

Appendix B Summary Record of Discussion

Group	Person contacted	Details	Date	Heritage Concepts representative
Derrubbin Local Aboriginal Land Council (DLALC)	Phil Khan	Spoke to Phil and organised the survey of the rail corridor for the 12 th of February. Faxed the details through to DLALC.	08.02.08	Meg Withers
Darug Aboriginal Cultural Heritage Assessments (DACHA)	Celestine Everingham	Spoke to Celestine and organised the survey of the rail corridor for the 11 th of February. Faxed the details through to DACHA.	08.02.08	Meg Withers
Darug Tribal Aboriginal Corporation (DTAC)	Gordon Workman	Spoke to Gordon and organised the survey of the rail corridor for the 11 th of February. Faxed the details through to DTAC.	08.02.08	Meg Withers
Darug Custodians Aboriginal Corporation (DCAC)	Leanne Watson	Spoke to Leanne and organised the survey of the rail corridor for the 11 th of February. Faxed the details through to DCAC.	08.02.08	Meg Withers
DCAC, DTAC and DACHA	Representatives of each organisation	Participated in site inspection	11.02.08	Cornelia de Rochefort
DLALC	Phil Kahn	Participated in site inspection	12.02.08	Cornelia de Rochefort

Group	Person contacted	Details	Date	Heritage Concepts representative
DLALC	Phil Kahn	Advised Phil of second phase of project — Schofields Station survey and organised a date for the field work	27.03.08	Cornelia de Rochefort
DTAC	Sandra Lee	Advised Sandra of the second phase of project — Schofields Station survey and organised a date for the field work	27.03.08	Cornelia de Rochefort
DCAC	Leanne Watson	Advised Leanne of the second phase of project — Schofields Station survey and organised a date for the field work	27.03.08	Cornelia de Rochefort
DACHA	Celestine Everingham	Advised Celestine of the second phase of project — Schofields Station survey and organised a date for the field work	27.03.08	Cornelia de Rochefort
Darug Lands Observation (DLO)	Gordon Workman	<p>Gordon called to let us know he had started a new stakeholder group and wished to be involved in the project.</p> <p>Advised Gordon he would need to formally register an interest in the project via TIDC. Sent Gordon TIDC contact details so he could register.</p>	31.03.08	Charles Parkinson and Cornelia de Rochefort

Group	Person contacted	Details	Date	Heritage Concepts representative
DLALC	Phil Kahn	Participated in site inspection	08.04.08	Cornelia de Rochefort
DCAC, DACHA and DLO	Representatives of each organisation	<p>Participated in site inspection</p> <p>DLO were not formally registered were present with other stakeholder representatives to carry out the field inspection.</p> <p>Note: CP advised HC staff that it was not appropriate to refuse DLO permission to participate due to their close relations with the other stakeholders.</p>	09.04.08	Charles Parkinson and Cornelia de Rochefort
DTAC	Sandra Lee	Due to unforeseen circumstances a DTAC representative was unable to attend the site inspection.	09.04.08	Cornelia de Rochefort
DLALC	Phil Kahn	Advised Phil of third phase of project — expansion of rail corridor survey and organised a date for the field work	25.08.08	Cornelia de Rochefort
DTAC	Sandra Lee	Advised Sandra of the third phase of project —expansion of rail corridor survey and organised a date for the field work	25.08.08	Cornelia de Rochefort

Group	Person contacted	Details	Date	Heritage Concepts representative
DCAC	Leanne Watson	Advised Leanne of the third phase of project — Expansion of rail corridor survey and organised a date for the field work	25.08.08	Cornelia de Rochefort
DACHA	Celestine Everingham	Advised Celestine of the third phase of project — expansion of rail corridor survey and organised a date for the field work	25.08.08	Cornelia de Rochefort
DLO	Gordon Workman	Advised Gordon of the third phase of project — expansion of rail corridor survey and organised a date for the field work	29.10.08	Cornelia de Rochefort
DLALC	Phil Kahn	Participated in site inspection	01.09.08 and 08.09.08	Cornelia de Rochefort
DCAC, DACHA, DLO and DTAC	Representatives of each organisation	Participated in site inspection	01.09.08, 04.09.08 and 05.11.08	Cornelia de Rochefort

