

15. Cultural heritage

15.1 Introduction

The purpose of the cultural heritage desktop assessment is to determine known or potential heritage values that relate to the area surrounding the South East Busway extension from Rochedale to Springwood. This assessment also explores potential impacts due to the implementation of the extension and assesses how cultural heritage values should be recognised in the future development and management of the project.

15.2 Methodology

The cultural heritage desktop assessment included the following tasks:

- a description of the study area and the proposed works
- a brief summary of the relevant legislation and requirements
- a brief contextual history of the area as relevant to the project
- results of the database searches to determine the presence and significance of any previously recorded sites or areas
- reconnaissance of the area to assess likely impacts on any historical items
- consideration of the impact of the proposed construction on any identified structures, areas or sites (including the potential for buried material to be present).

The assessment deals with archaeological expectations for the presence of sites and details previously published or reported information for the site area. It also includes a database search for existing Indigenous sites in the study area. These desktop investigations are considered sufficient for the purposes of the Concept Design Study, as the majority of busway activities are proposed in previously disturbed areas. Further investigations relating to the management of impacts in previously undisturbed areas will be undertaken closer to delivery of the busway extension.

15.2.1 Previous investigations

The assessment details the types of sites previously found in the general region and the expectation for sites to occur. The findings of previous studies have been used to inform the types and locations of historical items that may be impacted, if construction occurs in previously undisturbed areas.

Pacific Motorway Transit Project

Previous evaluations regarding Aboriginal cultural heritage were carried out by the traditional owner groups for the Pacific Motorway Transit Project. At the time of this study these evaluations were not available, however, the Department of Transport and Main Roads is in the process of preparing a cultural heritage management plan for each traditional owner group.

Although a few areas of European significance were identified in the Pacific Motorway Transit Project, none of these were relevant to the South East Busway extension from Rochedale to Springwood.

15.2.2 Additional investigations

The following additional investigations were carried out:

- assessing cultural heritage legislation requirements
- database searches and consultation with historical agencies to determine the presence of known historical or Indigenous sites within the study area. This included:
 - Register of the National Estate
 - Australian Heritage Places Inventory
 - Australian Heritage Directory
 - Queensland Heritage Register
 - Brisbane City Council
 - Logan City Council
 - Department of Environment and Resources Management
- a site visit was also undertaken.

15.3 Preliminary analysis

15.3.1 Existing situation

Aboriginal Party

Two native title claims exist for the study area:

- Jagera People #2 QUD6014/03 QC03/15
- Turrbal People QUD6196/98 QC98/26

Cultural heritage legislation

Cultural heritage legislation exists at both the state and federal level and provides the basis for cultural heritage management. In addition to state and federal legislation, there are some bodies which are responsible for the protection and management of cultural heritage. The design, construction and development approval process for the busway extension may trigger requirements and/or need with regard to Commonwealth, state and local legislation. This legislation may require approvals, licences and permits to be obtained by the proponent prior to and during the development of the extension. The relevant state and federal legislation as well as cultural heritage management bodies are listed below.

Queensland state legislation

The *Aboriginal Cultural Heritage Act 2003* (Queensland) establishes a 'duty of care for activities that may harm Aboriginal cultural heritage'. Section 23 of the Act specifies the duty of care requirements for cultural heritage. This states that 'a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage'.

The *Queensland Heritage Act 1992* protects places of cultural heritage significance relating to Queensland's history since settlement. Protection is offered to places that have been entered on the Queensland Heritage Register. Criteria for entry are listed in the Act. Part 7 of the Act relates to historical archaeology, historical archaeological studies, and the protection of archaeological objects and areas of cultural heritage significance.

The *Integrated Planning Act 1997* (Queensland) sets out the principles and processes by which local and state government authorities deal with planning and development issues. Proposed development of places entered in the Queensland Heritage Register under s35 must be assessed and approved under the provisions of schedule 8 of the Integrated Planning Act before any development can commence.

