
20.1 Existing conditions

20.1.1 Aboriginal

The Tiwi Islands are home to one of Australia's most remarkable Aboriginal groups whose isolation over thousands of years has helped them preserve their unique language and culture (Alford 2005). The first evidence of foreigners coming to the Tiwi Islands was perhaps in the early 1600s when the Macassans sailed from the Indonesian Island of Sulawesi in search of the sea cucumber (Trepang) (Alford 2005). The Tiwi people have a strong sense of identity and are proud and outgoing in the way they live their life.

The Tiwi Islands were declared an Aboriginal Reserve in 1941 and on 7 September 1978 title deeds for their land were handed back to the Tiwi people by the then Minister for Aboriginal Affairs, Ian Viner (TLC 2004). The Tiwi people have a land council, local government and traditional groups the last of which is also responsible for ceremony and care of country (TLC 2004). Access to the islands is provided under approval of the TLC and is authorised through the issuing of permits under the provisions of the *Northern Territory Aboriginal Act 1980*.

The Project areas are located in the traditional lands of the Tiwi Aboriginal people and more specifically within the area of the Yimpinari group. An archaeological survey at Lethbridge West and Andranangoo West was completed by Christine Crassweller, of Begnaze Pty Ltd (Begnaze), on 20 and 21 January 2005. The survey consisted of pedestrian transects along the proposed mining areas, camp and access tracks. A copy of the survey is included in Appendix I-1.

A search of the Archaeological Site Register held with the NT Heritage Conservation Services and the registers held by the Commonwealth Government did not reveal any previously recorded Aboriginal archaeological sites. There are two possible Macassan sites, both wells, assumed to have been used by Macassan people coming from present-day Indonesia; however neither of these sites is located near the proposed mining prospects (Crassweller 2005).

No Aboriginal archaeological sites were located at either Lethbridge or Andranangoo during the field survey. One small background scatter of shells was discovered at Lethbridge (Figure 20.1) and was assessed as having being deposited by humans as a food resource in the past and of low archaeological significance. This site is located on the eastern end of the Lethbridge site and is unlikely to be disturbed by the Project. A permit to disturb will be requested from the Heritage Conservation Services of the Department of Natural Resources, Environment and the Arts as per the requirements of the *Heritage Conservation Act 1991*.

The Project area and surrounds contain a number of specific values with respect to the Tiwi people. The Tiwi people regularly go on camping trips and enjoy hunting buffalo, geese and occasionally crocodile, sometimes in the proposed Project area. The area is also accessed by boat for fishing and hunting of dugong. Evidence from stakeholder consultation suggests that the Milikapiti community is the most active Tiwi Islands community in camping and hunting. The Andranangoo and Lethbridge sites and their

surrounding areas are often utilised by the Tiwi people for recreational pursuits. The most popular hunting grounds adjacent to the Project area are near Lethbridge East which is adjacent to the saltwater lakes.

20.1.2 Aboriginal Areas Protection Authority

The TLC has undertaken consultations with Traditional Owners on behalf of the Aboriginal Areas Protection Authority.

These consultations indicated that an old grave site is known within the vicinity of Andranangoo Creek although the exact location was not known. A search for a grave site by the TLC and Traditional Owners was unsuccessful however, the consensus, was that the grave site is on high ground, and not in the area that Matilda plans to mine.

No significant sites were known in the vicinity of Lethbridge.

The TLC have recommended that the conditions of the Authority Certificate should ensure that if evidence of a burial site is discovered during operations, operations will cease immediately in that area and the TLC will be notified as soon as possible.

Advice from TLC is that all employees of Matilda and associated contractors should be made aware of the possibility of grave sites. They should also have a directive to be observant and take care when disturbing ground, to stop work if they see a burial pole (even if it is in poor condition), and to report it to the TLC or Traditional Owners as soon as possible (TLC pers. comm. 2005).

