



The Report of an Site Avoidance Survey of Ausgold Limited's *Jinka Hill Prospect Area*, Katanning Conducted by Terra Rosa Cultural Resource Management on behalf of the *Wagyl Kaip* Traditional Owners and the South West Aboriginal Land and Sea Council July 2011

The Report of a Site Avoidance Survey of the *Jinka Hill* Prospect Area, Katanning WA

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## **COORDINATE CAPTURE**

The Author advises that all co-ordinates quoted in this document were initially obtained with a Garmin hand held GPS, using the MGA 94 datum. All grid references provided are located within MGA Zone 50K, unless otherwise stated.

## **ACKNOWLEDGEMENTS**

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

- The *Wagyl Kaip* Traditional Owners who participated in the Survey;
- Ausgold Limited,
- Heritage Link, and;
- South West Aboriginal Land and Sea Council

## SURVEY PARTICIPANTS

Six (6) consultants from the Native Title Claimant group were present for each day of the survey, along with representatives of Terra Rosa CRM, Heritage Link and Ausgold Ltd. The Survey was conducted with the assistance and involvement of the following people;

TERRA ROSA CULTURAL RESOURCE MANAGEMENT	
Ben Fordyce	Cassie Smith

AUSGOLD EXPLORATION LIMITED
Benjamin Bell

THE WAUGYL KAIP TRADITIONAL OWNERS	
Graham Eades	Joseph Ward
Margaret Rodd	Wendy Hayward
Trevor Eades	Aden Eades

HERITAGE LINK
Patricia Edwards

## LIST OF ACRONYMS

The following list of acronyms are utilised throughout the report. Definitions have been provided below for reference.

ABBREVIATION	DEFINITION
<b>ACMC</b>	Aboriginal Cultural Materials Committee
<b>AHIS</b>	Aboriginal Heritage Inquiry System
<b>AIC</b>	Australian Interaction Consultants
<b>CHMP</b>	Cultural Heritage Management Plan
<b>DIA</b>	Department of Indigenous Affairs
<b>SWALSC</b>	South West Aboriginal Land and Sea Council
<b>MGA</b>	Map Grid of Australia
<b>PDA</b>	Proposed Development Area
<b>Terra Rosa CRM</b>	Terra Rosa Cultural Resource Management Pty Ltd
<b>The Act</b>	The Aboriginal Heritage Act 1972
<b>The Traditional Owners</b>	The <i>Wagyl Kaip</i> Traditional Owners

## EXECUTIVE SUMMARY

The South West Aboriginal Land and Sea Council (SWALSC) contracted Terra Rosa Cultural Resource Management (Terra Rosa CRM) to conduct a Site Avoidance Survey of Ausgold Limited's *Jinka Hill*, *White Paddock* and *Jinka Paddock* Prospect Areas within mining tenements M70/211 and L70/13 near Katanning, Western Australia on behalf of, and with the participation of the *Wagyl Kaip* Traditional Owners. The objective of the field trip was to identify any heritage sites (as defined under Section 5 of the Aboriginal Heritage Act 1972) within the Proposed Development Area (PDA) (the blue polygon in Map 1)

A search of the DIA register of Aboriginal sites revealed two recorded sites within the vicinity of the survey area; DIA5353 *Jinker/Jinka Hill* and DIA 22676 *Wurgabup* Hunting Grounds.

One Native Title claim covers the PDA:

1. *Wagyl Kaip* (WC98/70, WAD6286/98). Representatives of the *Wagyl Kaip* Native Title Claimant Group are referred to in this report as the *Wagyl Kaip* Traditional Owners.

SWALSC were engaged to locate and contact the appropriate representatives of the *Wagyl Kaip* Traditional Owners. A request was made to contact the individuals responsible for recording the existing DIA registered sites mentioned above.

The survey was conducted from the 23<sup>rd</sup> to the 25<sup>th</sup> of June.

A Site Avoidance methodology was employed for the Survey. Ausgold representative Benjamin Bell was engaged to answer any questions raised by the survey team participants.

The *Wagyl Kaip* Traditional Owners, their Heritage Consultants and the Ausgold representative discussed the cultural significance of areas within the PDA with the Heritage Consultants during and at the completion of the Survey. At the completion of the Survey, the *Wagyl Kaip* Traditional Owners raised questions and discussed their concerns regarding the proposed development and its impact on any existing sites or areas of interest.

The following conclusions and recommendations have been approved by Consultants from the *Wagyl Kaip* Traditional Owners in the field and are provided for comment from the *Wagyl Kaip* Traditional Owners and Ausgold.

It is as a result of the Survey to date and consultation with the *Wagyl Kaip* Native Title Claimants, that the following recommendations are made:

- All Ausgold employees are made aware of the existence that **two (2)** previously recorded ethnographic sites, site ID 5353 (*Jinka Hill*) and site ID 22676 (*Wurgabup Hunting Grounds*) were identified within the PDA;
  1. At the request of the *Wagyl Kaip* Traditional Owners, the boundaries for *Jinka Hill* were redefined to better reflect the actual extent of the site. The boundaries are listed in table 1 below and encompass the current extent of remnant vegetation;
  2. Additional information regarding *Jinka Hill* was provided by the traditional owners present and will be reported to DIA;
  3. No additional information was provided regarding the *Wargabup Hunting Grounds* but the *Wagyl Kaip* Traditional Owners maintained that there would be no disruption of the site due to the proposed drilling program.
- The *Wagyl Kaip* Traditional Owners asserted that if these sites were avoided the Proposal would not impact upon any known heritage values within the PDA.
- The *Wagyl Kaip* Traditional Owners requested that an exclusion zone be placed over the redefined boundaries of site ID 5353 (*Jinka Hill*) and that the site be marked with easily recognisable signage;
- That Ausgold employees are made aware that there are areas that are important to the *Wagyl Kaip* Traditional Owners and that these areas should be avoided where possible;
- The *Wagyl Kaip* Traditional Owners requested that Ausgold avoid impact to vegetated areas and waterways as these areas are considered sacred.
- That where possible, Ausgold only utilize existing access tracks and disturbed paddocks for their drilling program.
- SWALSC as the representative body for the *Wagyl Kaip* Traditional Owners advised that during the proposed drilling program, Ausgold should engage two *Wagyl Kaip* Traditional Owners to be present during all ground disturbing works.
- SWALSC further requests that future modifications to any Scope of Works first be vetted by the representative body prior to them being actioned by the Survey Team.

