

APPENDIX A

Record of consultation

Stage 1: Route options assessment

23rd May 2002

Letter sent to National Parks and Wildlife Service (now DECC) Pacific Highway Project Officer Kim Forsythe outlining the Proposal and methodology for the route selection and subsequent EA (then EIS) Aboriginal heritage assessments.

14th June 2002

Correspondence received from NPWS advising no additional requirements in relation to the assessment methodology.

17th June 2002

Phone contact with Coffs Harbour and District LALC Co-ordinator David Kennedy, Project Officer Dee Murphy of the Jalumbo Cultural Heritage Research Unit, Yarrawarra Aboriginal Corporation ('Jalumbo'), and Garby Elders spokesperson Tony Perkins to explain the Proposal and invite involvement.

20th June 2002

In the absence of a phone contact, visit made to Steven Hart, spokesperson for the former Mudjay Elders group at Coffs Harbour to explain the Proposal and invite involvement. Steven Hart advised that he did not wish to be involved in the assessment.

25th June 2002

Letter faxed to Susan Hoskins, Liaison Officer for the Gumbula Julipi Elders outlining the Proposal and advising of the pending Aboriginal heritage assessment of route options. Request for names of individuals with knowledge of, and/or attachments to, this area who should be consulted. Letter tabled and discussed at the Elders' meeting on 25th June and support given for representation through the Land Council.

27th, 28th June and 1st, 2nd and 4th July 2002

Selective field survey of route options with Coffs Harbour and District LALC and Yarrawarra/Garby Elders representatives. Significance issues discussed as survey progressed.

5th July 2002

Consultation with Garby Elder Tony Perkins and Jalumbo representatives Dee Murphy, Ian Brown and Ricki Cain to assess Aboriginal cultural values of proposed route options and map the location of significant sites/places to be potentially affected.

Visit to Steven Hart, spokesperson for the former Mudjay Elders group to advise of the preliminary assessment results and seek his opinion. Advised that Option A is culturally significant and that he would not support it.

20th July 2002

Preliminary report received from Jalumbo outlining field involvement, preliminary consultation and potential impacts of the options on cultural values and attachments. Requested that Option A be removed from further consideration due to its outstanding values and recommended on-site inspections with Garby Elders.

4th September 2002

Meeting attended by RTA Project Manager Chris Clark, RTA Aboriginal Liaison Officer Mary-Lou Buck, RTA Environmental Advisor Scott Lawrence, Connell Wagner Senior Planner Rosemary Russell, NPWS Northern Aboriginal Heritage Unit officers Hilton Naden and Rebecca Edwards-Booth, Coffs Harbour and District LALC Co-ordinator David Kennedy, Garby Elders Tony Perkins, Bruce Laurie and Cecil Laurie, Yarrawarra/Jalumbo representatives Cheryl Perkins, Dee Murphy, Ian Brown and Richard Preece, and the project archaeologist. The meeting centred on the Aboriginal heritage values of Option A and how these might be avoided in the event that this option was pursued.

5th September 2002

General field reconnaissance with Garby Elders Bruce Laurie and Cecil Laurie and senior Jalumbo sites officer Ian Brown to familiarise them with the options and facilitate an informed assessment of cultural values. Consultation on return to further identify and assess cultural sites and values, and to rate the relative values of options, also involving Tony Perkins, Dee Murphy, Cheryl Brown and Ricki Cain.

Visit to Land Council Co-ordinator David Kennedy to outline and discuss the results and information gathered as a result of the above reconnaissance and consultation.

10th September 2002

Jalumbo Acting Manager and Garby Elders Secretary Cheryl Perkins and Jalumbo Project Officer Dee Murphy attended Community Focus Group Meeting No 8, where they outlined concerns for the impact of Option A on a site of outstanding cultural importance.

18th September 2002

Correspondence received from Coffs Harbour and District LALC stating opposition to Option A and Option B2 due to the cultural significance of sites within those alignments. Support given for Option C and an upgrading of the existing highway (Option D).

25th September 2002

Draft Aboriginal heritage options assessment report supplied to Yarrawarra/Garby Elders and Coffs Harbour and District LALC/Gumbula Julipi Elders for further input and comment.

September 2002

Draft report accepted unmodified. Correspondence from Jalumbo on behalf of Yarrawarra and the Garby Elders. Recommended rejection of Option A and adoption of Option D as the preferred alignment.

7th March 2003

Meeting with Jalumbo, Garby Elders, Coffs Harbour and District LALC and Gumbula Julipi Elders representatives to discuss confidentiality requirements in relation to the Aboriginal heritage assessment report. All requested that the report not be made available for public dissemination to protect sensitive cultural information.

31st March 2003

Value Management Workshop attended and addressed by Garby Elder Tony Perkins to explain the outstanding cultural values attached to Option A.

19th September 2003

Meeting with Garby Elder Tony Perkins and Ian Brown, Ricki Cain and Dee Murphy of the Jalumbo Cultural Heritage Research Unit, Yarrawarra Aboriginal Corporation, to discuss constraints with respect to new Options C2 and E.

Meeting with Coffs Harbour and District LALC sites officer Chris Spencer to discuss constraints with respect to Options C2 and E.

23rd September 2003

Draft copy of constraints overview of Options C2 and E provided to Coffs Harbour and District LALC and Yarrawarra Aboriginal Corporation/Garby Elders.

29th September 2003

Correspondence received from Yarrawarra Aboriginal Corporation/Garby Elders agreeing with the draft Options C2 and E overview, giving permission for publication purposes.

Stage 2: Environmental assessment

3rd March 2005

Inception meeting attended by Garby Elder Tony Perkins, Coffs Harbour and District LALC senior sites officer and Gumbula Julipi Elder Mark Flanders, Steven Hart, RTA Project Manager Chris Clark, Connell Wagner personnel Tim Paterson (Project Manager), Nick Hearfield and Barry Hancock, and the project archaeologist.

2nd May 2005

Phone contact with Coffs Harbour and District LALC Co-ordinator Michael Rogers and sites officer Chris Spencer and Jalumbo Project Officer Dee Murphy to further discuss the Proposal and arrange field involvement.

16th, 17th, 18th and 19th May 2005

Field survey of the Proposal with Coffs Harbour and District LALC/Gumbula Julipi Elders and Yarrawarra/Garby Elders representatives. Significance issues discussed as survey progressed.

20th May 2005

Consultation with Garby Elder Tony Perkins, Jalumbo and Coffs Harbour and District LALC representatives to discuss survey results, assess cultural values and determine any previously undocumented issues.

23rd June 2005

General field reconnaissance with Garby Elders Cecil Laurie, Keith Lardner and Ricki Cain to familiarise them with the preferred alignment and facilitate an informed assessment of cultural values.

