

AQUIS RESORT AT THE GREAT BARRIER REEF PTY LTD

ENVIRONMENTAL IMPACT STATEMENT

VOLUME 2

CHAPTER 21 CULTURAL HERITAGE

21. CULTURAL HERITAGE

21.1 INDIGENOUS CULTURAL HERITAGE

21.1.1 Existing Situation

a) Overview

A detailed literature review of indigenous cultural heritage (ICH) in the study area was undertaken by Horsfall (2009) as part of the Queensland Government's Cairns Transit Network study. This noted that Aboriginal people have lived in Australia for at least 40 000 years. Throughout this time, there have been environmental and sea level changes, some of which appear to be described in local oral traditions.

At the time of white settlement, Aboriginal people in the Cairns district were hunter / gatherer / fishers, exploiting the rich resources of the marine, estuarine, woodland and rainforest environment available in the area. Settlements were semi-permanent, with well thatched substantial huts. People moved though the country on a seasonal round, harvesting material for food, medicines, fish poisons, material for baskets, implements, decoration etc.

Different clan groups owned and were responsible for their own clan territory, but people frequently lived in and used other clan territories. All parts of the land were known and named, and associated with stories of 'creation time', traditional and historical events, and / or traditional use. The traditional owners of the land are the Yirrganydji people.

The variable environments of the north-eastern Queensland coastal region provided abundant natural food and materials resources for Aboriginal people with the coast and rainforest environments provided ample hunting, fishing and food-gathering opportunities. This abundance resulted in the area being among the most heavily populated regions of Australia prior to European settlement. Due to the density of Aboriginal groups, close contact and social gatherings between groups were common. Despite the close contact amongst the clans, hunting techniques were diverse and varied with several different designs and types of tools and weapons. Carved trees featured extensively in the rainforest and adjacent areas and a variety of rock art was also practiced, although to varying degrees.

Following European settlement, Aboriginal people were displaced, and forcibly moved around. However, most people still know their origins, and wish to practice their culture as much as possible, including protecting significant cultural heritage places.

b) Remaining Cultural Material in the Barron River delta

Most of the studies described by Horsfall (2009) found no cultural heritage places in the broad delta area and it was noted that 'archaeological sites tended to be small, sparse, and disturbed by cultivation'. However, it is known from many studies in the Cairns area that cultural material can still exist on degraded agricultural land.

Cribb and Lee Long (1995) have developed a predictive model of site occurrence of archaeological material. This model predicts that:

- the least likely areas for sites are coastal and inland mangroves, saltpans, and urban / developed areas
- the most likely locations for sites are on sand ridges and in *Melaleuca* open forest.

They also noted that cultivated areas were unlikely to retain surface archaeological material except in a very disturbed state, although intact material might well survive below the level of ploughing (c 600 mm). It should be added that Aboriginal archaeological sites may also still exist within urban / developed areas; buried deposits have been found in such situations in many parts of Australia. It is of relevance that in his survey of the Ponderosa Prawn Farm site just south of the project site, Cribb (1995) found no evidence of cultural heritage material despite a targeted search.

The nature and distribution of many forms of Aboriginal cultural heritage in the landscape is in part associated with environmental factors such as geology, climate, and landforms which affect the availability of plants, animals and water; as well as the location of suitable camping places, surfaces upon which rock art could be performed, and procurement places for stone suitable for the manufacture of tools.

Such environmental factors also affect the degree to which cultural remains have survived natural and human-induced processes. In addition, land-use practices often disturb or destroy cultural heritage.

The extent of vegetation and the nature of erosion and depositional regimes also affect the visibility of cultural remains and hence the chances of their detection during ground surveys. Likewise, landuse practices can disturb cultural heritage, potentially moving it from its original context of deposition. The Aquis Resort site is located on the Barron River flood plain which was formed over the last 6000 years from sediments brought down the Barron River. Soils are mixed alluvium while mixed sands and mangrove mud occur on the coast.