Should disruption to *Jinka Hill* be either proposed or unavoidable in the forward planning of the Proposal, Ausgold are required to conduct a Survey to Site Identification Standard and to further consult with the *Wagyl Kaip* Traditional Owners prior to any Section 18 permission being sought under the Aboriginal Heritage Act 1972.

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# 1. PURPOSE OF THE HERITAGE REPORT

## 1.1 PROJECT BRIEF

The South West Aboriginal Land and Sea Council (SWALSC) contracted Terra Rosa Cultural Resource Management (Terra Rosa CRM) to conduct a Site Avoidance Survey of Ausgold Limited's *Jinka Hill*, *White Paddock* and *Jinka Paddock* Prospect Areas within mining tenements M70/211 and L70/13 near Katanning, Western Australia on behalf of, and with the participation of the *Wagyl Kaip* Traditional Owners. The objective of the field trip was to identify any heritage sites (as defined under Section 5 of the Aboriginal Heritage Act 1972) within the Proposed Development Area (PDA) (the central blue polygon in Map 1).

Ausgold was formed to target areas in Australian Prospective for the discovery of gold and copper-gold ore bodies. Ausgold has thus acquired tenements for ground prospective of gold and copper mineralisation. One such acquisition was the Katanning Gold Discovery area. Ausgold proposes to conduct a drill program of over 440 drill holes within tenements M70/211 and L70/13. The total survey area is 600 meters by 1.2 kilometres and the proposed drill holes are 40 meters apart on 600 meter lines. Drilling at *Jinka Hill* is expected to recommence in July to test the strike and depth extension of the deposit.

A search of the DIA register of Aboriginal sites revealed two recorded sites within the vicinity of the survey area; DIA5353 *Jinker/Jinka Hill* and DIA 22676 *Wurgabup* Hunting Grounds.

One Native Title claim covers the PDA:

1. *Wagyl Kaip* (WC98/70, WAD6286/98). Representatives of the *Wagyl Kaip* Native Title Claimant Group are referred to in this report as the *Wagyl Kaip* Traditional Owners.

The South West Land and Sea Council (SWALSC) as the registered representative body for of the *Wagyl Kaip* Native Title Claimant Group engaged and organised the appropriate representatives of the *Wagyl Kaip* Traditional Owners. Terra Rosa CRM requested that the individuals responsible for recording the existing DIA registered sites mentioned above were present during the Survey<sup>1</sup>.

The survey was conducted from the 23<sup>rd</sup> to the 25<sup>th</sup> of June.

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<sup>1</sup> Margaret Rodd and Wendy Haywood were present during the registration of Registered Site ID 22676 *Wurgabup* Hunting Grounds. No information was available at the time of the Survey for the specific informants for Registered Site ID 5353 *Jinker/Jinka Hill*, though the *Wagyl Kaip* Traditional Owners that were consulted during the Survey asserted knowledge of the history and extent of the Site.

A Site Avoidance methodology was employed for the Survey. Ausgold representative Benjamin Bell was engaged to answer any questions raised by the survey team participants.

The *Wagyl Kaip* Traditional Owners, their Heritage Consultants and the Ausgold representative discussed the cultural significance of areas within the PDA with the Heritage Consultants during and at the completion of the Survey. At the completion of the Survey, the *Wagyl Kaip* Traditional Owners raised questions and discussed their concerns regarding the proposed development and its impact on any existing sites or areas of interest.

## **1.2 LIMITATIONS OF THE SURVEY**

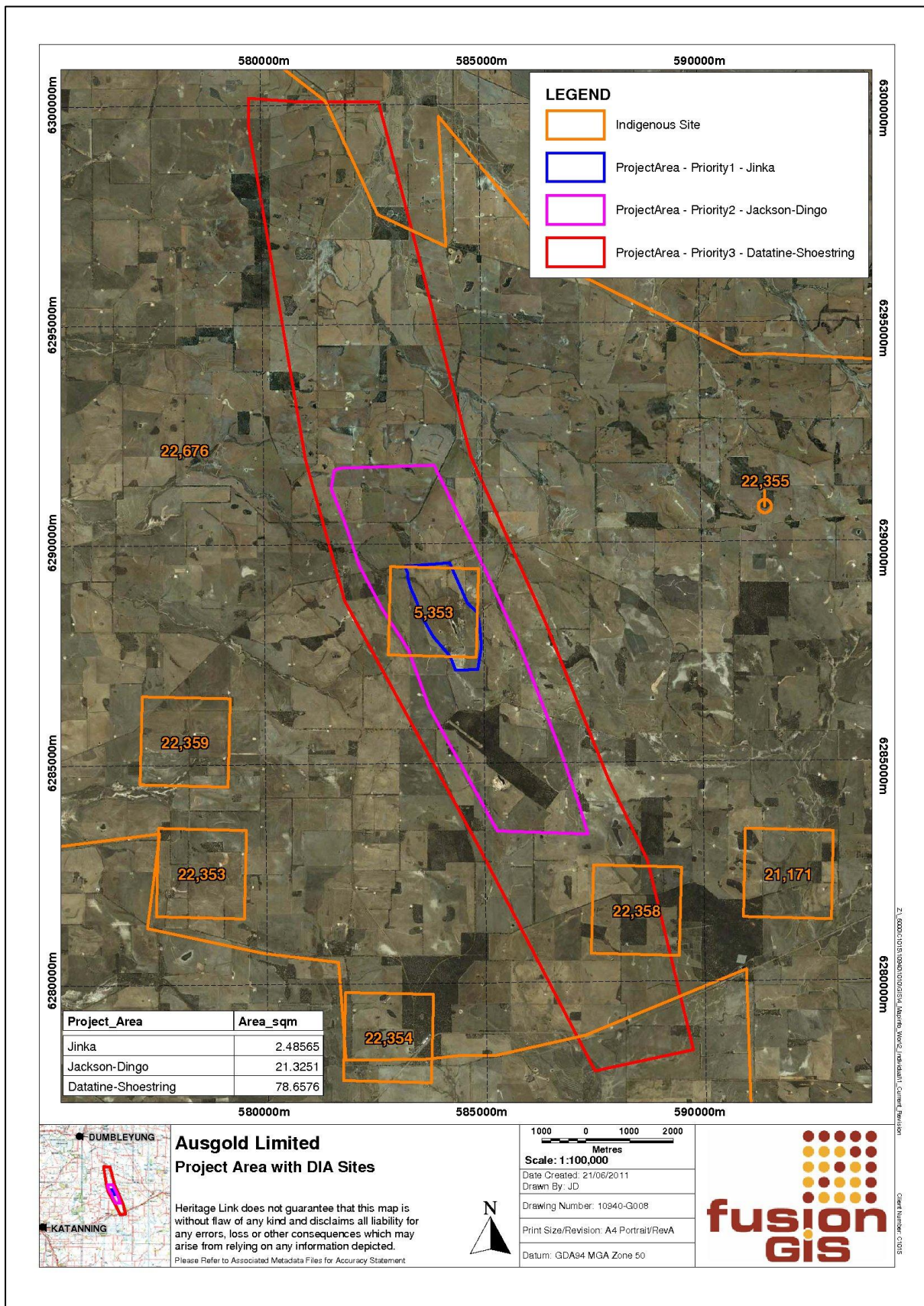
The Site avoidance survey was conducted with the full agreement of the *Wagyl Kaip* Traditional Owners. However two of the named representatives failed to participate. This may result in an incomplete representation of the sites in the PDA.

