Consultation Information Pack

Goolwa and Hindmarsh Island NBN Upgrade

Application for authorisations under the Aboriginal Heritage Act 1988 (SA)

Applicant	NBN Co Ltd
Application type	Sections 21 and 23 of the *Aboriginal Heritage Act 1988* (SA)
Application areas	The Application Areas comprise three separate areas intersecting Goolwa, Goolwa South, Goolwa Beach and/or Hindmarsh Island (Application Areas).
Proposed activities	Ground disturbing works to enable NBN upgrades

Figure 1 - Southern view of dunes and coastal vegetation on Waikiki Way, Middleton within the N2P program area, near to the Application Areas.



Government of South Australia
Attorney-General's Department

INTRODUCTION

The Minister for Aboriginal Affairs (Minister), who is responsible for the *Aboriginal Heritage Act 1988* (SA) (Act), has received an application for authorisations under sections 21 and 23 of the Act from NBN Co Ltd (Applicant). The Applicant seeks to undertake ground disturbing works associated with upgrades to the National Broadband Network (NBN) at Goolwa, Goolwa South, Goolwa Beach and Hindmarsh Island (Project) (Figure 1).

The application areas comprise three separate areas intersecting Goolwa, Goolwa South, Goolwa Beach and/or Hindmarsh Island (Application Areas).

The Applicant has described the Project as part of a nationwide effort to bring more reliable broadband and better mobile coverage to communities, especially in remote or underserved areas. In South Australia, Enerven Energy Infrastructure Pty Ltd (Enerven) will undertake civil works on behalf of NBN, including for this Project. Project works involve excavating trenches and pits, and upgrading existing pits, as part of an upgrade to the NBN in Goolwa and Hindmarsh Island.

As the Project will involve ground-disturbing works that will impact Aboriginal sites, objects and/or remains (together, heritage), and may require excavation of Aboriginal heritage, the Applicant has sought authorisations under sections 21 and 23 of the Act. Section 21 of the Act makes it an offence to excavate land to uncover Aboriginal heritage without the Minister's authorisation, while section 23 of the Act makes it an offence to damage, disturb or interfere with Aboriginal heritage without the Minister's authorisation.

The Application Areas contain known Aboriginal sites. Impacts to two archaeological sites will occur as part of the Project, with works occurring in proximity to other known sites.

Prior to considering whether to grant an authorisation, section 13 of the Act requires the Minister to understand and consider the views of a range of interested Aboriginal parties. Aboriginal Affairs and Reconciliation (AAR) conducts this consultation on the Minister's behalf, seeking the views of Traditional Owners, the State Aboriginal Heritage Committee (Committee) and other Aboriginal parties that the Minister considers may have an interest in the matter.

Information about the Project and the Applicant's proposed heritage management measures in this document are based on information provided by the Applicant.

PROJECT OVERVIEW

The Applicant

NBN Co Ltd is an Australian government-owned corporation, tasked to design, build and operate Australia's National Broadband Network.

Application Areas

The Application Areas are entirely within the native title boundary of the Ngarrindjeri People, whose native title rights and interests are represented by the Ngarrindjeri Aboriginal Corporation RNTBC (NAC).

The three Application Areas are detailed below:

- **Application Area 1** – located wholly within the suburb of Goolwa. Covering approximately 52.7 Ha
- **Application Area 2** – primarily located within the suburb of Goolwa South, extending partially into Goolwa Beach. Covering approximately 69.8 Ha
- **Application Area 3** - located wholly within the suburb of Hindmarsh Island. Covering approximately 14.2 Ha.

The Application Areas are shown in Attachments 1-6.

Project Description

Background

The Applicant has engaged Enerven, as its delivery partner, to undertake the civil works for a program it calls 'N2P'. The Applicant says that the N2P program seeks to bring faster and more reliable broadband and mobile service to remote or underserved areas across Australia.

The Applicant is seeking authorisations under the Act over the three Authorisation Areas, which form part of the larger N2P program. The Applicant has reviewed the existing NBN infrastructure and advises that only particular sections require upgrades. The Application Areas (as shown on the maps at Attachments 1-6) reflect the locations where ground disturbing works are planned. The Applicant is aware that further authorisations may be required for areas not covered within this application.