Vegetation within the study has been extensively cleared to cultivate sugar cane. Situated on a floodplain, the area has been heavily modified by compacting the ground and through the installation of a system of tidal floodgates and the raising of the level of river banks fronting Thomatis Creek to form 'bunds' to prevent salt water from entering the property. This work took place predominately in the 1950s and 1960s.

A desktop review of heritage databases and registers revealed that no sites on were found on:

- the (former) Register of the National Estate
- World Heritage List
- National Heritage List
- the Commonwealth Heritage List
- the Queensland Heritage Register.

Searches of the DATSIMA Cultural Heritage Register maintained by the Cultural Heritage Coordination Unit (CHCU) conducted on 29 July 2013 indicate that there are a number of Aboriginal cultural heritage sites registered within the Aquis Resort site. These sites are listed in **Table 21-1**. Specific location data has been deleted for confidentiality.

TABLE 21-1 ICH SITES ON THE AQUIS SITE

AREA	SITE ID	LATITUDE	LONGITUDE	RECORD DATE	ATTRIBUTE	ABORIGINAL PARTY
Lot 100 NR3818	FA:A28	Deleted *	Deleted *	10 / 01 / 1991	Shell Midden	No registered party
Lot 100 NR3818	FA:A29	Deleted *	Deleted *	06 / 01 / 1991	Hearth Oven, Shell Midden	No registered party
Lot 100 NR3818	FA:A30	Deleted *	Deleted *	10 / 01 / 1991	Shell Midden	No registered party

Source: Appendix U (Table 1). * coordinates deleted for confidentiality reasons.

The general locations of these sites are shown on **Figure 21-2**.



AQUIS
GREAT BARRIER REEF RESORT
Aquis Resort Indigenous Cultural Heritage Review

Indigenous Cultural Heritage Sites

Produced in April 2014
Projection: MGA94 Zone 55
Approx Scale @ A4 1:17,500

0 200 400 600
Metres

FLANAGAN
CONSULTING GROUP

This map is copyright and the property of Flanagan Consulting Group, a registered business name of South Pacific Sands Pty. Ltd. (ACN 652 933 687) and must not be reproduced without written permission.
(c) State of Queensland (Department of Natural Resources and Mines; Department of Transport and Main Roads) 2013.
Based on or contains data provided by the State of Queensland (Department of Natural Resources and Mines; Department of Transport and Main Roads) 2013.
In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to the use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.

Figure 21-1 Indigenous cultural heritage sites.

Source: Appendix U.

It is considered that the DATSIMA database results may not represent the total of Aboriginal cultural heritage likely to occur within the project area, despite the modification of the land in the 1950s and 1960s and resultant changed environment. Therefore, it is likely that additional areas or objects of Aboriginal cultural heritage may be located within the project area.

21.1.2 Impacts

Three indigenous cultural heritage (ICH) sites are registered. These consist of shell middens and a hearth oven and the sites are all located in natural vegetation along the eastern fringe of the Aquis Resort site. All sites are clear of the footprint of the development and do not present a constraint.

Other parts of the site, especially in the vegetated areas, have potential for ICH. The whole site is the subject of a Cultural Heritage Management Plan (CHMP) that is currently in preparation.

As the three identified sites are all outside the development footprint there will be no direct impacts. This is subject to confirmation by the CHMP process.

21.1.3 Mitigation/Management

Care will need to be taken when operating in proximity to registered Aboriginal cultural heritage (or any other Aboriginal cultural heritage later identified), with the advice and agreement of the relevant Aboriginal party(s) sought, in accordance with the terms of the CHMP to ensure any harm to cultural heritage is avoided or minimised.

Public notice has been given outlining the proponent's intention to develop a CHMP, with the notice inviting Aboriginal parties to take part in developing the CHMP.

Preparation of a Cultural Heritage Management Plan (CHMP) under the *Aboriginal Cultural Heritage Act 2003* (ACH Act) is substantially completed in consultation with the Yirrganydji people as the registered Aboriginal party or Aboriginal cultural heritage body in relation to the lands or waters within the site.

