



Western Coal Services Project, NSW

Cultural Heritage Assessment

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Executive Summary

RPS was commissioned by Coal Services, a subsidiary of Centennial Coal (Western Operations), to prepare a Cultural Heritage Assessment (CHA) for the proposed Western Coal Services Project-Blackmans Flat. This CHA will ultimately be integrated into an overall Environmental Impact Statement (EIS) which will support an application for Development Approval (DA) under Division 4.1 of Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979). The aim of this document is to assist government stakeholders understand the potential impacts to Aboriginal and non-Aboriginal Heritage items as a result of the development works that Centennial Coal is currently seeking project approval for. The key elements of the approval are:

- Upgrading the existing washery, workshops and infrastructure within the Springvale Coal Services site by constructing a new washery adjacent to the existing facility that will remain operational to provide a total processing capacity of up to 7 Mtpa.
- Construction of processing infrastructure such as additional conveyors and transfer points and other coal handling requirements to cater for the upgraded washery facility within the existing disturbance footprint of the Springvale Coal Services site.
- Extending and enlarging an existing reject emplacement area to enable sufficient reject disposal capacity for a 25 year life.
- Increasing the utilisation of the return side of the existing overland conveyor system to enable up to 6.3 Mtpa of coal to be delivered to Lidsdale Siding.
- Constructing a private haul road, approximately 1.3 km in length, linking the Springvale Coal Services site with the existing private haul road from Angus Place Colliery to Mt Piper Power Station. This private road will cross a section of the existing Pine Dale Mine operation and over the Castlereagh Highway.
- Improving the current water management systems on the Springvale Coal Services site by separating clean and dirty water streams prior to either reuse or discharge off site.
- Integrating the existing approved transport and processing of coal at Springvale Coal Mine and Angus Place Colliery into the one consent.
- Integrating the remaining rehabilitation, monitoring, water management and reporting requirements associated with the Lamberts Gully Mine which occupies the Springvale Coal Services Site.
- Continued use of all existing approved infrastructure, facilities and activities associated with the transport and processing of coal from each mine gate and the point of delivery to the Springvale Coal Services site. This infrastructure includes the existing conveyors, private haul roads, Kerosene Vale Stockpile area, reject emplacement areas, services, access roads, car parks and buildings.

The objective of this CHA is to identify all archaeological (Aboriginal and historical) sites (potential and actual) within lease/licence areas to formulate mitigation and management strategies necessary for inclusion in an Environmental Impact Statement (EIS).

The Aboriginal Cultural Heritage Consultation Requirements (ACHCRs) for proponents (OEH 2010) have been followed in this project. A pedestrian survey of the Springvale Coal Services Site (SCS) was undertaken by RPS archaeologist Cheng Yen Loo and Aboriginal stakeholders Bathurst Local Aboriginal Land Council (Ms Chantel Peters-Chapman), North-East Wiradjuri (Mr Jack Pennell), Mingaan Aboriginal Corporation (Mr Elwin Wolfenden) and Warrabinga Native Title Claimant Aboriginal Corporation (Mr Kevin Williams) on the 13th January, 2012. On the 8th February a further survey was conducted by RPS archaeologist Mr David White. The SCS was surveyed in six survey units:

- Coal Services Survey Unit 1 (CS SU1),
- Coal Services Survey Unit 2 (CS SU2),

- Coal Services Survey Unit 3 (CS SU3),
- Coal Services Survey Unit 4 (CS SU 4),
- Coal Services Survey Unit 5 (CS SU 5); and
- Coal Service Survey Unit 6 (CS SU 6).

In relation to non-Aboriginal heritage, there are no constraints. It is considered that the SCS is well removed from any listed Heritage Items and therefore the proposed works will have no impact upon them.

A total of six new sites were identified and recorded during the field survey conducted by RPS (Newcastle). All the sites were isolated finds, five of which resided in Coal Services Survey Unit 4 (CS SU4) and the last in Coal Services Survey Unit 5 (CS SU5).

Code	Name	AHIMS Ref No	Type
CS SU3 - A1	Coal Services Survey Unit 3 – Artefact 1	45-1-2725	Isolated Find
CS SU4 – A1	Coal Services Survey Unit 4 – Artefact 1	45-1-2724	Isolated Find
CS SU4 – A2	Coal Services Survey Unit 4 – Artefact 2	45-1-2723	Isolated Find
CS SU4 – A3	Coal Services Survey Unit 4 – Artefact 3	45-1-2722	Isolated Find
CS SU4 – A4	Coal Services Survey Unit 4 – Artefact 4	45-1-2721	Isolated Find
CS SU4 – A5	Coal Services Survey Unit 4 – Artefact 5	45-1-2720	Isolated Find

A total of ten sites were previously recorded by other cultural heritage consultants – seven have been salvaged under a S90 AHIP leaving three still present onsite; AHIMS #45-1-0208, AHIMS #45-1-2601 and AHIMS #45-1-0218. It is important to note that actual development will only take place within the SCS so none of the sites captured outside of the SCS will be harmed by development works.

