

APPENDIX 4.

PLATES²¹

²¹ Refer also to photographs associated with site recordings in Appendix 3.



Plate 1: View south-east of the Aboriginal stakeholders inspecting Survey Area WM1 (level - very gentle simple slope) between the Sandy Hollow Railway (left) and Ulan - Wollar Road (right).



Plate 2: View south-east of Survey Area WM6 (gentle drainage depression) south of the Ulan - Wollar Road (left).



Plate 3: Modified area, along the Wilpinjong Mine access road at the intersection with the Ulan - Wollar Road, adjacent to Survey Area WM7 (left).



Plate 4: View west of Survey Area WM9 (gentle drainage depression) south of the Gulgong - Sandy Hollow Railway.



Plate 5: View south-east of Survey Area WM10 (gentle simple slope).



Plate 6: View west across Cumbo Creek (foreground) towards hillocks and ridgeline with Survey Areas WM12-29.



Plate 7: View north of Survey Areas WM17 (level - very gentle hillock) and WM18 (level - very gentle ridge crest).



Plate 8: View north-east across Survey Area WM20 (moderate simple slope) to WM19 (level - very gentle hillock).



Plate 9: View north of Survey Area WM21 (moderate spur crest).



Plate 10: View north-east from Survey Area WM13 across WM12 (gentle simple slope - foreground) and Cumbo Creek to WM32 and 30 and Site WCP1.

APPENDIX 5.

ABORIGINAL COMMUNITY CONSULTATION

Consultation Database:

Date	Person Contacted	Organisation	How Contacted	Contacted By	Organisation	Description
18/10/12	Manager	Hunter - Central Rivers Catchment Management Authority	Letter	Jamie Lees	Wilpinjong Coal	Request to notify of Aboriginal stakeholders/register interest as per OEH 2010 policy by 6 November 2012.
18/10/12	General Manager	Mid-Western Regional Council	Letter	Jamie Lees	Wilpinjong Coal	Request to notify of Aboriginal stakeholders/register interest as per OEH 2010 policy by 6 November 2012.
18/10/12	CEO	Mudgee LALC	Letter	Jamie Lees	Wilpinjong Coal	Request to notify of Aboriginal stakeholders/register interest as per OEH 2010 policy by 6 November 2012.
18/10/12	North Branch	OEH	Letter	Jamie Lees	Wilpinjong Coal	Request to notify of Aboriginal stakeholders/register interest as per OEH 2010 policy by 6 November 2012.
18/10/12	The Registrar	Office of the Registrar, Aboriginal Land Rights Act	Letter	Jamie Lees	Wilpinjong Coal	Request to notify of Aboriginal stakeholders/register interest as per OEH 2010 policy by 6 November 2012.
18/10/12	Manager	National Native Title Tribunal	Letter	Jamie Lees	Wilpinjong Coal	Request to notify of Aboriginal stakeholders/register interest as per OEH 2010 policy by 6 November 2012.
18/10/12	Manager	Native Title Services Corporation Ltd	Letter	Jamie Lees	Wilpinjong Coal	Request to notify of Aboriginal stakeholders/register interest as per OEH 2010 policy by 6 November 2012.
22/10/12	Jamie Lees	Wilpinjong Coal	Letter	Shannon Williams	Office of the Registrar, Aboriginal Land Rights Act	Responded to Wilpinjong Coal's request of 18/10/12 by advising that there are no Registered Aboriginal Owners for this area but that the Mudgee and Wanarua LALCs should be contacted.
26/10/12	Jamie Lees	Wilpinjong Coal	Letter	Cassie Robinson	Mid-Western Regional Council	Responded to Wilpinjong Coal's request of 18/10/12 by advising that seven LALCs are within the Council boundaries and another 15 organisations should be contacted.
26/10/12	Jamie Lees	Wilpinjong Coal	Letter	Paul Houston	OEH	Responded to Wilpinjong Coal's request of 18/10/12 by advising that 21 Aboriginal organisations/individuals should be contacted.
29/10/12	Jamie Lees	Wilpinjong Coal	Letter	Peter Schultz	NTS Corp	Responded to Wilpinjong Coal's request of 18/10/12 by advising that privacy restrictions prevent provision of any details but the letter has been forwarded to relevant individuals/organisations with a request to register an interest as soon as possible.
30/10/12	Jamie Lees	Wilpinjong Coal	Letter via email	Nakari Thorpe	National Native Title Tribunal	Responded to Wilpinjong Coal's request of 18/10/12 by advising that there is one Registered Native Title Claim within the search area, NC09/4 of the Wellington Valley Wiradjuri People.
6/11/12	Jamie Lees	Wilpinjong Coal	Telephone	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Verbally registered an interest in the project. Jamie clarified Brad's misunderstanding that this was in relation to a Native Title notification for a Mining Lease application.

Date	Person Contacted	Organisation	How Contacted	Contacted By	Organisation	Description
7/11/12	Manager	Mudgee LALC	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Manager	Bathurst LALC	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Manager	Wanaruah LALC	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Manager	Orange LALC	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Manager	Wellington LALC	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Manager	Dubbo LALC	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Manager	Gilgandra LALC	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Larry and Debbie Foley	Murong Gialinga ATSI Corporation	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.

Date	Person Contacted	Organisation	How Contacted	Contacted By	Organisation	Description
7/11/12	Wendy Lewis	Warrabinga Native Title Claimants Aboriginal Corporation	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Robert Clegg	Wiradjuri Council of Elders	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Darlina Verrills	-	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Manager	Dhuuluu-Yala Aboriginal Corporation	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Bill Allen	-	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Neville Williams	Mooka	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Lyn Syme	North-Eastern Wiradjuri Company Ltd	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	David Maynard	-	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Jean Thornton	-	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.

Date	Person Contacted	Organisation	How Contacted	Contacted By	Organisation	Description
7/11/12	Brian Grant	Wiradjuri Traditional Owners Central West Aboriginal Corporation	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Helen Riley	Mingaan Aboriginal Corporation	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Dorothy Stewart	Binjang Wellington Wiradjuri Heritage Survey	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Paul Brydon	-	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Trevor Robinson	-	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Manager	Wiradjuri Interim Working Party	Letter	Jamie Lees	Wilpinjong Coal	Official request to notify of Aboriginal stakeholders/register interest as per OEH policy, following from OEH response of 26/10/12 and/or Mid-Western Regional Council's response of 26/10/12.
7/11/12	Jamie Lees	Wilpinjong Coal	Telephone	Debbie Foley	Murong Gialinga ATSI Corporation	Verbally registered an interest in the project.
9/11/12	General Public	-	Advertisement	Jamie Lees	Wilpinjong Coal	Advertisement placed in Public Notices section of the Mudgee Guardian calling for interested Aboriginal persons/groups to register an interest in the project as per OEH 2010 policy by 23 November 2012.
10/11/12	Jamie Lees	Wilpinjong Coal	Letter via email	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Confirmed registration of interest in the project. Requested details not passed on to OEH/LALC.
13/11/12	Jamie Lees	Wilpinjong Coal	Email	Paul Brydon	-	Registered an interest in the project.
14/11/12	Josh Peters	Resource Strategies	Email	Nakari Thorpe	National Native Title Tribunal	Provided additional information relating to Native Title claims.
19/11/12	Jamie Lees	Wilpinjong Coal	Email	Noel Downs	Wanaruah LALC	Registered an interest in the project, notwithstanding that the project area is within the Mudgee LALC boundaries. Provided a list of stakeholders for within the Wanaruah LALC boundary.

Date	Person Contacted	Organisation	How Contacted	Contacted By	Organisation	Description
21/11/12	Jamie Lees	Wilpinjong Coal	Email	Dorothy Stewart	Binjang Wellington Wiradjuri Heritage Survey	Registered an interest in the project.
23/11/12	Jamie Lees	Wilpinjong Coal	Email	Lyn Syme	North East Wiradjuri Company Ltd	Registered an interest in the project. Requested details kept confidential.
23/11/12	Jamie Lees	Wilpinjong Coal	Email	Tony Lonsdale	Mudgee LALC	Registered an interest in the project.
23/11/12	Jamie Lees	Wilpinjong Coal	Email	Robyn Williams	Warrabinga Native Title Claimants Aboriginal Corporation	Registered an interest in the project. Requested details kept confidential.
29/11/12	Noel Downs	Wanaruah LALC	Email	Peter Kuskie	SEA	Sought clarification of Wanaruah LALC's registration of interest given that the project area is located wholly within the Mudgee LALC boundaries.
29/11/12	Peter Kuskie	SEA	Email	Noel Downs	Wanaruah LALC	Wanaruah LALC responded that they are still interested in receiving reports.
30/11/12	Noel Downs	Wanaruah LALC	Email	Peter Kuskie	SEA	Confirmed that Wanaruah LALC will receive copies of reports.
30/11/12	Debbie Foley and Larry Foley	Murong Gialinga ATSI Corporation	Letter	Jamie Lees	Wilpinjong Coal	Notification and request to attend meeting on 18 December 2012 to discuss project and methodology.
30/11/12	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Letter	Jamie Lees	Wilpinjong Coal	Notification and request to attend meeting on 18 December 2012 to discuss project and methodology.
30/11/12	Robyn Williams	Warrabinga Native Title Claimants Aboriginal Corporation	Letter	Jamie Lees	Wilpinjong Coal	Notification and request to attend meeting on 18 December 2012 to discuss project and methodology.
30/11/12	Lyn Syme	North East Wiradjuri Company Ltd	Letter	Jamie Lees	Wilpinjong Coal	Notification and request to attend meeting on 18 December 2012 to discuss project and methodology.
30/11/12	Dorothy Stewart	Binjang Wellington Wiradjuri Heritage Survey	Letter	Jamie Lees	Wilpinjong Coal	Notification and request to attend meeting on 18 December 2012 to discuss project and methodology.
30/11/12	Paul Brydon	-	Letter	Jamie Lees	Wilpinjong Coal	Notification and request to attend meeting on 18 December 2012 to discuss project and methodology.
30/11/12	Tony Lonsdale	Mudgee LALC	Letter	Jamie Lees	Wilpinjong Coal	Notification and request to attend meeting on 18 December 2012 to discuss project and methodology.
3/12/12	Debbie Foley and Larry Foley	Murong Gialinga ATSI Corporation	Letter	Jamie Lees	Wilpinjong Coal	Official notification of and request for comment by 18 January 2013 on proposed investigation methodology as per OEH policy and information about OH&S requirements and field investigation dates.
3/12/12	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Letter	Jamie Lees	Wilpinjong Coal	Official notification of and request for comment by 18 January 2013 on proposed investigation methodology as per OEH policy and information about OH&S requirements and field investigation dates.

Date	Person Contacted	Organisation	How Contacted	Contacted By	Organisation	Description
3/12/12	Robyn Williams	Warrabinga Native Title Claimants Aboriginal Corporation	Letter	Jamie Lees	Wilpinjong Coal	Official notification of and request for comment by 18 January 2013 on proposed investigation methodology as per OEH policy and information about OH&S requirements and field investigation dates.
3/12/12	Lyn Syme	North East Wiradjuri Company Ltd	Letter	Jamie Lees	Wilpinjong Coal	Official notification of and request for comment by 18 January 2013 on proposed investigation methodology as per OEH policy and information about OH&S requirements and field investigation dates.
3/12/12	Dorothy Stewart	Binjang Wellington Wiradjuri Heritage Survey	Letter	Jamie Lees	Wilpinjong Coal	Official notification of and request for comment by 18 January 2013 on proposed investigation methodology as per OEH policy and information about OH&S requirements and field investigation dates.
3/12/12	Paul Brydon	-	Letter	Jamie Lees	Wilpinjong Coal	Official notification of and request for comment by 18 January 2013 on proposed investigation methodology as per OEH policy and information about OH&S requirements and field investigation dates.
3/12/12	Tony Lonsdale	Mudgee LALC	Letter	Jamie Lees	Wilpinjong Coal	Official notification of and request for comment by 18 January 2013 on proposed investigation methodology as per OEH policy and information about OH&S requirements and field investigation dates.
4/12/12	Tony Lonsdale	Mudgee LALC	Letter	Jamie Lees	Wilpinjong Coal	Notification of registrations and correspondence as per Section 4.1.6 of the OEH policy.
4/12/12	North Branch	OEH	Letter	Jamie Lees	Wilpinjong Coal	Notification of registrations and correspondence as per Section 4.1.6 of the OEH policy.
10/12/12	Lyn Syme	North East Wiradjuri Company Ltd	Email	Jamie Lees	Wilpinjong Coal	Sought to confirm NEWCO and Warrabinga's attendance at meeting on 18 December.
10/12/12	Jamie Lees	Wilpinjong Coal	Email	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Confirmed attendance at meeting on 18 December.
10/12/12	Jamie Lees	Wilpinjong Coal	Telephone	Debbie Foley	Murong Gialinga ATSI Corporation	Confirmed attendance at meeting on 18 December.
10/12/12	Jamie Lees	Wilpinjong Coal	Telephone	Dorothy Stewart	Binjang Wellington Wiradjuri Heritage Survey	Confirmed attendance at meeting on 18 December.
11/12/12	Jamie Lees	Wilpinjong Coal	Email	Lyn Syme	North East Wiradjuri Company Ltd	Confirmed NEWCO and Warrabinga's attendance at meeting on 18 December.
12/12/12	Jamie Lees	Wilpinjong Coal	Email	Lyn Syme	North East Wiradjuri Company Ltd	Advised that NEWCO wishes to be involved in field survey.
13/12/12	Jamie Lees	Wilpinjong Coal	Email	Aleshia Lonsdale	Mudgee LALC	Confirmed LALC's attendance at meeting on 18 December.

Date	Person Contacted	Organisation	How Contacted	Contacted By	Organisation	Description
18/12/12	Debbie Foley Larry Foley Aleshia Lonsdale Tony Lonsdale Coral Williams Kelsey Williams-Fawcett Lyn Syme Cliff Foley Robyn Williams Brad Bliss Brenn Doherty Joyce Williams Violet Carr	MGATSIC Mudgee LALC NEWCO Warrabinga WVWAC	Meeting	Peter Kuskie Jamie Lees Kieren Bennetts Josh Peters	SEA Wilpinjong Coal Resource Strategies	Meeting to present information about project and proposed methodology. No comments made on methodology. Reconnaissance inspection made of mine site and portions of investigation area.
21/12/12	Debbie Foley and Larry Foley	Murong Gialinga ATSI Corporation	Letter	Jamie Lees	Wilpinjong Coal	Advised of conditions of engagement for field survey, PPE required and request for certificates of currency of insurance. Provided a copy of the powerpoint presentation at the meeting of 18 December 2012.
21/12/12	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Letter	Jamie Lees	Wilpinjong Coal	Advised of conditions of engagement for field survey, PPE required and request for certificates of currency of insurance. Provided a copy of the powerpoint presentation at the meeting of 18 December 2012.
21/12/12	Robyn Williams	Warrabinga Native Title Claimants Aboriginal Corporation	Letter	Jamie Lees	Wilpinjong Coal	Advised of conditions of engagement for field survey, PPE required and request for certificates of currency of insurance. Provided a copy of the powerpoint presentation at the meeting of 18 December 2012.
21/12/12	Lyn Syme	North East Wiradjuri Company Ltd	Letter	Jamie Lees	Wilpinjong Coal	Advised of conditions of engagement for field survey, PPE required and request for certificates of currency of insurance. Provided a copy of the powerpoint presentation at the meeting of 18 December 2012.
21/12/12	Dorothy Stewart	Binjang Wellington Wiradjuri Heritage Survey	Letter	Jamie Lees	Wilpinjong Coal	Advised of conditions of engagement for field survey, PPE required and request for certificates of currency of insurance. Provided a copy of the powerpoint presentation at the meeting of 18 December 2012.
21/12/12	Paul Brydon	-	Letter	Jamie Lees	Wilpinjong Coal	Advised of conditions of engagement for field survey, PPE required and request for certificates of currency of insurance. Provided a copy of the powerpoint presentation at the meeting of 18 December 2012.
21/12/12	Tony Lonsdale	Mudgee LALC	Letter	Jamie Lees	Wilpinjong Coal	Advised of conditions of engagement for field survey, PPE required and request for certificates of currency of insurance. Provided a copy of the powerpoint presentation at the meeting of 18 December 2012.
9/1/13	Jamie Lees	Wilpinjong Coal	Email	Tony Lonsdale	Mudgee LALC	Confirmed LALC representative for induction and survey.

