

CULTURAL HERITAGE MANAGEMENT PLAN

Douglas North Substation

Olsen Environmental Consulting & BHP Billiton Illawarra Coal

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1.0 PROJECT DESCRIPTION

1.1 Overview

BHP Billiton Illawarra Coal proposes to construct a new electrical substation for its proposed future operations in the Douglas Park area. The proposal includes the construction of a new substation, and the upgrading of the existing Douglas Park Switching Station and electricity transmission line. The upgrade work associated with the Douglas Park Switching Station will be undertaken by Integral Energy.

The proposed development construction activities include excavation and other general ground disturbances. A cultural heritage assessment completed by Biosis Research in December 2006(b) has identified known and potential Aboriginal cultural heritage impacts.

This Cultural Heritage Management Plan (CHMP) outlines the requirements for the cultural heritage assessment based on the Director General's Requirements and the process of fulfilling those requirements.

1.2 Proposed work

The Douglas North substation project (from here on known as the substation project) includes the construction of the new substation, as well as, the upgrade of the Douglas Park Switching Station and the existing transmission line from the Switching Station to the site of the new Substation.

The project is divided into two approval processes, the new substation will be processed under Part 3A of the *Environmental and Planning and Assessment Act 1979* (NSW) (EPA Act). The Switching Station and upgrade works along the existing transmission line will be assessed under Part 5 of the *EPA Act (1979)*. This CHMP has been written specifically for the new Substation site that is being assessed under Part 3A.

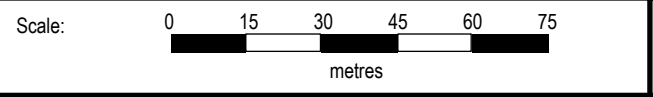
The proposed new substation will occur on Lot 1 DP 583323 Douglas Park, and will involve the construction of a 66/11kV electrical substation, including an all weather access track from Moreton Park road to the substation site and a 20 m wide asset protection zone. A borehole will also be drilled within the allotment that will transfer a 11kV line from the substation to the underground workings of the Douglas Mine (Figure 1).



BIOSIS RESEARCH Pty. Ltd.
 15 - 17 Henrietta Street
 Chippendale
 NEW SOUTH WALES 2008

Figure 1: Proposed plan - Substation Site

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2.0 LEGISLATIVE BACKGROUND

2.1 The Minister's Part 3A Approval and the Statement of Commitments

The Director General's requirements for the Douglas North Substation was given by the Minister for Planning on 15 December 2006 under s75E(3) of the EPA Act (S03/01563).

One of the key issues outlined in the Director General's Requirements was Heritage, including Aboriginal Heritage. The technical and policy guidelines also outline that DEC's "draft Guidelines Aboriginal Cultural Heritage Assessment and Community Consultation" are followed within the assessment report.

DEC have also outlines that the report should identify the nature and extent of any Aboriginal Cultural Heritage Values that are present within the project area. Mitigation or unavoidable impacts should be outlines and the clearly demonstrate that Aboriginal communities have been consulted with in determining the recommendations of the report.

2.2 Land to which this CHMP applies

This CHMP only applies to Lot 1 DP 583323 Douglas Park, where the substation will be built. The remainder of the project, will be assessed under a different approvals process and not under Part 3A of the *EPA Act*.

2.3 Objectives of the CHMP

This CHMP seeks to avoid harm to Aboriginal Objects and to the extent that harm cannot reasonably be avoided, to minimise potential impacts on Aboriginal Objects within the substation project area by:

- ensuring the direct involvement of the Stakeholder groups in the development and implementation of this CHMP
- maximising the Stakeholder group's direct management of and involvement in all management actions deemed necessary to cause the least amount of impact possible to Aboriginal Cultural Heritage in the substation development area.
- demonstrating respect for Aboriginal culture and Aboriginal cultural heritage and by ensuring that all involved in the implementation of this CHMP and implementation of the road construction demonstrate such respect
- undertaking archaeological research to qualify potential risks of impact to Aboriginal objects.

