



# Taroborah Coal Project

## Environmental Impact Statement

### Section 4.9 – Environmental Values and Management of Impacts – Cultural Heritage

Prepared for:  
**Shenhua International Group Pty Ltd**





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## **4.9 CULTURAL HERITAGE**

### **4.9.1 Description of Environmental Values**

#### **4.9.1.1 Non-Indigenous Cultural Heritage**

A non-indigenous historical heritage study was undertaken by Converge Heritage and Community Pty Ltd (Converge) of the known and historical cultural and landscape heritage values of the Project area. The non-indigenous historical heritage study incorporated the following elements:

- A desktop assessment of the non-indigenous historical cultural and landscape heritage values within the region via the Queensland Heritage Register and the local government heritage sites;
- A physical archaeological investigation of the area potentially affected by the Project based on the results of the desktop assessment; and
- An investigation of whether the area potentially affected by the Project includes places and locales of possible state or local heritage significance.

The findings of the non-indigenous historical heritage study are summarised throughout the following sections and described in detail within the Historic Heritage Management Plan (HHMP), provided in Appendix 22. In addition to these findings the HHMP also describes the processes for mitigating, managing and protecting identified historical cultural heritage values and processes for reporting any archaeological artefact not previously identified.

#### **Historical Background**

The historical background of the Project region is addressed to provide an understanding of the historical themes in order to determine whether a place or site should be included in a heritage register, in accordance with the framework under the *Queensland Heritage Act 1992* (QHA). Further details of the historical context of the region are provided within the HHMP in Appendix 22.

##### *Exploration*

Ludwig Leichhardt and his exploration party are generally considered to be the first non-Indigenous people to enter the region. They passed to the east of the Project area, up the Comet River, veering north-west from the junction of the Mackenzie River. This route was followed for both his first trip in January 1845 and the second expedition in March 1847. Due to flooding during their second trip, travelling conditions were much worse and a 'hospital camp' was established at the junction of the Comet and Mackenzie Rivers to which Leichhardt returned after reaching Peak Downs (Reid 2001:11-12).

##### *Squatting and Early Pastoralism*

The first pastoral runs, including Emerald Downs, were established in 1854 shortly after the Leichhardt party visited the region. Increasing numbers of settlers began pushing west of the Great Dividing Range from the ports which were being established on the Queensland coast (Bull 1960:5).



Circa 1860, Peter Fitzallan MacDonald reached the area and progressively squatted on the Emerald Downs, Avoca, Moodewarra, Kingower and Middarra runs associated with the Nogoa River. MacDonald's ventures reflect the settlement activity occurring in the region throughout the early 1860s. Europeans moved into the lower lands and brought sheep and horses with them. By 1867, most of the land in this region of central Queensland was occupied.

### *Frontier Conflict*

European exploration and settlement created conflict with Aboriginal groups in the district. The appropriation of vast swathes of land by squatters did not go uncontested by the local Aboriginal population. In particular, the stocking of the land with sheep or cattle displaced traditional hunting grounds and the settlers' animals were considered appropriate compensation by the local Aboriginal groups (French 1989:94-95). In time, the Indigenous population was largely pacified by the Native Police. It became common practice to use local Aboriginal men as labour on the pastoral stations and Aboriginal women as domestic servants. Aboriginal communities were further displaced with the introduction of Aboriginal Missions and Reserves in the second half of the 19<sup>th</sup> century.

### *Roads and Railways*

It appears that the majority of the roads in the Project area were designated stock routes in the 19<sup>th</sup> and 20<sup>th</sup> centuries. As with the coach route, the location of creeks and waterholes undoubtedly played an important role in the selection and designation of stock routes. Waterholes and substantial creek crossings would also have likely been used as camp sites since the 19<sup>th</sup> century, particularly for drovers guiding sheep and cattle to the railway stations. Some stock routes fell into decline with the shift to road trains from the 1960s onward, but in many places these routes remain in use.

The construction of a railway extending from Rockhampton to Longreach provided a further boost to the region. Known as the Central Railway, the line was built in stages, beginning from Westwood (west of Rockhampton). The town of Emerald was initially created as a station for the line, and was reached in 1879 (Emerald Shire Council 1979:18). The line was extended to Withersfield in 1880 and Bogantungun in 1881. The rail siding at Taroborah (originally referred to as 'St Helens') was also constructed at this time. The line reached Longreach in 1892.