The following recommendations have been made based on the result findings in this report.

Recommendation 1

All Aboriginal and European heritage in the SCS should be managed under a Cultural Heritage Management Plan (CHMP), the Aboriginal aspects of which must be developed in consultation with the Aboriginal Stakeholders. This is to occur prior to any earthworks commencing. It is recommended that any potential harm to the newly recorded sites listed below is managed as part of the CHMP.

- AHIMS #45-1-2720
- AHIMS #45-1-2721;
- AHIMS #45-1-2722;
- AHIMS #45-1-2723;
- AHIMS #45-1-2724; and
- AHIMS #45-1-2725.

Recommendation 2

Springvale Coal Pty Ltd has modified the mine plan to avoid harm to AHIMS #45-1-0218 & AHIMS #45-1-2601. Consequently at both sites a protective buffer boundary should be established around them using star picket fencing with high visibility tape affixed to each picket. The buffer boundary should be monitored and maintained on a regular basis. The location of the protected sites should be noted on all future mining development plans.

Recommendation 3

In the event that a salvage program is built into the CHMP, it is recommended that the relevant Aboriginal stakeholders are invited to participate in the salvage works.

Recommendation 4

All relevant project staff should be made aware of their statutory obligations for heritage under NSW NPW Act (1974) and the NSW Heritage Act (1977), which may be implemented as a heritage induction.

Recommendation 5

If further Aboriginal site(s) are identified in the SCS, all works in the area should cease, the area be cordoned off and contact made with Enviroline (on 131 555), a suitably qualified archaeologist and the registered Aboriginal stakeholders so that it can be adequately assessed and managed.

Recommendation 6

In the event that skeletal remains are identified, work must cease immediately in the vicinity of the remains and the area cordoned off. The NSW Police are to be contacted immediately. No further action is to be taken until the police provide written advice to the client on how to progress. If determined to be Aboriginal, the client must contact Enviroline (on 131 555), a suitably qualified archaeologist and representatives of the local Aboriginal community stakeholders to determine an action plan for the management of the skeletal remains, formulate management recommendations and to ascertain when work can recommence.

1.0 Introduction

Springvale Coal Pty Ltd Limited, a subsidiary of Centennial Coal (Western Operations) requires a Cultural Heritage Assessment (CHA) which will be integrated along with other specialist assessments into an Environmental Impact Statement (EIS). Centennial has developed a long term strategy for its future operations in the Western Coalfield. This strategy is in response to future marketing opportunities for both domestic and export coal sales. The strategy centres on the transport and processing of coal from both Springvale Coal Mine and Angus Place Colliery but also facilitates receipt of coal supplies from other areas.

In line with the Centennial strategy the Project will involve building a new additional washery adjacent to the existing washery within the Springvale Coal Services (SCS) site, linking the facility to the Angus Place Colliery via a new haul road link and separating the transport and logistics function of the facility away from the source mines.

Maximum coal that could be received by the Project is 9.5 million tonnes per annum (Mtpa) representing coal supplied from Springvale Coal Mine, Angus Place Colliery and other potential Centennial sources. The design of the Project enables up to 7.0 Mtpa to be washed with up to 6.3 Mtpa of export coal delivered to Lidsdale Siding via the existing overland conveyor system. The project will have a life of 25 years.

This report has considered the environmental and archaeological context of the SCS, developed a predictive model and reported on the results of an archaeological survey of the SCS. Management recommendations have also been formulated with consideration of Aboriginal heritage in addition to potential impacts. This document has been prepared in accordance with the relevant legislation. The SCS was divided into six Survey Units (SU). All of these are located south of the Castlereagh Highway, with the exception of Survey Unit 1 which is to the north of it

1.1 Springvale Coal Services site (Construction Area)

The SCS is located approximately 2 km south-east of the Mount Piper Power Station (**Figure 1**). The northern extent of the SCS bisects the Lithgow Council's waste disposal area. The southern boundary is within the Ben Bullen State Forest and the eastern boundary adjoins to Blackmans Flat. The SCS lies within the Lithgow Local Government Area (LGA).