Date	Person Contacted	Organisation	How Contacted	Contacted By	Organisation	Description
10/1/13	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Telephone	Jamie Warwick	Wilpinjong Coal	Called to provide details of the induction process and field surveys.
10/1/13	Debbie Foley	Murong Gialinga Aboriginal & Torres Strait Islander Corporation	Telephone	Jamie Warwick	Wilpinjong Coal	Called to provide details of the induction process and field surveys.
10/1/13	Paul Brydon	Binjang Wellington Wiradjuri Heritage Survey	Telephone	Jamie Warwick	Wilpinjong Coal	Called to provide details of the induction process and field surveys.
10/1/13	Jamie Warwick	Wilpinjong Coal	Telephone	Paul Brydon	Binjang Wellington Wiradjuri Heritage Survey	Further queries regarding the inductions on 22/1/13.
10/1/13	Tony Lonsdale	Mudgee Local Aboriginal Land Council	Telephone	Jamie Warwick	Wilpinjong Coal	Called to provide details of the induction process and field surveys.
11/1/13	Tony Lonsdale	Mudgee Local Aboriginal Land Council	Telephone	Jamie Warwick	Wilpinjong Coal	Called to provide details of the induction process and field surveys.
14/1/13	Aleshia Lonsdale	Mudgee LALC	Telephone	Jamie Lees	Wilpinjong Coal	Discussed induction. Advised by registered party that forms being sent to Pegasus today.
14/1/13	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Telephone	Jamie Lees	Wilpinjong Coal	Discussed induction. Advised by registered party that forms being sent to Pegasus today.
14/1/13	Debbie Foley and Larry Foley	Murong Gialinga ATSI Corporation	Telephone	Jamie Lees	Wilpinjong Coal	Discussed induction. Advised by registered party that forms being sent to Pegasus today.
14/1/13	Paul Brydon	-	Telephone	Jamie Lees	Wilpinjong Coal	Discussed induction. Advised that this party would no longer be attending induction.
14/1/13	Jamie Warwick	Wilpinjong Coal	Telephone	Tony Lonsdale	Mudgee Local Aboriginal Land Council	Following on calls from 10/1/13 and 11/1/13 to confirm that Medical and Drug and Alcohol tests will be complete prior to Pegasus induction on 22 January 2013.
15/1/13	Brad Bliss	WVWAC	Telephone	Jamie Warwick	Wilpinjong Coal	Informed group that Pre-induction Requirements form must be completed by 16/1/13.
15/1/13	Debbie Foley	Murong Gialinga ATSI Corporation	Telephone	Jamie Warwick	Wilpinjong Coal	Informed group that Pre-induction Requirements form must be completed by 16/1/13.

Date	Person Contacted	Organisation	How Contacted	Contacted By	Organisation	Description
15/1/13	Paul Brydon	Binjang Wellington Wiradjuri Heritage Survey	Telephone	Jamie Warwick	Wilpinjong Coal	Jamie Warwick phoned Paul Brydon from Binjang Wellington Wiradjuri Heritage Survey on Tuesday 15/1/13 to confirm that the Pegasus Pre-induction Requirements documentation would be ready by 16/1/13. Paul advised that a Binjang Wellington Wiradjuri Heritage Survey representative would no longer be attending the induction or surveys as they are busy with other work commitments (second attachment). Paul asked if there would be opportunities to attend inductions at a later date if more survey work was offered at Wilpinjong in the future. Jamie advised that there would be more induction opportunities in the future and field work for other projects at Wilpinjong. Paul asked if he would continue to be involved in consultation process for the Wilpinjong Modification ACHA. Jamie confirmed that the Binjang Wellington Wiradjuri Heritage Survey would continue to be included in the consultation process including provision of a draft ACHA for review and comment following completion of the surveys.
15/1/13	Tony Lonsdale	Mudgee Local Aboriginal Land Council	Telephone	Jamie Warwick	Wilpinjong Coal	Informed group that Pre-induction Requirements form must be completed by 16/1/13. Tony confirmed that he will said before then.
15/1/13	Tony Lonsdale	Mudgee Local Aboriginal Land Council	Telephone	Jamie Warwick	Wilpinjong Coal	Called to confirm that medical and drug and alcohol test information should go to Pegasus.
16/1/13	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Telephone	Jamie Warwick	Wilpinjong Coal	Called to confirm that Pre-induction requirements need to go to Pegasus by morning of 17/1/13.
18/1/13	Jamie Lees	Wilpinjong Coal	Email	Lyn Syme	North East Wiradjuri	Indicated no issues with proposed methodology, however raised several issues regarding OH&S procedures.
21/1/13	Jamie Lees	Wilpinjong Coal	Meeting / letter	Robyn Williams	Warrabinga	Provided a response after the closing date for comments, raising several issues including a request for total survey coverage across the entire area, consultation if any areas are not surveyed, composition of survey teams, consultation if any sub-surface investigations are required, immediate notification of any changes, copies of all information collected in the field and a meeting to discuss the draft report.
21/1/13	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Telephone	Jamie Lees	Wilpinjong Coal	Enquired why rep hadn't attended induction. Jamie offered to induct rep another day and provide tour of site after fieldwork.

Date	Person Contacted	Organisation	How Contacted	Contacted By	Organisation	Description
22/1/13	Dorothy Stewart	Binjang Wellington Wiradjuri Heritage Survey	Telephone	Jamie Lees	Wilpinjong Coal	Binjang Wellington Wiradjuri representative had arrived for induction, but at Mine, not at Mudgee venue. Jamie apologised, identified a communication error for the change of venue, and offered to induct another day and provide a tour of the site.
22/1/13	Stephen Flick Christine Maynard Kelsey Williams-Fawcett Robyn Williams	MGATSIC Mudgee LALC NEWCO Warrabinga	Meeting	Peter Kuskie, B. Stephenson Jamie Lees	SEA Wilpinjong Coal	Safety induction, discussion of SWMS.
23/1/13	Kelsey Williams-Fawcett Kevin Williams Stephen Flick Christine Maynard	NEWCO Warrabinga MGATSIC Mudgee LALC	Fieldwork	Peter Kuskie, B. Stephenson	SEA	Field survey of modification investigation area.
23/1/13	Dorothy Stewart	Binjang Wellington Wiradjuri Heritage Survey	Email	Jamie Warwick	Resource Strategies	Confirmed WCPLs offer for a representative to be inducted for future fieldwork and attend a site inspection as a guest.
24/1/13	Kelsey Williams-Fawcett Kevin Williams Stephen Flick Christine Maynard	NEWCO Warrabinga MGATSIC Mudgee LALC	Fieldwork	Peter Kuskie, B. Stephenson	SEA	Field survey of modification investigation area.
25/1/13	Kelsey Williams-Fawcett Kevin Williams Stephen Flick Christine Maynard	NEWCO Warrabinga MGATSIC Mudgee LALC	Fieldwork	Peter Kuskie, B. Stephenson	SEA	Field survey of modification investigation area.
29/1/13	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Email	Jamie Lees	Wilpinjong Coal	Advised of survey completion dates and invited a representative to be inducted and attend.
29/1/13	Dorothy Stewart	Binjang Wellington Wiradjuri Heritage Survey	Email	Jamie Lees	Wilpinjong Coal	Advised of survey completion dates and invited a representative to be inducted and attend.
11/2/13	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Email	Jamie Lees	Wilpinjong Coal	Advised of revised survey completion dates and invited a representative to be inducted and attend.
11/2/13	Dorothy Stewart	Binjang Wellington Wiradjuri Heritage Survey	Email	Jamie Lees	Wilpinjong Coal	Advised of revised survey completion dates and invited a representative to be inducted and attend.
13/2/13	Debbie Foley and Larry Foley	Murong Gialinga ATSI Corporation	Email	Jamie Lees	Wilpinjong Coal	Advised of revised survey completion dates and invited a representative to attend.
13/2/13	Robyn Williams	Warrabinga Native Title Claimants Aboriginal Corporation	Email	Jamie Lees	Wilpinjong Coal	Advised of revised survey completion dates and invited a representative to attend.
13/2/13	Lyn Syme	North East Wiradjuri Company Ltd	Email	Jamie Lees	Wilpinjong Coal	Advised of revised survey completion dates and invited a representative to attend.
13/2/13	Tony Lonsdale	Mudgee LALC	Email	Jamie Lees	Wilpinjong Coal	Advised of revised survey completion dates and invited a representative to attend.
13/2/13	Paul Brydon	-	Email	Jamie Lees	Wilpinjong Coal	Advised of revised survey completion dates and invited a representative to attend.
13/2/13	Jamie Lees	Wilpinjong Coal	Email	Lyn Syme	North East Wiradjuri Company Ltd	Confirmed a representative would attend the survey.
19/2/13	Jamie Lees	Wilpinjong Coal	Email	Debbie Foley	Murong Gialinga ATSI Corporation	Confirmed a representative would attend the survey.
19/2/13	Jamie Lees	Wilpinjong Coal	Email	Tony Lonsdale	Mudgee LALC	Confirmed a representative would attend the survey.

Date	Person Contacted	Organisation	How Contacted	Contacted By	Organisation	Description
27/2/13	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Telephone	Jamie Lees	Wilpinjong Coal	Enquired about participation. Brad advised that a representative had been inducted and will attend the survey.
27/2/13	Dorothy Stewart	Binjang Wellington Wiradjuri Heritage Survey	Telephone	Jamie Lees	Wilpinjong Coal	Enquired about participation. Dorothy advised that a representative had not been inducted. Jamie reconfirmed commitment for Binjang to inspect the site on the one-day inspection after the survey.
4/3/13	Gail Ratcliffe Kevin Williams Stephen Flick Christine Maynard Robert Stewart	NEWCO Warrabinga MGATSIC Mudgee LALC WVWAC	Fieldwork	Peter Kuskie, B. Stephenson, Coral Williams	SEA WCPL	Field survey of modification investigation area.
5/3/13	Kelsey Williams-Fawcett Kevin Williams Stephen Flick Christine Maynard Robert Stewart	NEWCO Warrabinga MGATSIC Mudgee LALC WVWAC	Fieldwork	Peter Kuskie, B. Stephenson, Coral Williams	SEA WCPL	Field survey of modification investigation area.
11/6/13	Debbie Foley and Larry Foley	Murong Gialinga ATSI Corporation	Letter	Jamie Lees	Wilpinjong Coal	Provision of draft report with request for comment by 10 July 2013.
11/6/13	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Letter	Jamie Lees	Wilpinjong Coal	Provision of draft report with request for comment by 10 July 2013.
11/6/13	Robyn Williams	Warrabinga Native Title Claimants Aboriginal Corporation	Letter	Jamie Lees	Wilpinjong Coal	Provision of draft report with request for comment by 10 July 2013.
11/6/13	Lyn Syme	North East Wiradjuri Company Ltd	Letter	Jamie Lees	Wilpinjong Coal	Provision of draft report with request for comment by 10 July 2013.
11/6/13	Dorothy Stewart	Binjang Wellington Wiradjuri Heritage Survey	Letter	Jamie Lees	Wilpinjong Coal	Provision of draft report with request for comment by 10 July 2013.
11/6/13	Paul Brydon	-	Letter	Jamie Lees	Wilpinjong Coal	Provision of draft report with request for comment by 10 July 2013.
11/6/13	Tony Lonsdale	Mudgee LALC	Letter	Jamie Lees	Wilpinjong Coal	Provision of draft report with request for comment by 10 July 2013.
11/6/13	Noel Downs	Wanaruah LALC	Letter	Jamie Lees	Wilpinjong Coal	Provision of draft report with request for comment by 10 July 2013.
17/6/13	Debbie Foley and Larry Foley	Murong Gialinga ATSI Corporation	Letter	Jamie Lees	Wilpinjong Coal	Invitation to attend on-site meeting and site inspection on 28 June 2013 to discuss draft heritage report.
17/6/13	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Letter	Jamie Lees	Wilpinjong Coal	Invitation to attend on-site meeting and site inspection on 28 June 2013 to discuss draft heritage report.
17/6/13	Robyn Williams	Warrabinga Native Title Claimants Aboriginal Corporation	Letter	Jamie Lees	Wilpinjong Coal	Invitation to attend on-site meeting and site inspection on 28 June 2013 to discuss draft heritage report.
17/6/13	Lyn Syme	North East Wiradjuri Company Ltd	Letter	Jamie Lees	Wilpinjong Coal	Invitation to attend on-site meeting and site inspection on 28 June 2013 to discuss draft heritage report.
17/6/13	Dorothy Stewart	Binjang Wellington Wiradjuri Heritage Survey	Letter	Jamie Lees	Wilpinjong Coal	Invitation to attend on-site meeting and site inspection on 28 June 2013 to discuss draft heritage report.
17/6/13	Paul Brydon	-	Letter	Jamie Lees	Wilpinjong Coal	Invitation to attend on-site meeting and site inspection on 28 June 2013 to discuss draft heritage report.

Date	Person Contacted	Organisation	How Contacted	Contacted By	Organisation	Description
17/6/13	Tony Lonsdale	Mudgee LALC	Letter	Jamie Lees	Wilpinjong Coal	Invitation to attend on-site meeting and site inspection on 28 June 2013 to discuss draft heritage report.
17/6/13	Noel Downs	Wanaruah LALC	Letter	Jamie Lees	Wilpinjong Coal	Invitation to attend on-site meeting and site inspection on 28 June 2013 to discuss draft heritage report.
20/6/13	Jamie Lees	Wilpinjong Coal	Telephone	Paul Brydon	-	Advised that could not attend meeting.
21/6/13	Jamie Lees	Wilpinjong Coal	Email	Robyn Williams	Warrabinga Native Title Claimants Aboriginal Corporation	Advised of attendance at meeting. Requested electronic copy of report. Jamie provided.
24/6/13	Jamie Lees	Wilpinjong Coal	Email	Lyn Syme	North East Wiradjuri Company Ltd	Advised of attendance at meeting.
26/6/13	Tony Lonsdale	Mudgee LALC	Telephone	Danielle Wallace	Resource Strategies	Called to confirm attendance at draft AHCA meeting and request any comments on the draft report. Left message.
26/6/13	Noel Downs	Wanaruah LALC	Telephone	Danielle Wallace	Resource Strategies	Called to confirm attendance at draft AHCA meeting and request any comments on the draft report. Phone rang out.
26/6/13	Larry Foley	Murong Gialinga ATSI Corporation	Telephone	Danielle Wallace	Resource Strategies	Called to confirm attendance at draft AHCA meeting and request any comments on the draft report. Phone rang out.
26/6/13	Robyn Williams	Warrabinga Native Title Claimants Aboriginal Corporation	Telephone	Danielle Wallace	Resource Strategies	Called to confirm attendance at draft AHCA meeting and request any comments on the draft report.
26/6/13	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Telephone	Danielle Wallace	Resource Strategies	Called to confirm attendance at draft AHCA meeting and request any comments on the draft report. Left message.
26/6/13	Danielle Wallace	Resource Strategies	Telephone	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Brad called and advised that he had not received the draft report or the letter about the meeting. Danielle confirmed the postal address was correct. Brad requested that a hard copy and an electronic copy be sent to him today and that he would try and send someone to the meeting.
26/6/13	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Email	Danielle Wallace	Resource Strategies	Provided link to download electronic copy of report following telephone discussion and Brad indicating that he had not received hard copy.
26/6/13	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Telephone	Danielle Wallace	Resource Strategies	Called at 2.30pm and 3.15pm to advise Brad that the Australia Post tracking register showed that the packages had been delivered, however we would post the email the additional copies regardless. Left phone message. Called at 4.44pm and spoke with Brad. Explained to Brad that the Australia Post tracking register shows that the packages had been delivered, however we would post and email the additional copies regardless. Brad thought they may have put the packages in the wrong post box.

