

Presentation to the Planning Assessment Commission— Aboriginal and Non-Aboriginal Heritage—Drayton South Coal Project—Denman Memorial Hall, 10 September 2015

Members of the PAC, ladies and gentlemen

My name is Sharon Veale, I am a Partner and Director at GML Heritage Pty Ltd.

GML Heritage has reviewed the technical reports for Aboriginal and non-Aboriginal heritage that have been prepared for the Drayton South Coal Project (DSCP). These reviews were undertaken by myself for non-Aboriginal Heritage and Dr Tim Owen for Aboriginal Heritage. I will be presenting a summary overview today with regard to our key findings.

The Upper Hunter Valley is a cultural landscape with natural, Aboriginal and non-Aboriginal heritage values. These values are historic, aesthetic, social, spiritual and scientific, as well as both physical and non-physical. This reflects what is defined as 'cultural significance' under the Australia ICOMOS Burra Charter.

The project area and surrounding landscape contains significant Aboriginal song lines, travelling routes, traditional resources, aesthetic and spiritual values including view corridors and associated (archaeological) places/sites connected to the long term and continuing use of the area by Aboriginal people.

The Upper Hunter Valley is a historic cultural landscape of potentially State and national significance. The former PAC stated 'the landscape in this part of the Hunter Valley has cultural significance due to its historic and continuing landuse patterns with the built heritage structures, unique topography, landforms and environment which may warrant listing at State or National Level'.

The PAC and the government through its SEARS have noted the heritage values of the landscape. The Secretary's Environmental Assessment Requirements (SEARs) required an assessment of both

cultural and archaeological Aboriginal heritage values, and the likely impacts on these values. There were also specific requirements for further consultation

With regard to Aboriginal heritage there are **4 key issues**:

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

The project application area is entirely within a registered NT claim area. The registered Native title claimants the Plains Clans of the Wonnarua have not been consulted 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 extent of known Aboriginal cultural heritage values has not been identified, mapped or assessed during the EIS process.

As is required by the SEARS, 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 intangible cultural values. As the OEH guidelines state 'all aspects of significance should be given the same weight and assessed equally by the proponent'.

3. Aboriginal Archaeology is inadequately identified and assessed

The SEARs and other government policy require a program of archaeological test excavation so that the nature of subsurface archaeology within the DSCP area can be understood and assessed.

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.

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

To date there has been no assessment or analysis by the proponent of the cumulative impacts associated with social, historical, aesthetic or spiritual values as they relate to Aboriginal cultural heritage.

Open cut mining has already removed significant areas associated with Aboriginal traditions, dreaming, initiation and creation stories.

With regard to Non Aboriginal Heritage I would like to address the following 2 key points:

1. The significance assessment is incomplete and focussed on impacts on tangible values

The SEARs required that the non-Aboriginal heritage assessment pay particular attention to the area's settlement by Europeans and its pastoral history.

The non-Aboriginal assessments for the Drayton South Coal Project have demonstrated and continued to selectively concentrate on individual physical items rather than the historic and continuing cultural landscape and associated intangible values. All aspects of cultural significance as defined by the Burra Charter have not been comprehensively addressed.

In the case of the Randwick property the heritage assessment remains incomplete. Assessments under the state and/or national criteria for the Upper Hunter cultural landscape has not been undertaken.

2. Assessment of Significance Comes First (Article 6 Burra Charter)

An assessment of cultural significance is the accepted basis and necessary prerequisite for good decision-making or management of heritage places.

The Department's assessment report suggests that the project may proceed subject to a Heritage Management Plan being prepared. This is the cart before the horse.

Conclusion

Given the omissions in the significance assessments for cultural heritage it is not possible at this time to make sound well-informed decisions about future management of heritage within or in the vicinity of the Drayton South Coal mine.

This project will generate a range of risks and adverse impacts on the heritage significance of the Aboriginal and non-Aboriginal cultural landscape that cannot be adequately managed through conditions of consent. The scale and magnitude of the proposed development activity is not reversible and a cautious approach in line with Article 3 of the ICOMOS Burra Charter, and the application of the precautionary principle, is required.