The CHMP will contain the following in accordance with Part 7 of the ACH Act:

- A process for including Indigenous people associated with the development areas in protection and management of Indigenous cultural heritage.
- Approaches that will manage avoidance of harm to Aboriginal cultural heritage, or if harm cannot reasonable be avoided, to minimise harm.
- The reasonable requirements and methodologies for carrying out cultural heritage surveys and preparing cultural heritage survey reports.
- Processes to achieve acceptable protection, management or mitigation of potential harm to Aboriginal cultural heritage during both the construction and operational phases of the development will be included.
- Arrangements to ensure workplace health and safety requirements are observed during cultural heritage surveys and management or mitigation work programmes.
- Arrangements for notification about project activities and work programmes, including site access.
- A conflict resolution process.
- A 'new finds' process, incorporating a clear recording process, will cover procedures for managing accidental discoveries of ICH.
- A cultural heritage induction for project staff.
- A process for developing a cultural heritage awareness program, to be incorporated into the contractor / employee manual and induction manual. This will be in the form of a plain language, short document that is easy for contractors and staff 'on the ground' to understand.

Initial consultation has been undertaken between the Aquis Resort project representatives and representatives for the Yirrganydji, consisting of distribution of project information to the Yirrganydji People's legal representative for circulation – August 2013, and an information session with the Yirrganydji, held in Cairns on 29 August 2013. Based on these discussions, the Yirrganydji people have responded to the public notice and have sought endorsement to take part in developing the CHMP.

The scientific and Indigenous cultural assessments of significance and impacts will be carried out as part of the cultural heritage surveys. Protection, management and mitigation measures will be discussed and incorporated into cultural heritage survey reports, following completion of each cultural heritage survey.

In addition, the cultural heritage survey reports will go through a period of review by the parties to the CHMP, and if required, the parties can meet to finalise agreed management approaches. If additional ICH is found during project works, the CHMP will have a 'new finds' section that provides the parties with guidance on what courses of action to follow in this event.

This process, in conjunction with cultural awareness training, seeks to provide appropriate management of all new finds of Aboriginal cultural heritage during all project works.

Included in the project concept is a Cultural Heritage Centre. Subject to the outcomes of the CHMP it is recommended relevant interpretive material regarding ICH be included in this centre and that appropriate signage be placed at strategic locations on the proposed walking tracks / viewing platforms, which are shown indicatively on the Concept Land Use Plan. These matters will be addressed in the *Interpretation Strategy* (**Section 23.3.2**).

21.1.4 Residual Impacts

Subject to the findings of future ICH studies under the CHMP, it is unlikely that there will be any impact on ICH. There is an opportunity to present ICH values as part of the Aquis Resort's interpretive and educational program as outlined in the *Interpretation Strategy*.

21.2 NON-INDIGENOUS CULTURAL HERITAGE

21.2.1 Existing Situation

a) Overview

Appendix V includes a detailed history of the site in its Cairns, Smithfield, and Yorkeys Knob context. As well as providing much material of possible future use in an interpretive program, this history reveals that the NICH values of the site are dominated by the history of the site and its surrounds for cane growing and as an area of beachside weekend retreats for local business people. The cane-growing history is preserved to some extent by the barracks that still exist on the site, although these were modified in 1952 or thereabouts. The Yorkeys Knob area also was used during WWII for wounded and convalescing servicemen.

The current farm landscape reflects the works of the current owner to improve the flood immunity of the land and this is evidenced by the many drains and bunds that still exist, as well as the various structures on stumps or mounds. See photos over page.

Five hectares of ponds were constructed for the growing of barramundi but this use has now been abandoned.



Photo 21-1 Mosaic of site images.

Source: Appendix V (cover).



Photo 21-2 Bund separating cane land from one of the abandoned aquaculture ponds.

b) Site Study

Searches of the following heritage registers and databases were undertaken:

- World Heritage List
- National Heritage List
- Commonwealth Heritage List
- Register of the National Estate
- Queensland Heritage Register
- Local Heritage Register
- Queensland National Trust Register
- Interactive Resources Tenure Map.

