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16. NON-INDIGENOUS CULTURAL HERITAGE

16.1. LEGISLATION

Non-Indigenous cultural heritage sites are protected under both Commonwealth and State heritage legislation. The legislation recognises the importance of sites and cultural landscapes to local communities and to science, and provides measures for their identification and protection.

16.1.1. Commonwealth Legislation

16.1.1.1. *Environment Protection and Biodiversity Conservation Act 1999*

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) protects sites of national or international heritage significance. The EPBC Act is administered by the Department of Sustainability, Environment, Water, Population and Communities (SEWPaC).

Section 528 of the EPBC Act defines heritage values of a place as including the place's natural and cultural environment, having aesthetic, historic, scientific or social significance, or other significance for current and future generations of Australians.

Under the EPBC Act, actions likely to significantly impact on sites of national environmental or heritage significance require assessment and approval from the Federal Minister for SEWPaC. A Commonwealth Heritage List has been prepared, comprising places of national significance on Commonwealth land or under Commonwealth control.

No sites listed on the Commonwealth Heritage List are located within the vicinity of the South Galilee Coal Project (SGCP) and there are no cultural heritage values requiring approval from the Federal Minister for SEWPaC.

16.1.2. State Legislation

16.1.2.1. *Queensland Heritage Act 1992*

The *Queensland Heritage Act 1992* (Heritage Act) provides for the conservation and protection of places and items of non-Indigenous origin and of Indigenous origin that derive from the post-European contact history of Queensland.

Under the Heritage Act, places and items of significance must be entered into the Queensland Heritage Register in order to be protected. Substantial penalties may apply for damage to a place or item that has been entered on the Register. The powers granted by the Heritage Act have recently been extended to include maintenance provisions, ensuring owners do not let heritage listed places deteriorate to such an extent they can no longer be conserved, repaired or restored.

Following these amendments, should any potentially significant archaeological artefacts or archaeological places be identified during the operation of the SGCP, the Proponent must comply with Part 9 of the *Heritage Act*. As required by Section 89 of the *Heritage Act* any person who discovers an archaeological artefact (that is an important source of information about an aspect of Queensland's history) is required to notify the Department of Environment and Heritage Protection (DEHP).

The *Heritage Act* requires local government agencies to establish their own register of areas with 'cultural significance value', defined as a place or object "aesthetic, historic, scientific or social significance, or other special value, to the present community and future generations".

16.1.3. Local Legislation

16.1.3.1. Jericho Shire Planning Scheme 2006

The Barcaldine Regional Council (BRC) Local Government Area (LGA) is comprised of an amalgamation of the former Jericho, Aramac and Barcaldine LGAs. The Jericho Shire Planning Scheme (Campbell Higginson Town Planning, 2006) remains in effect and covers the SGCP area.

16.2. DESCRIPTION OF NON-INDIGENOUS CULTURAL HERITAGE VALUES

Cultural heritage is the value people have given to items and places through their association with those items and places. These values include items and places of social value to the local community and places of historic, architectural or scientific significance. Non-Indigenous cultural heritage is generally associated with human activities since the beginning of non-Indigenous settlement of an area, as well as natural places which have meaning for people of the current day.

A detailed description of local and regional histories is provided in **Appendix P—Non-Indigenous Cultural Heritage Assessment**.

16.2.1. Previous Cultural Heritage Assessments

Several non-Indigenous cultural heritage assessments have been prepared as part of Environmental Impact Statement (EIS) studies for other Galilee Basin mining proposals north of the SGCP.

As they are project specific, these assessments are restricted to a specific time and place, but have the collective potential to contribute valuable background information. A summary of EIS assessments in the area is provided in **Table 16-1**.

Table 16-1 Findings from Previous Non-Indigenous Cultural Heritage Assessments

Mining Proposal	Details of Assessment/s
Alpha Coal Project	<p>Converge Heritage and Community (2010a)</p> <ul style="list-style-type: none"> Desktop review of the rail corridor from the Alpha Coal Project to the port at Bowen. Three items identified including Strathmore Homestead, Old Bowen Downs Road and Suttor Creek Aboriginal Camp.
	<p>Converge Heritage and Community (2010b)</p> <ul style="list-style-type: none"> 11 non-Indigenous cultural heritage sites were identified, including five sites considered to have direct association with the late 19th century coach route network (i.e. travellers' inn site, bottle dump, a gravesite, an old paddock fenceline and <i>in-situ</i> cart ruts), a bush camp, Wendouree and Hobartville homesteads, yards, dams and a marsupial fence.
Kevin's Corner Project	<p>Converge Heritage and Community (2011)</p> <ul style="list-style-type: none"> Six non-Indigenous cultural heritage sites were identified within the Kevin's Corner Project area, including the Burgess Hotel, Rocky Creek Camp, borehole and sheep trough, Cudmore Cottage, Wallaroo Complex and gate post. In addition, two sites were identified outside of the Kevin's Corner Mining Lease Application (MLA) boundary, but in close proximity to the rail corridor, including a marsupial-proof boundary fence and the Six Mile homestead complex.
Galilee Coal Project (GCP)	<p>Thom Black Historian (2010)</p> <ul style="list-style-type: none"> 38 cultural features were identified within 1 kilometre (km) of the rail corridor. Six sites were identified at Abbot Point. At the GCP mine site, homesteads and facilities were identified at Kia Ora, Glenn Innes and Monkland.