Date	Person Contacted	Organisation	How Contacted	Contacted By	Organisation	Description
27/6/13	Krystal	Wanaruah LALC	Telephone	Danielle Wallace	Resource Strategies	Spoke to Krystal regarding attendance at the draft ACHA meeting tomorrow. She advised that Noel was not in the office yet, but that he would likely be attending.
27/6/13	Tony Lonsdale	Mudgee LALC	Telephone	Danielle Wallace	Resource Strategies	Called to confirm attendance at draft AHCA meeting and request any comments on the draft report. Left message.
27/6/13	Larry Foley	Murong Gialinga ATSI Corporation	Telephone	Danielle Wallace	Resource Strategies	Called to confirm attendance at draft AHCA meeting and request any comments on the draft report. Left message.
27/6/13	Danielle Wallace	Resource Strategies	Telephone	Debbie Foley	Murong Gialinga ATSI Corporation	Debbie called and confirmed that she would be attending the meeting along with Larry. She also confirmed that Kristen would be attending on behalf of the Mudgee LALC.
28/6/13	Debbie Foley Larry Foley Christine Maynard Lyn Syme Robyn Williams Robert Stewart	MGATSIC Mudgee LALC NEWCO Warrabinga WVWAC	Meeting	Peter Kuskie Jamie Lees Tania de Launey Josh Peters Danielle Wallace	SEA Wilpinjong Coal Resource Strategies	Meeting to discuss draft heritage report and inspect portions of investigation area. No issues raised with draft report.
8/7/13	Jamie Lees	Wilpinjong Coal	Email	Lyn Syme	North East Wiradjuri Company Ltd	Enquired about due date for response on report. Jamie responded to clarify that the due date is 5.00pm, 10 July.
9/7/13	Larry Foley	Murong Gialinga ATSI Corporation	Telephone	Danielle Wallace	Resource Strategies	Called to remind that the due date for comments on the draft ACHA is Wednesday 10 July and to request any comments on the draft ACHA. Left message.
9/7/13	Tony Lonsdale	Mudgee LALC	Telephone	Danielle Wallace	Resource Strategies	Called to remind that the due date for comments on the draft ACHA is Wednesday 10 July and to request any comments on the draft ACHA. Left message.
9/7/13	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Telephone	Danielle Wallace	Resource Strategies	Called Brad. He advised that he would send through an email with any concerns.
9/7/13	Danielle Wallace	Resource Strategies	Telephone	Debbie Foley	Murong Gialinga Aboriginal & Torres Strait Islander Corporation	Called and spoke to Debbie returning my call. She advised that she would email through their comments.
9/7/13	Robyn Williams	Warrabinga Native Title Claimants Aboriginal Corporation	Telephone	Danielle Wallace	Resource Strategies	Called to remind that the due date for comments on the draft ACHA is Wednesday 10 July and to request any comments on the draft ACHA. Left message.
9/7/13	Dorothy Stewart	Binjang Wellington Wiradjuri Heritage Survey	Telephone	Danielle Wallace	Resource Strategies	Called and spoke to Dorothy. Reminded Dorothy that the due date for comments on the draft ACHA is Wednesday 10 July and requested any comments on the draft ACHA. Dorothy requested a call back tomorrow afternoon and she would supply her comments then.
9/7/13	Lyn Syme	North East Wiradjuri Company Ltd	Telephone	Danielle Wallace	Resource Strategies	Called to remind that the due date for comments on the draft ACHA is Wednesday 10 July and to request any comments on the draft ACHA. Left message.

Date	Person Contacted	Organisation	How Contacted	Contacted By	Organisation	Description
9/7/13	Danielle Wallace	Resource Strategies	Telephone	Lyn Syme	North East Wiradjuri Company Ltd	Lyn called and advised that she did have comments and that she would email them through this afternoon.
9/7/13	Paul Brydon	-	Telephone	Danielle Wallace	Resource Strategies	Called and spoke to Paul. He advised that he had no comments to make on the draft report.
9/7/13	Noel Downs	Wanaruah LALC	Telephone	Danielle Wallace	Resource Strategies	Called and spoke to Noel. He requested a copy of the report to be emailed through to him and he would provide any comments via email.
9/7/13	Tony Lonsdale	Mudgee LALC	Telephone	Danielle Wallace	Resource Strategies	Called to remind that the due date for comments on the draft ACHA is Wednesday 10 July and to request any comments on the draft ACHA. Left message.
9/7/13	Danielle Wallace	Resource Strategies	Telephone	Debbie Foley	Murong Gailinga Aboriginal & Torres Strait Islander Corporation	Debbie called to confirm that her letter with comments had been provided to the Mudgee LALC and that they would fax it through.
9/7/13	Tony Lonsdale	Mudgee LALC	Telephone	Danielle Wallace	Resource Strategies	Called and spoke to Tony. He advised that he would send through comments on the draft report via email tomorrow.
9/7/13	Robyn Williams	Warrabinga Native Title Claimants Aboriginal Corporation	Telephone	Danielle Wallace	Resource Strategies	Called to remind that the due date for comments on the draft ACHA is Wednesday 10 July and to request any comments on the draft ACHA. Left message.
9/7/13	Danielle Wallace	Resource Strategies	Email	Aleshia Lonsdale, Larry Foley	Murong Gialinga ATSI Corporation	Provided response to draft report, agreeing with the assessment. Issues were raised in relation to other ongoing heritage management at WCPL.
9/7/13	Danielle Wallace	Resource Strategies	Email	Brad Bliss	Wellington Valley Wiradjuri Aboriginal Corporation	Noted issue of removal of fence at Area 5 in locality of site WCP1 and requested information.
10/7/13	Dorothy Stewart	Binjang Wellington Wiradjuri Heritage Survey	Telephone	Danielle Wallace	Resource Strategies	Called and spoke to Dorothy. She advised that she was generally satisfied with the content and happy with the report.
10/7/13	Danielle Wallace	Resource Strategies	Email	Lyn Syme	North East Wiradjuri Company Ltd	Provided response to draft report, agreeing with the assessment and requesting more time to consider management of the Castle Rock area.
10/7/13	Danielle Wallace	Resource Strategies	Email	Aleshia Lonsdale	Mudgee LALC	Provided response to draft report, raising a number of issues associated with ongoing heritage management at WCPL.
11/7/13	Danielle Wallace	Resource Strategies	Email	Lyn Syme	North East Wiradjuri Company Ltd	Provided additional response to draft report, agreeing with the assessment and recommendations in relation to Area 5.

Relevant Correspondence:

Example of correspondence sent in Step 1 of OEH consultation process:



WILPINJONG COAL PTY LTD

ABN: 87 104 594 694

Level 13, BOQ Centre
259 Queen Street
Brisbane, Queensland 4000
Locked Bag 2005
Mudgee, NSW 2850
Australia
Tel + 61 (0) 2 6370 2500
Fax + 61 (0) 2 6373 4575

18 October 2012

Office of Environment and Heritage
PO Box 2111
DUBBO NSW 2830

Dear Sir/Madam,

WILPINJONG COAL MINE ABORIGINAL CULTURAL HERITAGE ASSESSMENT

Wilpinjong Coal Pty Ltd (WCPL) owns and operates the Wilpinjong Coal Mine, located approximately 40 kilometres north-east of Mudgee in the Western Coalfield, New South Wales (NSW).

WCPL plans to seek approval under the *Environmental Planning & Assessment Act 1979* (NSW) and the *Environmental Planning and Assessment Regulation 2000* (NSW) for proposed extensions to the Wilpinjong Coal Mine open cut mining operations and development of associated supporting infrastructure and facilities.

As part of the application processes for the proposed extensions, WCPL will be preparing an Aboriginal Cultural Heritage Impact Assessment. The subject area of the proposed extensions and any such applications is depicted as the "Area of Interest" as shown on the enclosed plan.

For the purposes of meeting its consultation requirements as set out in the "*Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*" (Department of Environment, Climate Change and Water, 2010) issued by the NSW Office of Environment and Heritage (OEH), this letter is to notify that WCPL would like to consult with any Aboriginal persons or groups who may hold cultural knowledge of, or who have a right or interest in Aboriginal objects, places and/or Aboriginal cultural heritage values in the "Area of Interest". All Aboriginal persons or groups named will then be contacted directly by us and formally invited to register their interest for involvement in the consultation processes for these applications.

Should you know of any Aboriginal person or group who may wish to be consulted in relation to the process described above, could you please provide their details before **6 November 2012** via the contact details below.

Jamie Lees
Manager Project Development & Approvals
Wilpinjong Coal Pty Ltd
Peabody Energy Australia
Locked Bag 2005, Mudgee NSW 2850
Telephone: (02) 6370 2528
Facsimile: (02) 6373 4575
Email: jlees@peabodyenergy.com

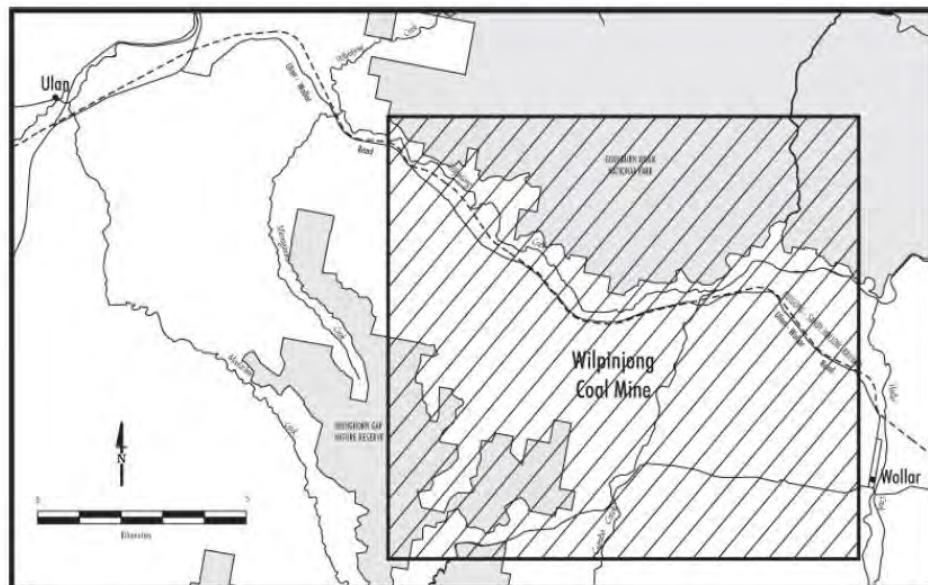
WCPL advises that the details of any Aboriginal person or group who registers an interest in the proposed extensions will be forwarded to the OEH and Mudgee Local Aboriginal Land Council in accordance with Section 4.1.5 of the "Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010", unless they specify that they do not want their details released.

Yours sincerely,



JAMIE LEES
Manager Project Development & Approvals
Wilpinjong Coal Pty Ltd

Plan Showing "Area of Interest"



Responses received in relation to Step 1 of OEH consultation process from government authorities:



received
26/10/12

PO BOX 156
MUDGEES NSW 2850

86 Market Street MUDGEES
109 Herbert Street GULGONG
77 Louisa Street RYLSTONE

Ph: 1300 765 002 or (02) 6378 2850
Fax: (02) 6378 2815
email: council@midwestern.nsw.gov.au

CR:k:\assets\environment\leis and regulation\aboriginal consultation\8 request
for aboriginal groups \list\wilpinjong request.docx

24 October 2012

Jamie Lees
Manager Project Development & Approvals
Wilpinjong Coal Pty Ltd
Locked Bag 2005
Mudgee NSW 2850

Dear Jamie

**WILPINJONG COAL MINE- IDENTIFICATION OF ABORIGINAL PEOPLE WHO HOLD
CULTURAL KNOWLEDGE IN THE PROJECT AREA**

I refer to the above matter and to your letter received by Council on 22 October 2012 regarding the identification of Aboriginal People who hold cultural knowledge in the project area.

The following Aboriginal Land Councils are contained within Mid-Western Regional Council area:-

- Mudgee LALC ~ PO Box 1098 MUDGEES 2850
- Bathurst LALC ~ 149 Russell St BATHURST 2795
- Wanaruah LALC ~ 17-19 Maitland St MUSWELLBROOK 2333
- Orange LALC - 42 Dalton Street ORANGE 2800
- Wellington LALC - 163 Simpson Street WELLINGTON 2820
- Dubbo LALC - Cnr Wingewarra & Darling Streets DUBBO 2830
- Gilgandra LALC - 72 Warren Rd GILGANDRA 2827

Please also find enclosed a list of other parties who have registered an interest in our LGA as prepared by OEH and forwarded to Council. Please note that a full list up to date list of all registered interested persons can be sourced from Paul Houston of the Office of Environment and Heritage.

Should you have any queries in relation to this matter please do not hesitate to contact Cassie Robinson of Council's Environment Department.

Yours faithfully

CASSIE ROBINSON
ENVIRONMENT OFFICER

www.midwestern.nsw.gov.au

Organisation	Name	Address1	Address2
Murong Gialinga Aboriginal & Torres Strait Islander Corporation	Larry & Debbie Foley	PO Box 1097	MUDGEES NSW 2850
Wellington Valley Wiradjuri Aboriginal Corporation	Director	PO Box 508	WELLINGTON NSW 2820
Warrabinga Native Title Claimants Aboriginal Corporation	Wendy Lewis	525 Pheasants Nest Rd	Pheasants Nest NSW 2574
Office of Environment and Heritage	Director	PO Box 2111	Dubbo NSW 2830
Wiradjuri Council of Elders	Robert Clegg	3 Loretta Place	GLENDENING NSW 2761
Darlina Verrills		6 Robertson Road	MUDGEES NSW 2850
Dhuulu-Yala Aboriginal Corporation		63 Stanley Street	BATHURST NSW 2795
Bill Allen		75 Cory Place	WINDRADYNE NSW 2795
Mooka	Neville Williams	PO Box 70	COWRA NSW 2795
North-Eastern Wiradjuri	Lyn Syme	PO Box 29	KANDOS NSW 2848
David Maynard		91 Inglis Street	MUDGEES NSW 2850
Jean Thornton		6 Winbourne Street	MUDGEES NSW 2850
Wiradjuri Traditional owners Central West Aboriginal Corporation	Brian Grant	14 Duramana Road	EGLINGTON NSW 2795
Mingaan Aboriginal Corporation	Helen Riley	38 Tweed Road	LITHGOW NSW 2790
Wellington Wiradjuri Heritage Survey	Dorothy Stewart	260 Myall St	Dubbo NSW 2830



OFFICE OF THE REGISTRAR
ABORIGINAL LAND RIGHTS ACT 1983 (NSW)

11-13 Mansfield Street
Glebe NSW 2037
PO Box 112, Glebe NSW 2037
P. 02 9562 6327 F. 02 9562 6350

Jamie Lees
Manger Project Development & Approvals
Wilpinjong Coal Pty Ltd
Peabody Energy Australia
Locked Bag 2005
MUDGEES NSW 2850

Dear Jamie

Re: Request - Search for Registered Aboriginal Owners

I refer to your letter dated 18th October 2012 regarding Aboriginal Stakeholders within the Wilpinjong area, NSW.

I have searched the Register of Aboriginal Owners and the project area described does not have Registered Aboriginal Owners pursuant to Division 3 of the *Aboriginal Land Rights Act 1983* (NSW).

I suggest you contact both the Mudgee Local Aboriginal Land Council and Wanaruah Local Aboriginal Land Council. They may also be able to assist you in identifying other Aboriginal stakeholders for this project.

Yours sincerely

Shannon Williams
Project Officer
Office of the Registrar, *Aboriginal Land Rights Act* (1983)

22 October 2012



**Office of
Environment
& Heritage**

Your reference Wilpinjong Coal Mine Aboriginal
Cultural Heritage Assessment
Our reference DOC12/38580
Contact Paul Houston 68835361

Wilpinjong Coal Pty Ltd
Peabody Energy Australia
Locked Bag 2005
MUDGEES NSW 2850
Att: Jamie Lees

26th October 2012

Dear Jamie,

**WRITTEN NOTIFICATION AS REQUIRED UNDER OFFICE OF ENVIRONMENT AND
HERITAGE (OEH) ABORIGINAL CULTURAL HERITAGE REQUIREMENT FOR
PROPONENTS 2010 – Wilpinjong Coal Mine Aboriginal Cultural Heritage Assessment, 40km
North-East of Mudgee NSW**

I refer to your letter dated 18th October 2012 to the Office of Environment and Heritage (OEH) regarding the above matter.

A list of known Aboriginal parties that OEH feels is likely to have an interest in this development is attached as Attachment 1 (overleaf). Please note this list is not necessarily an exhaustive list of all interested Aboriginal parties and receipt of this list does not remove the requirement of a proponent/consultant to advertise in local print media and contact other bodies seeking interested Aboriginal parties, in accordance with the requirements.

