Collaboration and innovation in the management of cultural landscapes in mining contexts, western Cape York, far north Queensland

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Abstract

Aboriginal scarred trees are a prominent feature of the cultural landscape of Australia. They occur in large numbers in the Western Cape York and until recently were only understood from an archaeological perspective. Recent cultural heritage management discussions between Traditional Owners and mining company Rio Tinto Alcan have revealed the complex religious framework within which many Traditional Owners interpret scarred trees. Understanding these frameworks is critical for establishing appropriate management strategies and provides an alternative perspective on the management of archaeological sites. The development of a management plan for scarred trees in the Rikkara mine block at Weipa is an example of Traditional Owners applying their religious frameworks to ensure culturally appropriate management of scarred trees in a mining context. This innovative management strategy, although informed by archaeology, functions quite separately from the archaeological values that often dominate cultural heritage management practice.

Introduction

Rio Tinto Alcan (RTA) operates one of the world’s largest bauxite mines on Western Cape York in north Queensland, Australia. Mining involves the excavation of the two to five metre thick layer of bauxite found immediately below the topsoil. The shallowness of the bauxite layer means that mining spreads rapidly across the landscape. As the mine develops there is potential for impact upon locations of significance to customary landowners (significant sites). These impacts may be direct where these locations coincide with areas planned for mining areas or indirect such as changing access routes to places of contemporary use.

Archaeological surveys by Morrison (2005) and RTA (2008) identified approximately 60 scarred trees and two shell middens that would be impacted by mine expansion. Under the land use agreement signed in 2001, mining may only proceed under a mutually agreed heritage management plan between RTA and the Traditional Owners. The core of the issue was that for the first time under the agreement process, a substantial amount of valuable bauxite ore was overlaid by a significant aggregation of cultural heritage and the interests of the business appeared in direct conflict with the interests of Traditional Owners. This paper examines the development of an innovative Heritage Management Action Plan (HMAP) that allowed for the expansion of mining in the Rikkara mine block while enabling Traditional Owners to manage heritage items according to their cultural obligations.

At the outset of these discussions, it seemed to some of us involved that reaching a mutually agreed outcome in this case would be very unlikely. These outcomes were largely achieved through the unique application of Aboriginal beliefs and practices in the context of mining. A mutually agreed outcome only appeared improbable from the company’s perspective because of a focus on the physical items involved, rather than their meaning and value in Traditional Owners’ religious and cultural framework. The solution adopted in the HMAP illustrates the ability of Traditional Owners to meet their religious obligations to care for the landscape in innovative ways that may never occur to non-Traditional Owners.

This case may provide some direction for others facing discussions in which the interests of the parties appear similarly opposed. Finally, the paper outlines some options for the management of certain common types of cultural heritage that, at least in our experience, unusual and which may be worth considering in contexts beyond the Western Cape.

The paper is written jointly by individuals involved in the discussions around the protection of cultural heritage at the Andoom bauxite mine north of Weipa, Western Cape York. Richard Barkley and Grace John are senior Thanikwithi Traditional Owners. Richard was born on Thursday Island in the Torres Strait in 1958 and grew up in Mapoon mission until the mission was closed in the mid sixties. At the age of five Richard and his family were removed by the Queensland Government to the nearby Weipa mission some 80 km to the south. He has lived in Napranum (the new name for the former Weipa mission) ever since, working as Senior Ranger over Napranum Deed of Grant in Trust (DOGIT) land for the last 22 years. He has a diploma in Natural and Cultural Resource Management. Grace was born on Thursday Island in 1950 and grew up at Mapoon until the mission was closed, relocating to Weipa when she was 13. Grace finished her schooling at Weipa and worked as a domestic for different businesses. In recent times Grace has worked extensively in RTA’s Cultural Awareness program and is one of its most skilled presenters. Richard and Grace are custodians with primary responsibility for the Prunung (Red Beach) area. Justin Shiner is an Archaeologist with RTA and Matt Wrigley is a former RTA Community Relations Specialist. The diversity of the authors allows us to contrast the varying perspectives at work in the process of negotiating the Rikkara HMAP.