16.2.2. Heritage Register Search

A search was undertaken of the following heritage registers for items or places of significance on the SGCP site:

- the World Heritage Register
- the Australian Heritage Places Inventory (including entries from the (former) Register of the National Estate, Commonwealth Heritage List and National Heritage List)
- the Queensland Heritage Register
- Queensland National Trust Register
- BRC heritage register, including the previous planning scheme for Jericho Shire Council.

No items or places were identified within or close to the SGCP in any of these registers. However, sites may exist within the SGCP area that have not yet been recorded.

16.2.3. Liaison with Community Groups/Organisations

Consultation with landholders was undertaken to assist with the identification and location of places of non-Indigenous cultural heritage. Landholders were also consulted regarding the perceived significance of identified heritage places.

The assessment of significance was informed by consultation with the Alpha Historical Society and the Jericho Historical Society.

16.2.4. SGCP Non-Indigenous Cultural Heritage Field Survey

16.2.4.1. Methodology

A non-Indigenous cultural heritage survey was conducted over MLA 70453 and the infrastructure corridor in June 2011 (Everick Heritage Consultants, 2011). Prior to the field survey, a desk based analysis was conducted in order to create a predictive model of potentially significant cultural heritage within the SGCP area.

As part of the non-Indigenous cultural heritage assessment, the following was carried out:

- searches of applicable registers (refer to **Section 16.2.2**)
- interviews with local landholders (refer to **Section 16.2.3**)
- a review of previous heritage assessments (refer to **Section 16.2.1**)
- a review of historic aerial photography for evidence of historic features such as old roads, yards, homestead sites, dams, fences etc.).

Information gathered from the desk based analysis was used to identify the heritage values of the region and to create a predictive model of potential cultural heritage locations of significance. This model was used to guide the second part of the assessment, a cultural heritage field survey.

The survey was conducted primarily by vehicle, with areas of interest surveyed on foot.

Photographs were taken as a record of general features and conditions.

16.2.4.2. Field Survey Results

As presented in **Table 16-2** and **Figure 16-1**, five non-Indigenous cultural heritage features were identified within MLA 70453. An additional four features were identified outside, but in close proximity to MLA 70453 or the infrastructure corridor (refer to **Table 16-2** and **Figure 16-2**). The naming protocol for the identified features indicates whether they lie within (numerals) or outside of (letters) MLA 70453 and the infrastructure corridor.

Table 16-2 Identified Non-Indigenous Cultural Heritage Features

Feature*	Description	Location	Condition
1	Bore Site 1	Within MLA 70453	Poor – largely destroyed
2	Bore Site 2	Within MLA 70453	Poor
3	Creek Farm Outstation Complex	Within MLA 70453	Poor
4	Sapling Creek Overshot	Within MLA 70453	Excellent
5	Chesalon Yard Complex	Within MLA 70453	Poor – largely destroyed
A	Old Betanga Homestead Site	Outside MLA 70453 and the infrastructure corridor	Poor – largely removed
B	Creek Farm Overshot	Outside MLA 70453 and the infrastructure corridor	Excellent
C	Oakleigh Yard Complex	Outside MLA 70453 and the infrastructure corridor	Fair
D	Oakleigh Fence	Outside MLA 70453 and the infrastructure corridor	Poor – largely destroyed

* Detailed information on each of these features is provided in **Appendix P—Non-Indigenous Cultural Heritage Assessment**.