If you wish to discuss any of the above matters further please contact me, at your earliest convenience, on (02) 6883 5361.

Yours sincerely

**Paul Houston
Aboriginal Heritage Planning Officer
OEH**

The Department of Environment Climate Change and Water is now known as
The Office of Environment and Heritage.

PO Box 2111, Dubbo NSW 2830
48-52 Wingewarra St Dubbo NSW
Tel: (02) 6883 5330 Fax: (02) 6884 9382
www.environment.nsw.gov.au

ATTACHMENT 1

OEHS LIST OF ABORIGINAL STAKEHOLDER GROUPS WITHIN THE MID WESTERN LGA - THAT MAY HAVE AN INTEREST IN THE PROJECT; PROVIDED AS PER THE "OEHS ABORIGINAL CULTURAL HERITAGE REQUIREMENT FOR PROPONENTS 2010".

Organisation/Affiliation	Name/Title	Address
Paul Brydon		166 Minore St, Narromine NSW 2821
Bill Allen		75 Cory Pl , Windradyne NSW 2795
Binjang Wellington Wiradjuri heritage Survey	Dorothy Stewart	260 Myall St, Dubbo NSW 2830
Darlina Verrills		6 Robertson Rd, Mudgee NSW 2850
David Maynard		91 Inglis Street Mudgee
Deborah Foley		9 Inglis Street Mudgee
Dhuuluu-Yala Aboriginal Corporation		63 Stanley Street Bathurst 2795.
Jean Thornton		6 Winbourne Street, Mudgee NSW 2850
Larry Foley		9 Inglis Street Mudgee
Lyn Syme	North-East Wiraduri	PO Box 29 KANDOS NSW 2848
Mingaan Aboriginal Corporation	Helen Riley	38 Tweed Rd Lithgow NSW 2790
Mooka	Neville Williams	Po Box 70 Cowra NSW 2794
Murong Gialinga Aboriginal & Torres Strait Islander Corporation		PO Box 1097, Mudgee, NSW 2850
North- Eastern Wiradjuri		66 Dangar Street, Kandos NSW 2848
Trevor Robinson		Po Box 73, Peak Hill NSW 2869
Warrabinga Native Tittle Claimants Aboriginal Corporation	The Board of Directors	PO Box 282, Mudgee NSW 2850
Wellington Valley Wiradjuri Aboriginal Corporation	Chairperson	PO Box 508 , Wellington NSW 2820
Wiradjuri Council of Elders	Robert Clegg	3 Loretta Pl, Glendenning NSW 2761
Wiradjuri Interim Working Party		Po Box 73, Peak Hill NSW 2869

The Department of Environment Climate Change and Water is now known as
The Office of Environment and Heritage.

PO Box 2111, Dubbo NSW 2830
48-52 Wingewarra St Dubbo NSW
Tel: (02) 6883 5330 Fax: (02) 6884 9382
www.environment.nsw.gov.au

Wiradjuri traditional Owners Central West Aboriginal Corporation	Chairperson	14 Duramana Rd, Eglington NSW 2795
MUDGEES LALC	Chairperson	PO Box 1098 MUDGEES NSW 2850

The Department of Environment Climate Change and Water is now known as
The Office of Environment and Heritage.

PO Box 2111, Dubbo NSW 2830
48-52 Wingewarra St Dubbo NSW
Tel: (02) 6883 5330 Fax: (02) 6884 9382
www.environment.nsw.gov.au



29 October 2012 ref: OE&H : 29 – 10 -12/1

Jamie Lees
Manager Project Development & Approvals
Wilpinjong Coal Pty Ltd
Peabody Energy Australia
Locked Bag 2005
MUDGEE NSW 2850

Dear Sir

Aboriginal Cultural Heritage Assessment / AHIP

Proposed extensions to Wilpinjong Coal Mine open cut mining operations and development of infrastructure and facilities

I refer to your letter of 18 October 2012 regarding the above matter.

We acknowledge that section 4.1.2 of the Office of Environment & Heritage's *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* require you to contact us in order to compile a list of Aboriginal people who may have an interest in the proposed project area and hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or places. **However, we advise that NTSCORP's privacy guidelines restrict us from providing proponents with contact details of traditional owners who may have such an interest or hold such knowledge.**

In response to your notification, and subject to receipt of requested locality plan/diagram, NTSCORP will forward your correspondence to any individuals, groups and organisations whom NTSCORP is aware assert traditional interests within or hold cultural knowledge about the relevant area. **Recipients of our correspondence will be invited to register their interest in the project directly with you as soon as possible.**

Please be aware that NTSCORP cannot make a guarantee or undertaking that the recipients of our correspondence represent the entirety of traditional owners for the relevant area.

Yours faithfully,

Peter Schultz
Senior Land & Notifications Officer
NTSCORP Limited

Level 1, 44-70 Rosehill St Redfern NSW 2016 Australia
t: + 61 2 9310 3188

PO Box 2105 Strawberry Hills NSW 2012 Australia
t: + 61 2 9310 4177

abn: 71 098 971 209
w: www.ntscorp.com.au

T:\Future Acts\Correspondence\Templates\Updated notifications as of June 2012\OEHS 4.1.2-to-proponent



National
Native Title
Tribunal



30 October 2012

Jamie Lees
Manager, Project Development & Approvals
Wilpinjong Coal Pty Ltd
Peabody Energy Australia
Locked Bag 2005
Mudgee NSW 2850

South-East & Central Registry
Sydney Office

Level 16, Law Courts Building,
Queens Square
Sydney NSW 2000
GPO Box 9973
Sydney NSW 2000
Telephone (02) 9227 4000
Facsimile (02) 9227 4030

Our Reference: 5171/12

Your Reference: -

Dear Jamie

**Native Title Search Results of Wilpinjong within Mid-Western Regional Council Local
Government Area**

Thank you for your search request of 23 October 2012 in relation to the above area.

Search Results

The results provided are based on the information you supplied and are derived from a search of the following Tribunal databases:

Register Type	NNTT Reference Numbers
Schedule of Applications (unregistered claimant applications)	Nil.
Register of Native Title Claims	NC09/4
National Native Title Register	Nil.
Register of Indigenous Land Use Agreements	Nil.
Notified Indigenous Land Use Agreements	Nil.

I have included a register extract, map attachment and a NNTT Registers fact sheet to help you understand the search result.

Please note that there may be a delay between a native title determination application being lodged in the Federal Court and its transfer to the Tribunal. As a result, some native title determination applications recently filed in the Federal Court may not appear on the Tribunal's databases.

Resolution of native title issues over land and waters.

Freecall 1800 640 501
www.nntt.gov.au

The search results are based on analysis against external boundaries of applications only. Native title applications commonly contain exclusions clauses which remove areas from within the external boundary. To determine whether the areas described are in fact subject to claim, you need to refer to "Area covered by claim" section of the relevant Register Extract or Application Summary and any maps attached.

Search results and the existence of native title

Please note that the enclosed information from the Register of Native Title Claims and/or the Schedule of Applications is **not** confirmation of the existence of native title in this area. This cannot be confirmed until the Federal Court makes a determination that native title does or does not exist in relation to the area. Such determinations are registered on the National Native Title Register.

Tribunal accepts no liability for reliance placed on enclosed information

The enclosed information has been provided in good faith. Use of this information is at your sole risk. The National Native Title Tribunal makes no representative, either express or implied, as to the accuracy or suitability of the information enclosed for any particular purpose and accepts no liability for use of the information or reliance placed on it.

If you have any further queries, please contact me on 1800 640 501.

Yours sincerely



Nakari Thorpe
Senior Case Management Assistant

Telephone (02) 9227 4004

Facsimile (02) 9227 4030

Email Nakari.thorpe@nntt.gov.au

Encl



NATIONAL NATIVE TITLE TRIBUNAL

Application Information and Extract from the Register of Native Title Claims

Application Information

Application numbers:	Federal Court number:	NSD912/09
	NNTT number:	NC09/4
Application name:	Wellington Valley Wiradjuri People (Wellington Valley Wiradjuri)	
Registration history:	Registered from 18/12/2009.	

Register Extract (pursuant to s.186 of the *Native Title Act 1993*)

Application filed with:	Federal Court of Australia
Date application filed:	24/08/2009
Date claim entered on Register:	18/12/2009
Applicants:	Mrs Joyce Williams, Mrs Violet Carr, Mrs Elizabeth (Betty) Ferguson
Address for service:	Philip Teitzel Teitzel & Partners PO Box 442 ROSEVILLE NSW 2069 Phone: 02 9416 3138 Fax: 02 9880 9061

Additional Information:

Not Applicable

Area covered by the claim:

The application area covers all the land and waters in the State of New South Wales within the external boundary described as follows:

Commencing at a point north of the Mitchell Highway, about midway between Orange and Bathurst [at Longitude 149.266391 degrees East, Latitude 33.376520 degrees South]; then generally north westerly passing south of Molong and Saddleback Peak to Goobang National Park; then generally north easterly and generally easterly passing south of Wongarbron, north of Gulgong and south of Ulan; then generally south easterly between Bylong Flat and Gingibi; then generally south westerly to north of Capertee; then

generally westerly passing north of Sofala and south of Hill End; then generally southerly back to the commencement point, according to coordinate points listed in Attachment B1 to the application.

Areas within the external boundaries that are not covered by the application:

The applicants exclude from the area covered by the application any area over which native title has been extinguished at common law or by statute save and except for those areas of land or waters over which prior extinguishment may be disregarded in accordance with the provisions of either s47, s47A or s47B of the Native Title Act 1993.

In particular the following are excluded:

Category A past acts, as defined in s229 of the Act, including any previous non-exclusive possession acts which are also Category A past acts; and

Grants or vestings which are 'previous exclusive possession acts' (as defined in s23B of the Act) or Category A intermediate period acts (as defined in s232B of the Act) attributable to the Commonwealth and such grants or vestings which are attributable to the State where the State has made provision as mentioned in s23E and s22F of the Act in relation to these acts.

For the avoidance of doubt, the following acts which occurred on or before 23 December 1996, where valid (including Division 2 or 2A of Part 2 of the Act) are included or, for present purposes, are to be treated as included in the definition of 'previous exclusive possession acts', unless excluded from the definition by subsections 23B(9), (9A), (9B), (9C) or (10).

1. The creation or establishment of:
 - a. a permanent public work
 - b. a dedicated road
 - c. an act of adverse dominion where such an act was:
 - i. authorised
 - ii. authorised or required by the condition of a valid Crown Grant, vesting or other interest
 - d. an unqualified grant of an estate in fee simple.
2. The grant of:
 - a. a scheduled interest (see s249C of the Act), including an agricultural lease where intensive cultivation of a permanent nature has been carried out and works or structures of a permanent nature have been constructed in accordance with the terms and conditions of the lease.
 - b. a residential lease on which a residence has been constructed in accordance with the terms and conditions of the lease (see s249).
 - c. a commercial lease on which permanent works or structures have been constructed in accordance with the terms and conditions of the lease (see s246).
 - d. a lease for the provision of community services or amenities within a town or city on which works or structures of a permanent nature have been constructed in accordance with the terms and conditions of the lease (see s249A).

Persons claiming to hold native title:

Schedule A states:

The native title claim group consists of the people known as the Wellington Valley Wiradjuri People, being those Aboriginal people whose traditional land and waters are situated generally in the Wellington Valley in the State of NSW.

The Wellington Valley Wiradjuri Claim Group comprises those people who hold in common the body of Traditional Law and Customs governing the area being the subject of the claim and more particularly described in Attachment "A".

Attachment A states:

The Wellington Valley Wiradjuri Claim Group comprises those people who hold in common the body of Traditional Law and Customs governing the area being the subject of the claim and who:

1. Are related by means of the principle of biological descent from the below listed Apical Ancestors:

- (a) Charlotte Riley
- (b) Samuel and Jane May
- (c) Ellen Plummer
- (d) William John King and Margaret (Holland) Dawkins
- (e) Jemmy Buckley and Poll (including Thomas Hartley and Clara Buckley)
- (f) Arthur Stewart, Alexander Stewart and Charles Stewart
- (g) Bessie Macdonald and Lily Macdonald
- (h) Ellen Baird/Beard, James and (W) Dolly Beard
- (i) George Drew and (Z) Agnes Drew
- (j) Michael Mitchell Mickey and Mary Bloomfield
- (k) Benjamin Holland and Sarah Hill (Steel) (including Jock Stanley and Emma Holland, James Wighton and Mary Holland)
- (l) Edward Williams and Kate Carr (including George Daley and Johanna Williams)
- (m) Edward Carr and Sophie Ryan
- (n) Bridget Carr
- (o) John Button
- (p) Ann Daley, mother of George Daley

Registered native title rights and interests:

The following Native Title Rights & Interests were entered on the Register on 18/12/2009:

The claim to non-exclusive rights to use and enjoy the land and waters, being:

- a) the right to access the application area;
- b) the right to camp on the application area;
- c) the right to erect shelter [sic] on the application area;
- d) the right to live on the application area;
- e) the right to move about on the application area;
- f) the right to hold meetings on the application area;
- g) the right to hunt on the application area;
- h) the right to fish on the application area;
- i) the right to have access to and use the natural water resources on the application area; (This right is registered only to the extent that it involves the use of water for non-commercial purposes.)
- j) the right to gather and use the natural products of the application area (including food, medicinal plants, timber, stone, ochre and resin) according to traditional laws and customs;
- k) the right to conduct ceremony on the application area;
- l) the right to maintain and protect places of importance under traditional laws, customs and practices in the application area;
- m) the right to speak for and make non-exclusive decisions about the application area;
- n) the right to transmit the cultural heritage knowledge of the native title claim group including knowledge of particular sites;
- o) The right to cook on the application area and to light fires for all purposes other than the clearance of vegetation

3. The native title rights are subject to:

- a) the valid laws of the State of New South Wales and the Commonwealth of Australia
- b) the rights (past or present) conferred upon persons pursuant to the laws of the Commonwealth and the laws of the State of NSW
- c) the traditional laws and customs of the native title claim group.

Register attachments:

1. External Boundary Description, Attachment B1 of the Application, 4 pages - A4, Attached 24/08/2009.
2. Map of external boundary of application (produced by NNTT), Attachment C of the Application, 1 page - A4, Attached 12/10/2009.

Note: The Register may, in accordance with s.188 of the Native Title Act 1993, contain confidential information that will not appear on the Extract.



Searching the NNTT Registers in New South Wales

Search service

On request the National Native Title Tribunal will search its public registers for you. A search may assist you in finding out whether any native title applications (claims), determinations or agreements exist over a particular area of land or water.

In New South Wales native title cannot exist on privately owned land including family homes or farms.

What information can a search provide?

A search can confirm whether any applications, agreements or determinations are registered in a local government area. Relevant information, including register extracts and application summaries, will be provided.

In NSW because we cannot search the registers in relation to individual parcels of land we search by local government area.

Most native title applications do not identify each parcel of land claimed. They have an external boundary and then identify the areas not claimed within the boundary by reference to types of land tenure e.g., freehold, agricultural leasehold, public works.

What if the search shows no current applications?

If there is no application covering the local government area this only indicates that at the time of the search either the Federal Court had not received any claims in relation to the local government area or the Tribunal had not yet been notified of any new native title claims.

It does not mean that native title does not exist in the area.

Native title may exist over an area of land or waters whether or not a claim for native title has been made.

Where the information is found

The information you are seeking is held in three registers and on an applications database.

National Native Title Register

The National Native Title Register contains determinations of native title by the High Court, Federal Court and other courts.

Register of Native Title Claims

The Register of Native Title Claims contains applications for native title that have passed a registration test.

Registered claims attract rights, including the right to negotiate about some types of proposed developments.

Register of Indigenous Land Use Agreements

The Register of Indigenous Land Use Agreements contains agreements made with people who hold or assert native title in an area.

The register identifies development activities that have been agreed by the parties.

Application summaries

An application summary contains a description of the location, content and status of a native title claim.

This information may be different to the information on the Register of Native Title Claims, e.g., because an amendment has not yet been tested.

How do you request a search?

A search request form is available on the Tribunal's web site at:
<http://www.nntt.gov.au/registers/search.html>
Mail, fax or email your request to the Tribunal's Sydney registry, identifying the local government area/s you want searched.

