

6.9 Aboriginal cultural heritage

This section describes the Aboriginal cultural heritage impacts associated with the proposal. It summarises the findings relevant to the proposal area outlined in the *Great Western Highway Duplication – Katoomba to Lithgow Archaeological Survey Report* (Archaeological Survey Report) (Jacobs, 2020), provided in Appendix K. This report is the Stage 2 *Procedure for Cultural Heritage Consultation and Investigation* (PACHCI) outlined in Section 5.3 prepared for the Great Western Highway Upgrade Program.

6.9.1 Methodology

The Archaeological Survey Report assessed a 37-kilometre section of the Great Western Highway between Katoomba and Lithgow. A 50-metre buffer was applied either side of the proposed road alignment, which is the study area for this assessment. The study area included the Katoomba to Medlow Bath and Medlow Bath to Blackheath sections.

A desktop assessment of the study area was conducted, including:

- a review of the environmental context
- a review of the ethnographic and cultural context
- a search and review of the Aboriginal Heritage Information Management System (AHIMS)
- a review of relevant heritage data from previous archaeological assessments.

Consultation with Aboriginal stakeholders was carried out following the requirements described for Stage 2 of PACHCI. This involved Deerubbin Local Aboriginal Land Council (LALC) providing a cultural heritage survey report to Transport.

The desktop assessment and consultation informed an archaeological survey of the study area. Field walkovers of the area covered by this proposal were conducted with representatives from the Deerubbin LALCs between November 2019 and March 2020. All previously recorded AHIMS sites within the study area were visited, where feasible and property access was granted.

Due to the findings of this assessment within the proposal area (refer to sections 6.9.2 and 6.9.3), no further Aboriginal cultural heritage assessments were carried out as part of the proposal.

6.9.2 Existing environment

Aboriginal cultural heritage context

The study area and surrounding region are known to have been important to and extensively used by Aboriginal people. The proposal occurs on the land of the Dharug people, who spoke different dialects depending on their location. The land near the proposal was known as Muru-Marak or mountain pathway (Attenbrow, 2003). The broader study area spans the Aboriginal language groups of the Gundungurra and Wiradjuri peoples as well.

Aboriginal groups in the Upper Blue Mountains exploited the natural resources near the proposal. The resources of the Macquarie River, hunting of game (such as kangaroos and emus) and native flora were valuable sources of food for Aboriginal people. Stone artefactual material identified within the study area is part of the eastern regional sequence. The sequence consists of artefact types changing their appearance, frequencies of production, and use of different materials through time.

Early interaction between Aboriginals and Europeans was minimal. The first European thought to have entered the Blue Mountains was ex-convict John Wilson, who entered Gundungurra territory in 1792. The crossing of Gregory Blaxland, William Lawson and William Charles of the Blue Mountains in 1813 occurred

near the proposal. Aboriginal people assisted their crossing in accessing food and following pathways normally used by Aboriginal groups to cross the mountains. Interaction became more frequent in the 1800s, substantially increasing after the opening of Coxs Road across the Victoria Pass in 1815.

Aboriginal culture has influenced many aspects of Australian culture, including the names of animals, localities, creeks and rivers and endures to this day across the proposal area. The proposal falls within the Deerubbin Local Aboriginal Land Council (LALC). The Gundungurra Area Agreement (NI2014/001) Indigenous Land Use Agreement also covers part of the proposal area. Members of the Aboriginal community continue to experience connection with the proposal area through cultural and family associations.

A search of the Native Title Tribunal Native Title Vision website was carried out on 12 October 2021, with no Native Title claimants identified in the proposal area.

However, there is a lot which is subject to an Aboriginal land claim (undetermined) (Lot 215 DP751657) within the Katoomba to Medlow Bath section. There is also a lot owned by the Deerubbin LALC, located adjacent to the Medlow Bath to Blackheath section.

Archaeological context

The proposal area follows a narrow ridgeline following a north-south alignment in the Upper Blue Mountains. It comprises Narrabeen Sandstone forming abrupt scarp edges and sandstone outcrops exposed within the dissected sandstone plateau landform pattern.

Predictive modelling of archaeological context identified that there was potential for Aboriginal sites within the proposal area. These sites are listed from most likely to not anticipated and included:

- rockshelters on slopes at valley heads
- pigment rock art within rockshelters
- grinding grooves on sandstone surfaces, most likely dipping into water
- scarred trees
- stone artefact sites
- engraved rock art.

