

Appendix I

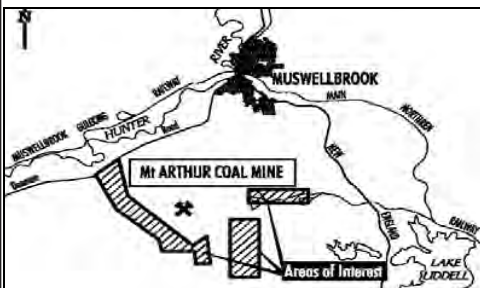
Aboriginal Consultation – Published Advertisement

CALL FOR REGISTRATIONS ABORIGINAL CULTURAL HERITAGE ASSESSMENT

MT ARTHUR COAL OPEN CUT MODIFICATION PROJECT

RPS Australia East Pty Ltd (RPS), on behalf of Hunter Valley Energy Coal, is calling for Aboriginal stakeholders to register an interest in a process of community consultation for the Aboriginal Cultural Heritage Assessment of the Mt Arthur Coal Open Cut Modification Project. The Open Cut Modification Project proposes a continuation of open cut mining operations at Mt Arthur Coal, located south west of Muswellbrook in the NSW Upper Hunter Valley, and an extension of the mine's operational life by four years beyond the existing approval.

RPS is seeking registrations from any Aboriginal persons or groups who hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) in the "Areas of Interest" shown below.



The Aboriginal community consultation process will assist RPS prepare an Aboriginal Cultural Heritage Assessment for the modification project, and will be carried out in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW, April 2010).

Interested persons and organisations are invited to register until 20 February 2012. Registrations should be sent to Ali Byrne, RPS Australia East Pty Ltd, PO Box 428, Hamilton, NSW 2303 or Ali.Byrne@rpsgroup.com.au. If you have special needs and require assistance to register, please call 02 4940 4200.

Further information regarding the project will be provided upon registration.

The details of any Aboriginal person or group who registers an interest will be forwarded to the Office of Environment and Heritage and the Wanaruah Local Aboriginal Land Council, unless requested otherwise at the time of registration.

Appendix 2

Aboriginal Consultation – Written Responses from the Aboriginal Community Stakeholders



National
Native Title
Tribunal



01st February 2012

Ali Byrne
Ground floor 241 Dension st
Broadmeadow NSW 2292

**South-East & Central
Registry –Sydney Office**

Level 25, 25 Bligh Street
Sydney NSW 2000
GPO Box 9973
Sydney NSW 2001

Telephone (02) 9227 4000
Facsimile (02) 9227 4030

Our Reference: 4712/12KL
Your Reference: PR110833-1:AB

Dear Mr/Ms Byrne

Native Title Search Results of South West of Muswellbrook Area

Thank you for your search request received on 27th January 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	Nil.
National Native Title Register	Nil.
Register of Indigenous Land Use Agreements	Nil.
Notified Indigenous Land Use Agreements	Nil.

At the time this search was carried out, there were **no relevant entries** in the above databases.

Please note: 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 with the Federal Court may not appear on the Tribunal's databases.

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 representation, 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 do not hesitate to contact me on the number below or on the free call number 1800 640 501.

Yours sincerely

Kailah Longbottom

Administrative Assistant

Telephone: (02) 9227 4017

Facsimile: (02) 9227 4030

Email: kailah.longbottom@nntt.gov.au

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/register/search.html>

Mail, fax or email your request to the

Tribunal's Sydney registry, identifying the local government area/s you want searched.

Email: SydneySearch@nntt.gov.au

Fax: (02) 9227 4030

Address: GPO Box 9973, Sydney NSW 2001

Phone: (02) 9227 4000

Our reference: DOC12/3901 & FIL12/59
Contact: Rosalie Neve, Ph: (02) 6659 8221
Date: 1/2/2012

COPY

Ms Ali Byrne
RPS
PO Box 428
HAMILTON NSW 2303

Dear Ms Byrne

RE: REGISTRATION OF ABORIGINAL INTEREST GROUPS FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT

I refer to your correspondence, dated 20 January 2012, to the Environment Protection Authority (EPA) concerning the Aboriginal heritage assessment located within the Maitland LGA and described as a proposed Aboriginal Cultural Heritage Assessment for the Mt Arthur Coal Open Cut Modification.

Please find enclosed a list of known Aboriginal parties that the EPA considers is likely to have an interest in your project. I note this is not necessarily an exhaustive list of all interested Aboriginal parties. Receipt of this list does not remove the requirement for a proponent/consultant to advertise the proposal in the local print media and contact other bodies and community groups seeking interested Aboriginal parties, in accordance with the 'Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010' (CRs).

The EPA would also like to take this opportunity to remind the proponent or consultant of a number of key issues we have been encountering of late, and we'd ask your organisation to take note and ensure compliance please. These issues include:

- Please ensure the project documents the full consultation process in the Aboriginal cultural heritage assessment report or Aboriginal Heritage Impact Permit application and to include copies of all correspondence sent or received from all relevant stakeholders (including Aboriginal stakeholders and the agencies listed in section 4.1.2). Omission of these records in the final report may cause delays in approval or require parts of the consultation process to be repeated if the evidence provided to the EPA does not demonstrate that the consultation process has been fair, equitable and transparent.
- Unless the EPA is provided with evidence that reasonable attempts have been made to contact the relevant parties associated with the CRs, then the EPA will deem that the consultation process has not been complied with.
- The EPA considers evidence of reasonable efforts to contact relevant parties would include, but not be limited to, multiple forms of communication; faxes (with confirmation slips demonstrating successful transmission), an e-mail log, registered post details, copies of letters and a phone call log.

- Please note Appendix A of the CRs contains a map illustrating the region of the EPA to contact according to which local government area your project falls within. Full details of the consultation requirements and the relevant Fact Sheets can be located on our website at: <http://www.environment.nsw.gov.au/licences/consultation.htm>.
- If you encounter any changes to the contact details of interested Aboriginal parties, or become aware of additional parties, we encourage you to forward this information to the EPA so we can update our records.
- Consultation must be fair, equitable and transparent. If the Aboriginal parties express concern or are opposed to parts or your entire project, the EPA expects that evidence will be provided to demonstrate the efforts made to find common ground between the two perspectives.

If you have any further questions regarding this matter, please contact me on (02) 6659 8221.

Yours sincerely



ROSALIE NEVE
Aboriginal Heritage Planning Officer
Planning and Aboriginal Heritage Section – North East
Environment Protection Authority

Enclosure: Attachment A

Attachment A: ABORIGINAL PARTIES IN THE AREA OF INTEREST

1. Aboriginal Native Title Elders Consultants,
Margaret Matthews
16a Mahogany St
MUSWELLBROOK NSW 2333
0417 725 956
2. Alieria French Trading,
12 Haydon Street
MUSWELLBROOK NSW 2333
(02) 65412765
0421 299 963
Alieria.french.trading@hotmail.com
3. Black Creek Aboriginal Corporation,
Tracey White
PO Box 168
KURRI KURRI NSW 2327
(02) 4990 6747
(02) 4990 6747
blackcreek@idl.net.au
4. Bullen Bullen,
Lloyd Mathews
16B Mahogany Avenue
MUSWELLBROOK NSW 2333
0417 725 956
5. Cacatua Culture Consultants,
Donna & George Sampson
Unit 1b/11 Glenwood Drive
THORNTON NSW 2322
(02) 4028 6942
(02) 4028 6943
0403 765 019 - 0434 877 016
cacatua@resetsdsl.net.au
6. Carrawonga Consultants,
Cheryl Moodie & Justin Matthews
11 Coolibah Close
MUSWELLBROOK NSW 2333
0411 958 511
0401 154 328
7. Culturally Aware,
Tracey Skene
7 Crawford Place
MILLFIELD NSW 2325

8. D F T V Enterprises
Derrick Vale Sr
11/97 Brooke Street
MUSWELLBROOK NSW 2333
0438 812 197
deckavale@hotmail.com
9. Deslee Talbott Consultants
Deslee Matthews
Unit 2/19 South Street
GUNNEDAH NSW 2380
0431 205 336
10. Gidawaa Walang & Barkuma Neighbourhood Centre Inc. ,
Debbie Dacey-Sullivan
76 Lang Street
KURRI KURRI NSW 2327
(02) 4937 1094
0411 196 991
barkuma@hotmail.com
11. Giwiirr Consultants,
Michele Stair
8 Fitzgerald Avenue
MUSWELLBROOK NSW 2333
(02) 6541 0506
0432214402
12. Hunter Traditional Owner,
Paulette Ryan
14 Barton Avenue
SINGLETON HEIGHTS
6574 4906
0432 672 273
13. Hunter Valley Aboriginal Corporation,
Rhonda Griffith
PO Box 579
MUSWELLBROOK NSW 2333
14. Hunter Valley Cultural Consultants,
Christine Matthews
40 Humphries Street
MUSWELLBROOK NSW 2333
(02) 65434521
0438 390 882

15. Hunter Valley Cultural Surveying,
Luke Hickey
165 Susan St
SCONE NSW 2337
(02) 6541 0525
0402 446 223
0423 930 690
hvcs@bigpond.com
16. Hunter Valley Natural & Cultural Resources,
David French
10 Mill Street
MUSWELLBROOK NSW 2333
17. Indigenous Outcomes
Robert Smith
33 Clift St
HEDDON GRETA NSW 2321
0402 679 809
cki23701@bigpond.net.au
18. Jarban + Mugrebea
Les Atkinson
11 Nelson Street
CESSNOCK NSW 2325
0402 353 317
les.atkinson@hotmail.com
19. Jeff Matthews
6 Eucalypt Ave
MUSWELLBROOK, NSW 2333
(02) 65434791
20. Kawul Cultural Services
Vicky Slater
PO Box 817
SINGLETON NSW 2330
0431 720 887
21. Kayaway ,
Mark Hickey
6/20-22 Government Road Thornton
THORTON NSW 2322
04 23829335
kayaway@rocketmail.com

22. Lower Hunter Wonnarua Council Inc,
Lea-Anne Ball Uncle Tommy Miller
51 Bowden Street
HEDDON GRETA NSW 2321
(02) 4937 2694
0447 266 590 (LM), 0402 636 521 (Uncle)
tn.miller@southernphone.com.au or lea-
anne.ball@bigpond.com

23. Lower Wonnaruah Tribal Consultancy Pty Ltd,
Barry Anderson
156 The Inlet Road
BULGA NSW 2330
0417 403 153
barry156@bigpond.com

24. Minggu Consultants,
Clifford Matthews
11 Coolibah Close
MUSWELLBROOK NSW 2333
(02) 6541 0751
0421 942 902

25. Mooki Plains Management
Stephen Matthews
28 Herbert Street
GUNNEDAH, NSW 2380
(02) 67425563

26. Mooki Plains Management
Les Field
4 Hinton Drive
GUNNEDAH, NSW 2380
(02) 67425563

27. Muswellbrook Cultural Consultants,
Brian Horton
10 Scott Street
MUSWELLBROOK NSW 2333

28. Ngarramang-Kuri Aboriginal Culture & Heritage Group
Abie Wright
21 Bancroft St
GLENDALE NSW 2285
0466 589 238
abie@yarnteen.com.au

29. Roger Noel MMatthews Consultancy
Roger Noel
15 Parkinson Avenue
MUSWELLBROOK NSW 2333

30. Scott Smith
Unit4
122 Upper St
TAMWORTH NSW 2340
0403 139 411
31. St Clair Singleton Aboriginal Corporation
Cultural Heritage Officer
PO Box 710
SINGLETON NSW 2330
32. T & G Culture Consultants
19 O'Donnell Cres
METFORD NSW 2323
0428 147 417
33. Ungooroo Aboriginal Corporation
Alan Paget & Sarah Hall
PO Box 3095
SINGLETON NSW 2330
(02) 6571 5111
admin@ungooroo.com.au
34. Ungooroo Cultural & Community Services,
Rhonda Ward
8 Blaxland Avenue
SINGLETON NSW 2330
0450 754 199
ungooroo59@hotmail.com
35. Upper Hunter Heritage Consultants,
Melissa & Darrel Matthews
14 Edinglassie Ave
MUSWELLBROOK NSW 2333
(02) 6541 3532
0439 556 641
36. Upper Hunter Wonnarua Council Inc,
Rhoda Perry & Georgina
17/174 John Street
SINGLETON NSW 2330
(02) 6572 1889
(02) 6572 1500
37. Valley Culture,
Larry Van Vliet
140 Sydney Street
MUSWELLBROOK NSW 2333
0417 725 956

38. Wanaruah Custodians,
Barbara Foot
35 Acacia Circuit
SINGLETON NSW 2330
6573 1712
0421 151 650
39. Wanaruah Local Aboriginal Land Council
PO Box 127
MUSWELLBROOK NSW 2333
(02) 65431288
wanaruah@hunterlink.net.au
40. Wattaka Wonnarua C.C. Service,
Des Hickey
4 Kennedy Street
SINGLETON NSW 2330
(02) 6573 3786
(02) 6571 2609
0432 977 178
deshickey@bigpond.com
41. Widescope Indigenous Group Pty Ltd
Amanda Hickey
73 Russell St
EMU PLAINS NSW 2750
0416 643 226
widescope.group@live.com
42. Wonn1 Contracting,
Arthur Fletcher
619 Main Road
GLENDALE NSW 2285
(02) 4954 7751
0402 146 193
wonn1sites@gmail.com
43. Wonnarua Culture Heritage,
Gordon Griffiths
19 O'Donnell Crescent
METFORD NSW 2323
(02) 4934 6437
0401 028 807
44. Wonnarua Nation Aboriginal Corporation,
Laurie Perry
PO Box 3066
SINGLETON NSW 2330
(02) 6571 5419
0412 593 020

45. Wonnaruah Elders Council,
Uncle Tommy Miller
PO Box 184
SINGLETON NSW 2330
46. Yarrawalk (A division of Tocomwall Pty Ltd),
Scott Franks
Po Box 76
CARINGBAH NSW 1495
0404 171 544
yarrawalk@tpg.com.au
47. Yinarr Cultural Services,
Kathleen Steward
111 Westwood Road
GUNGAL NSW 2333
02 6547 6077
0432 720 623
yinarrculturalservices@bigpond.com

RECEIVED
06 FEB 2012



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

BY:

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

Ali Byrne
Archaeologist
RPS
Ground Floor
241 Denison Street
Broadmeadow
NSW 2303

2 February 2012

Dear Ali

Re: Request - Search for Registered Aboriginal Owners

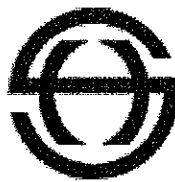
I refer to your letter dated 20 January 2012 regarding Aboriginal stakeholders within Muswellbrook area in NSW.

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*.

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

Yours sincerely

Tabatha Dantoine
Administrative Officer
Office of the Registrar, *Aboriginal Land Rights Act (1983)*



HARPER
SOMERS
O'SULLIVAN

RECORD OF TELEPHONE CONVERSATION/PERSONAL
INTERVIEWS

NAME: AS DATE 26/03/12

SPEAKING TO:

NAME Alicia French TIME: 1.56pm

OF: Alicia French Trading JOB No. 110832

PROJECT: MT Arthur meth PHONE 65412765
0421 299 963

NEED
insurances
+ meth
comment

landline - voice message

Mobile - bad signal & call back later

→ ~~the~~ agreement with methodology

insurances? → said she would send
through insurances tonight.

27/03/12 9.45am approx

insurances received by email +
Alicia called to ensure they had
come through.

Alicia
called
back at
4.45pm
on
65412765



HARPER SOMERS O'SULLIVAN

LAND & DEVELOPMENT CONSULTANTS

RECORD OF TELEPHONE CONVERSATION/PERSONAL
INTERVIEWS

NAME: Gillian Goode DATE 30/3/2012

SPEAKING TO:

NAME Tammy Knox TIME: 9.59 am

OF: Burda Consultants JOB No. 110833-1
PHONE 0402688031

PROJECT: Mt Arthur

In Agreement with methodology - will await
the next lot of information from us.