## **1.3 THE PROPOSED DEVELOPMENT AREA**

The Katanning Gold Discovery lies within the greater Boddington South Exploration Project. The gold in Katanning is similar to that discovered in the Boddington South area and lies along the contact between mafic volcanic and intruding granite (Ausgold, 2010). The discovery is situated within an area that has been mined in 1996/7, which focussed on surface oxide ore. A primary gold deposit was found in exploration late last year at *Jinka*. This has now been drilled over 900m of strike down to a depth of 100m.

The PDA subject to the current Survey, falls within the Eastern Corridor of the larger project area and comprises of two areas, *Jinka Hill* and *White Dam* respectively (encompassed by the Blue area in Map 1 below). The area is situated approximately 36km east of Katanning. A total 20, 000m of drilling has been conducted at the *Jinka Hill* deposit to test and drill out the primary mineralisation which lies along the strike from and beneath historical workings and extends to the north. The ore body lies below an area that has previously been used to run livestock and crops.

Map 1: Location of the PDA



## 2. DESKTOP RESEARCH

### 2.1 SUMMARY OF AHIS RESEARCH

Prior to the Survey, a search was conducted on the Aboriginal Heritage Inquiry System to establish if any previously Registered Aboriginal Sites were present in the PDA, and to establish the presence / absence of previous Heritage Surveys within the PDA.

#### 2.1.1 Summary of DIA Registered Site Files

One (1) Registered Aboriginal heritage site was identified within the PDA (see Table 1) and one (1) Other Heritage Place was identified within the PDA (see Table 2)

*Table 1: Registered Aboriginal Heritage Sites within the PDA*

Site ID	Status	Access	Restriction	Site Name	Site Type
5353	R	C	M	Jinker/Jinka Hill	Structure, modified tree, Historical

##### 2.1.1.1 Registered Aboriginal Site ID 5353 – Jinker /Jinka Hill

The site file could not be accessed due to its status being closed in the DIA register.

*Table 2: Other Heritage Places within the PDA*

Site ID	Status	Access	Restriction	Site Name	Site Type
22676	L	O	N	Wurgabup Hunting Grounds	Camp, Hunting Place

##### 2.1.1.2 Registered Aboriginal Site ID 22676 – Wurgabup Hunting Grounds

Registered Aboriginal Site ID 22676 (Wurgabup Hunting Grounds) was recorded by M Rundle and C Rodd in consultation with the Rodd and Mindamarra families in 2005. The site is located at 589624mE, 6286518mN and is a camp and hunting place. No further information is available at this time.

#### 2.1.3 Summary of Heritage Reports relevant to the PDA

A total of two (2) consolidated Heritage reports were found on the DIA register relating to sites within the PDA.

Table 3: Summary of Heritage Reports

Report ID	Catalogue No.	Title	Author	Date
103699	HSR SW [BLA]	Report on Alleged Aboriginal Site S0957	Blackburn, G.	1981
103977	HSR SW [OWE]	An Investigation into the Aboriginal Significance of Westlands and Rivers in the Busselton– Walpole Region	O'Connor, R	1995

DIA Report ID 103699. Blackburn, G. (1981), Report on Alleged Aboriginal site S 0957.

The report details a heritage survey conducted for drill programs carried out in January and April 1980 that revealed substantial gold resource in Kojonup. Of the five targets identified, the *Jinka* hill deposit had the best potential. The report details reasons that the historical or cultural value of the *Jinka* Hill target should be considered as less important than the benefits available from any future mining operation, and that the evidence utilised to constitute a site is debatable. The information provided regarding the site '*Jinka* Hill' is as follows;

The stone arrangement now known as *Jinka* Hill was dug by a Mr George Yarro Bilston whilst excavating a small stone circle for buried treasure. The focal point of the story is a hole surrounded by stones on the crest of the hill. In addition, there is an alleged 'scar' tree and an alleged ochre source. The legend is described as follows;

“A giant blackfellow haunted this hill and he used to raid their camps and carry off and eat children. Finally, the dingo ran him down and killed him at Dumbleyung and his bones lay untouched for a long time” (Uren, 1945)

The hill is supposedly haunted by a *Jinka* (a devil in the local dialect). The report continues to examine the legitimacy of the site *Jinka* Hill, and states that the site clearly has no religious or mythological basis, and the inability of the people to name a specific spirit supports this.