The Applicant has stated that where possible, it has amended its Project plans to avoid Aboriginal heritage.

Project details

Ground disturbing works will include digging excavations, directional drilling and vacuum excavation of trenches and pits. Pits house telecommunications infrastructure and are described as breakout points to allow entry for drilling for the purposes of laying underground conduit. Conduit is a tube used to protect and route the electrical wiring. The Applicant states each pit will be 2m x 2m across and up to 1.2m deep. In certain circumstances, excavation may be deeper and if so Enerven will seek approval from the Applicant. The Applicant says restoration works will take place after the work is completed to bring back the original levels prior to disturbance. Pits will be excavated using an excavator or a vacuum to remove the dirt. A vacuum is used to suck up soil after it has been liquefied using high pressure water.

The Applicant says that it has sought to avoid directional drilling where possible as this process is more difficult to observe ground disturbing impacts. Directional drilling may be required where minimal surface disturbance is preferred due to cost or difficulty. For example, direct drilling is preferred under driveways, major road crossings and bushland areas.

The Applicant states that in most cases conduit will be laid by trenching using an excavator with a 300mm bucket to excavate soil. The Applicant states that the maximum trench depths will be 600mm for road crossings, 450mm for road verges and foot paths, plus the diameter of the pipe (50-100mm). It is expected that the maximum width of the trenches will be 300mm.

Project works are estimated to take three months to complete.

The maps (Attachment 1-6) show the Applicant's proposed works footprint within the Application Areas. Proposed pits are depicted as yellow circles while the corridors that will be excavated for conduit installation are shown as black lines.

Scope of authorisations sought.

The Applicant is seeking that the authorisations, if granted, extend to:

- itself
- Enerven, and
- the agents, staff, contractors and subcontractors of the above.

The Applicant is seeking that any authorisations extend to all future works required for the future repairs and maintenance associated with the Project.

ABORIGINAL HERITAGE WITHIN THE APPLICATION AREAS

AAR holds records for nine Aboriginal sites within the Application Areas listed in Table 1 below.

AAR notes that the central archives are not an exhaustive record of Aboriginal heritage in South Australia. It is possible that the Application Areas may contain Aboriginal heritage unknown to AAR and that further heritage may be discovered during ground disturbing works.

Attachments 1 through 6 show the Application Areas, proposed Project works (showing where the conduit will be laid and the proposed pit locations) and heritage sites known to AAR. Project works will impact directly on sites 6626-1687 and 6626-5870. An overview map of the Application Areas in Goolwa, Goolwa South and Goolwa Beach and Hindmarsh Island and the Aboriginal heritage sites can be found at Attachment 1.

Table 1 – Known Aboriginal heritage intersecting the Application Areas

Site number	Site name	Type/description	Attachment map
6626-4727	Meeting of the Waters	Cultural	All
6626-4726	Kumarangk (Hindmarsh Island)	Cultural	Not depicted
6626-1687	Goolwa Midden 2	Archaeological	Attachment 2
6626-5868	Goolwa Midden 3	Archaeological	Attachment 2

6626-5870	Goolwa Midden 4	Archaeological	Attachment 4
6626-3671	Goolwa wharf midden and historical campsite	Archaeological	Attachment 3
6626-3916	Hindmarsh Island Burial 1	Burial	Attachment 6
ID769	Burial on construction site	Burial	Attachment 6
ID1	Burial	Burial	Attachment 5

Site 6626-4726 - Kumarangk (Hindmarsh Island)

Hindmarsh Island is a significant Ngarrindjeri anthropological site. Please note, Kumarangk (Hindmarsh Island) has not been depicted as an Aboriginal site on the attached maps due to the limited spatial information AAR holds for the site. Traditional Owners who wish to know more may contact AAR to seek further information.

Site 6626-4727 - Meeting of the Waters

This significant Ngarrindjeri anthropological site comprises the waters and submerged land surrounding Kumarangk (Hindmarsh Island) and the other islands adjacent to the Murray Mouth. It also includes the Goolwa Channel and pre-barrage tidal reaches of the Finniss River and Currency Creek, extending to the Murray Mouth and entrances to Lake Alexandrina and the Coorong.