Cacatua Culture Consultants

Entity of Carcatchua Pty Ltd

ABN: 87 145 082 480

ACN: 145 082 480

March 19, 2012

Ali Byrne
Archaeologist
RPS
BROADMEADOW NSW 2292
Your Ref: PR110833

Emailed: ali.byrne@rpsgroup.com.au

RE: MT ARTHUR COAL OPEN CUT MODIFICATION METHODOLOGY

Ali,

Thank you for your letter and information with regards to the methodology for the above. Cacatua has discussed the information supplied and is fully aware of the impact that will take place within the open cut modification area.

We support the information including the methodology as we believe that the methodology will assist in showing the significance of the area, both Archaeological and Cultural.

Yours truly

Donna Sampson
Reports Manager

Email: cacatua@resetdsl.net.au

UNIT 1b, 11 Glenwood Drive THORNTON NSW 2322

Ph: 02 4028 6942

Fax: 02 4028 6943

65 JAMES AVENUE GUNNEDAH NSW 2380

Mob: 0403 765 019

Fax: 02 6742 1491

Ali Byrne

From: Tracey Skene [anigunya@hotmail.com]
Sent: Tuesday, 13 March 2012 9:16 AM
To: Ali Byrne
Subject: Mt Arthur Coal Open Cut Modifications-Feed back

Good Morning Ali,

I would like to express that I have cultural Knowledge of this Mine site and worked on Aboriginal Archaeological Heritage Assessment prior to it becoming a Mine and ongoing, I have also completed Aboriginal Due diligence in surrounding cultural landscape within this area.

Culturally Aware has no issues in regards to the proposed Methodology for Mt Arthur Coal Open Cut Modification Aboriginal Cultural Heritage Assessment that RPS has been commissioned to do, I would like to be consulted in all aspects of this Project and look forward hearing from you.

Thanks
Tracey Skene
Culturally Aware

RPS

RECORD OF TELEPHONE CONVERSATION/PERSONAL
INTERVIEWS

NAME: Ali Byrne (AB) DATE: 8/3/12

SPEAKING TO:

NAME: David Merten TIME: 10:40 am approx

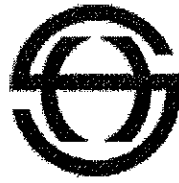
OF: _____ JOB No. PR110853

PHONE 0458 532 707

PROJECT: Mt Arthur

Happy with methodology. - wanted
to know if we had done a field inspection
yet. AB informed him that that would be
upcoming and not all groups would be
able to attend by RPS/Mt Arthur would be
as fair as possible.

AB let him know that RPS would keep him
(and all ACS) informed.



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SOMERS
O'SULLIVAN

RECORD OF TELEPHONE CONVERSATION/PERSONAL
INTERVIEWS

NAME: AB DATE 26/03/12

SPEAKING TO:

NAME Elaine Freihaut TIME: 1.03pm

OF: Munka Valley Aboriginal Corporation JOB No. 110833

PHONE 0409 928 028

PROJECT: MT Arthur meth

Elaine said she would contact Rhonda Griffiths & get her to call AB back with agreement and/or comments.

→ 29/03/12 9AM Rhonda Griffiths to AB
- agrees with WLACC. (on behalf of stakeholders)
re: methodology.

Dear Ali,

Thank you for the opportunity to be included in the consultation process.

I would like to comment on the methodology that is outlined in the report sent to me on the 23 February, 2012.

I support the methodology as outlined in your letter and am willing to lend advise on cultural heritage sites/places that are significant and add to the story of the Wonnarua people in the above area. I have extensive knowledge and experience in the field of cultural heritage as I am a Wonnarua Elder and knowledge holders. My previous experience includes working as Senior Sites Officer at Awabakal Local Aboriginal Land Council for approximately 20years working in the Lake Macquarie, Newcastle and Hunter Valley areas. I am fit and capable to work in the field.

I look forward to field work in late March

Yours sincerely

Robert (Bobby) Smith



HARPER
SOMERS
O'SULLIVAN

RECORD OF TELEPHONE CONVERSATION/PERSONAL
INTERVIEWS

NAME: AS DATE: 26/03/12

SPEAKING TO:

NAME: Les Atkinson TIME: 12.55 pm

OF: Sarban + Mugrebea JOB No. 110833
PHONE 0402 355 317

PROJECT: MT Arthur meth.

~~MT Arthur meth.~~

~~MT Arthur~~

- fine with methodology.

Lower Hunter Wonnarua Council Incorporated

51 Bowden Street Heddon Greta, NSW 2321

Ph: 0402636521 Fax: 0249372694

ABN: 14 937 663 303

RE. PROPOSED METHODOLOGY FOR THE MT. ARTHUR COAL OPEN CUT MODIFICATION ABORIGINAL CULTURAL HERITAGE ASSESSMENT. MUSWELLBROOK. N.S.W.

To Ali Byrne,

Ali we have been registered as a part of this assessment and would want to be included in all aspects of this procedure. This is a highly significant area to the WONNARUA PEOPLE and we want to protect what integrity is still there. We as ABORIGINAL PEOPLE have lost too much of our HERITAGE and do not want to lose it all. This needs a ABORIGINAL WORKSHOP with only REGISTERED NATIVE TITLE CLAIMANTS to comment on this. We need another meeting to consult about the ABORIGINAL CULTURAL ASSESSMENT.

We are NATIVE TITLE CLAIMANT so we would want to be consulted and be included in this project with a MEMBER of our descendants being found in this vicinity. If you need any clarification you can call me on 0402 636 521, or Dean Miller on 0403 261 285.

Yours truly,



Thomas Miller Elder
Lower Hunter Wonnarua Council Inc.



HARPER
SOMERS
O'SULLIVAN

RECORD OF TELEPHONE CONVERSATION/PERSONAL
INTERVIEWS

NAME: AB DATE 26/03/11

SPEAKING TO:

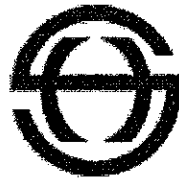
NAME Warren Schillings TIME: 1.21pm

OF: Myland Cultural + Heritage JOB No. 110833
Craig

PHONE 0431 392 554

PROJECT: St Arthur meth.

Agrees with methodology - asked to be
involved in fieldwork (we have insurance
+ response to prev. health survey letter).



HARPER
SOMERS
O'SULLIVAN

RECORD OF TELEPHONE CONVERSATION/PERSONAL
INTERVIEWS

NAME: AB DATE 26/03/12

SPEAKING TO:

NAME Scott Franks TIME: 1.09 pm

OF: Tocoma JOB No. 110833

PROJECT: Mt Arthur meth. PHONE 0404 171 544

Scott said he would take a look and get back to us.

→ 28/03/12 10.50am AB returning missed call from SF.

- The pocket - seeking Section 9 + 10
- not to be shared w/ stakeholders
- massacre site.

Opposing expansion of mine into the area.

SF → will send through details on paper as soon as possible.



HARPER
SOMERS
O'SULLIVAN

RECORD OF TELEPHONE CONVERSATION/PERSONAL
INTERVIEWS

NAME: AB DATE 26/03/12

SPEAKING TO:

NAME Steven Mickey TIME: 1.53pm

OF: Widescope Indigenous Group JOB No. 110833

PHONE 0425 230693

PROJECT: Mt Arthur meth

Agrees with methodology - said he will
get the office to send through confirmation.
(have insurances etc + response to prev.
set of letters)



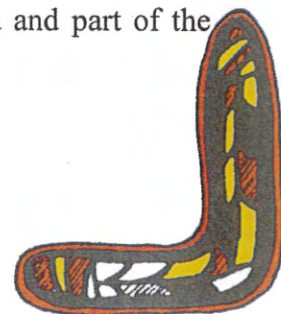
Ali Bryne
RPS
P.O. Box 428
Hamilton 2292

Re: Proposed methodology for Mount Arthur Coal Open Cut modification

Thank you for this opportunity to comment on the Proposed methodology for Mount Arthur Coal Open Cut modification. Like all areas in the Hunter Valley the land, vegetation and water ways hold cultural significance to the Aboriginal community. Both oral and European written history tells us that the area was resource rich, the land being very fertile, the flats open and grassy the hills well treed.

This area is in close proximity to the song line, Mount Arthur being one of the guiding markers, and a cross roads between the routes to the coast, the Sydney basin, Western Plains, the Northern Tablelands and possibly the Lithgow region. It is also in easy walking distance to a number of known ceremonial areas. Yes the area around here is very significant, perhaps even more so by this being the area of the last stand of the local inhabitants against the invading whites' occupation, theft, kidnappings, rapes, murders and domination. In 1826 after fighting broke out there between Wonnarua and Kamilaroi people and settlers. The local tribes retreated into the swampy scrubland around Mount Arthur to conduct guerrilla warfare against the settlers in one of Australia's many frontier wars. When the white settlers found they were unable to combat the resistance, the government of the day was contacted for aid and assistance. The settlers received arms ammunition and military support which led to the destruction of the Aboriginal resistance. Some of the elders tell of being taken by their parents and grandparents and having much of their early traditional teaching done here. There was at the time many of the traditional food sources and resources to be found within easy walking distance of the town of Muswellbrook, still very much as it was before European settlement.

I note with disappointment that there is planned to destroy sites within areas set aside as a cultural offset. The areas are contained within the grid references, 9318, 9518, 9323, 9523 on the 1:25,000 Muswellbrook topographical map 9033-11-N-64. Area one is the Mount Arthur North Edderton road Archaeological Conservation area approx 122 Ha in size, area two is approx 21 Ha and part of the Bayswater #3 Archaeological Conservation area.




These areas are less than 4% of the area to be destroyed BHP Billiton's Mount Arthur North open cut mine and were set aside as a representative sample of the Aboriginal Heritage resource that existed in the region. As Koettig and Thorp (1990:8) identified, "There are no reserves or National Parks in the Central Lowlands within which some sites would be preserved, there is urgent need to address the problem of site destruction and preservation before more of the resource is eroded." At the time of writing in 1990, 77% of all known sites had already been destroyed in the Central Lowlands area. For these reasons these two areas along with two others were set aside as conservation areas. These remanent areas are of great significance to the Aboriginal community.

This is unacceptable. Wanaruah LALC has a responsibility to the 3000 plus Aboriginal people living within our boundaries to protect their culture on their behalf. We regretfully cannot stop the destruction of the many areas of significance that mining companies want to destroy. But we will not idly stand by and let anyone destroy a protected zone.

We do not accept nor agree with the methodology recommendations for the Mount Arthur Coal Open Cut modification and will not accept them without the guaranteed protection of ALL the Existing MAN Heritage protection Zones.

Thank you for this opportunity to comment.

A handwritten signature in black ink, consisting of a large, stylized 'N' followed by a flourish.

Noel Downs
CEO

28.3.2012

Barkuma Neighbourhood Centre Trading as...

Gidawaa Walang

Wiradjuri Meaning - Goanna: Turning the Stone
Cultural Heritage Consultancy

...To keep our Culture...



ABN: 58 290 659 800
76 Lang Street,
Kurri Kurri NSW 2327
Phone: (02) 4937 1094
Fax: (02) 4936 4449
Mobile: 0411 196 991

.....

2nd March 2012

RPS
PO Box 428,
Hamilton
NSW 2303

Attn: Ali Byrne

Dear Ali,

Re: Proposed Methodology - Mt Arthur Coal Open Cut Modification

Gidawaa Walang Cultural Heritage Consultancy supports the proposed methodology for the above project.

Yours sincerely

Ann Hickey
Project Officer



Wonn1
Entity of Kauwul Pty Ltd

619 Main Road Glendale, 2285

PHONE: 0249547751 Mobile: 0402146193

ABN: 27 153 953 363

5 September 2012

Ms A Byrne
Archaeologist
RPS
PO Box 428
HAMILTON NSW 2303
Email: ali.byrne@rpsgroup.com.au

Dear Ali

**Re: PROPOSED MT ARTHUR COAL OPEN CUT MODIFICATION – REVIEW OF DRAFT
ABORIGINAL CULTURAL HERITAGE ASSESSMENT**

Thank you for the opportunity to review the above draft report dated 9 August 2012.

It was disappointing that we were not included in the surveys undertaken in March 2012 and instead, four other groups participated who were not prepared to divulge their identity (Name withheld A to D). We can only hope that they are prepared to reveal themselves to the other Aboriginal stakeholders in their reviews of this report and continuing consultation.

Although Wonn1 did not participate in the surveys we generally accept the 9 recommendations with the following addition and comments:

With regards to Recommendation 3, Wonn1 has concerns with the temporary Keeping Place in the “proposed Thomas Mitchell Drive Offset Area” as Mt Arthur Coal continues to allow outside agencies etc. (including Ausgrid, Muswellbrook Council) to excavate the Offset Area infrastructure placement, when this land is supposed to be protected from disturbance. It would be preferable for the location and temporary storing of artefacts to be discussed with the Aboriginal Stakeholder groups first.

Additional Recommendation 10

In the event that stone artefacts are unearthed during civil works undertaken by Mt Arthur Coal or its contractors, work must cease immediately in the affected area and the NSW Office of Environment and Heritage (OEH), a suitably qualified archaeologist and the Wanaruah LALC are to be informed. Work cannot commence in that area until appropriate management strategies have been addressed.

We look forward to be given the opportunity to continue the consultation process with your organisation in the near future.

Kind regards

Suzie Worth
For Arthur Fletcher
Wonn1 Contracting (Kauwul Pty Ltd)

Barkuma Neighbourhood Centre Trading as...

Gidawaa Walang*Wiradjuri Meaning - Goanna Turning the Stone***Cultural Heritage Consultancy**

...To keep our Culture...



ABN: 58 290 659 800

76 Lang Street,

Kurri Kuri NSW 2327

Phone: (02) 4937 1094

Fax: (02) 4936 4449

Mobile: 0411 196 991

Fax

To: ALI BYRNE

From: RPS.

Date: 7.9.2012

Cover

No. of Pages: 2 (including header)

GIDAWAA WALANG CULTURAL HERITAGE
CONSULTANCY SUPPORTS THE RECOMMENDATIONS
1 - 9. IN THE PROPOSED MT ARTHUR COAL
OPEN CUT MODIFICATION - REVIEW OF DRAFT
ABORIGINAL CULTURAL HERITAGE ASSESSMENT

YOURS SINCERELY

ANN HICKEY

PROJECT OFFICER

Anthony Forzisi

From: Aaron Slater [warragil_c.s@hotmail.com]
Sent: Wednesday, 12 September 2012 8:52 AM
To: Anthony Forzisi
Subject: RE: 110833-3 Mt Arthur Coal Open Cut Modification Cultural Heritage Assessment
Attachments: image001.jpg

Hi Anthony,

We are Happy with the Draft Assessment, Should you require further information please call.

Regards

Aaron Slater - Manager

From: Anthony.Forzisi@rpsgroup.com.au
To: warragil_c.s@hotmail.com
Subject: 110833-3 Mt Arthur Coal Open Cut Modification Cultural Heritage Assessment
Date: Sun, 9 Sep 2012 23:38:57 +0000

Dear Aaron Slater

This is a final reminder that RPS requires final submissions by **Wednesday 12/09/2012 Close of Business** if you have additional comments or wish to contribute further information to the finding of the **Mt Arthur Coal Open Cut Modification Cultural Heritage Assessment** document please do so by this date.

We have extended the ACHCR deadline from last Friday 07/09//2012 to give you every opportunity to contribute to the report.