Federal legislation

The *Environment Protection and Biodiversity Conservation Act 1999* protects the environment, particularly matters of National Environmental Significance. The Commonwealth Heritage List comprises natural, Indigenous and historic heritage places on Commonwealth lands and waters or under Australian Government control.

The *Environment and Heritage Legislation Amendment Act (No. 1) 2003*, which amends the *Environment Protection and Biodiversity Conservation Act 1999*, includes national heritage as a new matter of National Environmental Significance and establishes the national and Commonwealth heritage lists.

The *Australian Heritage Council Act 2003* established a new heritage advisory body and retains the Register of the National Estate.

The major role of the *Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984* is to preserve and protect areas and objects of significance to Aborigines and Islanders.

The *Commonwealth Native Title Act 1993* recognises and protects native title.

Legislation for the control of human remains

Under the *Coroners Act 2003* (Queensland) the State Coroner has the function to oversee and coordinate coronial services in Queensland, ensure that all deaths and suspected deaths concerning which a coroner has jurisdiction to hold an inquest are properly investigated, ensure that an inquest is held whenever it is required, and issue guidelines to coroners to assist them in the exercise or performance of their functions.

Human remains may also be subject to the *Queensland Heritage Act 1992* (Queensland), the *Aboriginal Cultural Heritage Act 2003* (Queensland) (if Aboriginal), and local government regulations.

Cultural and heritage organisations

The Burra Charter provides guidance for the conservation and management of places of cultural significance and defines the basic principles and procedures to be followed in the conservation of heritage places. It was adopted by the Australian National Committee of International Council on Monuments and Sites on 19 August 1979 as the standard for best practice.

The National Trust of Queensland's major activities include managing heritage properties in Queensland, identifying, researching and assessing places of heritage significance, and carrying out advocacy for the protection of heritage places. National Trust listings carry no legal requirements.

The study area

Land use in the vicinity of the South East Busway extension from Rochedale to Springwood includes residential, commercial and light industrial uses. Most of the land within the study area has been subject to previous disturbance from road construction, residential, commercial and industrial development. However, where road widening is proposed, the potential impacts to any cultural heritage values must be considered.

European occupation

The background information presented below was sourced from existing literature. The information is available from the Brisbane City Council Library and the John Oxley Library.

Rochedale

Although the Rochedale area was passed through during the period of early exploration in the Brisbane area, settlement did not begin here until 1865. The first settlers took advantage of the rich soils, water sources and proximity to Logan Road and established farms. William Roche, having arrived in Australia some years before, leased 50 acres of land in Rochedale in 1868. He initially grew grapes and established an orchard. By 1875, he had bought the land outright and fenced and improved the block. He established a homestead there for his wife Kate McDermott and their only child Thomas. The homestead was named 'Rochedale'. William Roche also held another 361 acres in the area in three separate blocks, one of which was the land now occupied by the Rochedale State School. By 1888 almost all of the land in Rochedale was held by private landholders who occupied large blocks. Upon William's death in 1902, the Roche homestead and land passed to his wife Kate and later, following her death in 1915, to their son Thomas.

Closer settlement began in the early 1900s coinciding with the establishment of market gardens to produce tropical fruits and vegetables. By this time, the Gardiner family had acquired almost half the suburb. The extensive 'Rochedale' estate was resumed and broken up around 1918 following the death of Thomas, with only the homestead block being retained by his son Thomas Roche.

By the 1920s, the larger lots of land had been reduced though they continued to operate as farms. Small crop farming developed in the area and by the 1930s pineapples and tomatoes were grown on the Roche land.

In 1931 Rochedale State School, the first state school in the area, was opened. Twenty-seven pupils were registered at that time. A local post office was established after the First World War and it was at this time that the suburb name Rochedale was agreed upon.

Residential estates began to develop in the Rochedale area from about 1965, with developers and real estates establishing large residential estates to cater for young families. Rochedale developed quickly from this time until the mid-nineties when the population slowed. Rochedale was officially gazetted in July 1979.