16.3. CULTURAL HERITAGE SIGNIFICANCE

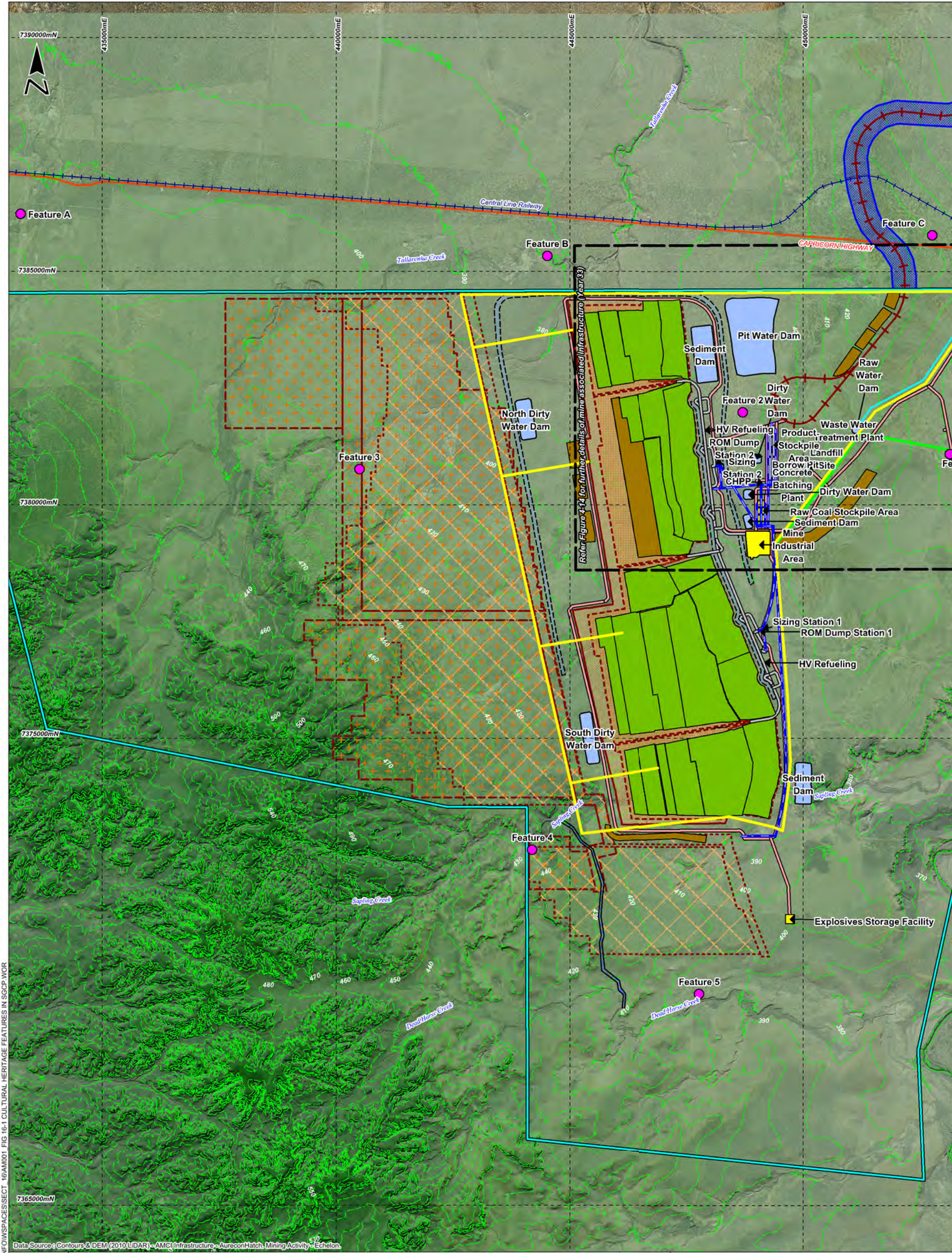
Cultural heritage significance relates to people's perspective of place and sense of value, within the context of history, environment, aesthetics and social organisation. Thus the identification and assessment of the significance of cultural heritage values is an integral step in the process of management and conservation of cultural heritage values.

The International Council on Monuments and Sites (ICOMOS), the peak body of professionals working in heritage conservation in Australia, has adopted the Burra Charter as a guide to acceptable standards with regard to the assessment and management of items of cultural heritage significance. It is widely regarded as the acceptable best practice standard for heritage practitioners.

The Burra Charter defines cultural significance as “aesthetic, historic, scientific social or spiritual value for past, present or future generations” (ICOMOS, 1999).

As advocated by the Queensland Heritage Council (2006), the significance assessment involved reviewing historical research to provide a basis for the use of threshold indicators. Each heritage feature identified has been assessed in terms of whether it reaches the threshold for local, regional or state heritage significance. Only two sites were assessed as meeting the threshold for local heritage significance (i.e. Feature 4 and Feature B). No sites were assessed as meeting the threshold for regional or state heritage significance.