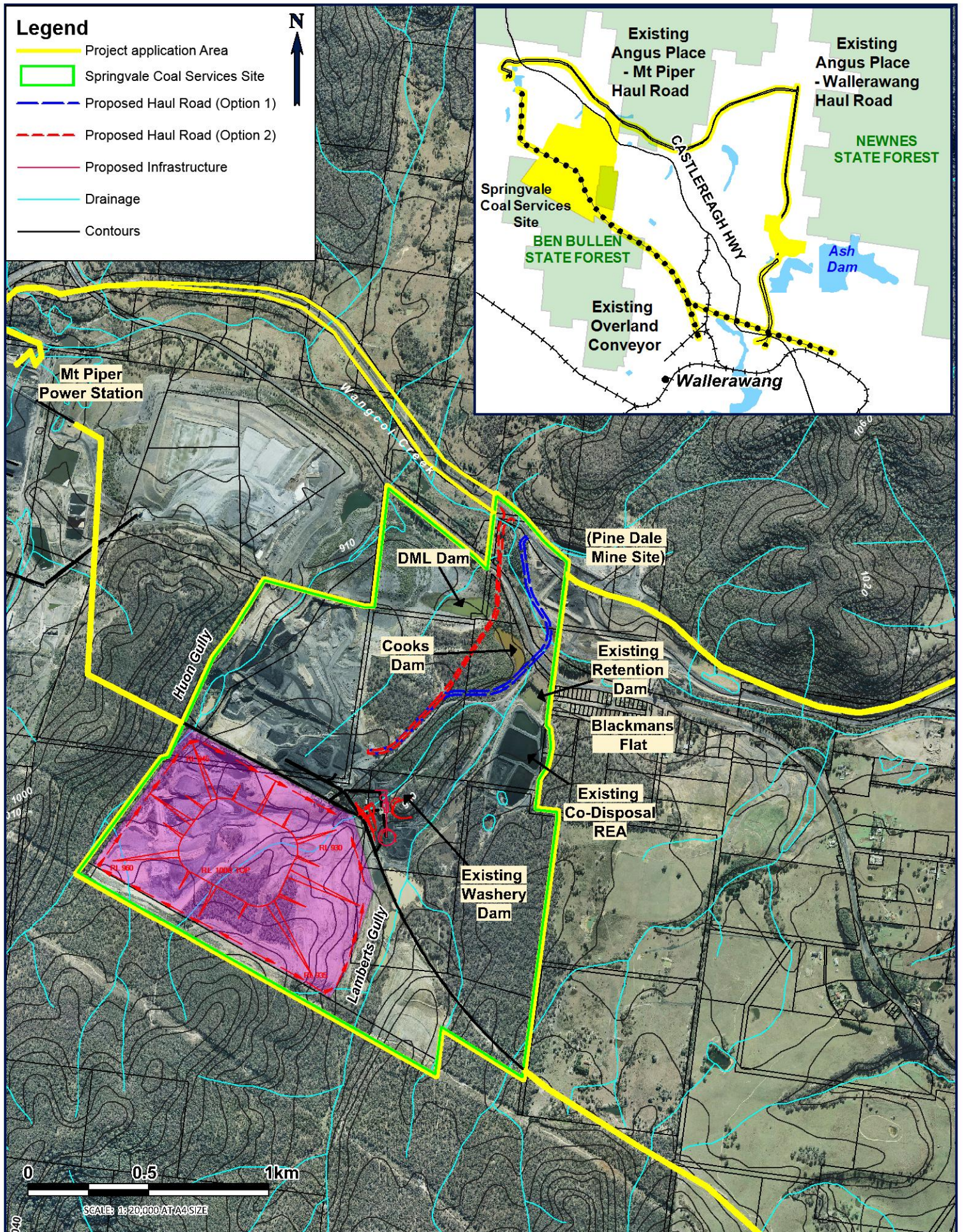
Springvale Coal Pty Ltd owns or has access to the majority of the SCS although the reject emplacement area (REA) partly enters into Crown Land and Ben Bullen State Forest. The area of proposed development is largely within Consolidated Coal Lease 733 and is restricted to the SCS. Although the Project Application Area (PAA) which encapsulates the SCS has been represented in this report, it is important to note that the Cultural Heritage assessment is restricted to the SCS itself because all other areas will not be impacted by development works.

1.2 Background

Springvale Mine and Angus Place Colliery currently supply coal to the Wallerawang and Mount Piper Power Stations, with limited export opportunity via Lidsdale Siding. Angus Place currently has no access to export markets while Springvale has the ability to export using the underside of Overland Conveyor 2 (OL2) from the Washery at the SCS to Lidsdale Siding. There are also several mining opportunities in the local area, which could generate up to one million tonnes per annum of coal which at present cannot access Lidsdale Siding or Centennial Coal Services without using the public road network.

In order to provide flexibility to meet future market demands, both export and domestic, Springvale Coal Services Pty Ltd is seeking approval to upgrade its existing facilities. The key elements of this Project include:

- Upgrading the existing washery, workshops and infrastructure within the Springvale Coal Services site by constructing a new washery adjacent to the existing facility that will remain operational to provide a total processing capacity of up to 7 Mtpa.
- Construction of processing infrastructure such as additional conveyors and transfer points and other coal handling requirements to cater for the upgraded washery facility within the existing disturbance footprint of the Springvale Coal Services site.
- Extending and enlarging an existing reject emplacement area to enable sufficient reject disposal capacity for a 25 year life.
- Increasing the utilisation of the return side of the existing overland conveyor system to enable up to 6.3 Mtpa of coal to be delivered to Lidsdale Siding.
- Constructing a private haul road, approximately 1.3 km in length, linking the Springvale Coal Services site with the existing private haul road from Angus Place Colliery to Mt Piper Power Station. This private road will cross a section of the existing Pine Dale Mine operation and over the Castlereagh Highway.
- Improving the current water management systems on the Springvale Coal Services site by separating clean and dirty water streams prior to either reuse or discharge off site.
- Integrating the existing approved transport and processing of coal at Springvale Coal Mine and Angus Place Colliery into the one consent.
- Integrating the remaining rehabilitation, monitoring, water management and reporting requirements associated with the Lamberts Gully Mine which occupies the Springvale Coal Services Site.
- Continued use of all existing approved infrastructure, facilities and activities associated with the transport and processing of coal from each mine gate and the point of delivery to the Springvale Coal Services site. This infrastructure includes the existing conveyors, private haul roads, Kerosene Vale Stockpile area, reject emplacement areas, services, access roads, car parks and buildings.



1.3 Legislative Context

The following overview of the legal framework relevant to this Cultural Heritage Assessment is provided solely for the information purposes of the client - it should not be interpreted as legal advice. RPS will not be liable for any actions taken by any person, body or group as a result of this general overview and recommend that specific legal advice be obtained from a qualified legal practitioner prior to any action being taken as a result of the summary below.

Aboriginal heritage (places, sites and objects) in NSW are protected by the *National Parks and Wildlife Act (1974, as amended)* [NPW 1974]. In some cases, Aboriginal heritage may also be protected under the *Heritage Act (1977)*. The *Environmental Planning and Assessment Act (1979)* [EP&A Act 1979], along with other environmental planning instruments, triggers the requirement for the investigation and assessment of Aboriginal heritage as part of the development approval process. For crown land, provisions under the *Aboriginal Land Rights Act (1983)* [ALRA 1983] and the *Native Title Act (1993)* [NTA 1993] may also apply.

1.3.1 Aboriginal Land Rights Act (1983)

The purpose of this legislation is to provide land rights for Aboriginal people within New South Wales and to establish Local Aboriginal Land Councils. The land able to be claimed by Aboriginal Land Councils on behalf of Aboriginal people is certain Crown land that (s36):

- (a) Is able to be lawfully sold, leased, reserved or dedicated;
- (b) Is not lawfully used or occupied;
- (c) Does not comprise lands which, in the opinion of the Crown Lands Minister, are needed or are likely to be needed for residential purposes;
- (d) Are not needed, nor likely to be needed for an essential public purpose;
- (e) Does not comprise land under determination by a claim for native title; and
- (f) Is not the subject of an approved determination under Native Title.

Claims for land are by application to the Office of the Registrar, Aboriginal Land Rights Act (1983).

1.3.2 Native Title Act (1993)

The Commonwealth Government enacted the *Native Title Act (1993)* to formally recognise and protect native title rights in Australia following the decision of the High Court of Australia in *Mabo & Ors v Queensland* (No. 2) (1992) 175 CLR 1 ("Mabo").

Although there is a presumption of native title in any area where an Aboriginal community or group can establish a traditional or customary connection with that area, there are a number of ways that native title can be extinguished. For example, land that was designated as having freehold title prior to 1 January 1994 extinguishes native title, as does any commercial, agricultural, pastoral or residential lease. Land that has been utilised for the construction or establishment of public works also extinguishes any native title rights and interests for as long as they are used for that purpose. Other land tenure, such as mining leases, may be subject to native title depending on when the lease was granted.

1.3.3 National Parks and Wildlife Act (1974, as amended)

The NSW Government is working toward standalone legislation to protect Aboriginal cultural heritage - a significant reform for NSW. The first stage of this work has been completed and includes significant changes in relation to this commission. The primary state legislation relating to Aboriginal cultural heritage in NSW is the NPW (1974, as amended). The legislation is overseen by the Office of Environment and Heritage (OEH)

(formerly the Department of Environment, Climate Change and Water) and specifically the Director-General of the OEH.

Changes to the NPW legislation made effective on 1 October, 2010 include:

- Increased penalties for Aboriginal heritage offences, in some cases from \$22,000 up to \$1.1 million in the case of companies who do not comply with the legislation;
- Ensuring companies or individuals cannot claim 'no knowledge' in cases of serious harm to Aboriginal heritage places and objects by creating new strict liability offences under the Act;
- Introducing remediation provisions to ensure people who illegally harm significant Aboriginal sites are forced to repair the damage, without need for a court order; and
- Unites Aboriginal heritage permits into a single, more flexible permit and strengthens offences around breaches of Aboriginal heritage permit conditions.

1.3.4 Heritage Act 1977

Historical archaeological relics, buildings, structures, archaeological deposits and features are protected under the *Heritage Act (1977)* (as amended 1999) and may be identified on the State Heritage Register (SHR) or by an active Interim Heritage Order. Certain types of historic Aboriginal sites may be listed on the SHR or be subject to an active Interim Heritage Order; in such cases they would be protected under the *Heritage Act (1977)* and may require approvals or excavation permits from the NSW Heritage Branch.

