

Cultural Heritage Investigation West Normanby River

Report to Clayton Utz

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Permanent water on West Normanby River

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Summary

This report documents a preliminary investigation of cultural heritage values at West Normanby River, Springvale Station, Cape York Peninsula. Results are based on one day survey of the West Normanby River and other areas of interest such as access tracks and springs. Site investigations were conducted with Western Yalanji traditional owner representatives on 10 and 11 October, 2016 and facilitated by Department of Environment and Heritage Protection. Only a preliminary inspection was possible in this short time frame.

All elements of the landscape have cultural values for Western Yalanji. The separation of natural and cultural values and protection of defined 'sites' follows non-Indigenous ways of viewing the world. While conducting the cultural heritage inspections, Western Yalanji representatives expressed that healthy water, plants, soil and animals are all important components of the Yalanji cultural landscape.

Baccarat application ML100057 & Isabella 2 application ML100058

Four culturally modified trees of were recorded on the eastern boundary of ML100058. One culturally modified tree and possible stone artefact was recorded adjacent to the access track to service ML100057. The access track will require upgrading to service heavy machinery. More detailed surveys in any areas of proposed ground disturbance including access tracks are recommended prior to work commencing.

Other parts of Springvale Station

One culturally modified tree was recorded at Boggy Creek. Discussions with Western Yalanji representatives identified an Aboriginal walking track linking western and eastern Yalanji estates near the southeast of Springvale near Boolbun Creek. It highly likely that more Aboriginal cultural heritage exists on Springvale Station and further work is recommended, particularly prior to

upgrading of roads, removal of quarry material and impacts to areas previously not disturbed.

Areas of high potential for cultural heritage

Potentially significant areas include permanent water holes, stands of mature Cooktown ironwoods and the Boolbun Creek walking track, which is likely to include camp sites, food resources and other culturally significant sites.

The report makes the following recommendations in order to meet obligations under the duty of care for protection of significant Aboriginal places

- A full cultural heritage survey of ML100057 & ML100058, access tracks and ancillary development areas be conducted by land users and Western Yalanji representatives. Buffers should be implemented around recorded cultural heritage sites prior to any development works.
- Cultural heritage investigations be conducted in areas of high potential such as near permanent water, stands of mature Cooktown ironwoods and other places identified by relevant Aboriginal parties, prior to ground disturbance, including land remediation.

Other recommendations

- A long term strategy, such as cultural mapping, be developed by EHP with relevant Aboriginal parties for the identification, protection and management of cultural resources on Springvale Station, particularly in relation to ground disturbance.
- Yalanji people and their representatives should clarify the role of the applicants to the Cape York One Claim applicants, who are currently the Aboriginal party and therefore responsible for determining significance of cultural heritage under the ACHA.

Acknowledgements

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1. Project scope

The Department of Environment and Heritage Protection purchased Springvale Station in March 2016 to help protect critical habitat and manage sediment run off into the Great Barrier Reef (Department of Environment and Heritage Protection 2016:10). The purchase was in response to research that demonstrated that in the Normanby catchment, gully erosion rather than surface soils, are major contributors to sediment loads in the Great Barrier Reef (Olley et al 2013). Research demonstrates that over 80% of sediment in the Normanby catchment was due to gully and bank erosion, with Springvale a significant contributor (Brooks et al 2013).

There are two current applications for in-stream alluvial mining in the West Normanby River, Baccarat application ML100057 and Isabella 2 application ML100058. Impacts to Aboriginal cultural heritage on standard mineral development projects are managed through the Mining Code of Compliance for standard environmental authorities and the duty of care under the *Aboriginal Cultural Heritage Act 2003*, both of which are self-assessable. Despite the potential for significant Aboriginal cultural heritage, no previous cultural heritage investigations of proposed ML100057 or ML100058 appear to have been conducted.

As land users, the Department of Environment and Heritage Protection are bound by the duty of care to protect Aboriginal cultural heritage that may be affected by land use. This includes proposed remedial works and erosion control measures.

There are three components to this cultural heritage assessment.

1. Investigate the likelihood that cultural heritage may be affected by the proposed mining leases.
2. Provide an opportunity for Western Yalanji to inspect the erosion issues on Springvale and consider potential impacts to cultural heritage during remediation works.

3. Identify potential for Aboriginal cultural heritage places on Springvale Station outside the mining lease applications.

2. Location & environment

Springvale Station is at the base of Cape York Peninsula near the settlement of Lakeland Downs (Figure 1). The Lakeland Downs area is an elevated lava plain with low sloping hills formed by a combination of southeast tradewinds and highly seasonal rainfall (Grundy and Heiner 1994). The geology is dominated by basalt from the Maclean Volcanic Province dispersed with sedimentary and granite substrate.

Three significant river systems are present on Springvale, the East, West and Granite Normanby Rivers with their headwaters in the northern section of the Mount Windsor tableland. Together with the Kennedy, Deighton, Jack and Laura Rivers, these form the bulk of the Normanby catchment, which flow north into Princess Charlotte Bay. For most of the year the rivers have dry, sandy beds with few pools of permanent water. However, during the wet season the rivers receive large volumes of water.

The dominant Regional Ecosystem of the area is Eucalypt woodland and open forest (RE's 9-15b, 16-16d, 17-18d, 19-19d) with patches of rainforest and scrubs (RE 1-7b). *Eucalyptus*, Cooktown ironwood (*Erythrophleum chlorostachys*) and poplar gums (*Eucalyptus platyphylla*) were noted on the banks of the rivers, and rainforest species including black bean (*Castanospermum australe*) and *brachychiton* species are present within gallery forests in the river beds. Weeds are a obvious significant problem on Springvale Station; numerous weed species were encountered during site investigations including sicklepod, rubber vine, grader grass, Noogoora burr, Hyptis and lantana.



Figure 1. Springvale Station is at the base of Cape York Peninsula.

3. Issues and potential impacts

There are two key environmental issues that have the potential to impact cultural heritage on Springvale Station.