Anthony Forzisi
Graduate Archaeologist
RPS Australia Asia Pacific

PO Box 428, Hamilton, NSW, Australia, 2303

241 Denison St, Broadmeadow, NSW, 2292

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COPY

Mt Arthur Coal



Hunter Valley Energy Coal Pty Ltd
Mt Arthur Coal
Thomas Mitchell Drive
Muswellbrook NSW 2333 Australia
Private Mail Bag No. 8
Muswellbrook NSW 2333 Australia
Tel +61 2 6542 4800 Fax +61 2 6542 4801
bhpbilliton.com

10 October 2012

Mr Noel Downs
Chief Executive Officer
Wanaruah Local Aboriginal Land Council
PO Box 127
19 Maitland Street
MUSWELLBROOK NSW 2333

Dear Mr Downs

RE: MT ARTHUR COAL OPEN CUT MODIFICATION - ABORIGINAL CULTURAL HERITAGE ASSESSMENT

I am responding to your email to the Department of Planning and Infrastructure (DP&I) on 5 October 2012 requesting a copy of the Aboriginal Cultural Heritage Assessment report and asking for an extension to the report's comment period.

In relation to your first request, a copy of the draft Aboriginal Cultural Heritage Assessment report is attached. Wanaruah Local Aboriginal Land Council (WLALC) was originally sent a copy of the draft Aboriginal Cultural Heritage Assessment report on 8 August 2012. Following your request on 19 September 2012, an additional copy was emailed to the WLALC at wanaruah@bigpond.com by RPS Australia on 19 September 2012.

In relation to your second request, Hunter Valley Energy Coal (HVEC) is unable to grant an extension to the report's comment period at this late stage. As noted in previous correspondence to the WLALC, the period for comment was open from 8 August to 5 September 2012 and the final report has now been prepared.

By the close of the comment period, 41 Aboriginal cultural heritage stakeholders, including WLALC, had registered their interest in the modification project and were subsequently invited to be involved in the field survey and preparation of the report. In addition, Aboriginal stakeholders, including WLALC, were invited to an information day onsite to discuss the findings of the Aboriginal Cultural Heritage Assessment. HVEC received no other requests for the comment period to be extended.

Although any late comments would be unable to be included in the report, I would welcome any comments you may have, which would be included in the consultation log for the Aboriginal Cultural Heritage Assessment. A formal response would also be provided to the WLALC Board.

HVEC remains committed to consulting widely with Aboriginal stakeholders, including the WLALC. In the past this has included undertaking comprehensive consultation about the Thomas Mitchell

Drive offset area and, as shown in the attached summary, the modification project extension areas. I would like to assure you that this commitment will continue in the future.

If you have any further questions about the Aboriginal Cultural Heritage Assessment or would like to provide feedback, please contact Sarah Bailey on 6544 5984.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tony Howard', with a stylized, flowing script.

Tony Howard
Head of HSEC

Cc: Wanaruah Local Aboriginal Land Council Board Members
Cc: Mr Howard Reed, NSW Department of Planning and Infrastructure

Attached: Summary of consultation with WLALC regarding the modification project

**CONSULTATION CONDUCTED WITH THE WANARUAH LOCAL ABORIGINAL LAND COUNCIL
IN RELATION TO THE MT ARTHUR COAL OPEN CUT MODIFICATION PROJECT**

Date	Method of contact	Consultation description	Details
16/01/2012	In person	Mt Arthur Coal meeting with Noel Downs.	Meeting took place at WLALC. Topics included proposed Modification area and the Muswellbrook proposed Sewage Treatment Plant issue, among other things.
20/01/2012	Mail	Letters sent out to key stakeholders including WLALC requesting details of Aboriginal groups relevant to the "Area of Interest".	Responses due 03/02/2012.
23/02/2012	Mail/Email	Methodology letters sent out to stakeholders including WLALC.	Responses due 26/03/2012.
14/03/2012	Mail	RPS sent letters to the OEH and WLALC regarding the registered stakeholders for the project.	Listing all registered stakeholders (except those who requested not to be listed in either or both letters).
14/03/2012	Phone	RPS contacted Noel Downs of WLALC to confirm registration of interest.	Noel Downs confirmed registration.
28/03/2012	Email	RPS received methodology response from Noel Downs of WLALC.	Stated that WLALC could not support the proposed methodology as it included the proposed destruction of previously established conservation zones.
30/03/2012	Phone	Mt Arthur Coal discussion with Noel Downs from WLALC.	Discussion regarding issues WLALC had raised with the proposed methodology. A meeting was organised for 8/05/2012.
8/05/2012	In person	Mt Arthur Coal meeting with Noel Downs and WLALC Board Members	Discussion re Mt Arthur Modification project and the status of Aboriginal Cultural Heritage work as well as the Muswellbrook Shire Council proposed location for the Sewage Treatment Plant (MSC STP) and the Thomas Mitchell Drive Offset Area.
4/07/2012	In person	Mt Arthur Coal meeting with Noel Downs.	Meeting took place at Mt Arthur Coal for an update on Modification project and MSC STP proposal.

Date	Method of contact	Consultation description	Details
26/07/2012	In person	Mt Arthur Coal meeting with Noel Downs and the WLALC Board Members.	Meeting took place at Mt Arthur Coal to provide WLALC an update on the Modification project and MSC STP proposal as well as presentation of the Reconciliation Action Plan.
8/08/2012	Mail	Draft copy of ACHIA sent out to all registered groups including WLALC.	Responses due 6/09/12.
30/08/2012	In person	Aboriginal Cultural Heritage Information Day held on site at Mt Arthur Coal to go through the results of the assessment and provide Aboriginal stakeholders with a opportunity to discuss the results, in addition to providing written comments. An inspection of grinding grooves also took place.	WLALC was invited to attend the meeting but arrived subsequent to the meeting taking place.
7/09/2012	Phone	RPS Contacted Noel Downs of WLALC to seek comments on the draft ACHIA.	At this stage does not fully agree with the CHIA. Will get back to RPS next week with the full response via an e-mail.
19/09/2012	Phone	Noel Downs contacted RPS requesting another copy of the ACHIA.	A copy was sent via email with a message confirming that the closing date for responses had already passed.
4/10/2012	Phone	RPS contacted by Suzie Worth on behalf of WLALC.	Suzie asked if any WLALC responses to anything were outstanding including those to the Modification. RPS explained that the date for responses to the report had passed but that if WLALC had some comments they could be forwarded to Mt Arthur Coal, but not included in the final report.
5/10/2012	Email	Noel Downs contacted RPS	Noel Downs responded to RPS suggesting that he will take further action because he has not been given enough opportunity to respond.

Consultation undertaken in addition to requirements under the 2010 DECCW guidelines for consultation.

Appendix 3

Aboriginal Consultation Log

Date	Consultation Description	Method of Contact	Details
16/01/2012	Mt Arthur Coal meeting with Noel Downs	In person	Meeting took place at WLALC. Topics included proposed Modification area and the Muswellbrook proposed Sewage Treatment Plant issue, among other things.
20/01/2012	Letters sent out to Muswellbrook Shire Council (MSC), Hunter Central Rivers Catchment Management Authority (HCRCA), Warrumbungle Local Aboriginal Land Council (WLALC), National Native Title Tribunal (NNTT), Native Title Services (NTS), the Office of the Registrar of Aboriginal Owners (the Registrar) and the Office of Environment and Heritage (OEH) requesting details of Aboriginal groups relevant to the "Area of Interest".	Mail	Responses due 03/02/2012.
1/02/2012	Advert placed in Hunter Valley News seeking Expressions of Interest (Eoi) in the consultation process for the Project.	Newspaper	Responses due 20/02/2012.
1/02/2012	Response received from NNTT.	Email	Response noted - no native title applications or claims in the Modification area.
1/02/2012	Response received from OEH.	Email/Mail	Response noted - 47 Aboriginal groups for the Mount Arthur/Muswellbrook area. Letters seeking Eois in the consultation process sent to the 47 Aboriginal groups.
2/02/2012	Eoi received by Ali Byrne (AB) from Deslee Talbott Consultant (DTC).	Email	Eoi noted.
2/02/2012	Eoi received by AB from Roger Noel Matthews (RNM).	Email	Eoi noted.
3/02/2012	Advert seeking Eoi in the consultation process for the Project placed in Singleton Argus and Muswellbrook Chronicle.	Newspaper	Responses due 20/02/2012.
6/02/2012	Eoi received by AB from Kathie Kinchela of Yinarr Cultural Services (YCS).	Email	Eoi noted.
6/02/2012	Letters requesting registrations of interest sent out to the 47 Aboriginal community stakeholder groups.	Mail	Responses due 20/02/2012.
6/02/2012	Response received from the Registrar.	Mail	Response noted - no Registered Aboriginal Owners on record.
6/02/2012	Eoi received by AB from Terry Matthews of Breeza Plains Culture and Heritage Consultants (BPHC).	Mail	Eoi noted.
7/02/2012	Eoi received by AB from 'Name Withheld'.	Email	Eoi noted. Specified that they did not wish to be identified to WLALC. As such, their name has been withheld from this report.
7/02/2012	Eoi received by AB from Tammy Knox of Bunda Consultants (BC).	Email	Eoi noted.
7/02/2012	Eoi received by AB from 'Name Withheld'.	Email	Eoi noted.
7/02/2012	Eoi received by AB from Cheryl Moodie of Cheryl Moodie Consultants (CMC).	Phone	Eoi noted.
7/02/2012	Eoi received by AB from Cheryl Moodie on behalf of Justin Matthews of Carrawong Consultants (CC).	Phone	Eoi noted.
7/02/2012	Eoi received by AB from Cheryl Moodie on behalf of Clifford Matthews of Mingga Consultants (MC).	Phone	Eoi noted.
7/02/2012	Eoi received by AB from David Horton of Gomery Cultural Consultants (GCC).	Fax	Eoi noted.
8/02/2012	Eoi received by AB from Les Atkinson of Jarban and Mugrebea (J&M).	Email	Eoi noted.
8/02/2012	Eoi received by AB from Jess Garland of Ungooroo Aboriginal Corporation (UAC).	Email	Eoi noted.
8/02/2012	AB was contacted by Elaine Freihaut of Hunter Valley Aboriginal Corporation (HVAC).	Phone	She said she would post her Eoi. Eoi received 13/02/2012.
8/02/2012	Eoi received by AB from Mark Hickey of Kayaway Eco Cultural & Heritage Services (Kayaway).	Email	Eoi noted.
8/02/2012	Eoi received by AB from Scott Franks of Tocomwall.	Phone	Eoi noted - requested that methodology be sent to him via email instead of mail. Request acknowledged and all further correspondence was provided by email.
8/02/2012	Eoi received by AB from Melissa Matthews of Upper Hunter Heritage Consultants (UHC).	Email	Eoi noted.
9/02/2012	Eoi received by AB from Warren Schillings of 'Name Withheld'.	Email	Eoi noted. Specified that they did not wish to be identified to WLALC or OEH. As such, their name has been withheld from this report.
9/02/2012	Eoi received by AB from 'Name Withheld'.	Email	Eoi noted. Specified that they did not wish to be identified to WLALC or OEH. As such, their name has been withheld from this report.
9/02/2012	Kathie Kinchela of YCS contacted AB.	Email	To ensure her Eoi was noted, AB replied to say it had been.
9/02/2012	Eoi received by AB from Donna Sampson of Cacatua Culture Consultants (CCC).	Email	Eoi noted.
10/02/2012	Eoi received by AB from Tracey Skene of Culturally Aware (CA).	Email	Eoi noted.
10/02/2012	AB received insurance paper work from David Horton of GCC.	Fax	Both insurances in date, and placed on file.
13/02/2012	Eoi received by AB from Elaine Freihaut of HVAC.	Mail	Eoi noted.
13/02/2012	Deslee Matthews contacted AB.	Phone	To ensure her Eoi was noted, AB replied that it had been.
13/02/2012	Warren Schillings contacted AB.	Email	To ensure his Eoi was noted, AB responded to say it had been.
13/02/2012	Eoi received by AB from 'Name Withheld'.	Email	Eoi noted. On behalf of a collective (Wonnarua People, Registered Native Title Claimants). This includes: Barry Anderson (Lower Wonnarua Tribal Consultancy); Des Hickey (Wattaka Wonnarua); Rhoda Perry (Upper Hunter Wonnarua Council); Arthur Fletcher (Wonn1); Luke Hickey (Hunter Valley Cultural Surveying); Tracey Skene (CA); Tom Miller (Lower Hunter Wonnarua Council [LHWC]); Laurie Perry (Wonnarua Nation Aboriginal Corporation); Mark Hickey (Kayaway); Paulette Ryan (Hunter Traditional Owner Environmental Management Services); Stephen Hickey (Widescope Indigenous Group [WIG]); Rodney Hickey (Kawul Cultural Services [KCS]); Victor Perry (Junburra Consultancy Service); Keith Rogers (Keith Rogers Consulting); and Wonnarua Elders (Wonnarua Elders Council).
14/02/2012	AB received insurance paper work from Deslee Matthews.	Mail	Paper work included was for both Deslee Talbott Consultants and Roger Noel Matthews.
14/02/2012	Eoi received from Scott Smith.	Email	Eoi noted.