Weipa bauxite mining

Weipa is situated 800 kilometres north of Cairns on the western side of Cape York Peninsula. Originally an Aboriginal mission established in 1899, the modern town was built in the 1960s to support the mining of bauxite. The bauxite plateau is a flat to
gently undulating plain gradually rising in elevation from close to sea level in the west to about 80 metres in the east (Godwin 1985, Specht et al. 1977, Taylor and Eggleton 2004). Numerous streams have incised the plateau and it is bordered by major rivers to the north (the Mission River) and the south (The Embley and the Hey Rivers). The region features a tall open tropical Eucalypt woodland of Darwin Stringybark (Eucalyptus tetradonta), with Melville Island Bloodwood (Corymbia nesophila), Cooktown Ironwood (Erythrophleum chlorostachys), Nonda Plum (Parinari nonda) and Roth’s Wattle (Acacia rothii), as well as native grasses and herbs (Eggleton and Taylor 2005). Weipa experiences a tropical monsoonal climate with wet and dry seasons averaging annual rainfall of 1650 mm mostly falling from November to April.

RTA operates two bauxite mines at Weipa over three different leases. Bauxite is the raw material from which aluminium is made and Weipa bauxite is shipped to a number of locations including RTA’s own alumina refineries in Gladstone and overseas customers. Mining commenced in 1964 at the East Weipa Mine situated near the towns of Weipa and Napranum on the Weipa Peninsula. The Andoom Mine, north of Weipa, commenced operation in 1972. An environmental buffer of 200 metres, where no mining is undertaken, is maintained around swamps, waterways and significant vegetation. Following mining the land is rehabilitated by returning the top soil and planting native species.

The management of cultural heritage at Weipa

Rio Tinto has recognised the importance of cultural heritage and requires each of its businesses to develop a cultural heritage management system to ensure a high standard of management and protection. Towards this goal Rio Tinto has developed an internal standard for cultural heritage management and many Rio Tinto businesses employ heritage professionals on staff. Rio Tinto aims to have heritage processes agreed between its businesses and relevant Aboriginal groups in legally binding land use agreements. Cultural heritage values on RTA’s ML6024 and ML7024 mining leases are managed under the provisions of one such agreement. The Western Cape Communities Coexistence Agreement (WCCA) is a comprehensive Indigenous Land Use Agreement between Comalco (now Rio Tinto Alcan), Traditional Owners, the Cape York Land Council and the Queensland State Government. The WCCA outlines the process for consultation with Traditional Owners regarding heritage management and the process for ensuring that heritage values are considered before development of the mining lease occurs. It further specifies that heritage management plans must be mutually agreed between the company and Traditional Owners.

Since the signing of the WCCA in 2001 cultural heritage surveys (archaeological and ethnographic) have been undertaken prior the clearing of areas scheduled for mining. These surveys are planned with Traditional Owners and involve assessments of the archaeological and cultural values of identified places and items. Prior to 2001 few cultural heritage surveys had been undertaken on the bauxite plateau. As a consequence the only archaeological sites known on the lease were large shell mounds in coastal areas. With over 4000 archaeological and ethnographic sites now recorded across the mining lease it can be seen that the knowledge base prior to 2001 was extremely limited (Shiner and Morrison in press).

Archaeological sites include scarred trees, shell middens, surface stone artefact distributions, earthen mounds and historic sites associated with pastoral and mission activities. Traditional Owners continue to engage with the landscape in complex ways – many natural features such as swamps, springs and vegetation have now been documented as having contemporary cultural value including story places, historical sites and resource areas.

Scarred trees are by far the most common type of archaeological site on the bauxite plateau with over 3000 of these recorded since 2001 (Shiner and Morrison in press). They occur almost exclusively on Cooktown Ironwood trees and come in a range of forms. Trees were commonly scarred (bark and/or wood removed with an implement, usually an axe) to access native bee hives (sugarbag), to mark territory and to obtain wood or gum for the manufacture of tools (spear throwers [woomera], digging sticks and spear barbs). Of these, sugarbag trees are the most common (Figure 2). Sugarbag scars are found on living and dead trees, as well as fallen trees and trees that were deliberately cut down leaving a stump and a log with the sugarbag scar/s. The shape of the scars vary from tear drop openings, to square and rectangular forms. In a detailed study of scarred trees on Western Cape York commissioned by RTA, Morrison and McNaughton (2005) suggested that the tear drop forms were likely to represent older scars created with either a small steel hatchet or a stone axe. The square and rectangular forms were thought to be made with long handle steel axes (Morrison and McNaughton 2005).