20.1.3 European

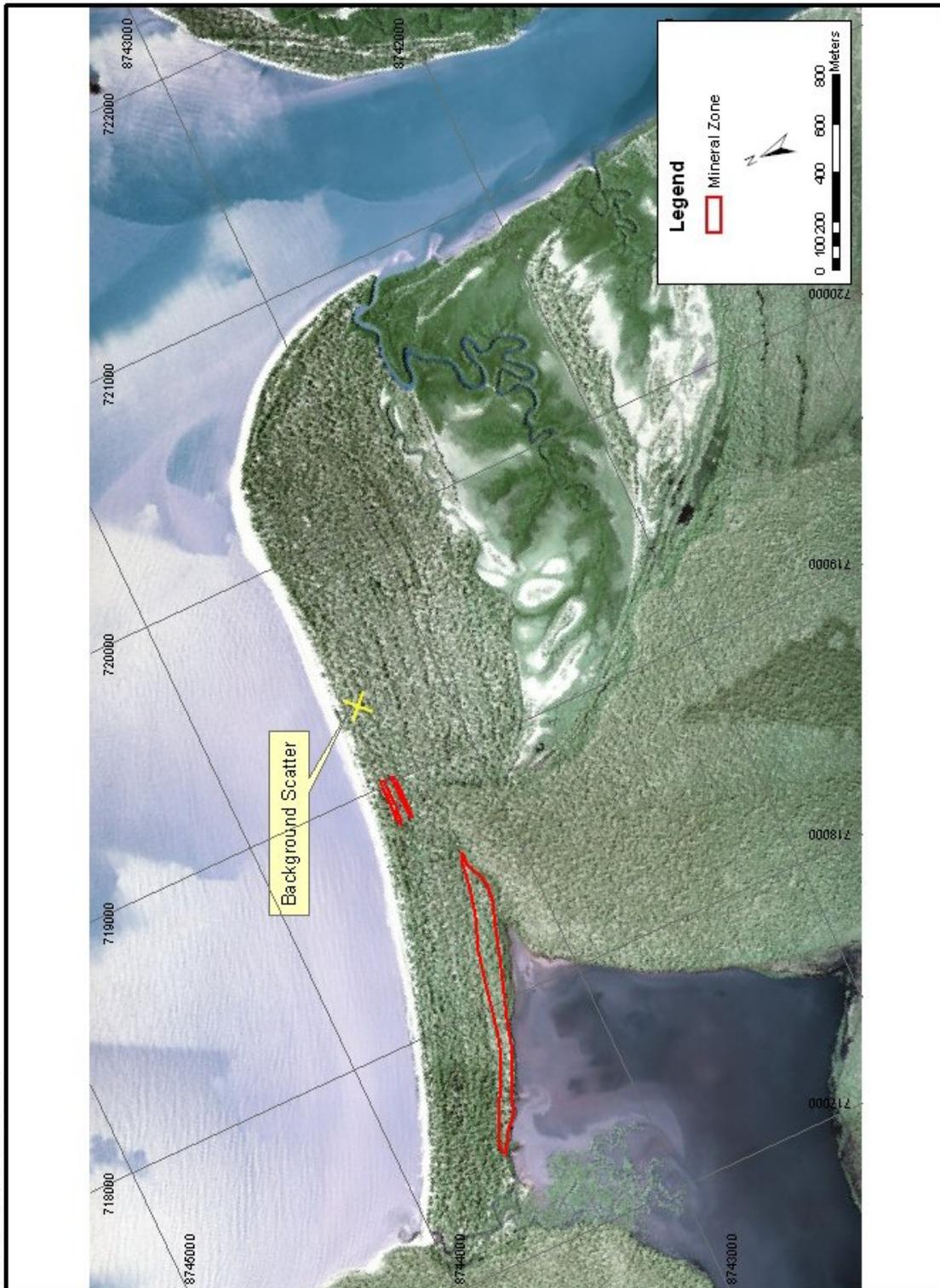
The first written account of the sighting of the Tiwi Islands was made by Dutch navigator, Pieter Pieterszoon, on 13 June 1636. Pieterszoon was in command of two ships and had sailed from Batavia to follow up previous Dutch discoveries in the Gulf of Carpentaria to confirm whether any connection existed between New Guinea and the 'southland'. It was the British who on 21 May 1818 named Bathurst and Melville Islands and six years later on 23 September 1824 Fort Dundas was established on Melville Island. The British fought with the hostile Tiwi people and the harsh environment for five years and then the settlement was declared a failure and the British moved to Raffles Bay on Cobourg Peninsula (Alford 2005).