1.3.5 Environmental Planning & Assessment Act 1979 (EP&A ACT)

This Act regulates a system of environmental planning and assessment for New South Wales. Land use planning requires that environmental impacts are considered, including the impact on cultural heritage and specifically Aboriginal heritage. Within the EP&A Act, Parts 3, 4 and 5 relate to Aboriginal heritage.

Part 3 regulates the preparation of planning policies and plans. Part 4 governs the manner in which consent authorities determine development applications and outlines those that require an environmental impact statement. Part 5 regulates government agencies that act as determining authorities for activities conducted by that agency or by authority from the agency. The National Parks & Wildlife Service is a Part 5 authority under the EP&A Act.

In brief, the NPW Act provides protection for Aboriginal objects or places, while the EP&A Act ensures that Aboriginal cultural heritage is properly assessed in land use planning and development.

Further details on the relevant legislative Acts are provided in **Appendix 1**.

1.4 Authorship and Acknowledgements

This report was prepared by Cheng Yen Loo and reviewed by Darrell Rigby. This project team wishes to acknowledge the assistance of the following individuals in preparing this report and assisting in the fruition of this document (**Table 1**).

Table 1 Acknowledgments

Name	Organisation
Robert Clegg	Wiradjuri Council of Elders
Sharon Brown & Nathan Brown	Gundungurra Tribal Council Aboriginal Corporation
Wendy Lewis & Kevin Williams	Warrabinga Native Title Claimants Aboriginal Corporation
Tonilee Scott & Chantel Peters-Chapman	Bathurst Local Aboriginal Land Council
Elwin Wolfenden & Helen Riley	Mingaan Aboriginal Corporation
Lyn Symes & Jack Pennell	North-East Wiradjuri
Neville Williams	Mooka Traditional Owners
Bill Allen & Sharon Riley	Wiray-dyuraa Ngumbaay-dyil
Bill Allen & Sharon Riley	Wiray-dyuraa Maying-gu

1.5 Abbreviations and Terms

Abbreviation	Description
ACHCR	Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010) were release by DECCW on the 12 th of April, 2010. These consultation requirements are triggered if an AHIP is needed.
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit
ALRA 1983	<i>Aboriginal Land Rights Act (1983)</i>
BP	Before present (as in years before present)
cal. years BP	Calibrated years before present, indicates a radiocarbon date has been calibrated using the dendochronology curves, making the date more accurate than an uncalibrated date
CHA	Cultural Heritage Assessment
DGR	Director-Generals Requirements
EA	Environmental Approval
EIA	Environmental Impact Assessment
EIS	Environmental Impact Statement
Eoi	Expression of Interest
EP&A Act 1979	<i>Environmental Planning and Assessment Act (1979)</i>
LEP	Local Environment Plan
LGA	Local Government Area
NPW 1974	<i>National Parks and Wildlife Act (1974, as amended)</i>
NTA 1993	<i>Native Title Act (1993)</i>
OEH	Office of Environment and Heritage
PAA	Project Application Area
REF	Review of Environmental Factors
REP	Regional Environmental Plans
SU	Survey Unit
SCS site	Springvale Coal Services Site (The Construction Area)

2.0 Aboriginal Consultation

The purpose of Aboriginal community consultation is to provide an opportunity for the relevant Aboriginal stakeholders to have an input into the heritage management process. OEH encourages consultation with Aboriginal people for matters relating to Aboriginal cultural heritage. If an Aboriginal Heritage Impact Permit (AHIP) is required, then specific OEH guidelines are triggered in respect to Aboriginal consultation. In some circumstances, OEH consultation guidelines are also used as a framework for Aboriginal consultation, even if not specifically triggered by the preparation of an AHIP application.

In the case of this project, the Aboriginal Cultural Heritage Consultation Requirements (ACHCRs) for Proponents (OEH 2010) has been followed. The ACHCR's 2010 include a four stage Aboriginal consultation process and stipulate specific timeframes for each stage. Stage 1 requires that Aboriginal people who hold cultural information are identified, notified and invited to register an expression of interest in the assessment. Stage 1 includes the identification of Aboriginal people who may have an interest in the SCS and hold information relevant to determining the cultural significance of Aboriginal objects or places. This identification process should draw on reasonable sources of information including: the relevant OEH EPRG regional office, the relevant Local Aboriginal Land Council(s), the registrar, Aboriginal Land Rights Act 1983, the Native Title Tribunal, Native Title Services Corporation Limited, the relevant local council(s), and the relevant catchment management authority. The identification process should also include an advertisement placed in a local newspaper circulating in the general location of the SCS. Aboriginal organisations and/or individuals identified should be notified of the project and invited to register an expression of interest (Eoi) for Aboriginal consultation. Once a list of Aboriginal stakeholders has been compiled from the Eois, they need to be consulted in accordance with ACH Consultation Requirements Stages 2, 3 and 4. The outcome of Stage 1 identified Aboriginal community stakeholder groups with a registered interest in the project. Detailed in **Table 2** is the list of the Aboriginal stakeholder groups that contacted RPS to participate in the ACHCR process.

