

Friends of Minnamurra River Incorporated

9 Samuels Lane
KIAMA DOWNS
NSW 2533

Email: FOMR2533@gmail.com



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NSW GOVERNMENT REGULATIONS PERMIT INDUSTRY'S DESTRUCTION OF ABORIGINAL CULTURAL HERITAGE AT MINNAMURRA RIVER

NSW government regulations are permitting the destruction of ancient and unique State-significant archaeological and Aboriginal cultural heritage sites in the Minnamurra River catchment at Dunmore.

The river protection community organisation, Friends of Minnamurra River Inc (FOMR), warned today that archaeological consultants working for Boral Limited on two new approved sand mining sites near the Minnamurra River estuary, are literally washing away archaeological and Aboriginal cultural heritage sites many thousands of years and possibly tens of thousands of years old.

Current NSW government regulations on archaeological and cultural heritage assessment¹ allow the “salvage” of potential archaeological sites, such as those in the Minnamurra River catchment, using techniques that destroy those sites and prevent their scientific investigation for the recovery of their full records of Aboriginal cultural heritage.

The government regulations specifically exempt corporations and individuals from prosecution for damaging or destroying Aboriginal artefacts and potential archaeological sites in mining and development project areas.

FOMR says soil from the salvage archaeology sites being dug at Boral’s Minnamurra River future sand mining pits is flushed through screens using water.²

Flushing with water leaves only a jumble of undated stone artefacts of very little scientific or educational use and destroys practically all other material which could otherwise be used to scientifically determine the age of the site, the richness and change of Aboriginal lifestyle and culture through time, as well as climate and other local and regional environmental changes over many thousands of years.

FOMR Chair, Will Chyra, says Aboriginal stone artefacts, the predominant archaeological objects recovered when archaeological dig soil is washed by water, tell virtually nothing about local

¹ *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*, Department of Environment, Climate Change and Water NSW, September 2010, and *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*, Department of Environment, Climate Change and Water, September 2010.

² In scientifically conducted, non-salvage, stratified archaeological ‘digs’, material carefully excavated layer by layer, each layer about 40mm to 50mm thick, is shaken through 2.0mm to 2.5mm mesh screens or sieves to separate out not only solid artefacts but also organic material such as remains of plants and animals, and carbon from ancient campfires, essential for dating the site/s being excavated.

Aboriginal cultural heritage because they are not dated and therefore cannot be placed in any prehistoric cultural or environmental timeline or change sequence.

Reliable sources report that large numbers of stone artefacts of various types are being flushed out even at the site of low significance currently being ‘salvaged’ in front of Dunmore House.

“This tragic wastage of our human cultural heritage and knowledge of prehistory is worsened by the fact that the government regulations require the stone artefacts recovered, probably many thousands to hundreds of years old, to be bundled together and sent to the Australian Museum in Sydney just for storage”, Mr Chyra says.

FOMR says stratified and accurately dated archaeological sites in the Illawarra region and along the NSW coast are relatively rare and the sites near the Minnamurra River estuary currently being or about to be ‘salvaged’ - and destroyed - are likely to be potentially unique in telling the prehistory of the Illawarra and possibly other areas of the NSW coast.

“Their destruction, permitted by government regulations, is robbing humankind of parts of its history,” Will Chyra says.

Boral’s archaeological consultants, Kelleher Nightingale, has classified two of the larger sites to be ‘salvaged’ near the Minnamurra River as “sites of high to moderate archaeological significance” with their “intactness the most important variable for determining archaeological significance in this instance”³. The NSW Department of Planning, Industry and Environment has been informed of this.

However, once ‘salvaged’, the sites’ scientific archaeological and Aboriginal cultural heritage values will be completely lost and any sites not destroyed by the salvage archaeology are scheduled to be destroyed anyway when Boral starts mining sand on its site 5B.

Will Chyra says FOMR last week appealed in writing to Boral Limited to stop the current destructive salvage archaeology operations and asked Boral instead to request its consultants to conduct full and proper scientific archaeological investigations or ‘digs’ at the two sites near the Minnamurra River estuary classified as highly to moderately significant.

Boral has yet to reply.

The Illawarra Local Aboriginal Land Council says it is very unhappy about what’s occurring at Boral’s Minnamurra River sites but is powerless to do anything about it because of the NSW government regulations permitting the destruction.

The Land Council says the regulations exist only to allow industrial projects to proceed.

It told the NSW Independent Planning Commission in November last year of “what we believe is a failure in the approach that (Boral’s consultants) Kelleher Nightingale have applied and the predetermined position in our view of consultants that are engaged to undertake what should be the protection of Aboriginal heritage but inevitably becomes a process to get the proponent through the planning process.”⁴

Media contact: Will Chyra, Chair, FOMR. Mobile: 0419 633 19

³ Letter from Kelleher Nightingale Pty Ltd to Boral Land and Property Group, 29 October 2019, at: <https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=DA195-8-2004-MOD-2%2120201126T033641.582%20GMT>

⁴ *Submission to NSW Independent Planning Commission on Dunmore Lakes Project Modification 2*, Paul Knight, CEO, Illawarra Local Aboriginal Land Council, 2 November 2020, p. 4. <https://www.ipcn.nsw.gov.au/resources/pac/media/files/pac/project-submissions/2020/09/dunmore-lakes-project-modification-2/20201104t122911/dunmore-lakes-project-odification-2--ipcsigned.pdf>.



Photo (FOMR): Salvage archaeology under way in July at Boral Limited's approved sand mining site 5A near the Minnamurra River estuary at Dunmore, NSW. In the background, archaeological dig workers use water to flush soil excavated from the dig pit in the middle foreground through mesh screens, destroying practically all archaeological evidence but stone artefacts impossible to accurately date or put into scientific archaeological context.