24th June 2005

General field reconnaissance with Gumbula Julipi Elders Tony Flanders and Ken Nayda to familiarise them with the preferred alignment and facilitate an informed assessment of cultural values.

Consultation with Steven Hart and Terry Carberry of the former Mudjay Elders group to advise them of the assessment results and further determine any previously undocumented cultural values/issues.

27th June 2005

Phone contact with Jalumbo Manager Sue Tomkins to advise her of survey and consultation results.

July 2005

Draft Aboriginal heritage assessment report supplied to Yarrawarra/Jalumbo, Garby Elders, the Coffs Harbour and District LALC and Gumbula Julipi Elders for further input and comment.

10th August 2005

Response from Yarrawarra/Garby Elders supporting draft management recommendations but also recommending test excavations in the vicinity of S2W-4 and on Embankment Road and Arrawarra Creek (these recommendations duly incorporated into the final report).

15th August 2005

Response from Coffs Harbour and District LALC endorsing assessment findings and draft management recommendations.

30th May 2006

Consultation with Garby Elder Tony Perkins, Jalumbo Manager Shirley Duroux and Project Officer Dee Murphy, and Coffs Harbour and District LALC sites officer Chris Spencer regarding proposed re-alignment to avoid impact on S2W-4 at the Coffs Harbour Clay Target Club. Re-alignment supported by all parties.

May 2007

Advised Coffs Harbour and District LALC Co-ordinator (former sites officer) Chris Spencer and sites officer and Gumbula Julipi Elder Mark Flanders, and Jalumbo representatives Ian Brown and Dee Murphy of the impending revision of the draft Aboriginal heritage assessment to bring it in line with the more recent environmental assessment requirements under Part 3A of the EP&A Act.

20th June 2007

Phone contact with Jalumbo Project Officer Dee Murphy to enquire regarding the cultural significance of S2W-12 and appropriate management recommendations. Dee advised that she would call back with this information as soon as possible.

22nd June 2007

Phone contact with Coffs Harbour and District LALC Co-ordinator Chris Spencer to enquire regarding the cultural significance of S2W-12 and appropriate management recommendations. Directed to consult senior Land Council sites officer and Gumbula Julipi Elder Mark Flanders.

Phone contact with Mark Flanders. Advised that S2W-12 is of low-moderate cultural significance due to past disturbance. Recommended artefact collection following the removal of buildings, and monitoring of initial topsoil disturbance.

Phone contact with Jalumbo Project Officer Dee Murphy to enquire regarding the cultural significance of S2W-12 and appropriate management recommendations. Since last contact on the 20th of June, Dee had liaised with Garby Elder Milton Duroux, but had been unable to contact Ricki Cain. Advised that on known information, S2W-12 is assessed to have a low-moderate level of cultural significance due to past disturbance. Endorsed Mark Flanders' recommendation for artefact collection following the removal of buildings, and monitoring of initial topsoil disturbance.

The possible disturbance of the grave of 'Tommy Twohead' during construction of a proposed property access road was also discussed. Dee advised that, like all Aboriginal burials, this burial is of high cultural significance and should be preserved *in situ*. Because the burial of 'Tommy Twohead' would not necessarily be detected using remote sensing or archaeological test pitting methods it was resolved that-

- In an effort to pinpoint the burial location in relation to the proposed property access road alignment, consultation should be undertaken with Holder family descendants (the burial was reported in a local historical publication written by the late Ben Holder in 1984). However, given that the burial took place in 1885-6, this consultation seemed unlikely to provide a resolution.
- If possible, the western north/south alignment of the proposed property access road south of Moonee Creek be moved east into the western periphery of the adjoining property.
- Failing the above, the property access road south of Moonee Creek be constructed on fill over a geo-textile barrier, such that no ground disturbance (other than necessary tree clearance) occurs. Any necessary tree clearance to be monitored by Aboriginal stakeholder representatives.

APPENDIX B

Correspondence from Aboriginal organisations



Coffs Harbour & District Local Aboriginal Land Council

Cnr Pacific Highway & Arthur Street, Coffs Harbour 2450
PO Box 6150, Coffs Harbour Plaza NSW 2450

Phone: (02) 6652 8740

Fax: (02) 6652 5923

15th August 2005

Attention: Mrs Jacqueline Collins

Consultant Archaeologist
Adise Pty Ltd
11 Camden Head Road
Dunbogan NSW 2443

RE: CULTURAL HERITAGE ASSESSMENT SAPPHIRE TO WOOLGOOLGA HIGHWAY PLANNING

Dear Jackie,

Thank you for the opportunity to comment on your draft report for the planning of the Sapphire to Woolgoolga, Pacific Highway upgrade.

After having received and reviewed your draft report for the above project, Coffs Harbour and District Local Aboriginal Land Council endorse the report as a true and accurate record of the field study performed by Mr Mark Flanders, Senior Site Officer and Mr Chris Spencer, Site Officer on the 16th through to the 19th of May 2005.

It should be noted however, that the Coffs Harbour and District Local Aboriginal Land Council are in favour of the recommendations put forward in the context of the report and the these recommendation will need to be strictly followed in relation to Cultural Heritage issues.

Also if the access road to the Coffs Harbour Clay Target Club cannot be realigned, then surface material collection will need to be implemented along with monitoring by members of Coffs Harbour and District Local Aboriginal Land Council during any ground disturbance works in that area.

If you have anything further you would like to discuss in relation to this matter, please do not hesitate to call me on the above number.

Yours truly,

Chris Spencer
Site Officer



Garby Elders

172 Redrock Road, Corindi
Beach

PO Box 102 NSW 2456

Phone: (02) 66492669

Fax: (02) 66492331

Jacqueline Collins: Adise Pty Ltd
11 Camden Head Road
Dunbogan NSW 2443

Dear Jacqui,

**RE: Coffs Harbour Highway Planning Sapphire to Woolgoolga EIS
Working Paper: Aboriginal Heritage Assessment**

Representatives of the Garby Elders and Yarrawarra Aboriginal Corporation have been involved with the cultural research for the Moonee to Arrawarra section of the Coffs Harbour Pacific Highway Upgrade for several years. We have just received the above draft report for review.

The preferred route avoids many of the important Aboriginal Sites and Aboriginal Places that we have identified. We support most of your recommendations for further research and monitoring. Our major concerns that arise from the selected route relate to two ceremonial areas:

- #22-1-138 (S2W-4), the Moonee camp and ceremonial area
- Arrawarra Creek ceremonial area and camp

We support your recommendations for avoidance of these areas. However, their proximity to the highway construction footprint may lead to accidental damage, particularly as the nature and extent of the cultural materials associated with these Aboriginal Sites are not known. We recommend test pitting in these surroundings prior to ground disturbing works, as well as temporary fencing and monitoring during initial construction works.

