

## 20A INDIGENOUS CULTURAL HERITAGE

### 20A.1 INTRODUCTION

This chapter summarises the known indigenous cultural heritage information associated with the area for the proposed western coal seam methane (CSM) water supply pipeline (the proposed pipeline) for the Wandoan Coal Project (the Project) and the cultural heritage management process that will apply to the proposed pipeline. The proposed pipeline route is shown in Figure 1-1-V3-3. Note that figures/documents with numbering ending in V3.3 refer to figures/documents contained in Volume 3, Book 3 of the EIS.

### 20A.2 REGISTER SEARCHES

The Australian Heritage Database, including the National Heritage List, was searched for information on sites of interest within the vicinity of the proposed pipeline area. While several sites were identified in the proximity of the proposed pipeline, no results were found for sites within the pipeline route corridor.

A search of the Cultural Heritage Database and Register for Aboriginal and Torres Strait Islander Cultural Heritage, held by the Department of Natural Resources and Water (NRW, 2008a) found two features of Aboriginal cultural heritage significance located in the vicinity of the proposed pipeline area. However, the sites are not directly impacted by the western CSM water supply pipeline.

Locations are summarised in Table 20A-1 and are shown on Figure 20A-1-V3-3.

**Table 20A-1: Identified Sites**

DNRW Site I.D.	Attribute
HD:A75	Painting
HD:D06	Artefact

SOURCE: NRW, 2008A

### 20A.3 NATIVE TITLE CLAIMANTS

The Iman People #2 are the registered native title claimants in the Western CSM water supply pipeline area (NNTT No. QC97/55; Federal Court No. QUD 6162/98). The proposed pipeline is within the southern part of the Iman People #2's claim area.

As the Iman People #2 are the registered native title claimants for the proposed western CSM water supply pipeline area, they will be the Aboriginal party that the Wandoan Joint Venture (WJV) will seek to engage with in relation to developing a cultural heritage management plan (CHMP) for the proposed pipeline area.

### 20A.4 POTENTIAL IMPACTS

Based on the NRW searches of the Cultural Heritage Database and Register for Aboriginal and Torres Strait Islander Cultural Heritage, recorded cultural heritage sites will not be impacted by the proposed pipeline.

However, as a CHMP has not yet been developed and no cultural heritage surveys have yet been conducted, the Wandoan Joint Venture (WJV) is not able to currently predict the existence or non-existence of cultural heritage within the proposed pipeline area.

### 20A.5 MITIGATION MEASURES

If the WJV chooses the proposed pipeline as its preferred option, and it is the entity that will own and construct the pipeline, the WJV will develop an "approved" CHMP, as required under the ACHA, for the proposed pipeline area. The CHMP that is negotiated with the Iman People #2 will provide for the following (based on the similar CHMP for the MLA areas):

- that comprehensive surveys be undertaken over the proposed pipeline area to identify and protect cultural heritage prior to any activities taking place on the area. The team undertaking the surveys will include representatives of the Iman People #2
- that items of cultural heritage that may be harmed by the proposed pipeline be relocated out of harm's way to a "Keeping Place" to be provided at the cost of the WJV
- that a report be provided at the completion of a field survey, which will include the items and location of any cultural heritage found and identify any areas where monitoring is recommended
- accidental discovery procedures for the discovery of cultural heritage while Project activities are being undertaken
- the identification of monitor areas, and how monitoring by the Iman People #2 can be undertaken in areas where there is a high probability that additional cultural heritage may be found during ground breaking activities
- the provision of cultural heritage awareness and induction training to the WJV's employees and contractors, and training for senior management of the Wandoan Coal Mine and pipeline contractors to be presented by an Iman People #2 representative
- a dispute resolution process generally within the CHMP, as well as a specialised dispute resolution process for disputes regarding specific cultural heritage issues.

The WJV is yet to commence the CHMP process for the proposed pipeline area due to a number of factors, including:

- as detailed in Volume 1, Chapter 20A Indigenous Cultural Heritage, the WJV has agreed a Cultural Heritage Management Plan (CHMP) in consultation with the Iman People #2 for the MLA areas. The CHMP for the MLA areas has only recently been finalised and is in the process of being executed. The WJV wishes to finalise the CHMP process (including approval) for the MLA areas, prior to commencing negotiations for any additional CHMPs required for the Project (given that the same parties will be involved in the CHMPs). A similar CHMP can then be used for other project activities within the Iman People #2 area
- there are three water pipeline options, and the WJV has not yet finalised which option will be chosen for the Project
- the actual route of the proposed pipeline is still being assessed and finalised. The WJV therefore does not wish to issue the notification for the CHMP under the ACHA, when the area that the CHMP is to apply to is not yet certain

- it is not yet known which entity will own and construct the proposed pipeline. If this is not the WJV, then it will not be the WJV's responsibility to develop a CHMP for the proposed pipeline.

To ensure cultural heritage is not harmed, at all times, the WJV will comply with its duty of care obligations and any other obligations under the ACHA, in relation to operations associated with the Project.

## 20A.6 CONCLUSIONS

Based on the results of searches of the Cultural Heritage Database and Register held by DNRW, two Aboriginal cultural heritage sites are known to occur in areas surrounding the proposed pipeline area, but none within the pipeline corridor itself.

If the proposed pipeline is chosen as the WJV's preferred option for the supply of water, then the WJV will develop a CHMP for the proposed pipeline area, inviting the Iman People #2 to be involved in the process. The CHMP will provide for comprehensive surveys over the proposed pipeline area and the involvement of the Iman People #2 in the process.

## 20A.7 REFERENCES

Department of Environment, Heritage, Water and the Arts, *Australian Heritage Database*, <http://www.environment.gov.au/cgi-bin/ahdb/search.pl> viewed: 12/09/08

Department of Natural Resources and Water (2008a) *Database and Register of Aboriginal Cultural Heritage* Queensland Government, Brisbane

Department of Natural Resources and Water (2008b) *Aboriginal Cultural Heritage Act 2003, Section 28 – Duty of Care Guidelines*, *Gazettal date: 16 April 2004* [www.nrw.qld.gov.au/cultural\\_heritage/pdf/duty\\_of\\_care\\_guidelines.pdf](http://www.nrw.qld.gov.au/cultural_heritage/pdf/duty_of_care_guidelines.pdf)

National Native Title Tribunal, *Regional Maps*, <http://www.nntt.gov.au/Publications-And-Research/Maps-and-Spatial-Reports/Pages/Regional-Maps.aspx> Viewed: 22/09/08