In-stream alluvial mining

There are currently two mining lease applications for in stream alluvial mining on Springvale Station.

The Baccarat mining lease application, ML100057, covers an area of 14.31 hectares of the West Normanby River for a term of 15 years. The minerals sought are gold and tin. Ancillary impacts listed on the Resource Authority Public Report (available from Mines Online) include erection of living quarters and processing plant, upgrade to existing roads and tracks and construction of a tailings/settling dam.

Isabella 2 mining lease application, ML100058, covers an area of 37.75 hectares of the West Normanby River for a term of 21 years. The minerals sought are gold and tin. No information on ancillary impacts are included in the Resource Authority Public Report but it could reasonably be assumed that minimum ancillary impacts would include upgrading road access.

In stream mining, upgrading access roads, installing processing plant, living quarters and tailings dams has the potential to impact Aboriginal cultural places through land disturbance.

Gully erosion and remediation

Significant remedial works will be required to stabilise the gully erosion on Springvale Station (eg. Figure 2 and Figure 3). While remediation control measures are yet to be decided, possible options include destocking the property of cattle, creating water diversions, infilling gullies with rocks, possibly from

local sources, and replanting native vegetation (K. Smith pers. comm.). To control further erosion on the property some access tracks may be closed.

There is the potential for Aboriginal cultural heritage places to be present at quarry sources and adjacent to eroded areas and access tracks. There is unlikely to be Aboriginal cultural heritage remaining in areas that have suffered from high levels of erosion.



Figure 2. Moderate gully erosion.



Figure 3. Advanced gully erosion.

4. Relevant policy & legislation

Cultural heritage is embodied in the values, places and practices that are important for past, present and future generations (Australia ICOMOS 2013). Aboriginal cultural heritage places are protected by state and commonwealth heritage legislation, the most relevant are the Native Title Act and the Aboriginal Cultural Heritage Act. Cultural heritage places on mining leases have additional protection through the Code of Environmental Compliance.

Native Title Act 1993

The *Native Title Act 1993* (NTA) provides for the protection of extant native title rights and interests held by Aboriginal and Torres Strait Islander people. It creates procedural requirements for the grant of any act by government or a third party that may impact on native title rights and interests that must be followed in order to ensure the grant is valid. In many cases the NTA creates a process under the future act regime whereby acts that affect native title will be valid, with any impairment of native title rights and interests giving rise to a right to compensation by the native title holders. In some instances an act can only be validly done through an Indigenous Land Use Agreement. The cultural heritage regime in Queensland is separate from the NTA, however the Aboriginal party under the ACHA is identified by reference to the NTA.

The Native Title Act includes provisions for the protection of Aboriginal cultural heritage from mineral development and exploration projects. The Native Title Protection Conditions (NTPCs) require the miner to provide information to the relevant native title body about proposed works. Certain work is permitted under the NTPCs without cultural heritage surveys. An annual fee must be paid by the miner to the relevant Aboriginal party.

Springvale is included in the registered Cape York One Claim (QUD673/2014) and abuts the Eastern Yalanji determination (QCD2007/002).

Indigenous Land Use Agreement

The Native Title Tribunal describes an Indigenous Land Use Agreement (ILUA) as a voluntary agreement between a native title group and others about the use of land and waters. ILUAs provide an alternative to the native title determination process before native title has been determined.

Western Yalanji have entered into an ILUA with small scale miners with Western Normanby River as its northern boundary.

Aboriginal Cultural Heritage Act 2003 (ACHA)

The purpose of the ACHA is to recognise, protect and conserve Aboriginal cultural heritage in Queensland. The ACHA seeks to achieve this by establishing duty of care mechanisms for land users to protect significant Aboriginal cultural heritage from activities and ensuring Aboriginal people are involved in processes for managing Aboriginal cultural heritage.

The ACHA defines Aboriginal cultural heritage as a significant Aboriginal area or object, or significant evidence of Aboriginal occupation of Queensland. The ACHA defines significant Aboriginal heritage as an area or object significant to Aboriginal people because of Aboriginal tradition or history, including contemporary use. Aboriginal people are responsible for identifying significant Aboriginal cultural heritage.

According to the ACHA:

- A significant area does not have to contain physical markings (ie. a story place, birth place or massacre site), nor does it have to be old.
- Aboriginal people identify significance of areas or objects, although anthropological, historical, biogeographical and archaeological information can help identify significance.
- A significant area can include the surrounding area, if impacts will diminish the significance.

A Cultural Heritage Management Plan (CHMP) can be developed under the ACHA. A CHMP is an agreement between a land user and relevant Aboriginal party on how impacts to significant Aboriginal heritage will be managed, and usually developed in response to a specific project. Under the ACHA, CHMPs are required when an EIS is required for a project and can also be made voluntarily.

The ACHA identifies the Aboriginal party as having responsibility for managing impacts to cultural heritage. Under the ACHA a native title party (registered claim or determination) is the Aboriginal party for an area. In the absence of

native title claims, Aboriginal corporations can register their interest in particular areas as an Aboriginal Cultural Heritage Body. This allows the corporation to advise on Aboriginal parties for the relevant area. To register as an Aboriginal Cultural Heritage Body, approval must be given by other Aboriginal groups. The native title registered body and the Aboriginal Cultural Heritage Body are usually the same party, but not in the Springvale (see Section 7).

The applicants to the Cape York One Claim are the Aboriginal party. Western Yalanji are the Cultural Heritage Body for the western portion of Springvale.

Duty of Care

Impacts to cultural heritage are managed through the duty of care guidelines, gazetted in the ACHA, which requires all land users to make reasonable and practicable steps to manage impacts to significant Aboriginal cultural heritage.

The duty of care establishes 5 categories of works.

Category 1. No surface disturbance.

Category 2. No additional surface disturbance.

Category 3. Previously developed areas.

Category 4. Areas of previous significant ground disturbance.

Category 5. Activities causing additional surface disturbance.

Categories 1-4 are not considered high risk for impacting cultural heritage. Category 5 is considered high risk and a cultural heritage assessment is recommended.