Date	Consultation Description	Method of Contact	Details
15/02/2012	Eol received from Tom Miller from LHWC.	Email	Eol noted.
16/02/2012	Eol received by AB from Ann Hickey of Walang & Karkuma Neighbourhood Centre Inc. (Gidawaa Walang).	Mail	Eol noted.
16/02/2012	Eol received by AB from 'Name Withheld'.	Fax	Eol noted. Specified that they did not wish to be identified to WLALC or OEHL. As such, their name has been withheld from this report.
16/02/2012	Eol received by AB from Stephen Matthews of Mooki Plains Management.	Fax	Eol noted.
17/02/2012	Eol received by AB from Scott Franks of Tocomwall.	Email	Eol noted already by phone on 8/02/2012.
17/02/2012	Eol received by AB from Brian Horton of Muswellbrook Cultural Consultants (MCC).	Phone	Eol noted. Brian had called to check if his fax had come through, it had not been received but Eol was taken over phone. Brian also said he would try the fax again tonight.
17/02/2012	Eol received by AB from Donna Sampson on behalf of Kevin Sampson of Bawurra.	Email/Phone	Eol noted.
20/02/2012	Eol received by AB from Steven Hickey of WIG.	Email	Eol noted.
20/02/2012	Eol received by AB from Alieria French of Alieria French Trading (AFT).	Email	Eol noted.
20/02/2012	Eol received by AB from Vicky Slater of KCS.	Email	Eol noted.
21/02/2012	Eol received from Arthur Fletcher of Kauwul Pty Ltd trading as Wonn1.	Mail	Eol noted.
23/02/2012	Methodology letters sent out to AFT, Bawurra, BPCHC, BC, CCC, CC, CA, CMC, DFTV Enterprises, Deslee Talbott Consultants, GW, GCC, HVAC, 'Name Withheld', Jarban and Mugrebea, KCS, Kayaway, LHWC, Mingga Consultants (MC), Mooki Plains Management, MCC, 'Name Withheld', 'Name Withheld', Roger Matthews, Scott Smith, UAC, UHHC, Upper Hunter Wonnarua Council Inc (UHWC Inc), Hunter Valley Cultural Consultants (HVCC), Wattaka Wonnarua, WIG, Wonn1, 'Name Withheld', Wonnarua Nation Aboriginal Corporation (WNAC), Tocomwall and YCS.	Mail/Email	Responses due 26/03/2012.
27/02/2012	Response to methodology received by AB from 'Name Withheld', via Cheryl Kitchener.	Email	Response noted. Supports methodology, requests involvement in field work.
28/02/2012	Response to Eol letter received again from Mark Hickey of Kayaway.	Email	Eol already noted, methodology sent out.
2/03/2012	Response to methodology received by AB from Ann Hickey of Gidawaa Walang.	Fax	Response noted. Supports methodology.
5/03/2012	Eol received by AB from Paulette Ryan of Hunter Traditional Owner (HTO), methodology letter sent out.	Email	Eol noted. Eol was past the due date but was accepted. The proposed methodology was provided.
8/03/2012	AB was contacted by David Horton of GCC.	Phone	David Horton was inquiring about whether a site inspection had been undertaken yet, AB informed him that it was not yet done but would be soon and that while not all groups would be able to attend, RPS would endeavour to be fair in their selection. Mr Horton also stated that he agreed with the methodology.
12/03/2012	Letters sent out requesting confirmation of interest in field work and insurances.	Mail	Responses due 19/03/2012.
13/03/2012	AB received response to methodology from Tracey Skene of CA.	Email	Agrees with methodology, wishes to be involved in field work.
14/03/2012	AB sent letters to the OEHL and Wanaruah LALC regarding the registered stakeholders for the project.	Mail	Listing all registered stakeholders (except those who requested not to be listed in either or both letters).
14/03/2012	AB contacted Michelle Stair of Giwirr Consultants to confirm registration of interest.	Phone	Michelle Stair confirmed registration.
14/03/2012	AB contacted Rhonda Ward of UCCS to confirm registration of interest.	Phone	Left voice message requesting that she call AB back.
14/03/2012	AB contacted John Matthews of Aboriginal Native Title Consultants to confirm registration of interest.	Phone	John Matthews confirmed registration.
14/03/2012	AB contacted Noel Downs of Wanaruah LALC to confirm registration of interest.	Phone	Noel Downs confirmed registration.
14/03/2012	AB sent out copies of the methodology to WLALC, Giwirr Consultants and Aboriginal Native Title Consultants.	Email/Mail/Fax	Responses due 26/03/2012.
14/03/2012	AB received response to request for interest in field survey from Kathie Kinchela of YCS.	Email	Response noted.
15/03/2012	AB received response to request for interest in field survey from Tom Miller of LHWC.	Email	Response noted.
15/03/2012	AB received response to request for interest in field survey from David Horton of GCC.	Phone	Response noted. David Horton said he would fax through his insurances tomorrow.
15/03/2012	AB received response to request for interest in field survey from Cheryl Moodie of CMC.	Phone/Fax	Response noted.
15/03/2012	AB received response to request for interest in field survey from 'Name Withheld'.	Phone	Response noted.
16/03/2012	AB received response to request for interest in field survey from Annie Hickey of Gidawaa Walang.	Phone/Fax	Response noted.
16/03/2012	AB received response to request for interest in field survey from Steven Hickey of WIG.	Email	Response noted.
16/03/2012	AB received response to request for interest in field survey from Rhonda Griffiths of HVAC.	Phone	Response noted. Rhonda Griffiths said she would send through insurances on Monday (19/03).
16/03/2012	AB received response to request for interest in field survey from 'Name Withheld'.	Email	Response noted.
19/03/2012	AB received response to request for interest in field survey from Les Atkinson of Jarban and Mugrebea.	Email	Jarban and Mugrebea unable to participate in survey but want to remain involved in consultation.
19/03/2012	AB received response to request for interest in field survey from Scott Franks of Tocomwall.	Email	Scott Franks stated that he and Robert Lester are the 'successfully registered Native Title Claimants for the Plains Clans of the Wonnarua
19/03/2012	AB received response to request for interest in field survey from Deslee Matthews of DTC (also on behalf of RNM).	Phone	Response noted. Also gave new address PO Box 808 Muswellbrook 2333 for herself. Response for RNM also noted.

Date	Consultation Description	Method of Contact	Details
19/03/2012	AB received response to request for interest in field survey from Robyn Matthews on behalf of Terry Matthews of BPCHC.	Phone	Response noted. Insurances will be faxed through today. Insurances received.
19/03/2012	AB received response to request for interest in field survey from 'Name Withheld'.	Email	Response noted.
19/03/2012	AB received methodology response from Donna Sampson of CCC.	Email	Response noted. Agrees with methodology. Would like to be involved in field work.
21/03/2012	AB received response from Christine Matthews of HVCC re: field work.	Phone	Said she hadn't received the letter regarding field work and would like to be involved. Response noted.
21/03/2012	AB received response from Vicky Slater of KCS re: field work.	Email	Response noted.
21/03/2012	AB received response from Aaron Slater of Warragil Cultural Services.	Email	Expression of Interest. Eol was past the due date but was accepted.
22/03/2012	AB received response from Aaron Slater of Warragil Cultural Services.	Email	Request to be involved in field survey. Insurances received.
22/03/2012	AB received response to request for interest in field survey from Jessi Garland of UAC.	Email	Response noted. UAC did not receive letter until today.
22/03/2012	AB received response to request for interest in field survey from 'Name Withheld'.	Phone	Response noted. 'Name Withheld' will send through insurances today.
26/03/2012	AB contacted DTC, RNM, YCS, BPCHC, Wattaka Wonnarua, BC, CMC, CC, MC, UAC, J&M, HVAC, Kayaway, Tocomwall, UHHC, 'Name Withheld', 'Name Withheld', WNAC, Scott Smith, LHWC, 'Name Withheld', Mooki Plains Management, MCC, Bawurra, WIG, AFT, KCS, Wonn1, HTO, GC, UCCS, Aboriginal Native Title Consultants (ANTC) and WLALC.	Phone	Re: methodology responses. Agreement to methodology received from DTC, RNM, J&M, MCC, Bawurra, HTO, ANTC, WIG, AFT and 'Name Withheld'. Unable to reach BPCHC, Wattaka Wonnarua, CMC, CC, MC, UHHC, WNAC, Mooki Plains Management and KCS. YCS, BC, UAC, HVAC, Kayaway, Tocomwall, 'Name Withheld', Scott Smith, LHWC Inc, 'Name Withheld', Wonn1, GC, UCCS and WLALC said they would get back to RPS.
27/03/2012	AB contacted 'Name Withheld' as requested on 26/03/2012.	Phone	Re: methodology responses. Agreement to methodology received and insurances would be sent through by fax.
27/03/2012	AB received Certificates of Currency for public liability and workers comp insurances from AFT.	Email	Noted, to be included in survey invite.
27/03/2012	AB was contacted by Robyn Matthews, wife of Terry Matthews from BPCHC.	Phone	Requested methodology be sent through by fax and would respond by today. Fax sent by AB.
27/03/2012	AB contacted Laurie Perry of WNAC.	Phone	Regarding methodology - Laurie stated that several of the Wonnarua groups had formed the Wonnarua Nation, including WNAC and that they were considered knowledge holders under Native Title and were consulting separately. AB explained the OEH consultation process.
27/03/2012	AB was contacted by Robyn Matthews, wife of Terry Matthews from BPCHC.	Phone	Regarding methodology - Robyn stated that Terry was in agreement with the methodology. She also requested confirmation on whether his White Card would be accepted by Mount Arthur. AB requested that a scanned copy be sent through in order to determine.
27/03/2012	AB sent out invitations for site inspection to DTC, RNM, YCS, BPCHC, 'Name Withheld', GCC, Jarban and Mugrebea, HVAC, Tocomwall, 'Name Withheld', 'Name Withheld', CCC, LHWC, Gidawaa Walang (GW), Mooki Plains Management, WIG, KCS and AFT.	Mail	All groups invited to site had responded with insurances and interest in field work.
28/03/2012	AB contacted Mooki Plains Management, 'Name Withheld' and 'Name Withheld'.	Phone/Email	Re: missing sections from insurances (workers comp certs).
28/03/2012	AB contacted Scott Franks of Tocomwall.	Phone	Returning missed call re: methodology. Mr Franks provided information regarding a site within the Project area. He requested that this information was not to be shared with any other Aboriginal stakeholder groups. As such, details of this correspondence have not been included in the report.
28/03/2012	Sarah Bailey (Mount Arthur Coal) spoke to Scott Franks of Tocomwall.	Phone	Discussion regarding several issues raised by Scott Franks. Scott Frank requested that the information provided remain confidential. This request has been acknowledged.
28/03/2012	AB received methodology response from Noel Downs of WLALC.	Email	Stated that WLALC could not support the proposed methodology as it included the proposed destruction of previously established conservation zones.
29/03/2012	AB received methodology response from Rhonda Griffiths of HVAC.	Phone	Rhonda stated that HVAC, on behalf of the stakeholders it represents, supports any comments on the methodology made by the WLALC.
29/03/2012	AB received insurances from 'Name Withheld'.	Fax	AB explained that the insurances received too late for 'Name Withheld' to be included in field survey but will be kept in case any groups are unable to attend.
29/03/2012	AB received confirmation of ability to attend field survey from 'Name Withheld'.	Email	AB reminded 'Name Withheld' that a Workers Comp certificate of currency was still required from him.
29/03/2012	AB contacted 'Name Withheld'.	Email	A reminder that his workers compensation and certificate of currency had not been received and that it would be required by Monday to allow him out on site.
29/03/2012	AB contacted Stephen Matthews of Mooki Plains Management.	Phone	A reminder that his workers compensation and certificate of currency had not been received and that it would be required by Monday to allow him out on site.
30/03/2012	Discs with copies of all site cards listed on the methodology letter mailed out to: AFT, Bawurra, BPCHC, BC, CCC, CC, CA, CMC, DFTV Enterprises, DTC, GW, GCC, HVAC, 'Name Withheld', Jarban and Mugrebea, KCS, Kayaway, LHWC Inc, MC, Mooki Plains Management, MCC, 'Name Withheld', 'Name Withheld', RNM, Scott Smith, UAC, UHHC, UHWC Inc, Valley Culture, Wattaka Wonnarua, WIG, Wonn1, 'Name Withheld', WNAC, Tocomwall and YCS.	Mail	No response required.
30/03/2012	AB received confirmation of ability to attend field survey from Deslee Matthews of DTC.	Email	Deslee confirmed that she would be attending as Site Officer for DTC.
30/03/2012	AB received confirmation of ability to attend field survey from Carolyn Hickey of WIG.	Email	Steven Hickey confirmed that he would attending as Site Officer for WIG.
30/03/2012	Gillian Goode (GG) of RPS spoke to Tammy Knox of BC.	Phone	Tammy Knox stated that she agreed with the methodology and is awaiting the next lot of information.

Date	Consultation Description	Method of Contact	Details
30/03/2012	Mandy McIntyre (MM) spoke to David Horton of GCC.	Phone	David Horton rang to say that he is faxing through his insurances (AB already has these).
30/03/2012	Fax received from Mooki Plains Management (Stephen Matthews).	Fax	Response to invite for field work, no insurances attached. Email sent but bounced back.
30/03/2012	Mt Arthur Coal discussion with Noel Downs from WLALC.	Phone	Discussion regarding issues WLALC had raised with the proposed methodology. A meeting was organised for 8/05/2012.
31/03/2012	Fax received from GCC (David Horton).	Fax	Insurances received.
2/04/2012	AB contacted Stephen Matthews of Mooki Plains Management.	Phone	Stephen not available - spoke to Joanne (?) regarding workers comp insurances. Joanne said that Stephen was chasing up insurances certificate and would get back to us as soon as possible.
2/04/2012	AB returned missed call from 'Name Withheld'.	Phone	Re: insurances. AB explained that there should be a separate set of paperwork for Workers Comp (as opposed to Public Liability) that we would need in order for "Name Withheld" to attend the field survey. "Name Withheld" stated that he would get back to us when he had sorted it out. Workers Comp insurance received by email at 3.45pm.
3/04/2012	AB received response from RNM.	Email	Confirmation that Mandy Hicks would attend field inspection.
4/04/2012	AB received response from Donna Sampson of CCC.	Email	Confirmation that George Sampson would attend field inspection (or alternatively Adam Sampson).
5/04/2012	AB contacted Stephen Matthews of Mooki Plains Management.	Phone	Left voice message re: missing sections from insurances (workers comp certs).
5/04/2012	AB contacted "Name Withheld".	Email	Left voice message re: missing sections from insurances (workers comp certs).
5/04/2012	AB contacted Terry Matthews of BPHC.	Phone	Confirmation of attendance at Mount Arthur on Tues 10 April 2012 "Service temporarily unavailable. Please try again later" message.
5/04/2012	AB contacted Kathleen Kinchela of YCS.	Phone	Left voice message re: confirmation of attendance at Mount Arthur on Tues 10 April 2012. Kathie returned call and confirmed that a Yinarr Sites Officer would be attending.
5/04/2012	AB contacted Les Atkinson of J&M.	Phone	Re: confirmation of attendance at Mount Arthur on Wed 11 April 2012. Les confirmed that he was organising someone to be there.
5/04/2012	AB contacted Scott Franks of Tocomwall.	Email	Re: confirmation of attendance at Mount Arthur on Wed 11 April 2012. Response received but did not answer question regarding field work.
5/04/2012	AB contacted Ellaine Freihaut of HVAC.	Phone	Re: field survey. She recommended trying Rhonda at the office (65431180). Spoke to Rhonda and she confirmed that either she or another Sites Officer would be attending.
5/04/2012	AB contacted 'Name Withheld'.	Email	Re: confirmation of attendance at Mount Arthur on Wed 11 April 2012. "Name Withheld" returned call to confirm that a Sites Officer will be attending.
5/04/2012	AB contacted Tom Miller of LHWC.	Email	Re: confirmation of attendance at Mount Arthur on Thurs 12 April 2012.
5/04/2012	AB contacted Debbie Dacey-Sullivan of Gidawaa Walang.	Phone	Re: confirmation of attendance at Mount Arthur on Thurs 12 April 2012. Debbie stated that they did not have anyone available for the work.
5/04/2012	AB contacted Vicky Slater of KCS.	Email	Re: confirmation of attendance at Mount Arthur on Thurs 12 April 2012.
5/04/2012	AB contacted Alieria French of AFT.	Email	Re: confirmation of attendance at Mount Arthur on Thurs 12 April 2012.
5/04/2012	AB contacted 'Name Withheld'.	Fax/phone	Re: field work at Mount Arthur next Thursday 12 April 2012. Left voice message on mobile.
11/04/2012	DR was contacted by Leigh Griffiths of T&G Culture Consultants.	Phone	Mr Griffiths said he would like to receive information regarding the Mount Arthur project.
12/04/2012	JH contacted 'Name Withheld' in regards to extended work at Mount Arthur.	Phone	Left voice message re: asking for a sites officer, Mount Arthur extended works on the 19/04/2012.
12/04/2012	JH contacted Gidawaa Walang in regards to extended work at Mount Arthur.	Phone	Left message with receptionist for Mount Arthur works 19/02/2012, asking for a sites officer.
12/04/2012	JH contacted Derrick from DFTV.	Phone	Talked to Derrick personally. He will fax though nominated sites officers details tomorrow morning. Also asked him that the sites officer be able to walk on steep terrain.
13/04/2012	AB contacted DTC, RNM, YCS, BPHC, GCC, 'Name Withheld', 'Name Withheld', CCC, HVAC, WIG, KCS and AFT.	Email/Fax	Regarding invoicing details (to be sent to Andrew Hutton of GSS Environmental).
13/04/2012	AB contacted 'Name Withheld' and Gidawaa Walang.	Phone/Email/Fax	Regarding Field work next Thursday 19 April 2012.
13/04/2012	AB contacted 'Name Withheld' in regards to extended work at Mount Arthur.	Phone	Left voice message re: asking for a sites officer, Mount Arthur extended works on the 19/04/2012.
13/04/2012	AB contacted Gidawaa Walang in regards to extended work at Mount Arthur.	Phone	Left message with receptionist for Mount Arthur works 19/02/2012, asking for a sites officer. Receptionist called back to say that Gidawaa Walang was unable to supply a Sites Officer for Mount Arthur.
13/04/2012	GG was contacted by 'Name Withheld'.	Phone	Re: Field work next Thursday 19 April 2012. Gordon able to attend.
16/04/2012	AB contacted DTC.	Phone/email	Left voice message. Deslee called back and confirmed that she would be available to work Tuesday 24 April 2012. AB sent email for confirmation.
16/04/2012	AB contacted RNM.	Phone	Left voice message.
16/04/2012	AB contacted YCS.	Phone/email	Kathie Kinchela said that she would have someone available on any of the field days (Thurs 19, Fri 20, Mon 23, Tues 24 April 2012). AB emailed her requesting a Sites Officer for Friday 20 April 2012. Kathie called to confirm that she would be sending Taine Davidson on Friday 20 April.
16/04/2012	AB contacted BPHC.	Phone	Robyn Matthews confirmed that Terry would be available for Tuesday 24 April 2012.
16/04/2012	AB contacted 'Name Withheld'.	Phone	No answer.
16/04/2012	AB contacted GCC.	Phone/email	David said that he would be available Monday or Tuesday 23 and 24 April 2012. AB sent email to confirm attendance for Monday 23 April 2012.
16/04/2012	AB contacted HVAC.	Phone/email	Rhonda said that she would be available Monday or Tuesday 23/24 April 2012. AB sent email to confirm attendance for Monday 23 April 2012. Rhonda responded to the email confirming that she would be attending.