Traditional Owners who wish to know more may contact AAR to seek further information.

6626-1687 - Goolwa Midden 2

This midden comprises three separate areas and contains mostly fragmented and scattered cockle shell with quartz cores and bi-polar flakes with a medium to high density of up to density of 2 artefacts per m^2. Areas 1 (100x3m) and 2 (60x60m) are extremely disturbed by nearby construction, and area 3 (97x15m) has been damaged by vehicle traffic and a track. A conduit is planned to be laid within this site, as depicted on the map at Attachment 2.

6626-5868 - Goolwa Midden 3

The site comprises heavily fragmented cockle as well as historic artefacts. The midden is now found in the carpark for the Signal Point Gallery.

6626-5870 Goolwa Midden 4

This midden is a dense and deep cultural deposit located along the Goolwa foreshore. The Applicant plans to lay conduit and upgrade a pit intersecting within this site, as shown on the map at Attachment 4.

6626-3671 Goolwa wharf midden and historical campsite

An extensive midden site containing stone artefacts, predominantly quartz, and historic material such as glass and iron fragments. This site extends from the Goolwa railway along the Lower Murray near Goolwa for at least a kilometre.

Other sites

In addition to the above sites, AAR holds records for 14 sites including middens, campsites and burials outside, but within a 2 km radius of, the Application Areas.

ABORIGINAL HERITAGE RESEARCH AND ASSESSMENTS

The Applicant commissioned a cultural heritage survey in relation to the Application Areas, which is summarised below.

Stenhouse, G and Evans, C (2024) Cultural Heritage Survey Report Enerven NBN N2P: Middleton, Goolwa and Hindmarsh Island. Unpublished report for the Ngarrindjeri Aboriginal Corporation and Enerven Energy Infrastructure Pty Ltd

This survey was undertaken at Middleton, Goolwa Beach, Goolwa South, Goolwa, Goolwa North and Hindmarsh Island with representatives from NAC, Enerven and NBN on 24 and 25 October 2024. The purpose of the survey was to identify Aboriginal heritage within the broader N2P program footprint, of which the Project forms one part.

Stenhouse Heritage undertook a search of AAR's central archives for the above areas. This records search identified records of 30 known burials, cultural and archaeological sites, including the sites described in the above section of this document.

No new anthropological sites were found; however, the cultural significance of the areas around Goolwa and Middleton was flagged. The NAC representatives who participated in the survey noted that the Project would not impact the "Meeting of the waters" cultural site.

The survey area was also inspected for archaeological sites. The previously recorded shell midden site 6626-5870 on Barrage Road in Goolwa South was reported to have dark sandy soil indicating long term campfire use and highly fragmented shell with floodplain mussel identified. There was discussion about the proposed trench that would intersect this site and that if impacts to the site were proposed, then authorisations under the Act would be required.

Due to Hindmarsh Island being considered a high-risk heritage area, all N2P program areas close to the known heritage sites on the island were inspected. No new sites were found. The previously recorded burial site 6626-3916 on Monument Road was identified as being in very close proximity to works. Stenhouse Heritage advised "[c]*are should be taken to ensure the project footprint does not impact upon the site and works should be contained to the eastern half of Monument Road*.'

Recommendations by NAC/Ngarrindjeri representatives during the survey included: engaging monitors to observe ground disturbing works, cultural awareness training to be delivered by NAC/Ngarrindjeri representatives to contractors, complying with 'Stop Work' procedures if heritage is found, future Project work outside the Project Area being managed in consultation with NAC and consideration given to part-time, full-time or labour hire positions within Enerven/the Applicant on this or other projects.

HERITAGE ASSESSMENTS IN AAR'S RECORDS

A non-exhaustive summary of other relevant heritage surveys and studies is found below.

Edmonds, V (1988) An Archaeological Survey of Hindmarsh Island. South Australian Department of Environment and Planning.