The suburb today consists of two parts, Rochedale being part of Brisbane City Council and Rochedale South which falls in the Logan City Council area. The boundary of these is the intersection of Priestdale and Rochedale Roads and Underwood Road.

Rochedale South

Land leases were first issued in the Logan area from about 1849 but extensive settlement occurred in 1862 following the declaration of the Logan and Eight Mile Plains Agricultural Reserves. Irish and English settlers were the first to take advantage of this followed by German immigrants.

Between 1866 and 1874, cotton was produced as the first commercial crop in the region. After this time, sugar became the main industry in the area. Sugar mills developed along the Logan River as early as 1869 and continued to develop at most settlements along the river until the peak of the industry in the early 1880s. A downturn in sugar prices, the ceasing of Kanaka labour and the great flood of 1887 largely decimated the sugar industry in this area and dairying became the new direction.

Commercial dairying in the area began about 1889. Cream depots began to appear in the district and in 1906 a cooperative butter factory was established to service the Logan and Albert region. It was known as the Southern Queensland Co-operative Dairy Company and produced butter suitable for the export markets. The Kingston Butter Factory was also established and proved invaluable in the economic growth of the region. Dairying remained an important industry throughout the first half of the 20th century.

Urban development in the area, particularly the Springwood and Rochedale South areas, boomed in the late 1960s following the introduction of Brisbane City's 1965 town plan which required town water, sewerage, kerb and channelling to all new subdivisions. These outlying suburbs, such as Rochedale South and Springwood, with their less imposing development regulations and cheaper land proved to be an attractive option for developers and more affordable for young families. Rochedale South was gazetted in July 1979.

Springwood

The Springwood area began with a 614-acre property which comprised the land between Underwood and Springwood roads along Rochedale Road. The land was originally owned by William Underwood and then sold to Sam Langford in the early 1930s. At the time, it was the first fenced property in the area and was referred to as 'wire paddock'. Springwood Road was named in 1955.

Springwood was originally planned to be a satellite development on the outskirts of the South East Freeway and development began here in 1968 although the progress of the freeway was much slower with the first phase of construction not completed until 1970. Springwood was gazetted in 1972. The freeway continued to develop but was the final section between Logan Road and Springwood Road was not completed until 1985.

The suburb today lies to the south of Springwood Road and not on the original Springwood estate property that was owned by Sam Langford. It is now an established residential area with the associated amenities of schools, major shopping centres, transport infrastructure and other facilities.

Database searches

Registers and historical agencies were consulted to determine the presence of known historical or Indigenous sites within the study area. The findings are detailed below.

Register of the National Estate

The Register of the National Estate is a nationwide register of more than 12,000 natural and cultural heritage places. It is compiled by the Australian Heritage Council. The Register of the National Estate does not list any items for, or within the vicinity, of the study area.

Queensland Heritage Register

The Queensland Heritage Register developed under the *Queensland Heritage Act 1992* is a list of places or buildings of cultural heritage significance in Queensland. It is a list of places, trees, natural formations and buildings of cultural heritage significance managed by the Cultural Heritage Unit within the Department of Environment and Resource Management. The Queensland Heritage Register does not list any items for, or within the vicinity, of the study area.

Brisbane City Plan 2000 — Brisbane Planning Scheme Heritage Register

One area, listed by the Brisbane City Council Heritage Register, occurs in the suburb of Rochedale. This area is outside of the proposed development area and will not be directly impacted by the busway extension.

Logan City Council — Logan Planning Scheme

One historical landmark, listed by the Logan City Council Heritage Register, is located in the wider area of Underwood. This landmark is outside of the proposed development area and will not be impacted by the busway extension.

Department of Natural Resources and Water (now the Department of Environment and Resource Management)

A request to the Department of Natural Resources and Water Cultural Heritage Unit for advice on Aboriginal cultural heritage places recorded in the study area was returned on the 16 September 2008 with one site indicated in the wider area. This site is outside of the study area and will not be impacted by the proposed work.

