements E31/819, E31/820,



P31/1960, P31/1961, E31/1962, E31/1963 and P31/1964 (see *Appendix One*).

9. It is **recommended** that *Nexus Minerals Ltd* can conduct their Proposed Works within the Triumph Project Area as required.
10. It is **recommended** that *Nexus Minerals Ltd* its staff and contractors are advised that Aboriginal artefacts may occur within their tenements and that care should be taken during the Proposed Works to avoid these as they may constitute Aboriginal archaeological and/or ethnographic sites to which the *Aboriginal Heritage Act 1972(WA)* applies.
11. It is **recommended** that should *Nexus Minerals Ltd* during any stage of the implementation of the Proposed Work Program come upon material or sites of cultural significance (Aboriginal Site) that were not identified during the Survey, all work in the vicinity of this Aboriginal Site must come to a halt and the location of the Aboriginal Site noted and representatives of the Aboriginal Heritage Consultants and other relevant parties, such as the DAA , notified. The Aboriginal Site must remain undisturbed until such time that heritage clearance of the relevant parties is obtained. If human remains or skeletal material are discovered or unearthed during the implementation of *Nexus Minerals Ltd* Proposed Works, the WA Police and the DAA need to be contacted.
12. It is **recommended** that if *Nexus Minerals Ltd* intends to extend or alter their Proposed Works and/or Project Areas (from those stipulated in this Report), then these should be discussed, prior to any ground disturbing activity, with representatives of the Aboriginal groups that speak for this area and further heritage surveys conducted where deemed necessary.
13. It is **recommended** that *Nexus Resources Ltd*, their agents and their subcontractors who are involved in the implementation of the Work Program are made aware of the contents and the recommendations of this Report and of their statutory obligations under the Aboriginal Heritage Act (1972).



14. It is **recommended** that *Nexus Minerals Ltd* consider the implementation of an AHMP plan in order to ensure consistency in their heritage policies and the management of Aboriginal cultural material.



REFERENCES

Anderson, C 1988. Anthropology and Australian Aboriginal economy. In Berndt, R.M. and Tonkinson, R. (eds) *Social Anthropology and Australian Aboriginal Studies - A contemporary overview*. National Library of Australia, Victoria: 125-188.

Bates D. 1985. The Native Tribes of Western Australia. Edited by White, I. National Library of Australia, Canberra.

Beard, J.S. 1975. **The Vegetation Assessment of Western Australia - Nullarbor.** 1:1,000,000 Vegetation Series. University of Western Australia.

Beard J.S. 1981. The Vegetation of the Swan Area, Explanatory Notes to Map Sheet 7.

Berndt, R.M. 1942. *Social And Cultural Change in Aboriginal Australia*. Proceedings of the 3rd Pan InDAA n Ocean Science Congress, Section E.

Berndt, R.M. 1959. The Concept of the Tribe in the Western Desert of Australia. *Oceania* 30(2): 81-117.

Berndt, R.M. 1976. Territoriality and the Problem of Demarcating Socio Cultural Space. In Peterson, N. (ed) *Tribes and Boundaries in Australia*. Australian Institute of Aboriginal Studies, Canberra: 133-161

Berndt, R.M. and Berndt, C.H. (eds) 1980, *Aborigines of the West Their Past and Present*, University of Western Australia Press, Perth.

Christensen, W.J.K. 1980 'Aborigines of Kalgoorlie-Boulder'. In Berndt, R.M. and C.H. (eds) *Aborigines of the West Their Past and Their Present*. University of Western Australia, Perth.



de Gand, D. 2007. (*Unpublished*) Report(s) (3) on an Aboriginal Heritage Assessment of the Pinjin Project Area, near Lake Rebecca in the Eastern Goldfields, in Western Australia.

de Gand, D. 2000. (*Unpublished*) Ethnographic Report on the *Mantjintjarra Ngalia* Claim Areas. The Goldfields Land and Sea Council. Kalgoorlie.

de Gand, D. & Vachon, D. 2001. Expert Anthropological Report – *Mantjintjarra Ngalia* Native Title Determination WC96/20.

de Gand, D. 2010 Report (Unpublished) on an Aboriginal Heritage Survey – *Work Program Clearance* – of four drill holes & Work Area Clearance - of the *Yalca* project area, located on Tenements E15/773 & E15/774, East of lake Lefroy in the Eastern Goldfields, in Western Australia.

de Gand, D. 2009 Report (Unpublished) on an Aboriginal Heritage Survey – *Work Area Clearance* - of the *Triumph Project Areas* (Tenements E26/107, E26/108, E15/774, E15/803, E15/1044, E15/1072, E26/130, E26/129, E26/137, E15/1029, E15/1030, E15/1097 & E15/1125) Located east of lake Lefroy in the Eastern Goldfields, in Western Australia

Gould, R.A. 1969. Subsistence Behaviour Among The Western Desert Aborigines. *Oceania* 39(4): 253-274.