3.0 COMPLIANCE WITH THE INTERIM GUIDELINES

The Interim Guidelines prescribe DEC consultation requirements for the preparation of application for approvals under Part 6 of the NPW Act. As the project is to be assessed under Part 3A of the EPA Act, Part 6 Consultation is required from the beginning of the cultural heritage assessment component of the project.

In summary, the Interim Guidelines require a number of steps to occur. Set out below is a summary of each of the steps together with how the proponents have complied with each step.

3.1 Invitation to become a Registered Stakeholder

In accordance with the Interim Guidelines, notification of the BHPBIC intention to initiate a cultural heritage assessment was mailed to the Tharawal Local Aboriginal Land Council, Cubbitch Barta Native Title Claimants and the Wadi Wadi Coomaditchie Aboriginal Corporation (Care of the Northern Illawarra Aboriginal Collective), the Registrar of Aboriginal Owners, Native Title Services, Wollondilly Shire Council and the Department of Environment and Conservation.

On 10 October 2006 notices were placed in the Macarthur Chronicle and the Wollondilly Advertiser inviting interested Aboriginal parties to write to Biosis Research on behalf of BHPBIC, by 23 October 2006 to formally register their interest in taking part in the development of a CHMP. A copy of the advertisement is presented as Appendix A.

There were no Aboriginal group or community responses in addition to the groups notified directly at the beginning of the assessment process. In November another Aboriginal group who are identified as Simms Gundungara registered interested care of the Northern Illawarra Aboriginal Collective. This group was included into the consultation process of the project.

3.2 Methodology

The Interim Guidelines require the preparation of a methodology for the Cultural Heritage Assessment and the CHMP that takes into consideration:

- notifying Aboriginal people in sufficient detail about activities which may impact on Aboriginal heritage, so that concerns can be identified;
- providing the opportunity for Aboriginal people who hold knowledge to contribute to the assessment process;
- identifying objects and places of significance to the Aboriginal community that may be impacted by the proposal so that these impacts can be avoided wherever possible; and
- identifying whether there are culturally acceptable mitigation measures when impacts are considered to be unavoidable by the proponent.

On 10 October 2006 Biosis Research circulated a draft methodology to the Stakeholder groups for comment. Stakeholder groups were given until 30 October 2006 to provide written comment on the draft methodology. No comments were received from any of the registered stakeholders, and the draft methodology was used

in the cultural heritage survey and assessment. A copy of the draft methodology is attached at Appendix B.

3.3 Preparation of the draft CHMP

The Interim Guidelines require the finalised methodology to be implemented and a draft cultural heritage assessment and a CHMP be prepared. The CHMP must include:

- details of Aboriginal Objects and places and how they will be impacted by the development;
- detail of the consultation undertaken and how comments received at various times were considered; and
- include management and mitigation recommendations drawing on both information provided by the stakeholders and the results of the cultural and archaeological assessments.

In accordance with the finalised methodology, a field inspection was held on 2 November 2006 to survey the proposed location of the substation site.

The detailed results of the field inspection used to complete cultural heritage assessment and to inform the Management Strategy that has been adopted in section 5.0 of this CHMP.

On 17 November 2006 a draft version of the cultural heritage assessment was circulated to the Stakeholder. Twenty-one days was allocated for review and comment on the document with written comments due on 12 December 2006.

Agreement and support for the recommendations of the draft report was received from two of the four Aboriginal stakeholders, Tharawal Local Aboriginal Land Council and Cubbitch Barta Native Title Claimants. No comment was received in regards to the report from the Wadi Wadi Coomaditchie Aboriginal Corporation or the Aboriginal group identified as the Simms Gundungara.

The comments received were formally acknowledged, considered and the draft cultural heritage assessment was then finalised.

4.0 CULTURAL HERITAGE ASSESSMENT

4.1 Previous Studies

Five cultural heritage studies have been completed within the vicinity of the new substation. Below is a brief outline of the previous archaeological and cultural heritage assessments.

In chronological order these are Demkiw (1985), Sefton (1998 and 1999) and Biosis Research (2004 and 2006). Demkiw conducted surveys to the north of the study area as part of an undergraduate prehistory assignment for the University of New England; Sefton conducted surveys focused on the Nepean River gorge for the proposed Tower Colliery Longwalls 16 – 24 (now the Douglas Project); Biosis Research conducted reconnaissance surveys as part of an Appin Colliery project (2004); and conducted archaeological and heritage surveys of the proposed Douglas Area 7 longwall mining area (2006).