In 1988, archaeologist Vanessa Edmonds was commissioned by the then Department of Environment and Planning to review current zone boundaries on Hindmarsh Island at the mouth of the Lower Murray River as the result of several proposals to develop the Hindmarsh Island waterfront.

The study found eleven sites during the survey. All sites except one were recommended to be preserved as a cultural resource for the future. The shoreline was considered the most

archaeologically sensitive area of the island, and it was advised that any future development in this area should be carefully assessed prior to approval for development.

Edmonds, V (1996) A Brief Archaeological Investigation of the Goolwa Foreshore and Hindmarsh Island, South Australia. Report for Michell Sillar Lynch and Meyer Adelaide

In 1996, Edmonds was engaged to assess two previously identified heritage sites: one on the mainland, and one on the western shoreline of Hindmarsh Island.

Marin, P et al (1997) Site Conservation Strategy: Zone 2. Final Report: Zone 2. Report for the Heritage and Strategic Development Team, Department of State Aboriginal Affairs South Australia.

The aims of this survey included verification of site locations by revisiting each site. The report verified 14 sites on Hindmarsh Island and one in Goolwa.

PROPOSED MANAGEMENT OF ABORIGINAL HERITAGE

The Applicant has engaged Stenhouse Heritage to manage and supervise known and discovered Aboriginal heritage during the Project. The Applicant states that Stenhouse Heritage will consult, on its behalf, and work with the Ngarrindjeri RNTBC (NAC), as well as Traditional Owners and custodians who have an interest in the Application Areas in relation to the Project. The Applicant states that it, and Enerven, will "*ensure the* [P]roject *is delivered in alignment with Cultural Heritage management preferences and recommendations, and inclusive of the local Ngarrindjeri community*".

Ngarrindjeri engagement

The Applicant advises that consultation with NAC in relation to the broader N2P program was initiated in September 2024. Enerven has been in regular communication with NAC, including engaging monitors to be on site for ground disturbance in work zones outside of the Application Areas. Consultation with Ngarrindjeri Traditional Owners on the Project will include meetings, presentations to the NAC Board, briefings, progress updates, notification of heritage and engaging two cultural representatives nominated by NAC to observe excavation works.

The Applicant states that it will comply with AAR's Aboriginal Heritage Discovery Protocols and any conditions of any authorisation, if granted.

Visit agd.sa.gov.au/heritage-applications for a copy of AAR's current Aboriginal Heritage Discovery Protocols. If you would like a hardcopy of these documents posted to you, please contact AAR.

The Applicant will seek to avoid impacts to any discovered Aboriginal heritage. The Applicant says: "*In terms of new discoveries made…during works, stop work protocols will apply and as monitors will be present,* [the Applicant] *will liaise with NAC and Stenhouse Heritage to manage the find…works in the immediate area will be redesigned as a first priority if possible*". Where avoidance of the discovery is not possible, any heritage will be managed in consultation with NAC, Stenhouse Heritage and AAR. Heritage that may otherwise be damaged or destroyed during Project works will be subject to archaeological excavation under a method prepared by Stenhouse Heritage and "approved by the Aboriginal Parties".

Subject to any conditions of authorisation (if granted), excavation of sites will be undertaken by hand in 10cm layers, and sieved where necessary, until bedrock is reached. Excavation will be undertaken by shovel or small mechanical excavator. All heritage items found will be recorded with scale photos and GPS data then securely stored temporarily, then relocated or reburied.

The following are procedures that the Applicant would undertake, depending on the specific kind of site type:

- all isolated discoveries will be fully documented and photographed before removal.
- pedestrian surveys with Traditional Owners will be undertaken at known sites, to locate artefacts to be photographed, bagged, and labelled.
- photographs, drawings and records will be undertaken prior to any excavation of middens. Full excavation will be subject to archaeological survey and advice from Aboriginal representatives. Stratigraphic excavation of middens will occur by hand or small machine excavator using a trench 50cm x 50cm for every 4 square metres of midden until a culturally sterile layer. All heritage material found in trenches will be photographed, sieved and labelled in bags or containers. An inventory of materials recovered will be made with identification, nature, dimensions and frequency/number/density noted. All excavation trenches will be mapped using GPS.
- if hearths, ground ovens or campfire sites are found then scale photographs will be taken along with other archaeological observations including the nature, extent, depth, location and composition. Excavation will occur using hand tools or shovels where possible, the excavated layer photographed, and any Aboriginal objects uncovered. All contents will be sieved using a mesh no larger than 10 mm and all cultural materials

placed in labelled bags or containers. After excavation scale photographs will be taken of the main components of the recovered materials. An inventory will be created including identification of the hearth's primary components and details of any artefacts or cultural materials found.

