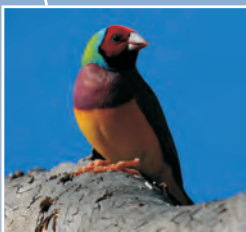
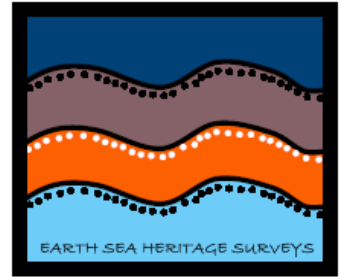


# APPENDIX R

## Cultural Heritage Management Plan





# A Cultural Heritage Management Plan for the Mt Todd Gold Project

2012

Options for the future Management of Cultural Heritage Values associated with Vista Gold's Mt Todd Gold Project.



Prepared by: Richard Woolfe and Karen Martin-Stone

Earth Sea Heritage Surveys

Email: [richard.woolfe@earthsea.com.au](mailto:richard.woolfe@earthsea.com.au)

Mobile: 0439 722438

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## Glossary

Archaeological place	Under the terms of the <i>Heritage Act 2011</i> , a place pertaining to the past occupation by Aboriginal or Macassan people that has been modified by the activity of such people and in or on which the evidence of such activity exists <sup>1</sup> .
CHMP	A Cultural Heritage Management Plan or sometimes Cultural Heritage Conservation Management Plan.
EIS	Environment Impact Statement, a process for environmental assessment of proposed projects under the NT <i>Environmental Assessment Act 1982</i> . Environmental impact assessments can be triggered under a number of other Acts, both State and Commonwealth.
GIS	Geographic Information Systems, spatial data analysis and mapping systems
Heritage	The cultural inheritance of individuals and / or groups. Heritage can include structures, objects, images, ideas, sentiments and practices. Heritage is often linked to identity, e.g. national identity forged on the concept of triumph over adversity.
Heritage place	Under Section 5 of the <i>Heritage Act 2011</i> , a place declared by the Minister to be a heritage place.
Heritage values	The social value assigned by communities and groups to places, objects and stories relating to the past.
Historical site	A site containing evidence of human occupation during the historical period, that has not been declared a heritage place under the <i>Heritage Act 2011</i> .
ILUA	Indigenous Land Use Agreement under the <i>Commonwealth Native Title Act 1993</i>
Significance	The value or importance placed on cultural heritage.

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## 1 Executive Summary

This document provides a framework for a Cultural Heritage Management Plan (CHMP) for the protection of Aboriginal and historic cultural heritage values associated with Vista Gold's (Vista Gold Australia Pty Ltd) proposed Mt Todd Gold Project. The CHMP is a working document to allow for the mitigation of impacts on cultural heritage places during the life of the Project inclusive of exploration, construction, mining, decommissioning and rehabilitation. The CHMP has been informed by past heritage surveys conducted on Project leases.

The Mt Todd Project is located to the west of Edith Falls and 55 km north west of Katherine. The region is sometimes described as a cultural landscape, with evidence of the past use and occupation by Jawoyn Aboriginal people, Chinese and early European miners, the Overland Telegraph Line (1872) and more modern mining ventures. The area also hosts a number of Aboriginal Sacred Sites.

Heritage surveys have recorded large stone artefact quarries, Aboriginal camp sites and tool manufacturing areas across the Project Area. These include a number of early Chinese and European gold mine sites and the remains of the 1872 Overland Telegraph Line. It is highly likely that the Project area will contain additional as yet unrecorded sites. Discussions with Traditional Owner representatives indicate that all Aboriginal and some Chinese heritage sites still have cultural significance for contemporary Jawoyn people. Some of the historical sites are likely to have significance to the broader community.

The CHMP makes recommendations to mitigate the anticipated impacts of the Project on the cultural heritage values of the area. The primary recommendations include:

- the formation of a Cultural Heritage Management Committee to guide future cultural heritage management activities,
- to conduct heritage surveys on land prior to land disturbance,
- to set up a land disturbance approvals system,
- to manage a GIS mapping system to record all heritage information, and
- to establish a keeping place for any artefacts relocated by mining activities.

The formation of the committee and all future cultural heritage management works should be done in consultation with stakeholders, including the senior Jawoyn Traditional Owner group.

## 2 Introduction

### 2.1 The Project

Vista Gold Australia Pty Ltd (Vista Gold) proposes to re-establish and operate the former Mt Todd gold mine. The Project is located predominantly on MLN1070, MLN1071 and MLN 1127, 55 km northwest of Katherine and 250 km south of Darwin.

The Project will expand the Batman Pit, re-establish and refurbish existing facilities, expand the existing waste rock dump and develop new associated infrastructure such as a processing plant, power station, and a second Tailings Storage Facility (TSF2).

The proposed development will occur both within the existing disturbance footprint of the Batman Mine and in surrounding areas.

Mining will be an open-pit truck and shovel operation, using large haul trucks, hydraulic shovels and front end loaders to transport materials to the crusher, stockpiles, Run of Mine (ROM) pad and waste dump. Extracted ore, will be processed in an ore processing plant where it will be crushed, milled and then carbon in leach (CIL) leached followed by adsorption, desorption and recovery leading to gold dore (unrefined gold).

Approximately 17.8 million tonnes per annum (Mtpa) of ore will be processed. Gold dore will be transported for onward secure shipment to a refinery.

The Project, based on current known data, will have a life of around 19 years inclusive of construction, operations and closure. Construction is anticipated to commence in the first quarter of 2014 and take two years, including 6 months pre-production. The mine is scheduled to operate for a further 13 years. Closure and rehabilitation of the mine is expected to take four years.

The key elements of the Project include:

#### Mining and Mining Infrastructure

- extension of the existing Batman Pit from its current depth of 114m to approximately 588m (RL -400m) and surface area of 40 hectares (ha) to approximately 137ha;
- expansion of the existing waste rock dump (WRD) from a height of 24m above ground level to approximately 350m above ground level (RL 470m), and a footprint of 70ha to approximately 217ha. The dump currently contains 16Mt of waste rock and the expansion will provide total capacity of up to 510 Mt;
- construction of a Run of Mine (ROM) pad and ore stockpile;
- construction of an Ammonium Nitrate and Fuel Oil (ANFO) Facility;
- construction of heavy and light vehicle workshop and administration offices, and facilities comprising wash down area, tyre change facility, lube storage facility etc; and
- construction of haul roads and access roads.