Since 2003 with the introduction of the current legislation there is no obligation to report the location of Aboriginal cultural heritage sites to the Department of Environment and Resource Management. As a consequence of this, the Register is out of date and incomplete and should not be relied upon as a precise indicator of the frequency and location of Aboriginal sites in the study area.

For the purposes of the search, the study area is assessed as Category 4 under the Cultural Heritage Duty of Care Guidelines of the Aboriginal Cultural Heritage Act 2003. Category 4 notes 'where an activity is proposed in an area, which has previously been subject to Significant Ground Disturbance it is generally unlikely that the activity will harm Aboriginal cultural heritage and the activity will comply with these guidelines'.

Site visit

A reconnaissance of the study area was also undertaken as part of the cultural heritage investigations. The purpose of the inspection was to determine the nature and extent of disturbance from previous activities and to identify any significant items that may be impacted upon by the busway extension.

The area surrounding the extension has previously been subject to disturbance, e.g. due to previous construction activities. As such these areas are considered to have a low potential for cultural heritage material to be present.

15.3.2 Managing issues and opportunities

Native title claimants

The native title claimants mentioned in Section 15.3.1 should be notified of the project and invited to comment on the significance of the area to them and/or raise any other issues regarding the project. As part of the Cultural Heritage Duty of Care Guidelines of the Aboriginal Cultural Heritage Act 2003, prior to any future development of areas assessed as Category 4, the developer should contact the relevant Aboriginal Parties regarding involvement in the project.

Potential issues

From these investigations it appears impacts are unlikely. There were no environmental areas or historical sites registered or listed in the study area which would be impacted by the proposed development. However, it is important to be aware of the types of cultural heritage impacts which can result from development within an area. These include:

- direct impact where a site will be partially or completely destroyed
- indirect impact that adversely impacts on the context, integrity or amenity of a site (this includes structural damage to buildings through vibration)
- aesthetic or visual impact where proposed works compromise the visual or aesthetic attributes of a site.

Indigenous cultural heritage

Construction of the busway extension is generally unlikely to harm Aboriginal heritage where the development remains within the previously constructed road reserve and other highly disturbed areas. Some road-widening construction activities may be undertaken in previously undisturbed areas. Potential impacts to undiscovered Indigenous sites are more likely to occur if other Indigenous sites have been found in the area. The potential for Aboriginal sites to be uncovered at locations where road widening is required or in previously undisturbed areas is considered to be low.

Historical cultural heritage

No historical cultural heritage issues have been identified. The potential for historical cultural heritage items to be identified at locations where road widening is required or in previously undisturbed areas is considered to be low.

Mitigation strategies

A strategy for the management of Indigenous sites which may inadvertently be discovered during any earth works should be developed for the construction phase. The Native Title group should be consulted with regards to its involvement in the project.

15.4 Future investigations

As part of the Cultural Heritage Duty of Care Guidelines of the Aboriginal Cultural Heritage Act 2003, prior to any future development of areas assessed as Category 4, the developer should contact the relevant Aboriginal parties regarding involvement in the project.

A review of cultural heritage legislation should be carried out in future planning phases. The mitigation strategies identified in this report should also be investigated further in future planning. Should historical items of cultural heritage significance be identified during the construction phase of the busway extension, actions will be subject to the proposed management strategy.

15.5 References

Brisbane City Council 2000, *Brisbane City Plan 2000 – Brisbane Planning Scheme*, Brisbane City Council, Brisbane.

Connell Wagner 2006, 'Environmental Approval Report – Section A Pacific Motorway Transit Project', report for Queensland Department of Main Roads, Brisbane.

Howells, Mary date unknown, *Logan Regional History*, Logan City Council, Logan City.

Logan City Council 2006, *Logan Planning Scheme 2006*, Logan City Council, Logan City.