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**Proposed Quarrying Activities at 'Bullock
Paddock 2' Quarry No. 2 (Mining Lease No.:
1867P/M), Rushy Lagoon, Northeast Tasmania**



CULTURAL HERITAGE ASSESSMENT

Consulting Archaeologist: Chris Kaskadanis

Authors: Chris Kaskadanis and Joseph Brooke

Client: Roaring 40s (on behalf of Rushy Holdings Pty Ltd)

Report: Final (Version 3.0)

Date: 6 July 2009 (2nd Revision 17 August 2009)



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Executive Summary

Background

In June 2009, Sinclair Knight Merz Pty Ltd (SKM) was engaged by Roaring 40s (on behalf of Rushy Holdings Pty Ltd) to prepare a cultural heritage assessment for the proposed quarrying activities at “Bullocks Paddock 2” property (aka Rushy Lagoon Quarry 2) (Mining Lease Number: 1867P/M) located 2.75km northeast of Rushy Lagoon in Northeast Tasmania. The stone material proposed to be quarried is required for the Musselroe Wind Farm project to the north of Rushy Lagoon and currently under construction by Roaring 40s. The study area is located within the Municipality of Dorset Council.

Rushy Lagoon Quarry 2 is one of three cultural heritage assessments for proposed quarrying activities at Rushy Lagoon; the other two quarries are located at Cinderella Hill (Quarry 1 Mining Lease No.: 1866 P/M) and Six Mile Hill (Quarry 3 Mining Lease No.: 1879 P/M); these assessments are presented in separate reports.

Rushy Holdings Pty Ltd covers approximately 27,900ha; Mr Rodney Moore and owned by Mr Alan Pye of Rushy Holdings Pty Ltd.

The Proponent

The proponent of the activity is Rushy Holdings Pty Ltd and the title of the block on which the proposed activity is located is in the name of Gladstone Milking Facilities Pty Ltd (ABN: 40 093 294 136), which is a wholly owned Rushy Holdings Pty Ltd subsidiary.

Results

No Aboriginal sites were recorded during the survey. There were no Aboriginal scarred trees recorded during the survey due to the absence of mature gum trees within the study area. There were no earth features such as mounds, hearths or exposed soil deposits identified during the survey; particularly any evidence of sub-surface Aboriginal archaeological deposits exposed within the profiles of the existing quarries (both sides of the track). Earth features may contain burnt clay, burnt rocks or charcoal; whether intact, eroded or levelled. No stone artefact scatters or isolated stone artefacts were recorded during the archaeological survey. This is attributed to the variable ground visibility; however, more so because of the underlying geology – weathered granite, considered unlikely to contain stratified (or buried) archaeological deposits.

No historical archaeological sites or features were identified during the field assessment; nor were there any above-ground indications of potential sub-surface historical archaeological sites.

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Management Recommendations

Aboriginal Cultural Heritage

- The results of the cultural heritage field assessment indicates that there is very low potential for the presence of subsurface Aboriginal cultural heritage to be located within the proposed Bullock Paddock 2 quarry (Mining Lease No.: 1867 P/M) (impact zone); and,
- No further Aboriginal archaeological investigation in the way of a subsurface sampling strategy is required.

Discovery of Aboriginal 'Relics' during the Activity

The contingencies below must be followed by the Proponent (and / or Proponent's Site Supervisor) in relation to the unexpected discovery of suspected Aboriginal 'relics' (**refer to Section 2.2**) during the proposed quarrying activities at the Bullock Paddock 2 subject land:

1. In the event that suspected human remains are discovered call the Tasmanian Police immediately;
2. If suspected Aboriginal cultural heritage material (non-human remains) is identified during the activity, then following process must be undertaken:
 - a. The Site Supervisor and Aboriginal Heritage Tasmania (AHT) must be notified immediately;
 - b. Relevant works within 10m of the discovery must be suspended immediately and the relevant site extent should be isolated from further disturbance by safety webbing or other suitable barriers. The cultural material must not be removed;
 - c. AHT will inspect the site. If determined to be Aboriginal cultural material AHT will advise on appropriate management procedures, which may include the need for a Permit to Disturb (see below);
 - d. If a Permit to Disturb is needed, the Proponent will be required to follow the process summarised in Section 6.1.2. A Permit to Disturb application may take up to 6 weeks to process, and depending on the particular circumstances, the activity may not be able to continue in the specific location until a Permit is issued.



Permit to Disturb Aboriginal Sites

Any disturbance to Aboriginal sites, including remedial and re-vegetation works, will require a permit from the Minister of Environment, Parks, Heritage and the Arts under the *Aboriginal Relics Act 1975*. Any permit applications must be discussed with AHT prior to submission.

Permits may be issued subject to conditions, which will need to be fulfilled in order to ensure compliance with the *Aboriginal Heritage Act 1975*.

Historic Cultural Heritage

- No further non-Aboriginal (historical) archaeological investigation is required.

General Recommendations

If any historical archaeological sites or features are discovered during the proposed quarrying activities, the Site Supervisor must be notified immediately and all works within the uncovered historical site must stop immediately. The Site Supervisor must contact the Tasmanian Heritage Council immediately, and the area assessed by the Heritage Council and / or an appropriately qualified historical archaeologist.

Objects, artefacts, materials and other 'moveable heritage' historical relics are not provided protection under the Act unless considered 'referenced' or associated with a historically significant place, site or building on the Heritage Register. Places on the Heritage Register and Heritage Areas are protected by the *Historic Cultural Heritage Act 1995* (Part 5, Section 30(1)) only in so far that:

- a) A person must not carry out works within a heritage area which may affect the historic cultural heritage significance of that area unless –
 1. The Heritage Council has granted an exemption under Section 31; or
 2. The works are approved under Part 6.

The Act provides sanctions for non-compliance including fines, though the objective of the Act is directed toward protection rather than penalisation.



Acknowledgements

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Mr Bass Gamlin (Project Manager – Roaring 40s)