### *Consolidation*

A large number of the runs were consolidated in the 1880s as a result of the *Crown Lands Act 1884*, which allowed leaseholders to 'consolidate' adjoining leases. The consolidated runs were broken into two parts; one part leased by the pastoralist and the other resumed by the government to encourage closer settlement.

The land resumed by the government following consolidation of pastoral holdings in the mid-1880s was thrown open to selection in the late 1890s. Interest in the selections was once more affected by external factors; this time a severe drought affecting Australia, which lasted from 1895 to 1903 (known as the Federation Drought). After the drought had ended, most of the selections in the Project area had been taken up.

The major improvements to most of the selections consisted of fencing and stock yards. Several of the selections located within the Project area also included wells, windmills and bores. In many cases, the leaseholders did not actually live on the selection and, consequently, there were no substantial homes or homestead complexes constructed on the properties.



### *Biogeographical Context*

The terrain of the Project area is an undulating to flat landscape, which is used for low intensity cattle grazing with some cropping, predominantly wheat and sorghum. A number of small creeks traverse the Project area, including Taroborah Creek in the southern section and Retreat Creek in the northern section.

The Project area is located in the southwest part of the Bowen Basin, which was an area of shallow water or terrestrial sedimentation during the Permian period. The Basin is comprised of first order trending platforms separated by sedimentary troughs and on the western side is overlaid by older metamorphic rocks. The Project is located on the western edge of the Denison trough and contains a substantial thickness of Permian sediments, overlain by Tertiary sediments. Coal-bearing sandstone and siltstone within the Bowen Basin carry varying amounts of groundwater through the internal aquifer systems.

There are areas of environmental sensitivity in the vicinity of the Project, including the Fairbairn State Forest located just to the east and south-east of the MDL area.

### *Local Government*

The town of Emerald was established through the excision of land from the Emerald Downs property. The town was surveyed and gazetted in 1878 in preparation for the opening of the railway to this terminus in 1879 (Emerald Shire Council 1979:24).

### *Development of Pastoral Stations*

St Helens, a large pastoral station, originally covered the area on which the Project is located. Tenant turnover appears to have been the norm, although it is unclear how many times the St Helens run changed hands. In 1886, Willoughby Hannam divided the run into two parts under the *Crown Lands Act 1884*. The northern section of St Helen was known as the Resumed part. Sections of the resumed part of St Helens were opened up for grazing between 1896 and 1903. In 1936, the resumed part of St Helens became the Iona pastoral holding, a large-scale sheep station.

Prickly pear was noted in small patches in early assessments for rent appraisal, however by 1927, good progress had been made in eradicating the weed (Prickly Pear Land Commission Inspection Report 24-27 February 1927, Qld State Archives, Series 14031, Run File Item ID 28872).

### *Taroborah School*

Following requests by landholders to the Minister for Lands and Minister for Education, a school and teacher's residence were constructed opposite the Taroborah Siding by 1900. However, the school only operated until 1914, when the teacher was transferred to Gladstone, and the building was rented to a lengthsman who looked after the Taroborah section of the railway corridor.

### *Industries*

In the 19<sup>th</sup> century, the principal industries within the region were pastoralism (both sheep and cattle), construction, railway maintenance, timber-getting and sawmilling. Mining of gold and copper also occurred in the 19<sup>th</sup> century around Clermont and Copperfield, later extending to places such as Blair Athol. Opencut coal mining boomed in Queensland and the Bowen Basin from the 1960s onward.



## Register Searches and Consultation

Searches were conducted of the relevant statutory registers associated with national, state and local legislation. Places included on these registers possess an established level of significance. It is important to consider, however, that the absence of a place on these registers does not mean it is without heritage significance as not all places of heritage significance in Queensland or Australia have been identified. The results of desktop searches and consultation with appropriate academic historians and landholders are as follows:

- No sites or places within the Project area are identified on the World or National Heritage Registers;
- No sites or places (built and/or archaeological) were identified on the Queensland Heritage Register in, or in the immediate vicinity of, the Project area;
- No sites or places were identified in the heritage registers of the former Emerald Shire Council planning schemes in the Project area;
- No sites or places were identified in the Queensland National Trust heritage register in the Project area;
- No historic mines were identified in the Australian Mines Atlas and Department of Natural Resources and Mines (DNRM) Interactive Resource and Tenure Map in the Project area; and
- No further sites and places were identified by the Emerald Historical Society.