These searches revealed that no non-indigenous cultural heritage (NICH) listed sites are located within the site.

Recent field surveys identified ten NICH sites of interest. These sites have been attributed an individual cultural heritage significance rating as set out in **Table 21-2** and based significance assessment criteria outlined in the NICH technical report, taking into account the contextual historical information available for the site, results of register searches, and previous heritage studies.

TABLE 21-2 SIGNIFICANCE ASSESSMENT FOR INDIVIDUAL SITES

SITE #	SITE NAME	BRIEF DESCRIPTION	SIGNIFICANCE ASSESSMENT
1	Cane Barracks	Corrugated iron building. c. 14m x 16m. Contains 6 sleeping quarters, kitchen, bathroom, dining.	Local
2	Old Stables	Corrugated iron building in state of disrepair.	Does not meet threshold for local significance
3	Old Shed	Old shed with chamferboard cladding.	Does not meet threshold for local significance
4	Bridge	Steel footbridge with concrete footings.	Does not meet threshold for local significance
5	Flood Gates	Concrete structure with steel gates.	Does not meet threshold for local significance
6	Exotic Planting	Row of fox tail palms and mango trees.	Does not meet threshold for local significance
7	Main house	Main house c.1960s of masonry construction.	Does not meet threshold for local significance
8	Orchard	Orchard planted in pocket of mangroves comprising rambutan, star fruit, mango and banana trees.	Does not meet threshold for local significance
9	Mango tree	Single mature mango tree.	Does not meet threshold for local significance
10	Mango and Mango / banana trees	Mature mango and banana trees on edge of Yorkeys Creek.	Does not meet threshold for local significance

Source: Appendix V (Table 5 and Table 16).

Of the 10 sites located, only Site 1 is considered to be of any significance (local).

Upon examination of existing NICH studies and reports previously undertaken in the area, it was revealed that one archaeological site is potentially located within the site. The site, which is a Chinese and European Hut Site [RH15], was originally identified during the conduct of the Rainbow Harbour project study program. RH15 was not identified as part of the recent field survey for the project. It is possible that archaeological remains exist in the vicinity, but may have been obscured by vegetation.