Duty of care guidelines outlines the steps for managing impacts to significant Aboriginal places including consulting Aboriginal parties, conducting surveys and considering the nature of past use of the area and the nature of the activity and its likelihood of causing harm to Aboriginal cultural heritage. In 2016 penalties for non-compliance with the duty of care are \$117,800 for an individual and \$1,178,000 for a corporation.

Code of Compliance

The Code of Environmental Compliance for Mining Lease Projects (the Code) are self-assessable conditions for standard mining leases and exploration permits.

Condition 14 states: The holder of the environmental authority must not carry out activities within 100m of a historical, Archaeological or Ethnographic site. Table 1 provides the definitions of site types according to the Code. The Code make no assessment of significance - essential *any* place that contains objects or physical evidence of the past requires a 100m buffer from any exploration or development impacts on a standard Environmental Authority.

Table 1. Terms defined in Part 4 the Codes.

Site type	Definition in Part 4 of the Code
Historic	A site containing objects from the past that allows the study of the way people live and worked at that place in the past.
Archaeological	A site that has physical evidence of the past, which has the potential to increase our knowledge of earlier human occupation, activities and events.
Ethnographic	An archaeological site of particular importance to the study of a cultural group.

5. Cultural context

This section presents an overview of archaeological, historical and ethnographic literature relevant to the area.

Archaeology

Archaeological evidence suggests that Aboriginal people arrived on the Australian continent between 50 and 60,000 years ago. At this time, in the Late Pleistocene, the landscape was very different to its current form. A large lake existed in what is now the Gulf of Carpentaria, linking northern Australia to New Guinea via savannah grassland. Cape York was connected by land bridge to New Guinea and the coastline was at the continental shelf, in some areas a distance of 50kms from the present day coastline. By 40,000 years ago people were using

rockshelters in north Queensland, including Mushroom Rock (Laura) and Nonda Cave (Ngarrabullgin) to the north and southwest of Lakeland (David, 1992; Morwood and Hobbs 1995).

Population estimates suggest that there were relatively small populations of people for most of Australia's history (Williams 2013). In the mid-Holocene, around 5000 years ago, dramatic changes are seen in the archaeological record – increasingly different types of tools were used and in larger numbers, there is a higher rate of discarded artefacts and associated debitage and more sites were being used in more diverse environments. In north Qld the rock art styles of Laura, Mitchell-Palmer and Chillagoe probably became increasingly regionalised during this time, suggested there was also increasing social complexity (David 1995). Archaeological evidence from the central Wet Tropics suggests the rainforest was settled permanently from around 4000 years ago, with peak occupation 2000 years ago, as people developed increasingly complex food processing techniques that allowed them to occupy more marginal environments (Cosgrove et al 2007).

Around Lakeland, most archaeological evidence comes from a small number of heritage surveys conducted in response to development, such as powerline and road upgrades. Sites tend to be recorded only where surveys have been conducted, and therefore provide a relatively poor indication of the cultural heritage of the area. It does not appear that any cultural heritage surveys have been conducted in the Lakeland area for the key economic drivers, agricultural or pastoral development. As there has been no requirement to lodge or register site finds since 2003, it is unknown what cultural heritage investigations have been conducted in the last 13 years.

Typical cultural heritage finds in the Lakeland area are isolated stone tools and culturally modified trees. To the north is a major rock art province in the Laura sandstone. A series of swamps on Kings Plains were an important meeting place for Gugu Bidiji, Gugu Nyunkal and Gugu Yalanji during the wet season when magpie geese and their eggs were abundant (Anderson 1983). In the cooler,

drier months, people would disperse into small family groups and concentrate on hunting wallaby, collecting yams and fishing (Anderson 1983; Roth 1910). Potential archaeological sites are camps sites represented by hearths and stone tools, culturally modified trees, story places and walking tracks. There is also the potential for stone arrangement, bora grounds and other ceremonial sites, although these can be hard to identify without cultural knowledge.

History

The 1873 Palmer River gold rush sparked the influx of 10,000 miners to the port of Cooktown, from where they travelled on foot and by horse to the Palmer goldfields via Laura. This was a major disruption for Aboriginal people in southeast Cape York Peninsula, and the early days of contact were defined by conflict between Aboriginal, European and Chinese interests. Major towns sprung up virtually overnight at Cooktown and on the Palmer River and a network of tracks was established through Laura initially and Lakeland soon after. Aboriginal people used guerrilla warfare tactics over the first few years of contact, particularly targetting lone travellers (Trezise 1993). Shopkeepers, pubs, brothels, gardens and pastoralism industries grew to support the growing population.

Native police troopers were a significant part of the history of early contact between Aboriginal people and Europeans. Typically composed of one white trooper in charge of 6-12 Aboriginal men, native police camps were established throughout northern Queensland. In the first 20 years of settlement of Cape York native police camps were at Normanby, Laura, Cooktown and the Palmer River. In 1874 a detachment of native police were involved “in a number of killings at the Bloomfield River...while attempting to find a shorter route from the coast to the Palmer River goldfield” (Richards 2008:106), possibly searching for the route used by Yalanji people between Kings Plain and Bloomfield. Sub-Inspector Dumaresq was subsequently dismissed from the force for his role in the Bloomfield deaths, but it was rare for native police or their Inspectors to be held accountable for any of the violence they perpetrated. A killing at Springvale

under Sub-Inspector Doherty's command in 1891, for example, appears to not have been punished (Richards 2008).

James Earl was a packer servicing the Palmer River goldfields, transporting beef and machinery between Cooktown and the Palmer River. Earl recognised the high pastoral value of land around what we know as Lakeland, and established Butcher's Hill pastoral station in 1874. In a special report to the Queensland Parliament Archibald Meston commented on the good relationships between James Earl and the local Aboriginal people. Perhaps this was because Earl controlled resources provided by the state to local Aboriginal people. In his report, Meston (1896:11) questioned why Butcher's Hill was chosen for food distribution over other stations in the Cooktown district and he recommended that instead of station owners, police should distribute the resources so as "to appear as friends of the aboriginals". Meston's report led to the closure of the Butcher's Hill camp (Anderson 1984:270).