According to the authors, *Jinka* Hill was most likely excavated between 1899 and 1904. A small scar tree is also mentioned to be located close to “*Jinka* Hole”. The scar is visually similar to many others in the district – including some in apparently very young trees, and was stated to be of potentially natural origins. The tree was killed during the first half of this century and is now old and rotten. The ochre source was also disputed, as the author notes that there is no true ochre source, only yellow clays below the iron capping.

It is noted however, that this Survey and Report was conducted by a geologist working for the company at the time, so is undoubtedly not without bias.

*DIA Report ID 103977. O'Connor, R. (1995), An Investigation into the Aboriginal Significance of Wetlands and Rivers in the Busselton-Walpole Region.*

This Report detailed an evaluation of the significance of wetlands and rivers within the Busselton – Walpole region to Aboriginal people in terms of both previous activity and current associations. The study area comprises the Shannon, Warren, Donnelly and Blackwood River and the Busselton coast Drainage basins. This is an area approximately bounded roughly by the towns of Capel, Busselton, Dunsborough, Augusta, Walpole, Kojonup, Katanning, Nyabing, Harrismith, Narrogin, Darkan, Boyup Brook, Balingup and back to Capel. Within this area, 181 sites of Aboriginal heritage significance were registered within the Department of Indigenous Affairs. The sites are summarised as mostly small artefact scatters, but also include burials, quarries, scarred trees, stone arrangements, engravings, paintings, grinding patches, fish traps and middens. The Corrigin region shows a very sparse recorded site density of one site per 20 square kilometres, while the Blackwood River differs greatly at one site every 166 square kilometres. It was noted above that Aboriginal oral history in the region tended to focus on the historical period following European settlement.

#### **2.1.4 Discussion of DIA Research**

The Katanning area has been subject to a limited number of heritage surveys, one of which was conducted in 1981 with correspondingly out dated methodology and theoretical background. Blackburn was a regional geologist, rather than an anthropologist or archaeologist and his reporting was informed by the interests of the prospective mine in the area. As such, the reliability and specificity of the report is negligible. While the report does provide some detail as to the history of the site, it is clear that any actual information regarding 'Jinka Hill' may lie with persons who are now deceased.

The second report available from the DIA register is, as its title suggests, an investigation into the significance of wetlands in the area. While the report does provide useful environmental background on the area, it does not direct the reader towards any particular sites of significance, according to the Act. The report details a regional review of sites as per what can be expected in the general area, and the significance of these findings. Although the report is useful, it does not provide details pertinent to the current survey.

### **3. REGIONAL BACKGROUND**

#### **3.1 REGIONAL ENVIRONMENTAL BACKGROUND**

##### **3.1.1 Climate**

The climate of the study areas is classified as Mediterranean, with mild wet winters and warm dry summers. The southernmost sections of the region experience more rainfall and a shorter summer drought, in the order of three to four months, than the northern sections, which have five to six dry months per annum.

The Australian Bureau of Meteorology records the average maximum temperatures for the region as being 30.2 degrees Celsius in the warmest month of January and 14.6 in the coolest month of July. Mean minimum temperatures range between 5.4 degrees Celsius and 13.8 degrees Celsius in July and February respectively.

Rainfall for the region averages 476mm per annum with the majority of rain falling between May and September. The lowest rainfall occurs between December and January, with an average rainfall of 14.2 mm.

The strongly seasonal climate influenced Aboriginal Occupation patterns with concentrations of people around wetlands and water courses during the summer droughts.

##### **3.1.2 Vegetation**

The landscape character, particularly soil, topography and water determine the vegetation in the project area. The PDA lies in what has been classified by Beard as part of the South Western Botanical Province and has been said to display the greatest floral diversity in the state (Beard, 1980). The PDA falls within the Warren biogeographic region, otherwise known as the Karri Forest region, due to the high numbers of Jarrah and Karri trees in the area (Conservation International, 2007). The Jarrah-Karri Forests and Shrublands eco-region extends along the Indian Ocean coast in southwestern Australia. The high rains supports forests of karri (*Eucalyptus diversicolor*) and tingle (*E. brevistylis*, *E. jacksonii*, and *E. guilfoylei*), shifting to jarrah (*Eucalyptus marginata*) and marri (*Eucalyptus calophylla*) in areas with lower nutrient soils. Heath, swamp, and dune vegetation also occur here. This eco region hosts a rich biota with a clear Gondwanan influence, including endemic frogs and freshwater fauna. (Conservation International, 2007).

##### **3.1.3 Land Systems**

The Darling Scarp originated as the local expression, in the Perth area, of the extensive Darling Fault, a major and ancient geological discontinuity separating the Archaean Yilgarn Craton in the east from the younger Pinjarra Orogen and overlying Phanerozoic Perth Basin to the west (The Darling Scarp: a natural entity, 1970). The

Darling Fault is exposed for over 1,000km, from the area east of Shark Bay, to the southern coast of Western Australia east of Albany. The location of the scarp must once have coincided with the location of the fault, but the scarp has since eroded about 15 kilometres eastwards (Bulley and Masterson, 2003). The original location of the scarp is indicated in places by an unusual landform known as the Ridge Hill Shelf.

The Plateau is comprised of Precambrian crystalline rocks which form a gently undulating surface with an average height of 400m above sea level (Bulley and Masterson, 2003). It is dissected by steep – sided valleys with incised channels and valleys with broad, flat ribbon flood plains and small channels (Semeniuk, 1987). The Darling Scarp borders the Darling Plateau, and dominates the landscape in the southwest region, defining the distinctive changes in landform and vegetation systems. (O'Connor, Quartermaine and Yates, 1995:2).

### **3.1.4 Palaeoclimate**

A recurrent feature of the Quaternary period has been the expansion and contraction of the arid zone. Successive ice ages over the last two million years made the climate very arid with intense erosion. At about 60,000 years BP sea levels were approximately 50m below presently experienced levels. Sea levels dropped in a series of four events to around 75m below levels apparent today. At around 28,000 years BP the sea level fell rapidly and reached nearly 150m below current sea level. Wyrwoll (1979) suggests that around 20,000 years BP this arid extension coincided with the last glacial maxima. After 10,000 years ago the rising sea levels and increased sea surface temperatures appear to have brought increased rainfall which has continued into the present. By 18,000 years BP levels were rising again and reached the current levels between 4-6,000 years BP (Chappell and Thom 1977).