## Previous Cultural Heritage Reports

Several consultancy reports were reviewed to assist in the non-indigenous historic heritage assessment of the Project area including:

- *AustralAsian Resource Consultants (AARC) Taraborah Coal Project Initial Advice Statement, 2011;*
- *Converge Heritage + Community, Cameby Downs Expansion Project, Non-Indigenous Cultural Heritage Assessment, Columboola, South-East Queensland, 2010;*
- *Converge Heritage + Community, Non-Indigenous Cultural Heritage Assessment, Alpha Hancock Coal, Central Queensland 2010; and*
- *Converge Heritage + Community, Nathan Dam Historic Heritage Management Plan, 2008.*

Various archival and secondary historical sources were also accessed for their contextual history during the assessment.

## Survey Methodology

The survey methodology adopted for this assessment incorporated a vehicle and pedestrian survey across the Project area, targeting those sites identified by the desktop review and through local consultation.





All assessment data was recorded on field recording sheets and locations of any items or places of historical cultural heritage significance were captured via a hand-held GPS receiver, accurate to  $\pm 5\text{m}$  using datum WGS 84 (GDA 94). This information was then used to create maps identifying the location of sites and features noted during the assessment. Areas of interest were photographed and stored on compact disc.

### Survey Outcomes

Sites identified during the survey were associated with early settlement and closer settlement patterns, pastoral and agricultural land management and the establishment of transport and communication networks.

In total, seven non-Indigenous cultural heritage sites were located within the Project area during the survey and are listed below in Table 4.118. Iona and St Helens Stations are mid-20<sup>th</sup> century developments on what was formerly the extensive 19<sup>th</sup> century St Helens run (the early St Helens station site is located outside of the Project area). Other properties and residences underlying the Project area date to the late 20<sup>th</sup> century or early 21<sup>st</sup> century. Several of the properties are still vacant grazing land without residency.

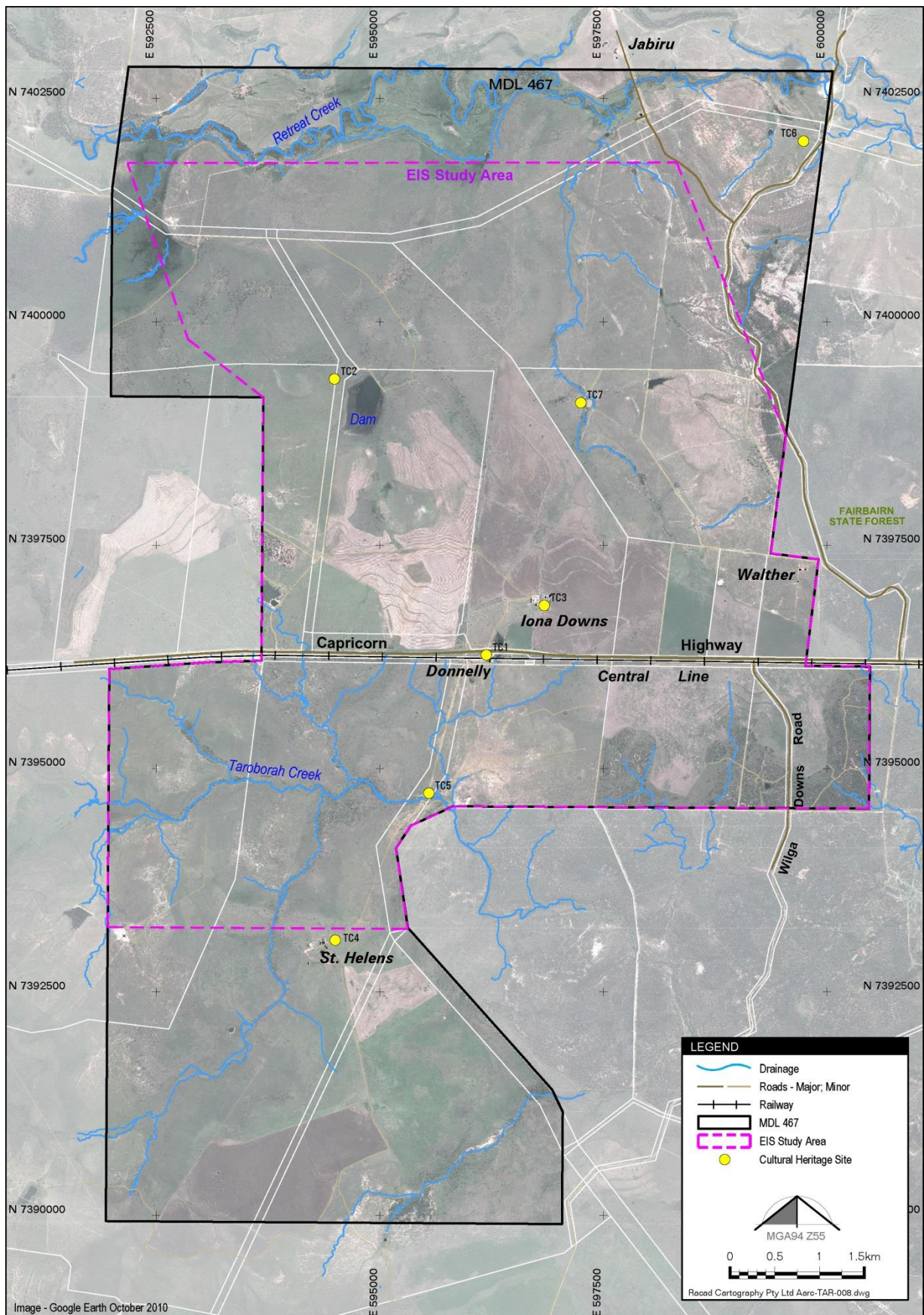
**Table 4.118 Cultural Heritage Sites Located During Assessment**