As stated in section 4 of the ACHCRs, *"Where an Aboriginal organisation representing Aboriginal people who hold cultural knowledge has registered an interest, a contact person for that organisation must be nominated. Aboriginal cultural knowledge holders who have registered an interest may indicate to the proponent they have appointed a representative to act on their behalf. Where this occurs, the registered Aboriginal party must provide written confirmation and contact details of those individuals to act on their behalf."* (Section 4.1.8, page 11). Where RPS was not provided with up-to-date contact details for representatives of registered organisations, attempts were made to find alternate contact details. Furthermore, representatives from other registered Aboriginal parties were also consulted regarding the contact details and responses of representatives who could not be contacted. The consultation log in Appendix 2 details the attempts by RPS to contact all representatives of registered groups. All Aboriginal parties who registered their interest were organisations with nominated representatives and no individuals were registered.

Table 2 Aboriginal Community Stakeholders whom registered an interest in the project

Organisation	Name of Representative	Date of Registration
Warrabinga Native Title Claimants Aboriginal Corporation	Ms Wendy Lewis	16/11/2011
North-East Wiradjuri	Ms Lyn Symes	16/11/2011
Bathurst Local Aboriginal Land Council	Ms Tonilee Scott	16/11/2011
Gundungurra Tribal Council Aboriginal Corporation	Ms Sharon Brown	18/11/2011
Mingaan Aboriginal Corporation	Ms Helen Riley	18/11/2011
Mooka Traditional Owners	Mr Neville Williams	21/11/2011
Wiray-dyuraa Ngumdbaay-dyil	Sharon Riley for Bill Allen	16/11/2011

Organisation	Name of Representative	Date of Registration
Wiray-dyuraa Maying-gu	Sharon Riley for Bill Allen	16/11/2011
Wiradjuri Council of Elders	Helen Riley for Robert Clegg	16/11/2011

In order to ensure that all interested stakeholder parties are notified and were given the opportunity to register their interest in the proposed project, an advert was printed in the Lithgow Mercury on the 6 October 2011 (Appendix 2a). On the 23 November 2011, the methodology letter for archaeological investigation was issued out to all interested stakeholder groups.

On the 7 December 2011, Springvale Coal Pty Ltd held the Western Mine Extension archaeology community meeting. During the meeting, all interested stakeholders formally registered their interest in the project. A power point presentation outlining the proposed methodology was also given by RPS Archaeology Technical Director Mr Darrell Rigby. Representatives of registered Aboriginal groups were invited to attend the presentation and to discuss the proposed methodology for completing the cultural heritage survey and assessment. Although representatives of all registered Aboriginal stakeholder groups attended the presentation, only seven responded to the survey methodology, which confirmed their interest in participation in survey field work (**Table 3**). Attempts were made by RPS to determine if Mooka Traditional Owners and Wiradjuri Council of Elders wanted to participate in the field survey. RPS did not get a response from Mooka Traditional Owners. The Wiradjuri Council of Elders informed RPS that they only wanted to review the report upon completion and be given the opportunity to provide comments and feedback.

Table 3 Aboriginal Stakeholder responses to survey methodology information

Organisation	Name of Representative	Date of Reply for Methodology
Warrabinga Native Title Claimants Aboriginal Corporation	Ms Wendy Lewis	7/12/2011
North-East Wiradjuri	Ms Lyn Symes	21/12/2011
Bathurst Local Aboriginal Land Council	Ms Tonilee Scott	21/12/2011
Gundungurra Tribal Council Aboriginal Corporation	Mr Jason Brown	21/12/2011
Mingaan Aboriginal Corporation	Mr Elwin Wolfenden	7/11/2011
Mooka Traditional Owners	No Reply	No Reply
Wiray-dyuraa Ngumbaa-dyil	Ms Sharon Riley for Bill Allen	20/12/2011
Wiray-dyuraa Maying-gu	Ms Sharon Riley for Bill Allen	20/12/2011
Wiradjuri Council of Elders	No Reply	No Reply

After responses to the survey methodology were collected, RPS issued formal invitations to the seven Aboriginal stakeholder groups to participate in field survey. Aboriginal site officers were only provided from four of the seven Aboriginal stakeholder groups that had expressed an interest in the project and responded to the survey methodology (**Table 4**).