Appendix C Native Title search results



NATIONAL NATIVE TITLE TRIBUNAL

Our Ref: 1680/07to

Your Ref: 070157

Level 25 GPO Box 9973, SYDNEY NSW 2001

25 Bligh Street Telephone: (02) 9235 6300

SYDNEY NSW 2000 Facsimile: (02) 9233 5613

AUSTRALIA Website: www.nntt.gov.au

10 May 2007

Nicki Nolan
Junior Research Assistant
Heritage Concepts Pty Ltd
PO Box 1075
Leichhardt NSW 2040

Dear Ms Nolan

Native title search results of Blacktown City Council Local Government Area

Thank you for your letter of 8 May 2007.

My search on 10 May 2007 found:

Register Type	NNTT Reference Numbers
National Native Title Register	Nil.
Register of Native Title Claims	NC97/8
Unregistered Claimant applications	Nil.
Register of Indigenous Land Use Agreements	Nil.

I have included the Register Extract, Application Tenure Table, a map and an 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.

If you need more information please call me on 1800 640 501.

Yours sincerely

Tom O'Reilly
National Native Title Tribunal
Ph: (02) 9235 6315
Fax: (02) 9233 5613
Email: tomo@nntt.gov.au



NATIONAL NATIVE TITLE TRIBUNAL

Application Information and Extract from the Register of Native Title Claims

Application Information

Application numbers: Federal Court number: NSD6061/98
NNTT number: NC97/8

Application name: Darug Tribal Aboriginal Corporation

Registration history: Registered from 12/05/1997 to 29/09/1999.
Registered from 13/12/2000.

NNTT map attached.

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

Application lodged with: National Native Title Tribunal

Date application lodged: 12/05/1997

Date claim entered on Register: 13/12/2000

Applicants: Angela Martin, Colin Rex Gale, Gordon William Morton

Address for service: Eduard Neumann
Craddock, Murray & Neumann Solicitors
Level 2
255 Castlereagh Street
SYDNEY NSW 2000
Phone: (02) 9283 4755
Fax: (02) 9283 4180

Area covered by the claim:

Information identifying the boundaries of:

- a) the area covered by the application; and
- b) any areas within those boundaries that are not covered by the application.

(a) 18 x AO size colour maps (1 x locality & 17 x enlargements), 1 x A3 locality map and a 21 page tenure/parcel identifier produced by the Surveyor General's Department have been filed with the National Native Title Tribunal. The 21 page tenure/parcel identifier is "Attachment C".

(b) Subject to clauses (d) and (e) the area covered by the application excludes any land or waters covered by

- (vi) a community purpose lease;
- (vii) a lease dissected from a mining lease as referred to in s23B(2)(vii);
- (viii) any lease (other than a mining lease) that confers a right of exclusive use over particular land or waters;

which was validly vested or granted on or before 23 December 1996.

(c) subject to clauses (d) and (e) the area covered by the application excludes any area covered by the valid construction or establishment of any public work, where the construction or establishment of the public work commenced on or before 23 December 1996.

(d) Where the act specified in (b) and (c) falls within the provision of

- (i) s23B(9) - Exclusion of acts benefiting Aboriginal peoples or Torres Strait Islanders;
- (ii) s23B(9A) - Establishment of a national or state park;
- (iii) s23B(9B) - Acts where legislation provides for non-extinguishment;
- (iv) s23B(9C) - Exclusion of Crown to Crown grants; and
- (v) s23B(10) - Exclusion by regulation,

the area covered by the act is not excluded from this application.

(e) Where an act referred to in clauses 2 and 3 covers land or waters referred to in:

- s47 - Pastoral leases held by native title claimants;
- s47A - Reserves etc covered by claimant applications; and
- s47B - Vacant crown land covered by claimant applications,

the area covered by the act is not excluded from the application.

(f) Where an area is covered by a previous non-exclusive possession act (s 23F) the native title claim group does not claim the native title rights and interests set out in clause 1 of Attachment E to the exclusion of all others.

(g) The area covered by the application excludes land where native title has been extinguished at common law.