- before any excavation of Aboriginal ancestral remains occurs, scale photographs and the nature, extent, depth, location, layout and other archaeological observations will be recorded. Where necessary, authorities or exemptions have been granted under the *Burials and Cremations Act 2013* (SA), excavation may proceed using hand tools or shovels until a culturally sterile layer is found. Once remains are exposed a record can be made of the orientation, depth, condition and extent of the remains, the size and extent of the burial cut and the presence of associated cultural materials. The remains and associated materials are to be carefully removed after excavation and placed in labelled, environmentally appropriate storage containers.

The Applicant states that where Aboriginal heritage sites are not included above, a bespoke methodology will be created in consultation with NAC should they elect to participate.

At the conclusion of Project, a comprehensive heritage report will be prepared by Stenhouse Heritage that will include:

- dates and individuals present
- nature and extent of heritage
- locations, methods, findings and results of analysis
- inventories and photographs
- details of temporary storage and relocated or reburied heritage.

SECTION 13 CONSULTATION

Before considering whether to grant any authorisation under the Act, section 13 of the Act requires the Minister to take all reasonable steps to consult with the Committee, Traditional Owners, and any other Aboriginal parties that he considers may have an interest in the matter.

Aboriginal Community Consultation Meeting

An Aboriginal Community consultation meeting will be held for Traditional Owners and any other interested Aboriginal parties **from 10:30 am** on **Wednesday 26 November 2025** at the **CLLMM Research Centre, Level 1, 92 Barrage Rd, Goolwa.**

Lunch will be provided. Please RSVP for catering purposes.

To RSVP to attend the Aboriginal Community consultation meeting, please call (08) 8363 8622 or email aar.heritagesubmissions@sa.gov.au . Parking is available at the Boat Ramp next door to the Research Centre.

Invitation for submissions from interested Aboriginal parties

Verbal and written submissions are invited from all interested Aboriginal parties about the Project. Consultees may make a submission to AAR in person, or by phone, letter or email. Anyone in receipt of this consultation information pack is encouraged to share it with other Aboriginal parties who may have an interest in the Project.

This document is also available online at agd.sa.gov.au/heritage-applications

CONSULTATION CLOSES ON FRIDAY 19 DECEMBER 2025.

The Committee will consider all submissions received by the due date.

Aboriginal people with an interest in this matter are encouraged to contact AAR to learn more about the Project and to lodge a submission.

All consultation feedback, RSVPs, submissions and/or requests for further information should be addressed to:

Ms Joanne Fleer
A/Principal Project Officer (Heritage), AAR
Mail: GPO Box 464, ADELAIDE SA 5001
Email: aar.heritagesubmissions@sa.gov.au
Telephone: (08) 8363 8622

When making a submission, consultees should consider and respond to at least the following questions:

1. **Should the authorisations sought by the Applicant be granted? Why or why not?**
2. **If the authorisations are granted, what conditions (if any) should be imposed on them?**
3. **Will the Project provide you with any direct or indirect benefits (e.g. cultural, financial or personal)?**
4. **Are there any other matters the Minister should consider when deciding this application?**

Consultees may request AAR to keep any cultural information in their submission confidential. Where possible, AAR will accommodate that request; however, procedural fairness considerations may require that the Applicant be provided with a right of response to information that is relevant (or at least so much of the information as is relevant).

Otherwise, all submissions will be forwarded to the Applicant in full for comment. Consultee submissions and the Applicant's comments about them will then be forwarded to the Committee, and the Committee's advice will then be sought.

AAR will collate all submissions, the Applicant's responses to them, the Committee's advice, and its own recommendations to the Minister to assist them to make a final decision about the application.