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MLA70453
Principal road
Contour AHD (10m)

Mining Activity
Open pit
Waste rock emplacement
D1 underground mining area
D2 underground mining area

Infrastructure
Facility area
Stream diversion
Drainage channel
Water storage dam
Topsoil stockpile
Topsoil spreading and rehabilitation
Heavy vehicle road
Light vehicle road
On-site rail component
Coal & rejects conveyor

Utilities
66kV overhead power line
11kV overhead power line
Raw water pipeline

Alpha Coal Pty Ltd

South Galilee Coal Project

Identified Non-Indigenous Cultural Heritage Features Within or Adjacent to the SGCP

1 0 1
Kilometres
Scale: 1:75,000 (A3)

30/08/2012
Proj. : MGA Z55
Datum: GDA 1994
FIGURE 16-1

S:\PROJECTS\AM001_15TH GALILEE EIS\GIS\MAPINFO\WORKSPACE\SECT_16\AM001_FIG 16-1 CULTURAL HERITAGE FEATURES IN SGCP.WOR





LEGEND

- ▬ MLA70453
- ▬ SSCP infrastructure corridor
- Identified non-Indigenous cultural heritage feature
- ▬ Roads
- ▬ Tracks

Alpha Coal Pty Ltd
South Galilee Coal Project
Identified Non-Indigenous Cultural Heritage
Features Within or Adjacent to the
Infrastructure Corridor

0 5
Kilometres

Scale: 1:1,500,000 (A4)

30/07/2012

Proj. : MGA Z55
Datum: GDA 1994

FIGURE 16-2

These features are related, being a series of overshot dams built by R. T. Mills and Company between 1948 and 1949. These overshot dams demonstrate the evolution of local rural grazing practices and provide a tangible reminder of the hardships of working the land during times of drought and the ingenuity that this inspired (Everick Heritage Consultants Pty Ltd, 2011).

16.4. POTENTIAL IMPACTS

As indicated in **Table 16-2**, Features 1 to 5 are situated within MLA 70453. Under the proposed mine plans (refer to **Figure 16-1**). Features 1 to 4 may be subject to indirect disturbance (e.g. subsidence, air quality, vibration impacts etc.). Similarly, Features C and D may be indirectly impacted (e.g. by air quality and vibration) due to their proximity to the infrastructure corridor.

Features A and B are not predicted to be impacted by the SGCP.

In addition to the identified cultural heritage features described in **Section 16.2.4.2**, it is possible that significant heritage features may exist within the SGCP area that have not been identified to date. Although this is not considered likely, mitigation measures are provided in **Section 16.5** which allow for the identification and protection of any such items.

16.5. MITIGATION MEASURES

A Non-Indigenous Cultural Heritage Management Plan (CHMP) will be developed prior to the commencement of construction. The Non-Indigenous CHMP will be a key tool in the management of non-Indigenous cultural heritage at the SGCP. The Non-Indigenous CHMP will provide:

- the general principles of non-Indigenous cultural heritage management
- general mitigation and management measures (including responsibilities and channels of communication)
- mitigation and management measures for known non-Indigenous cultural heritage features
- a find strategy for items of potentially significant cultural heritage
- periodic review requirements.

16.5.1. General Mitigation and Management Measures

SGCP employees, contractors and sub-contractors will undergo training and induction to:

- describe the identified non-Indigenous cultural heritage values within and adjacent to the SGCP area

- indicate the potential for discovery of previously unrecorded non-Indigenous cultural heritage within the SGCP area
- describe the procedure to be followed in the event of a non-Indigenous cultural heritage find
- describe the relevant legislative requirements and employees'/contractors' obligations under Section 89 of the *Heritage Act* to report to the DEHP any archaeological items that may constitute an important source of information about an aspect of Queensland's history
- provide a plain English manual for future reference which summarises the training provided as part of the general site induction.

In the event that a previously unrecorded non-Indigenous cultural heritage feature is identified, the following measures will apply:

- all work at the location will cease immediately and reasonable efforts will be made to secure the site
- appropriate managers should be notified and if they are in doubt as to the nature of the find, the Cultural Heritage Advisor will be engaged to inspect the site
- work will not resume until a Cultural Heritage Advisor has confirmed the significance of the find
- should the find be culturally significant, the DEHP will be notified and appropriate mitigation measures will be developed in consultation with the DEHP officers.

The Proponent will nominate an independent Cultural Heritage Advisor for the SGCP to provide expert advice, where required.

16.5.2. Specific Mitigation and Management Measures

Specific mitigation and management measures are not proposed for known non-Indigenous cultural heritage features which are located outside of the Project area or which do not meet the threshold for local heritage significance.

As described in **Section 16.3**, only one known non-Indigenous cultural heritage feature is located within the SGCP area that has been assessed as having local heritage significance (i.e. Feature 4).

As Feature 4 does not contain moveable heritage, the archival photographic record of this feature (refer to **Appendix P—Non-Indigenous Cultural Heritage Assessment**) will be deposited with the State Library of Queensland and the local Alpha Library.

Prior to the commencement of ground disturbance activities, Feature 4 will be demarcated and signed (e.g. with fencing or flagging tape) to avoid accidental damage associated with the SGCP activities.