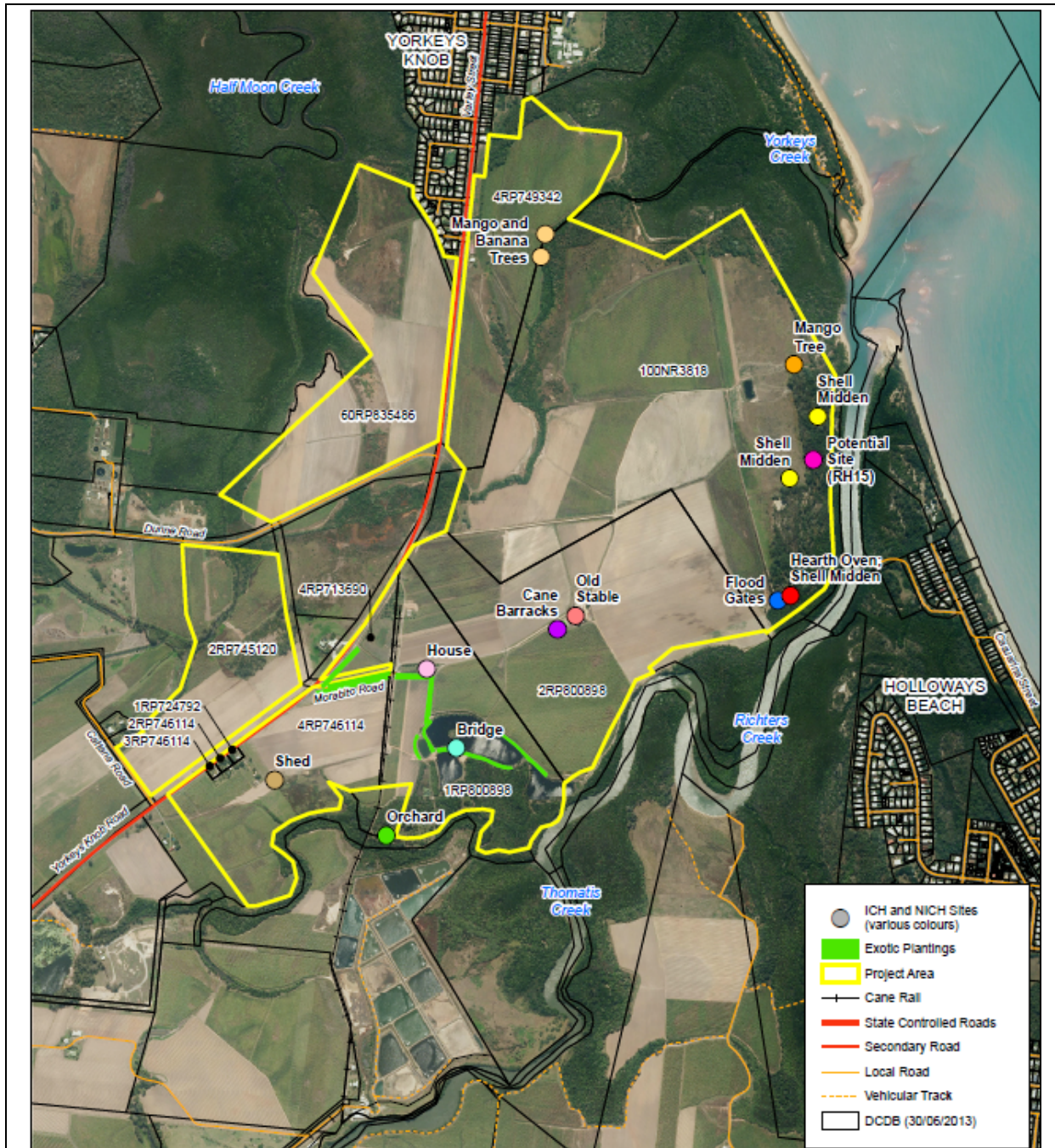


Figure 21-2 ICH and NICH sites.

Source: Based on **Appendix U** and **Appendix V**.