During the archaeological survey, the proposal area was found to be highly disturbed as it is mostly within the existing Great Western Highway road corridor. Previous expansion and realignment of the highway has resulted in major landform modifications. These modifications include cutting into the natural rock and clearance of vegetation near the road corridor. Drainage channels and culverts have disturbed any deposits that may have existed within the road corridor. The northern end of the Katoomba to Medlow Bath section near Foy Avenue and the southern end of the Medlow Bath to Blackheath section near Coachhouse Lane are largely disturbed due to the nearby urban settlement. Little to no areas of the natural land surface are visible.

The comparison of historical aerial photographs from 1973 and 2015 indicates that much of the vegetation occurring along the road corridor is relatively young and largely consists of recent regrowth.

Aboriginal cultural heritage register searches

There were no Aboriginal cultural heritage items identified on the AHIMS database within the proposal area when searched in October 2019. There were also no Aboriginal cultural heritage items identified on the State Heritage Register, Schedule 5 of the *Blue Mountains Local Environment Plan 2015* within the proposal area.

A search of the AHIMS database was carried out in September 2021 for the Woodlands Road, Katoomba ancillary facility. No Aboriginal cultural heritage items were identified within a 50 metre radius of this property.

However, the Greater Blue Mountains Area – Additional Values nationally listed nominated heritage item was identified within the Medlow Bath to Blackheath section on the Australian Heritage Database. As this is not an identified Aboriginal cultural heritage item, this heritage item has been assessed as part of the Statement of Heritage Impact attached to the REF as Appendix F, which is summarised in Section 6.4.

6.9.3 Potential impacts

Construction

Construction would involve ground disturbing activities, such as excavation. If present, these activities would impact Aboriginal cultural heritage items. However, as indicated in section 6.9.2, there are no known Aboriginal cultural heritage items within the proposal area and so no impacts are expected.

Construction of the proposal is not expected to result in any impacts to Aboriginal cultural heritage. As noted in Section 6.9.2, a lot subject to an undetermined Aboriginal land claim would be impacted by the Katoomba to Medlow Bath section. However, Transport would continue to consult with the Deerubbin LALC and Crown Lands during detailed design about the impact to this lot. Part of the Medlow Bath to Blackheath section is adjacent to land owned by the Deerubbin LALC. The proposal would not encroach or otherwise disturb the site.

The high levels of previous ground disturbance within the proposal area reduce the likelihood of the discovery of unexpected Aboriginal cultural heritage items during construction. However, an unexpected finds procedure would be put in place, to assure that any items, if found, are managed.

Operation

The operation of the proposal is not expected to impact on any items of Aboriginal cultural heritage.

Transport is currently engaging with specialist heritage consultants GML Heritage and Balarinji Indigenous Design and Strategy to engage stakeholders in developing a cultural interpretation strategy across the Great Western Highway Upgrade Program – Katoomba to Lithgow. This cultural interpretation strategy would look to interpret both Aboriginal and non-Aboriginal heritage along the highway alignment and recognise the Aboriginal cultural significance of the region. The Pulpit Hill heritage interpretation area would be further developed as part of the Great Western Highway Upgrade Program cultural interpretation strategy, in consultation with the Blue Mountains City Council, Heritage NSW, Aboriginal knowledge holders and the local community.

6.9.4 Safeguards and management measures

Safeguards and management measures for Aboriginal cultural heritage are outlined in Table 6-60.

Table 6-60: Safeguards and management measures – Aboriginal cultural heritage

Impact	Environmental safeguards	Responsibility	Timing	Reference
Aboriginal heritage	An Aboriginal Heritage Management Plan (AHMP) will be prepared in accordance with the <i>Procedure for Aboriginal cultural heritage consultation and investigation</i> (Roads and Maritime, 2011) and <i>Standard Management Procedure - Unexpected Heritage Items</i> (Transport for NSW, 2015d) and implemented as part of the CEMP. It will provide specific guidance on measures and controls to be implemented for managing impacts on Aboriginal heritage. The AHMP will be prepared in consultation with all relevant Aboriginal groups.	Contractor	Detailed design / pre-construction	Section 4.9 of QA G36 <i>Environment Protection</i>
Aboriginal heritage	<i>The Standard Management Procedure - Unexpected Heritage Items</i> (Transport for NSW, 2015d) will be followed in the event that an unknown or potential Aboriginal object/s, including skeletal remains, is found during construction. Work will only re-commence once the requirements of that Procedure have been satisfied.	Contractor	Construction	Section 4.9 of QA G36 <i>Environment Protection</i>
Aboriginal heritage	Transport will develop a cultural interpretation strategy across the Great Western Highway Upgrade Program. This cultural interpretation strategy will look to interpret both Aboriginal and non-Aboriginal heritage along the highway alignment. The Pulpit Hill heritage interpretation area will be further developed as part of this strategy, in consultation with the Blue Mountains City Council, Heritage NSW, Aboriginal knowledge holders and the local community.	Transport	Detailed design	Additional safeguard