## Process Plant and Associated Facilities

- Ore Processing Plant capable of processing approximately 50,000 tonnes per day (tpd) of ore;
- processing and / or reclamation of the existing low grade ore (LGO) stockpile and scats stockpile, and construction and processing of new LGO stockpile with a footprint of approximately 47ha;
- raising the existing tailings storage facility (TSF1) from 16m to approximately 34m above ground level;
- construction of a new TSF2, approximately 300ha in area and up to 60m high (RL 175m);
- diversion of Horseshoe Creek and Stow Creek adjacent to TSF2 to provide flood protection;
- rehabilitation of the existing heap leach pad (HLP), if residual HLP material is not processed through the new plant; and
- process plant workshops, administration offices, control room etc.

## Other Infrastructure

- gas fired Power Station, including re-routing of the existing gas pipeline;
- anaerobic treatment wetlands, approximately 10ha in area;
- construction of three coffer dams at Retention Pond 1 (RP1) and deepening of RP1;
- water treatment plant;
- potential re-alignment of access roads;
- site wide drainage, sediment traps; and
- modification to existing fuel storage and distribution facility.

## 2.2 Aim of the CHMP

The aim of the Cultural Heritage Management Plan (CHMP) is to:

- develop procedures to ensure conservation of the identified cultural heritage values in the Project Area, and
- develop procedures for the management of additional heritage materials identified during the life of the Project.

The CHMP will cover all Project phases inclusive of exploration, construction, mining, decommissioning and rehabilitation.

## 2.3 Draft Environmental Impact Statement and the CHMP

The Draft Environmental Impact Statement (EIS) Guidelines issued to Vista Gold under the NT *Environmental Assessment Act* 1982 require the development of a management plan including:

- procedures to avoid significant areas;
- protection of key sites during construction, operation and decommissioning work;
- ongoing protection measures; and,
- procedures for the discovery of surface or sub-surface materials during the course of the Project.



## 2.4 Structure of the Cultural Heritage Management Plan

This CHMP conforms to a standard structure commonly used in mining projects across Australia (see for example Burke and Smith 2004:254). When considered in conjunction with the Heritage Specialist Report (Appendix Q), the CHMP will reflect the cultural heritage background of the Project Area and the significance of the cultural places and materials to the cultural heritage of the Jawoyn people, the Northern Territory and the Australian community.

The CHMP details the cultural heritage management practices that will apply to ensure the mitigation of impacts on cultural sites. It is framed to ensure that due diligence requirements for the management of cultural heritage are met during the course of the project.

At the draft stage, the document represents a template recommended for the management of cultural heritage resources in mining ventures in Australia. The final form of the document will be determined primarily by the nature of any agreement between Vista Gold and the representatives of the Jawoyn people, and any requirements arising from the EIS process. Therefore the CHMP is a living document that should be amended by a Cultural Heritage Management Committee as required during the life of the project (see Section 5.1 below for recommended role and functions of the Committee).

After the CHMP is agreed by signatory parties, a brief version should be developed for use in mining and exploration operations.

The CHMP:

- Outlines the basic structure and membership of a Cultural Heritage Management Committee.
- Describes the powers and responsibility of this committee.
- Makes recommendations on the recording of data relating to the management of heritage places and materials (i.e. formation and use of a Geographic Information System );
- Makes recommendations for ongoing survey, recording and reporting of cultural heritage places and materials.
- Makes recommendations on the management of cultural heritage places and materials;
- Makes recommendations on the structure and content of cultural heritage inductions and training for all staff, contractors and visitors to site.
- Makes recommendation for the development and implementation of a dispute resolution process.
- Provides options for dealing with potential breaches in cultural heritage management guidelines.
- Provides options for review processes for the CHMP.

## 2.5 Legislative basis for the protection and management of cultural heritage

Statutes that apply, or may apply to the cultural heritage features existing on the Mineral Lease areas are discussed below. Table 1 presents the application of the regulatory framework in the Project Area.

### *The Northern Territory Sacred Sites Act 1989*

The NT *Sacred Sites Act 1989* protects sites that are '*sacred and otherwise of significance in the Aboriginal Tradition*'. Sacred Sites are protected whether the location of the sites are known or not by any person or company seeking to do work on lands. The Act is administered by the Aboriginal Areas Protection Authority. The Authority can issue a Certificate indemnifying a proponent for a specified area upon application and payment of a fee. The Certificate will contain conditions limiting or preventing works in and around registered and recorded Sacred Sites. The Authority Certificate will contain maps outlining any restricted work areas in the area of application<sup>2</sup>.

### *The NT Heritage Act 2011*

The *Heritage Act* (HA) commenced on 1 October 2012. It replaces the *Heritage Conservation Act*, which had been in operation in the Northern Territory since 1991.

This Act applies to Project. Chapter two of the Act allows for the establishment of the NT Heritage Register. Members of the community can nominate areas, places, sites, buildings, shipwrecks and heritage objects to the register. If the Minister agrees that these features are of special significance to the heritage of the Northern Territory, the place is added to the register. The place will then be protected from accidental and deliberate damage or harm. The Act allows for processes to approve works and maintenance for a heritage place. There are no nominated or declared heritage places in the Project Area.

Chapter three of the HA, and its regulations, provide a 'blanket' or 'presumptive' protection for Aboriginal and Macassan archaeological places and objects until a decision by the Minister to either permanently protect these places or approve their disturbance or destruction. This decision making process is triggered by an application for works approval to carry out work on these places. There are penalties for accidental or deliberate destruction of these sites. The 2011-2012 surveys located a number of Aboriginal archaeological places protected under Sections 39 of the previous *Heritage Conservation Act*.

The HA includes a provision for the declaration of classes of places or objects that are known to be of significance in the Northern Territory but where not all locations are currently mapped and recorded. Protection may be extended to:

- Relics of the Overland Telegraph Line (there are numbers of these places in the Project Area);

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<sup>2</sup>See <<http://www.aapant.org.au/>> for additional information on the provisions of the Aboriginal Sacred Sites Act. Note that the provisions of the *Sacred Sites Act* may override Section 39 of the *Heritage Conservation Act* in some cases.

- WWII aircraft crash sites (there are none known in the Vista Gold Project Area); and,
- Lone graves (i.e. graves that are not in regular cemeteries) (there are none known in the Vista Gold Project Area);

*The Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984*

The *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* enables the Australian Government to respond to requests to protect traditionally important areas and objects that are under threat; if it appears that state or territory laws have not provided effective protection. The government can make special orders, called declarations, to protect significant Aboriginal areas, objects and classes of objects from threats of injury or desecration. The government cannot make a declaration unless an Aboriginal or Torres Strait Islander person (or a person representing an Aboriginal or Torres Strait Islander person) has requested it and has provided satisfactory evidence of a body of traditions, customs, observances and beliefs that explains, firstly, why there is a threat of injury or desecration and, secondly, why the area, object or class of objects is of particular significance to Aboriginal or Torres Strait Islander people. The power to make declarations is meant to be used as a last resort, after the relevant processes of the state or territory have been exhausted<sup>3</sup>.