Sefton's 1998 surveys covered a very large area, taking in both sides of the Nepean River, and major and minor tributaries including Elladale Creek and Simpson's Creek. Part of this study runs adjacent to the current study area along the Nepean River. During these surveys four archaeological sites were discovered: a shelter with archaeological deposit, and three shelters with art. Of these, Brooks Point 8 (52-2-1921) is approximately 500 m outside the present study area on the eastern side of the Nepean River gorge. Sefton also identified seven overhangs with the potential for archaeological deposits, but these were not formally recorded on the AHIMS register and are outside the present study area.

Sefton's 1999 surveys were not as extensive as those conducted the year before, but nevertheless covered both sides of the Nepean, the southern side of Ousedale Creek and an unnamed tributary (sometimes referred to as Lyrebird Creek). These areas are located to the north east, beyond the Douglas North study area. During these surveys six previously unknown sites were discovered: a shelter with art, four shelters with deposit and a single scarred tree. In addition, Sefton identified three sites with potential archaeological deposit, which were not formally recorded.

Vanessa Hardy and Melissa Johnson of Biosis Research conducted surveys of several areas in and around the Douglas Park study area in 2004. These surveys took in portions of the undulating plateau above the Nepean River, as well as the rugged sandstone terrain that had been focused on by Sefton. The surveys revisited some previously recorded sites and discovered three new sandstone overhangs with potential archaeological deposit. They also noted the presence of potential scarred trees and located several features of historical interest. None of these sites are located within the Douglas North study area.

Biosis Research undertook an Archaeological and heritage survey of the proposed Douglas Area 7 Longwall mining area for BHP Billiton Illawarra Coal (2006). Due to a high level of previous work, a complimentary coverage strategy was used during the survey. The southern part of this assessment covers a portion of the current study area. The survey visited previously recorded Aboriginal archaeological sites, and identified

nine additional Aboriginal archaeological sites (eight stone artefact scatters and one shelter with art). Two artefact sites (Moreton Park Road 1 and 2) are located within the present study area.

4.2 Cultural Values

No aboriginal community expressed specific cultural heritage values for this site; however, the presence of the Aboriginal archaeological object is an indicator that Aboriginal people once inhabited the area.

4.3 Aboriginal Objects

A search of the records held on the DEC's Aboriginal Heritage Information Management System site identified three previous recorded sites within a 2 km radius around the site. A recent archaeological survey conducted by Biosis Research for the Douglas Area 7 Project identified eight additional sites in and around the study area of that survey (2006). At the time of writing this CHMP, these sites had yet to be entered into the AHIMS database; however these sites were included into the cultural heritage assessment report.

The archaeological survey that was conducted for the cultural heritage assessment report did not identify any additional Aboriginal objects, however, the known archaeological sites were relocated in relation to the proposed substation site. It was confirmed that this site, known as Moreton Park Road 1, was within the immediate vicinity of the substation location.

A search for known European cultural heritage sites and places was carried out of the NSW Heritage Registers and revealed that there were no known recorded European sites in the proposed substation location.

5.0 MANAGEMENT STRATEGY

5.1 Background

As summarised in Section 4.1 of the CHMP, there have been a series of Aboriginal cultural heritage inspections undertaken within the immediate vicinity of the substation site. The type and nature of the Aboriginal Objects identified in these studies have included artefact scatters, sandstone rock shelters with art and a scarred tree. The cultural heritage assessment for this project identified one Aboriginal site within the immediate vicinity of the substation location. The impact from the development of the substation, and its day to day operations will only have an impact on this archaeological site and any potential subsurface archaeological deposits.

Biosis Research have developed this Management Strategy contained in this CHMP, taking into account the results of the previous studies, and from the cultural heritage assessment (Biosis Research December 2006b).

5.2 Objectives of the Management Strategy

The overall Management Strategy for the substation area has the broad aims of:

- better understanding the nature of the deposits and the varying levels of disturbance in specifically identified areas; and
- if intact deposits are identified, these will be appropriately investigated.