Two years after Meston's report Roth, in his role as Protector of Aborigines, wrote to Commissioner of Police about Boggy Creek Reserve, around half a mile from Butcher's Hill Homestead. According Roth, this area was called *Birbira* by local Aboriginal people. At this time about 50 people were living in the Reserve and unlike Meston, who questioned the large number of resources being distributed from Butcher's Hill, Roth chastised Earl for not providing enough food for people at the reserve, even though Earl received government subsidies. Aboriginal people were also employed on the surrounding stations, including Springvale and King's Plains. Roth heard a complaint from an Aboriginal woman at Kings Plains that her son, 8 or 9 year old, was being forcibly detained at Springvale.

According to Roth (1898), the Yalanji people living on Boggy Creek Reserve moved between the head of the Daintree, Bloomfield River, Mount Windsor, Laura and Maytown. Meston (1896:10) had also met a number of Aborigines on the other side of the mountain range at the Upper Daintree who travelled on rainforest walking tracks between Bloomfield and Normanby.

Reports of mistreatment of Aboriginal people in north Queensland led to the enactment of the Aboriginal Protection Act (the Act). The Act, supposedly aimed at protecting Aboriginal people from the depredations of unscrupulous fishermen, miners and others, provided allowed for the forced removals of 'half-caste' Aboriginal people by police to Aboriginal Reserves. Essentially the Act gave police, Protectors and others the power to punish Aboriginal people by moving them to reserves considerable distances away from their families and cultural estates. Under the Act, Yalanji people were taken to Bloomfield Mission, Hopevale, Yarrabah, Mona Mona, Cherbourg and elsewhere. Under the Act, every aspect of Aboriginal people's lives were controlled by their employers, government officials and reserve managers.

Some Aboriginal people managed to stay on or near their traditional country by working as stockmen and housekeepers, often for low or no wages. Aboriginal people made a significant contribution to the pastoral industry in Cape York Peninsula and the Gulf savannahs.

By the 1950s agriculture had been introduced to the rich, basalt soils of Lakeland. Crops grown over the last 60 years include peanuts, maize, sugar, tobacco, cotton and coffee. Currently bananas are significant local crop, a solar farm is under construction and feasibility studies for permanent water storage, including the possibility of a dam on Springvale Station, is underway.

Ethnography

The separation of Yalanji speakers into eastern and western is a recent division, designed to help administer native title interests between Cape York and North Queensland Land Councils (A. Lyall pers. comm.). Prior to European settlement, Yalanji speaking people lived in small land owning clans between Mossman, Annan River and Laura. The 'Native Title Registration Test Reasons for Decision' for Western Yalanji #3 reports that 'Kuku' (also written as 'Coco', 'Gugu') refers to the larger land hold holding groups who share language and customs, while smaller groups (some with the suffix 'warra') are subgroups.

Yalanji speakers occupied a relatively large area. Anderson (1984:91) described 26 individual clan groups on the eastern side of the Yalanji estate, who spoke three Yalanji dialects. Additional clan groups occupied the western part of the Yalanji estate.

Meston (1896) reported to have met the '*Daldalwarra* blacks', from Butcher's Hill and Normanby River, at bora ceremonies on the Annan River. Some of the other tribes Meston interviewed from the Butcher's Hill area for his report included

Cocominnie, Hell's Gate

Cocolanjie, next to the Cocominnie

Tandiewarra, King's Plains

Jowaljowalwarra, next to the Daldalwarra

Can goorara, next to Jowaljowalwarra

Roth described the following tribal areas:

Yoong-koor-ara, Butcher's Hill who spoke Koko Yalanji

Jou-wool-ara, most westerly head of Normanby River who spoke Kokoboin-ji

Wool-boor-ara, Maytown who spoke Ko-ko-min-ni

Un-named group, Deighton who spoke Ko-ko-wa-ra.

Roth also lists Aboriginal names of places

Butchers Hill headstation: *da-bi-Li*

The whole run: *young-koor*

West Normanby River, main portion: *cho-kon*

It's most westerly head: *jou-wool*

Head of the Daintree River: *jol-li*

Mount Windsor: *kulm-bar*

Kings Plains run: *tandi*

Lake country above run: *boon-ka-ra*

Christmas Day Lagoon: *wou-a-bud-ja*

East Normanby River: *yoo-moo*

Mount Byerley: *kun-ya-ka-ra*

Banana Creek: *ka-boo*

Scrubby Creek: *mud-ja*

Maytown: *wool-boor-joor-boor*.

6. Relevant Aboriginal interests

The legislation and cultural background provides the basis for identifying Aboriginal interests in Springvale Station, illustrated in Figure 4.

Cape York Land Council

The whole of Springvale Station is included in the Cape York United Number One Claim (QUD673/2014). The claim is one of the largest in the country, and covers virtually all claimable land in Cape York Peninsula that is not already part of a registered land claim, an area of over 14.6 million hectares. The nine applicants to this claim, represented by Cape York Land Council, are the Aboriginal party under the ACHA. However, Cape York Land Council acknowledges the role of local traditional owners in managing country and asserts:

Unlike many other native title claims, only Traditional Owners can speak for their lands and waters according to their traditional laws and customs – not the Applicants, not CYLC or any other person – and only after properly advertised meetings¹.

CYLC asserts that ILUA's are the preferred option to manage native title rights.

Western Yalanji

Western Yalanji Aboriginal Corporation are the registered Cultural Heritage Body under the ACHA. Under the ACHA the registered native title applicants on the Cape York One Claim have a higher authority than Western Yalanji as the Aboriginal Cultural Heritage Body (J. Schiavo, Principal Cultural Heritage Advisor, DATSIP, pers. comm. Oct 2016). However the CYLC assert local

¹ Cape York Land Council One Claim Information Booklet available at http://www.cylc.org.au/files/1914/4962/1847/FactBooklet_OneClaim.pdf

Traditional Owners retain authority to speak for country in the Cape York One Claim area.