We hope that you can include these recommendations to relieve our concerns. Do not hesitate to contact our representatives, Tony Perkins, Dee Murphy, Richard Preece or Ricki Cain on Phone 66492669 or Fax 66492331. We look forward to hearing from you in the near future.

Yours sincerely,

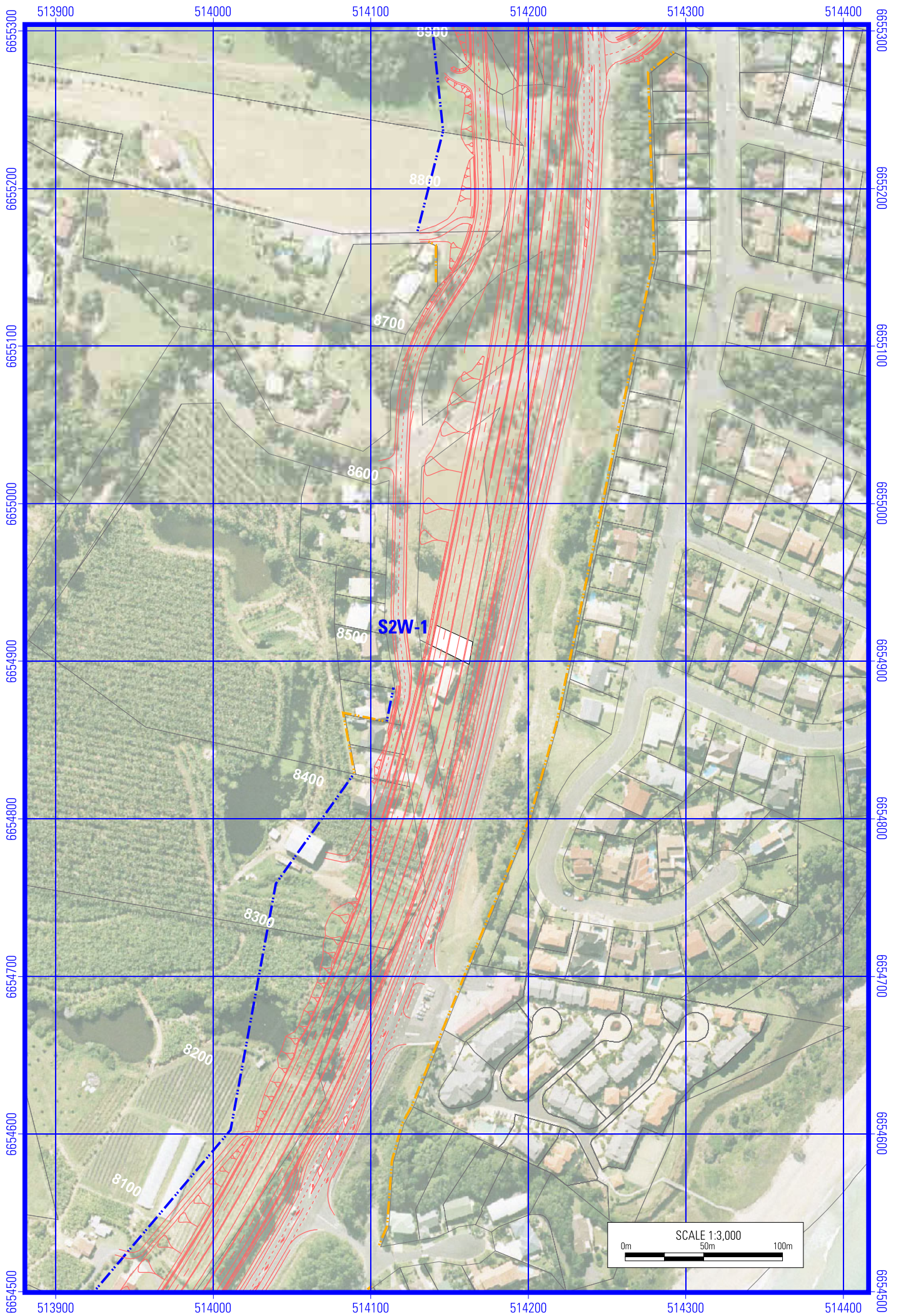
Tony Perkins

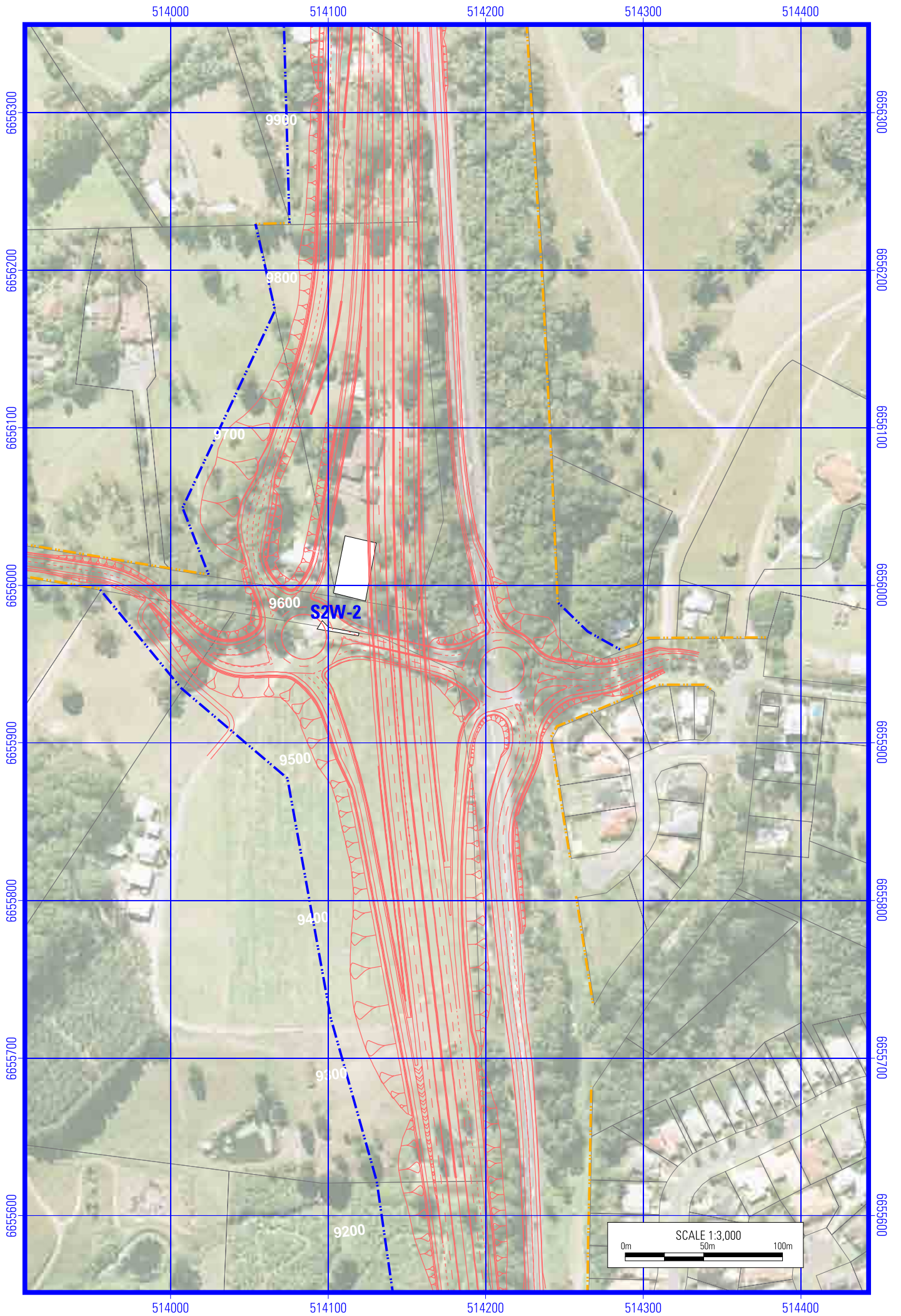
Spokesperson, Garby Elders

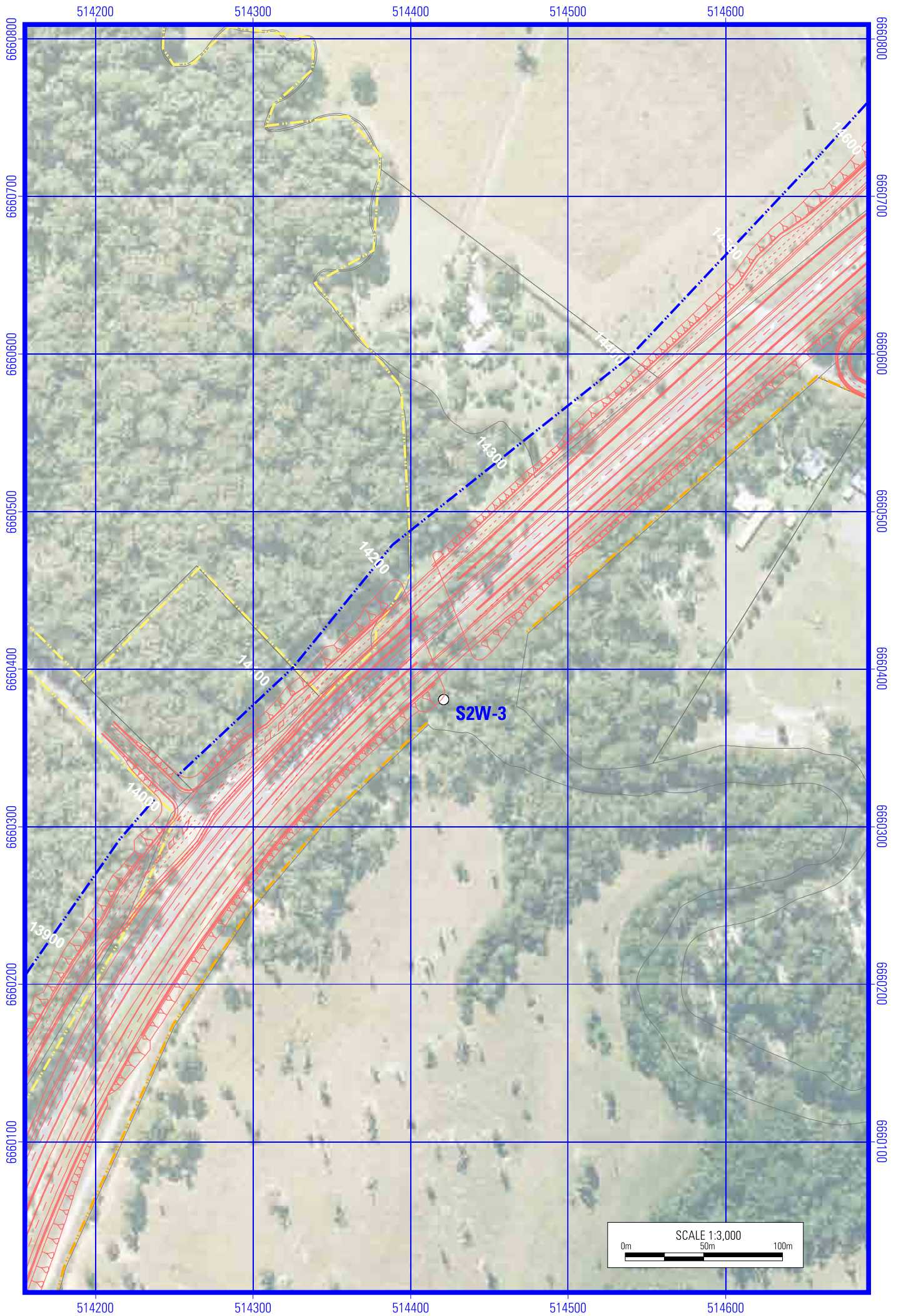
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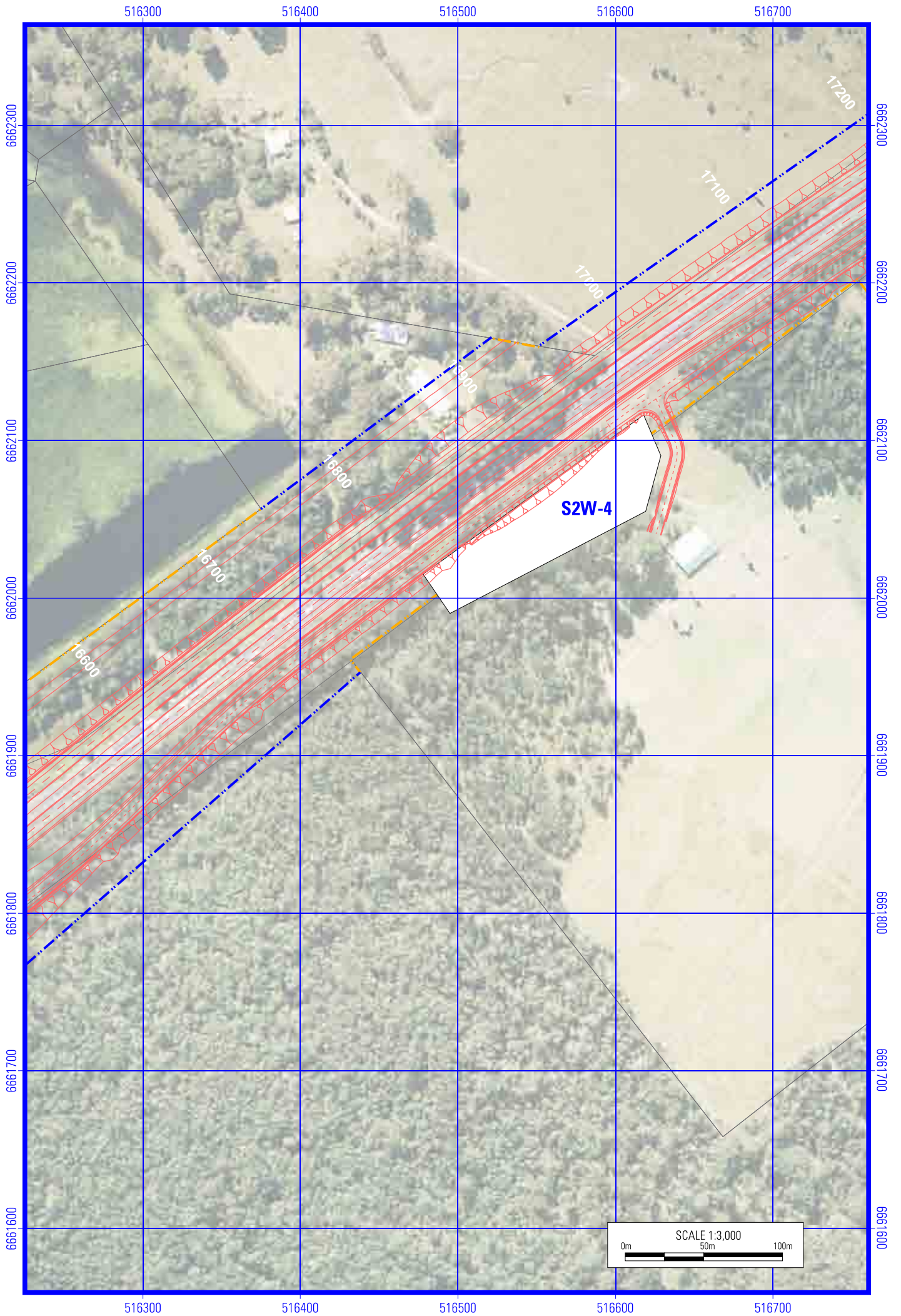
APPENDIX C