It is considered that undertaking archaeological test excavation program within the area of the development footprint of the substation site will fulfil these aims.

5.3 Structure of the Management Strategy

The Management Strategy is structured as follows:

Step 1 carry out an archaeological test excavation program within the development area of the substation site, including access road and borehole site.

Step 2 analysis of the archaeological material collected from the archaeological test excavation at the completion of the archaeological testing program.

6.0 STEP 1 – ARCHAEOLOGICAL TEST EXCAVATION PROGRAM

A scientific archaeological test excavation program across the development footprint of the substation will be conducted to identify presence and/or absence of subsurface Aboriginal archaeological objects. The test excavation will determine the significance and extent of any intact deposits or archaeological material that exist within the site.

The testing program will be undertaken by an archaeologist, with the assistance of at least one Aboriginal representative from each of the relevant Aboriginal groups identified from the consultation process outlined in Section 3 of this CHMP.

A single series of evenly spaced shovel test pits will be conducted along the proposed route of the access road. A series of 0.5 m x 0.5 m test pits will be placed across the footprint of the substation site.

6.1 Excavation Procedures

The scientific excavation will be carried out by hand. The specification of the test pits will be as follows:

- Shovel test pits will be placed along centre of the proposed access road, spaced 20 m apart

The shovel test pits will be used along the centre of the proposed access track and borehole location where there will be limited disturbance to the area. These test pits will be used to determine the soil depth and profile across the site, as well as to test for potential archaeological material.

- 0.5m x 0.5 m test trenches across the substation footprint, 10 m apart across the length and width of the site

These test pits will be used only within the proposed footprint of the substation site as it is close to the location of the known archaeological site, and the level of disturbance to the area will be higher. These trenches will be used to determine the absence and / or presence of subsurface archaeological material in the area, as well as, the extent of any subsurface archaeological deposit.

All excavated material will be sieved through a 3mm sieve mesh. Sieved cultural material will be collected and bagged for laboratory analysis. Should excavations reveal significant cultural heritage material, and if the archaeologist believes it is warranted, further excavations may be conducted.

All excavations will be recorded in detail and include GPS locations, photographs and section drawings. Excavated cultural material will be collected and temporarily stored in a lockable cabinet at a secure designated area. Material will be returned to the site when the construction works have been finalised.

7.0 STEP 2 – ANALYSIS OF THE ARCHAEOLOGICAL MATERIAL

Basic analysis of the excavated material will be carried out by the archaeologist, which will include a scientific description of the cultural material.

This detailed information will be collated into a report. A copy of this report will be submitted to the DEC after being circulated to Stakeholder groups for comment before being finalised.

7.1 Recommendations from the Test Excavation and analysis

At the conclusion of the archaeological testing program and analysis of any archaeological material, a decision will be made on the bases of the results of the test excavation. Based on the findings, one of the following three recommendations will be instigated:

Standard Recommendations

- *At the consultation of the archaeological works, this CHMP should be finalised with a section relating to the construction works associated with the Substation site.*
-
- *The known archaeological site is to be fenced off to be protected*
-
- *All personal involved with the construction will be informed to the sites location, protection and cultural sensitivity*
-

Specific Recommendations based on the result of the test excavation

- *Recommendation 1: No archaeological objects identified – no further work is required.* This recommendation will be instigated if no additional archaeological objects are identified within the study area.
- *Recommendation 2: No Significant archaeological objects present – no further work is required.* This will be recommended if the outcomes of the archaeological testing excavation identify archaeological objects, however, the analysis of the deposits has been assessed as not being of high significance and no further work is required.
- *Recommendation 3: Significant archaeological material exists - specific area salvage excavation is required.* This recommendation will be implemented if the analysis of archaeological material is identified as significant, in terms of archaeological material density or its cultural or technical value. The entire site will not be excavated, only the specific area where the archaeological material was recovered from. The excavation will be undertaken by controlled archaeological excavation plan.