In 2012 an Indigenous Land Use Agreement (ILUA) was executed between small scale miners and Western Yalanji that includes the West Normanby River. There is an option for small scale miners to opt into the ILUA as an alternative to the Native Title Protection Provisions under the *Native Title Act 1992*. The ILUA includes provisions for site inspections and management of cultural heritage places.

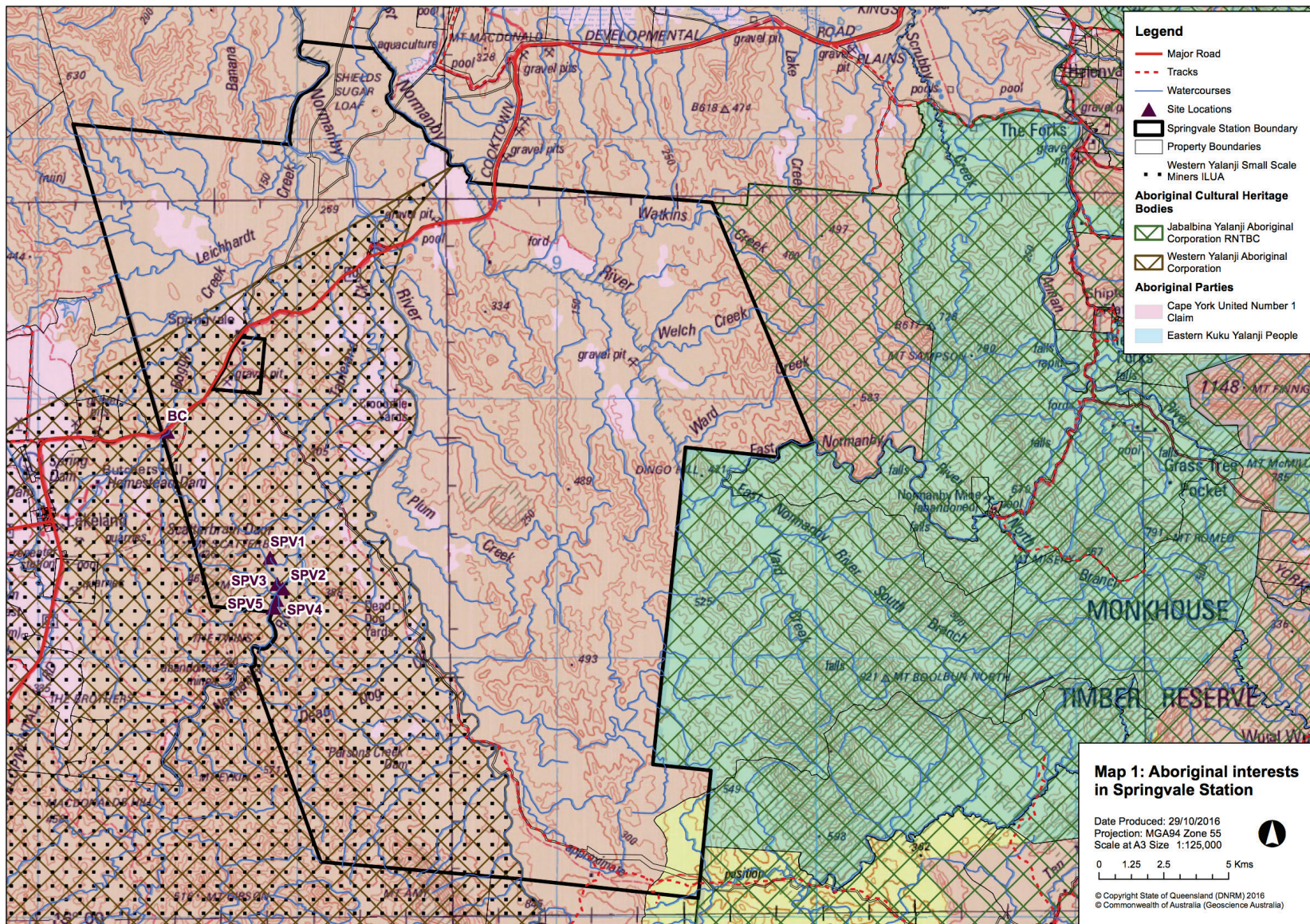


Figure 4. Relevant Aboriginal interests in Springvale area.

Eastern Kuku Yalanji

The eastern boundary of Springvale Station is the Eastern Yalanji native title determination administered by Jabalbina Aboriginal Registered Native Title Body Corporate. As already discussed, Yalanji speakers did not identify as separate eastern and western blocks until relatively recently. Before European settlement, Yalanji people occupied the area from Bloomfield to Laura and lived in small clan owning estates. The history of European occupation and location of settlements, missions and reserves has dramatically changed the way Yalanji people use and access their traditional land. It is likely there are people who today identify as Eastern Yalanji people that will have traditional interests in Springvale Station.

7. Survey Methods & Limitations

Parts of Springvale Station were inspected on 11 October 2016. The survey team consisted of Alice Buhrich (archaeologist), Alwyn Lyall (Chair Western Yalanji Corporation), Brad Grogan (Office Manager, Western Yalanji Corporation), John Grainer (Western Yalanji representative) and Keith Smith (Senior Program Officer, EHP).

The survey team drove on existing tracks to the West Normanby River. No specific survey was conducted on the tracks, but culturally modified tree seen from the vehicle and recorded. The team conducted a brief, informal inspection near a spring on Boggy Creek area. Boolbun Creek track was not inspected.

Ground surveys were conducted in two sections of the West Normanby River, with each of the team members approximately 20 metres apart. Inspections took place on both banks of ML100058 and the western bank of ML10057. The sandy river beds were not formally surveyed, but a number of large trees and significant birdlife were noted.