Email: NSWEnquiries@nntt.gov.au

Fax: (02) 9227 4030

Address: GPO Box 9973, Sydney NSW 2001

Phone: (02) 9227 4000

**NATIVE TITLE
DETERMINATION APPLICATION**
Wellington Wiradjuri People



NOTE: To determine areas subject to claim within the external boundary, reference to the application description is necessary.

Map created by: Geospatial Services,
National Native Title Tribunal (24/07/2009)

Application boundary data compiled by the NNTT based on
reference material supplied by Tietzel & Partners, July 2009

Topographic image data is © Commonwealth of Australia
and is used under license from Geoscience Australia
NOTE: Topographic images should be used as a guide only.

NSD912/09 (NC09/4)

Map of external boundary of application
Attachment C2 of the Application
Page 1 of 1, A4, 12/10/2009

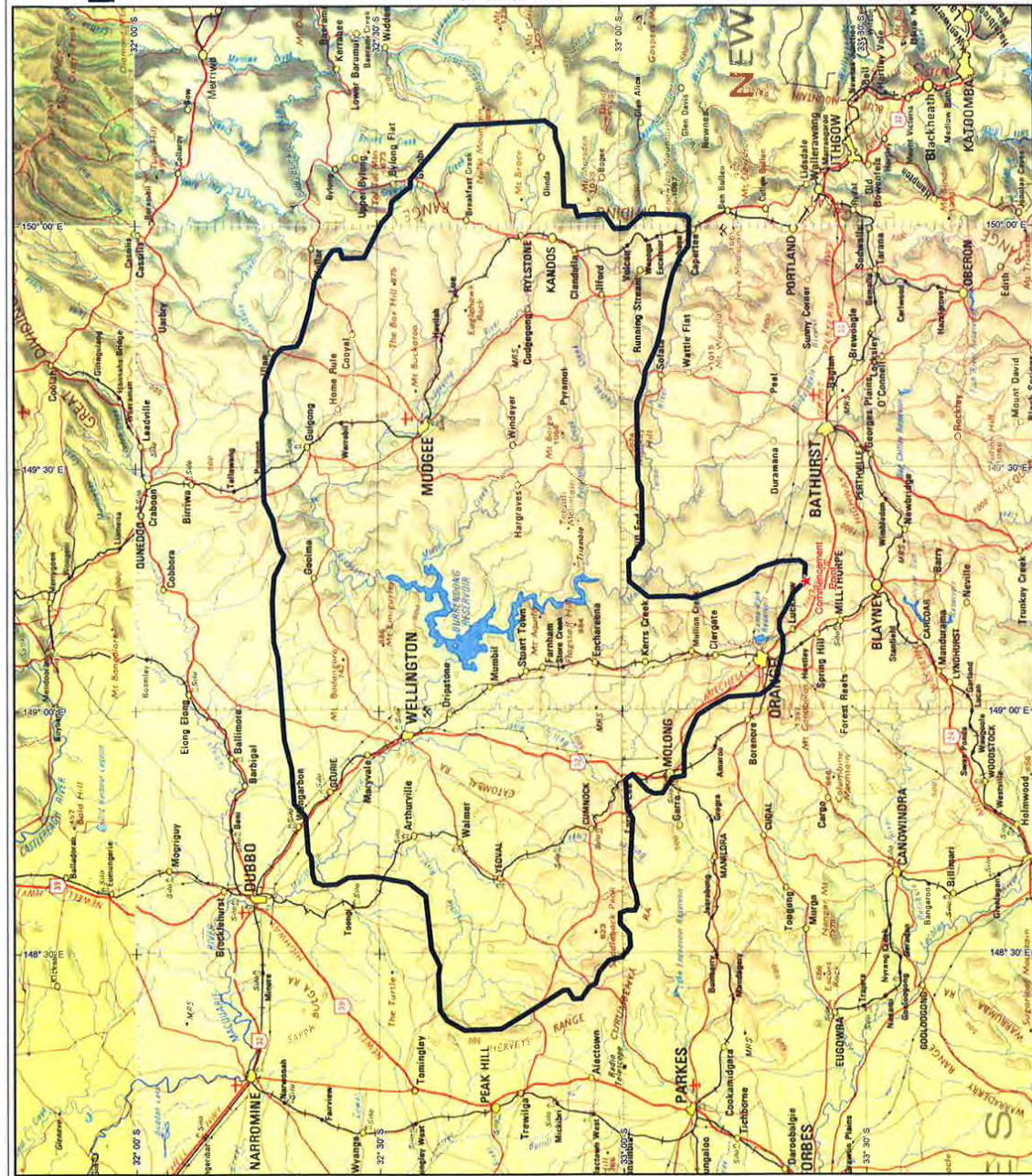
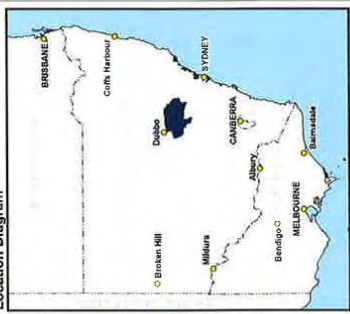
Map Ref: 20090724_Prepared_Wellington_Wiradjuri_map_A41.pdf
Created: 26/07/2009

© Commonwealth of Australia 2009
The Australian Government, its officers, employees and its staff, members and agents, and the Commonwealth (collectively the Commonwealth) accept no liability for any loss or damage, or for any consequences or variations concerning the accuracy, completeness or fitness for purpose of the information provided. The Commonwealth does not warrant, represent or guarantee the accuracy or reliability of the information, and the Commonwealth and its staff accept no responsibility for any loss or damage, or for any consequences or variations concerning the accuracy, completeness or fitness for purpose of the information provided. The Commonwealth does not warrant, represent or guarantee the accuracy or reliability of the information, and the Commonwealth and its staff accept no responsibility for any loss or damage, or for any consequences or variations concerning the accuracy, completeness or fitness for purpose of the information provided.



Latitude and Longitude based on Geocentric Datum of Australia 1994
Map Projection
National Native Title Tribunal

Location Diagram



Prepared: P. GLOD, 25/07/2009, NSWNTTA Preparing Wellington_Wiradjuri_map_A41.doc

Wellington Wiradjuri People

Description

The application area covers all the lands and waters within the external boundary described as follows:

External boundary description

Commencing at a point north of the Mitchell Highway, about midway between Orange and Bathurst; then generally north westerly passing south of Molong and Saddleback Peak to Goobang National Park; then generally north easterly and generally easterly passing south of Wongarbon, north of Gulgong and south of Ulan; then generally south easterly passing between Bylong Flat and Gingbi; then generally south westerly to north of Capertee; then generally westerly passing north of Sofala and south of Hill End; then generally southerly back to the commencement point.

More precisely described as:

Commencing at a point north of the Mitchell Highway, about midway between Orange and Bathurst at Longitude 149.266391° East, Latitude 33.376520° South; then extending generally north westerly, generally north easterly, generally easterly, generally south easterly, generally south westerly, generally westerly and generally southerly back to the commencement point, through the following coordinate points.

Longitude (East)	Latitude (South)
149.242195	33.353151
149.209038	33.336607
149.187940	33.323512
149.168963	33.323541
149.154602	33.330979
149.124248	33.331307
149.063463	33.315491
149.047800	33.302723
149.034057	33.283315
149.028873	33.217552
149.013115	33.187842
148.991257	33.154526
148.954272	33.137141
148.920786	33.126255
148.866579	33.126740
148.862391	33.101903
148.830736	33.082025
148.830046	33.063685

P:\GEO_INFO\Products\NSW\NTDA\Proposed\Wiradjuri\Mapping\GT2009_17
Description\20090724_Proposed_Wellington_Wiradjuri_Description.doc

NSD912/09 (NC09/4)

External Boundary Description
Attachment B1 of the Application
Page 1 of 4, A4, 24/08/2009

Longitude (East)	Latitude (South)
148.836611	33.050803
148.869643	33.020750
148.859326	33.005959
148.798707	33.008966
148.779071	33.020309
148.693756	33.015494
148.649877	33.016648
148.623128	33.026296
148.602089	33.029203
148.589435	33.024358
148.589323	33.006945
148.583952	32.993906
148.561724	32.994021
148.540745	33.012930
148.514254	33.015040
148.492980	32.997242
148.486572	32.971051
148.462465	32.950033
148.438889	32.943122
148.431334	32.929670
148.407981	32.914280
148.406278	32.897850
148.424832	32.886536
148.424460	32.876661
148.396237	32.832686
148.345383	32.749297
148.342536	32.673588
148.361795	32.637778
148.383458	32.622616
148.458196	32.620178
148.474589	32.623513
148.509200	32.606598
148.618272	32.594313
148.646252	32.559686
148.659239	32.486855
148.657294	32.435128
148.643373	32.411018
148.641264	32.383772
148.647705	32.367598
148.663238	32.362483
148.700004	32.359632
148.709543	32.353733
148.784175	32.348474
148.809329	32.325218
148.882878	32.319987
148.940888	32.305281
149.110668	32.292340
149.142329	32.283505
149.226836	32.281281
149.278476	32.284629
149.312192	32.301629
149.321001	32.305163
149.331570	32.297824

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Longitude (East)	Latitude (South)
149.346544	32.292252
149.396570	32.281521
149.432787	32.264093
149.602868	32.259147
149.618372	32.267682
149.681193	32.265558
149.730761	32.285907
149.748155	32.301453
149.751995	32.331477
149.763165	32.340127
149.828967	32.359577
149.889015	32.370235
149.931699	32.395001
149.949565	32.408652
149.950637	32.422745
149.932972	32.428858
149.934617	32.472591
150.006436	32.507887
150.025562	32.526212
150.049015	32.529831
150.072251	32.556521
150.079717	32.567621
150.096546	32.568120
150.207500	32.663578
150.216510	32.845505
150.201054	32.867094
150.180469	32.867636
150.139776	32.881416
150.040642	32.884024
150.039848	32.906169
150.017868	32.912866
150.021419	32.920775
150.023711	32.967315
149.993052	32.988362
149.994024	33.014225
150.023396	33.045461
150.023114	33.081242
150.020219	33.134037
150.013460	33.141747
149.958099	33.140379
149.932473	33.122225
149.901012	33.107520
149.838602	33.091746
149.786261	33.084180
149.748441	33.073408
149.700393	33.050195
149.673165	33.047146
149.635204	33.032612
149.475851	33.034452
149.459865	33.041933
149.347118	33.043017
149.331420	33.029309
149.316563	33.023581

P:\GEO_INFO\Products\NSW\NTDA\Proposed\Wiradjuri\Mapping\GT2009_1238 Map & Description\20090724_Proposed_Wellington_Wiradjuri_Description.doc

Longitude (East)	Latitude (South)
149.309727	33.014817
149.267455	33.015459
149.235284	33.053962
149.236976	33.127819
149.232720	33.144406
149.264914	33.236288
149.282980	33.269704
149.294292	33.282115
149.308395	33.325520
149.310440	33.365476
149.301149	33.377959
149.266391	33.376520

Note

Data Reference and source

- Application boundary data compiled by National Native Title Tribunal based on information supplied by Tietzel & Partners July 2009.

Reference datum

Geographical coordinates have been provided by the NNTT Geospatial Services and are referenced to the Geocentric Datum of Australia 1994 (GDA94), in decimal degrees and are based on the spatial reference data acquired from the various custodians at the time

Prepared by Geospatial Services, National Native Title Tribunal (24 July 2009)

From: Thorpe, Nakari [<mailto:Nakari.Thorpe@nntt.gov.au>]
Sent: Wednesday, 14 November 2012 3:53 PM
To: Josh Peters
Subject: RE: National Native Title Tribunal Search Results [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Josh

Our Geospatial Unit have conducted a search on their database and the search results are attached for your information.

I have also attached the relevant register extract and map attachment in relation to the results. Please note, the two applications [NC05/1 & NC08/1] listed under 'Historical Native Title Claims' have been discontinued and are no longer active applications. Therefore, I have not provided you with application summaries for these applications.

If you have any queries regarding these results, please contact me on (02) 9227 4004.

Regards,

Nakari Thorpe | SENIOR CASE MANAGEMENT ASSISTANT

National Native Title Tribunal | Sydney Office, Operations East

Level 16, Law Courts Building, Queens Square, New South Wales 2000

Telephone (02) 9227 4004 | Facsimile (02) 9227 4030 | Email nakari.thorpe@nntt.gov.au

Freecall 1800 640 501 | www.nntt.gov.au

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National
Native Title
Tribunal



Search Results

Prepared for Peabody Energy

Geospatial Job: GT2012/2093

Search Area: **Wilpinjong Area of Interest (AOI)**
As per map provided by client

Requested by: Jamie Lees

Date: 14 November 2012

DISCLAIMER

This information product has been created to assist in understanding the spatial characteristics and relationships with native title matters and is intended as a guide only. Spatial data used has been sourced from the relevant custodians in each jurisdiction. The Registrar, the National Native Title Tribunal and its staff and officers and the Commonwealth, accept no liability and or give no undertakings, guarantees or warranties concerning the accuracy, completeness or fitness for purpose of the information.

NOTES FOR INTERPRETING THE RESULTS

The search is based on the external boundary of the application or agreement. To determine whether any search area is subject to claim, determination or agreement, you need to refer to the accompanying extracts and associated documents. An "explanation of terms" follows the search results.

Results of spatial analysis as at 14th November 2012

Historical Native Title Claims

Search Area	Area (sq km)	Overlap (sqkm)	% of Area within Historical Claim Area	Tribunal Number	Federal Court Number	Name	Status	Effective Status Date
Wilpinjong AOI	127.322	28.561	22.43	NC05/1	NSD1089/05	William Gary Allen - Martin De Launey and Lynette Syme	Discontinued	18/07/2006
Wilpinjong AOI	127.322	4.380	3.44	NC08/1	NSD1598/08	North Eastern Wiradjuri People of the Bathurst Lithgow Mudgee area	Discontinued	9/11/2009

Geographical extents of Historical Native Title Claims are as at the effective status date.

National Native Title Register

There is NO overlap with any determination of native title as per the National Native Title Register.

Facilitating timely and effective outcomes.

PAGE 1

Register of Native Title Claims and Schedule of Applications - Federal Court

Search Area	Area (sqkm)	Overlap (sqkm)	% of Area within NTDA	Tribunal Number	Fed Court Number	Name	Reg Test Status	Registration Date
Wilpinjong AOI	127.322	13.437	10.55	NC09/4	NSD912/09	Wellington Valley Wiradjuri	Accepted for registration	18/12/2009

Indigenous Land Use Agreements

There is NO overlap with any registered indigenous land use agreements as per the Register of ILUAs.

There is NO overlap with any indigenous land use agreements notified (but not registered) by the Tribunal.

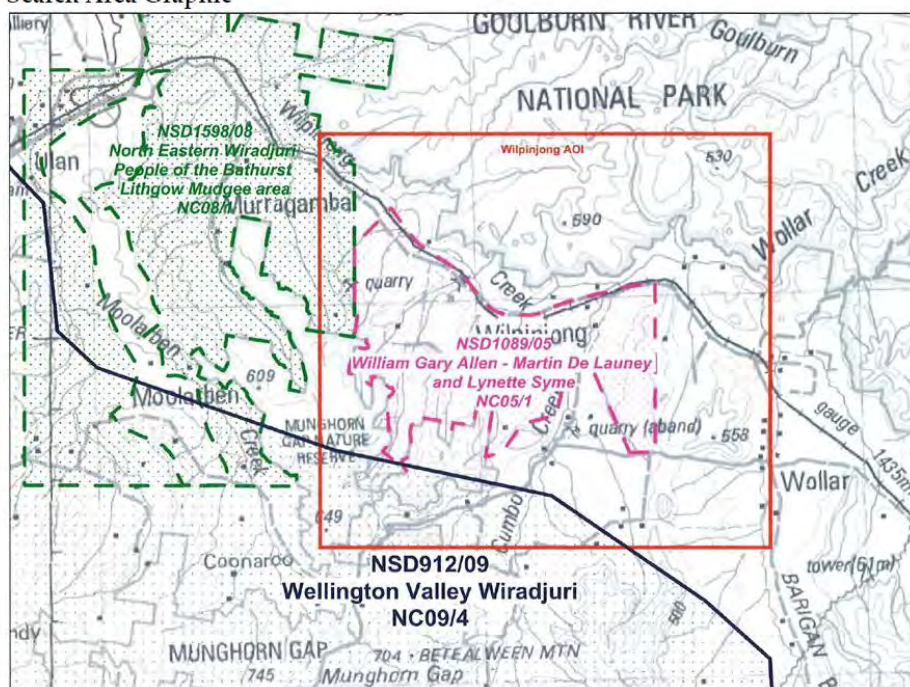
Representative Aboriginal and Torres Strait Islander Body Area

Search Area	Area (sq km)	% of Area within RATSIB Area	Name
Wilpinjong AOI	127.322	100.00	NTSCORP Limited

Local Government Authority

Search Area	Area (sq km)	% of Area within LGA	Name
Wilpinjong AOI	127.322	100.00	Mid-western Regional Council

Search Area Graphic



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PAGE 2

DATA STATEMENT

Prepared by Geospatial Services, National Native Title Tribunal.