Date	Consultation Description	Method of Contact	Details
16/04/2012	AB contacted 'Name Withheld'.	Phone/email	Left voice message. "Name Withheld" called back and said he would have someone available for Tuesday 24 April 2012. AB sent email to confirm. "Name Withheld" returned email confirming that a Sites Officer (not David Nean) would be attending.
16/04/2012	AB contacted 'Name Withheld'.	Phone/email	Name Withheld' would be available any day. AB sent through email with confirmation that 'Name Withheld' was invited to attend on Friday 20 April 2012. 'Name Withheld' responded to say that they would definitely send someone, but he wasn't sure who yet.
16/04/2012	AB contacted CCC.	Phone/email	Donna said they would have someone available on any day. AB sent email with confirmation that CCC was invited to attend on Friday 20 April 2012. Joanne Elliot returned email confirming that CCC had someone available for Friday (and Tuesday if required). Did not specify who would be attending.
16/04/2012	AB contacted WIG.	Phone/email	No answer. AB sent email requesting Steven's attendance on Thursday 19 April 2012.
16/04/2012	AB contacted KCS.	Phone/email	Vicky said that Kerrie would be available next Monday. AB sent email with confirmation that Kawul would be attending represented by Kerrie Slater on Monday 23 April 2012. Vicky responded, confirming that Kerrie would be attending.
16/04/2012	AB contacted AFT.	Phone/email	Aliera French asked if she could call back tomorrow as she was not currently in town. AB sent an email with information.
16/04/2012	AB received response from Derrick Vale.	Fax	Confirming that Susan Cutmore would be attending as Sites Officer for DFTV.
16/04/2012	AB received methodology response from Tom Miller of LHWC.	Email	Tom stated that LHWC are part of the Wonnarua People Native Title Claimants group and that as such they should be included in all aspects of consultation. Response noted.
17/04/2012	AB contacted Tom Miller of LHWC.	Phone	To invite LHWC out on site. AB explained that some field work had already taken place to which LHWC was invited and Tom said that they hadn't received the invite. AB then invited LHWC out on site on Monday 23 April 2012 and emailed an invite letter to Tom Miller.
17/04/2012	AB contacted David Horton of GCC.	Phone	To check that he had received site invite email yesterday (due to previous issues with email). David said he had received it.
17/04/2012	AB received response from 'Name Withheld'.	Email	With confirmation that sites officer Clint Emmerson would be attending the site inspection on Friday 20 April 2012.
18/04/2012	AB received response from Aliera French of AFT.	Email	Aliera French was unable to attend Thursday or Friday but could attend Monday or Tuesday if a place becomes available.
8/05/2012	Mt Arthur Coal meeting with Noel Downs and WLALC Board Members.	In person	Discussion re: Mt Arthur Modification project and the status of Aboriginal Cultural Heritage as well as the Muswellbrook Shire Council proposed location for the Sewage Treatment Plant (MSC STP) and the Thomas Mitchell Drive Offset Area.
4/07/2012	Mt Arthur Coal meeting with Noel Downs.	In person	Meeting took place at Mt Arthur Coal for an update on the Modification project and MSC STP proposal.
26/07/2012	Mt Arthur Coal meeting with Noel Downs and the WLALC Board Members.	In person	Meeting took place at Mt Arthur Coal to provide WLALC an update on the Modification project and MSC STP proposal as well as presentation of the Reconciliation Action Plan.
8/08/2012	Draft copy of ACHIA sent out to all registered groups.	Mail	Responses due 6/09/12.
30/08/2012	Aboriginal Cultural Heritage Information Day held on site at Mt Arthur Coal to go through the results of the assessment and provide Aboriginal stakeholders with an opportunity to discuss the results, in addition to providing written comments. An inspection of grinding grooves also took place.	In person	Attendees: CCC, UAC, Myland, NKACHG, RPS, BHP. Draft report information session and additional site field inspection (WLALC was invited to attend the meeting but arrived subsequent to the meeting taking place).
7/09/2012	Anthony Forsizi (AF) of RPS contacted Aaron Slater of Warragil regarding the draft ACHIA.	Phone	Service not available.
7/09/2012	AF contacted Steven Hickey of WIG regarding the draft ACHIA.	Phone	WIG said they would get back to RPS.
7/09/2012	AF contacted Vicky Slater of Kawul regarding the draft ACHIA.	Phone	Vicky indicated that she agreed with the CHIA and will send an e-mail to confirm.
7/09/2012	AF contacted Aliera French of AFT regarding the draft ACHIA.	Phone	No answer.
7/09/2012	AF contacted Arthur Fletcher of Wonn1/Kauwul regarding the draft ACHIA.	Phone	Suzie Worth on behalf of Arthur Fletcher stated that an e-mail was already sent out yesterday by Wonn1/Kauwul detailing their response.
7/09/2012	AF contacted Derrick Vale Sr of DFTV regarding the draft ACHIA.	Phone	Left a message.
7/09/2012	AF contacted Rhoda Perry UHWC Inc regarding the draft ACHIA.	Phone	Rhoda stated that she did not receive the CHIA.
7/09/2012	AF contacted Laurie Perry WNAC regarding the draft ACHIA.	Phone	Laurie said that he would call RPS back with his response. Laurie called back later to confirm that he was happy with the CHA.
7/09/2012	AF contacted Ellaine Freihaut of HVAC regarding the draft ACHIA.	Phone	Ellaine said that she would get back to RPS with HVAC's response.
7/09/2012	AF contacted Brian Horton of MCC regarding the draft ACHIA.	Phone	Brian stated that he agreed with draft CHIA and will send through a response by fax on Monday 10/09/12 as his computer had crashed.
7/09/2012	AF contacted Elizabeth Howard of Valley Culture regarding the draft ACHIA.	Phone	Left a message.
7/09/2012	AF contacted Paulette Ryan of HTO regarding the draft ACHIA.	Phone	Paulette stated that she would get back to RPS with her response.
7/09/2012	AF contacted John Matthews of ANTC regarding the draft ACHIA.	Phone	No answer.
7/09/2012	AF contacted Noel Downs of WLALC regarding the draft ACHIA.	Phone	At this stage does not fully agree with the CHIA. Will get back to RPS next week with the full response via an email.
7/09/2012	AF contacted Leigh Griffiths T&G regarding the draft ACHIA.	Phone	Incorrect number.
7/09/2012	AF contacted Des Hickey of Wattaka Wonnarua regarding the draft ACHIA.	Phone	Left a message.
7/09/2012	AF contacted Stephen Matthews of Mooki regarding the draft ACHIA.	Phone	Left a message.
7/09/2012	AF contacted "Name Withheld" regarding the draft ACHIA.	Phone	"Name Withheld" stated that they agreed with the content of the draft CHIA.
7/09/2012	AF contacted Ann Hickey of Gidawaa Walang regarding the draft ACHIA.	Phone	Ann stated that GW agreed with the content of the draft CHIA.

Date	Consultation Description	Method of Contact	Details
7/09/2012	AF contacted Tom Miller of LHWC Inc regarding the draft ACHIA.	Phone	Tom stated that LHWC agreed with the content of the draft CHIA.
7/09/2012	AF contacted Scott Smith regarding the draft ACHIA.	Phone	Left a message.
7/09/2012	AF contacted Tracy Skene of CA regarding the draft ACHIA.	Phone	No answer.
7/09/2012	AF contacted Donna Sampson of CCC regarding the draft ACHIA.	Phone	Donna stated that Cacatua agrees with the content of the CHIA.
7/09/2012	AF contacted "Name Withheld" regarding the draft ACHIA.	Phone	Left a message.
7/09/2012	AF contacted "Name Withheld" regarding the draft ACHIA.	Phone	Left a message.
7/09/2012	AF contacted Darrel Matthews of UHHC regarding the draft ACHIA.	Phone	Left a message.
7/09/2012	AF contacted Mark Hickey of Kayaway regarding the draft ACHIA.	Phone	No answer.
7/09/2012	AF contacted Les Atkinson of J&M regarding the draft ACHIA.	Phone	No answer.
7/09/2012	AF contacted Allan Paget of UAC regarding the draft ACHIA.	Phone	Spoke to Jess Garland (receptionist) and left a message with her for Allan.
7/09/2012	AF contacted David Horton of Gomery regarding the draft ACHIA.	Phone	No answer. David returned the call and spoke to AB. He said he would send his response by email.
7/09/2012	AF contacted Clifford Matthews of Mingga regarding the draft ACHIA.	Phone	No answer.
7/09/2012	AF contacted Terry Matthews of Breeza Plains regarding the draft ACHIA.	Phone	Terry stated that he agreed with the content of the CHIA.
7/09/2012	AF contacted Cheryl Moodie of Cheryl Moodie Consultants regarding the draft ACHIA.	Phone	Left a message.
7/09/2012	AF contacted "Name Withheld" regarding the draft ACHIA.	Phone	"Name Withheld" stated that they would get back to us Monday.
7/09/2012	AF contacted Tammy Knox of Bunda Consultants regarding the draft ACHIA.	Phone	No answer.
7/09/2012	AF contacted Kathleen Kinchela of YCS regarding the draft ACHIA.	Phone	No answer.
7/09/2012	AF contacted Deslee Matthews of DTC regarding the draft ACHIA.	Phone	No answer.
7/09/2012	AF contacted Kevin Sampson of Bawurra regarding the draft ACHIA.	Phone	Kevin said that he would get back to RPS.
7/09/2012	Ann Hickey of Gidawaa contacted AB regarding the draft ACHIA.	Fax	Ann sent in Gidawaa's written confirmation of agreement with the content of the CHIA.
7/09/2012	RPS was contacted by "Name Withheld".	Fax	"Name Withheld" sent in written confirmation of their agreement with the content of the CHIA.
7/09/2012	Deslee Matthews of DTC contacted AB.	Phone	Deslee stated that DTC had no further comments to make on the CHIA and agreed with its contents.
10/09/2012	AF contacted Tammy Knox of Bunda Consultants regarding the draft ACHIA.	Email	Email was sent requesting comments relating to the content of the draft CHIA.
10/09/2012	AF contacted "Name Withheld" regarding the draft ACHIA.	Email	Email was sent requesting comments relating to the content of the draft CHIA.
10/09/2012	AF contacted "Name Withheld" regarding the draft ACHIA.	Email	Email was sent requesting comments relating to the content of the draft CHIA.
10/09/2012	AF contacted Allan Paget of UAC regarding the draft ACHIA.	Email	Email was sent requesting comments relating to the content of the draft CHIA.
10/09/2012	AF contacted Les Atkinson of J&M regarding the draft ACHIA.	Email	Email was sent requesting comments relating to the content of the draft CHIA.
10/09/2012	AF contacted Mark Hickey of Kayaway regarding the draft ACHIA.	Email	Email was sent requesting comments relating to the content of the draft CHIA.
10/09/2012	AF contacted Darrel Matthews of UHHC regarding the draft ACHIA.	Email	Email was sent requesting comments relating to the content of the draft CHIA.
10/09/2012	AF contacted Tracy Skene of CA regarding the draft ACHIA.	Email	Email was sent requesting comments relating to the content of the draft CHIA.
10/09/2012	AF contacted Scott Smith regarding the draft ACHIA.	Email	Email was sent requesting comments relating to the content of the draft CHIA.
10/09/2012	AF contacted Kevin Sampson of Bawurra regarding the draft ACHIA.	Email	Email was sent requesting comments relating to the content of the draft CHIA.
10/09/2012	AF contacted Steven Hickey of WIG regarding the draft ACHIA.	Email	Email was sent requesting comments relating to the content of the draft CHIA.
10/09/2012	AF contacted Alieria French of AFT regarding the draft ACHIA.	Email	Email was sent requesting comments relating to the content of the draft CHIA.
10/09/2012	AF contacted Rhoda Perry UHWC Inc regarding the draft ACHIA.	Email	Email was sent requesting comments relating to the content of the draft CHIA.
10/09/2012	AF contacted Aaron Slater of Warragil regarding the draft ACHIA.	Email	Email was sent requesting comments relating to the content of the draft CHIA.
10/09/2012	AF contacted Scott Franks regarding the draft ACHIA.	Email	Email was sent requesting comments relating to the content of the draft CHIA.
10/09/2012	AF contacted Noel Downs regarding the draft ACHIA.	Email	E-mail rebounded.
10/09/2012	AF contacted Elizabeth Howard of Valley Culture regarding the draft ACHIA.	Email	E-mail rebounded.
10/09/2012	AF contacted Kathleen Kinchela of YCS regarding the draft ACHIA.	Email	E-mail rebounded (incorrect email address).
10/09/2012	Scott Franks of Tocomwall contacted AF regarding the draft ACHIA.	phone	Scott stated that he strongly disagrees with CHIA and it was requested that he put his comments into writing so that they could be addressed by RPS and MAC.
11/09/2012	AB contacted Kathleen Kinchela of YCS regarding the draft ACHIA.	Email	Email was sent requesting comments relating to the content of the draft CHIA (to the correct address).
12/09/2012	Aaron Slater of Warragil contacted JH.	Email	Aaron stated in an email that Warragil was in agreement with the content of the CHIA.
12/09/2012	Kerrie Slater of Kawul contacted AB.	Email	Kerry stated in an email that Kawul was in agreement with the content of the CHIA.
19/09/2012	Noel Downs of Wanaruah LALC contacted RPS requesting another copy of the ACHIA.	Phone	A copy was sent via email with a message confirming that the closing date for responses had already passed.

Date	Consultation Description	Method of Contact	Details
4/10/2012	AB contacted by Suzie Worth on behalf of Wanaruah LALC.	Phone	Suzie asked if any WLALC responses to anything were outstanding including those to the Modification. RPS explained that the date for responses to the report had passed but that if WLALC had some comments they could be forwarded to Mt Arthur Coal, but not included in the final report.
4/10/2012	AB was contacted by ND of WLALC regarding the MAC CHIA report.	Phone	AB missed call and tried to call back but had missed Noel. AB sent an email explaining that the due dates for the responses to the MAC report had passed.
5/10/2012	ND contacted AB.	Phone	ND responded to AB's email suggesting that he will take further action by contacting the DoPI because he has not been given enough opportunity to respond.
10/10/2012	HVEC wrote to ND.	Letter	HVEC responded to ND stating that the formal consultation period had concluded, however HVEC would welcome any comments.

Appendix 4

AHIMS Search

This appendix contains culturally sensitive material and is available upon request and subject to approval by the NSW Office of Environment and Heritage.