*The Commonwealth Environment Protection and Biodiversity Conservation Act 1999*

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) establishes the National Heritage List, which includes natural, Indigenous and historic places that are of outstanding heritage value to the nation. Under the EPBC Act there are penalties for anyone who takes an action that has or will have a significant impact on the Indigenous heritage values of a place that is recognised in the National Heritage List<sup>4</sup>. The Act also establishes the Commonwealth Heritage List, which includes places on Commonwealth lands and waters or under Australian Government control that have Indigenous heritage significance.

The Commonwealth also maintains the Register of the National Estate established in the 1975, however this register was frozen in 2007 and was replaced in February 2012 by the Commonwealth Heritage Database which includes all the Commonwealth registers and those of the states and territories.

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<sup>3</sup> Paragraph extracted from <http://www.environment.gov.au/heritage/laws/indigenous/index.html>.

<sup>4</sup> Paragraph extracted from <http://www.environment.gov.au/heritage/laws/indigenous/index.html>

Table 1: Heritage Legislation: Application in the Northern Territory.

Type of Cultural Heritage Place	Examples in the Mt Todd area	Commonwealth Legislation	Northern Territory Legislation
Sites of significance in the Aboriginal Tradition (Sacred Sites)	Dreaming places, story places, camp sites, areas of special bush tucker resources, birthing places, rock art sites and stone artefact quarries that are of significance in the Aboriginal Tradition.	<i>Aboriginal Land Rights (Northern Territory) Act 1976</i>	<i>Northern Territory Aboriginal Sacred Sites Act 1989</i>
Indigenous archaeological places and objects <sup>5</sup>	Stone artefact scatters, rock art sites, stone artefact quarries, Aboriginal burials.	<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984.</i>	<i>Heritage Act 2011</i>
Archaeological sites primarily of non-Indigenous origin	Chinese mine sites from the 19 <sup>th</sup> century, Relics from the Overland Telegraph Line 1872.	Can be recorded but not protected by the <i>Environment Protection and Biodiversity Conservation Act 1999.</i>	Not currently protected unless added to the NT Heritage Register under the <i>Heritage Act 2011.</i>
Heritage buildings and structures	None recorded on the Mt Todd Mineral Leases.	Can be recorded on the Commonwealth Heritage Database, but protection is only valid on Commonwealth land.	NT Heritage Register, <i>Heritage Act 2011.</i>

The Commonwealth Heritage Database has one entry relating to the Project Area, the Mt Todd Battery and Settlement Site located to the south of the Batman Pit area and north of the Edith Falls Road. Two further entries (Wolfram Hill and Wandji Settlement sites) are located to the north of the Project Area. Wolfram Hill is located within EL25567 and Wandji Settlement is located on EL29032, approximately 400 metres outside the northern boundary of EL25567.

Listings on the Commonwealth Heritage Database are generally indicative only, except where the place is on Commonwealth owned or controlled land, or the place is on a State-based register. In this case, the Mt Todd Battery and Settlement are not listed on other registers; however the site should be avoided in the course of any works on the Mt Todd Project.

<sup>5</sup> Archaeological places are defined as places of Aboriginal origin that are not considered to be Sacred Sites in the Aboriginal Tradition. Some of these places have significance to Aboriginal people.

Table 2: Commonwealth Heritage Database Entry: Mt Todd Battery and Settlement Site, Edith Falls Road, Katherine.

Photographs	None
List	<u>Register of the National Estate (Non-statutory archive)</u>
<u>Class</u>	<u>Historic</u>
<u>Legal Status</u>	<u><a href="#">Indicative Place</a></u>
<u>Place ID</u>	<u>16326</u>
<u>Place File No</u>	<u>7/04/009/0013</u>
<u>Nominator's Statement of Significance</u>	
The location is of significance as an example of post-World War Two mining development and mill layout. The site now provides historic continuity and alternative tourist interests in the Edith Falls area.	
<u>Official Values Not Available</u>	
<u>Description Not Available</u>	
<u>History Not Available</u>	
<u>Condition and Integrity Not Available</u>	
<u>Location</u>	
Edith Falls Road, 37km north-west of Katherine. AMG reference: 5369-'Katherine'-875318..	

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### 3 Background Historical, Archaeological and Ethnographic Information.

#### 3.1 Historical background

##### Contact 1862

The first non-Aboriginal presence in the Pine Creek region dates back to 1862 when the explorer John McDouall Stuart passed through while making his way to Australia's northern coastline. It was at this time that the region was first noted as potentially rich in gold.

##### Communication 1870

Stuart's 1862 route was selected as the best option for an overland telegraph line which was to run between Darwin and Port Augusta in South Australia. The line would link Australia with Europe via a British cable that was to run out of Singapore. In December 1870, the line of poles reached Pine Creek (Pearce 1982:14-15). Communications were upgraded during the war years when a telephone repeater station was installed and in the 1970s the telephone link was replaced by a microwave system (Donovan 1979:13-14).

##### Mining 1872

Stuart's early assessment of the Pine Creek region as possibly gold bearing proved to be accurate. Traces of alluvial gold were found on several occasions during the construction of the Overland Telegraph Line. Pearce (1982:17) quotes linesman Sidney Herbert regarding one of the first discoveries:

Some of the telegraph hole sinkers, discovered coarse gold within three feet of the surface. This was the first real discovery of payable gold in the Northern Territory the date being December the 2<sup>nd</sup> 1870. This discovery caused much excitement around the camp fires, and no attempt was made to hide the discovery.

Intensive mining activity, however, did not eventuate until 1872 when there was a gold rush at Yam Creek which marked the beginnings of a two year boom. Mining became the principle industry for the Pine Creek region, and alluvial and reef mining were the two primary categories. Jones (1997:9) explains the terms:

'Reef' mining is where gold is contained in hard rock, such as quartz, and to obtain the ore, explosives would normally be used, followed by further breaking down in size by sledgehammers prior to crushing to a fine powder, either manually or in a steam-driven plant, known as a battery. 'Alluvial' mining, on the other hand, is where the gold is contained in deposits of river sand or fine soil, eroded and washed down over countless years from the original host rocks.

The most important mineral sector was gold. However, other minerals such as wolfram, lead, galena, silver, copper and tin (and more recently uranium) were also extracted (Donovan 1979:5. See also Resource Assessment Commission 1990:30-32).