AAR is available to answer questions or provide further information about the application at any time prior to consultation closing on **Friday 19 December 2025**.

Thank you for taking the time to consider this document. If you are an interested Aboriginal party, AAR encourages you to make a submission about this application. AAR is available to assist you if you have difficulty recording a submission.

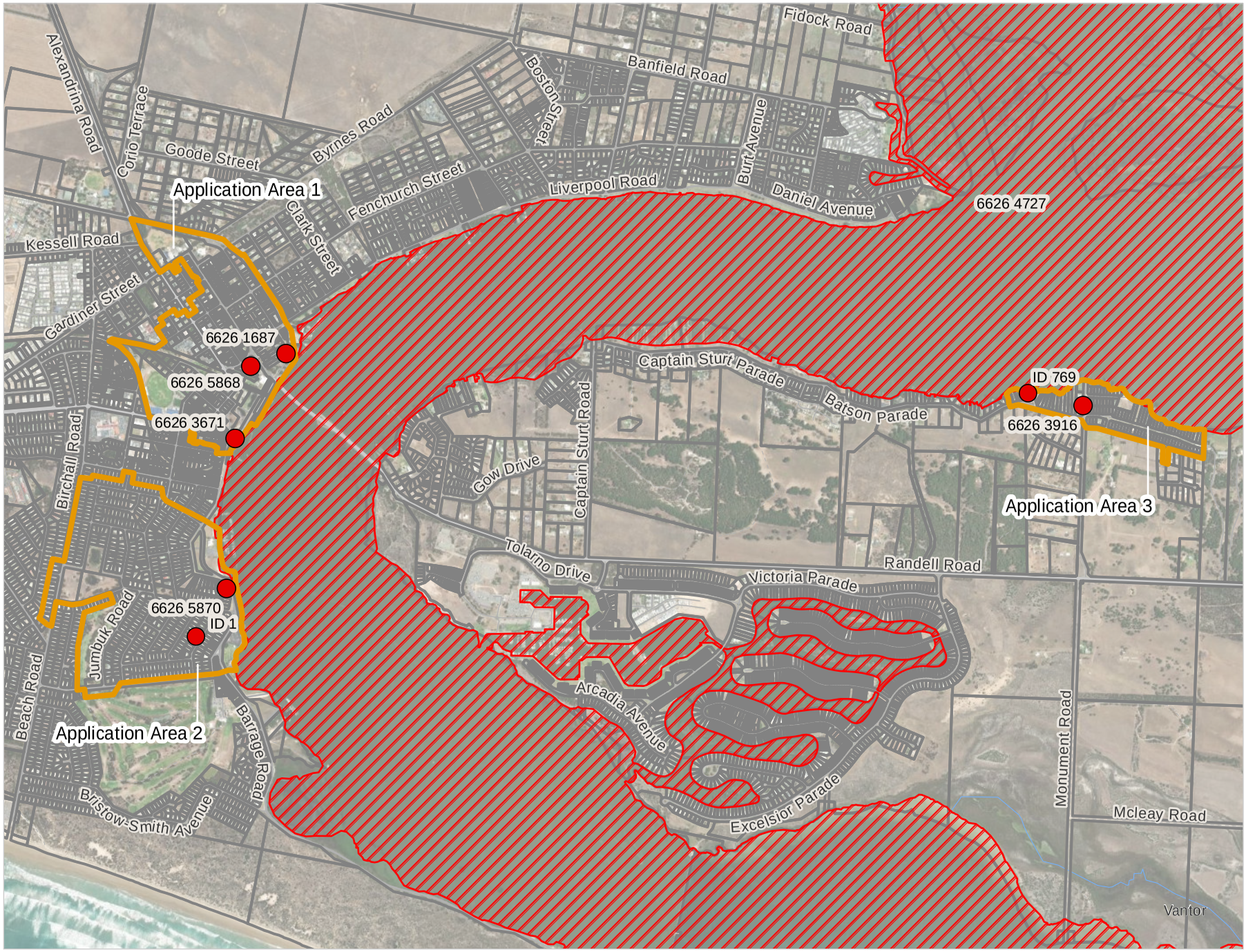
Attachments:

Attachment 1: Overview map
Attachment 2: Application Area 1 (Detail North)
Attachment 3: Application Area 1 (Detail South)
Attachment 4: Application Area 2 (Detail North)
Attachment 5: Application Area 2 (Detail South)
Attachment 6: Application Area 3 (Detail Map)

Sections 21 and 23 Application Areas – Goolwa and Hindmarsh Island NBN Upgrade

Attachment 1 – Overview Map

Government of South Australia
Attorney-General's Department



Goolwa / Hindmarsh Island

Aboriginal Heritage Sites

Application Area

Application Area

Land Parcels

Land Parcels

N

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Metres



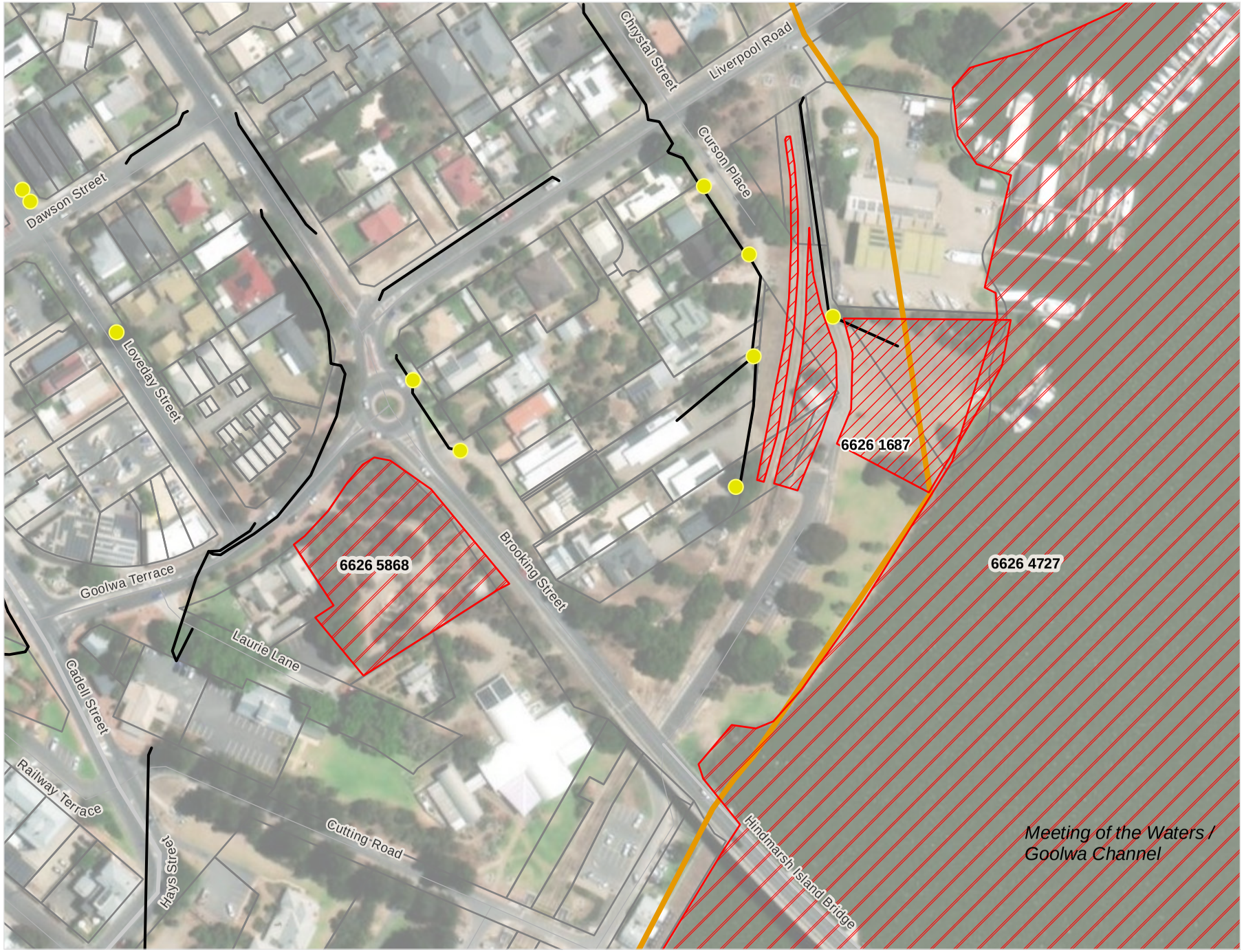
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Data sources: Aboriginal heritage - AAR
Topographic / cadastral - Location SA
Aerial imagery - See main map
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Job No: 2025315-Application Area
Compiled: 14/11/2025