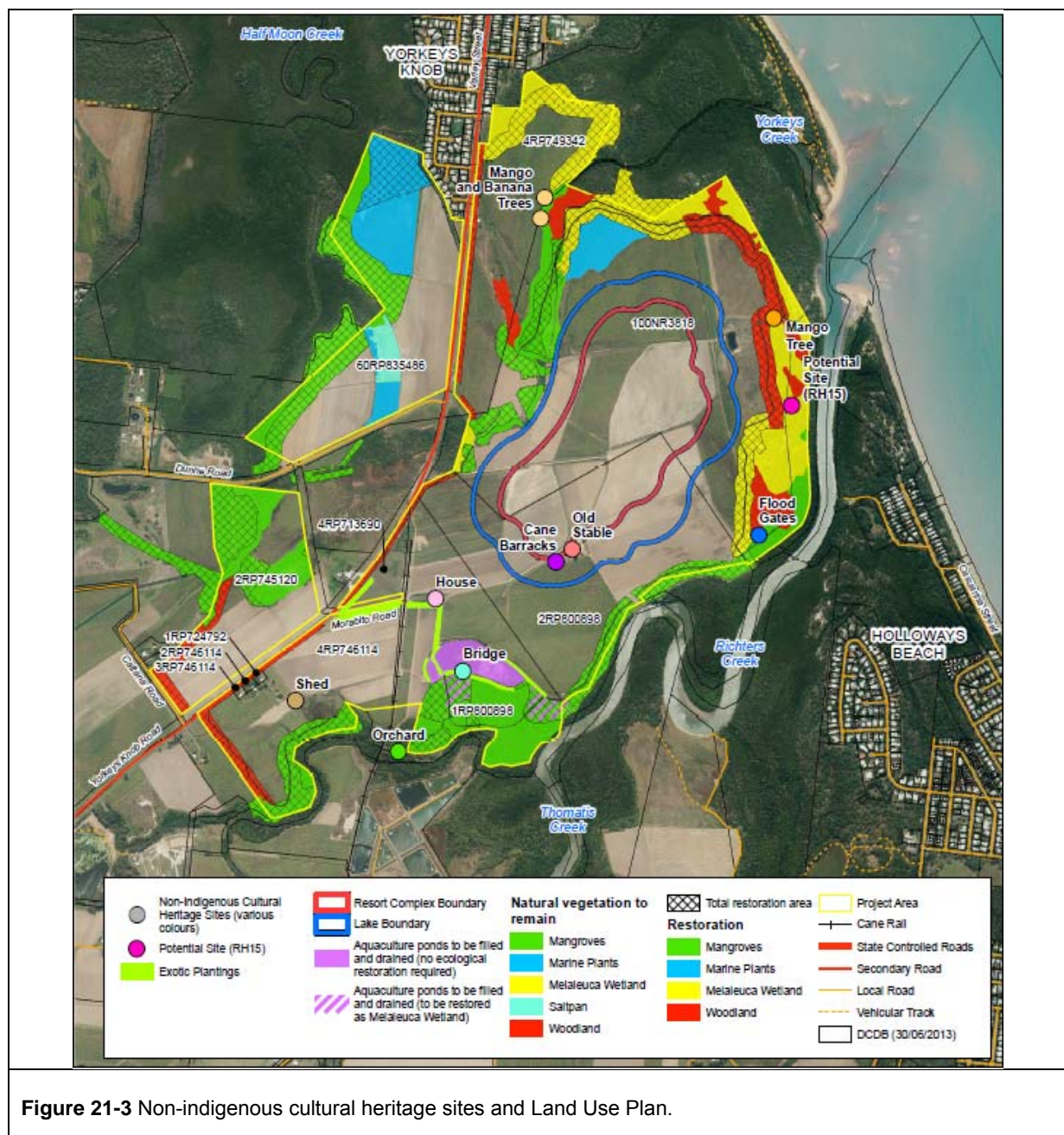
Located on coastal/tidal land, the construction of the farm required the excavation of extensive drainage canals, dams and flood gates. While not a new approach to building on such lands, the result has ultimately transformed the landscape. The clearing and draining of the area is recognised as critical to the development and use of the farmland.

Further research, including consultation and a comparative analysis of broad scale developments on coastal / tidal land, would most likely reveal that these activities promote a gesture of creative or technical achievement for their time. It is considered unlikely however that these values would threshold for entry at a local level of heritage significance currently.

21.2.2 Impacts

Ten sites of non-indigenous cultural heritage interest exist. These comprise farm buildings, exotic plantings, and farm infrastructure. One of these (the cane barracks) is considered to be locally significant. Site [RH15] has a moderate potential for archaeological remains. Remnant orchard, mango and banana trees (Sites 8-10) potentially demonstrate areas which could relate to these remains.

Figure 21-3 shows that with the exception of potential site [RH15] and the flood (tide) gates, all of the identified sites are within the development footprint and will be lost. However, **Chapter 7** (Flora and Fauna) recommends the removal of the tide gates to enhance ecological function. Accordingly, all of the sites except potential site [RH15] will be affected by the development.



The likely fate of these sites is described below.