While mining has been the principle industry of the Pine Creek District, mining ventures, regardless of the mineral being mined, have a history of being short-lived and recurrent, and concomitantly mining populations have swollen and shrunk (Bell 1983:10, Resource Assessment Commission 1990). Early mining ventures struggled with geographic isolation, severe climatic and environmental conditions, and mismanagement. Jones (1997:7) talks about the problem of poorly selected managerial staff, and also quotes an 1874 letter to the South Australian Government complaining about conditions on the goldfields:

...the climate, high rate of wages, bad living, wretched roads, costs of carriage and exorbitant prices of goods take away all the profits unless,..., the mines are exceptionally rich.

One of the most important regional locations was Pine Creek, where a significant gold reef named the "Eleanor" was found in 1872 (Jones 1987:8). There were many other gold claims in the area, and a copper mine was later established four miles south-west of Pine Creek, in the 1880s. This fell into disuse but a new shaft was sunk during the First World War, and the ore body was worked, mainly by Chinese, until the closure in 1918.

...There is evidence of extensive Chinese work at Wand(e), some thirty miles from Pine Creek, from the mid-1880s, where they worked alluvial ground already passed over by European miners. "They carried wash-dirt to water half a mile away for a return of one to one and a half pennyweights a day, a bare subsistence, even by their standards" (Jones 1987:63).

Mining exploration continued at Wand(e) and Jones (1987:143) says of a later period:

A series of wolfram, tin and copper discoveries was made in the Mt Todd-Hidden Valley-Wand(e) area during the early 1900's. One of these was a rich deposit of wolfram, not far from Wand(e), which was taken up by Brock, Coggin and Burns in 1904 and named "Wolfram Camp". With hand-mining methods and foot-dollies, it yielded sixty-one tons of copper ore and seventy-five tons of wolfram ore by the end of 1907, worth nearly 5000" [pounds].

By 1909 another plant had been erected to recover more wolfram ore, and processing was done for other mines around the area, including Hidden Valley, where tin was discovered in 1905, and Crest of the Wave, with rich tin and copper lodes, owned by Mrs. Bert Brown (Jones 1987:168).

...A Chinese merchant, Ping Que, formed a party to exploit a find on Driffield Creek, forty miles from Pine Creek, in 1878, but the venture was unsuccessful (Jones 1987:51).

The Associated Financial Corporation first developed leases at Mt Diamond. Later, from 1906 to 1922 Pine Creek leases formerly held by Selected Gold Mines, and the Mt Diamond copper leases, were combined and run as Carters Consolidated Mines, held by British interests (Tamblyn 1990:5). The long-term operation at Mt Diamond made it one of the mining centres to which local Chinese as well as Aborigines periodically returned.

As noted, discoveries of wolfram, tin and copper were made around Mt Todd in the early 1900s. Shortly thereafter there were hundreds of Chinese on this field, along with a smaller number of Europeans. A battery was brought from Wand(e) in 1906, and the field operated with profit through to 1910 (Jones 1987:143).



### **The Chinese Community 1874**

The success of mining in the Pine Creek District, especially in its pioneering period, very much depended on a substantial Chinese population which became the backbone of the industry. Chinese dexterity in the field far outweighed that of the Europeans who struggled with extreme Territory climatic conditions and were less inclined to match Chinese willingness and thoroughness in working already exploited alluvial fields (National Trust, Northern Territory & Resource Assessment Commission 1990:30).

Based on a decision made by the South Australian Government in April 1874, the first recruitment of Chinese labourers to work Territory fields came from Singapore and numbered 200. By the 1880s thousands of Chinese miners were working in the Pine Creek District and until 1911 were the dominant presence (sometimes outnumbering Europeans sixteen to one) (Donovan 1979:4). Some of this influx came from the employment of Chinese labourers for the construction of a railway to the district. Following the completion of the railway many stayed on in mining capacities (National Trust, Northern Territory).

### **3.2 Archaeological background**

A large number of archaeological investigations have been undertaken in the broader Katherine region. Archaeologists first started looking at the area in 1948, when N.G.W. Macintosh excavated the Tandandjal rockshelter (Macintosh, 1951). Excavations at Kintore, Katherine and Sleisbeck by Mulvaney and Golson followed in the 1960s (Lance 1990). In the 1980s, the development of RAAF Base Tindal, Delamere Weapons Range and Kakadu National Park necessitated cultural heritage management (CHM) surveys (including Baker & Hughes, 1983; Brockwell & Cane, 1987; Cundy, 1987). Mining, road and railway developments in the region also required further archaeological analysis (Baker, 1983; Guse, 1995; Guse, 1998; Hill, 2005; Hiscock, 1991; Hiscock & Mowat, 1991; Kinhill Engineers, 1992; Mitchell, 1993a; 1993b; 1994a; 1994b; Mulvaney and Hermes, 1988; Raupp et al, 2009; Tacon, 1998).

Archaeological investigations for research purposes have also continued in the region, with a focus on Pine Creek heritage (Bell, 1981; Pearce, 1982), rock art research (David et al, 1990a; David et al, 1990b; McNiven et al, 1993), stone tools (Geneste et al, 2010; Hiscock & Mitchell, 1993) and knapped glass (Niemoeller and Guse, 2001). The recent study by Geneste et al (2010) found the earliest evidence for ground-edged axes in the world, dated to 35,000 years ago.

Archaeological and historical investigations specific to the Mt Todd lease area have been conducted in association with proposed mining developments on the site (Kinhill, 1989; Lance, 1990; NSR Environmental Consultants, 1992; Paton, 1993). Kinhill Pty Ltd (1989) conducted research into the mining history of the Mt Todd gold mine project, in an unpublished report to Billiton. This report has not been located in the current investigations, but has been relied upon by both Lance and Paton in their archaeological investigations of the area.

Lance (1990) carried out fieldwork over six days in February 1990, with traditional custodian Peter Jatbula. This survey was significantly hampered by poor ground visibility, however they managed to locate three Aboriginal archaeological sites and four historical features. The archaeological sites were stone artefact scatters, which also showed evidence of quarrying or knapping raw material. Lance recorded the Chinese oven, Jones Brothers Mine, Overland Telegraph Line and Mt Todd Battery

historical features. He recommended further investigations in conditions of better visibility to obtain a more accurate picture of the extent of the archaeological record.

Paton undertook further fieldwork in November 1990 and 1992, for inclusion in the Environmental Impact Statement by NSR Environmental Consultants (1992). These surveys located 31 Aboriginal archaeological sites, including ten quarry sites. Many of these sites were going to be partially or completely destroyed by the expansion proposed at the time. Paton did not locate any historical sites in addition to those recorded by Lance (1990).