Richard and Grace – collecting sugarbag

When people went looking for sugarbags, you have to walk around, walk miles looking up to the trees, and get a sore neck and look for what we call the eye of the sugarbag, and we can

Figure 1: Map of area.
tell when all those little flies come out in a bunch and we know there is a sugarbag in the tree (Figure 3).

About a meter from where the eye is, inside the tree, is where the bag of honey is. We cut a hole in the tree just underneath there, and put a stick up into the bag. The honey runs down the stick into the basket.

If the sugarbag is up high, we use ropes made from the ficus (fig) tree to climb up. We throw the rope around the trunk, with the hatchet on the belt, grab the other end of the rope and use it to pull up the tree. Take the old stone hatchet and cut into where the sugarbag is. The family will make up baskets ready for the honey, just like family picnic outing.

The senior man was in charge of the axe, he made the axe and he kept it with him.

**Rikkara Cultural Heritage Survey**

An expansion of mining in the Rikkara area of the Andoom Mine was scheduled to take place in 2005. Archaeological (Morrison 2005) and ethnographic (Duke 2005) surveys of the Rikkara mine block were undertaken during December 2004. The archaeological survey identified 60 scarred trees, two small shell middens and a historic timber cutting camp in the 229 hectare survey block. At the time this represented the highest density of archaeological sites recorded on the bauxite plateau. The scarred trees consisted of alive, dead and deliberately felled trees with a range of sugarbag and woomera scars (Figure 4). The timber cutting camp dates to the late 1970s and early 1980s and was used to manufacture sleepers for the railway line that extends from the Lorim Point bauxite processing facility to the Andoom Mine. The Traditional Owners requested a further archaeological study of environmental buffer areas and this was undertaken by RTA archaeologists in 2005 (Rio Tinto Alcan 2008). Additional scarred trees and several stone artefacts were identified.

The ethnographic survey incorporated the Rikkara mine block into a broader assessment of the cultural values of the south Andoom area. This work identified several places of contemporary significance to Traditional Owners. These are located on the coast to the south and west of the Rikkara area. The report also stated that the scarred trees and other archaeological features were viewed as being important elements of the wider cultural landscape and that Traditional Owners should be consulted about the management of the trees if the mine was to expand. The religious framework that led to the valuing of the scarred trees was not outlined in these reports.

**The significance of scarred trees to Traditional Owners**

*Richard Barkley* – When a Traditional Owner passes away, their spirit goes back into the trees and they live there with each other in the country. All the Old Ones are still living in that country. They become the guardians of that area. We call these the Old People or the ancestral beings.

We worry if a scarred tree has been destroyed, that we would get punished by ancestral beings, the spirits. We might get punished spiritually, mentally, bad luck. By bad luck it could mean being bitten by a snake or crocodile, or simply hallucinate or go mad. It is the ancestral beings that are causing this.

Because of that we touch the trees and put the smell from the...
something happens to the trees, even if it is not me who did it, I am responsible as a custodian, guardian of the trees. If I recognise you. Putting the smell on the tree – it’s just like the domestic dog – from their armpits on me, smokes me with the ironwood leaf and calls out to the Old People. This will fix me up.

The Old People can point their fingers at us and make us forgetful. Sometimes, I make a cup of tea and then forget that I made it, and make another one. That’s the Old People.

When a tree is damaged, I can feel it, feel their pain like a twin brother or a sister if something happens to them. This is worse for the senior Traditional Owners.

A sugarbag tree is more like, how should I put it, it’s like a big university, with all those aerial roots that grow outside. The Woomera tree is like the vice-chancellor, the most important one and because the Woomera tree was cut by a senior man. He is the one that authorised that tree to be cut.

Grace John: It’s the whole clan who have passed away that look after our scarred trees and now it is us that look after them. As Richard has said, that bad luck will fall on us. We really do believe that our ancestors’ spirits finger around those trees because that is the mark they left there when they were alive and they look after them.

Sometimes I can feel that I am getting bad luck when I am out at Mapoon and I feel that they are wanting me back home. Every time I leave the place, I always tell them that I’m going away for a couple of weeks and I also tell them that I’m coming back home. And when I get back home, I feel so free.

When I come back to Prunung, I know that they are there with me, the two Kangaroo sisters. They are Peter Kangaroo’s daughters, Ella and Mary. Ella is our grandmother and Mary is her little sister. They watch out for those things out there.