Two palaeodemographic models have been proposed for the region, both outlined by Turney *et al* (2001). Each model postulates that wetter conditions regionally led to replacement of open vegetative associations by tall forest unsuitable for hunter-gatherers. Basic to each is that changes in stone artefact 'discard rates' recorded in occupation deposits indicate regional population changes.

Accordingly, O'Connor, Quartermaine and Yates' conclusions (1995:3) appeared much the same as they stated the rainfall, evaporation and temperatures stated above, would have been lower in the last ice age, and increased aridity would have caused a coastward migration of arid zone vegetation types. Thus, the open woodland of the continental shelf would have been a suitable human habitat.

### **3.1.5 Land Integrity and Past Usage**

95% of the PDA has been heavily disturbed. The land that is not under crop (canola), has been disturbed by livestock. There is also an existing farmhouse within the PDA.

The land has also previously been mined for iron ore in 1996/1997, as per Ausgold's project information (Ausgold, 2011). Approximately 20, 000m of drilling has been conducted at the *Jinka* Hill deposit to test and drill out the primary mineralisation which lies along the strike from and beneath historical workings and extends to the north. The ore body is open, and the area has previously been used to run livestock and crops.

## **3.2 REGIONAL ARCHAEOLOGICAL BACKGROUND**

### **3.2.1 Introduction**

The primary focus of academic archaeological research in south-west Western Australia has focused on the area between Cape Leewin and Cape Naturaliste. Although no systematic research has been conducted on the area, important work on specific sites has been conducted on the area, the best reported of these being Devil's Lair (Dortch, 1984), Quininup Brook (Ferguson 1981), and specific issues such as changing patterns of shellfish exploitation (Dortch et. al., 1984). More recent studies (Lillie, 1993) attempt to locate, record and investigate surface and stratified archaeological sites in the Margaret River Region in an attempt to explain adaptation to the change environment during the last glacial maximum, early to mid-Holocene changes, including regional de-population, and late Holocene cultural patterns including the use of jarrah forests.

Devil's Lair is a particularly important site in gaining an understanding of regional subsistence and settlement patterns in the south-west region of Western Australia. Evidence taken from charcoal and pollen dating reveal repeated use of Devils Lair as a campsite between 6,500 years BP – 33,000 years BP (Dortch 1979). This information gives evidence of cave-use as an established form of habitation during the Pleistocene period, and is integral in the dating of occupation in the south west of Australia.

Along the Western Australian coastline archaeological research is hindered by the lack of Pleistocene occupation dates, the explanation for which has caused debate amongst Archaeologists for decades. Sea levels were some 85-90 metres below their present level prior to Holocene stabilization, which places the coastline (c. 19,000 years BP) approximately 90 to 100 kilometres further west of Geraldton and Bunbury, and 40 kilometres further west of Perth (Glover, 1975). The absence of Pleistocene occupation dates in present-day coastal sites has resulted in the emergence of two main schools of thought.

### **3.2.2 Discussion**

The first school of thought, best exemplified by Bowdler and Morse, champions a coastal colonisation of Australia from the north-west (Bowdler, 1977 & 1999; Morse, 1988 & 1999). Morse argues that the early dates from a coastal site on the Kimberley coastline, known as the Mandu Mandu Creek rockshelter, provide

evidence for Pleistocene exploitation of marine resources. This is due to the rockshelter site being located on a portion of coastline that experienced very small levels of sea level variation during the late Pleistocene / Holocene. During the initial phase of occupation at the Mandu Mandu Creek site, Morse notes that the coastline, which now rests 1 kilometre from the rockshelter, would have been located only about 6kms from the site. However, during a period of abandonment (c.19,000 years BP), the coastline was between 8 and 10 kilometres from the site (Morse, 1988). Advocates of the coastal colonisation theory argue that this is evidence of early exploitation of marine resources. Furthermore, it is suggested that rising sea levels may have submerged other Pleistocene coastal sites.

The second school of thought holds that the low occurrence of Pleistocene dates discovered along the coastline is due to the failure of regional occupants to recognise and exploit marine resources prior to the Holocene period. This argument is focused on the premise that the Pleistocene coastline was unstable, and that there was no supporting evidence for the concept that the present coastline received a population surge c.8000-5000 years BP as had been suggested (O'Connor and Sullivan, 1994). The Mid-West coastline appears to hold true to this lack of Pleistocene dates, however as more industrial development occurs and, subsequently, more research is conducted there is the possibility for this theory to be more convincingly refuted.

According to O'Connor, Quartermaine and Yates (1995), 181 Aboriginal sites have been recorded and registered with the Western Australian Museum in the immediate vicinity of the research area. These sites are comprised mainly of surface artefact scatters (40%), followed by burials (12%), scarred trees (7.5%) and stone arrangements (5%). Other sites included fish traps, grinding patches, engravings, paintings and shell middens. O'Connor et al. have derived some general trends from the available data. Firstly, the majority of the sites are small artefact scatters, of less than 10 artefacts, Secondly a number of artefact types are present which correspond broadly to stone tool assemblages. Quartz is the dominant lithology, however other lithic types have been found, including quartzite, Eocene chert, chert, dolerite, silcrete and granite. The presence of historical material which has been worked by Aboriginal people, mixed with traditional artefacts, suggests that some sites continued to be occupied for some time after European contact (Hallam, 1973: 48)

The region in which the current PDA falls, is the Dumbleyung Region (SI SO-7), has a recorded site density of one site per 224 kilometres. Within this region the East Arthur area shows one site per 22 square kilometres, and Lake Ewlymartup exhibits a comparable number of one site per 25 square kilometres.

### 3.3 ETHNOGRAPHIC AND HISTORICAL BACKGROUND

#### 3.3.1 Introduction

In areas of the South West Australia where Aboriginal people came into contact with early European settlers, much of the land and sea country that was vital to the functioning of rich and complex Aboriginal societies was often considered barren and inhospitable by these early settlers (Clarke, 2003; Battye, 1915; Hobler, 1920). This assumption overlooked the significance of 'country' to Aboriginal people, and failed to acknowledge the deeper meaning embedded within local landscapes that were believed to have been created by the Ancestors during the Dreaming (Berndt & Berndt, 1978).