Paton (1993) was then engaged to undertake more detailed recording of the sites that would be destroyed or affected by the 1990s mining program. Paton conducted further consultation with Traditional Owners, and undertook an ethnographic study. He made detailed recording and analysis of the large quarry site (Mt Todd 26), and conducted a long range survey to ascertain the spatial distribution of raw material from the quarry. Paton also recorded 15 campsites in detail and excavated a small sample of sites along creek lines in an attempt to determine the time depth of occupation in the area.

### 3.3 Results of 2011-2012 Archaeological Investigations

Earth Sea Heritage Surveys undertook surveys and a desktop analysis of the lease areas during 2011/12. Archaeological sites identified in the surveys and recorded in the NT Archaeological Sites Database administered by the Heritage Branch, were audited. The results of the surveys have been included in the Heritage Specialist Report appended to the Environmental Impact Statement.

The 2011-2012 surveys were primarily reconnaissance surveys undertaken to conduct a cultural heritage risk assessment of the lease areas. The surveys did not cover 100% of the area, as the scope of works required an assessment of the heritage values of the Project Area rather than a 100% clearance of the proposed footprint. These surveys located or re-recorded 20 Aboriginal archaeological sites, 31 historical sites or features, and over 100 isolated artefacts.

The most significant site recorded was Mt Todd 26, previously recorded by Paton (1993); an extensive greywacke quarry, extraction and reduction site that is possibly one of the largest known in Australia. The quarried greywacke was used in the manufacture of axes, blades, unifacial and bifacial points. The scale of the site may be an indication that the area was a centre of Indigenous trade. This site has been disturbed on its peripheries by the development of the existing Batman Pit and waste rock dump (WRD) by previous operators. The site also partially intersects the proposed expansion of the Batman Pit and WRD.

The historical features identified in the survey include evidence of Chinese and other early mining, and remnants of the Overland Telegraph Line.

The audit of previously recorded sites identified significant errors in the spatial data included in the NT Archaeological Sites Database. These errors are likely to have resulted from a combination of conversion error when switching datum and recorder error in the pre-GPS era. It is advisable to further investigate these errors and conduct 100% clearance surveys prior to any ground disturbance.

## 4 Heritage Significance Assessments

### 4.1 Heritage significance assessment processes

Archaeological and historic sites are assessed for their historic, scientific, social and aesthetic significance. Sites can be significant in the following ways:

1. Sites that are significant to a group or many groups of people due to their connection to the past;
2. Sites that are significant to a specific group of people because they have religious or spiritual significance to those people (dreaming sites or story places for example, Anzac Cove to Australians);
3. Sites that are significant because of their research potential: the importance of the site in answering questions about past human behaviors (i.e. archaeological sites); and
4. Sites that are significant due to their representativeness or uniqueness: sites or places that are rare or unique and are therefore conserved as a representative sample.

The significance of sites is assessed using methodologies appropriate to the type of significance concerned. For example:

- The significance of Aboriginal sacred sites, and other important sites, should be assessed by the relevant Aboriginal custodians or owners. This principle is enacted into the Commonwealth *Native Title Act 1993*, the *Aboriginal Land Rights (Northern Territory) Act 1976* and the *NT Aboriginal Sacred Sites Act 1989*;
- The significance of historic sites is decided by the wider community through the mechanism of a Heritage Council or other community represented group. These Councils often set up significance criteria and significance benchmarking to answer the question 'is it significant enough to conserve?'<sup>6</sup>; and,
- Sites that may be of scientific significance are assessed by the same process, however often after considering specialist recommendations (i.e. archaeologists, environmental scientists, geologists).

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<sup>6</sup> See the Burra Charter Article 1 for a definition of cultural significance. Most Australian heritage acts use the Burra Charter as the guiding principles for their heritage assessment criteria (Marquis-Kyle et.al 2002:103)

When applied in the NT, the heritage assessment process occurs under the auspices of the *Heritage Act 2011* (Heritage Assessment Criteria, Regulations to the *Heritage Act 2011*)<sup>7</sup>. Decisions on what can be considered significant to the heritage of the NT are made in consideration of these criteria (see reprint below). Once a place is shown to satisfy any of the criteria, it must also be shown to reach a threshold of being 'significant enough' to warrant permanent protection under Part 2 of the Act (NT Heritage Register).

Following the assessment of significance, the future conservation of a heritage place is considered by weighing up the level of assigned significance against the practicality of conserving the place. These issues may include the level of disturbance already experienced at the site. For example, an archaeological site may end up placed on an 'island' surrounded by a large quarry or waste rock dump, therefore destroying the natural context of the site.

In the NT, the significance of a place or object is considered by the Heritage Council or its delegates. The Council then advises the Minister (for Lands, Planning and Environment) if they recommend the place or object be declared as a heritage place. The Minister must then weigh up the views of the Council against the broader social and economic implications of conserving a place. For example, conservation of a place may be of considerable value socially and to the tourist industry, but may prevent a mining development. Therefore, the Minister must consider all views when making a decision.

The above process applies to places nominated for listing under Chapter 2 of the Act and to archaeological places and objects that are subject to an application for work approval. In practice, few archaeological places are assessed to be added to the register, rather they are either approved to disturb or avoided in the course of works. However, they are considered under the same criteria as all other heritage places in the Northern Territory.

## 4.2 Assessment of scientific and research significance

Scientific and research significance, including archaeological significance, is decided by assessing the ability of a site or area to add to the scientific knowledge of history or pre-history. The assessment of archaeological significance is undertaken as part of the assessment of heritage significance outlined above.

Areas or sites assessed as having scientific or research significance are often recorded in detail or conserved in situ because they may add to our understanding of the past. In practice, this may involve conserving a place as a heritage site even if it does not hold much aesthetic value. It also may involve conserving a place until all practical scientific observations can be made, for example, in the collection of artefact scatters before a development commences.

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<sup>7</sup>Or the NT *Aboriginal Sacred Sites Act* for places that are 'sacred or otherwise significant in the Aboriginal Tradition'.

#### NT Heritage Act, Heritage Assessment Criteria

The heritage assessment criteria for a place or object are as follows:

- (a) whether it is important to the course, or pattern, of the Territory's cultural or natural history;
- (b) whether it possesses uncommon, rare or endangered aspects of the Territory's cultural or natural history;
- (c) whether it has potential to yield information that will contribute to an understanding of the Territory's cultural or natural history;
- (d) whether it is important in demonstrating the principal characteristics of a class of cultural or natural places or environments;
- (e) whether it is important in exhibiting particular aesthetic characteristics;
- (f) whether it is important in demonstrating a high degree of creative or technical achievement during a particular period;
- (g) whether it has a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons, including the significance of a place to Aboriginal people as part of their continuing and developing cultural traditions;
- (h) whether it has a special association with the life or works of a person, or group of persons, of importance in the Territory's history.

