

National Heritage List – Nomination of the Dampier Archipelago

Additional Information on behalf of Dr Carmen Lawrence MP, Mr Peter Andren MP and Senator Rachel Siewert.

Tuesday, 5 December 2006

Imminent threat to the heritage values of the Dampier Archipelago

Summary of imminent threats:

The immediate threat to the Burrup Peninsula listed as a single Aboriginal site, on the Interim Register, as Site Number 23323 under the West Australian *Aboriginal Heritage Act 1972*, and as a principal part of a number of Nominations of the Dampier Archipelago is:

Woodside Energy Ltd is soon to commence relocation and/or destruction of 165 Aboriginal rock engravings on their lease GE J736319 on Lots 384 and 574 located on the Burrup Peninsula at a place referred to as Holden Point (Pluto Site A).

Woodside Energy Ltd Pluto Development Proposal

Woodside propose to develop two parcels of land referred to as Pluto Site, Lease areas A and B, for its onshore facilities for their Pluto Liquefied Natural Gas project.

Woodside have yet to seek and gain approval for the construction and development of a plant on these sites. A level of assessment of that of a Public Environmental Review has been set under the Environment Protection Act 1986 but no documentation is yet available and the process is yet to commence.

Woodside has sought and gained permission to develop Industrial Land (designated Industrial Lease Area A) on the Burrup Peninsula for Future Gas Development. This separate approval for the development of industrial land is in order to allow limited site preparation activities to occur ahead of approvals for the overall Pluto LNG Development.

Woodside have yet to gain permission to relocate and/or destroy heritage material and petroglyphs on Site B. Survey data required under the *Aboriginal Heritage Act 1972* is still to be lodged with the Department of Indigenous Affairs for deliberation by the Aboriginal Cultural Materials Committee.

Comment:

We do not believe that the removal and relocation or destruction of heritage material (petroglyphs) is appropriate at this time when the project is not before the people and no evaluation by the proper authorities has been carried out with respect to the project as a whole.

We therefore seek an Emergency Listing and intervention by the Federal Heritage Minister to ensure that heritage material under his protection is not relocated or destroyed in advance of the proper authorities carrying out their relevant assessments.

We must also note that the proponent has been in discussions with the current North West Shelf LNG Joint Venture (NWSLNGJV) partners with the intention of moving the Pluto project away from sites A and B, onto existing degraded land on the NWSLNGJV site in order to avoid damage to rock art. It is therefore inappropriate for any site works to be undertaken at this time.

Heritage values of the industrial lease areas A & B

This area, as well the current NWSLNGJV site, were surveyed by the Dampier Archaeological Project (DAS 1984a) as part of the rationale for choosing the current NWSLNGJV facilities.

The area of the North West Shelf LNG Joint Venture site is predominantly in the survey area referred to as Tartaruga, whereas the Woodside Energy Pluto Project is predominantly in the survey area referred to as Boongaree (see Figure 1: Location of DAP survey areas).

The heritage density discovered in the Boongaree area was exceptionally high (73 sites/km²) as compared to the current NWSLNGJV site (Tatarunga) at 23 sites/km² (Vinnicombe 1987a:51).

The Boongaree area's heritage and archaeological value is also demonstrated when compared with the average site density of 56 sites/km² over the Burrup Peninsula (WA State LC Parliamentary Question No: 2092, 08/16/2005)

It stated that in well-recorded areas rock art sites comprise 41% of the sites. However, as many as 78% of the registered sites in the Boongaree area include petroglyphs.

The density of registered sites on the Burrup is generally very high by Australian standards, although it varies in different parts of the Archipelago. Estimates from the various surveys range from 17 sites/km² to 76 sites/km².

There is a great deal of evidence from the Dampier Archaeological Project that Pluto Site A contains significant archaeological sites and petroglyphs. The general description of the area includes the following:

- The site complexes designated as the registered sites DIA 9810, 9276, 9277, 9240 include 'an excellent example of a patinated "archaic face" characterised by a bas-relief technique in which the salient features are left raised with the background pecked away rather than the more usual pecked outlines' DAS 1984:25). These complexes also include some unusual compositions.
- Along the Haul Road Valley are two rock art complexes (DIA 9247, 9255) with unusual assemblages of motifs. These include two depictions of striped quadrupeds which are believed to represent thylacines (Tasmanian tigers) extinct on the mainland for about 3000 years. This latter site is probably in Pluto Site B (loc. cit).
- There are significant quarry sites in the general area (DAS 1984:29) including a significant complex at Holden Point. The EPA notes that the footprint of the development has been revised to avoid this site but there is no mapped evidence of this. A study was conducted on the stone artefacts from a series of open camp sites, quarries and workshops immediately north of Pluto Site A in 1982 (Veth 1982). The well preserved evidence of Indigenous exploitation of stone sources on the Burrup is of considerable interest to archaeologists and there have been significant theoretical and methodological advances since then. These quarry-workshop complexes are likely to be of considerable archaeological significance.

The significance of cultural heritage is closely linked to place. It follows that alteration of the physical context irretrievably compromises significance. The importance of association with place is well-established with respect to traditional significance for Indigenous people. In the case of archaeological features, the preservation of contextual data is critical to interpretation. There are two issues of concern here. The first concerns cultural features that will be retained *in situ* in the context of the development. This necessarily entails destruction of the original context of the feature and places them in a new and inappropriate context. This new context also places them in a position of vulnerability to inadvertent damage or deliberate vandalism.