The ethnographic record documents that the Dreaming is perceived of by Aboriginal people as the collective elements of Ancestors, the practices they introduced and performed across time and space, and the physical evidence of their journeys left behind in the landscape, such as tangible objects and places. The travels and exploits of the Ancestors formed waterways, mountains, plant formations and other environmental and geographical phenomena, and in the process the country was inscribing with symbolic and cultural meaning. This distinct world view that is encapsulated succinctly by Berndt and Berndt (1978);

*When everything was new, before human beings and other life forms had settled into the physical shapes that they use now, great spirit personages walked the earth. They arranged the world as we know it today. They created people and natural species and put them in the right places, in their proper territories. They laid down the rules for everything and everyone: what languages they speak, their marriage and mating rules, how they should behave in relation to one another – the lot. They put it all together. And they left instructions about what people must do, if life as they knew it was to continue (54).*

#### 3.3.2 South-Western Ethnohistorical Background

The major source of early documentation relevant to the PDA is Daisy Bates, who worked extensively throughout the south-west as she researched the history of the Aborigines of Western Australia in the 20<sup>th</sup> century. Prior to European contact, the Aboriginal people of the South West region formed a linguistically and culturally distinctive group, collectively known as Nyungar. In the Nyungar language, Bibbulmun means 'man'. According to Daisy Bates (1985), (in O'Connor, Quartermaine and Yates, 1995:8) there was a distinction between coastal and inland people.

*All Coastal Bibbulmun were Waddarn-di-sea people, and called themselves, and were called by their inland neighbors Waddarn-di-Bibbulmun. The inland tribes were distinguished by the features of their lands (river, estuary , hill, stone or rock people). (O'Connor, Quartermaine and Yates, 1995:8).*

Throughout the Bibbulmun people in the south west, the woggal, (also known as Waugyl, or wagyl), the eaglehawk, the owl and certain insects are the only animals that stand out as a deity, with supernatural powers or 'Being' (Bates, 1985:219). The Woggal is a huge mythical snake throughout the region that inhabits certain deep pools, hills, valleys and other sites throughout Western Australia. Every deep pool in the south west is known to hold a mythical snake. According to Bates (1985: 219), the *Woggal* exercises the same functions throughout the south west, watching over food and other laws and punishing those who transgress them. The *Woggal* exacts a tribute of food in some places and a bed of leaves or rushes in others. The places (waterholes) in which the *woggal* travelled are always sacred. The *Woggal* is stated to be the only mythical animal that has survived the advent of the white man. "People are as careful about their avoidance of sacred sites as they were in their fathers' time" (Bates, 1985:221).

Many Aboriginal people continue to have an in-depth knowledge and understanding of the geography of their own country, including the significant mythological and ceremonial sites, along with the physical cultural material that remains in the area. Through their continued interaction with significant sites located on 'country', Aboriginal people of the South West region continue to maintain complex relationships with the land and maintain a distinct worldview in relation to the connection between Aboriginal people, land and the Dreaming (MacKinlay, 2000; Berndt & Berndt, 1978).

### **3.3.3 Katanning**

According to Landgate, Katanning is a local Aboriginal word of uncertain meaning. There has been much conjecture regarding the meaning, with two schools of thought prevailing. One was that the name came from *Kart-annin* Kart meaning head and annin meaning place. Thus the name would have meant "meeting place of the heads of tribes". The second was that the name was derived from an Aboriginal woman. Many early local settlers believed this theory, the name of the woman being kay-tan, kate ann or kate anning. There is no documentation to support either theory.

The first Europeans to explore the Katanning area were Governor James Stirling and Surveyor General John Septimus Roe who travelled through the area in 1835 en route from Perth to Albany (SMH Travel – Katanning, 2004). The advent of white settlement in Katanning, eventually led to the introduction of the Carrolup Native Settlement in 1915.

Carrolup Native Settlement, now known as Marribank, is situated fifteen kilometres out of Katanning Western Australia. In 1940, the Settlement was opened by the Native Welfare Department, in order to provide standard education and training for Aboriginal children in accordance with the aims of the assimilation policies of the time. As such, Carrolup became home to many Aboriginal children who had been

removed from their families (John E Stanton, accessed 2011). According to the entry in the register of Heritage Places in the Heritage Council of Western Australia:

*Carrolup Native Settlement, a complete complex of residential and associated buildings in a rural setting, has cultural heritage significance for the following reasons;*

*The place was established as a State Government Aboriginal (Native) settlement in 1915, the first such government institution established in the south-west of WA, under Section 12 of the Aborigines Act 1905; and retains its strong Aboriginal associations through to the present; the place provides evidence of changing Government policies and practices in relation to Aboriginal people throughout the twentieth century, including segregation, institutionalization and forcible removal, which impacted on generations of Aboriginal people throughout the State and in the case of this place, particularly in the South West; and provides evidence of the use of Christian missions for the care of Aboriginal children and families in Western Australia; the place was the earliest of a number of institutions that housed Western Australian Aboriginal children, the “stolen generation”, who were forcibly removed from their families, a government practise that has left a legacy impacting on Aboriginal communities, families and individuals to the present.*

### **3.3.4 The Wagyl Kaip Traditional Owners**

The *Wagyl Kaip* claim covers approximately 52,246 square kilometres of land and sea in the South West region. It lies in the City of Albany and the Shires of Boyup Brook, Bridgetown-Greenbushes, Broomehill, Cranbrook, Denmark, Dumbleyung, Gnowangerup, Jerramungup, Katanning, Kent, Kojonup, Lake Grace, Manjimup, Plantagenet, Ravensthorpe, Tambellup, Wagin and Woodanilling.

*Plate 1: The Survey Team*



## 4. METHODOLOGY

The Survey utilised a Site Avoidance methodology as defined by the *Draft Guidelines for Aboriginal Heritage Assessment in Western Australia* (DAS 1993: 22; DIA 2005). According to this standard, any sites identified are recorded to a level of detail sufficient to allow proponents to avoid these sites.