Gould, R.A. 1982. To Have and Have Not: The Ecology of Sharing Among Hunters and Gatherers. In Williams, N.M. and Hunn, E.S. (eds), *Resource Managers: North American and Australian Hunters and Gatherers*. Westview Press, Boulder, Colorado: 69-92.

Hall, N.J. and Newby, K.R. 1993. Physical Environment. In Hall N.J. and McKenzie, N.L. The Biological Assessment of the Eastern Goldfields of Western



Australia. Part 9: Norseman - Balladonia Study Area. **Records of the Western Australian Museum** 42: 1-6.

Myers, F.R. 1986: *Pintupi Country, Pintupi Self*. Australian Institute of Aboriginal studies, Canberra.

Peterson, N. Introduction. In *Tribes and Boundaries in Australia*. N. Peterson (ed) Australian Institute of Aboriginal Studies, Canberra.

Petri, J. 1957. Movements in the Western Desert. Paper for VIIIth Congress of Anthropological and Ethnological Sciences in *Social and Cultural Change*.

Sansom, B. 1982. The Aboriginal Commonality. In R.M. Berndt (ed) *Aboriginal Sites, Rights and Resource Development*. Academy of Social Sciences in Australia, Canberra: 135-137

Stanner, W.E.H. 1965. Aboriginal territorial organisation: estate, range, domain and regime. *Oceania* 36(1): 1-26.

Sutton, P. 1994, *Country Aboriginal boundaries and land ownership in Australia*. ANU Central Printery, Canberra.

Tindale, N.B. 1938-39. Notebooks of fieldwork from the *Harvard and the Adelaide Universities Anthropological Expeditions of 1938 and 1939*.

Tindale, N.B. 1974 *The Aboriginal Tribes of Australia*.

Tindale, N.B. 1966 *Notes of Trip to Western Australia in Search of Tribal Data*



Tindale, N.B. 1976. Some ecological bases for Australian tribal boundaries. In *Tribes and Boundaries In Australia* (N. Petersen ed.) Australian Institute of Aboriginal Studies, Canberra.

Tonkinson, R. 1974. *Aboriginal Victors of the Desert Crusade*. Menlo Park, California.

Tonkinson, R. 1978. *The Mardudjara Aborigines*. Holt, Rinehart and Winston, New York.

Tonkinson, R. 1989. Local Organisation and Land Tenure in Karalmilyi (Rudall River) Region. In *The Significance of the Karlamilyi Region to the Martutjarra of the Western Desert*. The Western Desert Working Group, Department of Conservation and Land Management.



APPENDIX ONE





Search Criteria

No Registered Aboriginal Sites in Mining Tenement - E 31/819

Disclaimer

The *Aboriginal Heritage Act 1972* preserves all Aboriginal sites in Western Australia whether or not they are registered. Aboriginal sites exist that are not recorded on the Register of Aboriginal Sites, and some registered sites may no longer exist.

The information provided is made available in good faith and is predominately based on the information provided to the Department of Aboriginal Affairs 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 email the details to the Department at HeritageEnquiries@daa.wa.gov.au and we will make every effort to rectify it as soon as possible.

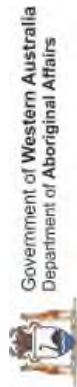
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Coordinate Accuracy

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Aboriginal Heritage Inquiry System

Aboriginal Sites Database

Search Criteria

No Registered Aboriginal Sites in Mining Tenement - E 31/820

Disclaimer

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The information provided is made available in good faith and is predominately based on the information provided to the Department of Aboriginal Affairs 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 email the details to the Department at HeritageEnquiries@daa.wa.gov.au and we will make every effort to rectify it as soon as possible.

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Coordinate Accuracy

Accuracy is shown as a code in brackets following the coordinates.



Aboriginal Heritage Inquiry System

Aboriginal Sites Database



Search Criteria

No Registered Aboriginal Sites in Mining Tenement - P 31/1964

Disclaimer

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Aboriginal Heritage Inquiry System

Aboriginal Sites Database

Search Criteria

No Registered Aboriginal Sites in Mining Tenement - P 31/1963

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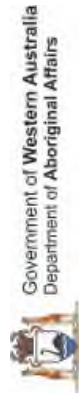
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Aboriginal Sites Database

Search Criteria

No Registered Aboriginal Sites in Mining Tenement - P 31/1962

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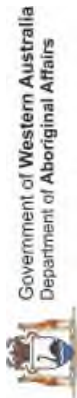
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Aboriginal Heritage Inquiry System

Aboriginal Sites Database

Search Criteria

No Registered Aboriginal Sites in Mining Tenement - P 31/1961

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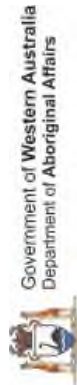
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Aboriginal Heritage Inquiry System

Aboriginal Sites Database

Search Criteria

No Registered Aboriginal Sites in Mining Tenement - P 31/1960

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