Persons claiming to hold native title:

The native title claim group comprises all the members of the Darug Tribal Aboriginal Corporation and their descendants

Registered native title rights and interests:

The following Native Title Rights & Interests were entered on the Register on 13/12/2000:

1. Subject to paragraphs 2 - 5 below the applicants claim the full and free enjoyment of the following native title rights in relation to area subject to application.

- (a) a right to possess, occupy, use and enjoy the claimed area
- (b) a right to make decisions about the use and enjoyment of the claimed area
- (c) a right of access to the claimed area
- (d) a right to control the access of others to the claimed area
- (e) a right to use and enjoy the resources of the claimed area
- (f) a right to control the use and enjoyment of others or resources of the claimed area
- (g) a right to trade in resources of the claimed area
- (h) (right not registered)
- (i) a right to maintain and protect places of importance under traditional laws, customs and practices in the claimed area
- (j) (right not registered)

2. With respect to those parts of the area the subject of the application which are, or have been the subject of a previous non-exclusive possession act within the meaning of s23F of the NTA, the applicants claim the native title rights and interests set out in 1 above subject to the rights and interests created in the "non exclusive possession act" which are not inconsistent with the rights and interests claimed and, in the case of rights granted which are inconsistent with the rights and interests claimed, subject to any suspension of the native title rights and interests which those inconsistent rights and interests cause.

3. With respect to those parts of the area the subject of the application which are, or have been, the subject of

- (a) a Category B intermediate period act within the meaning of s232C;
- (b) a Category C intermediate period act within the meaning of s232D; or
- (c) a Category D intermediate period act within the meaning of s232E;

4. With respect to those parts of the area the subject of the application which are, or have been the subject of

- (a) a Category B past act within the meaning of s230;
- (b) a Category C past act within the meaning of s231; or
- (c) a Category D past act within the meaning of s232;

the applicants claim the native title rights and interests set out in 1 above subject to the rights and interests created in the "non exclusive possession act" which are not inconsistent with the rights and interests claimed and, in the case of the rights granted which are inconsistent with the rights and interests claimed, subject to any suspension of native title rights and interests which those inconsistent rights and interests cause.

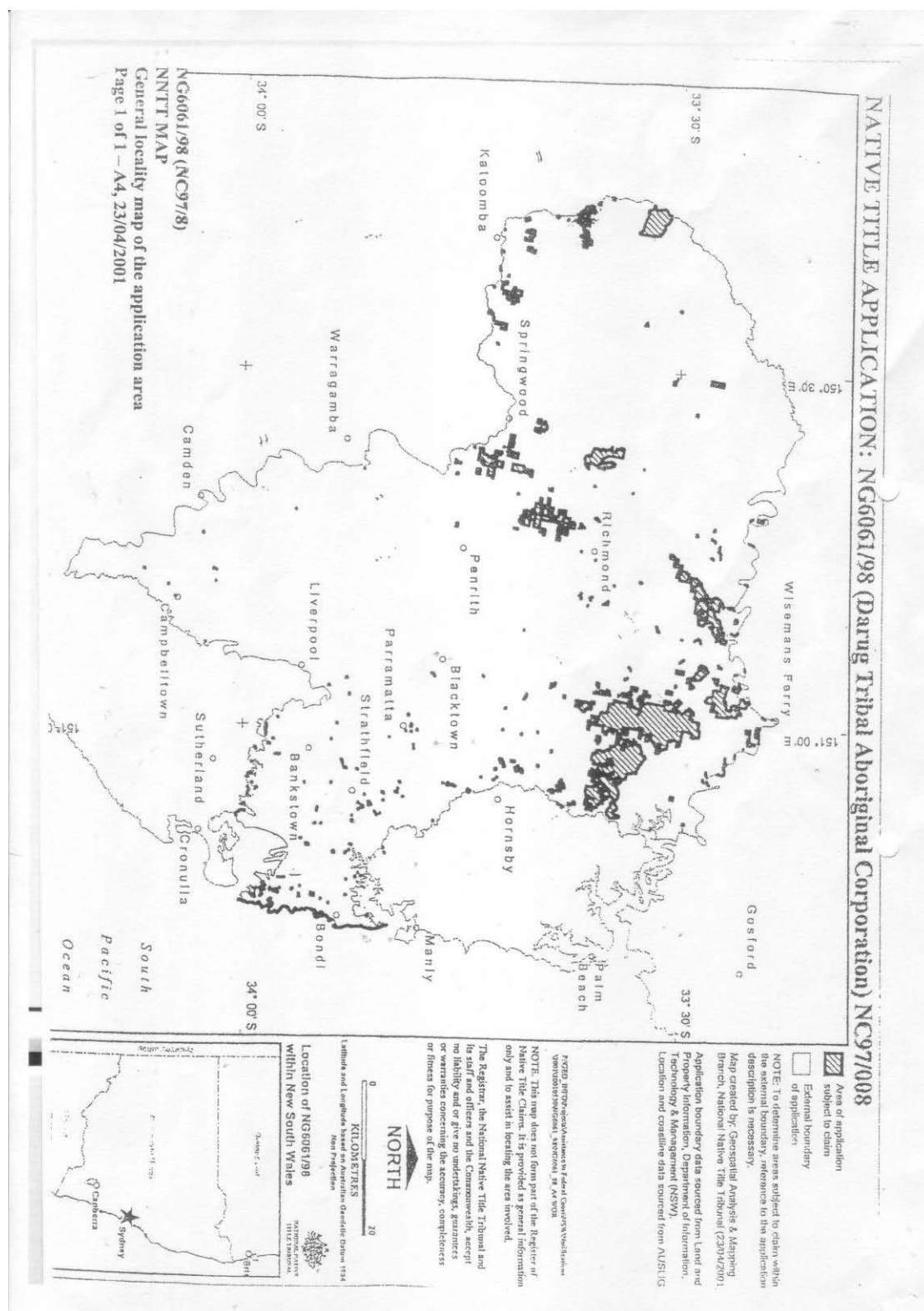
5. The native title rights and interests identified above do not extend to ownership of any minerals, petroleum or gas which are wholly owned by the Crown.