Input was sought from the *Wagyl Kaip* Traditional Owners regarding the proposed survey methodology and survey progress guided by feedback from the people on the ground.

The Survey was conducted utilising targeted vehicular and pedestrian transects throughout the PDA. The heritage consultants and *Wagyl Kaip* Traditional Owners walked targeted transects across the PDA, capturing spatial data with a handheld Garmin 62s GPS. Targeted, purposive transects were utilised to examine any areas of dense vegetation or areas considered to have a high potential for previously unrecorded sites to be present, particularly along the fringing creeklines to the east and west of the PDA.

The ethnographic and archaeological Surveys were conducted concurrently.

The Survey was conducted over one field trip from the 23rd to the 25th of June inclusive.

### 4.1 ARCHAEOLOGICAL METHODOLOGY

In completion of the Survey, the Survey Team conducted a targeted inspection of *Jinka* Hill, paying particular attention to areas of remnant vegetation within the PDA. Formal transects were also conducted along the margins of creek lines fringing the PDA and areas of erosional deflation. The ploughed sections of the PDA were only subject to cursory inspection by means of vehicular survey due to the recognisably low potential for cultural material. The extensive spoil heaps and sections of the PDA within the old mine were not inspected.

### 4.2 ETHNOGRAPHIC METHODOLOGY

The ethnographic consultation and Survey took place simultaneously with the archaeological Survey as described in Section 4.1. The anthropologist, along with the *Wagyl Kaip* Traditional Owners actively participated in the archaeological Survey, and discussed the heritage values of the PDA, and the identified sites. Information shared by the *Wagyl Kaip* Traditional Owners was recorded by the anthropologist regarding concerns, recommendations and requests expressed during the Survey. The ethnographic assessment included the following methodology:

1. Archival research;
2. Search of the Register of Aboriginal Sites, and;

3. A field assessment of known Aboriginal sites within the PDA by vehicular and pedestrian means in order to establish the views of the claimants.

Archival research included a search of the Department of Indigenous Affairs regarding any sites located within the Katanning area. The results of the Desktop research are detailed above in the Desktop Research (Section 2.0). The field assessment was carried out with the following participants from the *Wagyl Kaip* Traditional Owners; [Graham Eades, Joseph Ward, Margaret Rodd, Wendy, Hayward, Trevor Eades and Aden Eades]. Both heritage consultants collected ethnographic information volunteered throughout the Survey and the final debrief including any and all concerns expressed on the day of the Survey. All results are detailed in section 5.

### **4.3 DEFINITION OF SITE BOUNDARIES**

The site boundaries captured for DIA Site 5353 (*Jinka Hill*) were defined around the extent of remnant vegetation. These boundary points were captured by the Heritage consultant circumnavigating the vegetated area on *Jinka Hill* and logging GPS waypoints.

### **4.4 PARTICIPATION OF THE TRADITIONAL OWNERS IN THE SURVEY**

SWALSC, as the representative body for the *Wagyl Kaip* Native Title Claimants arranged the appropriate representatives of the *Wagyl Kaip* Traditional Owners to be present during the Survey. A request was made to contact the individuals responsible for recording the existing DIA registered sites mentioned above.

During the Survey, *Wagyl Kaip* Traditional Owners participated in all facets of the activities undertaken as outlined in the Methodology above. Traditional Owners that in the past have identified as having heritage interests in the PDA were engaged. During the survey, the Traditional Owners were also engaged to discuss any potential sites in the surrounding areas.

## 5. FIELD SURVEY, SITE RECORDING AND ASSESMENT

### 5.1 HERITAGE SURVEY RESULTS

The Survey of the PDA has been completed to Site Avoidance level.

The *Jinka* Hill Prospect Area was examined thoroughly, and this report is considered to be a comprehensive representation of the heritage values of the PDA.

As noted in Section 4. (Methodology), the PDA has been surveyed utilising a Site Avoidance methodology. The Survey Area was inspected utilising targeted pedestrian and vehicular transects.

During the Survey the following sites were identified within the PDA:

**Two (2)** previously Registered Aboriginal heritage sites ID 5353 (*Jinker/Jinka* Hill) and ID 22676 *Wurgabup* were reconfirmed as being present within the PDA.

**No (0)** new Aboriginal heritage sites were identified within the PDA.

**No (0)** further cultural material was identified within the PDA.

#### 5.1.1 White Well Paddock

This section of the PDA lies to the west of the existing mine site and is dominated by an area given to agriculture and sheep foraging. A targeted pedestrian transect was conducted along the western fringing creekline and at several granite exposures within the paddock itself. The Traditional Owners requested that the proposed drilling program not come within 50m of the creekline fringing the western edge of the paddock. **No (0)** archaeological sites were identified within this area, nor is there any recognised potential for archaeological sites to be present within the sections of the paddock not inspected.

*Plate 2: White Well Paddock*



### **5.1.2 Jinka Paddock**

This section of the PDA lies to the east of the existing mine site and is dominated by an area given to agriculture. A farmhouse is located within the northern section of the PDA. A vehicular inspection was conducted along the eastern fringing creek line and targeted pedestrian inspections were conducted at several eroded exposures within the paddock itself. The Traditional Owners requested that the proposed drilling program not come within 50m of the creek line fringing the eastern edge of the paddock. No (0) archaeological sites were identified within this area, nor is there any recognised potential for archaeological sites to be present within the sections of the paddock not inspected.

Plate 3: Jinka Paddock PDA



## 5.2 REGISTERED DIA SITE 5353 – JINKER/JINKA HILL

The *Wagyl Kaip* Traditional Owners provided additional information regarding the registered DIA site ID 5353 (*Jinka Hill*). The story provided in the report as detailed above depicts a spirit, or man who haunted the hill, raided camps and ate children. The *Wagyl Kaip* Traditional Owners stated that rather than haunting the hill, *Jinka* was ‘a big man who looks after our fathers’ and that when chased he hid on the hill. The hill was mentioned to be the highest point for a considerable distance, thus it has the potential to be a good ‘*hiding spot*’, for a man or spirit to be hiding and keeping watch.