Ground visibility was very poor, for most of the survey only 5% of the ground was visible, due to weeds, grass and fallen leaves. For this reason special attention was paid to mature trees, particularly Cooktown ironwoods (*Erythrophleum chlorostachys*), eroded areas and animal tracks.

A second day provided the opportunity to inspect erosion issues across Springvale.

8. Results

A number of cultural heritage sites were recorded in the two days of site investigation. A summary of recorded cultural heritage places is presented in table 2, below. Details of each site are provided in the following pages. Figure 5 illustrates the locations of Springvale 1-5 in relation to MLs 100057 and 100058.

Table 2. Summary of sites recorded

Site no.	Site type	Description	Location (GDA94)
Springvale 1	Scar tree	4 Sugarbag scars on dead ironwood near track	-15.874436 144.935974
Springvale 1	Possible artefact	Possible flake marks on stone artefact	-15.874436 144.935974
Springvale 2	Scar tree		-15.885139 144.94034
Springvale 3	Scar tree	Fallen tree	-15.88375 144.938444
Springvale 4	Scar tree	No axe marks	-15.889285 144.938221
Springvale 5	Scar tree	Axe marks and heavy regrowth	-15.891802 144.937013
Boggy Creek	Possible scar tree	Large scar on grey box, possible stone axe marks	-15.830177 144.89946
Boolbun Creek track	Aboriginal walking track	Various sites likely along track	To be determined

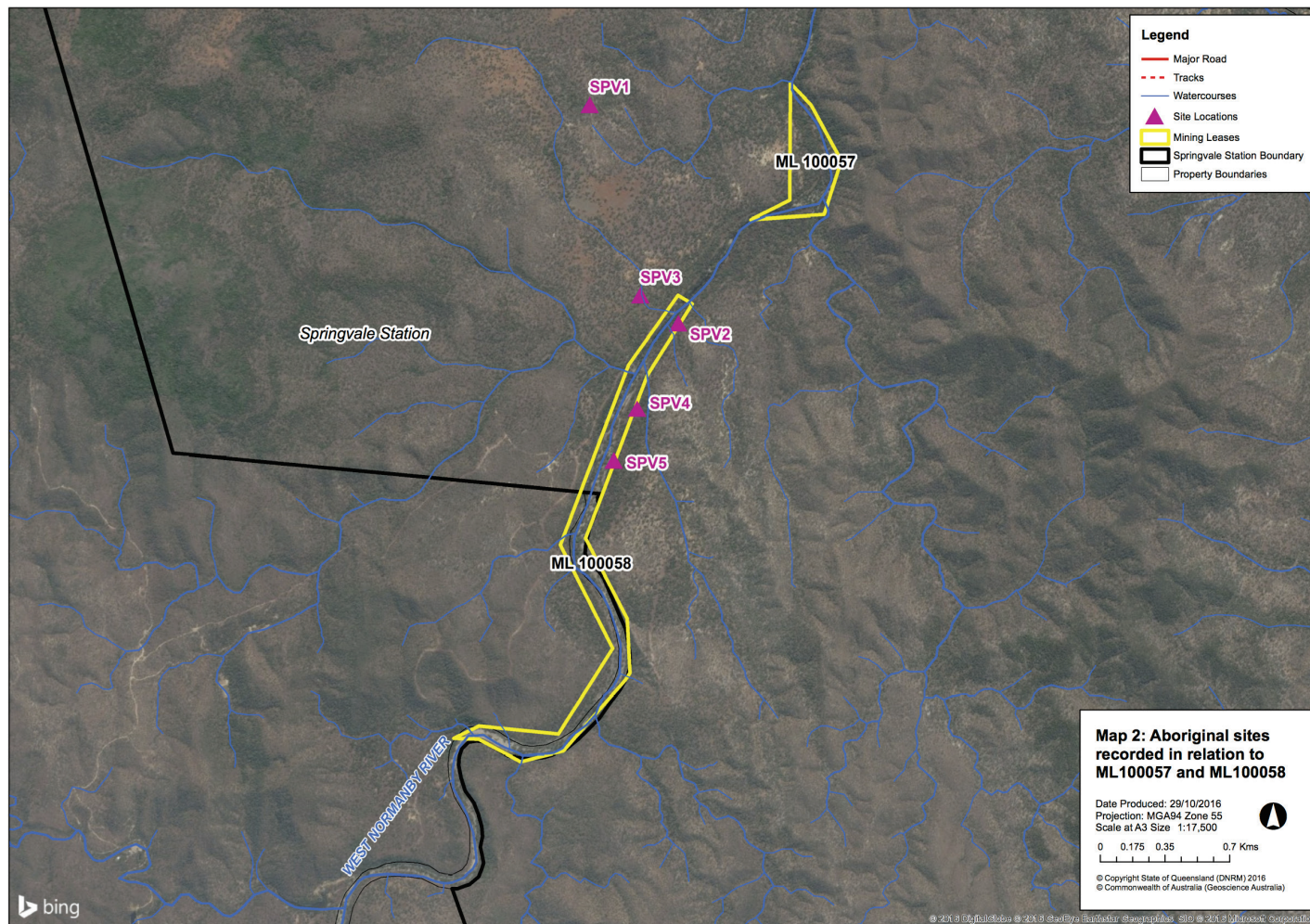


Figure 5. Sites Springvale 1-5 in relation to ML100057 & ML100058.

8.1 Baccarat application ML100057

One site was recorded adjacent to the existing access track to ML100057. This track is expected to be widened to allow for movement of heavy vehicles.

Springvale 1

A dead Cooktown ironwood was seen on a rocky outcrop. It has four sugarbag scars facing east and south (Figure 6). The tree is approximately 3 metres west of an existing track that runs along a fence line. Formal surveys were not conducted in this area, the scars on the tree were seen from the vehicle when traversing the road.

Although the tree is dead, the scars are in fair condition, stone axe marks are visible on the inner face of the scar. Three scars were measured, the fourth being too high to reach (Table 3). Measurements are consistent with sugar bag scars on Cooktown ironwoods recorded in Cape York Peninsula and Georgetown. The circumference of the tree at breast height is 950mm.