Middens are very important to us just like the scarred trees. We don’t want anyone driving on them or trying to dig them up because we know that the spirits are there and we don’t want anyone to get hurt by our ancestors. And that same thing will bounce on to us because we are not looking after it. If you damage that midden, you’ll have bad accidents, you might fall and break your leg there.

**RTA’s understanding of the significance of scarred trees**

Following the Heritage Surveys at Rikkara in 2004, it became clear that a better understanding of the significance of scarred trees at Rikkara, and more widely on the lease was required. This led to the commissioning of a report from consultants, archaeologist Michael Morrison and anthropologist Dr Darlene McNaughton. This report was received in July 2005 and outlined among other things the cultural significance of the trees.

The report outlined three key bases for this significance:

- Scarred trees act as reminders of the activities of ancestors and living relatives.
- Individual scarred trees were owned by individuals who are kin to living Traditional Owners.
- Some scarred trees are connected with other types of sites or story places.

The report did not however outline the religious framework provided in part by Richard and Grace above. In the lead up to negotiations concerning the Rikkara Heritage Management Plan, Matt Wrigley began to explore this framework with a variety of Traditional Owners including Grace John.

By April 2006 many in Heritage and Community Relations understood this framework in the following terms:

- The Old People are the spirits of deceased Traditional Owners and these spirits guard and attend to the things that they made or owned while alive (including scarred trees).
- The Old People hold living Traditional Owners responsible for the proper management of these things. If they fail in their responsibilities the Old people may bring bad luck on the living.
- Therefore living Traditional Owners face a very significant personal liability arising from the company’s management of cultural heritage.

However, what was not understood prior to negotiations was the complex ongoing relationship between living Traditional Owners and the Old People and the extent to which they are able to communicate, negotiate and intercede with deceased ancestors concerning the management of land in the context of the transformations brought about by mining. As a result, the potential flexibility in Traditional Owner negotiating positions was not appreciated.

This case study demonstrates that a detailed understanding of Aboriginal religious and other frameworks is critical in any process of joint land management and too often a rigorous treatment of these matters is overlooked in site reports with an overly archaeological focus.

**RTA’s preparation for negotiation**

Under the WCCCA RTA is required to reach a mutually agreed heritage management plan with Traditional Owners prior to disturbing any identified item or place of cultural heritage value. The first step in this process is a meeting between RTA community relations representatives, Traditional Owners and a WCCCA representative to discuss the results of the survey and the recommendations in the survey report. This meeting is often held on country so that the heritage sites may be inspected. Geographic Information Systems are used to display aerial photography, mine boundaries and heritage sites. This allows everyone at the meeting to see where the heritage sites are in the mine.

Following the 2004 Heritage Survey, the Rikkara area was deferred in the mine plan while the investigations concerning scarred trees described above were conducted. The mine plan is a schedule outlining when certain areas of the lease will be mined. It is the result of an extremely complex and meticulous process by which the needs of bauxite customers and the market are set against the constraints of staffing, equipment, geography, environment and community factors. Deferring or removing large areas from the mine plan can have significant impacts on the business.

By early 2006, in response to Rikkara and a number of potential impacts of the mine plan, the Community Relations
area of RTA had convened a group that eventually became known as the Communities, Heritage and Environment Group (CHE). This group contained leaders from medium and short term Mine Planning, Heritage, Community Relations, Exploration and Environment. The goal of this group is to anticipate impacts of the mine plan and other development proposals on community, heritage and environment values and to coordinate the work necessary with internal and external stakeholders to ensure that the mine plan proceeds in a way that minimises adverse impacts.

The discussion of how to approach Rikkara therefore revived in this forum in early 2006. The core of the issue was that for the first time under the WCCCA process, a substantial amount of valuable bauxite ore was overlaid by a significant aggregation of cultural heritage and the interests of the business appeared in conflict with the interests of Traditional Owners.

Initial discussions within the CHE Group failed to identify potential common ground between the company and Traditional Owners. The internal view was the Traditional Owners would, given the significance outlined in the Morrison and McAunaght report and from the framework emerging from Matt Wrigley’s enquiries, aim to preserve the trees in situ and that preservation in situ would not permit mining due to the high density of scarred trees.