### 4.3 Assessment of Aboriginal cultural significance

Cultural heritage significance is held for locations divided into these categories (taken in part from Duke 2005:20):

1. Dreamtime or creation sites where places were created before the presence of humans on the earth. These places are named and fit into the spiritual and physical framework of the traditional belief system;
2. Places where the 'old people' did things: such as camp sites, hunting grounds, routes and tracks to other areas, ceremonial grounds etc. These places relate to the traditional life pre- and post- contact with Europeans;
3. Historic places, including fishing and hunting areas, settlement areas, burial sites, massacre and conflict sites. These places often overlap with traditional places and the archaeological record may reflect this; and,
4. Places that are used today: these places are significant as places to hunt, fish, camp etc. For example, the camping sites for modern 'bush' holidays are often considered significant to traditional owners.

In the Northern Territory, the assessment of Aboriginal cultural heritage significance is assessed by the Aboriginal Areas Protection Authority. The assessment is triggered by an application to register a sacred site (by the custodians of a site) or during an Authority Certificate process. In all cases, the Consultants recommend that Authority Certificates be current for any planned exploration or mining activity with the Mt Todd Project Area.

#### 4.4 Australian Historic Themes

The Australian Historic Themes (2001) framework was developed by the Commonwealth to assist heritage professionals and others to assess heritage places using a common national standard for the identification and conservation of heritage places. The framework is designed to be used in conjunction with State and Territory based heritage acts, the ICOMOS Burra Charter and individual disciplines (e.g. archaeology, architecture, anthropology) in assisting with the assessment of significance of places (Australian Historical Themes 2001:6). The Theme Groups developed by the framework are:

1. Tracing the evolution of the Australian environment;
2. Peopling Australia;
3. Developing local, regional and national economies;
4. Building settlements, towns and cities;
5. Working;
6. Educating;
7. Governing;
8. Developing Australia's cultural life; and,
9. Marking the phases of life.

Each theme group has a number of sub-themes, for example Peopling Australia has the following sub-themes<sup>8</sup>:

1. Living as Australia's earliest inhabitants;
2. Adapting to diverse environments;
3. Coming to Australia as a punishment;
4. Migrating to Australia;
5. Promoting settlement; and,
6. Fighting for land.

Table 3 presents the Australian historic themes methodology with examples from the Mt Todd Project Area.

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<sup>8</sup><http://www.environment.gov.au/heritage/ahc/publications/commission/books/pubs/australian-historic-themes-framework.pdf>

Table 3: Australian Historic Themes, Mt Todd Area examples.

Site Type	Site Typology	Australian Thematic Framework	Brief Statement of Significance	Significance Rating in Heritage Survey Reports	Site Example on the Mineral Leases	Applicable Legislation	Site Status <sup>9</sup>
Mt Todd	Sacred Site/ Natural Feature	2.1 Australia's earliest inhabitants 8.6 Traditions and ceremonies	Significant within the Aboriginal Tradition	Sacred Site, highest significance to Jawoyn people.	Mt Todd, Yinberrie Hills	NT <i>Aboriginal Sacred Sites Act</i>	Protected, Restricted Works Area will apply with conditions
Large Aboriginal artefact quarries	Archaeological	2.1 Australia's earliest inhabitants. 3.4 Utilising natural resources, mining	Examples of these sites are significant to Jawoyn people and the broader community because they demonstrate the scope of the Aboriginal stone tool industry. The sites may be part of a larger trading system that has not been studied or documented.	High	Site MT26.	NT <i>Heritage Act</i> , Section 17	Protected, no ground disturbance unless approved under the Act
Aboriginal camp sites	Archaeological	2.1 Australia's earliest inhabitants. 3.4 Utilising natural resources 3.12.1 Using Indigenous foodstuffs	These sites are significant to Jawoyn people, archaeologists and the broader community because they are examples of a past subsistence strategy that proved very successful in this environment. Little is known about the extent of the trading relationships between Jawoyn and other groups over time.	Medium	MT32.	NT <i>Heritage Act</i> , Section 17	Protected, no ground disturbance unless approved under the Act

<sup>9</sup>Site Status refers to the sites' level of protection under the applicable legislation

Site Type	Site Typology	Australian Thematic Framework	Brief Statement of Significance	Significance Rating in Heritage Survey Reports	Site Example on the Mineral Leases	Applicable Legislation	Site Status
Aboriginal artefact scatters	Archaeological	2.1 Australia's earliest inhabitants. 3.4 Utilising natural resources, mining	As above. Some sites in this category have glass and flaked ceramic artefacts, showing adaptation to new materials introduced by Europeans and Chinese migrants.	Medium	MT37, MT38.	NT <i>Heritage Act</i> , Section 17	Protected, no ground disturbance unless approved under the Act
Aboriginal isolated stone artefacts	Archaeological	2.1 Australia's earliest inhabitants. 3.4 Utilising natural resources, mining	As a class these artefacts have the ability to demonstrate the mobility and trading relationships of Jawoyn and other Aboriginal peoples over time, however as individual artefacts are very common and not considered of great significance in situ.	Low	Isolated stone artefacts in both the Mt Todd and Limestone Quarry areas; Culturally Modified Trees (CMTs) in both areas.	NT <i>Heritage Act</i> , Section 17	Protected, no ground disturbance
Chinese mining sites	Historical, archaeological	2.4.2 Migrating to seek opportunity 3.16 Struggling with remoteness 3.4.3 Mining	These sites are of significance to the NT Chinese community, Aboriginal people and to the broader community as they demonstrate a way of life that helped build the modern NT economy and community. The early gold mines, mostly run by Chinese migrant labour, operated in harsh climatic condition, with most tasks performed by hand. There is evidence of Aboriginal labour in the working of these mines. Aboriginal stone artefacts are often present in and around the mine sites.	High	Mt Todd H1, H06, H07, H02, H05, H017, H021, H022, H023, H029, H030, H032.	NT <i>Heritage Act</i> , Part 2	Not protected
Early European mining sites	Historical, archaeological	2.4.2 Migrating to seek opportunity 3.16 Struggling with remoteness 3.4.3 Mining	These sites are of significance to the broader NT community because they demonstrate a way of life that helped build the modern NT economy and community. The early European mines followed the earlier Chinese miners into areas, but brought along greater capital investment and machinery, thus improving the return for the mine owners. The boom and bust cycle of mining is evident in each site, demonstrated by the diversity of remains left including batteries, engines and domestic goods.	High	Jones Bros Mine and crusher (Mt Todd H1), Mt Todd Battery (Mt Todd H4), H020, H031.	NT <i>Heritage Act</i> , Part 2	Not protected