The second issue concerns the removal of petroglyphs and other artefacts within the disturbance footprint. This 'salvage' of cultural material has become a 'quick fix' on the Burrup and avoids confronting the fundamental problem of the incompatibility of industrial development and cultural heritage conservation. It epitomises the failure of previous policies with respect to the heritage values of the entire Dampier Archipelago. Salvage inevitably destroys the context of the feature and thus irretrievably compromises significance. It should only be treated to as an absolute last resort and really represents a failure to develop effective strategies for cultural heritage management.

The salvage policy was originally formulated in the context of the Dampier Archaeological Project and the Woodside LNG development in 1980-81. It was intended to be a temporary measure only. The records of the DAP suggest that some petroglyphs and artefactual material have already been removed from Pluto Site A (affecting at least ten registered sites). A quarter of a century later, the petroglyphs already removed remain in an unsatisfactory compound at Hearson Cove. This compound clearly demonstrates the failure of all parties to care for salvaged petroglyphs in an appropriate manner.

Any removal of petroglyphs from Pluto site A to another part of the Burrup has implications not only for the petroglyphs removed but also for the significance and integrity of the new location. The reality is that there are no effective arrangements currently in place for the curation of salvaged petroglyphs on the Burrup.

Comment:

We do not believe that the removal and relocation or destruction of heritage material (petroglyphs) is appropriate from the Boongaree area (Holden Point, Pluto Site A) given its significantly high heritage and scientific value.

We therefore seek Emergency Listing and intervention by the Federal Heritage Minister to ensure that heritage material under his protection is not relocated or destroyed in the Boongaree area.

Commitment to National Heritage listing

National Heritage listing is now supported by the West Australian State Government (Media statement 28/11/2006) and Woodside (Media announcement 27/11/2006).

Comment:

We believe that as all parties have now agreed to National Heritage listing, destruction and/or relocation of petroglyphs should not occur until the Federal Heritage Minister's National Heritage List deliberations on issues concerning the boundary and/or management ramifications of the Dampier Archipelago (including Burrup Peninsula) are complete.

We therefore seek an Emergency Listing and intervention by the Federal Heritage Minister to ensure that heritage material under his protection is not relocated or destroyed until the Minister has concluded his deliberations

Suitable Alternate Location for Pluto facility

Woodside Energy Pluto Project propose to use three parcels of land former vacant crown land referred to as Lot 384, 574 and 572 these are now held as leases J736319 covering lots 384 and 574, for Part A of the project and J810547 covering lot 572, for Part B of the project. (Figure 2: Map of lease areas and Woodside Pluto site A and B)

The North West Shelf LNG Joint Venture partners; BHP Billiton Petroleum (North West Shelf) Pty Ltd, Woodside Energy Ltd, BP Developments Australia Pty Ltd, ChevronTexaco Australia Pty Ltd, Shell Development (Australia) Pty Ltd and Japan Australia LNG (MIMI) Pty Ltd have leases over two parcels of land referred to as General Lease L161020 covering Lot 379 and a further lease over CG 197. (Figure 2)

These leases cover a significant area of disturbed land formerly used as quarry sites, where the sites, petroglyphs and heritage material have already been destroyed or relocated. (Figure 3: Map of North West Shelf JV cleared area and proposed Woodside Pluto development).

Whilst we understand and respect commercial competition, the issues in this case were partially clouded by the push by the State government to promote development on the Burrup without regard to heritage values.

We believe conditions could be found with both Woodside and the State Government promoting concessions and opportunity for the JV partners to enable use of the disturbed land on leases covering Lot 379 and CG 197.

This is borne out by the attached correspondence from the North West Shelf LNG Joint Venture partners; BHP Billiton Petroleum (North West Shelf) Pty Ltd, BP Developments Australia Pty Ltd, Chevron Texaco Australia Pty Ltd, Shell Development (Australia) Pty Ltd and Japan Australia LNG (MIMI) Pty Ltd, who all indicate that they are willing to negotiate a better heritage outcome based on commercial acceptability.

Comment:

We believe that as the North West Shelf LNG Joint Venture partners have indicated a willingness to negotiate a better heritage outcome, destruction and/or relocation of petroglyphs should not occur until the Federal Heritage Minister has engaged with all parties associated with the potential use of the aforementioned disturbed land and that any deliberation pertaining to the National Heritage List deliberations on issues concerning the boundary and/or management ramifications of the Dampier Archipelago (including the up Peninsula) take into account this option.

We therefore seek an Emergency Listing and intervention by the Federal Heritage Minister to ensure that heritage material under his protection is not relocated or destroyed until the Minister has concluded his deliberations

National Heritage site Selection

Currently the Minister for the Environment and Heritage is considering the issues concerning the boundary and/or management ramifications if the Dampier Archipelago (including Burrup Peninsula) were to be included in the National Heritage List.

The recommendations on Heritage Listing provided to the Minister by the Australian Heritage Council specifically include the Boongaree (Holden Point, Pluto Site A) area in its recommended area for the National Heritage List.

Comment:

We believe that this area is an integral part of the Minister's current deliberations. It should not be impacted upon until the Minister's deliberations are complete.

We therefore seek an Emergency Listing and intervention by the Federal Heritage Minister to ensure that heritage material under his protection is not relocated or destroyed until the Minister has concluded his deliberations.

Figure 1: Location of DAP survey areas



Figure 2: Map of lease areas and Woodside Pluto site A and B



Figure 3: Map of North West Shelf JV cleared area and proposed Woodside Pluto development