Other significant dates in the European history of the Tiwi Islands include:

- 1895 – hunters of Asian Buffalo set up camp on both islands;
- April 1911 – the establishment of a Catholic mission on Bathurst Island;
- 1930's – the threat of Tiwi independence by Japanese and European pearling lugger crews who wanted to use the Island as a base;

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- 19 February 1942 – Darwin bombed by the Japanese and Australia’s first Prisoner of War (POW) was captured by Aboriginal people in Snake Bay;
 - 1950’s – timber milling ventures commenced; and
 - 1960’s – brief exploration highlighted the Tiwi Islands as having deposits potentially rich in zircon and rutile.

(Alford 2005 and TLC 2004)



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Matilda Minerals
MINERAL SANDS PROJECT - DRAFT EIS
**BACKGROUND SCATTER
LETHBRIDGE**

Figure 20.1

The field survey to determine the existence of any European cultural sites was carried out on 20th and 21st January 2005 by Bob Alford, Heritage Consultant. The Lethbridge site was surveyed first by traversing the prospect areas, proposed access road and camp area on foot. An extensive ground survey did not reveal any items of European cultural material that would be of heritage significance. The prospect areas, proposed access road and camp area at Andranangoo were also traversed on foot. As with Lethbridge no items of European cultural material that would be of heritage significance were found. A copy of the survey is included in Appendix I-2.

Although there has been European association with the Tiwi Islands since 1636, the short-lived nature of these activities in the Project areas has meant very little if any remaining European material could have survived. Reference to a number of historical records failed to confirm the presence of European occupation on the northern extremities of Melville Island east of Snake Bay. In addition, a search of the National Archives database found there to be no sites relevant to the project. There are no historic European occupation sites or European cultural heritage sites located within the defined boundaries of either the Lethbridge or Andranangoo sites and associated areas for infrastructure (Alford 2005).

20.2 Objectives and standards

The objective for the Project in relation to the protection of historic and cultural heritage is to ensure that changes to the biological and physical environment resulting from the Project do not adversely affect historical and cultural associations with the area and comply with relevant heritage legislation.

The applicable management objectives and relevant legislation, standards and guidelines are listed below in Table 20.1. The potential issues and investigations required are also listed. All investigations have been completed.

Table 20.1: Historic and Cultural Heritage Management Objectives and Standards

Management objectives	Relevant Legislation, Standards or Guidelines	Potential issues	Investigations to address issues
<p>Ensure that the proposal complies with the requirements of the <i>EPBC Act 1990</i></p> <p>Ensure that the proposal complies with the <i>NT Aboriginal Sacred Sites Act 1989</i></p> <p>Ensure that project impacts do not adversely affect historical and cultural aspects of the Tiwi Islands</p>	<p><i>Environment Protection and Biodiversity Conservation Act 1999</i></p> <p><i>Northern Territory Heritage Conservation Act 1991</i></p> <p><i>Environment and Heritage Legislation Amendment Act (No 1) 2003</i></p> <p><i>Australian Heritage Commission Act 1975</i></p> <p><i>Northern Territory Aboriginal Sacred Sites Act 1989</i></p> <p><i>Northern Territory Aboriginal Act 1980</i></p>	<p>Potential disturbance to sites of Aboriginal or European heritage significance.</p>	<p>Conduct desktop identification, consultation and evaluation of the Aboriginal and European cultural and heritage values of the project area.</p> <p>Identify potential impacts on any identified values of the area.</p> <p><u>Specific study:</u></p> <p>Aboriginal heritage study</p> <p>European heritage study</p> <p>Review of Aboriginal and European heritage databases</p> <p>AAPA authority certificate required</p> <p>Stakeholder consultation</p> <p>Proposal is considered a controlled action under the EPBC Act 1990 and will therefore be assessed by the Commonwealth Department of Environment and Heritage.</p>