Site Type	Site Typology	Australian Thematic Framework	Brief Statement of Significance	Significance Rating in Heritage Survey Reports	Site Example on the Mineral Leases	Applicable Legislation	Site Status
Minor early mining sites, small artefact sites	Historical, archaeological	2.4.2 Migrating to seek opportunity 3.16 Struggling with remoteness 3.4.3 Mining	The extent of the early mining industry has left a range of small artefact scatters and sites, including bottle dumps, costeans, small shafts and pits etc. These sites are considered of lower heritage value	Low	Mt Todd H018, H019, H015, H016, H033, H034.	NT <i>Heritage Act</i> , Part 2	Not protected
Overland Telegraph Line poles and wire	Historical	3.7.2 Developing electric communications	Considered as a group these sites have high significance to the NT and Australian communities as the construction of the Overland Telegraph Line between Adelaide and Darwin connected Australia to the rest of the world by electric means, reducing the 'tyranny of distance' that had characterised colonial Australia.	High	Mt Todd H027, H028, H008, H009, H010, H011, H012, H013, H014, H025, H026.	NT <i>Heritage Act</i> , Part 2	Not protected,

## 4.5 Cultural Heritage Site Locations

The locations and boundaries of the sites in the Project Area can be found in the Heritage Specialist Report (Appendix Q). Heritage survey and salvage work within the Project Area is ongoing, resulting in additional sites being mapped to the Mt Todd Heritage GIS Database.

The boundaries of sites recorded in the Department of Lands, Planning and Environment (DLPE) archaeological / heritage sites database are unknown, as the database only contains point data for sites. It also became apparent during the audit of previously recorded sites that there are significant inaccuracies in the spatial data from the DLPE database. These inaccuracies appear to have resulted from datum shifts and lack of precision in recording sites in the pre-GPS era. Therefore the Consultants recommend using the updated GIS database from Vista Gold. This database will be supplied to NT Heritage Branch, DLPE as per requirements of the Heritage Act.

## 5 Management Plan Recommendations

This section outlines the recommended approach to managing the cultural heritage resources outlined in the above section. The recommended approach has been tested in several active mining and exploration projects in the NT and Cape York. The Consultant's believe that they represent best practice for this type of mine, but understand that a management plan is a living document, that will change and improve with time and experience in practice. The major facets of the management plan are presented below.

### 5.1 Cultural Heritage Management Committee

It is recommended that a Cultural Heritage Management Committee (the Committee) be formed to manage cultural heritage issues before, during and at the completion of the project. This committee should be based on open consultation between the Jawoyn Land Owners and Vista Gold. There are possible structures and functions that could be recommended, provided that the result is agreed by both parties and is workable. Vista Gold is responsible for ensuring the implementation of the CHMP throughout all facets of its activities inclusive of exploration, construction, mining, decommissioning and rehabilitation. Specific responsibilities are outlined below.

The structure below is provided as an example.

#### 5.1.1 Membership

1. Two members of the Traditional Owner group, or their representatives;
2. Two members representing Vista Gold. This may include managers, environment or heritage staff;
3. Two members of the Jawoyn Association, or their representatives; and
4. A cultural heritage specialist (Vista employee or contractor).
5. The chair of the committee should be selected from the membership and be a person with the confidence of all members.

The processes guiding the committee should follow an established constitution and the rules of normal business practice. These would include setting a quorum, recording and distributing minutes, maintaining a library (could be done by an agreed party, such as Vista Gold or the Aboriginal Organisation), set regular meeting times and distribute agendas well in advance of the meeting.

#### 5.1.2 Aims and Objectives

The Committee should be an advisory group with the following aims and objectives:

1. To minimise impacts on cultural heritage values during the life of the project; and,
2. To fulfill the legal obligations of all parties under the Northern Territory *Heritage Act 2011*.

### 5.1.3 Functions and responsibilities of the Committee

The functions of the Committee will be guided by the nature of the land use agreement between Vista Gold Australia and Jawoyn Association, the representative of the land owners. Given that the nature of such an agreement is not known at this stage, the following list is a guide to possible functions. In its final form, the functions of the committee will be decided by agreement between Vista Gold and the Jawoyn landowners. It is strongly recommended that a heritage professional be engaged either as a consultant or an employee to advise on the final role of the committee (the final functions of the committee should be a matter decided by Vista in consultation with the Jawoyn Association)<sup>10</sup>:

1. Assess the significance of heritage places and materials based on the knowledge of the committee and the advice of heritage professionals;
2. Make recommendations on the future management of cultural heritage places and materials in the project area based on the significance of the places and the requirements of the project;
3. Establish keeping places to store or display cultural heritage materials;
4. Invite guests to attend meetings, e.g., as proxies, or specialists who may be invited to address the committee on their area of expertise;
5. View and assess any reports or data pertaining to the management of cultural heritage in the project area; and,
6. Make recommendations on the employment of Jawoyn people and heritage professionals to conduct future heritage surveys in the Project Area;

### 5.1.4 Functions and responsibilities of Vista Gold

Vista Gold's person responsible for heritage management may:

1. Organise approvals for site salvages where appropriate;
2. Organise teams to assist with site salvages where appropriate;
3. Continue to maintain and develop the GIS database commenced during the EIS process ;
4. Undertake field trips to inspect cultural heritage places or materials, keeping places or other places as appropriate;
5. Implement site incident reporting procedures in case of unapproved damage or destruction of heritage places or materials; and,
6. Develop and institute regular compliance assessment during the lifetime of the project. This should be undertaken by a qualified heritage professional or by a local Indigenous person who has experience in cultural heritage protection (i.e. coaching by heritage professional)

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<sup>10</sup> Note that the consultant has not seen any agreements between Vista Gold and Jawoyn Association on dealing with cultural heritage issues. Therefore a number of these suggestions may already be agreed.

## 5.2 Ground Disturbance Approval Process

It is recommended that Vista Gold use the existing ground disturbance approval process to manage impacts on heritage places. This type of process aims to manage the disturbance of green field areas to ensure that all environmental and heritage approvals are in place prior to ground disturbing works commencing. The process should:

1. Include a ground disturbance approval application, termed a work approval under the HA. The exploration or mining team leaders should discuss which areas are likely to be worked, and then map the area of planned disturbance;
2. A single point of contact should receive applications and ensure that the necessary approvals exist prior to issuing approval; and,
3. An approval in writing should be issued with necessary mapping and digital GPS data.