References

- Biosis Research (Hardy, V., Johnson, M. and C. Lewczak) 2004. *An Archaeological Reconnaissance Survey of Appin Area 7: Nepean River New South Wales*, for BHP Billiton Illawarra Coal.
- Biosis Research (Jamie Reeves, Chris Lewczak and Melanie Thomson), 2006 a, Douglas Area 7 Project Environmental Impact Statement appendix H: Impacts on Indigenous and Historic Archaeology Revised Report . Unpublished report for BHP Billiton.
- Biosis Research (Chris Lewczak and Sarah Burke), 2006 b, Douglas North 66/11kV Substation and Transmission Line Upgrade: Aboriginal and Historical Cultural Heritage Assessment. Unpublished report for Olsen Environmental
- Demkiw, R. 1985. The Koori of the Manhandle: Survey of a Possible Aboriginal Site in the Menangle / Douglas Park Area, New South Wales. Unpublished Manuscript.
- Sefton, C. 1998, *Archaeological Investigation of Longwalls 16 and 17 and Future Mining Extensions, Tower Colliery*, for Collieries Division, BHP Australia Coal.
- Sefton, C. 1999, *Archaeological Investigation of Longwalls 18-24 Tower Colliery*, for BHP Coal – Illawarra Collieries.

Appendix A: Part 6 consultation advertisement: Notification of Interest

**DOUGLAS NORTH SUBSTATION PROJECT
ABORIGINAL HERITAGE ASSESSMENT
NOTIFICATION AND REGISTRATION OF ABORIGINAL INTERESTS**

BHP Billiton Illawarra Coal is planning to install a new substation at Douglas North. The substation is to service future operations in the vicinity of Douglas Park, NSW.

BHP Billiton may be applying to the NSW Department of Environment and Conservation for approvals under Part 6 of the *National Parks and Wildlife Act 1974* for archaeological work to be undertaken in association with the proposed mine area.

BHP Billiton invites groups and individuals to register their interest in the Aboriginal Cultural Heritage assessment of the project.

Please register in writing to:

Chris Lewczak / Sarah Burke
Biosis Research Pty. Ltd.
15 – 17 Henrietta St
Chippendale NSW 2137
Tel: 02 9690 2777
Fax: 02 960 2577

REGISTRATIONS MUST BE RECEIVED BEFORE C.O.B MONDAY 23rd October 2006

Appendix B: Cultural Heritage Assessment Methodology

PROPOSED METHODOLOGY FOR CULTURAL ASSESSMENT AND SCIENTIFIC / ARCHAEOLOGICAL ASSESSMENT

Douglas North Substation Project

Background Research

The following activities will be undertaken during the background research phase:

- Search for sites on the NSW DEC AHIMS for the study area and surrounding vicinity
- Review of relevant site records for the study area and surrounding vicinity
- Review of relevant reports from the region
- Search of the NSW Heritage Office database and State Heritage Register
- Inspection of heritage lists in relevant local planning instruments

This data will be collated and mapped to show the locations of the previously recorded sites. The data will also be used to formulate predictive statements regarding Aboriginal archaeological site distribution within the study area. The predictive statements will be based on terrain units, and will be used to help design the specific locations of the field survey.

Cultural and Archaeological Survey

The cultural and archaeological survey will be conducted as follows:

- Known sites will be revisited to confirm their location, and to make a current record of their condition
- Pedestrian survey will be undertaken across:
 - 1) The entirety of the allotment of the proposed substation location
 - 2) Along the proposed transmission easement upgrade area, and
 - 3) Within the upgrade area of the Douglas Park Switching Station.
- The location of all sites will be recorded using a hand-held GPS unit
- Survey data will be recorded on purpose designed recording forms
- Details of sites will be recorded using purpose designed recording forms
- Appropriate plans and maps will be prepared
- Photographs of all sites and features will be taken
- Appropriate Aboriginal Community representatives will be invited to assist with the field assessment

Scientific / Archaeological Significance Assessment

The scientific values of Aboriginal archaeological sites will be assessed using three main criteria; site contents (cultural material, organic remains and site structure), site condition (degree of disturbance of a site), and representativeness (the regional distribution of a particular site type, with consideration to its condition). Each site will be given a rating on the basis of these criteria — the overall scientific significance will be determined by the cumulative score.