Appendix 5

Glossary of Site Types

Glossary of Site Types

The following is a brief description of most Aboriginal site types. Most of these do not occur in the immediate Modification area although are provided for regional context.

Artefact Scatters

Artefact scatters are defined by the presence of two or more stone artefacts in close association (i.e. within fifty metres of each other). An artefact scatter may consist solely of surface material exposed by erosion, or may contain sub-surface deposit of varying depth. Associated features may include hearths or stone-lined fireplaces, and heat treatment pits.

Artefact scatters may represent:

- camp sites: involving short or long-term habitation, manufacture and maintenance of stone or wooden tools, raw material management, tool storage and food preparation and consumption;
- hunting or gathering activities;
- activities spatially separated from camp sites (e.g. tool manufacture or maintenance); or
- transient movement through the landscape.

The detection of artefact scatters depends upon conditions of surface visibility, including vegetation cover, ground disturbance and recent sediment deposition. Unfavourable conditions obscure artefact scatters and prevent their detection during surface surveys.

Bora Grounds

Bora grounds are a ceremonial site associated with initiations. They are usually comprise two circular depressions in the earth, and may be edged with stone. Bora grounds generally occur on soft sediments in river valleys, although they may also be located on high, rocky ground in association with stone arrangements.

Burials

Human remains were often placed in hollow trees, caves or sand deposits and may have been marked by carved or scarred trees. Burials have been identified eroding out of sand deposits or creek banks, or when disturbed by development. The probability of detecting burials during archaeological fieldwork is extremely low.

Culturally Modified Trees

Culturally modified trees include scarred and carved trees. Scarred trees are caused by the removal of bark for use in manufacturing canoes, containers, shields or shelters. Notches were also carved in trees to permit easier climbing. Scarred trees are only likely to be present on mature trees remaining from original vegetation. Carved trees, the easiest to identify, are caused by the removal of bark to create a working surface on which engravings are incised. Carved trees were used as markers for ceremonial and symbolic purposes, including burials. Although, carved trees were relatively common in New South Wales in the early 20th century, vegetation removal has rendered this site type extremely rare. Modified trees, where bark was removed for often domestic use are less easily identified. Criteria for identifying modified trees include: the age of the tree; type of tree (the bark of many trees is not suitable, also introduced species would be unlikely subjects); axe marks (with the need to determine the type of axe - stone or steel – though Aboriginal people after settlement did use steel); shape of the scar (natural or humanly scarred); height of the scar above the ground (reasonable working height with consideration given to subsequent growth).

Fish Traps

Fish traps comprised arrangements of stone, branches and/or wickerwork placed in watercourses, estuaries and along coasts to trap or permit the easier capture of sea-life.

Grinding Grooves

Grinding grooves are elongated narrow depressions in soft rocks (particularly sedimentary), generally associated with watercourses, that are created by the shaping and sharpening of ground-edge implements. To produce a sharp edge the axe blank (or re-worked axe) was honed on a natural stone surface near a source of water. The water was required for lubricating the grinding process. Axe grinding grooves can be identified by features such as a narrow short groove, with greatest depth near the groove centre. The grooves also display a patina developed through friction between stone surfaces. Generally a series of grooves are found as a result of the repetitive process.

Isolated Finds

Isolated finds occur where only one artefact is visible in a survey area. These finds are not found in apparent association with other evidence for prehistoric activity or occupation. Isolated finds occur anywhere and may represent loss, deliberate discard or abandonment of an artefact, or may be the remains of a dispersed artefact scatter. Numerous isolated finds have been recorded within the Modification area. An isolated find may flag the occurrence of other less visible artefacts in the vicinity or may indicate disturbance or relocation after the original discard.

Middens

Shell middens comprise deposits of shell remaining from consumption and are common in coastal regions and along watercourses. Middens vary in size, preservation and content, although they often contain artefacts made from stone, bone or shell, charcoal, and the remains of terrestrial or aquatic fauna that formed an additional component of Aboriginal diet. Middens can provide significant information on land-use patterns, diet, chronology of occupation and environmental conditions.

Mounds

Aboriginal mounds are places where people lived and reflect a record of that living space. Mounds may be places where Aboriginal people lived over long periods of time. Mounds often contain charcoal, burnt clay or stone heat retainers from cooking ovens, animal bones, shells, stone tools and occasionally Aboriginal burials.

Mythological / Traditional Sites

Mythological and traditional sites of significance to Aboriginal people may occur in any location, although they are often associated with natural landscape features. They include sites associated with dreaming stories, massacre sites, traditional camp sites and contact sites. Consultation with the local Aboriginal community is essential for identifying these sites.

Rock Shelters with Art and / or Occupation Deposit

Rock shelters occur where geological formations suitable for habitation or use are present, such as rock overhangs, shelters or caves. Rock shelter sites generally contain artefacts, food remains and/or rock art and may include sites with areas of potential archaeological deposit, where evidence of rock-art or human occupation is expected but not visible. The geological composition of the Modification area greatly increases the likelihood for rock shelters to occur.

Stone Arrangements

Stone arrangements include lines, circles, mounds, or other patterns of stone arranged by Aboriginal people. These may be associated with bora grounds, ceremonial sites, mythological or sacred sites. Stone arrangements are more likely to occur on hill tops and ridge crests that contain stone outcrops or surface stone, where impact from recent land use practices has been minimal.

Stone Quarries

A stone quarry is a place at which stone resource exploitation has occurred. Quarry sites are only located where the exposed stone material is suitable for use either for ceremonial purposes (e.g. ochre) or for artefact manufacture.

Appendix 6

Historic Registers Search Results



[Whole title](#) | [Parent Act](#) | [Historical versions](#) | [Historical notes](#) | [Search title](#) | [Maps](#) | 

Results: Document Types="EPs", All Words="Muswellbrook", Search In="Text"

[Result titles](#) | [Result hits](#)

Muswellbrook Local Environmental Plan 2009

Current version for 7 January 2013 to date (accessed 25 January 2013 at 15:25)

[Schedule 5](#)

<< page >>

Schedule 5 Environmental heritage

(Clause 5.10)

Part 1 Heritage items

Suburb	Item name	Address	Property description	Significance	Item no
Baerami	Baerami Creek Shale Mines and Retort	Baerami Creek Road	Wollemi National Park	State	I1
Baerami	Baerami Homestead (including pedestrian bridge)	300 Baerami Creek Road	Lot 11, DP 844666	Local	I2
Baerami	Baerami School of Arts	1361 Bylong Valley Way	Lot 115, DP 728996	Local	I3
Baerami	Goulburn River National Park	Goulburn River	Goulburn River National Park	State	I4
Baerami	Holbrook Stud	2639 Widden Valley Road	Part of Lot 56, DP 753768	Local	I5
Baerami	Wollemi National Park	Wollemi	Wollemi National Park	State	I6
Bengalla	Keys Family Private Cemetery	Bengalla Road	Lot 1, DP 236668	Local	I7
Bengalla	Bengalla Homestead	183 Bengalla Road	Lot 1, DP 236668	Local	I8
Bengalla	Dalmar Stud	690 Bengalla Road	Lots 19–21, DP 563495	Local	I9
Bengalla	Overdene	79 Overdene Road	Lot 1, DP 735667	Local	I10
Bengalla	Blunt's Butter Factory	179 Overton Road	Lot 1, DP 735667	Local	I11
Denman	Former private hospital	5 Crinoline Street	Lot 4, DP 150126	Local	I12
Denman	Piercefield	1532–1618 Denman Road	Lot 21, DP 235356	State	I13
Denman	Masonic Lodge	18 Jerdan Street	Lot 1, DP 151236	Local	I14
Denman	Woodlands Stud	3933 Jerry's Plains Road	Lot 7, DP 42602	State	I15

Denman	Glenmunro— slab kitchen	4372 Jerry's Plains Road	Lot 34, DP 752441	Local	I16
Denman	Merton	4833 Jerry's Plains Road	Lot 10, DP 618867	State	I17
Denman	Merton Cemetery	5052 Jerry's Plains Road	Lot 137, DP 730142	Local	I18
Denman	Pickering	221 Mangoola Road	Lots 89 and 90, DP 818690	Local	I19
Denman	Martindale	1150 Martindale Road	Lot 149, DP 257372	Local	I20
Denman	Rumbo Bush School	“Mayland”	Lot 41, DP 752441	Local	I21
Denman	Royal Hotel (original)	Ogilvie Street	Lot 10, DP 131315	Local	I22
Denman	Denman Hotel	1–5 Ogilvie Street (corner of Palace Street)	Lot 60, DP 1077497	Local	I23
Denman	Royal Hotel	10 Ogilvie Street (corner of Palace Street)	Lot 1, DP 1068339	Local	I24
Denman	Memorial Hall	30 Ogilvie Street	Lot 1, DP 152143	Local	I25
Denman	Former CBC Bank	35 Ogilvie Street	Lot 1, DP 507192	Local	I26
Denman	Bakery	49 Ogilvie Street	Lot 101, DP 1121517	Local	I27
Denman	Timber cottage	12 Palace Street	Lot 31, DP 630367	Local	I28
Denman	Former Anglican Church Rectory	21 Palace Street	Lots 1 and 2, DP 758351	Local	I29
Denman	Former Court House Group—police station, residence and lockup	23 Palace Street	Lots 227 and 228, DP 727761	Local	I30
Denman	St Matthias' Anglican Church	33–35 Palace Street	Lot 2107, DP 864033	Local	I31
Denman	Weatherboard hall	50 Palace Street	Lot 11, Section 22, DP 758731	Local	I32
Denman	St Joseph's Hall	80 Palace Street	Part of Lot 2, DP 594471	Local	I33
Denman	Former school residence	80 Palace Street	Part of Lot 2, DP 594471	Local	I34
Denman	Army munitions base	495 Rosemount Road	Lot 1, DP 849276	Local	I35
Denman	Rosemount Winery	659 Rosemount Road	Lot 5, DP 753767	Local	I36
Denman	Railway terminus site	Turner Street	Lot 2, DP 597403	Local	I37
Denman	Yarrawa Bridge over Hunter River	Yarrawa Road		Local	I38
Giants Creek		1824 Merriwa Road	Lots 300 and 301, DP 750963	Local	I39

	St John's Anglican Church				
Giants Creek	Former school and residence	1828 Merriwa Road	Lot 107, DP 750963	Local	I40
Giants Creek	Ellamara	1831 Merriwa Road	Lot 23, DP 1035506	Local	I41
Hollydeen	Hollydeen Shop	1010 Merriwa Road (corner of Ready Creek Road)	Lot 1, DP 382249	Local	I42
Kayuga	Kayuga Cemetery	30 Stair Street	Lot 1, DP 835733	State	I43
Kayuga	Negoa	92 Wiltons Lane	Lot 164, DP 635272	Local	I44
Kerrabee	Former post office	3179 Bylong Valley Way	Part of Lots 4 and 5, DP 755437	Local	I45
Kerrabee	Old Kerrabee Homestead	3179 Bylong Valley Way	Part of Lots 4 and 5, DP 755437	Local	I46
Liddell	Fairview	Hebden Road	Lot 311, DP 549456	Local	I47
Liddell	Hillcrest	311 Hebden Road	Lot 311, DP 549456	Local	I48
Manobalai	Manobalai Nature Reserve	Yarraman Road	Manobalai Nature Reserve	Local	I49
Manobalai	Brogheda	6 Yarraman Road	Lots 2–12, DP 252956; Lot 114, DP 1008972	Local	I50
Muswellbrook	Former butter factory	14–15 Aberdeen Street	Lot 21, DP 830326	Local	I51
Muswellbrook	Armitage House	2 Armitage Avenue	Lot 1, DP 367389	Local	I52
Muswellbrook	Railway depot (roundhouse)	Bell Street	Lot 1, DP 1006378	Local	I53
Muswellbrook	Muswellbrook Cemetery	Bowman and Brecht Streets	Lot 7008, DP 1050789	Local	I54
Muswellbrook	Birralee	33 Brentwood Street	Lot 101, DP 563612	Local	I55
Muswellbrook	School of Arts/Town Hall	3 Bridge Street	Lot 16, Section 2, DP 752484	Local	I56
Muswellbrook	Post office	7 Bridge Street	Lot 17, Section 2, DP 758740	Local	I57
Muswellbrook	Royal Hotel	10–16 Bridge Street	Lot 221, DP 1050954	Local	I58
Muswellbrook	Former picture theatre	17 Bridge Street	Lot 51, DP 850159	Local	I59
Muswellbrook	Westpac Bank building	19 Bridge Street	Lot 60, DP 847718	Local	I60
Muswellbrook	Taskers Pharmacy	26 Bridge Street	Lot 7, DP 1124521	Local	I61
Muswellbrook	Edward Higgs Building	30–32 Bridge Street	Lot 8, DP 779354	Local	I62
Muswellbrook	Shop front	34 Bridge Street	Lot 9, DP 241160	Local	I63
Muswellbrook	Billiards Building	36–40 Bridge Street	Lots 5 and 7, DP 241160	Local	I64

Muswellbrook	National Australia Bank building	46–50 Bridge Street	Lot 259, DP 738307	Local	I65
Muswellbrook	Former Campbell's and Co store	52 Bridge Street	Lot 201, DP 736071	Local	I66
Muswellbrook	Campbell's Corner	60 Bridge Street	Lot 101, DP 606303	Local	I67
Muswellbrook	Masonic Lodge	75 Bridge Street	Lot 1, DP 558793	Local	I68
Muswellbrook	Uniting Church	110 Bridge Street	Lot 401, DP 816923	Local	I69
Muswellbrook	Weidmann Cottage	126 Bridge Street	Lot 7, DP 71755; Lot 8, Section 6, DP 758740	State	I70
Muswellbrook	Loxton House	140–142 Bridge Street	Lots 1 and 2, DP 11221	State	I71
Muswellbrook	Eatons Group—shop	172 Bridge Street	Part of Lot 7, DP 706807	State	I72
Muswellbrook	Eatons Group—St Vincent de Paul Society building	174–176 Bridge Street	Part of Lot 7, DP 706807	State	I73
Muswellbrook	Eatons Group—house	178 Bridge Street	Part of Lot 7, DP 706807	State	I74
Muswellbrook	Eatons Hotel	182–184 Bridge Street	Lots 2 and 3, DP 37789	State	I75
Muswellbrook	Kildonan	208 Bridge Street	Lot 1, DP 79520	Local	I76
Muswellbrook	St James' Roman Catholic Church	Brook Street	Lots 12–15, Section 2, DP 758740; Lots 8 and 9, DP 1098501; Lot 81, DP 1156904	Local	I77
Muswellbrook	Roman Catholic convent	Brook Street	Part of Lot 213, DP 839334	Local	I78
Muswellbrook	Kerb and guttering	Brook Street (Bridge Street to railway line)		Local	I79
Muswellbrook	St Alban's Anglican Church	20 Brook Street	Lots 18–20, Section 6, DP 758740	State	I80
Muswellbrook	Koombahla Villa	23 Cook Street	Lot A, DP 376002	Local	I81
Muswellbrook	Yammanie	307 Denman Road	Lot 1, DP 235996; Lot 13, DP 236687; Lot 151, DP 740809	Local	I82
Muswellbrook	Balmoral	310 Denman Road	Lot 14, DP 236687	Local	I83
Muswellbrook	Edinglassie	710 Denman Road	Part of Lot 15, DP 228159	State	I84
Muswellbrook	Rous Lench	710 Denman Road	Part of Lot 15, DP 228159; Lot 141, DP 533001	State	I85
Muswellbrook	Muswellbrook Infants School		Lot 258, DP 821029	Local	I86