Site No.	Name	Location (GDA 94 Zone 55K)		Description
		Easting	Northing	
TC1	Taroborah Siding	596189	7396269	Rail siding with lengthsman's residence, (early 20 <sup>th</sup> century). Located along Capricorn Highway.
TC2	Surveyor's Tree	594491	7399356	Mature bloodwood with surveyor double marks, late 19 <sup>th</sup> century.
TC3	Iona Station	596836	7396822	Substantial station comprised of two houses and numerous functional buildings and structures, c1950 – 2000s, including major dam and former dip.
TC4	St Helens Station	594501	7393076	Head station with buildings spanning 1950s – 1980s, as well as yards and water infrastructure. Former St Helens run.
TC5	Telegraph Pole/ Alignment	595546	7394722	One of two identified poles along St Helens main farm track (access road).
TC6	Stock Route and Loading Yards	599736	7402018	Stock route alignment from 19 <sup>th</sup> century, with related loading yards (unknown date).
TC7	Taroborah Residence	597245	7399091	House relocated from Taroborah Siding, early 20 <sup>th</sup> century.

These sites have been considered and assessed in terms of their associations with pastoral development, stock routes, and early communication networks. Although several windmills, bores, pumps and related infrastructure were identified in the area of the Project, they appeared to be representative of their type and are common to the region; therefore comprehensive recording is considered unnecessary.

The original stock route, although evident on maps spanning decades, was not identified during the field survey and, in addition, no landscapes, views or vistas were considered to be of cultural heritage significance within the Project area.

The locations of cultural heritage sites identified during the field survey are indicated in Figure 4.128 below.



**Figure 4.128** Location of Identified Historical Cultural Heritage Sites



## Archaeological Investigation

A desktop assessment of archaeological heritage potential of the Project area identified a potential archaeological resource - an early 20<sup>th</sup> century school site, identified at TC1 which may contain evidence relating to:

- Early education system, including diet, pastimes and ways of life of children and school teachers in the early 1900s in a challenging and marginal landscape;
- Ways of life of early lengthsman's and residents of the Taroborah Siding dwelling; or
- Evidence of early rail construction.

The assessment uncovered a school house and a headmaster's residence apparently opposite the Siding site (TC1). It is thought that the school site would be situated on the northern side of the Capricorn Highway, however, following a physical archaeological investigation a precise location of the school house was not identified and landholder consultation failed to reveal the whereabouts of the site.

This site is considered to have moderate potential for archaeological remains; with remains likely be in the form of subsurface assemblages, postholes, dumps or privies.

The cultural heritage assessment concluded that the Project area has generally low potential to contain further sites and places of archaeological significance and any archaeological remains would be unlikely to be significant as they would not likely contribute to already existing knowledge about these types of sites and settlement patterns.

### 4.9.1.2 Non-indigenous Cultural Heritage Significance Assessment

An assessment of the cultural heritage significance of the sites, places and items located during the non-indigenous cultural heritage survey was undertaken and based on the application of the EHP publication *Using the Criteria; a methodology* (EPA 2006:5) and the standard criteria identified in the QHA.