The CHE Group resolved that key specialists in Mine Planning, Heritage and Community Relations would write three briefing papers for the General Manager outlining the impacts on the mine plan, heritage and community relations of various options between mining and no mining. Through these memos, the group sought guidance from the then site General Manager about the company’s preferred negotiation position. These memos were presented to the General Manager at a CHE meeting in early April 2006.

The RTA authors believe that this was and remains a useful approach. It allowed the three area specialists involved to make clear comments on the impacts of various options in their area of expertise. It avoided the mine planner having to estimate relationship impacts and the community relations specialist having to weigh commercial impacts. It meant that all the impacts were clearly understood by all and nothing was understated or played down.

Much of the discussion at the following CHE meetings focussed on how RTA itself valued heritage in an effort to develop a consistent internal position. These discussions foundered and in the end crystallised around the core value outlined in the WCCCA agreement that any management of heritage must be mutually agreed with Traditional Owners.

Three positions were identified outlining different degrees of mining versus tree preservation for discussion with Traditional Owners. The General Manager outlined that the company’s preferred position was to seek the greatest extent of mining possible without compromising our WCCCA obligations or our relationships with Traditional Owners. “Option 3” was selected as the preferred position from a business perspective. This proposed substantial mining in the area and the cutting and relocation of most of the scarred trees to nearby buffers where they would be laid down.

Although a very large amount of discussion and thought went into our preparation for the negotiation over Rikkara and in spite of significant efforts to understand Traditional Owner’s valuing of scarred trees, no overlap in negotiation range or potential common ground was identified. In a company that took seriously its long term relationship with Traditional Owners, this was a source of concern. Furthermore, it meant that no complex negotiation strategy could be developed based on potential overlap of interests and that the outcome could not be guided or substantially influenced by us. For a group of people used to careful planning, influencing and a degree of certainty, the situation was - we are happy to admit - a source of anxiety.

RTA’s approach going into the first negotiation meeting can be summarised as follows:

- The purpose of the meeting was to discuss options for heritage management that would satisfy Traditional Owners at the same time as providing for the greatest possible access for RTA to the bauxite.
- All Traditional Owners nominated by the WCCCA and any others suggested by the nominated Traditional Owners were invited.
- Held at a time and place of Traditional Owners’ choosing.
- RTA regularly makes clear that any outcomes of the meeting must be mutually agreed as stated in the WCCCA, in the interests of transparency.
- A representative of the WCCCA is to be present to ensure that the meeting follows due process and that any outcomes are based on free and informed consent.
- RTA clearly states its desire, as a mining company, to access the bauxite in the area, to the extent enabled by a mutually agreed HMAP.

Traditional owner preparations

Richard: During the heritage surveys I felt worried, sad and happy. I felt sad because of the idea of the roots of the trees being taken up from the ground. I felt worried because of the roots of our ancestral inner spiritual beings. I was worried because I couldn’t get through to them, like some barrier stopping me.

I thought that RTA could just come in and do what they want, to tell you the truth I didn’t know about the WCCCA agreement. I didn’t know we could negotiate.

I remember one time in regards of doing the survey, I heard someone call out my name when I passed one of the trees. He was about 20 meters from a tree and I heard “Hey Orrnth!” Orrnth is the sacred ibis, my language name. And I turned and saw an old man standing by a tree. We looked at each other for a long time. He is the one buried at Bouchat nearby - Kangaroo. I picked up a couple of the seeds from the ironwood where I saw him and I planted them at Prunung to bring his spirit onto our new domain on the beach. From that tree the branch spreads out and a new generation of family tree begins.

Before the meeting in Mapoon, Grace and I had a little verbal conversation. She suggested moving the scarred trees down to Prunung. She too was worried from old brother Kangaroo. When she suggested this, I thought, “Not a bad idea”

It was Gracie’s idea, because I saw something like it at Gove. I told Grace about it, and then much later, she reminded me “Why don’t we do that here?”

Grace: When I heard about the meeting, I was worried because I thought “What next do they want from us, are they going to take all our bauxite and knock down all our trees so we can’t find sugarbag and make woomeras?”

Grace and Richard
When we had that meeting that day, I said to my brothers Richard and Jonathon, "Well what are we going to do, we have to do something so that we can look after those trees". The surveys told me that Rio Tinto wanted to mine there, but we were doing the surveys so that we could have a say about what was going to happen. I knew we had a say in this. We thought, "Alright, if you want our bauxite can you do us a favour, can you shift our scarred trees down to where we want them down on our grandmothers' land that is Prunung". That was my idea. I knew they would agree, because that was fair to my clan group.