6. The native title rights and interests identified above do not include a claim for exclusive occupation and use of off shore areas as defined by s253.

Register attachments:

1. Tenure/Parcel Identifier (Available for inspection at the Sydney Registry of the Tribunal), Attachment C of the Application, 21 pages - A4, Attached 12/05/1997.

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.



Appendix D Aboriginal community response letters

Statements of Cultural Value

DARUG LAND OBSERVATIONS



ABN: 87239282455
E-MAIL: gordon21@bigpond.net.au
PO BOX: 571 Plampton, NSW 2761
Phone: 029831 8868 or 0415 663 763



Miss Cornelia de Rochefort
Archaeologist

As a Aboriginal person of "DARUG" descent the land
between the coast and Lithgow on the western side of the blue
mountains has and will always be of very importance
historical and spiritual believes now some of the site we did
today are in this category so we wish that theses area are not
touched and all care taken to preserve our history

Yours faithfully

Uncle Gordon Workman Darug Elder

Sites Officer



Darug Tribal Aboriginal Corporation

PO Box 441 Blacktown NSW 2148

PH: (02) 9622 4081

Mobile 0431 343 021

Fax: (02) 9622 4081

Email: darug_tribal@live.com.au

ABN: 77 184 151 969

Thursday, November 06, 2008

Dear Meg Withers

Junior Archaeologist

Heritage Concepts Pty Ltd

RE: Quakers Hill to Vineyard Rail Upgrade

We would like to thank you for inviting us to put in an expression of interest – Quakers Hill to Vineyard Rail Upgrade

This project in this area has a very high spiritual connection to our past ancestors and would have been a meeting and hunting place for our people and a place where the Elders would train the youth of our clans about their Heritage and lore's and how to make weapons.

These sites must be preserved and recorded for their traditional and historical values for our community and also for the wider community and we find these projects allow us to look for more evidence of our past ancestors for our members and Elders.

All site workers have completed Cultural Heritage Management Workshops which subjects include:

- ❖ Artefact identification & recording
- ❖ Site identification & recording
- ❖ The Burra Charter
- ❖ Legislation
- ❖ Significance Assessment
- ❖ Management

They have been trained and posses white cards

Our site workers are all members of the Darug community and have meetings with our elders who explain the importance of the work they are doing & the part it has to do with recording the heritage & culture of our people.