The EHP publication assists in assessing the level of cultural heritage significance of a site and provides the following definitions:

- *A place is of local cultural heritage significance if its heritage values are of a purely localised nature and do not contribute significantly to our understanding of the wider pattern and evolution of Queensland's history and heritage; and*
- *A place is of state cultural heritage significance if its heritage values contribute to our understanding of the wider pattern and evolution of Queensland's history and heritage. This includes places that contribute significantly to our understanding of the regional pattern and development of Queensland (EPA 2006:5).*

With the assistance of EHPs publication (EPA 2006:5), the following standard criteria were applied to the non-indigenous cultural heritage sites, in accordance with the QHA, to determine the appropriate level of significance as follows:

- ***Historic Values – Criterion (a): The place is important in demonstrating the evolution of Queensland's history.***

The Project area contains evidence of activities relating to the early pastoral development and management of livestock and agriculture industries, closer settlement patterns, and the establishment of transport and communication networks. The majority of identified sites have been assessed as dating to the early or mid-20<sup>th</sup> century, with only one site, a surveyor's tree, identified as dating to the late 19<sup>th</sup> century. The sites are common and typical features within a pastoral cultural landscape, particularly in central Queensland.

The Project area does not meet this criterion at a State or local level.

- ***Uncommon, Rare or Endangered Aspects – Criterion (b): If the place demonstrates rare, uncommon or endangered aspects of Queensland's Cultural Heritage.***

As the majority of identified sites and places could currently be considered common features within a pastoral landscape (as related to closer settlement patterns, management of livestock and agriculture industries, and the establishment of transport and communication networks), they are not considered to represent rare, uncommon or endangered aspects of Queensland's cultural heritage.

However, it should be noted that with increasing development in the central Queensland region, coupled with the passage of time and impacts from floods and bushfires, many of these site types (such as telegraph alignments and surveyor's trees) are becoming increasingly rare.

The only site identified to demonstrate rare, uncommon or endangered aspects of Queensland's cultural heritage is the Taraborah Siding site (TC1). The site's rarity stems from the nature of residency at the Siding site – the lengthsmen's residence, its proximity to the railway line and associated infrastructure.

This site type may be uncommon and is not mentioned in survey reports undertaken for Queensland Rail for the Central Railway and Branches (Buchanan Architects 2002a; Buchanan Architects 2002b) and the former Department of Environment and Resource Management's (DERM) railway studies. However, detailed analysis regarding the degree of rarity was not possible within the constraints of the non-indigenous cultural heritage assessment. A comparative analysis of similar sites and buildings, locally, (potentially) regionally, State-wide and nationally, would be required to definitively determine the significance rating for this category.

Therefore, until further research is undertaken for this site, TC1 has been provisionally assessed as not meeting the criterion at State level and although the Project area does not meet this criterion at a State level it may meet this criterion at a local level.

- ***Potential to Yield Information – Criterion (c): If the place has potential to yield information that will contribute to an understanding of Queensland's history.***

As the identified sites and places are representative of management of livestock and agriculture industries, closer settlement patterns and the establishment of transport and communication networks, it is unlikely they would yield new information that would contribute to a greater



understanding of Queensland's history.

The Project area does not meet this criterion at a State or local level.

- ***Demonstrating the Principal Characteristics of a Class – Criterion (d): If the place is important in demonstrating the principal characteristics of a particular class of cultural places.***

The pastoral station complexes demonstrate the characteristics of closer settlement however this is common across extensive regions of Queensland where similar settlement patterns were a feature of the history of the region.

Taroborah rail siding and residence are characteristic of the type of dwelling and occupation along the railway corridor from the late 19<sup>th</sup> century and early 20<sup>th</sup> century. However, the site has been so altered that the principal characteristics of this class and type of site have been compromised.

The Project area does not meet this criterion at a State or local level.

- ***Aesthetic Characteristics – Criterion (e): If the place is important because of its aesthetic significance.***

There are no particular aesthetic characteristics which set the Project area apart from other areas. There is no readily identifiable physical evidence which would suggest that the built or landscape aesthetic would be significant at a State level.

The Project area does not meet this criterion at a State or local level.

- ***Creative or Technical Achievement – Criterion (f): If the place is important in demonstrating a high degree of creative or technical achievement at a particular period.***

Detailed analysis regarding the degree of creative or technical achievement was not possible within the constraints of the non-indigenous cultural heritage assessment. To determine the significance rating for this category, a comparative analysis of similar pastoral techniques, including an analysis of the technological hurdles which needed to be overcome, locally and potentially regionally, across the State and nationally would be required. There is no readily identifiable physical evidence which suggests that any outstanding creative or technical attributes exist at a State level.

The Project area does not meet this criterion at a State or local level.