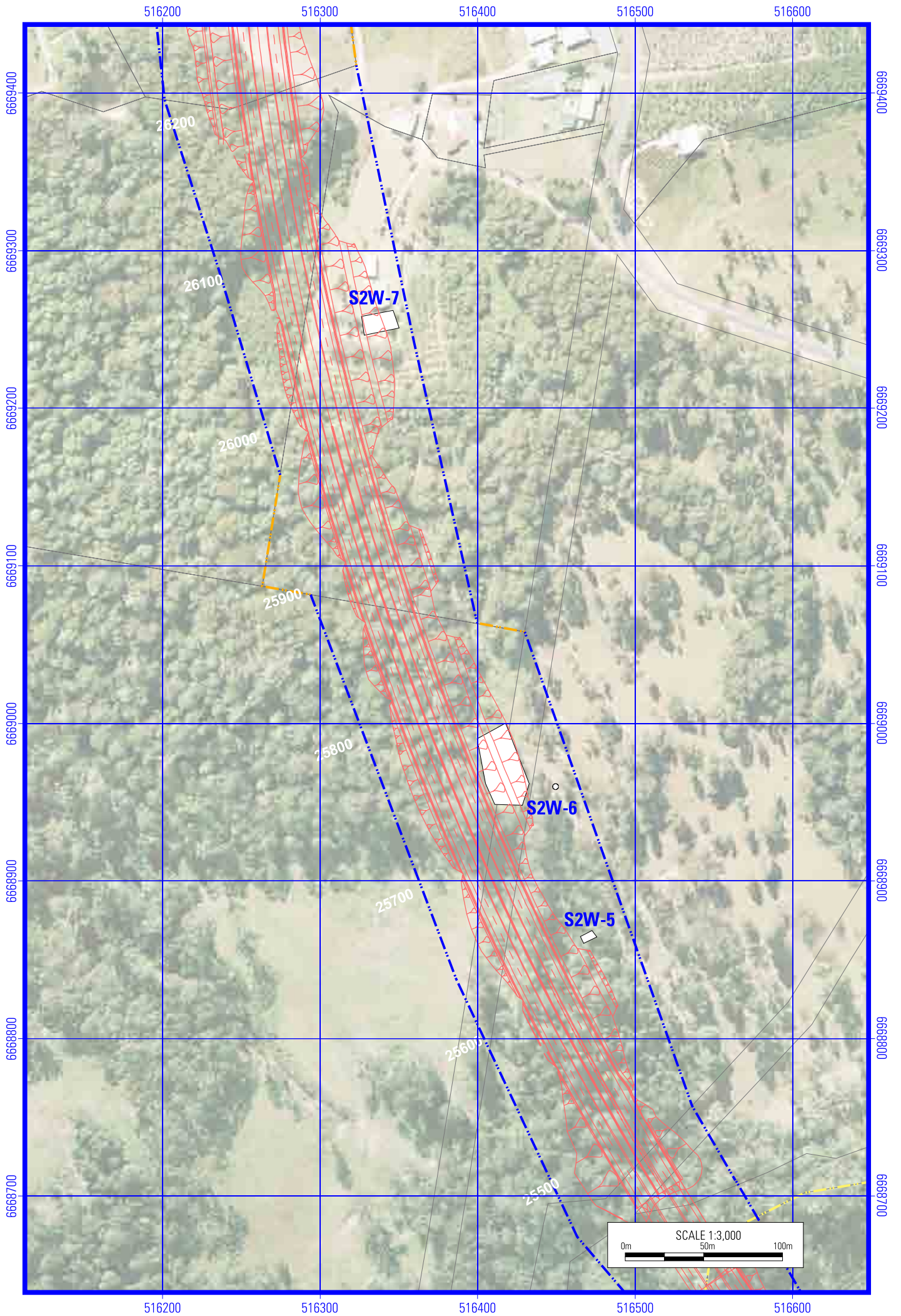
Archaeological site/PAD locations in relation to the Proposal