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Sections 21 and 23 Application Areas – Goolwa and Hindmarsh Island NBN Upgrade

Attachment 2 – Application Area 1 (Detail North)

Government of South Australia
Attorney-General's Department



Goolwa

Aboriginal Heritage Sites

Aboriginal Heritage Sites

Application Area

Application Area

Project elements

Pit

Conduit

Land Parcels

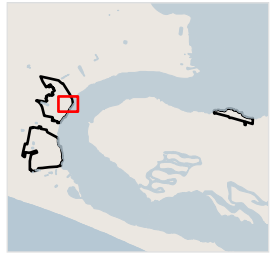
Land Parcels

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Metres



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Data sources: Aboriginal heritage - AAR
Topographic / cadastral - Location SA
Aerial imagery -Vantor
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Job No: 2025315 GoolwaArea1
Compiled: 14/11/2025

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Sections 21 and 23 Application Areas – Goolwa and Hindmarsh Island NBN Upgrade

Attachment 3 – Application Area 1 (Detail South)

Government of South Australia
Attorney-General's Department



Goolwa

Aboriginal Heritage Sites

Aboriginal Heritage Sites

Application Area

Application Area

Project elements

Pit

Conduit

Land Parcels

Land Parcels

N

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Metres



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Data sources:	Aboriginal heritage - AAR Topographic / cadastral - Location SA Aerial imagery -Vantor
Projection | Datum:	Lambert Conformal Conic | GDA2020
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Compiled:	14/11/2025

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Sections 21 and 23 Application Areas – Goolwa and Hindmarsh Island NBN Upgrade

Attachment 5 – Application Area 2 (Detail South)

Government of South Australia
Attorney-General's Department



Goolwa South

Aboriginal Heritage Sites

Aboriginal Heritage Sites

Application Area

Application Area

Project elements

Pit

Conduit

Land Parcels

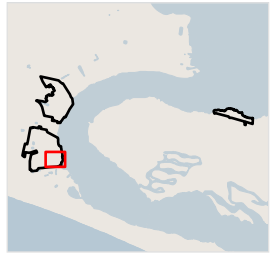
Land Parcels

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Data sources: Aboriginal heritage - AAR
Topographic / cadastral - Location SA
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Sections 21 and 23 Application Areas – Goolwa and Hindmarsh Island NBN Upgrade

Attachment 4 – Application Area 2 (Detail North)

Government of South Australia
Attorney-General's Department



Goolwa South

Aboriginal Heritage Sites

Aboriginal Heritage Sites

Application Area

Application Area

Project elements

Pit

Conduit

Land Parcels

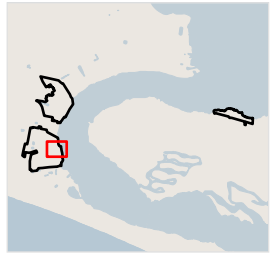
Land Parcels

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Topographic / cadastral - Location SA
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Sections 21 and 23 Application Areas – Goolwa and Hindmarsh Island NBN Upgrade

Attachment 6 – Application Area 3 (Detail Map)

Government of South Australia
Attorney-General's Department



Hindmarsh Island

Aboriginal Heritage Sites

Aboriginal Heritage Sites

Application Area

Application Area

Project elements

Pit

Conduit

Land Parcels

Land Parcels

N

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Metres



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Data sources: Aboriginal heritage - AAR
Topographic / cadastral - Location SA
Aerial imagery - Vantor
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