New South Wales

Application boundary data compiled by the National Native Title Tribunal from data sourced from the Dept of Lands, Land and Property Information Division, NSW.

Local Government Authority data sourced from Public Sector Mapping Agency (November 2010).

RATSIB data compiled by NNTT based on reference material sourced from FaHCSIA.

EXPLANATION OF TERMS

National Native Title Register (NNTR)	Contains determinations of native title where native title does and does not exist in a particular area of land or waters.
Register of Native Title Claims (RNTC)	Contains claimant applications which have passed the Registration Test and those applications filed before 30/09/1998 that are still undergoing the Registration Test.
Schedule of applications – Federal Court	Contains active applications before the Federal Court.
Register of ILUAs	Contains indigenous land use agreements (ILUAs) that have been accepted for registration
Notified applications for indigenous land use agreements	Contains applications for ILUAs which have been notified but not yet registered
Area (sq km)	Total area of the Search Area (in sq km)
Tribunal Number	National Native Title Tribunal reference number (including identifier to record part applications)
Fed Court Number	Federal Court reference number
Name	Application or agreement name
Determination Date	Date on which the determination was made
Registration Date	Date on which the application was first placed on the Register of Native Title Claims with regard to its current 'registered' status or date on which an ILUA was registered
Reg Test Status	Registration test status (e.g. Accepted for registration, Currently identified for Reg. Test, Not currently identified for Reg. Test)
Application Type	Claimant, non-claimant or compensation
ILUA Status	In notification, notified, Registered

Facilitating timely and effective outcomes.

PAGE 3

Media advertisement placed for OEH consultation process:

Environmental Planning and Assessment Act 1979 (NSW)

Peabody Energy Australia through Wilpinjong Coal Pty Ltd (WCPL) owns and operates the Wilpinjong Coal Mine, located approximately 40 kilometres north-east of Mudgee in the Western Coalfield, New South Wales (NSW).


WCPL plans to seek approval under the *Environmental Planning and Assessment Act 1979* (NSW) and the *Environmental Planning and Assessment Regulation 2000* (NSW) for proposed extensions to the Wilpinjong Coal Mine open cut mining operations and development of associated supporting infrastructure and facilities.

As part of the application processes for the proposed extensions, WCPL will be preparing an Aboriginal Cultural Heritage Impact Assessment. The subject area of the proposed extensions and any such applications is depicted as the "Area of Interest" as shown on the enclosed plan.

In accordance with the requirements as set out in the "*Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*" (Department of Environment, Climate Change and Water, 2010) issued by the NSW Office of Environment and Heritage (OEH), WCPL is required to conduct a community consultation process with relevant Aboriginal people to assist in the preparation of the Aboriginal Cultural Heritage Impact Assessments referred to above.

Also in accordance with the requirements of the "*Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*", Aboriginal persons or groups who hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) in the "Area of Interest" are invited to register an interest in a process of community consultation with WCPL regarding the extensions to the Wilpinjong Coal Mine. Registrations of interest are required by 23 November 2012 to the contact details provided below.

WCPL advises that the details of any Aboriginal person or group who registers an interest in the proposed extensions will be forwarded to the OEH and Mudgee Local Aboriginal Land Council in accordance with Section 4.1.5 of the "*Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*", unless they specify at registration that they do not want their details released.



Contact details for registration are as follows:

Jamie Lees
Manager Project Development & Approvals
Wilpinjong Coal Pty Ltd
Peabody Energy Australia
Locked Bag 2005, Mudgee NSW 2850
Telephone: (02) 6370 2528
Facsimile: (02) 6373 4575
Email: jlees@peabodyenergy.com

Example of correspondence sent in Step 2 of OEH consultation process²²:



WILPINJONG COAL PTY LTD
ABN: 87 104 594 694

Level 13, BOQ Centre
259 Queen Street
Brisbane, Queensland 4000
Locked Bag 2005
Mudgee, NSW 2850
Australia
Tel + 61 (0) 2 6370 2500
Fax + 61 (0) 2 6373 4575

7 November 2012

Bathurst Local Aboriginal Land Council
149 Russell Street
BATHURST NSW 2795

Dear Sir/Madam,

WILPINJONG COAL MINE ABORIGINAL CULTURAL HERITAGE ASSESSMENT

Peabody Energy Australia through Wilpinjong Coal Pty Ltd (WCPL) owns and operates the Wilpinjong Coal Mine, located approximately 40 kilometres north-east of Mudgee in the Western Coalfield, New South Wales (NSW).

WCPL plans to seek approval under the *Environmental Planning & Assessment Act 1979* (NSW) and the *Environmental Planning and Assessment Regulation 2000* (NSW) for proposed extensions to the Wilpinjong Coal Mine open cut mining operations and development of associated supporting infrastructure and facilities.

As part of the application processes for the proposed extensions, WCPL will be preparing an Aboriginal Cultural Heritage Impact Assessment. The subject area of the proposed extensions and any such applications is depicted as the "Area of Interest" as shown on the enclosed plan.

In accordance with the requirements as set out in the *"Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010"* (Department of Environment, Climate Change and Water, 2010) issued by the NSW Office of Environment and Heritage (OEH), WCPL is required to conduct a community consultation process with relevant Aboriginal people to assist in the preparation of the Aboriginal Cultural Heritage Impact Assessments referred to above.

Also in accordance with the requirements of the *"Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010"*, Aboriginal persons or groups who hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) in the "Area of Interest" are invited to register an interest in a process of community consultation with WCPL regarding the extensions to the Wilpinjong Coal Mine.

Should Bathurst Local Aboriginal Land Council wish to register an interest in the community consultation processes described above, please respond by **23 November 2012** in writing to Jamie Lees, Manager of Project Development and Approvals via the following contact details:

Jamie Lees
Manager Project Development & Approvals
Wilpinjong Coal Pty Ltd
Peabody Energy Australia
Locked Bag 2005, Mudgee NSW 2850
Telephone: (02) 6370 2528
Facsimile: (02) 6373 4575
Email: jlees@peabodyenergy.com

²² Sent to all organisations/individuals notified about in responses provided by government authorities and Mudgee LALC in relation to Step 1 of OEH consultation process.

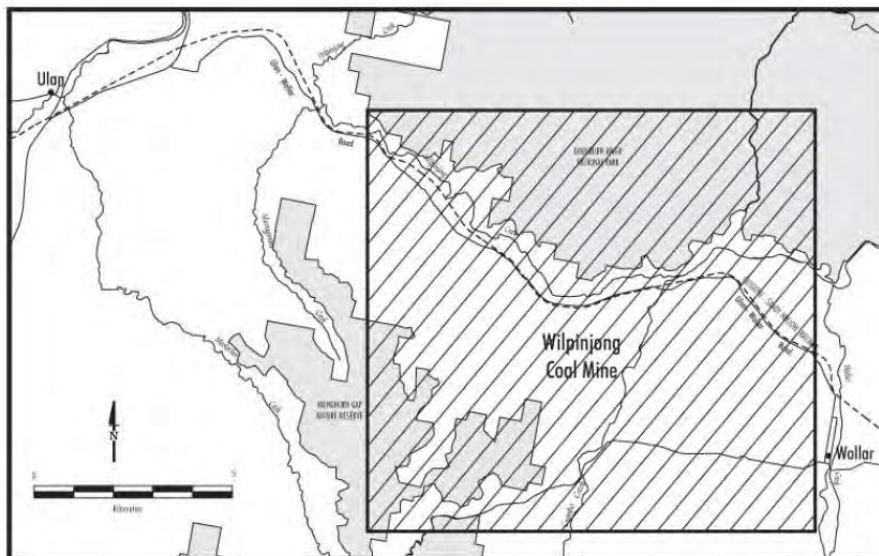
WCPL advises that the details of any Aboriginal person or group who registers an interest in the proposed extensions will be forwarded to the OEH and Mudgee Local Aboriginal Land Council in accordance with Section 4.1.5 of the "Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010". If Bathurst Local Aboriginal Land Council intend to register an interest and do not want their details released, please specify accordingly at registration.

Yours sincerely,



JAMIE LEES
Manager Project Development & Approvals
Wilpinjong Coal Pty Ltd

Plan Showing "Area of Interest"



Responses received in relation to Steps 1 and 2 of OEH consultation process and media advertisement from Aboriginal parties:



PO BOX 508
Wellington NSW 2820
ABN: 77 548 143 187
ICN: 7398

10th November 2012

Mr Jamie Lees
Manager Project Development & Approvals
Wilpinjong Coal Pty Ltd
Peabody Energy Australia
Locked Bag 2005
Mudgee, NSW, 2850

Re: Wilpinjong Coal Mine Aboriginal Cultural Heritage Assessment.

Dear Jamie,

As per our telephone conversation on Tuesday, 06th November 2012, Wellington Valley Wiradjuri Aboriginal Corporation (WVWAC) would like to register our interest as a Stakeholder to the above project. WVWAC has officially taken responsibility of all Culture and Heritage within our Native Title area from Gallangabang Aboriginal Corporation as of 22nd May 2010.

As per our telephone conversation, the following are my current contact details:

Organisation: Wellington Valley Wiradjuri Aboriginal Corporation (WVWAC)
Contact Person: Bradley R. Bliss – Director
Postal Address: P.O. Box 508, Wellington NSW 2820 (please also email every document)
Phone Number: 0427321016
Email: brad4975@hotmail.com

WVWAC objects to any other aboriginal organizations taking part in site surveys, consultation and assessments on its registered claim area as detailed in the WVW claim. Proponents are required to consult with the WVW claimants on the processes which give claimants (and only registered claimants or “native title holders”) certain rights and entitlements under Section 24MD of the Native Title Act (Commonwealth) (“NTA”).

WVW must be consulted and must be involved in any Cultural & Heritage Assessment in the WVW claim area as any subsequent activities undertaken by the proponent will constitute a Future Act under the NTA and thus involve WVW which is the only registered native title claim in the relevant area.

On the 18/12/09 the Wellington Valley Wiradjuri Claimants were successful in attaining registration of our Native Title Claim NC09/4 which encompasses a large portion of the North Wiradjuri Nation. A Registered Native Title Claim provides our traditional organisation with the sole authority on all Aboriginal Culture and Heritage issues within our defined region. The Wellington Valley Wiradjuri represents fourteen traditional families with identified apical ancestry pre European occupation. We know our culture, country and continue with our association with our traditional lands.

WVWAC has been established as a Prescribe Body Corporation to represent and administer our Native Title for the Claimants. Our charter is to protect Aboriginal culture and our heritage on our country and our aim is to work with all relevant parties to achieve our objectives.



PO BOX 508
Wellington NSW 2820
ABN: 77 548 143 187
ICN: 7398

Following the closure of the stakeholder notification period, WVVAC would appreciate you providing WVVAC with a list of the organisations and/or persons who have registered as aboriginal stakeholders and their respective contact details. Additionally we would appreciate minimum 21 days notice as to the proposed dates and location for the initial consultation meeting and or any field surveys.

WVVAC does not object to our details being given to OEH, WVVAC do not wish you to advise any other organisation of our interest to this project.

WVVAC look forward to participating in the above project, sharing our knowledge of country and to ensure our Heritage is protected.

Yours faithfully

Bradley Bliss
WVVAC Director
0427321016

From: midnightdowns@bigpond.com [<mailto:midnightdowns@bigpond.com>]

Sent: Tuesday, 13 November 2012 9:12 PM

To: Lees, Jamie

Subject: Wilpinjong Coal Mine Cultural Heritage Assessment

Paul Brydon
166 Minore St
NARROMINE NSW 2821
Phone 0268894427
Email: midnightdowns@bigpond.com

Jamie Lees,
Manager Project Development & Approvals
Wilpinjong Coal Pty Ltd
Peabody Energy Australia
Locked Bag 2005, Mudgee NSW 2850

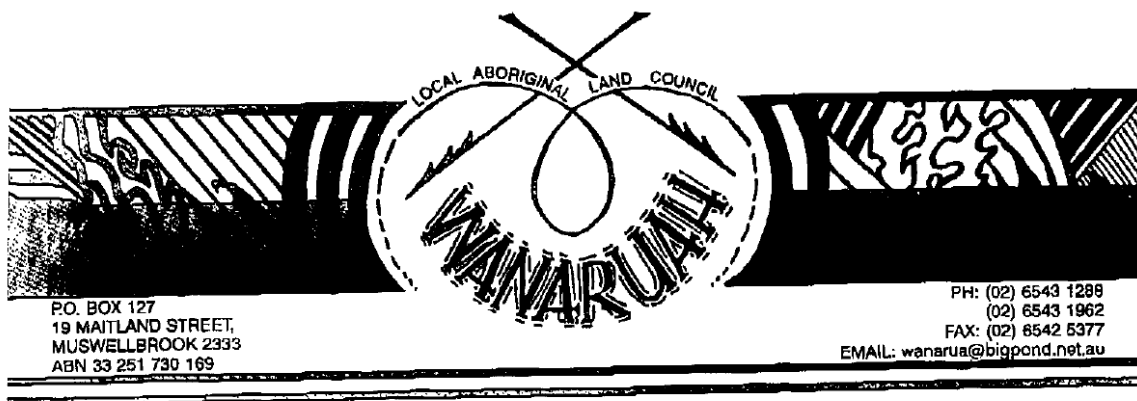
13th November 2012

Dear Sir,

1

As a Wiradjuri Elder in my community I would like to register an interest as an individual in the community consultation process pertaining to the Wilpinjong Coal Mine Cultural Heritage Assessment.

Yours Faithfully
Paul W Brydon



19 November 2012

ATTEN: Jamie Lees
Manager project development & approvals
Wilpinjong Coal Pty Ltd
Peabody energy Australia
Locked bag 2005,
Mudgee NSW 2850

Dear Jamie Lees ,

RE: WILPINJONG COAL MINE ABORIGINAL CULTURAL HERITAGE ASSESSMENT

Thank you for your letter dated 7th November 2012 asking the Wanaruah LALC if we are aware of any Aboriginal stakeholder groups or individuals who may hold cultural knowledge of the area and would be interested in being consulted with regards to the above study. Please find attached the current stakeholder listing for those within the Wanaruah LALC boundary.

Please also be advised that the Wanaruah LALC wishes to be consulted in this project and to participate by providing an experienced fieldworker to assist in the assessment of cultural heritage values. We look forward to hearing from you in due course and please do not hesitate to contact me should you wish to discuss the project and any other assistance we can provide, on (02) 6543 1288.