		Dolahenty Street (corner of King Street)			
Muswellbrook	Beer Homestead	721 Edderton Road	Part of Lots 4 and 8, DP 29950	Local	I87
Muswellbrook	Belmont	721 Edderton Road	Part of Lots 4 and 8, DP 29950	Local	I88
Muswellbrook	Edderton Homestead	1477 Edderton Road	Lot 1, DP 1004725	Local	I89
Muswellbrook	Plashett Homestead	1477 Edderton Road	Lot 2, DP 616024	Local	I90
Muswellbrook	Skellatar—St Mary's Catholic School	17 Fitzgerald Avenue	Lot 18, DP 865736	Local	I91
Muswellbrook	Minch's Wine Shop	18 Foley Street	Lot 72, DP 714227	Local	I92
Muswellbrook	St John's Presbyterian Church	Hill Street	Lot 21, DP 828480	Local	I93
Muswellbrook	Former St John's Presbyterian Church	Hill Street	Lot 21, DP 828480	Local	I94
Muswellbrook	Former Presbyterian manse	106 Hill Street	Lot 20, DP 828480	Local	I95
Muswellbrook	Timber cottage	129 Hill Street	Lots 7 and 30, DP 3069	Local	I96
Muswellbrook	Oak Milk Factory	Hunter Street	Lot 1, DP 995228	Local	I97
Muswellbrook	St Alban's Anglican Rectory	Corner Hunter Terrace and Brook Street	Part Lot 1, DP 810740	Local	I98
Muswellbrook	House	9–11 Hunter Terrace	Lots A and B, DP 151538	Local	I99
Muswellbrook	Brighton Villa	12 Hunter Terrace	Lot 1, DP 784046	Local	I100
Muswellbrook	St Albans Sunday School	15 Hunter Terrace	Part of Lot 1, DP 810740	Local	I101
Muswellbrook	Kayuga Bridge	Kayuga Road		State	I102
Muswellbrook	Muswellbrook High School	King Street	Lot 258, DP 821029	Local	I103
Muswellbrook	Hennor	18–20 Maitland Street	Lot 3, DP 518666; Lot 12, DP 519525	Local	I104
Muswellbrook	Railway station	Market Street	Lot 1, DP 1010686	State	I105
Muswellbrook	Railway signal box	Market Street	Lot 1, DP 1010686	State	I106
Muswellbrook	Simpson Park and Reserve	Market Street (corner of Sydney Street)		Local	I107
Muswellbrook	Railway Hotel	10–14 Market Street	Lot 7, DP 833145	Local	I108
Muswellbrook	Muswellbrook Hotel	46 Market Street	Lot 14, Section 10, DP 758740	Local	I109

Muswellbrook	House	5 Midanga Avenue	Lot 141, DP 862505	Local	I110
Muswellbrook	Stone bridge	Muscle Creek Road	Lot 41, DP 748269	Local	I111
Muswellbrook	Muswellbrook Brick Works	Muswellbrook Common	Lot 101, DP 578075	Local	I112
Muswellbrook	St Heliers	70 St Heliers Road	Lot 23, DP 220328	Local	I113
Muswellbrook	Gelston	409 Sandy Creek Road	Lots 1 and 2, DP 593335; Lot 165, DP 571192	Local	I114
Muswellbrook	Lime Kiln—E.I.E.I.O	540 Sandy Creek Road	Lot 165, DP 633737	Local	I115
Muswellbrook	St James' Roman Catholic presbytery	4 Sowerby Street	Lot 10, DP 665235	Local	I116
Muswellbrook	Atherstone	5 Sowerby Street	Lot 712, DP 851702	Local	I117
Muswellbrook	Former hospital	37 Sowerby Street	Lot 4, DP 719055	Local	I118
Muswellbrook	Kerb and guttering	Sydney Street (Maitland Street to Haydon Street)		Local	I119
Muswellbrook	Former Royal Hotel	1 Sydney Street	Lot 1, DP 67742	Local	I120
Muswellbrook	Former barber shop	7 Sydney Street	Lot 1, DP 797354	Local	I121
Muswellbrook	Prince of Wales Tavern	28–30 Sydney Street	Lots 1, 2 and 5, Section 5, DP 219434	Local	I122
Muswellbrook	Valley Hotel/Motel	33 Sydney Street	Lot 61, DP 733294	Local	I123
Muswellbrook	Fitzgerald/Olympic Park Gates	Wilkinson Avenue	Lot 7010, DP 93327	Local	I124
Muswellbrook	Police station	William Street	Lot 701, DP 93314	Local	I125
Muswellbrook	Shamrock Hotel	30 William Street	Lot 1, DP 340887	Local	I126
Sandy Hollow	Shale Oil Retorts	1590 Merriwa Road	Lot 200, DP 1005305	Local	I127
Wybong	Wybong Cemetery	Yarraman Road	Lots 81–86, DP 750959; Lot 7004, DP 93976	Local	I128

Part 2 Heritage conservation areas

Name of heritage conservation area	Identification on heritage map	Significance
Denman Heritage Conservation Area	Shown by a red outline with red hatching and labelled “C1”	Local
Residential Heritage Conservation Area	Shown by a red outline with red hatching and labelled “C2”	Local
Business Heritage Conservation Area	Shown by a red outline with red hatching and labelled “C3”	Local

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Section 1. Items listed under the NSW Heritage Act.

Your search returned 8 records.

Item name	Address	Suburb	LGA	Listed under Heritage Act
Eatons Hotel & St Vincent De Paul Group	178, 180-188 Bridge Street	Muswellbrook	Muswellbrook	Yes
Edinglassie	710 Denman Road	Muswellbrook	Muswellbrook	Yes
Loxton House	142-144 Bridge Street	Muswellbrook	Muswellbrook	Yes
Merton	4883 Jerrys Plains Road	Denman	Muswellbrook	Yes
Muswellbrook Railway Station and yard group	Main Northern railway	Muswellbrook	Muswellbrook	Yes
Rous Lench	Denman Road	Edinglassie	Muswellbrook	Yes
St. Alban's Anglican Church	Hunter Terrace	Muswellbrook	Muswellbrook	Yes
Weidmann Cottage	132 Bridge Street	Muswellbrook	Muswellbrook	Yes

Section 2. Items listed by Local Government and State Agencies.

Your search returned 132 records.

Item name	Address	Suburb	LGA	Information source
Anne Hassall Real Estate	7 Sydney Street	Muswellbrook	Muswellbrook	LGOV
Atherstone	5 Sowerby Street	Muswellbrook	Muswellbrook	GAZ
Atherstone	5-7 Sowerby Street	Muswellbrook	Muswellbrook	LGOV
Baerami Homestead	Berami Road via Sandy Hollow	Denman	Muswellbrook	GAZ
Baerami Homestead	300 Baerami Creek Road	Via Sandy Hollow	Muswellbrook	LGOV
Baerami Memorial School of Arts	1361 Bylong Valley Way	Baerami	Muswellbrook	LGOV
Balmoral	Denman Road	Muswellbrook	Muswellbrook	GAZ
Balmoral	310 Denman Road	Muswellbrook	Muswellbrook	LGOV
Barber Shop	5 Sydney Street	Muswellbrook	Muswellbrook	GAZ
Birralee	Brecht Street	Muswellbrook	Muswellbrook	GAZ
Birralee	33 Brentwood Street (Cnr Brecht Street)	Muswellbrook	Muswellbrook	LGOV
Bridge Gang Main Entrance Depot	Bell Street	Muswellbrook	Muswellbrook	LGOV
Brighton Villa	12 Hunter Street	Muswellbrook	Muswellbrook	GAZ
Brighton Villa	12 Hunter S Terrace	Muswellbrook	Muswellbrook	LGOV
Brogheda	6 Yarraman Road	Manobalai	Muswellbrook	LGOV
Campbell & Co Store, Former	54	Muswellbrook	Muswellbrook	GAZ
Courthouse & Police Station, Former	Palace Street	Denman	Muswellbrook	GAZ
Demolished		Denman	Muswellbrook	LGOV
Demolished	Palace Street	Denman	Muswellbrook	LGOV
Demolished	Muswellbrook Road	Denman	Muswellbrook	LGOV

Denman Bridge Over Hunter River	Golden Highway	Denman	Muswellbrook	SGOV
Denman Conservation Area		Denman	Muswellbrook	GAZ
Eatons Group	164-166, 172, 174, 178, 180 and 188 Bridge Street	Muswellbrook	Muswellbrook	GAZ
Edinglassie	710 Denman Road	Muswellbrook	Muswellbrook	LGOV
Ellamara	Merriwa Road	Sandy Hollow	Muswellbrook	LGOV
Farrells Auto One	5 Maitland Street	Muswellbrook	Muswellbrook	LGOV
Former School and Residence	1581 Cnr. Honey Lane and Merriwa Road	Sandy Hollow	Muswellbrook	LGOV
Former St Johns Presbyterian Church ***** PREVIOUS/OTHER NAME St Johns Presb	106 Hill Street (Cnr Sowerby Street)	Muswellbrook	Muswellbrook	LGOV
Franklins Mall and Colonial Arcade	Bridge Street	Muswellbrook	Muswellbrook	LGOV
Gelston	409 Sandy Creek Road	Muswellbrook	Muswellbrook	LGOV
Grass Tree Road Bridge	Grass Tree Road	Muswellbrook	Muswellbrook	LGOV
Hennor	Maitland Road	Muswellbrook	Muswellbrook	GAZ
Hennor	3 Lorne Street	Muswellbrook	Muswellbrook	LGOV
Holbrook Stud	2030 Widden Valley Road	Baerami	Muswellbrook	LGOV
Hospital, Former	37 Sowerby Street	Muswellbrook	Muswellbrook	GAZ
Item	27 Brovic Street	Muswellbrook	Muswellbrook	GAZ
Item	15 Hunter Terrace	Muswellbrook	Muswellbrook	GAZ
Item Demolished - 1991	45 Bridge Street (Cnr Brook Street)	Muswellbrook	Muswellbrook	LGOV
Jerrys Plains Official Residence	Doyle Street	Jerrys Plains	Muswellbrook	SGOV
Kayuga	731 Kayuga Road	Kayuga	Muswellbrook	LGOV
Kayuga Bridge Over Hunter River	Kayuga Road	Muswellbrook	Muswellbrook	SGOV
Kerrabee Homestead	3179 Bylong Valley Way	Kerrabee	Muswellbrook	LGOV
Kerrabee Homestead	3179 Bylong Valley Way	Kerrabee	Muswellbrook	LGOV
Keys Family Private Cemetery	Bengalla Road	Bengalla	Muswellbrook	GAZ
Koobahla Villa	Cook Street	Muswellbrook	Muswellbrook	GAZ
Koombahla Villa	23 Cook Street (Cnr Carl Street)	Muswellbrook	Muswellbrook	LGOV
Loxton House	142-144 Bridge Street (Cnr Hill Street)	Muswellbrook	Muswellbrook	LGOV
Martindale	Martindale Road	Denman	Muswellbrook	GAZ
Martindale Homestead - Barador Stud	1090 Martindale Road	Denman	Muswellbrook	LGOV
Masonic Hall		Muswellbrook	Muswellbrook	GAZ
Merton	4883 Jerrys Plains Road	Denman	Muswellbrook	LGOV
Merton Cemetery		Denman	Muswellbrook	GAZ
Merton Cemetery	5052 Jerrys Plains Road	Denman	Muswellbrook	LGOV

Muswellbrook Ambulance	Market, William Streets	Muswellbrook	Muswellbrook	SGOV
Muswellbrook Brick Works	Off Common Road/Coal Road	Muswellbrook	Muswellbrook	LGOV
Muswellbrook Bridge	Kayuga Road	Muswellbrook	Muswellbrook	GAZ
Muswellbrook Conservation Area		Muswellbrook	Muswellbrook	GAZ
Muswellbrook Hunter River Underbridge	Railway Locations, Ulan Line, 289.304 & 327.079 Kms		Muswellbrook	SGOV
Muswellbrook Masonic Hall, AMP C.D. Cooke Pty Ltd	75 Bridge Street	Muswellbrook	Muswellbrook	LGOV
Muswellbrook Police Station	William Street	Muswellbrook	Muswellbrook	LGOV
Muswellbrook Police Station , Former	26 William Street	Muswellbrook	Muswellbrook	SGOV
Muswellbrook Post Office	7 Bridge Street	Muswellbrook	Muswellbrook	LGOV
Muswellbrook Railway Precinct	Market Street	Muswellbrook	Muswellbrook	SGOV
Muswellbrook Railway Precinct	Market Street	Muswellbrook	Muswellbrook	SGOV
Muswellbrook Railway Station	Market Street	Muswellbrook	Muswellbrook	GAZ
Muswellbrook Railway Station	Market Street	Muswellbrook	Muswellbrook	LGOV
Negoa Homestead	Kayuga Road	Muswellbrook	Muswellbrook	GAZ
Oak Dairy Fresh Foods Factory	Off Hunter Street	Muswellbrook	Muswellbrook	LGOV
Old Kayuga Cemetery	Kayuga Road	Kayuga	Muswellbrook	GAZ
Old Kayuga Cemetery	30 Stair Street	Kayuga	Muswellbrook	LGOV
Olinda		Denman	Muswellbrook	GAZ
Original buildings	Ogilvie,virginia Streets	Denman	Muswellbrook	SGOV
Orion Energy Centre	34 Bridge Street	Muswellbrook	Muswellbrook	LGOV
Overdene	Bengalla Road	Muswellbrook	Muswellbrook	GAZ
Overdene	79 Bengalla Road	Muswellbrook	Muswellbrook	LGOV
Pickering	Mangoola Road	Denman	Muswellbrook	GAZ
Pickering	221 Mangoola Road	Denman	Muswellbrook	LGOV
Piercefield and Outbuildings	1532 Denman Road	Denman	Muswellbrook	LGOV
Police Residence, Former	Palace Street	Denman	Muswellbrook	GAZ
Police Station	William Street	Muswellbrook	Muswellbrook	GAZ
Portable Timber Lockup	Palace Street	Denman	Muswellbrook	GAZ
Post Office		Muswellbrook	Muswellbrook	GAZ
Presbyterian Manse	106 Hill Street	Muswellbrook	Muswellbrook	GAZ
Private Residence / Arts & Crafts Centre	Palace Street	Denman	Muswellbrook	LGOV
Railway Depot	Victoria Street	Muswellbrook	Muswellbrook	GAZ
Railway Hotel	10-14 Market Street	Muswellbrook	Muswellbrook	LGOV
Residence	80 Palace Street	Denman	Muswellbrook	LGOV
Residence	12 Palace Street	Denman	Muswellbrook	LGOV