20.3 Definition of issues and impacts

The database search and field survey did not reveal any Aboriginal archaeological sites within the Lethbridge or Andranangoo sites. The small background scatter of shell was found to have low archaeological significance. It is located on the margins of the Lethbridge site (Figure 20.1) and will be disturbed by the Project.

Although the possibility of subsurface archaeological material existing within the Project area is low, a management mechanism is required to ensure any discoveries are protected and remain undisturbed.

Access to the area for the pursuit of recreational activities will be improved for the Tiwi people as a result of the new/upgraded roads for haulage. The Tiwi people have indicated this to be a positive impact, however they have expressed concern over the extent to which they will be allowed to access their land once mining commences. Due to OH&S concerns and legislative reasons the Tiwi people will not be able to access the mining lease area for hunting activities. All other areas will be accessible.

The Project will not impact on European historic and cultural heritage values, as there are no historic European occupation sites or European cultural heritage sites located within the defined boundaries of either the Lethbridge or Andranangoo Prospects.

In summary, the potential impacts during the construction, commissioning and operation phases on Aboriginal and European historic and cultural values are:

- Disturbance of background scatter of shell at Lethbridge West;
- Potential (albeit low) for subsurface archaeological material to be found;
- Potential for unknown Aboriginal archaeological sites to be disturbed;
- Potential of unknown grave sites to be disturbed; and
- Denied access to operational areas of mining lease.

20.4 Management

Matilda Minerals will need to ensure that their employees and contractors are advised of the existence and location of Aboriginal archaeological sites if they are discovered and be informed that these locations may constitute Aboriginal sites to which the *Aboriginal Heritage Act 1972* applies and should be avoided. Management of any Aboriginal heritage sites will be in accordance with the *Aboriginal Heritage Act 1972*.

The disturbance of the background scatter of shells identified will require permission of the Minister of Environment and Heritage in order to comply with the *Northern Territory Heritage Conservation Act 1991*.

It is also recommended that a response mechanism be set up to mitigate any loss of subsurface archaeological material that may be located during mining (Crassweller 2005). In the event such material is found, work should cease around the archaeological material and advice obtained from Heritage Conservation Services to ensure the conditions of the *NT Heritage Conservation Act 1991* are not contravened.

A Cultural Heritage Management Plan should be prepared outlining the processes and procedures for managing any Aboriginal archaeological and ethnographic sites identified, as well as chance finds, in accordance with the *Aboriginal Heritage Act 1972*.

Access to land for recreational purposes is an important part of life on the Tiwi Islands for the Indigenous (and non-Indigenous) stakeholders. The details of access restrictions to the mining leases (e.g., boundaries, rationale etc) will need to be conveyed to the community in a clear and pragmatic way to avoid confusion. Matilda will distribute plans of the mining and camp areas, restricted areas and times of operation to the relevant stakeholders as appropriate.

During the exploratory and operational phases of the Project, Matilda will establish protocols to inform staff of the European historical associations and of the procedure to follow should European material culture be discovered.

20.5 Commitments

Matilda commits to protecting the historic and cultural values by ensuring they are advised of the existence and location of any sites (Section 20.4).

Matilda commits to developing procedures to be undertaken if historic artefacts or site and cultural heritage site are located during operations, which includes notifying the TLC and the Traditional Owners and obtaining any relevant permits to disturb from Heritage Conservation Services (Section 20.4).