

Lily Wang - Major Project MP 05 0198

From: "Jackie McDonald" <mctogo@austarnet.com.au>
To: <stuart.withington@planning.nsw.gov.au>
Date: 29/09/2009 6:56 PM
Subject: Major Project MP 05 0198
CC: <sebastian.tauni@planning.nsw.gov.au>

Dear Stuart, I have this day spoken to Sebastian who advised me that you are the appropriate person to contact about the development at Walmsleys Rd. Bilambil Heights.
I note that the exhibition period ends today, 29th September 2009.

I am the only registered Aboriginal stakeholder for the project and I wish to make some comments, however they are not intended to hold up the project in any way and I wish the developers good luck in their endeavours.

I recently noticed an advertisement in the press about the Exhibition of the Environmental Assessment and last week requested a copy from Darryl Anderson and Associates.
On Saturday 26.9.09 I received a copy of:

Pages 1 to 5 of the Environmental Assessment
Pages 24 to 26 of " "

Preliminary Cultural Heritage Assess. of Indigenous Values September 2007 by Su Davies

2 x Cultural Heritage Processes for Bilambil Heights Subdivision (Feb and April 2008) prepared by Eastern Yugambah Ltd

The office of Eastern Yugambah Ltd closed down last year and it is my understanding that they felt that they had met their obligations to Darryl Anderson and Associates.

I am satisfied with the assessment as it recognises that this development sits within a known cultural landscape. However, for the purpose of completeness, there are other reports that are not mentioned, that add to the areas cultural heritage significance, in particular, the following very important reports:

Archeological Test Excavation Zone 7 Tugun Bypass
Oz Ark August 2006
Archeological Test Excavation Zone 10 Tugun Bypass
Oz Ark May 2007
Archeological Salvage Excavation Zone 7 Tugun Bypass
Oz Ark March 2007

Since April 2008
Archeological Excavation and Cultural Heritage Assessment of the Piggabeen Road Shell Midden 2008
by Converge Heritage & Community.

I do not have a copy of the Director General's Requirements so I do not know if an Aboriginal Cultural Heritage Management Plan is a requirement for this development. However, I note in the recommendations that the developer anticipates the NSW Dept. of Planning will include conditions and procedures for inadvertent discovery of Aboriginal objects.

My concern is that, I do not see anywhere in the documents where Aboriginal Cultural Heritage inductions for the workers will take place, so I am not satisfied that there will be anyone on site that will be qualified to recognise an Aboriginal relic. Further, in the event that Aboriginal relics are discovered, who, apart from the Dept. of Environment Climate Change & Water, will be contacted now that the office of Gold Coast Native Title Group has closed?

I do not wish to delay the development but I need to be satisfied that Aboriginal cultural heritage material will be respected and protected, if it is present on the site.

A classic example of the delays that can occur is the 12 month delay to the construction of the Piggabeen Road deviation when I discovered a shell midden had been inadvertently disturbed, during excavation work for the road in the early stages. Although a survey of the surface of the road footprint had been undertaken and no sites were identified, due to poor ground visibility, when construction began, I discovered during a quick inspection, that the excavator had exposed a shell midden and no-one on the site realised. The abovementioned assessment was undertaken in 2008 and radio carbon dating results have revealed its age to be pre-colonisation.

After reporting it, a delay of 12 months occurred. The developer does not need that and we do not want to be blamed for such delays.

Thank you for allowing me to make comments and I hope to be advised about how my comments will be addressed.

Yours sincerely...Jackie McDonald