We at DTAC believe our community must be trained in all aspects in trying to preserve our heritage & culture for the future generations of all Australians.

If you require any further information please do not hesitate to contact me.

Hugs & Smiles
Sandra Lee
Secretary DTAC

Darug
The Traditional & Spiritual Custodians of Darug land
www.darug.org.au

Darug Aboriginal Cultural Heritage Assessments

ABN 51734106483

Gordon Morton & Associates
28 Calala St., Mt. Drutt, 2770
Ph. 9625 0005
Mob: 0422 865 831
Fax: 45 677 421

Celestine Everingham
90 Hermitage Rd., Kurrajong Hills, 2758
Ph/Fax: 45677 421
Mob: 0432 528 896

3. 11. 08

Attention:

Cornelia De Rochefort

re Quakers Hill to Vineyard rail upgrade -
Darug Country.

The above named area is part of a highly significant region that is of great cultural importance to the Darug. It has an area with permanent water sources, raw materials for tool making and plentiful plant and animal resources to sustain a large group of Darug in a rich cultural landscape. The many sites found during the survey contribute to our greater understanding and knowledge of this significant Darug landscape.

Yours Sincerely,
Gordon Morton
&
C. Everingham

Cultural Heritage - Building respect for the past and Conservation for the future

Darug Aboriginal Cultural Heritage Assessments

28 Calala Street, Mt Druitt 2770
ABN 51734106483

Gordon Morton
Ph: 9625 0005
Fax: 43 677421

Celestine Everingham
Ph/Fax: 4567 7421
Mob: 0432 528 896

Attention

28. 2. 08

Heritage Concepts P/L

re Quakers Hill to Vineyard railway
consider site survey.

Gordon Morton was part of a team inspecting
the proposed railway corridor. The area
was very disturbed and had been impacted
by past works. DACHA feels the works
will not impact on any Darug sites and
we have no further concerns re the
new infrastructure works.

Yours Sincerely
G W Morton

DARUG TRIBAL ABORIGINAL CORPORATION

(Incorporating Darug Link Associating Inc.)

P.O BOX 441

BLACKTOWN NSW 2148

02 9672 8322 phone

02 9672 8344 fax only

ABN: 77 184 151 969

13th February 2008

Miss Cornelia De Rochefort
Archaeologist

Re: Quakers Hill to Vineyard railway corridor

It was good working with you and Meg Withers Heritage Concepts


Trainee today as we discussed while we were walking along the
train tracks, the long grass stopped us from seeing anything.

But we will be monitoring the top soil removal work at the

Vineyard car park

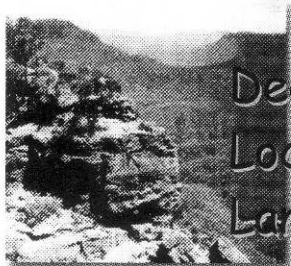
With Thanks

Gordon Workman



DTAC Director and Site Officer (0411240710)

Phase 2 Community response letters



Deerubbin
Local Aboriginal
Land Council

5/271 Beames Avenue
PO Box 3184
Mt Druitt Village
NSW 2770 Australia

Ph: (02) 9832 2457
Fax: (02) 9832 2496
Email: Staff@Deerubbin.org.au
Web: <http://www.deerubbin.org.au>

Charles Parkinson
Heritage Concepts Pty Ltd
Level 1, 55 Lower Fort Street
SYDNEY NSW 2000

Our Reference: 1842

3 September 2008

Subject: Protection of Aboriginal Cultural Heritage
Proposed Rail Duplication, Quakers Hill to Vineyard, Draft Report

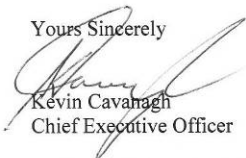
Dear Mr Parkinson,

I refer to your draft report for the propose rail duplication between Quakers Hill & Vineyard.

On the basis of the information provided, Deerubbin Local Aboriginal Land Council has no objections to the recommendations made in your draft report for the abovementioned study area.

If you require further information, please contact our office on (02) 98322457.

