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HERITAGE CONSULTANTS

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12th April 2010

Ms I Clarke
Coordinator
Save Mundaring Weir Village Committee

DRAFT

Dear Irene

Water Treatment Plant at Mundaring Weir & Aboriginal site "Helena River"

In the vicinity of Mundaring Weir Village, there are several minor tributaries which flow into creeks that feed the Helena River. The Helena River is an Aboriginal heritage site with ceremonial and mythological associations (Site ID. #3758 "Helena River"). The river also is important because it was a reliable water source containing many plant and animal foods and other resources, while the river valley was a corridor for travel into the Darling Ranges.

There are varying opinions amongst the Nyoongar community on the boundary of the heritage site "Helena River", as evidenced during consultations over many years for various other developments. In contrast, the Department of Indigenous Affairs (DIA) recently set guidelines on the extent of Aboriginal heritage sites which are watercourses, such as site "Helena River".

According to the DIA's unpublished guidelines, all watercourses in WA that are registered as 'sites' and protected under the WA *Aboriginal Heritage Act* 1972 (AHA) have the following boundaries attached to them:

- Rivers have boundaries which are 30m on both sides of the river.
- Creeks have boundaries which are 20m on both sides of the creek.
- Tributaries of creeks have boundaries which are 10m on both sides of the tributary.

The DIA's guidelines indicate that most or all tributaries of creeks feeding the Helena River might be part of the site "Helena River". This applies even to seasonal or winter-only watercourses.

The following plan illustrates some of the minor tributaries feeding the Helena River. The plan is taken from the Water Corporation website. It is clear from this plan that one of these second order tributaries runs through the DEC land which was chosen by the Water Corporation as the preferred site for the Mundaring Water Treatment Plant.

Apparently, none of the Aboriginal spokespersons consulted in May 2008 regarding proposed locations for the Mundaring Water Treatment Plant mentioned the significance of minor tributaries of the Helena River. It is possible these watercourses were not flowing at the time of those consultations, and so were not identified as tributaries. If they had been flowing, the result of the consultations and survey may have been different.

A Section 18 application apparently has been made by the Water Corporation for the land containing the DEC Office and Depot. It seems that the application did not take into account the minor watercourses that may be part of site "Helena River". Nor, apparently, were the Aboriginal informants asked about these second order tributaries and the potential impact on site "Helena River" from disturbance of these minor watercourses. If this is indeed the case, it may be that the Indigenous consultation process was not sufficiently comprehensive.

Please contact me with any questions or if you require clarification of any points I have raised.

Yours faithfully

Joe Mattner (BSc Hons, MA)

Excerpt from Water Corporation plan
(www.watercorporation.com.au/_files/mundaring_wtp_map1.pdf)

