

SUBMITTER No.	74	ISSUE REFERENCE:	17027
SUBMITTER TYPE	Government	TOR CATEGORY	Indigenous Cultural Heritage
NAME	Dept. of Communities	RELEVANT EIS SECTION	Executive Summary, Table 3. Key approvals required for the Project (pp. 24-25, 60).

DETAILS OF THE ISSUE

Development provides for the identification and protection of sites, places and areas having Indigenous cultural heritage significance.

The Department refers to the *Native Title Act 1993* to guide the development of an acceptable outcome.

The *Aboriginal Cultural Heritage Act 2003* is listed as legislation with DERM being the relevant authority to action / approve a Cultural Heritage Management Plan.

PROPONENT RESPONSE

Waratah are developing Cultural Heritage Management Plans as required by legislation.

Waratah Coal will, where required, develop agreements with native title parties to address the requirements of the Commonwealth *Native Title Act 1993*.

SUBMITTER No.	74	ISSUE REFERENCE:	17028
SUBMITTER TYPE	Government	TOR CATEGORY	Indigenous Cultural Heritage
NAME	Dept. of Communities	RELEVANT EIS SECTION	3.2.17 Indigenous Cultural Heritage, Executive Summary, (p. 60).

DETAILS OF THE ISSUE

Desktop assessment identified the following Aboriginal Parties as registered Native title claimants over land which the proposed rail alignment traverses:

- Wangan and Jagalingou People Native title claim (QC 04/6; QUD 85/04);
- Jangga People Native title claim (QC 98/10; QUD 6230/98); and
- Birri People Native title claim (QC 98/12; QUD 6244/98).

The Department recommends the provision of guidance to the relevant Aboriginal parties, local and state government and other stakeholders as to how the finalisation and implementation of the *SIMP* will be monitored.

PROPONENT RESPONSE

Refer to the *SIMP* contained in *Appendices – Volume 2* of this SEIS. The Identified Aboriginal Parties will continue to be updated on the project through the various provisions held within the approved Cultural Heritage Management Plan. The broader Indigenous communities will be involved in the project, and updated about the project, through the implementation of the project specific Consultation Plan. This includes commitments to identify key organisations that deal with indigenous people and outlines the ongoing engagement strategy.

SUBMITTER No.	74	ISSUE REFERENCE:	17029
SUBMITTER TYPE	Government	TOR CATEGORY	Indigenous Cultural Heritage
NAME	Dept. of Communities	RELEVANT EIS SECTION	Executive Summary, 3.1.18.1 potential impacts and mitigation measures (p47).

DETAILS OF THE ISSUE

A Cultural Heritage Management Plan (CHMP) has been developed with the Wangan and Jagalingou people over an area that covers the majority of the mine area.

The Department supports continuing engagement and negotiation with the relevant Aboriginal parties to finalise and seek approval for the terms and conditions of CHMPs. The Department recommends consultations of this kind are made a high priority for the proposed Project.

PROPONENT RESPONSE

Consultation has been on-going with the identified Aboriginal Parties since publication of the EIS. Cultural Heritage Management Plans have been agreed for areas that encompass the majority of the mine site and rail corridor. The remaining required Cultural Heritage Management Plans will be completed in a timely manner.

SUBMITTER No.	74	ISSUE REFERENCE:	17030
SUBMITTER TYPE	Government	TOR CATEGORY	Indigenous Cultural Heritage
NAME	Dept. of Communities	RELEVANT EIS SECTION	3.2.17 Indigenous Cultural Heritage (p60)

DETAILS OF THE ISSUE

A Cultural Heritage Management Plan (CHMP) has also been developed with the Wangan and Jagalingou People, Jangga People and the Birri People in relation to the rail corridor areas.

To ensure that the commitments to the Traditional Owners and other local Indigenous people are implemented appropriately, the Department recommends that consideration be given to the engagement of an Indigenous Liaison Officer and the establishment of a local Indigenous advisory or steering group to facilitate culturally appropriate, inclusive and transparent engagement processes.

PROPONENT RESPONSE

Waratah Coal commits to appointing an Indigenous Liaison Officer during construction and for this position to continue once the mine becomes operational and for the life of the mine.

SUBMITTER No.	1840	ISSUE REFERENCE:	17031
SUBMITTER TYPE	Council	TOR CATEGORY	Indigenous Cultural Heritage
NAME	Barcaldine Regional Council	RELEVANT EIS SECTION	14. Indigenous Heritage

DETAILS OF THE ISSUE

BRC note that there are the potential for artefacts on the mine site and that any proposed upgrades to road or other service infrastructure to support the mine may require further assessment.

BRC request that the proponent undertake required cultural heritage investigations as part of any proposed upgrade or planning works within or associated with mining activities (as appropriate and in accordance with legislative requirements).

PROPONENT RESPONSE

Waratah Coal commits to incorporating methods for the management of Indigenous cultural heritage within the project's Environmental Management Plan. This includes:

- Development of a procedure for the identification and management of Indigenous cultural heritage items should they be discovered during the construction, operation or decommissioning of the mine, and
- In conjunction with the Traditional Owners, the formal recording and reporting of identified Indigenous cultural heritage sites prior to removal or disturbance to these areas.

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