Yours Sincerely


Kevin Cavanagh
Chief Executive Officer

c.c. Laurel Alexander, Aboriginal Heritage & Planning Officer – Dept. of Environment & Climate Change
c.c. Belinda Scott - Transport Infrastructure Development Corporation
c.c. General Manager – Blacktown City Council

DARUG LAND OBSERVATIONS

E-MAIL: gordow51@bigpond.net.au
PO BOX: 571 Plumpton: NSW 2761
PHONE 029831 8868 OR 0415 663 763

11th April 2008

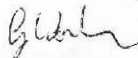
Miss Cornelia de Rochefort
Archaeologist

Ref: Quakers to Vineyard site survey

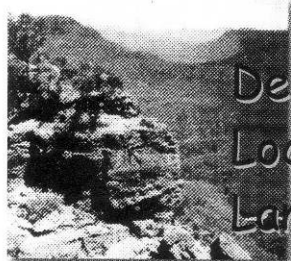
D.L.O did this walkover with you on the 9th April 2008 and found nothing because of poor visibility but the area is in a pad zone that we did along time ago their for we recommend more investigations to be carried out on this site. And D.L.O be involved in all works to be carried out.

With Thanks

Gordon Workman



D.L.O
Site's Officer
0415 663 763



Deerubbin
Local Aboriginal
Land Council

5/271 Beames Avenue
PO Box 3184
Mt Druitt Village
NSW 2770 Australia

Ph: (02) 9832 2457
Fax: (02) 9832 2496
Email: Staff@Deerubbin.org.au
Web: <http://www.deerubbin.org.au>

Cornelia De Rochefort
Heritage Concepts Pty Ltd
PO Box 1075
LEICHHARDT NSW 2040

Our reference: 1927

1 October 2008

**Subject: Protection of Aboriginal Cultural Heritage
Further Assessment of the Proposed Rail Duplication Project
Quakers Hill to Vineyard**

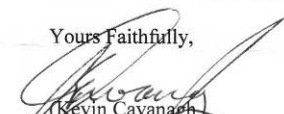
Dear Ms De Rochefort,

As you are aware a representative of the Deerubbin Local Aboriginal Land Council (Phil Khan) inspected the proposed Rail Duplication from Quakers Hill to Vineyard on 1st & 8th September 2008. An Aboriginal cultural heritage assessment was undertaken to evaluate the likely impact the proposed rail development has on the cultural heritage of the land.

Our representative reports, that Aboriginal cultural heritage material (in the form of stone artefacts, for example) were found within the proposed development corridor.

Deerubbin LALC therefore, recommends further investigations be undertaken with a test excavation program in areas that have the potential to contain subsurface Aboriginal cultural heritage materials. Also our council will require a representative to monitor earthworks when construction of the rail development corridor begins.

Yours Faithfully,



(Kevin Cavanagh)
Chief Executive Officer

c.c. Laurel Alexander – Aboriginal Heritage & Planning Officer, Department of
Environment & Climate Change (DECC).

c.c. General Manager – Blacktown City Council.

Darug Aboriginal Cultural Heritage Assessments

28 Calala Street, Mt Druitt 2770
ABN 51734106483

Gordon Morton & Associates
Ph: 9625 0005 Mob: 0422865831
Fax: 45 677421

Celestine Everingham
Ph/Fax: 4567 7421
Mob: 0432 528 896

6th December, 2008.

ATTENTION:

- Lori Selusco
Heritage Concepts Pty. Ltd.
- Steve Fermico/Belinda Scott
Planning & Environment/Transport Infrastructure.

RE: QUAKERS HILL TO VINEYARD RAIL DUPLICATION.
Stage 1 Quakers Hill to New Schofields.

DACHA has studied your Report on the above area and we support your recommendations and wish to be involved in all archaeological excavation and the monitoring of sensitive areas of this important Darug area.