- ***Social, Cultural or Spiritual Associations – Criterion (g): If the place has a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.***

There are no known social, cultural or spiritual associations related to the Project area, therefore the Project area does not meet this criterion at a State level or local level.

- ***Special Associations with a Person or Group – Criterion (h): If the place has a special association with the life or work of a particular person, group or organization of importance in Queensland's history.***

There are no special associations related to the Project area, therefore the Project area does not



meet this criterion at a State or local level.

### Grading of Significance for Individual Sites

In order to develop appropriate management strategies for individual sites, the category of local significance was subdivided into five grades, based on rarity and intactness. The criteria for establishing the thresholds for each of the levels are outlined in Table 4.119 (Converge 2013).

**Table 4.119 Criteria for Local Significance Rating**

Grading	Justification	Status
Exceptional	Rare or outstanding element exhibiting a high degree of intactness or other such quality and is interpretable to a high degree, although alteration or degradation may be evident.	Fulfills criteria for local, State or potentially National listing.
High	Featuring a high degree of original or early fabric or demonstrative of a key part of the element's significance, with a degree of alteration which does not detract from that significance.	Fulfills criteria for local, State or potentially National listing.
Moderate	Includes elements and relationships that are supportive of the overall significance of the item and have some heritage value but do not make an important or key contribution to that significance. Includes altered and modified elements.	Fulfills criteria for local listing and may fulfill criteria for State listing.
Low	Elements assessed as being of Low significance are generally not regarded as essential to the major aspects of significance of a place, often fulfilling a functional role.	May fulfill criteria for local listing and does not fulfill criteria for State listing.
Intrusive	Damaging the element's heritage significance.	Does not fulfill criteria for local or State listing.

The following grades of cultural heritage significance apply to sites of non-Indigenous cultural heritage identified across the Project area (refer to Table 4.120).

**Table 4.120 Individual Sites and Significance Grading**

Site No.	Name	Individual Site Significance Grading
TC1	Taroborah Siding	Low
TC2	Surveyor's Tree	Low
TC3	Iona Station	Low
TC4	St Helens Station	Low
TC5	Telegraph Pole/ Alignment	Low
TC6	Stock Route and Loading Yards	Low
TC7	Taroborah Residence	Low

In conclusion, none of the seven non-Indigenous cultural heritage sites identified within the Project area have been assessed as demonstrating significance at a State level, as set against criteria provided in Section 35 (1) of the QHA.

All identified individual non-Indigenous cultural heritage sites within the Project area have been assessed as being of low significance, that is, they are not regarded as essential to the major aspects of significance of a place, but rather fulfil a functional role. However, Taroborah Siding (TC1) has been assessed as having some significance sufficient to warrant further research and recording should its integrity be affected by the Project in the future.

However, as no sites were considered to cross the threshold for local, State or National significance no notification to the Cultural Heritage Branch of EHP is required.

Potential impacts and recommendations regarding the management of sites and archaeological places with potential cultural heritage significance are described in the following Section 4.9.2.

#### **4.9.2 Potential Impacts and Mitigation Measures**

Potential direct impacts on cultural heritage places identified are likely to be confined to subsidence as a result of underground mining. Impact on potential cultural heritage sites by the Project will generally be in the nature of removal of the ground surface and sub-surface, vegetation clearance related to the mine's expansion and the development of associated infrastructure. It is also possible that currently unknown cultural heritage may be affected by subsidence as a result of underground mining.



#### 4.9.2.1 Non-Indigenous Cultural Heritage

Table 4.121 describes grades of significance that apply to the identified sites of non-Indigenous cultural heritage across the Project area, as well as the assessed impact of the Project on each site. The impact assessment is based on analysis of the nature and preliminary planning and design of the Project.

**Table 4.121 Impact Assessment of Individual Sites**

Site No.	Name	Significance Grading	Impact Assessment
TC1	Taroborah Siding	Low	Possible direct impact due to ground subsidence, or cumulative indirect impact due to proximity to other infrastructure
TC2	Surveyor's Tree	Low	Possible impact from subsidence
TC3	Iona Station	Low	Possible impact from subsidence
TC4	St Helens Station	Low	Not impacted
TC5	Telegraph Pole / alignment	Low	Not impacted
TC6	Stock Route and loading yards	Low	Not impacted
TC7	Taroborah residence	Low	Possible impact from subsidence

Of the seven cultural heritage sites that have been identified during the assessment, one will be directly impacted by the Project, one is likely to be impacted, and there is the potential for four sites to be impacted by subsidence. There is also the potential for further sites of cultural heritage significance to exist within the Project area.