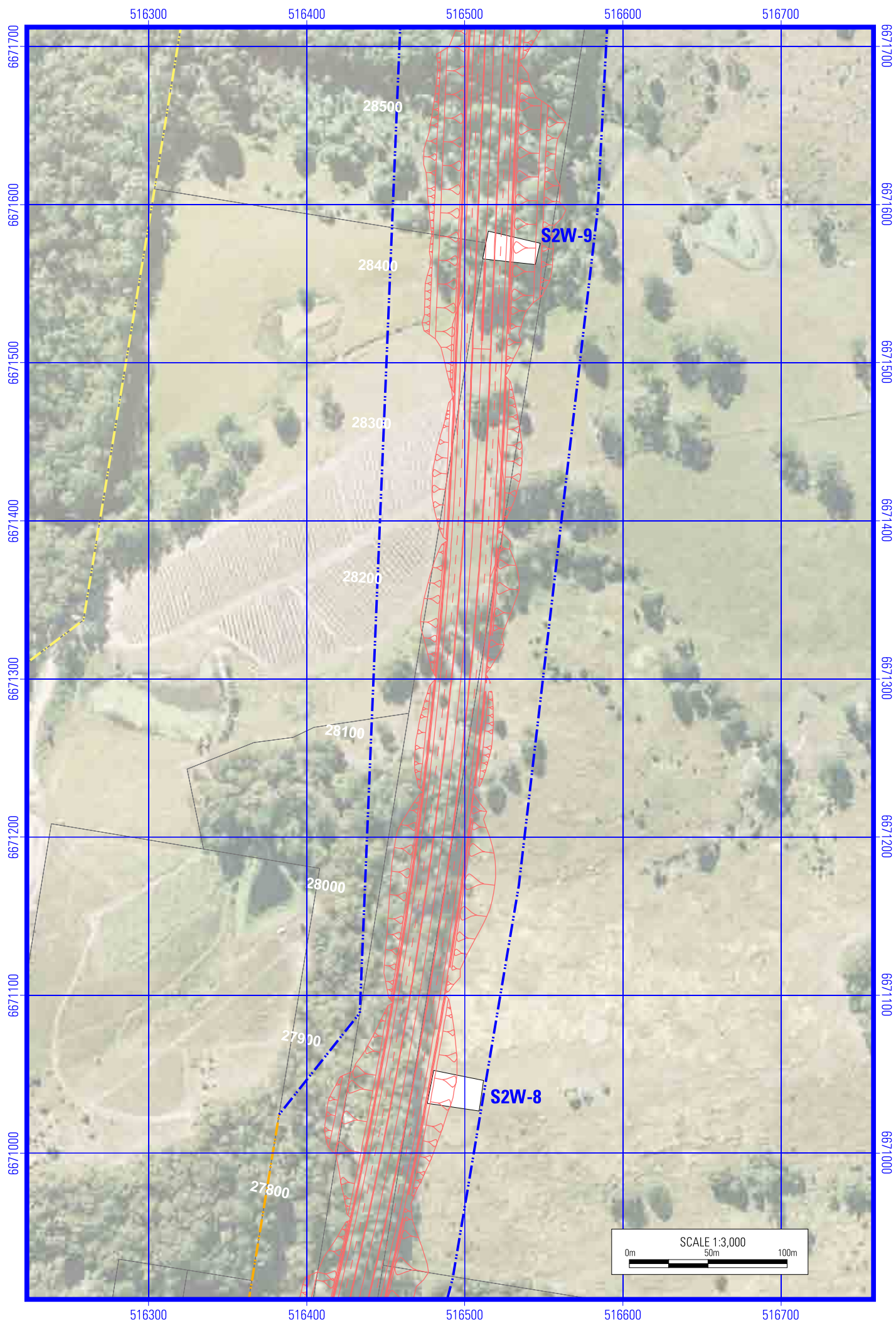


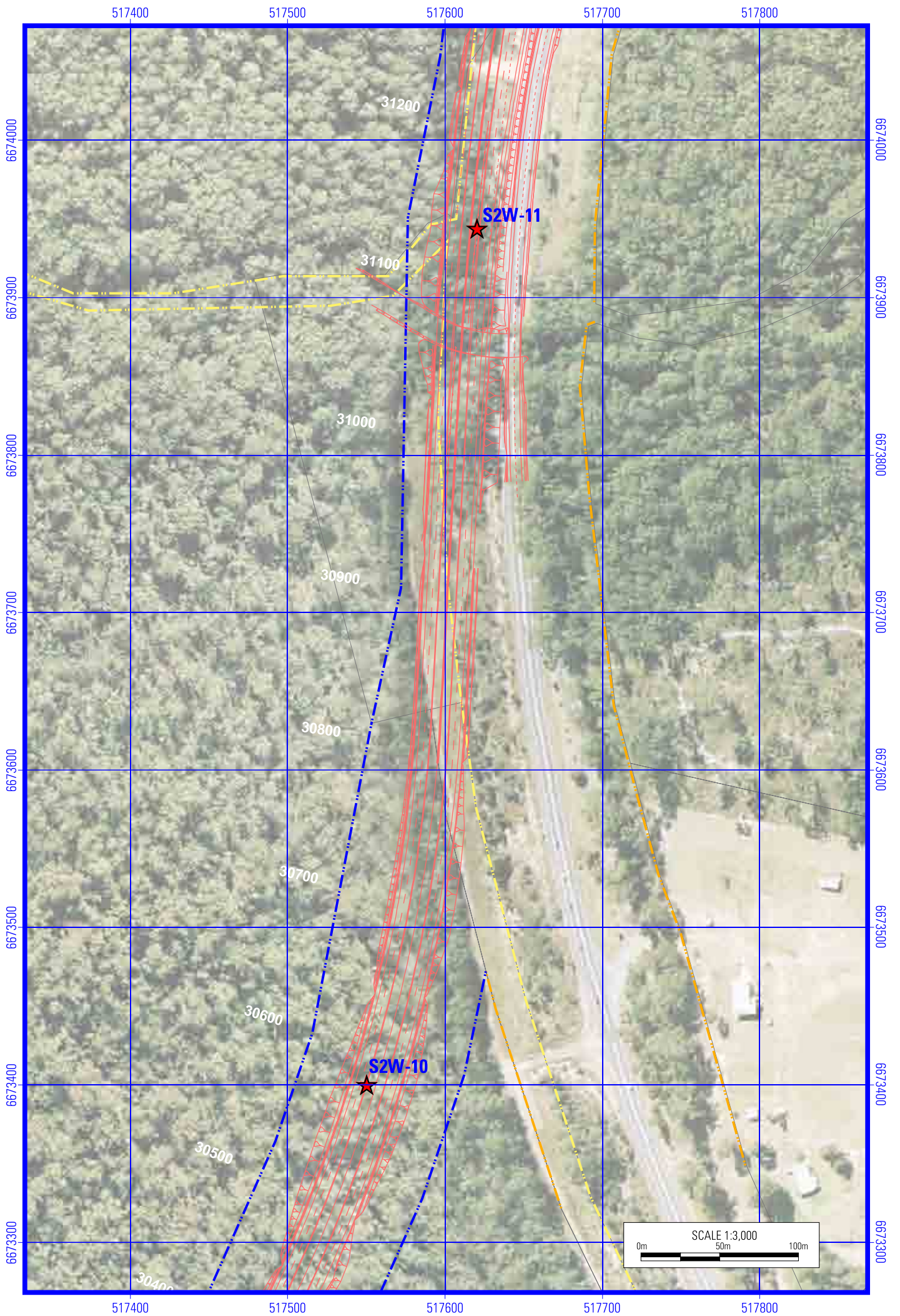


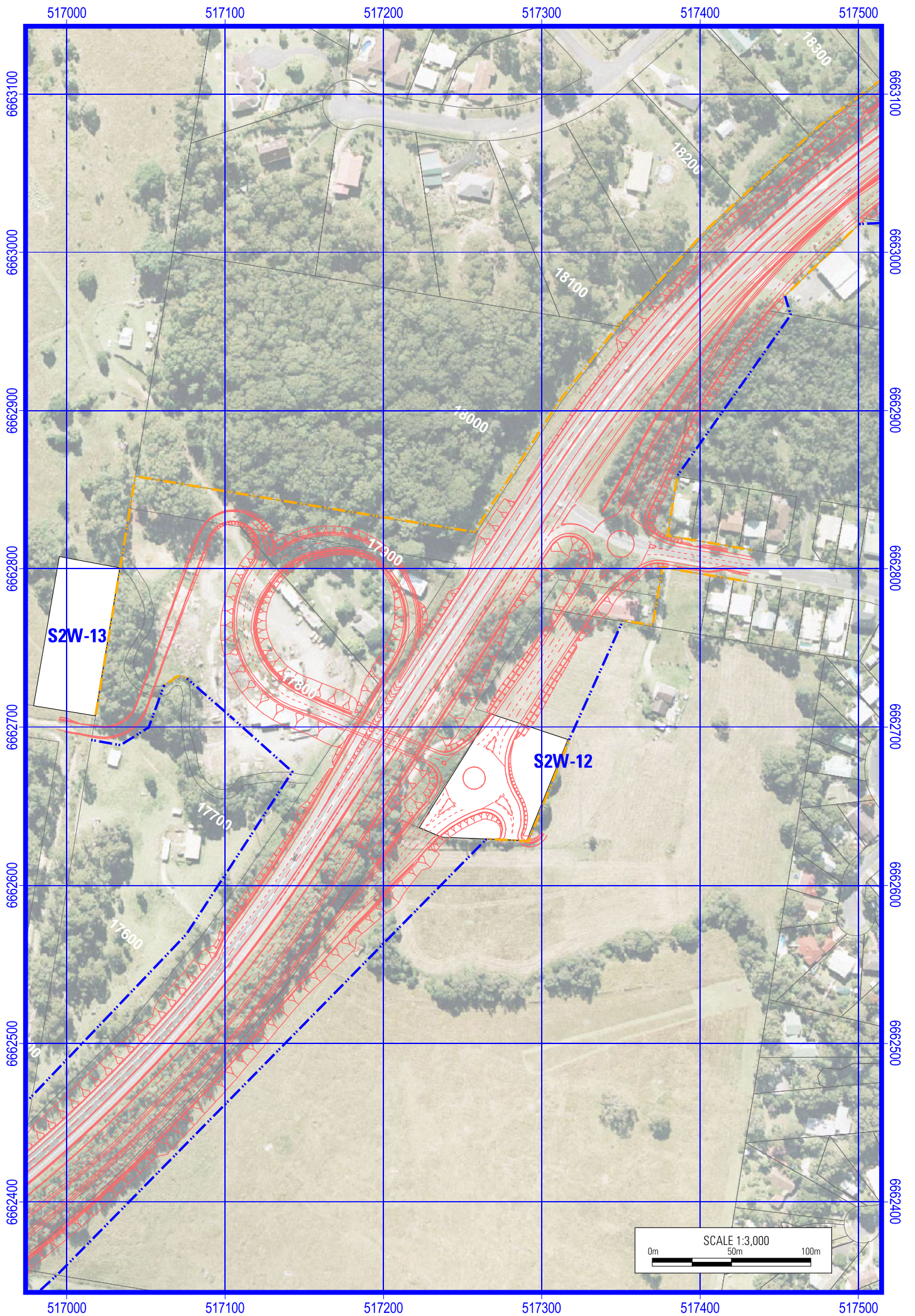










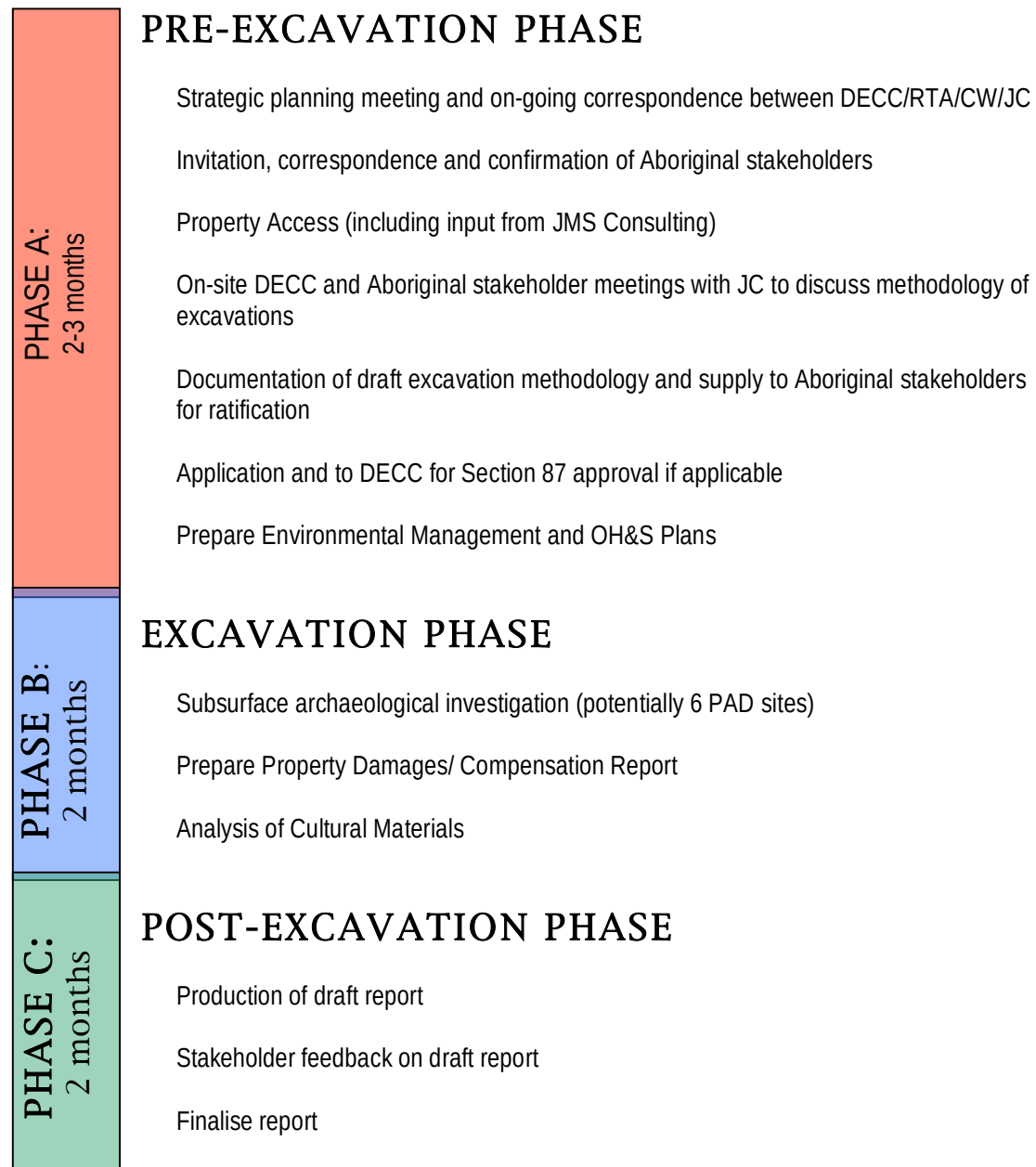


APPENDIX D

Draft Aboriginal heritage subsurface work plan

Sapphire to Woolgoolga Pacific Highway Upgrade

Draft Aboriginal Heritage Subsurface Investigation Work Plan



Scope of Works

PRE-EXCAVATION PHASE

1. *Strategic planning meeting and on-going correspondence between DECC/RTA/CW/JC*
Meeting and on-going correspondence with DECC to determine the exact scope of works and consultation and excavation methodology.

2. *Invitation, correspondence and confirmation of Aboriginal stakeholders*

Aboriginal stakeholders wishing to be involved in the subsurface testing program to be identified in accordance with the DECC 'Interim Community Consultation Requirements for Applicants', including written invitations to register interest as required (Part B, Section a), and via an advertisement in the local print media (Part B, Section b). A period of three weeks would be given for feedback from people who wish to be consulted about, or participate in, the subsurface investigations. Potential Aboriginal stakeholders include the Coffs Harbour and District Local Aboriginal Land Council, Yarrawarra Aboriginal Corporation and the Gumbula Julipi and Garby Elders. Field representatives from these groups have had considerable past excavation experience, including several Proposals working with Jacqui Collins. Although disbanded, a member of the Mudjay Elders, Steven Hart, may register as an Aboriginal stakeholder.

DURATION: 3 weeks

3. *Property Access (including input from JMS Consulting)*

Permission to be sought from property owners for access onto their properties in order to conduct sub-surface testing (to be undertaken by Jacqui Collins and JMS Consulting). This will be undertaken over a period of two weeks including letter to be sent to the owner with follow up phone calls or on-site meetings. Access to be sought from:

PAD site	Lot and DP	Ownership details	Property Address
S2W1: PAD1	Lot 2 DP 566752~Lot 4 DP 237459	Mr R Jones & Mrs HT Jones	Hunter Close, Korora
S2W4 Campsite	Lot 2 DP 245956	CH & DIST Clay Target Club INC	1720 Pacific Highway, Moonee Beach
S2W 5: PAD 2 & S2W 6: PAD 3	Lot 92 DP 1095392	Mrs Gal Costanzo & Mr A Costanzo (JNR)	Newmans Road, Woolgoolga
S2W 6: PAD 3	Lot 10 DP 752853	Mrs MJ Whitton & Mr P Whitton (<i>have previously refused access</i>)	Woolgoolga Creek Road, Woolgoolga
S2W 8: PAD 4	Lot 29 DP 259758~EP 34551	Mr RS Chouhan & TS Chouhan & Mr G Nerwal & 2 others...	Pacific Highway, Woolgoolga
S2W 9: PAD 5	LOT 5 DP 247812	Mr MW Meredith & Mrs NAL Meredith	222 Bark Hut Road, Woolgoolga
S2W 10: PAD 6		ForestsNSW	State Forests, Woolgoolga

NOTE: Property owners of Lot 10 DP 752853 have previously refused entry onto their property for investigations.

DURATION: 2 weeks

4. *On-site DECC and Aboriginal stakeholder meetings with JC*

Meeting to determine subsurface sampling methodology for each individual PAD site.

5. *Documentation of draft excavation methodology and supply to Aboriginal stakeholders/ DECC for ratification*

Documentation of individual excavation methods for all PAD sites and then supplied to Aboriginal stakeholders and DECC. Two weeks to be given for feedback from stakeholders.

DURATION: 2 weeks

6. *Application to DECC for Section 87 approval if applicable*

The RTA is still in the process of obtaining advice as to whether Section 87 permits would need to be sought. However, documentation to be prepared in case permits are to be obtained.

Note: Should the permits be required, it could take from a couple of weeks to a couple of months for DECC to process and approve the permits.