Kind regards,

Noel Downs
Chief Executive Officer
Wanaruah Local Aboriginal Land Council

P.1/4

To: 02633734575

20-NOV-2012 15:32 From:

GROUP NAME	CONTACT NAME	ADDRESS	FBI	FAX	LYCOBRIE	E-MAIL
Aboriginal Native Title Consultants	John & Margaret Matthews	16a Mahogany Crescent MUSWELLBROOK NSW 2333	6541 1204	6541 1204	417725956	
Bullen Bullen Heritage Consultants	Lloyd Matthews	16a Mahogany Crescent MUSWELLBROOK NSW 2333	6742 0658			
Cacatua Culture Consultants	George Sampson Donna Sampson	22 Ibis Parade WOODBERRY NSW 2333	4964 4685	4964 4635	0434 877 016 0403 765 019	cacatua@resetsi.net.au
Carrawonga	Justin Matthews	16B Mahogany Avenue MUSWELLBROOK NSW 2333				
Culturally Aware	Tracey Skene	7 Crawford Place MILLFIELD NSW 2325			0437 899 496 0447 266 595	anjunya@hotmail.com
Gidawaa Waiyang Cultural Heritage Consultancy	Annie Hickey	76 Lang Street KURRI KURRI NSW 2327	4937 1094	4936 4449	0402 322 974	barkumanc@hotmail.com
Givviri Consultants	Rodney Matthews Michelle Stair	8 Fitzgerald Avenue MUSWELLBROOK NSW 2333	6541 0506	6541 0751	0432 476 009 0432 214 402	bigrodshouse@hotmail.com
Hunter Valley Aboriginal Corporation	Rhonda Griffith	PO Box 579 MUSWELLBROOK NSW 2333	6543 1180	6543 1106		h973809@bigpond.net.au
Hunter Valley Cultural Consultants	Christine Archibald	40 Humphries Street MUSWELLBROOK NSW 2333	6541 2265		0438 390 882 0400 715 274	
Hunter Valley Cultural & Natural Resources	David French	Flat 3, 60 Tindale Street MUSWELLBROOK NSW 2333	6541 2601		0427 949 436	dfc@deakin.edu.au

Hunter Valley Cultural Surveying	Luke & Pansy Hickey	165 Susan Street, SCONE NSW 2337			0402 446 223		
Lower Hunter Wonnarua Council	Lea-Ann Ball (Miller)	142 Northcote Street KURRI KURRI NSW 2327	4937 2694		0402 636 521	leas972@hotmail.com	
Lower Wonnarua Tribal Consultancy Pty Ltd	Barry Anderson	156 The Inlet Road BULGA NSW 2333	6574 5303	6574 5303	0417 403 153	barry156@bigpond.com	
Mingga Consultants	Clifford Matthews	11 Coolibah Close MUSWELLBROOK NSW 2333			0421 942 962 0411 952 511		
Muswellbrook Cultural Consultants	Brian or David Horton	10 Scott Street MUSWELLBROOK NSW 2333			0488 014 441		
St Clair Singleton Aboriginal Corporation	Rene Molineaux (Secretary)	30 Carrington Street SINGLETON NSW 2330	6572 4324	6572 4324			
Ungooroo Aboriginal Corporation	Taasha Layer	PO Box 3095 SINGLETON NSW 2330	6571 5111	6571 5777	0423 736 661	ungooroo@bigpond.com	
Ungooroo Cultural & Community Services Inc	Rhonda Ward	8 Bixland Avenue SINGLETON NSW 2330	6571 1660	6571 1660	0421 243 909		
Upper Hunter Heritage Consultants	Darryl Matthews	14 Edinglassie Drive MUSWELLBROOK NSW 2333		6541 3533	0422 910 898 0439 556 641		
Upper Hunter Wonnarua Council Inc	Victor Perry	PO Box 184 SINGLETON NSW 2330	6571 4888	6571 4889	0412 593 020	L.perry@optusnet.com.au	
Valley Culture	Larry Van Vliet	140 Sydney Street MUSWELLBROOK NSW 2333	6542 5445	6542 5652	0414 872 290		
Warruah Custodians	Barbara Foot and Reginald Eveleigh	35 Acadia Circuit SINGLETON NSW 2330	6571 1935		0427 665 529		
Wattaka Wonnarua Cultural Consultants	Des Hickey	4 Kennedy Street SINGLETON NSW 2330	6571 1713	6571 2609	0432 977 178	deshickey@bigpond.com	
Wonnarua Culture Heritage	Joseph and Gordon Griffiths	19 O'Donnell Crescent METTORD NSW 2323	4933 2067	4933 2067	0401 028 807	vic82@dodo.com.au	

Wonnarua Elders Council	Rhoda Perry Tom Miller	PO Box 184 SINGLETON NSW 2330	6571 4888	6571 4889		l.perry@optusnet.com.au
Wonnarua Nation Aboriginal Corporation	Laurie Perry and Sandra Miller	PO Box 3066 SINGLETON DELIVERY CENTRE 2330	6571 5419	6571 5419	0412 593 020 (Laurie)	wonnarua@bigpond.com
Wonn1 Contracting	Arthur Fletcher	619 Main Road GLENDALE NSW 2285	4915 6833	4954 7751	0402 146 393	wonn1sites@gmail.com
Yarrawalk	Scott Franks Barry McTaggart	PO Box 76 CARINGBAH 1495 913 WOLLOMBI ROAD BROKE 2330	6579 1185	6579 1485	0404 171 544 0419 220 297	yarrawalk@tpg.com.au yarrawalk@optusnet.com.au
Yinarr Cultural Services	Kathleen Steward- Kinchela	7 Cypress Place MUSWELLBROOK NSW 2333		6547 6145	0432 720 623	YINARRCULTURALSERVICES@GMAIL.COM
Janbant Mugrebea	Les Atkinson	11 Nelson Street cessnock nsw 2325			0431 612 069 0466 016 369	les.atkinson@hotmail.com
Alliera French Trading	Alliera French	12 Haydon Street muswellbrook nsw 2333	65 412 765	same as house phone	0421 299 963	alliera.french.trading@hotmail.com
Waabi Gabinya Cultural Consultancy	Elizabeth Howard	19 Foley Street Muswellbrook NSW 2333			0409 898 876	elizabeth.howard@hotmail.com
GALAMAAY CONSULTANT	Karen Matthews	10 Scott Street MUSWELLBROOK NSW 2333			0421 853 860	
Deslee Talbot Consultant	Deslee Talbot	2/19 South street Gunnedah NSW 2380			0431 205336	
KL KG Saunders Trading Services	Krystal Saunders	6 Bowfield Place Muswellbrook NSW 2333			0434 553 307 0478 086 827	k.saunders01@hotmail.com

From: Jamie Gray [<mailto:jamiengray66@gmail.com>]
Sent: Wednesday, 21 November 2012 3:20 PM
To: Lees, Jamie
Subject: WILPINJONG COAL MINE ABORIGINAL HERITAGE ASSESSMENT

Jamie Lees
Manager Project Development & Approvals
Wilpinjong Coal Pty Ltd
Peabody Energy Australia
Locked Bag 2005, Mudgee NSW 2850

Hi Jamie,

In regards to the letter, Wilpinjong Coal Mine Aboriginal Cultural Heritage Assessment . I wish to register as an stake holder and would like the methodology report email sent to me.

Cheers
Dorothy Stewart
C.E.O
Binjang Wellington Wiradjuri Heritage Survey
[043584332](tel:043584332)
[260 Myall St Dubbo NSW 2830](https://www.google.com/maps/place/260+Myall+St+Dubbo+NSW+2830)

Jamie Gray

Mudgee Local Aboriginal Land Council

PO Box 1098

Mudgee NSW 2850

Phone: 02 63723511 Fax: 02 63723522

Email: mudgeelalc@bigpond.com

Jamie Lees

Manager Wilpinjong Project Development & Approvals

Wilpinjong Coal Pty Ltd

Peabody Energy Australia

Locked Bag 2005

Mudgee NSW 2850

22nd November 2012

Dear Jamie

Re: Wilpinjong Coal Mine Aboriginal Cultural Heritage Assessment

On behalf of the Mudgee LALC I would like to formally express our interest in being involved in the Wilpinjong Coal Mine Aboriginal Cultural Heritage Assessments particularly those relating to the proposed extensions to the Wilpinjong Coal Mine open cut mining operations and development of associated and supporting infrastructure and facilities.

Please do not hesitate to contact me if you have any queries.

Yours in Unity



Tony Lonsdale

A/g CEO

From: Peter Kuskie [<mailto:peter@southeastarchaeology.com.au>]
Sent: Thursday, 29 November 2012 6:14 PM
To: wanarua@bigpond.net.au
Subject: Re: Wilpinjong Mine Modification - Wanaruah LALC registration of interest

Hi Noel,

Hope all's well.

We are assisting Wilpinjong Mine, located near Ulan, 40 kilometres north-east of Mudgee, with the Aboriginal cultural heritage assessment of a proposed Modification.

During the initial steps of the OEH 2010 consultation process, Wilpinjong wrote to Mid-Western Regional Council, who advised that seven LALCs are located within their boundary and should be written to. As a result, and to ensure compliance with the exact letter of the OEH 2010 guidelines, Wilpinjong wrote to Wanaruah LALC on 7 November advising you of this project. On 19 November Wanaruah LALC registered an interest in the Project.

Regrettably, the Mid-Western Regional Council did not consider which LALC the project is located in, and the location figure supplied in the correspondence of 7 November may not have clarified this either.

The Wilpinjong Mine and project area (red border on attached figure) is located wholly within the Mudgee LALC boundaries. Mudgee LALC have registered an interest in this project and will be fully consulted throughout the project.

Given this information, we are seeking to clarify if you still wish Wanaruah LALC to be registered and considered for field investigation etc, or would like Wanaruah LALC to be registered and only sent reports for comment, or if you wish to retract the Wanaruah LALC registration given that the project is located wholly within the Mudgee LALC boundaries?

Look forward to hearing from you. Please don't hesitate to contact me if you wish to discuss further (although note that I'm in the field Friday with somewhat limited phone reception).

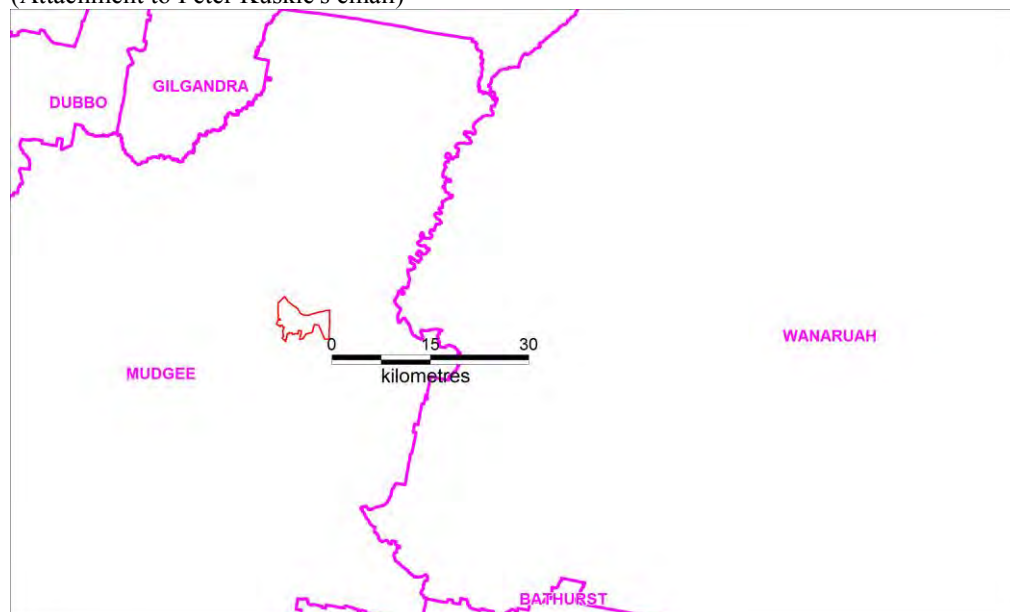
Regards,

Peter Kuskie,
South East Archaeology Pty Ltd.

24 Bamford Street
Hughes ACT 2605

Phone/fax: 02 - 6260 4439
Mobile: 0417 691 231

(Attachment to Peter Kuskie's email)



From: Wanaruah Local Aboriginal Land Council <wanaruah@bigpond.net.au>
Sent: Thursday, 29 November 2012 7:00 PM
To: 'Peter Kuskie'
Cc: 'Suzie Worth'
Subject: RE: Wilpinjong Mine Modification - Wanaruah LALC registration of interest
Attachments: copier.wanaruah@bigpond.com_20121129_184129.pdf

Just the reports and if any of our members who have an interest we will ensure any comments made are passed on to you. The map we received attached says area of interest includes a portion of our boundary. See attached

On the map you attached it is a lump above the 15km mark in the scale... If the mine does any work within 10km outside our boundary we do expect to be notified prior to.

Cheers

(Attachment to Noel Downs' email)

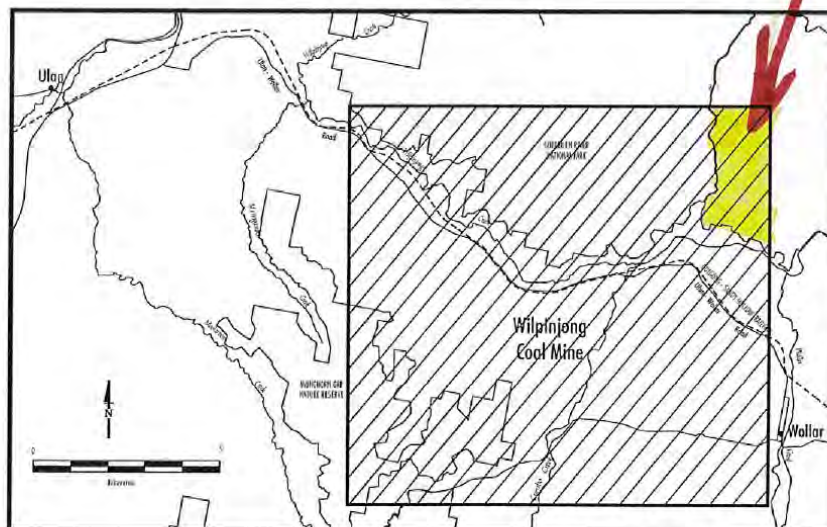
WCPL advises that the details of any Aboriginal person or group who registers an interest in the proposed extensions will be forwarded to the OEH and Mudgee Local Aboriginal Land Council in accordance with Section 4.1.5 of the "Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010". If Wanaruah Local Aboriginal Land Council intend to register an interest and do not want their details released, please specify accordingly at registration.

Yours sincerely,



JAMIE LEES
Manager Project Development & Approvals
Wilpinjong Coal Pty Ltd

Plan Showing "Area of Interest"



From: Peter Kuskie <peter@southeastarchaeology.com.au>
Sent: Friday, 30 November 2012 8:10 PM
To: 'Wanaruah Local Aboriginal Land Council'
Cc: 'Suzie Worth'
Subject: RE: Wilpinjong Mine Modification - Wanaruah LALC registration of interest

Great, thanks Noel. We will ensure that you receive copies of the reports and your comments are sought.

Please note that the lines shown on the map included in the original letter are roads, not LALC boundaries, so we apologise for any confusion.

Regards,

Peter Kuskie,
South East Archaeology.
0417 691 231

From: Wanaruah Local Aboriginal Land Council [<mailto:wanarua@bigpond.net.au>]
Sent: Thursday, 29 November 2012 7:00 PM
To: 'Peter Kuskie'
Cc: 'Suzie Worth'
Subject: RE: Wilpinjong Mine Modification - Wanaruah LALC registration of interest

Just the reports and if any of our members who have an interest we will ensure any comments made are passed on to you. The map we received attached says area of interest includes a portion of our boundary. See attached

On the map you attached it is a lump above the 15km mark in the scale... If the mine does any work within 10km outside our boundary we do expect to be notified prior to.

Cheers

From: Peter Kuskie [<mailto:peter@southeastarchaeology.com.au>]
Sent: Thursday, 29 November 2012 6:14 PM
To: wanarua@bigpond.net.au
Subject: Re: Wilpinjong Mine Modification - Wanaruah LALC registration of interest

Hi Noel,

Example of correspondence sent in Step 3 of OEH consultation process²³:



WILPINJONG COAL PTY LTD

ABN: 87 104 594 694

Level 13, BOQ Centre
259 Queen Street
Brisbane, Queensland 4000
Locked Bag 2005
Mudgee, NSW 2850
Australia
Tel + 61 (0) 2 6370 2500
Fax + 61 (0) 2 6373 4575

3 December 2012

Murong Gialinga Aboriginal & Torres Strait Islander Corporation
PO Box 1097
MUDGEES NSW 2850

Attention: Larry and Debbie Foley

Dear Larry and Debbie,

WILPINJONG COAL MINE ABORIGINAL CULTURAL HERITAGE ASSESSMENT

Draft Methodology

Please find enclosed (Enclosure A), a copy of the Proposed Methodology for the Aboriginal Cultural Heritage Assessment for the Wilpinjong Coal Mine Modification (the Modification).

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (New South Wales [NSW] Department of Environment, Climate Change and Water [DECCW], 2010) issued by the NSW Office of Environment and Heritage (previously the DECCW), we provide the Proposed Methodology for your review and feedback

If you wish to provide input on the following, please make a written submission to Wilpinjong Coal Pty Ltd (WCPL) by **18 January 2013**:

- The nature of the Proposed Methodology.
- Any Aboriginal objects or places of cultural value within the investigation area, or issues of cultural significance, that you are aware of.
- Any restrictions or protocols you may consider necessary in relation to any information of sensitivity that you may provide.
- Any other factors you consider to be relevant to the heritage assessment.