This section provides specific recommendations in relation to these sites and general mitigation recommendations to manage unknown and unexpected historic cultural heritage sites located within the Project area that may potentially be impacted. Sufficient record of the site and the subsequent management measures are outlined in detail within the HHMP provided in Appendix 22.

## Historical Heritage Management

### *Recommendation 1 – Avoidance of Sites*

It is recommended that the design of the Project takes into account each of the heritage sites discussed and, where possible, avoids impacting on these sites, or if this is not possible, implements the relevant mitigation measures as recommended in the HHMP (refer to Appendix 22).

### *Recommendation 2 – Mitigation of Site TC1 (Taraborah Siding)*

Prior to any anticipated ground subsidence or if the site's integrity is likely to be impacted by Project related activities (such as road and rail upgrades as a result of potential land subsidence), it is recommended that:

- Brief additional research should be conducted to attempt to confirm the provenance of the complex and establish details about its history;
- The site should be recorded in detail by a qualified cultural heritage professional and in line with the draft EHP Guidelines for Archival Recording. This should consist of a statement of significance, site sketch map, description, and photographic record;
- The archival report should be lodged in local libraries and the State (John Oxley) Library; and
- Unexpected finds (likely of an archaeological nature) in and around TC1 should be managed under Recommendation 3.

### *Recommendation 3 – Unexpected Finds*

The Project area has the potential to contain as yet unknown non-Indigenous cultural heritage material. These may include or be related to:

- Remains from settlement pastoral/agricultural activities;
- Subsurface remains associated with school house site;
- Remote graves;
- Survey trees;
- Material evidence of historic roads and or stock routes; and/or
- Evidence of early rail construction.

Accordingly, work practices developed for the Project should include a 'Stop Works Procedure' for managing unexpected cultural heritage material or sites that may be encountered. This should include:

- All work at the location of the potential material or site must cease and reasonable efforts to secure the site should be made – a buffer zone of 20 m around the find is considered suitable;
- Work can continue at a distance of 20 m from a find area. Note that the material or site should not be removed or disturbed any further (barriers or temporary fences may be erected as a



buffer around the find if required);

- The Site Manager should be notified. They will then notify a qualified Historical Archaeologist; and
- The Historical Archaeologist will provide management recommendations to the Site Manager and will liaise with the EHP to ensure that the archaeological provisions of the QHA are followed.

These procedures should be integrated into the operational procedures defined for the Project, in addition to any procedures for managing cultural heritage. An example of this procedure is provided within the HHMP (Appendix 22).

Additionally, it is recommended that diligence be practiced during works conducted within the Project area, particularly during any clearing or construction phases associated with initial preparation of the Project area. To facilitate this diligence, it is recommended that a Cultural Heritage Induction Booklet / Pamphlet be developed which can be incorporated into the General Site Induction. The Cultural Heritage Induction Booklet / Pamphlet should be prepared by a qualified heritage specialist and include the following:

- Specifically instructing crews of their legislative obligations regarding the reporting and preservation of cultural heritage material;
- A specific procedure to ensure crews look for and avoid cultural heritage material until it has been properly assessed;
- Presentation of familiarisation material for work crews which provides practical measures for the recognition, so that they are aware of what constitutes a cultural heritage material;
- Provision of educational material to personnel, informing them what archaeological material may look like, and provide clear instructions on what to do, should any such material be found; and
- A process for the collection, transport and storage of any non-Indigenous cultural heritage items.

#### *Recommendation 4 – Dissemination of Heritage Report*

Copies of this HHMP should be lodged with:

- Emerald Historical Society;
- Central Highlands Regional Council Library; and
- Emerald Library.

This will ensure that, at minimum, information on the type and location of sites will become part of the public record.

#### 4.9.2.2 Indigenous Cultural Heritage

In Queensland, significance assessment of Aboriginal cultural heritage is guided by the *Aboriginal Cultural Heritage Act 2003* (ACH Act) and its gazetted guidelines, and the *Australian ICOMOS Charter for Places of Cultural Significance 1999* (also known as the Burra Charter).

The ACH Act defines Aboriginal cultural heritage as anything that is “a significant Aboriginal area in Queensland; or a significant Aboriginal object; or evidence, of archaeological or historic significance, of Aboriginal occupation of an area of Queensland” (s8 ACH Act). A significant Aboriginal area or object is defined as an area or object of “particular significance to Aboriginal people” due to “Aboriginal tradition; and / or the history, including contemporary history, of any Aboriginal party for the area” (ss9-10 ACH Act).