Table 3. Measurements of scars on culturally modified tree (Springvale 1).

	Ground to base of scar	Outer scar max length	Outer scar max width	Inner scar max length	Inner scar max width
1	700	300	190	110	60
2	1200	290	170	90	60
3	1380	220	120	80	40
4	Not measured				

A possible quartz stone artefact was found approximately 9 m northwest of the tree. The D shaped quartz has sharp curved edge and possible flake scars (Figure 7). It is 70mm maximum length and 35mm maximum width. No platform or point of percussion is evident and quartz appears to be prevalent in the immediate vicinity. As this area was not the focus of the survey, a detailed record was not made, the stone was photographed and left in situ.



Figure 6. Springvale 1, sugar bag scars can be seen on lower trunk and upper branch.



Figure 7. Possible stone artefact found near Springvale 1.

8.2 Isabella 2 application ML100058

Four scarred Cooktown ironwood trees were located on West Normanby River near the boundary of ML100058.

Springvale 2

A single scar on a Cooktown ironwood was found on the eastern bank of West Normanby River (Figure 8). The scar measures 1302 x 150mm and starts 302mm above ground level. The dimension of the scar is consistent with the removal of bark to manufacture a woomera, such as those collected from Butcher's Hill by Roth in 1905 (see Figures 13 and 14).

Two long flat surfaces where timber was removed can be seen on the exposed inner bark. There are three 'cut marks' where a stone axe or wedge was used to remove the long pieces of timber.



Figure 8. Springvale 2, a long elongated scar at the base of a Cooktown ironwood.

Springvale 3

A single scar was recorded on a fallen Cooktown ironwood on the eastern bank of West Normanby River (Figure 9). The scar, facing upwards, measures 1300 x 150mm, almost identical dimensions to Springvale 2. The inner face of the bark has one flat surface and one cut mark at the top of the scar where an axe or wedge was used. The lowest part of the scar starts 400mm from the base of the tree. The circumference of the tree is 1850mm.

The tree appears to have fallen recently, probably as a result of cyclone Ita in 2013.



Figure 9. Springvale 3 is a long symmetrical scar on a fallen Cooktown ironwood.

Springvale 4

A symmetrical oval scar on a Cooktown ironwood was recorded on the eastern bank of the West Normanby River (Figure 10). The scar measures 800 x 210mm and the base of the scar is 810mm above ground level.

The tree circumference is 1720mm.



Figure 10. John Grainer with Springvale 4, a symmetrical oval shaped scar on Cooktown ironwood.

Springvale 5

Springvale 5 is an oval scar on a Cooktown ironwood measuring 540 x 140mm (Figure 11). Two flat areas and axe cut marks could be seen on the surface of the inner bark . There is a fair amount of regrowth of the outer bark over the right side of the scar. The base of the scar is 1020mm above ground level and the circumference of the tree is 2204mm.



Figure 11. Springvale 5, note the extensive regrowth of outer bark indicating some antiquity.

8.3 Other cultural heritage on Springvale Station

Took opportunity to inspect Boggy Creek and discuss other areas of cultural heritage interest. One Culturally Modified Tree was found at Boggy Creek. Some discussion took place around an Aboriginal walking at Boolbun Creek.

Boggy creek scar tree

Informal inspections of a permanent spring at Boggy Creek located a possible scar on a grey box tree (Figure 12). The symmetrical scar has dimensions of 1200 x 300mm and begins 850mm above ground level. Three possible axe of

wedge marks can be seen at the top of the scar, two measuring 80 x 70mm and 130 x 105mm.

The area has extensive post-contact disturbance including fencing, benching on creek banks and remains of a post contact camp site.



Figure 12. Alwyn Lyall with possible scar on grey box near Boggy Creek.

Boolbun Creek track

An Aboriginal walking track was described that linked the Aeastern and Western Yalanji estates through Springvale Station. It was not inspected on this field trip and its exact location is yet to be determined. According to Alwyn Lyall, the track entered the rainforest at Boolbun Creek, at the southeast of Springvale Station. An old station or mining track from the Cooktown Road to Boolbun Creek is

marked on the topographic map and may have followed the original Aboriginal walking track.

9. Discussion

This section discusses potential impacts, significant values and management issues of the sites recorded during the inspection.

Potential Impacts

Three sites were recorded within or on the boundary of Isabella 2 application ML100058 and one on the access road to Baccarat application ML100057. There is the potential for land disturbance from mining activities to impact these sites. The site investigation of ML100057 & ML100058 was not exhaustive, and further surveys could identify more Aboriginal sites within or adjacent to the mining leases or access tracks.

The survey provides an indication of high potential areas for cultural heritage.

1. Cooktown ironwoods
2. Areas around permanent water sources outside the flood zone.
3. Stony ridges and hills.

Although no heritage features were found on ML100057, there was one area of particular interest. It is an eroded plateau on the western side, visible as a bare patch of earth. There is a potential to locate cultural heritage here because it is adjacent to a permanent water source, outside the flood zone and has good ground visibility.

Culturally Modified Trees

Culturally Modified Trees (CMTs) contain significant information about how Aboriginal people used the landscape in the past. CMTs are physical evidence of 'the Old People' and therefore significant to Aboriginal people. The way trees were scarred can reveal information about the use of traditional food resources at the time of contact. For example, virtually all the CMTs around the Weipa

Mission are steel axe, indicating bush honey continued to be an important resource after people moved to the mission and were using steel implements (Morrison et al 2012). On Talaroo Station, at Georgetown, CMTs were made with stone axe, reflecting the loss of access to resources on the station by Ewamian people soon after contact (Buhrich 2012). In Laura there is a combination of steel and stone axe cuts, and further research could provide information on the use of traditional resources such as bush honey before and after European settlement

The regrowth of outer bark and cut marks on the Springvale suggests they were made with stone axes and may be of some antiquity. The age of the Springvale trees is not known. One study of CMTs on Cooktown ironwoods in Weipa estimated Cooktown ironwoods with a DBH of 350mm to be between 180 and 300 years old (Morrison et al 2012). The CMTs recorded at Springvale are between 303 and 702mm suggesting they could be significantly older than 300 years.