Table 4 Field survey participants

Organisation	Name of Site Officer	Date of Field Survey
Warrabinga Native Title Claimants Aboriginal Corporation	Mr Kevin Williams	13/01/2012
North-East Wiradjuri	Mr Jack Pennell	13/01/2012
Bathurst Local Aboriginal Land Council	Ms Chantel Peters-Chapman	13/01/2012

Organisation	Name of Site Officer	Date of Field Survey
Gundungurra Tribal Council Aboriginal Corporation	No attendance	No attendance
Mingaan Aboriginal Corporation	Mr Elwin Wolfenden	13/01/2012
Mooka Traditional Owners	No attendance	No attendance
Wiray-dyuraa Ngumbaa-dyil	No attendance	No attendance
Wiray-dyuraa Maying-gu	No attendance	No attendance
Wiradjuri Council of Elders	No attendance	No attendance

A copy of the report was provided to the Aboriginal community groups that had registered an interest in the project in Stage 1 of the OEH ACHCR process. A hard copy was provided on 24 September 2012 and an electronic copy was sent on 25 September 2012, to the Aboriginal stakeholder groups in **Table 5** for the purpose of obtaining comments/feedback about the report. A total of 28 days were given to the representatives to provide comments as stated in Section 4.4, subsection 4.4.3 of the OEH ACHCR 2010 Manual. Reminders were also issued out to the Aboriginal Stakeholder groups one day prior to the closing date for receiving comments and feedback. No feedback or comments were provided by any of the groups that had registered an interest in the project (**Table 5**).

Table 5 Aboriginal Stakeholder recipients of the final draft report for comments

Organisation	Name of Representative	Date copy of report was sent	Delivery Method	Outcome
Warrabinga Native Title Claimants Aboriginal Corporation	Ms Wendy Lewis	24/9/2012 and 25/09/2012	Postage and Email	No Response
North-East Wiradjuri	Ms Lyn Symes	24/9/2012 and 25/09/2012	Postage and Email	No Response
Bathurst Local Aboriginal Land Council	Ms Tonilee Scott	24/9/2012 and 25/09/2012	Postage and Email	No Response
Gundungurra Tribal Council Aboriginal Corporation	Mr Jason Brown	24/9/2012 and 25/09/2012	Postage and Email	No Response
Mingaan Aboriginal Corporation	Mr Elwin Wolfenden	24/9/2012 and 25/09/2012	Postage and Email	No Response
Wiray-dyuraa Ngumbaa-dyil	Ms Sharon Riley	24/9/2012 and 25/09/2012	Postage and Email	No Response
Wiray-dyuraa Maying-gu	Ms Sharon Riley	24/9/2012 and 25/09/2012	Postage and Email	No Response
Mooka Traditional Owners	No Reply	24/9/2012 and 25/09/2012	Postage and Email	No Response
Wiradjuri Council of Elders	No Reply	24/9/2012 and 25/09/2012	Postage and Email	No Response

In order to determine the cultural significance of the project, RPS reinitiated communication with each organisation listed in Stage 1 of the OEH ACHCR Process. Numerous attempts were made to seek comments and feedback about the report. The outcome of the consultation is listed in **Table 6**.

Table 6 Comments and Feedback provided by Aboriginal Stakeholders

Organisation	Name of Representative	Date of Contact	Comments
Bathurst Local	Ms Tonilee Scott	14/6/2013	Tonilee informed RPS that Bathurst LALC

Organisation	Name of Representative	Date of Contact	Comments
Aboriginal Land Council			was happy with the outcome of the assessment and agreed with the recommendations provided.
Wiradjuri Council of Elders	Mr Robert Clegg	14/6/2013	Robert informed RPS that the Wiradjuri Council of Elders are happy with the recommendations and outcome of the report. Robert requested that an additional recommendation be included being that if site salvage is to occur, Aboriginal stakeholders are to be invited to the salvage program.
Mooka Traditional Owners	Mr Neville Williams	14/6/2013	No response
Wiray-dyuraa Ngumbaay-dyil	Mr Bill Allen and Ms Sharon Riley	14/6/2013	No response
Wiray-dyuraa Maying-dyil	Mr Bill Allen and Ms Sharon Riley	14/6/2013	No response
North East Wiradjuri	Lyn Symes	14/6/2013	Kevin Williams answered the telephone and informed RPS that Lyn Symes would contact RPS
Mingaan Aboriginal Corporation	Mr Elwin Wolfenden	14/6/2013	No response
Warrabinga Aboriginal Corporation	Ms Wendy Lewis (phone) and email address	14/6/2013	RPS requested comments and feedback by the 19 th June 2013. A copy of the report was again sent out to Warrabinga Aboriginal Corporation.
Gundungurra Tribal Council	Ms Sharon Brown	14/6/2013	No response
North East Wiradjuri	Lyn Symes	17/6/2013	RPS contacted Lyn Symes to seek comments and feedback. Lyn informed RPS that Kevin Williams has been nominated to provide comments.
Mingaan Aboriginal Corporation	Mr Elwin Wolfenden	17/6/2013	Elwin replied to phone message left by RPS on the 17/6/2013. Elwin informed RPS that Mingaan was happy with the report findings and the recommendations provided.
Wiray-dyuraa Ngumbaay-dyil	Mr Bill Allen and Ms Sharon Riley	17/6/2013	No Response. Elwin informed RPS that Wiray-dyuraa Ngumbaay-dyil is happy with the recommendations.
Wiray-dyuraa Maying-dyil	Mr Bill Allen and Ms Sharon Riley	17/6/2013	No Response. Elwin informed RPS that Wiray-dyuraa Maying-dyil is happy with the recommendations.
Gundungurra Tribal Council	Ms Sharon Brown	17/6/2013	No response
Mooka Traditional Owners	Mr Neville Williams	17/6/2013	No response
North East Wiradjuri	Mr Kevin Williams	18/6/2013	Kevin provided comments on the report. Stated that North-East Wiradjuri in general agreed with the report. However, they would like to know more about the CHMP when developed. They would also like database of sites on mine land to have layers within the GIS program, and offered to prepare visual presentations if required to educate onsite mine staff on their legislative obligations. Also required the word "unlikely" removed from recommendation 5.