The meeting at Mapoon

RTA Perspective – Before the Meeting: Two staff represented RTA at the negotiation meeting in Mapoon; Matthew Wrigley a Community Relations Specialist who was thought to have the best understanding of the Traditional Owner religious perspective and Calvin Snodgrass, a Mine Planning Specialist who was best placed to assess the implications of different proposals for the mine plan and the business. We very much hoped that Traditional Owners would find that common ground for us, but we were pessimistic that they would. The conversation during the 80km drive to Mapoon revolved around revising how we would frame the discussion and present the various maps and documents we had with us and additional fruitless speculations on the likely outcome.

Richard's Perspective: On the day of the Meeting in Mapoon, I was nervous and worried. I was thinking "Oh how are we going to get out to Bouchat?" I thought the company would just mine over the road and block us from there. We were wondering what we were going to say and what we were going to do. I said, "Well I don’t know!"

I remember Calvin had the map and said well we could move a scarred tree there and put it in the regenerated area. I thought, "Oh, there are firebreaks in there, it won’t harm those trees, not a bad idea." But then Grace said, no put them down at Prunung, in Gran’s land. Her father is Kangaroo.

When Matt said we can negotiate about these things, I was surprised, I thought they were just going to tell us what they were going to do. After we looked again at photos and maps of what we found on the survey, Matt and Calvin offered to go outside and let us talk about it amongst ourselves. When Matt and Calvin went outside, Grace strongly put that idea again for moving some trees to Prunung.

We said that some of the trees could move, but not the woomera tree, too dangerous to move. We couldn’t talk to those spirits, it would be like talking to a brick-wall, all my limbs would go bad. So those trees had to stay. It is the same with the midden there - that is too dangerous to move. The Charra, the fireman would cause that flame in you. You’d be like a malaria, a Ross River, you’d be burning up.

After the meeting, I was happy in regards of the negotiation.

RTA Perspective – After the meeting: Discussion during the drive back to Weipa following the meeting was directed at trying to understand what had just happened. The feeling was a mixture of jubilation at a mutually agreed resolution, but confusion as to how that had been achieved. Traditional Owners had proposed an idea that substantially allowed the company to mine according to our Option 3, required the cutting and removal of many of the scarred trees at Rikkara, which we had been told and understood to be “very important items of cultural heritage”. Yet at the same time, Traditional Owners and the WCCCA representative present appeared to view the outcome as a significant win. Their proposal seemed to follow clear principles known to them (eg. Woomera trees could not be moved) but unknown to us. We marvelled at the flexibility of the Traditional Owners and noted that there was clearly a good deal more to be learnt about their relationship with scarred trees and the Old People. This information would emerge in the coming years and is outlined in part below.

The Heritage Management Plan

RTA's Perspective

This extract from a memo written soon after the meeting summarises the HMAP agreed at the meeting, from RTA’s perspective. This is the plan that was ultimately implemented.

In areas impacted by mining in Option 3, Traditional Owners proposed that:

- The midden in the centre of Rikkara be retained in situ (as per Option 3).
- Scarred woomera trees, whether living or dead, be retained in situ, where they are in good condition (there are 3 such trees).
- Dead scarred trees, including those still standing, stumps and fallen trunks should be moved to various locations suggested by Traditional Owners including the environmental buffer, the middens at Red Beach and a specially fenced area near Red Beach. Decayed material (such as logs infested with white-ants) need not be moved and may be destroyed during mine development.
- The trunks of substantial living and dead scarred trees, unaffected by termites or other forms of decay, should be moved to a nearby location. Traditional Owners provided strict instructions concerning which tree should be moved to which location. Locations nominated included the preservation buffer around a scarred tree marked for preservation or in the preservation buffer around the midden. Others should be moved to Red Beach. In each of these locations, the logs should be placed in a hole and set in concrete. The final orientation should aim to match the orientation of original tree, when standing. For example scars should face in a similar direction and be at similar height from the ground.
- That plaques and interpretive signage be developed to allow visitors and others to understand the sites created by this HMAP.
- All other items unaffected by RTA’s Option 3, including stone tools, items in the environmental buffer and the extended section of the environmental buffer, should be left in situ.
- That the road to Red Beach, when realigned to allow for mining, avoid low-lying areas and be upgraded and maintained by RTA.