All comments received will be taken into consideration as the Methodology is finalised.

Field Survey

WCPL will be facilitating a field survey/inspection to allow representatives of the registered Aboriginal parties to inspect the survey area and Aboriginal heritage sites within the study area.

It is planned to undertake the proposed field survey over a period of two to three days, from Wednesday 23 January 2013 to Friday 25 January 2013.

Please advise if you would like to be involved in the field survey by **Wednesday 9 January 2013**, including the name and contact details of the survey participant.

Due to logistical and safety constraints, each of the registered Aboriginal parties is invited to send one representative to attend each day of the field surveys. The representatives must have undertaken a mandatory induction prior to the field survey (refer below).

²³ Sent to all registered Aboriginal parties.

WCPL will pay one representative from Murong Gialinga Aboriginal & Torres Strait Islander Corporation at a rate of \$____ per day including GST (and will cover reasonable travel/logistical expenses) for involvement in the January 2013 field surveys. An invoice will need to be provided prior to payment.

General Personal Protection Equipment (PPE) will be required by all those participating in the survey, including high visibility shirt or vest, long sleeved shirt, long pants, safety boots (preferably steel capped) with metatarsal protection (metatarsal inserts can be provided for lace up boots on the day if required), hard hat, safety glasses and gloves. Participant should also bring their own food and water for the day.

Mine Induction

A mandatory induction for those attending the January 2013 field surveys, will be held at the Wilpinjong Coal Mine on Tuesday 22 January 2013 from 1:00pm to 5:00pm. **The following is required prior to participation in the mandatory induction:**

1. Copies of current insurances including public liability and workers compensation.
2. Results of drug and alcohol testing and a Medical (Order 41) (refer to Enclosure B), undertaken within 14 days of the induction. The Medical Form included as Enclosure B can be used to fulfill the requirements of an Order 41 Medical. A registered General Practitioner would need to complete the form for each participating representative.

Please advise the names of your representatives that will be attending the induction by **Wednesday 9 January 2013**.

Contact Details

If you have any queries regarding the Modification or to confirm your attendance at the field survey, please contact:

Jamie Lees
Manager Project Development & Approvals
Wilpinjong Coal Pty Ltd
Peabody Energy Australia
Locked Bag 2005, Mudgee NSW 2850
Telephone: (02) 6370 2528
Facsimile: (02) 6373 4575
Email: jlees@peabodyenergy.com

Yours sincerely,



JAMIE LEES
Manager Project Development & Approvals
Wilpinjong Coal Pty Ltd

Enclosures: A) Proposed Methodology.
B) NSW Coal Industry Pre Placement Health Assessment Report.



WILPINJONG COAL PTY LTD

ABN: 87 104 594 694

Level 13, BOQ Centre
259 Queen Street
Brisbane, Queensland 4000
Locked Bag 2005
Mudgee, NSW 2850
Australia
Tel + 61 (0) 2 6370 2500
Fax + 61 (0) 2 6373 4575

30 November 2012

Murong Gialinga Aboriginal & Torres Strait Islander Corporation
PO Box 1097
MUDGEES NSW 2850

Attention: Larry and Debbie Foley

Dear Larry and Debbie,

WILPINJONG COAL MINE ABORIGINAL CULTURAL HERITAGE ASSESSMENT

Thank you for registering an interest in the Aboriginal consultation process for the proposed extensions to the Wilpinjong Coal Mine open cut mining operations and development of associated supporting infrastructure and facilities (the Modification).

Peabody Energy Australia through Wilpinjong Coal Pty Ltd (WCPL) would like to offer registered Aboriginal stakeholders an opportunity to attend an information session regarding the Modification on Tuesday 18 December 2012, at the Wilpinjong Coal Mine administration offices. The information session will commence at 1:00pm and conclude at approximately 4:00pm.

At this information session WCPL will provide a presentation on the nature and scale of the Project, an overview of the impact assessment process and discuss the roles, functions and responsibilities of participants and protocols for the management of any sensitive cultural heritage information. This information session will also provide registered stakeholders with an opportunity to raise any cultural concerns or comments/perspectives regarding the Project or the proposed assessment methodology. Notwithstanding, there will be various other opportunities to discuss these matters throughout the consultation process.

Can you please indicate whether you are interested in attending the information session by Tuesday 11 December 2012. Directions to site can be provided if required. If you are not able to attend the information session, the presentation material can be posted and/or emailed to you.

Jamie Lees
Manager Project Development & Approvals
Wilpinjong Coal Pty Ltd
Peabody Energy Australia
Locked Bag 2005, Mudgee NSW 2850
Telephone: (02) 6370 2528
Facsimile: (02) 6373 4575
Email: jlees@peabodyenergy.com

Yours sincerely,

JAMIE LEES
Manager Project Development & Approvals
Wilpinjong Coal Pty Ltd



NORTH EAST WIRADJURI
COMPANY LTD

12th December, 2010

Jamie Lees,
Manager Project Development & Approvals,
Wilpinjong Coal Pty Ltd,
Peabody Energy Australia,
Locked Bag 2005,
MUDGEES. NSW. 2850
jlees@peabodyenergy.com

Dear Jamie,

**Wilpinjong Coal Mine Aboriginal Cultural Heritage Assessment
Field Assessment – January 2013**

In response to your letter of 3/12/12 I wish to advise that NEW Co would like to be involved in the field survey proposed for 23 – 25 January, 2013.

We will advise the name and contact details of our representative closer to the time.

Your sincerely,

Lyn Syme
Director / Co Secretary

PO BOX 29,
KANDOS. NSW. 2848
0425332434

From: Mudgee LALC [<mailto:mudgeelalc@bigpond.com>]
Sent: Wednesday, 9 January 2013 6:01 PM
To: Lees, Jamie
Subject: re: Mudgee LALC Rep - Wilpinjong induction and field survey
Importance: High

Hi Jamie,

Just confirming that our representative for the induction and field survey will be Christine Maynard.
She has completed her medical with her doctor and we will forward the D&A test results when completed along with our COCs for public liability and worker's comp.

Let me know if you need anything else.

Cheers

Tony

Tony Lonsdale
A/g CEO
Mudgee Local Aboriginal Land Council
☎ (02) 6372 3511 📠 (02) 6372 3522

From: Lynette Syme [mailto:lynsyme@bigpond.com]
Sent: Friday, 18 January 2013 5:07 PM
To: Lees, Jamie
Subject: Methodology for open cut modification methodology and other issues

Jamie, Hi –

I have read the open cut modification methodology and don't have any problems with it.

However there are a number of issues that I do have issue with including the survey next week:

Your letter for the survey work suggests “steel capped boots preferably” – steel capped boots have been compulsory at Wilpinjong since the inception of the mine. Additionally Metatarsols have been compulsory for probably the last two years. To suggest “steel capped preferably” sends a wrong message to the Aboriginal community organisations.

Supervisor Arrangements: There has been no mention of any “supervisor arrangements” in line with the Wilpinjong Supervisor Arrangement Policy which we have been subjected to for over 18 months. What are the arrangements for this next week.

Finally, we have received no information regarding commencement time, meeting place, supervision for the BAC machine, checking representatives PPE, etc. that again, we have been subjected to for the last 18 months.

PPE needs to be in accordance with Thiess standards.

Your attention to these details are urgent given the time line.

Regards
Lyn Syme
NEW Co
Co Secretary and Director

Received 21/11/2013

Jamie Lees
jlees@peabodyenergy.com

We have reviewed the Proposed Methodology and make the following comments.

- | | |
|----------|---|
| Issue #1 | 1 We do not believe it is acceptable given the small scale of the proposed area (75ha.) to only survey "a sample from every survey area within the investigation area," we expect that the full extent of each survey area will be subject to survey. |
| Issue #2 | 2 Warrabinga Directors should be advised and consulted with prior to finalising any determination when those areas may not be subject to survey. |
| Issue #3 | 3 Can you please clarify the proposed make up of each of the survey teams as outlined in Paragraph 3 (page5). There are insufficient details for Warrabinga to identify if all site safety requirements are being met with the lack of detail provided. |
| Issue #4 | 4 Should any sub-surface investigations be required Warrabinga will require a detailed methodology for consideration, amendment and or endorsement at least 21 days prior to any sub-surface investigations being undertaken. |
| Issue #4 | 5 If there are any changes (as alluded to in paragraph7, Page 5) Warrabinga expects to be notified immediately upon those changes being identified. The advice can be made via email (info@warrabinga.com.au). The advice does not need to be extensive and may simply state that further information is to follow and specify an anticipated date for the supply of further information. |
| Issue #5 | 6 Warrabinga would like a copy of all field recording forms, photographs and field notes, and digital files including GPS that are collected collated and or prepared throughout the survey by all contractors. WCPL staff to provide Warrabinga copies of all these in an electronic format within 21 days of the completion of any works, this has been provided during previous assessment works at Wilpinjong and Warrabinga would like to see this (best) practice continue. |
| Issue #6 | 7 Warrabinga would like to propose that a specific meeting be convened for all stakeholders to attend and discuss the draft report. This meeting should be conducted in two parts. The first being a closed meeting where all reps may discuss the report and raise and discuss the issues amongst themselves and the second being where the Archaeologist and the representatives of WCPL can attend and clarify questions. Given the size and complexity of the project Warrabinga feels it is important to have more than 1 rep at this meeting. |

Robyn F Williams
Director
Phone 0428760269
robyn.williams@warrabinga.com.au



10th July, 2013

jlees@peabodyenergy.com

cc:

dwallace@resourcestrategies.com.au

peter@southeastarcheology.com.au

jpeters@resourcestrategies.com.au

P. Kuskie, South East Archaeology,
J. Lees, Wilpinjong Coal (Peabody Energy Australia),
J. Peters, Resource Strategies.

**Wilpinjong Coal Mine, Central Tablelands of New South Wales –
Modification:
Aboriginal Cultural Heritage Assessment (Draft)**

Our comments are set out below:

- | | |
|-----------------|---|
| Issue #7 | • All evidence of Aboriginal culture is of high significance. |
| Issue #8 | • Area 1 – We agree with the recommendations contained in the report. |
| Issue #8 | • Area 2 – We agree with the recommendations contained in the report |
| Issue #8 | • Area 3 – We agree with the recommendations contained in the report. |
| Issue #9 | • Area 4 – We require more time to consider this area. We require further information regarding this area. “Castle Rock” is a significant rock art shelter in close proximity adjacent to this area |

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which has experienced mining operations within the existing MOP. We are awaiting a report on "Castle Rock" and will provide further comment when this is to hand and we have had time to consider its contents and recommendations.

- Issue #10** • Any amendments to the existing ACHMP will need to be carefully examined.

Yours sincerely,
Lyn Syme,



Co. Secretary / Director.

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NORTH EAST WIRADJURI

COMPANY LTD

11th July, 2013

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P. Kuskie, South East Archaeology,

J. Lees, Wilpinjong Coal (Peabody Energy Australia),

J. Peters, Resource Strategies.

Wilpinjong Coal Mine, Central Tablelands of New South Wales –

Modification:

Aboriginal Cultural Heritage Assessment (Draft)

Area 5

Please accept my apologies for omitting a comment regarding Area 5 in yesterday's correspondence.

Our comments are set out below:

- | | |
|----------|---|
| Issue #7 | • All evidence of Aboriginal culture is of high significance. |
| Issue #8 | • Area 5 – we agree with the recommendations contained in the report. |

Yours sincerely,

Lyn Syme,
Co. Secretary / Director.

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**Murong Gialinga Aboriginal and Torres Strait Islander
Corporation**

C/O PO Box 1097

Mudgee NSW 2850

Ph: 02 63720859

Email: muronggialinga@hotmail.com

8/7/13

To

Whom it may concern

We are writing to in regards to the Aboriginal Cultural Heritage Assessment

Issue #11 We at Murong Gialinga do not approve of mining. We have read the Assessment written by Peter
Issue #12 Kuskie and agree with his assessment. We at Murong Gialinga would like to be involved and would
like Peter Kuskie to be the Archeologist he is qualified and has years of experience. We have other
Issue #13 concerns we would like to add they are as follows. We would like all reports done on the Aboriginal
work that has been done recently the archeologist was Lance Syms as a stakeholder we should have
these reports also we would like written correspondence why .We asked for these reports and answers
to our other questions months ago with meetings with representatives from Wilpinjong but to no avail
.We at Murong Gialinga was not involved in the Aboriginal Cultural work carried out only the Native
Title Claimants were involved .We have been told that only the Native Title Climates are only allowed
near Castle Rock but we have community members who have Cultural ties with that area so we would
like a answer. We would like to know why we have to have permission of the Native Title Claimants to
view the keeping place as a stakeholder we should be allowed to be involved. We were not involved in
the Aboriginal Cultural Heritage plan of management, We will be sending a copy of this letter to EDO
and Department of planning

Kind Regards
Larry Foley

Chairperson

Mudgee Local Aboriginal Land Council

P.O Box 1098

Mudgee NSW 2850

Phone: 0263723511 Fax: 02 63723522

Email: mudgeelalc@bigpond.com

10/07/13

**RE: Wilpinjong Coal Mine, Central Tablelands of New South Wales -
Modification: Aboriginal Cultural Heritage Assessment by Peter Kuskie
South East Archaeology Pty Ltd.**

To whom it may concern,

Issue #14 The Mudgee LALC in principle does not agree with the destruction of our cultural heritage but recognises that with developments such as this it will occur.

Issue #15 After consideration of the above-mentioned report and recommendations contained therein we feel that the report is a true reflection and that the recommendations put forward are appropriate.

The Mudgee LALC has the following issues and recommendations.

Issue #16 Members have however raised concerns about the following issues:

Issue #17 What will be the effect on watercourses such as Cumbo Creek?

Issue #18 What will be the effects on the groundwater?

Issue #19 That there may increased risk of unearthing skeletal remains due to the close proximity to waterways such as Cumbo Creek?

Issue #19 What are the potential impacts upon Aboriginal sites from dust from the development and associated infrastructure?

Generally speaking we have to following recommendations:

Issue #20 1. Consultation needs to involve all stakeholder groups and be open and transparent. This also needs to extend to fieldwork. We feel that it is imperative that any fieldwork including monitoring should include representatives from all of the registered stakeholder groups.

Issue #21 2. That all stakeholders be given the opportunity to participate in the review of the Aboriginal Heritage Training.

- Issue #22** 3. All registered stakeholders need to be involved in decision making regarding the curation of any Aboriginal Cultural Heritage materials which may need to be salvaged as a result of the project and proposed modifications.
- Issue #23** 4. Access to the keeping place needs to be open to all stakeholders by arrangement with Wilpinjong Coal. All stakeholders should be able to visit the keeping place by arrangement with the appropriate Wilpinjong staff.
- Issue #24** 5. Access to information from the sites database also needs to be open by arrangement to all stakeholders.
- Issue #25** 6. Any reports relevant to the Wilpinjong Coal project which have not been provided to the registered stakeholder groups should be sent out to allow all groups to make informed decisions with all relevant documentation.
- Issue #26** 7. Access to visit sites of importance to stakeholders should be available to all groups for cultural and educational purposes. In particular areas of importance such as Castle Rock should be accessible by arrangement. There are members of the community who have direct links to this place who should be able to visit the area. No one group should be able to restrict access of other groups – we are all registered stakeholders.
- Issue #27** 8. There have been concerns raised within the community regarding the changing of Archaeologists for the Wilpinjong Coal project. In our experience South East Archaeology has involved our organisation in consultation and fieldwork and as a result the local community now has a greater understanding of the project – something which has been lacking in the past. We feel that their knowledge of the regional context of the sites at Wilpinjong from work on similar projects in the vicinity gives them a distinct insight and understanding into the cultural heritage of the region. We have found them to be open and transparent in their dealings with community and we feel that they have established a degree of respect and trust within the community which makes them more comfortable to discuss issues – particularly regarding cultural significance. We feel that it is important that the services of this company be retained and that if in the future the Archaeologist needs to change that all registered stakeholders should be consulted.

Please do not hesitate to contact me if you have any further queries.

Regards



Aleshia Lonsdale
Chairperson