#### Register Searches

Desktop searches of the following registers and databases were conducted to identify potential sites of indigenous heritage significance within the Project area:

- Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA) register and database (not publicly available);
- Former Register of the National Estate;
- World Heritage List;
- National Heritage List;
- Commonwealth Heritage List; and
- Queensland Heritage Register.

No sites were listed on the Queensland Heritage Register for the area. However, the DATSIMA register and database identified nine sites within EPC1011 (now MDL467) as detailed in Table 4.122.

**Table 4.122 Sites Identified on DATSIMA Register and Database**

Area	Site ID	Latitude*	Longitude*	Record Date	Attribute	Cultural Heritage Body / Aboriginal Party
EPC1011	GF:A34	-23.5961	147.9381	1/01/1987	Artefact Scatter	Lumburra Bimbi Pty Ltd
EPC1011	GF:A35	-23.5961	147.9381	1/01/1987	Artefact Scatter	
EPC1011	GF:A36	-23.5961	147.9381	1/01/1987	Artefact Scatter	
EPC1011	GF:A37	-23.5961	147.9381	1/01/1987	Artefact Scatter	
EPC1011	GF:A38	-23.5961	147.9381	1/01/1987	Artefact Scatter	
EPC1011	GF:A39	-23.5961	147.9381	1/01/1987	Artefact Scatter	
EPC1011	GF:A40	-23.5961	147.9381	1/01/1987	Artefact Scatter	
EPC1011	Part of area without recorded sites **	-	-	-	-	Bidjara #7 People
EPC1011	Part of area without recorded sites **	-	-	-	-	Lumburra Bimbi Pty Ltd

\* Spatial locations are pre-GIS (1987) and limited in accuracy, therefore these coordinates indicate the vicinity of these sites, not actual locations

\*\* No other artefacts or finds were recorded across EPC1011

None of the above sites specifically identified by latitude and longitude will be impacted upon by development of the Project, as they are some 4.5 km south of the mining area.

Two Native Title determinations have been submitted to the National Native Title Tribunal as follows:

- The Bidjara #7 People applied for a Native Title determination, which was registered in January 2013; and
- A second Native Title determination was registered with the Tribunal by the Western Kangoulou People in June 2013.



## **Cultural Heritage Management Activities to Date**

Throughout the Project exploration and investigation process, consultation has been undertaken with the Western Kangoulu Aboriginal Party through the use of mitigation works agreements. In December 2012, a Cultural Heritage Management Agreement was negotiated as 'another agreement' for the purpose of s23 (3) (iii) of the ACH Act and ratified between the Proponent (Shenhua) and Western Kangoulu representatives. Management measures contained within these agreements range from systematic surveying, recording, collection and removal of identified Aboriginal cultural heritage items from proposed development areas to other mitigation methods, including avoidance and total protection.

During the various Aboriginal cultural heritage surveys undertaken to clear access tracks and drill pads ahead of exploration, no sites of high significance have been identified, although there remains two areas of artefact scatter and three stone quarry sites in the mine development area that still require full mitigation.

It is reasonable to expect that additional areas and objects of Aboriginal cultural heritage may be directly impacted upon by mining activities associated with the Project, and the ongoing approach to management will continue to be systematic surveying of mine disturbance areas and mitigation of any areas of cultural heritage significance identified. The preferred approach in the wider context of MDL 467 going forward, where construction and mining activities will not occur, will be management of the site via impact avoidance.

## **Cultural Heritage Management Plan**

Under Part 7 of the ACH Act, a Cultural Heritage Management Plan (CHMP) must be developed and approved when an EIS is required for a project.

A CHMP is an agreement between a land user (sponsor) and Traditional Owners (endorsed party) developed under Part 7 of the ACH Act which outlines how land use activities can be managed to avoid or minimise harm to Aboriginal or Torres Strait Islander cultural heritage.

The CHMP approval process involves a statutory one-month notification of an intention to develop a CHMP, followed by a three-month negotiation and consultation period with the Aboriginal party regarding the terms of the plan.

In accordance with Part 7 of the ACH Act, a CHMP is currently being prepared for the Project between Shenhua and Lumburra Bimbi Pty Ltd and the Bidjara #7 people, the registered cultural heritage claimants for the area, for the purpose of mitigating potential indigenous cultural heritage impacts. The progress of the CHMP is being overseen by EHP.