

LEGISLATIVE COUNCIL
Question on notice

Tuesday, 11 August 2015

3284. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Heritage.

I refer to a grave site situated at GPS reading: 26 degrees 26'34.97" S and 120 degrees 35'08.91" E. This grave is reported to be of an Afghan timber carter who died in 1909 while searching for his camels. This cameleer was carting timber to the local mine at Kathleen Valley. During the Yakabindie protest of the late 1980s and early 1990s, several meetings took place on site at Yakabindie with concerns over possible damage to sites of concern including Jones Creek. At one of these meetings Mr Bob Adamson, owner of Yakabindie Station stood up and addressed the representatives from the then Mines Department, Conservation and Land Management, mining companies and other parties, with an interest in the proposed mining area. Mr Adamson noted that the waste dump from the Southern ore body was going to encroach on this Afghan grave site. When this was pointed out, a mining representative at the time noted the position and assured all at the meeting that the grave would not be damaged or interfered with. Mr Raemond "Creamy" Allison has made it his business to alert every consecutive manager and supervisors at the Yakabindie site as to the location of this grave. I ask:

- (a) is the Minister aware of this site;
- (b) is the Minister aware that this grave has now been desecrated;
- (c) is the Minister aware that both Nickel West and the Department for Mines and Petroleum wrote to concerned parties and stated the following:
 - (i) between 1997 and 2002, the former Yakabindie Nickel conducted six heritage surveys on the area in question, including M36/185. The surveys were to identify heritage places and to consult over their heritage values. These surveys failed to identify the Afghan burial site despite the wooden markers placed there by Dominion Mining that the Minister refers to;
 - (ii) in 2002, Yakabindie Nickel was granted a Section 18 consent to disturb the land in question;
 - (iii) between 1997 and 2008, Nickel West conducted a further seven heritage surveys on M36/185, one of which was completed with the assistance of the Wanmulla people. Mr Creamy Allison, a senior Wanmulla man, was not involved in this survey but other members of his family were;
 - (iv) in 2008, drill pad GPD1665 was created and rehabilitated under the authority of the Section 18. The burial site was not evident at the drill pad site before the disturbance;
 - (v) in 2009, Mr Allison raised concerns that the Afghan burial site had been disturbed;
 - (vi) as a result, Nickel West engaged the services of GBGMAPS Pty Ltd to conduct a geophysical investigation of the disturbed area using ground penetrating radar. In 2010, GBGMAPS conducted its geophysical survey and, following detailed analysis of the data generated, could find no evidence of a burial site at the disturbed area. The geophysical survey was determined with the aid of a photo of the grave taken some 11 years earlier, where several features were matched between the photo and the surrounding topography and vegetation. Mr Allison also attended the survey,

confirming the location;

(vii) indications at the time were that Mr Allison was satisfied with the work undertaken; and

(viii) we've re-examined the information available on this matter. Certainly, the burial site was not evident at the drill pad authorised under the Section 18, neither before nor after the work; and

(d) after all the protests and surveys of the area that have been done over many years, how was it that this site was not documented, especially as in the area this grave site was well known to all supervisors, both on the mining side and the drilling contractors.?

Answer

The Minister for Heritage has provided the following response.

(a)-(c) No

(d) Heritage Surveys conducted for Section 18 approvals to disturb land are specific to the *Aboriginal Heritage Act 1972*.

AG