Further recording of the stone arrangement on the crest of *Jinka Hill* was also conducted, a photo of which is provided in Plate 5. The stone arrangement measures approximately 2m x 2m and consists of a semi-circular arrangement of small laterite boulders. No cultural material was found in association with the arrangement and the scarred tree detailed in the background research was not relocated. It was noted however that several of the Eucalypts located on the crest of the hill exhibited natural scarring associated with branch attrition.

At the request of the Traditional Owners the site boundaries for *Jinka* Hill were redefined to include the current extent of remnant vegetation within the centre of the PDA. These new boundaries are defined in Table 4 below:

Table 4: Redefined boundaries of DIA site 5353 (*Jinka* Hill)

POINT	EASTING	NORTHING
1	584303mE	6288302mN
2	584295mE	6288236mN
3	584332mE	6288228mN
4	584404mE	6288112mN
5	584436mE	6288128mN
6	584421mE	6288236mN
7	584418mE	6288335mN
8	584384mE	6288427mN
9	584256mE	6288430mN

The Traditional Owners also stated that *Jinka* could be related to the word that means 'spirit' in *Nyungar* language, rather than devil. The revised story may provide insight into the report that stated "...Certainly if Windmar knew of the legend he would not have camped on the hill if Kangaroo Fanny's warning had any relevance. Therefore, he either did not of any mythology relating to the hill, or if he did know about it, he regarded it as of no significance" Blackburn, 1981:10). The report also states that the ring of stones had been a marker for buried treasure and had been dug up previously by Mr George Yarro Biloton ( Blackburn, 1981:7) However the ring of stones seen in plate 2 and 3 was intact. In his report, Blackburn attempted to refute the possibility of *Jinka* Hill as a legitimate Aboriginal Site. The information provided by the *Wagyl Kaip* Traditional Owners affords a potentially different explanation. This additional information and the redefined boundaries of *Jinka* Hill will be reported to DIA.

No impact to these redefined boundaries is anticipated by the proposed drilling program.

Plate 4: Remnant vegetation on Jinka Hill



Plate 5: Detail of stone arrangement on Jinka Hill



### **5.1.2 REGISTERED DIA SITE 22676 - WURGABUP**

The *Wagyl Kaip* Traditional Owners provided no additional information regarding the status of this site, other to state that there was **no** perceived impact to the site, the fabric of which is vested in the animals which used to be hunted throughout the region. Farming and pastoral activities have chased all the animals off the land and the noise of the mining will also scare them away.

No impact to the site is anticipated by the proposed drilling program.

## 6. DISCUSSIONS AND CONCLUSIONS

The Site Avoidance survey of Ausgold's proposed drilling program within White Well Paddock and *Jinka* Paddock has identified no (0) new Aboriginal sites or areas of concern. Existing site boundaries for DIA site 5353 have been redefined to better reflect the extent of the remaining features present within the hill and the requests of the Traditional Owners. While they could not provide any further information pertinent to DIA site 22676, the Traditional Owners present during the survey indicated that the drilling program will have no impact on this site.

The lack of archaeological sites within the PDA can be attributed to the level of disturbance the area has been subject to. *Jinka* Hill itself has been almost wholly disturbed by previous mining activities and the surrounding areas have been heavily cropped. There is no archaeological or ethnographic impediment to the proposed drilling program.

## 7. SITES AND IMPACTS OF THE PROPOSAL

There are no anticipated effects to existing Aboriginal sites by Ausgold's proposed drilling program. The impacts of the Proposal on the Aboriginal heritage sites area summarised in Table 5 below:

Table 5: Table of Projected Impacts on Existing Sites

Site	Type of effect	Degree of effect	Mitigative strategy
5353 ( <i>Jinka Hill</i> )	None	<b>None</b>	Avoid
22676 ( <i>Wurgabup</i> )	None	<b>None</b>	Avoid

## 8. RECOMMENDATIONS

The following conclusions and recommendations have been approved by Consultants from the *Wagyl Kaip* Traditional Owners in the field and are provided for comment from the *Wagyl Kaip* Traditional Owners and Ausgold

It is as a result of the Survey to date and consultation with the *Wagyl Kaip* Native Title Claimants, that the following recommendations are made:

- All Ausgold employees are made aware of the existence that **two (2)** previously recorded ethnographic sites, site ID 5353 (*Jinka Hill*) and site ID 22676 (*Wurgabup* Hunting Grounds) were identified within the PDA;
  1. At the request of the *Wagyl Kaip* Traditional Owners, the boundaries for *Jinka Hill* were redefined to better reflect the actual extent of the site. The boundaries are listed in table 1 below and encompass the current extent of remnant vegetation;
  2. Additional information regarding *Jinka Hill* was provided by the traditional owners present and will be reported to DIA;
  3. No additional information was provided regarding the *Wargabup* Hunting Grounds but the *Wagyl Kaip* Traditional Owners maintained that there would be no disruption of the site due to the proposed drilling program.
- The *Wagyl Kaip* Traditional Owners asserted that if these sites were avoided the Proposal would not impact upon any known heritage values within the PDA.
- The *Wagyl Kaip* Traditional Owners requested that an exclusion zone be placed over the redefined boundaries of site ID 5353 (*Jinka Hill*) and that the site be marked with easily recognisable signage;
- That Ausgold employees are made aware that there are areas that are important to the *Wagyl Kaip* Traditional Owners and that these areas should be avoided where possible;
- The *Wagyl Kaip* Traditional Owners requested that Ausgold avoid impact to vegetated areas and waterways as these areas are considered sacred.
- That where possible, Ausgold only utilize existing access tracks and disturbed paddocks for their drilling program.
- SWALSC as the representative body for the *Wagyl Kaip* Traditional Owners advised that during the proposed drilling program, Ausgold should engage two *Wagyl Kaip* Traditional Owners to be present during all ground disturbing works.
- SWALSC further requests that future modifications to any Scope of Works first be vetted by the representative body prior to them being actioned by the Survey Team.

Should disruption to *Jinka Hill* be either proposed or unavoidable in the forward planning of the Proposal, Ausgold are required to conduct a Survey to Site Identification Standard and to further consult with the *Wagyl Kaip* Traditional Owners prior to any Section 18 permission being sought under the Aboriginal Heritage Act 1972.

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