7. *Prepare Environmental Management and OH&S Plans*

Preparation of any Environmental Management plans required prior to beginning excavations. An OH&S plan in the form of a Safe Work Method Statement (SWMS) would also be required prior to working on-site.

EXCAVATION PHASE

8. *Subsurface archaeological investigation (potentially 6 PAD sites)*

Subsurface testing to establish the content, extent and significance of the PADs. Excavations are likely to require a combination of mechanical (eg. Backhoe trenches, surface scrapes and/ or bobcat-mounted auger holes) and manual (eg. Shovel test pits) techniques. Spoil from each excavation will be sieved to ensure recovery of all cultural materials. Cultural materials found will be bagged and fully recorded.

4 Aboriginal representatives (from the Aboriginal stakeholder groups mentioned above) would be present during the excavations.

DURATION: 2 weeks

9. *Property Damages/ Compensation Reports*

Prepare report for RTA on completion of subsurface work.

10. *Analysis of cultural materials*

Finds collected at the site are assessed in terms of Aboriginal social/cultural, scientific and archaeological significance.

POST-EXCAVATION PHASE

11. *Production of draft report*

Results of the excavation will be produced as a separate report from that submitted for the EA. The report will include records of consultations with the Aboriginal community, a description of excavation methods, and relevant plans and diagrams including the location of excavations and results of the excavations.

12. Stakeholder feedback on draft report

Draft report forwarded to the participating Aboriginal stakeholders to get feedback on findings.

DURATION: 3 weeks

13. Finalise report

Incorporate comments received back from Aboriginal stakeholders and the RTA/Connell Wagner.