Yours sincerely,

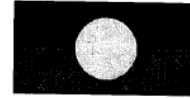


GORDON MORTON

Cultural Heritage - Building respect for the past and Conservation for the future

Incoming
- 8 DEC 2008
Orig: <u>SFO</u>
Copy: _____
Actn: _____
0218/
RCR: <u>0000337</u>

Incoming
12 DEC 2008
Orig: SFO
Copy: _____
Actn: _____
0213 1000 341
RCR: _____



Darug Tribal Aboriginal Corporation

PO Box 441 Blacktown NSW 2148

PH: (02) 9622 4081

Mobile 0431 343 021

Fax: (02) 9622 4081

Email: darug_tribal@live.com.au

ABN: 77 184 151 969

Friday, December 12, 2008

Dear Belinda

RE: Quakers Hill to Vineyard Rail Upgrade

We have read the appendix A Supplementary Assessment and have no objections with its inclusions with the rest of the report.

We would also like it to be known that Mr. Gordon Workman is not recognized as an Elder within our community nor has he that right to call himself an Uncle.

If you require any further information please do not hesitate to contact me.

Hugs & Smiles

Sandra Lee

Secretary DTAC

**DARUG CUSTODIAN ABORIGINAL
CORPORATION**

PO BOX 81 WINDSOR 2756
MOB: 0415770163 PH: 45775181 FAX: 45775098
ABN: 81935722930
mufgokstvg@aol.com

December 2008.

Attention: Belinda Scott.

SUBJECT: Quakers Hill to Vineyard Rail Duplication Aboriginal Archaeological and Cultural Heritage Assessment.

Dear Belinda,

The Darug Custodian Aboriginal Corporation has been involved in the project for the Rail Duplication with Heritage Concepts from the start of consultation for the Aboriginal Cultural Heritage.

This area is the traditional land of the Darug tribe and is located in a very significant area. Within a five kilometre radius there is the Native institute site, Colby Land grant, Plumpton Ridge, known burials and Second Ponds Creek, these areas have a very high significance to the Darug people and also have significance historically to non Aboriginal people.

The existing rail corridor has previously been disturbed and therefore has no intact Cultural Heritage. All of the areas recognised and PAD during the walkovers are supported by our group, this area was revisited over many years by the Darug and evidence of this has been left in situ in areas of potential (PAD).

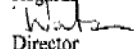
Surrounding this area are many Darug sites, we support the recommendations in the Draft report prepared by Heritage Concepts.

We recommend that all material collected during works be reburied back on site after analysis.

We also recommend that signage be erected on the proposed new station stating the traditional owners of the area, The Darug.


Our group has been pleased with the consultation for this project and support the recommendations made with Heritage Concepts, Please contact us on 45775181 with any enquiries.

Regards

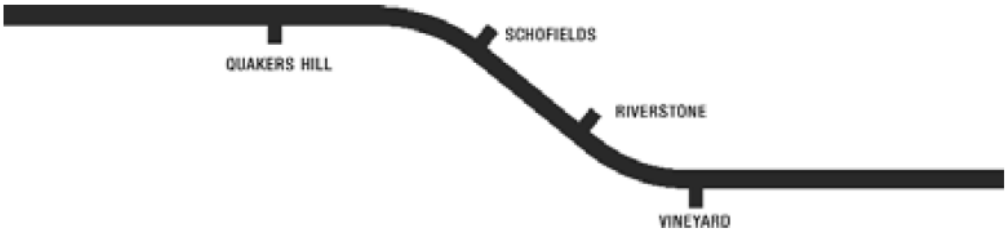

Director

Leanne Watson

Incoming
- 9 JAN 2009
Orig: Sfo
Copy: _____
Actn: _____
0213/0000351
RCR: _____



SYDNEY METRO QUAKERS HILL TO VINEYARD RAIL DUPLICATION PROJECT




As part of the NSW Government's Rail Clearways program, the Transport Infrastructure Development Corporation is proposing to duplicate the Richmond rail line between Quakers Hill and Vineyard, including associated station works. The new track will generally follow the route of the existing rail line.

Aboriginal groups and/or Aboriginal people with cultural attachments to the local area who wish to be consulted are invited to register their interest in the project. Registrations must be received by phone or in writing by 17 October 2007. All registrations will be receipted.

To register your interest, please contact:

Public Affairs Manager
Transport Infrastructure Development Corporation
Locked Bag 6501, St Leonards NSW 2065
mail@tidc.nsw.gov.au or phone 1800 684 490



Transport Infrastructure
Development Corporation