Culturally Modified Trees recorded on Springvale appear to be for three purposes. Springvale 1 has four sugar bag scars, where people have been accessing honey and wax from native bee hives. Sugar bag scars are the most common form of CMT in Cape York Peninsula. The tree is dead and may have been for some time. There is very little information on best management practise for dead Cooktown ironwoods. It is not known how long dead ironwoods will stay erect, but presumably protection from fire would be a key management consideration.

Springvale 2 and 3 have nearly identical dimensions. They were most likely the product of woomera manufacture, similar to three 'spearthrowers' collected by Roth at Bloomfield River (see Figure 13, Figure 14 shows the use of bees wax) (Kahn 1993:156). Cooktown ironwoods do not grow at Bloomfield must have been manufactured elsewhere.



Figure 13. Spear thrower collected by Roth at Butchers Hill in 1905 (Australian Museum collection Registration No. E14321)



Figure 14. Detail of spear thrower collected by Roth at Butchers Hill in 1905 showing use of bees wax (Australian Museum collection Registration No. E14321)

Springvale 4 and 5 are symmetrical oval shapes that may have been from the production of 'resin bats' which Morrison (et al 2012:26) describe as rare and "characterised by the removal of a 30-50cm long sheet of outer sapwood immediately beneath the cambium" of a Cooktown ironwood. Resin bats were a flat, elongated paddle like tool was flat, elongated used to smooth resin on spears. Roth describes the use of 'smoothing board' when documenting the process for making spears in Bloomfield, Princess Charlotte Bay, Cape Bedford and the middle Palmer River. Once the shaft of the spear was fixed with gum and bound with bark string or kangaroo tendon, the gum was smoothed using a "smoothing board "This was a thin, oval piece of ironwood, about 15cm long, a comfortable size to be held in the right hand. It was like a putty knife. It was used to smooth over the warmed gum cement on spears." (Kahn 1993:143). Roth collected one from Butcher's Hill in 1898, measured 19.4 x 5.9 cm held by South Australian Museum (Figure 15).



Figure 15. Smoothing board collected at Butchers Hill in 1905 (Australian Museum Collection Registration No. E13952).

The CMTs located during this short survey offer some interesting educational opportunities. We located three forms of scars on Cooktown ironwoods, sugar bag scars, woomera scars and smoothing board. In situ, these provide tangible evidence of different uses for Cooktown ironwood by Aboriginal people.

One of the trees was dead, but still standing, and another had fallen recently. It is not known how long these trees will survive in their current state. They may last for some time in situ, or they may be vulnerable to fire or other natural causes. These trees could be relocated

Walking tracks

Aboriginal walking tracks in the Wet Tropics provided important links between clan estates, resource areas, camp sites and ceremonial sites. On the Yalanji estate in the northern Wet Tropics, topography and vegetation formed significant barriers between clan groups (Anderson 1984:24). Important walking tracks were used in the few gaps in the ranges, for example at Mount Windsor and Stuckey's Gap and Boolbun Creek (Anderson 1984; McCracken 1989; A. Lyall pers. comm.).

The Boolbun Creek track appears to have crossed into Springvale Station at its southeast corner and may be the road marked on some topographic maps. It was last used by stockman to move cattle from Lakeland Downs to fattening pastures on the coast, and some Yalanji individuals may remember using it themselves or being told about it from their parents. Like other walking tracks on the Yalanji estate (see McCracken 1989) the Boolbun Creek track is probably a link between campsites, story places and important Yalanji resources.

10. Recommendations

It is clear from our brief inspection of Springvale and West Normanby Station that the area contains significant Aboriginal archaeological and ethnographic places to Yalanji people. These places can be identified and managed through

further cultural heritage surveys and discussions with relevant traditional owners.

EHP can either be reactive or pro-active in meet their duty of care to protect the Aboriginal cultural heritage places under the ACHA. A reactive approach would be to conduct surveys and site investigations to areas of proposed land use such as quarries, roads and erosion remediation works. If this approach is taken areas of high potential for cultural heritage should be surveyed prior to development work, particularly permanent water sources, undisturbed stony ridges, stands of Cooktown ironwoods and areas near the Boolbun Creek walking track.

A proactive approach would be to conduct cultural mapping on Springvale. Cultural mapping is a systematic approach to identifying, recording, understanding and communicating cultural values for a particular area and to a specific group. At Springvale cultural mapping would involve working with relevant Aboriginal parties to identify and map areas of interest. In this instance cultural mapping would involve site surveys, historical research and oral histories and aim to map of places of importance to Aboriginal people including sites, resources, language and stories.

Cultural mapping has a number of benefits over a reactive approach to land use.

- It provides a broad understanding of the cultural heritage values of the property.
- It reduces the risk of unknowingly damaging significant heritage values.
- Cultural heritage values can be incorporated into land use planning.
- It engages relevant custodians and communities.
- It promotes inter-generation transfer of knowledge.
- It provides control to relevant communities for identifying and managing their cultural heritage.

Currently there are complex Aboriginal interests on Springvale Station.

- Applicants of the Cape York One Claim are the Aboriginal party under the ACHA and therefore have the right to identify significant cultural values on Springvale.
- Western Yalanji Aboriginal Corporation are a registered Cultural Heritage Body and have the right to negotiate cultural heritage protection with miners through the Small Scale ILUA on the western side of the property.
- Eastern Kuku Yalanji people have interests in the area particularly through the walking track at the northern end of the property.

Resolution of these complexities is beyond the scope of this report. My recommendation is that Yalanji people, represented by people from both Eastern and Western sides, be involved in future heritage management on Springvale Station. Yalanji people and their representatives need to clarify the role of the applicants to the Cape York One Claim applicants, who are currently the Aboriginal party and therefore responsible for determining significance of cultural heritage under the ACHA.

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