The net effect sought by Traditional Owners is a kind of monument created using the trunks of scarred trees. For example, the midden in the centre of Rikkara will likely have four or five tall scarred poles set around it. The beach at Red Beach will be lined by several substantial scarred poles and some middens there will be surrounded by stumps and smaller items.

These ideas are similar to other cultural practices nearby at Bouchat, where painted poles have been erected symbolising
the 12 clan groups of the area. These poles are used in a ceremony at the end of each Bouchat holiday camp, where children are taught where their connections lie. Additionally, the same Traditional Owner group has erected three carved and painted poles above the beach at Bouchat marking the grave of an ancestor [in fact, Kangaroo, who appeared to Richard]. The effect is striking. The ideas therefore, appear to have continuity with previous practice.

The aims of Traditional Owners appear four-fold:
1. To make Red Beach and areas nearby a powerful monument to their Old People (spirits of deceased persons) and their culture.
2. To make Red Beach and areas nearby a unique area for education about Aboriginal heritage and culture, and its interaction with RTA’s mining operation.
3. To allow the Old People who inhabit that area to continue to visit the items they created when alive.
4. To actively participate in the re-creation of their cultural heritage in a way that adds value for them while maintaining long standing cultural obligations. This proposal creates striking new evidence of Aboriginal management and ownership of the landscape.

Richard’s Perspective: After it was all agreed, we went out there by ourselves, me and Grace. We spoke to the ancestral spirits, we are here, you will be removed down onto the beach, you will have a new home and we held the trees and put our narra on them. Cockatoo (Peter Kangaroo)’ was present at all times, you could feel the goose-bumps standing up on your body. We just told them, you have to be moved now to your new home and look across to the river. We told them that we would be present at all times.

When it came time to move the trees, we talked to the spirits again. When Peter Brown (the contractor who moved the trees) was there, we said, “We’ll move you down, to your new home, down on the beach”. No worry for us on that day, only good feeling. [Cockatoo, Owellingan, the possum spirit was there. And there was Yara the frigate bird spirit, Charn the stingray spirit and Charra were all there and the grannies, Ella and Mary, for Grace and me. They were there as well, and their daughters. We felt like it was released from being in a prison, you are free now to go. It’s the same with Thaf, the sea eagle, he felt released. If you go there today you can see him flying there happy.

When it was all done, I was happy, even Gracie was just crying. Emotionally, physically, mentally, spiritually, that the trees now have been released. It was the feeling of freedom for those spirits. Those spirits feel boxed up in their land. When the sun is going down and the shadows fall across the scar it traps the spirits inside the tree. If you are walking past, and your shadow is over the scar and then another shadow falls on you, the spirit inside the tree can capture your spirit inside and make you a kind of zombie, just hypnotised in your own little world. When we moved them down to Prunung, we released them, they are free now, they don’t get locked up. They are close to the salt water and they are released. And because of the release those spirits can go out and visit the four other ancestral spirits of the Pine River, the Hey River, the Emblye and the Mission. They were kept there by magic and we released them.

Grace: That first tree we saw pushed over, made tears in my eyes. We were really nervous, Richard was walking one way, and I was walking the other in case something happened. That was the one with the limb that got broken off when it got pushed over and now that scar is in Rio Tinto office. It looked like that tree didn’t want to go down…then when they stopped I looked at Richard, and I said to Richard, “The grannies don’t want us to knock those trees, we have to stand and talk to them.”

So we said to them, “It’s not going to be damaged, we are going to look after it and take it down to the beach.” This made a big difference, because after that, it was so easy for Brownie to take the tree down. And the other trees all went down good later on.

When Richard and I had talked to them, they listened to us and knew that we wouldn’t let anyone damage those marks. They understood us and let the other trees go down. I didn’t feel like they were released, I feel like they were glad not to be knocked over and burnt (Figures 5 and 6).

Going for the opening…I think you seen me cry. It made me happy, and it made me feel sad and I cried, because I could...
feel our Old Peoples’ spirits with us that day.

