

AHR Instrument: AHDR6163

Applicant: Andres Perez-Roca (Brighton Council)

Date: 11 October 2022

RECORD OF ADVICE FROM ABORIGINAL HERITAGE TASMANIA

This document provides a record of advice relating to an application submitted in accordance with the [Aboriginal Heritage Standards and Procedures](#), as adopted by the [Guidelines](#) issued under section 21A of the *Aboriginal Heritage Act 1975*.

Activity: Rezoning and subdivision - 131 Cove Hill Road, Bridgewater (SA 2022-00037-RZ)

Advice: There is no known Aboriginal heritage recorded within the property, although there are several shell midden sites recorded nearby along the banks of the Jordan River. As the current proposal is for rezoning and subdivision only with no civil works planned, there is no requirement for an Aboriginal heritage investigation at this stage. If works are proposed in the future however, AHT should be contacted and further advice sought.

All Aboriginal heritage is protected under the *Aboriginal Heritage Act 1975*. It is an offence to destroy, damage, deface, conceal, or otherwise interfere with a relic (Aboriginal heritage) without a permit granted by the Minister. If at any time Aboriginal heritage is suspected, the process outlined in the [Unanticipated Discovery Plan](#) should be followed as there is an obligation to report findings of Aboriginal heritage as soon as practicable.

As explained in the Guidelines, obtaining this record of advice does not exempt a person from their obligations under the Act but is an important element of the actions summarised in the Guidelines. To be sure that you have “in so far as is practicable ... complied with the guidelines” (s.21(1) of the *Aboriginal Heritage Act 1975*), be sure to read the relevant part and take any other action that may be relevant to your situation.

This advice is valid for 12 months and only for the activity as described in the Aboriginal Heritage Desktop Review application.

Please contact Aboriginal Heritage Tasmania on 1300 487 045 or aboriginal@heritage.tas.gov.au if you require further information.

Disclaimer *The advice contained within this document is based on information available to Aboriginal Heritage Tasmania at the time of its preparation and is provided in good faith. It does not constitute legal advice, is not intended to be a substitute for legal advice and should not be relied upon as such. Proponents should seek specialist legal advice, if required, regarding the Aboriginal Heritage Act 1975 when applying the information to their specific needs.*

Unanticipated Discovery Plan

Procedure for the management of unanticipated discoveries of Aboriginal relics in Tasmania

For the management of unanticipated discoveries of Aboriginal relics in accordance with the *Aboriginal Heritage Act 1975* and the *Coroners Act 1995*. The Unanticipated Discovery Plan is in two sections.

Discovery of Aboriginal Relics other than Skeletal Material

Step 1:

Any person who believes they have uncovered Aboriginal relics should notify all employees or contractors working in the immediate area that all earth disturbance works must cease immediately.

Step 2:

A temporary 'no-go' or buffer zone of at least 10m x 10m should be implemented to protect the suspected Aboriginal relics, where practicable. No unauthorised entry or works will be allowed within this 'no-go' zone until the suspected Aboriginal relics have been assessed by a consulting archaeologist, Aboriginal Heritage Officer or Aboriginal Heritage Tasmania staff member.

Step 3:

Contact Aboriginal Heritage Tasmania on **1300 487 045** as soon as possible and inform them of the discovery. Documentation of the find should be emailed to

aboriginal@dpac.tas.gov.au as soon as possible. Aboriginal Heritage Tasmania will then provide further advice in accordance with the *Aboriginal Heritage Act 1975*.

Discovery of Skeletal Material

Step 1:

Call the Police immediately. Under no circumstances should the suspected skeletal material be touched or disturbed. The area should be managed as a crime scene. It is a criminal offence to interfere with a crime scene.

Step 2:

Any person who believes they have uncovered skeletal material should notify all employees or contractors working in the immediate area that all earth disturbance works cease immediately.

Step 3:

A temporary 'no-go' or buffer zone of at least 50m x 50m should be implemented to protect the suspected skeletal material, where practicable. No unauthorised entry or works will be allowed within this 'no-go' zone until the suspected skeletal remains have been assessed by the Police and/or Coroner.

Step 4:

If it is suspected that the skeletal material is Aboriginal, Aboriginal Heritage Tasmania should be notified.

Step 5:

Should the skeletal material be determined to be Aboriginal, the Coroner will contact the Aboriginal organisation approved by the Attorney-General, as per the *Coroners Act 1995*.

Guide to Aboriginal site types

Stone Artefact Scatters

A stone artefact is any stone or rock fractured or modified by Aboriginal people to produce cutting, scraping or grinding implements. Stone artefacts are indicative of past Aboriginal living spaces, trade and movement throughout Tasmania. Aboriginal people used hornfels, chalcedony, spongelite, quartzite, chert and silcrete depending on stone quality and availability. Stone artefacts are typically recorded as being 'isolated' (single stone artefact) or as an 'artefact scatter' (multiple stone artefacts).

Shell Middens

Middens are distinct concentrations of discarded shell that have accumulated as a result of past Aboriginal camping and food processing activities. These sites are usually found near waterways and coastal areas, and range in size from large mounds to small scatters. Tasmanian Aboriginal middens commonly contain fragments of mature edible shellfish such as abalone, oyster, mussel, warrener and limpet, however they can also contain stone tools, animal bone and charcoal.

Rockshelters

An occupied rockshelter is a cave or overhang that contains evidence of past Aboriginal use and occupation, such as stone tools, middens and hearths, and in some cases, rock markings. Rockshelters are usually found in geological formations that are naturally prone to weathering, such as limestone, dolerite and sandstone

Quarries

An Aboriginal quarry is a place where stone or ochre has been extracted from a natural source by Aboriginal people. Quarries can be recognised by evidence of human manipulation such as battering of an outcrop, stone fracturing debris or ochre pits left behind from processing the raw material. Stone and ochre quarries can vary in terms of size, quality and the frequency of use.

Rock Marking

Rock marking is the term used in Tasmania to define markings on rocks which are the result of Aboriginal practices. Rock markings come in two forms; engraving and painting. Engravings are made by removing the surface of a rock through pecking, abrading or grinding, whilst paintings are made by adding pigment or ochre to the surface of a rock.

Burials

Aboriginal burial sites are highly sensitive and may be found in a variety of places, including sand dunes, shell middens and rock shelters. Despite few records of pre-contact practices, cremation appears to have been more common than burial. Family members carried bones or ashes of recently deceased relatives. The Aboriginal community has fought long campaigns for the return of the remains of ancestral Aboriginal people.

Further information on Aboriginal Heritage is available from:

Aboriginal Heritage Tasmania
Community Partnerships and Priorities
Department of Premier and Cabinet
GPO Box 123 Hobart TAS 7001
Telephone: **1300 487 045**
Email: **aboriginal@dpac.tas.gov.au**
Web: **www.aboriginalheritage.tas.gov.au**

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