Residence	33-37 Sowerby Street	Muswellbrook	Muswellbrook	LGOV
Residence	178 Bridge Street	Muswellbrook	Muswellbrook	LGOV
Roman Catholic Church	Palace Street	Denman	Muswellbrook	GAZ
Rosevale Cottage	687 Kayuga Road	Kayuga	Muswellbrook	LGOV
Rous Lench	710 Denman Road	Muswellbrook	Muswellbrook	LGOV
Royal Hotel	Palace Street	Denman	Muswellbrook	GAZ
Royal Hotel	10 Ogilvie Street	Denman	Muswellbrook	LGOV
Royal Hotel, Former	1 Sydney Street	Muswellbrook	Muswellbrook	GAZ
School of Arts	Main Road	Baerami	Muswellbrook	GAZ
Shop façade	34 Bridge Street	Muswellbrook	Muswellbrook	GAZ
Shop Front		Muswellbrook	Muswellbrook	LGOV
Slab Cottage	Main Road	Kerrabee	Muswellbrook	GAZ
St Albans	Brook Street	Muswellbrook	Muswellbrook	LGOV
St Albans Anglican Church	Brook Street (Cnr Hunter S Terrace)	Muswellbrook	Muswellbrook	LGOV
St Alban's Precinct	Brovic Street	Muswellbrook	Muswellbrook	GAZ
St Alban's Precinct	Hunter Terrace	Muswellbrook	Muswellbrook	GAZ
St Alban's Precinct	Brook Street and Hunter Terrace	Muswellbrook	Muswellbrook	GAZ
St. Heliers	McCulleys Gap Road	Muswellbrook	Muswellbrook	GAZ
St. Heliers	70 St Heliers Road	Muswellbrook	Muswellbrook	LGOV
St. James Catholic School	Tindale Street	Muswellbrook	Muswellbrook	LGOV
St. James Roman Catholic Church	4 Brook Street	Muswellbrook	Muswellbrook	LGOV
St. James Roman Catholic Church including surrounds	Brook Street	Muswellbrook	Muswellbrook	GAZ
St. James Roman Catholic Presbytery	4 Sowerby Street	Muswellbrook	Muswellbrook	LGOV
St. Johns Anglican Church	1824 Merriwa Road	Sandy Hollow	Muswellbrook	LGOV
St. John's Presbyterian Church Precinct	Hill Street	Muswellbrook	Muswellbrook	GAZ
St. Josephs Hall	80 Palace Street	Denman	Muswellbrook	LGOV
St. Mary's School Skelletar	Tindale Street	Muswellbrook	Muswellbrook	GAZ
St. Matthias Anglican Church	Palace Street	Denman	Muswellbrook	GAZ
St. Matthias Anglican Church	23-25 Palace Street	Denman	Muswellbrook	LGOV
St. Vincent de Paul Centre	174-176 Bridge Street	Muswellbrook	Muswellbrook	LGOV
Stone Bridge	Grass Tree Road	Muswellbrook	Muswellbrook	GAZ
The Old Tea House and Gift Shop	208 Bridge Street	Muswellbrook	Muswellbrook	LGOV
Timber Cottage	129 Hill Street	Muswellbrook	Muswellbrook	LGOV
Two Storey Shop	7-11 Sydney Street	Muswellbrook	Muswellbrook	GAZ
Uniting Church		Muswellbrook	Muswellbrook	GAZ
Upper Hunter Parish Trinity Uniting	110 Bridge Street	Muswellbrook	Muswellbrook	LGOV

Church				
Veterinary Hospital	14-15 Aberdeen Street (Cnr New England Highway)	Muswellbrook	Muswellbrook	LGOV
Weatherboard Hall	50 Palace Street (Cnr Turtle Street)	Denman	Muswellbrook	LGOV
Weidmann Cottage	132-134 Bridge Street	Muswellbrook	Muswellbrook	LGOV
Widden Stud	1650 Widden Valley Road	Widden	Muswellbrook	LGOV
Woodlands Stud	Woodlands Road	Denman	Muswellbrook	GAZ
Woodlands Stud	3933 Woodlands Road	Denman	Muswellbrook	LGOV
Yarrawa Bridge Over Goulburn River	Yarrawa Road	Denman	Muswellbrook	SGOV
Yvonne Boyle Real Estate	1-3 Sydney Street	Muswellbrook	Muswellbrook	LGOV

There was a total of 140 records matching your search criteria.

Key:

LGA = Local Government Area

Appendix 7

Heritage Significance and Impact Assessment Report for Fence and Yard Items within Mt Arthur Open Cut Modification Area

Brisbane - Main Office

743 Ann Street, PO Box 1559, Fortitude Valley QLD Australia 4006

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Our Ref: PR110833-2
Date: 27th June 2012

Attn: Sarah Bailey
Hunter Valley Energy Coal
Mt Arthur Coal
Thomas Mitchell Drive
Muswellbrook NSW 2333

Via e-mail: Sarah.K.Bailey@bhpbilliton.com

Dear Sarah

RE: Heritage Significance and Impact Assessment Report for Fence and Yards Items within Mt Arthur Open Cut Modification Area

Please find set out below the findings of our heritage significance assessment of the fence and yards site at the base of Mount Arthur. This is followed by an assessment of the likely heritage impact of proposed mining expansion activities and mitigation recommendations. This report is structured as follows:

- Executive Summary (Section 1.0)
- Review of Existing Studies and Historical Resources (Section 2.0)
- Site Survey Findings (Section 3.0)
- Heritage Significance Assessment (Section 4.0)
- Impact Assessment and Recommendations (Section 5.0)
- References (Section 6.0)
- Closing (Section 7.0)

The site in question is the remains of a post and rail timber fence running roughly east to west adjacent to the track leading to Mount Arthur accessed off Denman Road and the nearby remains of a loading ramp and stockyard fencing. It is located to the southwest of the Mt Arthur Open Cut Mine and the majority of the post and rail fence remains are within the proposed Mt Arthur Open Cut Modification Area (refer to Figure 1). The remains of the loading ramp and stockyard fencing are outside of the Mt Arthur Open Cut Modification Area. The site is described in more detail in Section 3.0. This report has been prepared in accordance with *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* (1999) using New South Wales (NSW) State heritage significance criteria.

1.0 EXECUTIVE SUMMARY

- The remains of stockyards and a post and rail fence were identified in a Heritage Impact Assessment Report prepared in 2009 for the Mt Arthur Coal Consolidation Project. The items are described as having “*Little significance within a local context due to poor condition*”.
- A review of historic parish maps shows that the site on the slopes of Mount Arthur is likely to have belonged to Ann Black from at least the late 19th Century as part of the gradual subdivision of the Edinglassie Estate.

- The stockyard remains comprise the remains of a loading ramp and stockyard fencing crudely constructed from logs and branches tied together with wire. Both structures are in a state of collapse. These are later structures than the post and rail fence.
- The post and rail fence remains run for just under 700 metres (m) and consist mainly of heavily weathered posts with two rail slots in varying degrees of collapse with many fallen and heavily eroded on the ground. A limited number of very weathered, bowed rails remain in place.
- The structures have been assessed against the NSW State heritage significance assessment criteria. The stockyard remains are considered to be of negligible heritage significance. The post and rail fence is evidence of historic rural land use and would have been an impressive structure displaying technical achievement when in a better condition. It is considered, however, that the fence's heritage values have been compromised by its poor condition.
- The fence is considered to be beyond repair and given its poor condition, its significance is considered to lie solely as a record of an historic allotment boundary. It is considered that the recording of the fence line (as per Figure 1) mitigates against any adverse impact created by the loss of the fence.

2.0 REVIEW OF EXISTING STUDIES AND HISTORICAL RESOURCES

Mt Arthur Coal Consolidation Project Non-Aboriginal Heritage Impact Assessment (Archaeology Australia, 2009)

Several reports have been prepared with regard to the Aboriginal and European cultural heritage resource within the Mt Arthur Mine site area. It is understood, however, that the first time the land on which the fence site is located was assessed was in 2009. The report which identified the site is the 'Mt Arthur Coal Consolidation Project Non-Aboriginal Heritage Impact Assessment' prepared by Archaeology Australia (2009).

The Archaeology Australia report refers to the site as 'Fence and Yards' and describes them as the remains of a fence line and stock yards. They are described as consisting of numerous extant posts with no rails located and a makeshift loading ramp. The yards are noted as being located in the corner of the paddock bounded by the post and rail fence. They are assumed to have been temporary yards because living trees are used as corner posts. They are also noted as being later than the fence because galvanised steel wire is used in their construction.

The condition of the items is described as poor with the timber posts decaying. The archaeological potential of the site is considered to be nil. The heritage significance of the item is assessed as "Little significance within a local context due to poor condition". It is noted that the item meets two of the NSW State heritage significance criteria, namely aesthetic/technical value (criterion (c)) and value in potential to yield further information (criterion (e)).

With regard to historic context, the report explains that the survey area originally formed part of the Edinglassie Estate, a station created in 1824 through land granted to George Forbes, brother of the Chief Justice of the Colony, Dr Francis Forbes. It is noted that 2,000 acres of land on the slopes of Mount Arthur within the Estate was subdivided in 1910 into six lots and sold at auction. It is not confirmed in the report whether this subdivided land is the location of the fence and yards site.

The mine consolidation proposals considered in the Archaeology Australia report did not impact upon the fence and yards site and as such, there was considered to be no impact on their heritage significance.

Historic Parish Maps of Brougham from 1892 - 1923

Mount Arthur and environs is located within the Parish of Brougham and a review of historic parish maps from 1892 to 1923 indicates that the land around Mount Arthur has been subdivided since at least the late 19th Century. The parish maps are of insufficient detail to determine exactly under which ownership the land on which the yard and fence remains are located. It does appear, however, that the land belonged to an Ann Black.

3.0 SITE SURVEY FINDINGS

Figure 2 shows the extent of the remains of the post and rail fence as well as the location of the loading ramp and stockyard fencing remains. As highlighted earlier, the loading ramp and stockyard fencing remains are located outside of the proposed Mt Arthur Open Cut Modification Area. The post and rail fence remains cover 694 metres and in part run alongside the Mount Arthur access road behind a later post and wire fence and then continues down the slope of the paddock with a section beyond a small reservoir rising up a short section of another slope.

Plates 1 to 6 below show the appearance of the remains of the fence, stockyard fencing and the loading ramp. The loading ramp and stockyard fencing remains are crudely constructed structures made from logs and branches tied together with wire. Both structures are in a state of collapse.

The posts of the post and rail fence are heavily weathered and many have been subject to insect attack. A significant number have fallen over completely or are in the process of doing so. There are a number of rails in situ as can be seen in Plates 3 and 5 below; however, these are also in a very weathered and deteriorated condition. Although in very poor condition and in a state of partial collapse, it is clear that the post and rail fence was a substantial, well-made structure. The posts and rails are made from ironbark and through examination of the post bases it is clear that they are in their original position. Measurements of the remains indicate that the average height and width of the posts are 1.26m and 21 centimetres (cm) respectively and posts are on average 2-3m apart.

Pickard (2009) defines a post-and-rail fence as, "A fence using two to four (split) rails fitted into mortises in (split) posts with the ends of adjacent rails overlapping in the mortises." With regard to dating such structures, Pickard (2005) notes that colonists built post and rail fences in areas settled up to about 1860 but they were not common because of cost and the fact that shepherds rather than fence, controlled stock until the 1850s. Imported wire available from the 1850s marked the death knell for post and rail fences and they were considered to be obsolete technically by 1900. They continued to be used; however, with farmers building them in decreasing numbers up to the 1960s.







Plate 1: Remains of loading ramp



Plate 2: Remains of assumed stockyard fencing



Plate 3: Section of Fence remains adjacent to Mount Arthur access road



Plate 4: Fence post remains along slope leading from Mount Arthur access road



Plate 5: Fence remains in gully



Plate 6: Example of common state of collapsed fence posts

4.0 HERITAGE SIGNIFICANCE ASSESSMENT

The poor condition of the fence and yards remains has a bearing on an assessment of their heritage significance because of the amount of fabric lost and the advanced stage of deterioration. The NSW Heritage Significance Assessment Guidance identifies gradings of significance to be used in evaluating the relative contribution made by different components of a heritage place. They are a useful guide in determining whether criteria are satisfied but may need to be modified to suit particular sites. Each grading is listed and described below:

- **Exceptional:** Rare or outstanding element directly contributing to significance and consequently, fulfils criteria for local or State listing.
- **High:** High degree of original fabric and demonstrates a key element of an item's significance and consequently, fulfils criteria for local or State listing.
- **Moderate:** Altered or modified elements with little heritage value but which make some contribution to significance and likely to fulfil criteria for local or State listing.
- **Little:** Alterations detract from significance. Difficult to interpret and as such, does not fulfil criteria for local or State listing.
- **Intrusive:** Damaging to the item's heritage significance and as such, does not fulfil criteria for local or State listing.

An assessment of the heritage significance of the fence and yards item against NSW State heritage significance criteria (NSW Heritage Office, 2001) is provided below.

NSW State heritage significance criterion	Response
(a): An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)	Historic fencing provides information on the history of rural land use. It is understood that the land associated with the fence and yard remains was part of a subdivision of the Edinglassie Estate dating from at least the late 19 th Century belonging to an Ann Black. The fence has some historic value as a record of an historic land subdivision.
(b): An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area)	There is no evidence to suggest that the site has particular associative value with individuals or groups of persons of cultural historic importance.
(c): An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)	The loading ramp and stockyard fencing are crudely constructed and are not considered to fulfil this criterion. The remains of the post and rail fence indicate that it was a substantial and well made structure. The scale and extent of the fence as well as the use of ironbark suggests that significant resources were employed. Post and rail fences which were well made such as this

NSW State heritage significance criterion	Response
	<p>one demonstrate technical achievement.</p> <p>However, the dilapidated condition of the fence and the advanced stage of its deterioration have a bearing on whether this criterion is satisfied. In effect, the fence has lost its technical value because it could not be repaired meaningfully due to the level of fabric loss and deterioration.</p>
(d): An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons	<p>There is no evidence to suggest that the site has community/social or spiritual value.</p>
(e): An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)	<p>There is no evidence to suggest that the site has particular 'scientific interest' such that the fence and stock yard remains could provide information that could not be found at a more intact site elsewhere or through documentary evidence.</p>
(f): An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)	<p>It is understood that post and rail fences were never common because of their high cost and the ubiquitous use of shepherds (Pickard, 2005). As such, it is considered that intact, historic post and rail fences are likely to meet this rarity criterion.</p> <p>As noted above, however, the advanced stage of the fence's deterioration means that its heritage significance has been compromised and this criterion is not satisfied.</p>
(g): An item is important in demonstrating the principal characteristics of a class of NSW's (or the local area's) cultural or natural places; or cultural or natural environments	<p>In a more intact form, it is considered that this criterion may well be satisfied on the basis that post and rail fences are considered to be iconic symbols of rural Australia.</p>

5.0 IMPACT ASSESSMENT & RECOMMENDATIONS

It is understood that the land in which the post and rail fence remains are located will become an extension of the existing Mt Arthur Coal open cut mining operation as part of the proposed Mt Arthur Open Cut Modification Area. As such, the removal of the items in questions will be necessary.

As discussed above, the poor condition of the post and rail fence due to the advanced stage of deterioration and level of fabric loss means that its integrity and value in heritage terms have been undermined. Looked at practically, the structure has reached such an advanced stage of decay and dilapidation that consolidation and repair is not considered feasible. Indeed,

restoration or reconstruction by introducing modern material alongside existing fabric is also not considered practicable. Consequently, the heritage significance of the fence remains is considered to rest solely in that it is evidence of an historic land subdivision, assumed to be land holdings dating from the 19th Century belonging to Ann Black.

The loss of the fence remains will have a minor, negative heritage impact. It is considered, however, that this can be mitigated through recording of the subdivision line marked by the fence remains. This is shown in Figure 2.

6.0 REFERENCES

The following documents/resources were consulted in the preparation of this report:

- 'Assessing Heritage Significance', NSW Heritage Office (2001)
- Historic Parish Maps for the Parish of Brougham dated 1892, 1914, 1918 and 1923 held online at <http://parishmaps.lands.nsw.gov.au/pmap.html>
- 'Illustrated glossary of Australian rural fence terms', John Pickard (2009)
- 'Mt Arthur Coal Consolidation Project – Non-Aboriginal Heritage Impact Assessment', Archaeology Australia (2009)
- 'Post and Rail Fences – Derivation, Development, and Demise of Rural Technology in Colonial Australia' by John Pickard, *Agricultural History*, Vol. 79, Issue 1, pp. 27-49 (2005)

7.0 CLOSING

We trust that the above report meets your requirements. Please do not hesitate to contact Joanne McAuley on (07) 3237 8843 should you have any queries or wish to discuss further.

Yours sincerely
RPS



Joanne McAuley
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Appendix 8

Site Cards

This appendix contains culturally sensitive material and is available upon request and subject to approval by the NSW Office of Environment and Heritage.