

Drayton South Coal Project Aboriginal Heritage—PAC Hearing Speaking Notes—10 September 2015

Members of the PAC, ladies and gentlemen.

I am presenting on behalf of Dr Tim Owen, Senior Associate, GML Heritage Pty Ltd. Dr Tim Owen, GML Heritage Senior Associate, has fourteen years' experience working as a professional archaeologist; he has extensive experience in directing both Aboriginal and historical projects and excavations throughout Australia. He specialises in complex landscape assessments, bioarchaeological analysis and Aboriginal community, client and government liaison.

Having reviewed the technical reports related to Aboriginal cultural heritage for the PSCP there are 5 key issues with regard to the investigation, assessment and conservation of Aboriginal heritage that must be actioned prior to determination.

The key issues concerning Aboriginal heritage are:

- The current EIS has not adhered to relevant OEH Guidelines for Aboriginal consultation
- The DSCP Aboriginal heritage SEARs have not been met
- The extent of known Aboriginal cultural heritage values has not been identified, mapped or assessed during the EIS process
- The archaeological resource associated with DSCP area is inadequately identified and assessed by the EIS
- Cumulative impact on Aboriginal heritage values has not been recognised or assessed.

1. The current EIS has not adhered to relevant OEH Guidelines for Aboriginal consultation

For the current EIS, Aboriginal consultation has not adhered to relevant OEH Guidelines (DECCW, *Aboriginal cultural heritage consultation requirements for proponents 2010*. April 2010). The Aboriginal consultation process for the 2015 DSCP EIS was continued from previous 2011 consultation.

Had Stage 1 of the consultation process been repeated, the Native Title Service Corp would have identified the registered Aboriginal native title claimants— the Plains Clans of the Wonnarua People (PCWP) is entirely within the DSCP area.

The EIS and AECOM 2015 have not identified the registered Native title claimants and have not consulted with them in respect to Aboriginal heritage values, or the impacts of the proposal on their culture and traditions, as identified in their Native Title application.

2. The DSCP Aboriginal heritage SEARs have not yet been met

The Secretary's Environmental Assessment Requirements (SEARs) require an assessment of both cultural and archaeological Aboriginal heritage values, and the likely impacts on these values, as well as relevant heritage management and mitigation strategies.

The requirements state that Aboriginal cultural heritage values must be 'identified, described and documented across the whole area that will be affected by the development'. With regard to OEH requirements, 'consideration of the significance of these objects or declared places to Aboriginal people' is also required.

The EIS (AECOM 2015) focuses on Aboriginal archaeological heritage (AECOM 2015: Section 8.4). This is at the expense of Aboriginal historical, spiritual, social and aesthetic values which are not detailed, described or assessed.

Until the project SEARs are met Aboriginal heritage values connected to the DSCP area have not been identified, assessed or presented to the DP&E, the OEH or the PAC. As such, it is not possible to understand the impact, the consequences of the potential impacts on significant Aboriginal cultural heritage values and to develop appropriate Aboriginal heritage management strategies.

3. The extent of known Aboriginal cultural heritage values has not been identified, mapped or assessed during the EIS process

GML has prepared a report on Aboriginal heritage values connected with the DSCP area. We have identified a total of 26 separate, but connected, Aboriginal cultural values directly and indirectly associated with the DSCP area.

The DSCP area and surrounding landscape contains significant Aboriginal song lines, travelling routes, traditional resources, aesthetic and spiritual values including extensive view corridors and associated (archaeological) places/sites connected to the long term use of the area by Aboriginal people. GML understands that these Aboriginal heritage values are living and remain in use by Aboriginal people.

Of the 26 cultural heritage places and values identified by GML 2015, the project EIS has identified nine, and has provided an impact assessment for only two of the Aboriginal heritage values.

The project EIS has not identified the range or extent of documented Aboriginal cultural heritage values. Emphasis has been placed on archaeological significance at the expense of the intangible. As the OEH guidelines state 'all aspects of significance should be given the same weight and assessed equally by the proponent'.

Aboriginal cultural heritage assessment, as outlined in professionally accepted guidelines and standards, requires identification and assessment of all such values.

It would be reasonable to expect that this would be addressed in an EIS.

4. The archaeological resource of the DSCP area is inadequately identified and assessed by the EIS

Only the surface based archaeological resource has been the subject of assessment and impact analysis. No assessment of the nature and extent of Aboriginal archaeological subsurface deposits has been made, beyond a map of 'archaeological sensitivity' (AECOM 2015: Figure 10).

The SEARs and requirements under DECCW (2010: Section 3.1) require a program of archaeological test excavation so that the nature of subsurface archaeology within the DSCP area can be understood and assessed.

The subsurface Aboriginal archaeological resource of the DSCP area has not been adequately identified and assessed by the EIS.

Until this is undertaken the actual impact on Aboriginal archaeological sites cannot be known or understood.

5. Cumulative impact on Aboriginal heritage values has not been recognised or assessed.

AECOM 2015 does not include an analysis cumulative impact associated with social, historical or aesthetic or spiritual values as they relate to Aboriginal cultural heritage.

Reliance on the OEH's AHIMS database for provision of data does not generally reflect the extent of Aboriginal values and sites. As such, the cumulative impact on Aboriginal heritage values that are connected to the broader landscape has not been recognised or assessed—only on stone artefacts.

Summary

The combined effect of these key Aboriginal heritage issues is that the DSCP would result in potential adverse impacts on Aboriginal heritage sites, places and cultural values. The loss of such significant cultural values is irrecoverable.

A complete assessment of Aboriginal cultural heritage values should be required prior to any determination for the DSCP.