

# CULTURAL HERITAGE

## PURPOSE AND SCOPE

The intent of this document is to eliminate or minimise the risk of significant environmental harm as a result of unlawful or unapproved impacts to sites and objects of cultural heritage on Gamuda Australia (GA) projects / workplaces.

### CRITICAL CONTROLS

- A specific risk assessment is conducted for all known cultural heritage aspects.
- Prior to any construction works, all known heritage sites/areas (No-Go Zones) are physically delineated, including hard barriers or fencing, flagging tape and sign posted (where culturally appropriate).
- Pre-condition surveys and vibration assessments are conducted for all known heritage structures.
- Regulatory approvals are in place where known heritage areas are to be disturbed or removed.
- Where entry is required into a cultural heritage site (i.e., survey or maintenance), a Permit to Enter a 'No-Go' Zone is in place.
- Unexpected heritage finds procedures for unexpected finds of cultural heritage items developed and communicated to all site personnel.
- Regular inspections are completed and recorded for Cultural Heritage aspects.

**Note:** The above controls are to be read in conjunction with the Regulations, Standards and Codes listed below.

## CULTURAL HERITAGE – UNEXPECTED FINDS

'Cultural heritage' significance means aesthetic, historic, scientific, social, or spiritual value for past, present, or future generations. Cultural heritage is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places, and related objects. Places may have a range of values for different individuals or groups. There are social, spiritual, ethical, and legal obligations to protect cultural heritage significance.

An 'unexpected heritage item' means any unanticipated discovery of an actual or potential heritage item, for which GA does not have approval to disturb or does not have a safeguard in place to manage the disturbance. These discoveries are categorised as either:

**Aboriginal objects** are *“any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.”*

Examples of Aboriginal objects include stone tool artefacts, shell middens, axe grinding grooves, pigment or engraved rock art, burials, and scarred trees.

**Historic (non-Aboriginal) heritage items** may include archaeological 'relics' and other historic items (i.e., works, structures, buildings or movable objects). Relics are *“any deposit, artefact, object or material evidence that relates to the settlement of the area not being Aboriginal settlement; and is of State or local heritage significance”*. Examples include items of local or state significance which may relate to past

domestic, industrial, or agricultural activities, and can include bottles, remnants of clothing, pottery, and building materials.

**Human skeletal remains** are subject to statutory controls and protections. All bones must be treated as potential human skeletal remains and work around them must stop while they are protected and investigated urgently. Human skeletal remains can be identified as either an Aboriginal object or non-Aboriginal relic depending on ancestry of the individual (Aboriginal or non-Aboriginal) and burial context (archaeological or non-archaeological). Remains are archaeological when the time elapsed since death is suspected of being 100 years or more.

## **REGULATIONS, STANDARDS AND CODES**

- Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Commonwealth)
- Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)
- Protection of Movable Cultural Heritage Act 1986 (Commonwealth)
- Environmental Planning and Assessment Act 1979 (EP&A Act) (NSW)
- Heritage Act 1977 (NSW)
- Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (DECCW 2010)
- Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (DECCW 2010)
- Skeletal Remains: Guidelines for Management of Human Remains (NSW Heritage Office 1998)
- NSW Roads and Maritime Services Procedure for Aboriginal Cultural Heritage Consultation and Investigation (PACHCI) (RMS 2011)
- NSW Roads and Maritime Standard Management Procedure: Unexpected Heritage Items (RMS 2015)
- Heritage Act 2017 (Victoria)
- Aboriginal Heritage Act 2006 (Victoria)
- Queensland Heritage Act 1992 (Queensland)
- Queensland Heritage Regulation 2015 (Queensland)
- Aboriginal Cultural Heritage Act 2003 (Queensland)
- Torres Strait Islander Cultural Heritage Act 2003 (Queensland)
- Heritage Act 2018 (WA)
- Aboriginal Heritage Act 1972 (WA)
- Aboriginal Heritage Regulations 1974 (WA)
- Heritage Regulations 2019 (WA)
- Heritage Places Act 1993 (SA)
- Aboriginal Heritage Act 1988 (SA)
- Aboriginal Heritage Regulations 2017 (SA)
- Heritage Places Regulations 2020 (SA)
- Aboriginal Heritage Act 1975 (Tasmania)
- Aboriginal Relics Act 1975 (Tasmania)
- Historic Cultural Heritage Act 1995 (Tasmania)

INTEGRATED MANAGEMENT SYSTEM  
**CRITICAL RISK STANDARD**  
**CULTURAL HERITAGE**



- Environmental Protection Act 2019 (NT)
- Heritage Act 2011 (NT)
- Aboriginal Sacred Sites Act 1989 (NT)
- Heritage Conservation Act 1991 (NT)
- Environmental Protection Act 1997 (ACT)
- Heritage Act 2004 (ACT)

## **FORMS AND CHECKLISTS**

- **GA-FRM-HSE-151** Permit to Enter a 'No-Go' Zone
- **GA-FRM-HSE-154** Environment and Sustainability Inspection