TABLE 21-3 FATE OF NICH SITES

SITE #	SITE NAME	BRIEF DESCRIPTION	FATE POST-CONSTRUCTION
1	Cane Barracks	Corrugated iron building. c. 14m x 16m. Contains 6 sleeping quarters, kitchen, bathroom, dining.	Will be destroyed or relocated. Potential exists for its salvage as use in the interpretive program to present the cane growing history of the site and region.
2	Old Stables	Corrugated iron building in state of disrepair.	As above.
3	Old Shed	Old shed with chamferboard cladding.	Will be destroyed.
4	Bridge	Steel footbridge with concrete footings.	Will be destroyed.
5	Flood Gates	Concrete structure with steel gates.	Will be removed to improve aquatic connectivity (refer Chapter 7 – Flora and Fauna).
6	Exotic Planting	Row of fox tail palms and mango trees.	Will be destroyed. Some native plants may be able to be salvaged.
7	Main house	Main house c.1960s of masonry construction.	Will be destroyed.
8	Orchard	Orchard planted in pocket of mangroves comprising Rambutan, star fruit, mango and banana trees.	Will be destroyed.
9	Mango tree	Single mature mango tree.	Will be destroyed.
10	Mango and Mango / banana trees	Mature mango and banana trees on edge of Yorkeys Creek.	Will be destroyed.
[RH15]	Potential site	Chinese and European Hut Site	Will be retained.

Source: Study team compilation based on **Appendix V**.

This reveals that:

- all of the identified except potential site [RH15] will be impacted on as a result of the development for one of the following reasons:
- because they are within the footprint of proposed works
- because they are undesirable for other reasons (i.e. the tide gate acts as a waterway barrier that interferes with aquatic connectivity; exotic plantings conflict with biodiversity values)
- the cane barracks may be able to be conserved and salvaged.

21.2.3 Mitigation and Management

With the exception of potential site [RH15], all of the identified NICH sites will be lost as a result of the development. **Appendix V** provides the recommendations for impact mitigation. These have all been adopted as follows.

- **Action 1: Avoidance of Sites.** It is noted that the best form of mitigation is to avoid impact on-sites and places of significance. However, this is not possible with the exception of potential site RH15.

- Action 2: Recording of Impacted Sites. Heritage recording, compliant with the Draft EPA Guidelines for Archival Recording (including historical research, consultation, photography, site plans and related drawings where relevant), should be undertaken for Site 1 – cane barracks. Consideration should be given for a brief recording of the farming complex as a whole, which takes advantage of the oral history and physical collection of agricultural history surviving on the site, prior to their removal.
- Action 3: Interpretation of the Site's History. In association with the abovementioned recommendation, an *Interpretation Strategy* (see **Section 23.3.2**) should be completed to capture the history of the site relating to its current agricultural use and consider ways in which this history can be interpreted into the new development. There may be opportunities to re-use or relocate key elements within the site. It is therefore recommended that an interpretation strategy be developed in relation to this site. This could take a number of forms such as web pages or through a display in the proposed cultural centre. Development of this interpretation strategy should be undertaken by a qualified professional.
- Action 4: NICH Management across the Site. The NICH management recommendations should be implemented and incorporated into the project's EMP (Planning) to mitigate project impacts on both identified NICH sites and unidentified NICH material/sites found during the development of the project. This should be applied across the entire site and should provide information and processes to enable identification and protection of NICH sites, both known and unknown. The policies and procedures for management of NICH sites or archaeological material uncovered during the project are outlined in Appendix B of **Appendix V** (Incidental Finds Procedure) and other recommendations should be incorporated into the EMP (Planning).
- Action 5: Archaeologist 'On Call'. In addition to the potential archaeological site (RH15) in the vicinity of Richters Creek, some (low) archaeological potential remains in other areas due to the nature of the farm's construction. It is therefore recommended that a historical archaeologist be appointed 'on call' during construction phases of the project, so that a call-out can be made should unexpected archaeological material be located.

21.2.4 Residual Impacts

With the exception of potential site [R15] all NICH sites will be impacted on as a result of the development for one of the following reasons:

- because they are within the footprint of proposed works
- because they are undesirable for other reasons (i.e. the tide gate acts as a waterway barrier that interferes with aquatic connectivity; exotic plantings conflict with biodiversity values)

The cane barracks may be able to be conserved and salvaged. There is an opportunity to present NICH values as part of the Aquis Resort's interpretive and educational program as outlined in the *Interpretation Strategy*.