Conclusions

The history of mining on Western Cape York is complex and the views of the Traditional Owners on how this has altered their country are diverse. Although part of this process through the WCCCA, Richard and Grace are not necessarily supporters of mining. The WCCCA establishes RTA’s right to mine, but this is done within a range of procedural frameworks including those covering cultural heritage management. It was against this background that the negotiations concerning the management of the scarred trees in the Rikkara were undertaken. Traditional Owners have different opinions about the WCCCA and different degrees of knowledge of its provisions, as illustrated by many of Richard and Grace’s comments. Prior to the WCCCA some 50 years of development and mining had occurred in Weipa.

Even where, as in this case, the key concerns of Traditional Owners relating to the Old People and dreaming beings are accommodated, Traditional Owners have strong personal and emotional connections to the undisturbed landscape that make the prospect of the kind of radical transformation brought by mining a serious and concerning matter. The conflicted nature of Richard and Grace’s view of mining is apparent in many of their comments.

At the same time, this case study does demonstrate that the cultural and religious frameworks of many Traditional Owners are able to accommodate the transformation of their country brought by mining. Indeed, Richard and Grace’s connections to their land and their authority to manage it appear to have been affirmed and strengthened through this process of change. These Traditional Owners enlisted their spiritual and cultural resources to facilitate mining and, in Richard’s case, harness mining processes towards his own spiritual purposes. This is represented through the creation and ongoing management of the scarred tree monument. Today the monument at Prunung is a prominent reminder to visitors of the traditional culture and the connection of the Thanikwithi people to their country.

Other Traditional Owners of the Weipa mine have also harnessed their cultural and spiritual resources to facilitate mining. As noted above, five other Traditional Owner groups have also elected to relocate heritage items to Prunung-style monuments. Other examples of Traditional Owner engagement with the mining process abound at Weipa. As at some other Rio Tinto sites Traditional Owners routinely conduct Welcome to Country ceremonies for new mine employees. These ceremonies in part ensure that mine employees are not harmed by the Old People or other beings resident in the landscape. Similarly, senior Traditional Owners have enacted special ceremonies and interceded with ancestors and other beings to permit Company access to land otherwise closed due to the death of a key Traditional Owner.

Many people have assumed that the transformation of country and Aboriginal cultural and religious frameworks are somehow mutually exclusive or involve a termination of the meanings invested in it by Traditional Owners. This case study shows that at Weipa the rich spiritual life of the region continues in, around and through the mine. In the Rikkara case, a critical interaction of the mine with the domain of the spirits was mediated and negotiated by living Traditional Owners providing them with the opportunity to actively manage their land, demonstrate their ownership and authority and construct a monument that stands as testimony to their ancestors’ historical occupation of the land and their own ability to engage with them.

Engagement with the beings resident in the landscape is a complex matter. Richard and Grace’s discussion shows the range of beings that featured in their considerations in relation to Rikkara. Richard and Grace also explain how engagement with these beings also carries significant risk. Their ability to mediate the impacts of mining in this domain demonstrates their knowledge, skill and seniority with regards to cultural matters.

This experience accords with emerging information from other Rio Tinto sites. In the book, Making Things Come Good, anthropologist Kim Doohan (2008) documents the 30 year relationship of Traditional Owners with the Argyle Diamond Mine and shows how the presence of an open pit mine at the Barramundi Site has not destroyed the site or diminished the dreaming being that resides there. She further outlines how Traditional Owners have harnessed a range of ceremonies and traditional ideas to influence decision makers at the mine to safeguard and educate its employees as well as promoting its continued productivity.

The Rikkara example highlights how important it is that land and cultural heritage managers within mining companies operating on Aboriginal land understand the religious frameworks of Traditional Owners. These may be critical to the decisions that Traditional Owners will make with regards to the management of important heritage places. Companies engaging ethnographic specialists to advise them on Traditional Owner views towards heritage management should ensure that these advisors explore the public aspects of these religious frameworks. There is also a risk in viewing cultural heritage sites from an overly archaeological perspective. This tendency partly reflects the influence of archaeology in the development of the earliest cultural heritage legislation across Australian in the 1970s (Colley 2002, Smith 2004). Archaeological significance is and should be an important component of heritage management decisions, but as illustrated here it is only one of several that should be considered.

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Endnotes

1 Peter Kangaroo’s original name was Cockatoo, but the missionaries changed it to Kangaroo for unknown reasons. Some people think that Cockatoos and Kangaroos are different people, but in fact they are one and the same.