Past experience with these systems has shown that there are some critical factors leading to failures or potential failures:

1. Failure to allow enough lead time for approvals to be sought (i.e. late changes to an exploration program leaving only a few days to gain approvals);
2. Contractors ignoring or unaware of the approvals process, leading to breaches, and potential regulatory action;
3. Inaccurate mapping of exploration or mining programs; and,
4. Communication failures between departments resulting from excessive paper work etc.

The potential consequences of an environmental or heritage breach far outweigh the extra work involved in setting up such a system<sup>11</sup>. This CHMP aims to minimise the identified risk by proposing cultural heritage management systems, such as the approvals process outlined above.

## 5.3 Spatial Data Management

It is recommended that Vista Gold develops a comprehensive GIS based site data base to record all cultural heritage data collected prior to and during the lifetime of the project. It is recommended that this database use the following spatial themes:

1. Existing heritage sites;
2. Conservation or 'No Go' zones;
3. Surveyed areas;
4. Areas approved for ground disturbance

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<sup>11</sup> Note: Consequences of a breach include risk of prosecution under relevant Acts and loss of social capital arising from adverse media coverage.

## 5.4 Responsibilities of Vista Gold Australia

Overall responsibility for implementation of the CHMP within the Project Area rests with the General Manager (although the General Manager will not do all the activities associated with heritage management). These responsibilities include:

1. Ensure Vista Gold meets all of its responsibilities to implement this CHMP;
2. Ensure appropriate approvals are in place for the management of cultural heritage prior to the commencement of any ground disturbance;
3. Ensure the conditions on any relevant approvals are communicated to staff and contractors working in the approval areas;
4. Ensure that archaeological surveys required under the NT *Heritage Act* 2011 are undertaken by suitably qualified personnel;
5. Allow for the provision of training to all staff and contractors, ensuring their awareness of their responsibilities under the relevant legislation and the CHMP;
6. Ensuring any non-compliance with this management plan is rectified and reported to the relevant authorities;
7. Ensuring that no cultural material is disturbed or removed except where stipulated in a negotiated agreement with Traditional Owners; and
8. Ensuring that removed cultural material is curated in an agreed keeping place and appropriately documented.

## 5.5 All Employees and Contractors

All staff and contractors are responsible for the following:

1. Sighting and understanding all relevant approvals and associated conditions before undertaking any ground disturbance practices;
2. Immediately reporting any cultural heritage management incidents to the project / department manager;
3. Immediately reporting the discovery of previously undocumented cultural heritage materials; and,
4. Respecting Indigenous culture and traditions.

## 5.6 Traditional Owner Representatives

It is recommended that:

1. Jawoyn Association nominate representative/s to represent the Association on the committee.
2. The senior Traditional Owners for the lease area nominate two representatives to represent the interests of Traditional Owners on the committee, independent of the Association<sup>12</sup>.
3. The independent representatives of the senior Traditional Owners be involved in the planning and execution of future cultural heritage surveys.

## 5.7 Communication Plans

Communication between all relevant stakeholders and personnel is essential for the effective management of cultural heritage. Therefore, it is important to develop a communication plan which is part of the main business processes of the company. This plan should include:

1. Environment and heritage issues should be a regular part of workplace meetings ("toolbox meetings", safety meetings etc);
2. Cultural heritage inductions for all staff and contractors on site, including the provision of accurate and up-to-date maps showing heritage conservation areas;
3. Site incident reporting system to swiftly act on any unapproved impacts on cultural heritage places
4. Contact details of a staff member with cultural heritage accountabilities should be included on all organisational contact lists.

## 5.8 Inductions

Inductions are aimed at alerting new staff, contractors and visitors working in the Project Area of their legal responsibilities toward protecting themselves, their workmates and the environment including cultural heritage places. Cultural Heritage components of inductions should be designed to fit in with safety and environmental sections and should be presented to all people working in the project area. The presentation material should include:

1. Land title systems in the area;
2. What are cultural heritage places?
3. Why do we protect cultural heritage places?
4. Cultural background for the project area;

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<sup>12</sup> Note that currently the Jawoyn Association is a partner in the Mt Todd Project, and responsible for the nomination of representatives to the Management Committee. This perceived conflict of interest may need to be resolved during discussion on the final CHMP.

5. Legal framework for cultural heritage protection, principally the *Native Title Act* 1991, the HA, and any legal agreement between Vista Gold Australia and the Jawoyn representative organisation;
6. The location of known cultural heritage places including Sacred Sites;
7. What to do if you discover a cultural heritage place that is not flagged or fenced;
8. Auditing cultural heritage places, who will be responsible etc.; and,
9. Signing a pro forma stating the content of the session, each person has attended the session and disclaimer that the attendee has understood the content of the session.

Administrative issues with inductions:

1. It is often appropriate to invite several Traditional Owners or their representatives to cultural heritage inductions. The attendance of Traditional Owners may be mandated by an agreement between Vista Gold and the Jawoyn representative organisation. The Traditional Owners should be encouraged to participate but not 'put on the spot' to contribute during sessions. It may be possible to use an Indigenous Heritage Ranger position to attend each session;
2. The induction plans and session notes need to be incorporated into the general site induction process;
3. The presenter should get a sign off on attendance and understanding of the principal points of the session from each participant at the end of the session.

## 5.9 Dispute settlement processes

A full dispute resolution process should be developed by negotiation and agreement between Vista Gold and the Jawoyn organisation representing the Traditional Land Owners. Dispute resolution processes should also be included in the constitution of the Cultural Heritage Management Committee.

## 5.10 Cultural Heritage Management Plan review processes

Cultural heritage management plans need to be reviewed on a regular basis to achieve the goal of minimising impacts on cultural heritage. The review should be carried out under the auspices of the Cultural Heritage Management Committee (the Committee). The reviewer should be an independent cultural heritage professional with experience in the Katherine / Pine Creek region. This review process should include the following components:

1. Site audits of known cultural heritage places and materials to assess the ongoing impacts of the Project;
2. Review of the process and operation of the Committee;
3. Review of the effectiveness of any cultural heritage dedicated staff; and,
4. Interviews with senior Traditional Owners to ascertain the effectiveness of the heritage charters (i.e. maintain cultural heritage values in the Project Area).

The review should report in writing to the Committee. Copies should be distributed to all interested parties in the Vista Gold management team. Changes to the heritage management system should be at the agreement of the Traditional Owners and Vista Gold Australia.



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