Organisation	Name of Representative	Date of Contact	Comments
Gundungurra Tribal Council	Ms Sharon Brown	19/6/2013	No response
Warrabinga Aboriginal Corporation	Email address	19/6/2013	No response. Due date is today.

3.0 Environmental Context

An understanding of environmental context is important for the predictive modelling of Aboriginal sites, as well as, for their interpretation. It provided natural resources for local Aboriginal people, such as, stone (for manufacturing stone tools), food and medicines, wood and bark (for implements such as shields, spears, canoes, bowls, shelters, amongst others), as well as areas for camping and other activities. The nature of Aboriginal occupation and resource procurement is related to the local environment and it therefore needs to be considered in cultural heritage assessment.

3.1 Geology and Soils

Aboriginal people often made stone tools using siliceous, metamorphic or igneous rocks and therefore understanding the local geology can provide important information regarding resources within the SCS. The nature of stone exploitation by Aboriginal people depended on the characteristics of the source; for example whether it outcropped on the surface (a primary source) or occurred as gravels (secondary source) (Doelman, Torrence et al. 2008).

This SCS is entirely set above the Illawarra Coal Measures (Poi) of the Tatarian geological age group. These formations are largely classed as sedimentary siliciclastic rocks with a rich organic base (Geoscience Australia 2006). The composition of the Illawarra Coal Measure includes shale, quartz-lithic sandstone, conglomerate, chert, sporadically carbonaceous mudstone, coal and torbanite seams. The Illawarra Coal Measure was previously known as the Woolondilly Coal Measures. The Illawarra district is dominated by fresh water beds containing coal seams situated south of the Shoalhaven River. The depth of this coal measure varies from a few feet up to 150 feet in thickness and rests upon a tilted Devonian Stata (Sassmilch 1911).

Soils within the PAA have developed on the Illawarra Coal Measures and are naturally low in fertility. The soils have been subject to erosion, physical disturbance due to mining activities and where overgrazing has occurred in the past. The majority of soils are generally shallow and stony or contain coal material. There are two soil types which are more developed, structured and of sufficient depth for low intensity agricultural activities, namely, structured loams and Gleyed podzolic soils and Yellow Podzolic soils.

3.2 Geography and Climate

The landscape in this region ranges from flat to gently inclined rises on broad (>300 m) valley floors away from drainage lines. The local relief is <25 m with a slope gradient typically <10% (King 1993). The main drainage line is the Wangcol Creek, north of the SCS, orientated on an approximate east-west axis. Several small tributaries spur off the Wangcol Creek extending into the SCS.

According to the Bureau of Meteorology (2012), the nearest weather station to Blackmans Flat is Lidsdale. The region generally experiences greater rainfall in January with a mean average of 108.5 mm, while the month of July is driest with a mean average of 52.2 mm recorded between 1938 -1978. Given that Blackmans Flat is located in the hinterland; the temperature in this region generally remains moderate to cool throughout the year. The highest temperature generally occurs in January where a mean average of 24.6°C has been documented. During the month of July, Blackmans Flat experiences a cold temperature change which can drop below 0°C.

3.3 Flora and Fauna

According to the Fauna and Flora assessment in the SCS (RPS 2012), the following vegetation communities have been identified:

- Tableland Gully Snow Gum – Ribbon Montane Grassy Forest;
- Tableland Broad – leaved Peppermint – Brittle Gum – Red Stringybark Grassy Open Forest;
- Cocks Permian Red Stringybark – Brittle Gum Woodland;
- Acacia Thicket;
- Non – Native vegetation; and
- Exotic/Pine Forest.

The results of database searches (NPWS Atlas of NSW Wildlife and EPBC Protected Matters Search) indicated that 12 threatened flora species have been previously recorded within a 10 km radius of the SCS (see RPS 2012 [Ecological Assessment]).

A total of 42 threatened fauna species have been previously recorded in the region. Based on the most recent survey conducted by RPS (2012), the threatened fauna species recorded onsite consisted of bird and bat species. Four of these species included the Scarlet Robin, the Eastern False Pipistrelle, the Eastern Bentwing Bat and the Large-eared Pied Bat.

4.0 Historic Heritage Context

To gain a holistic overview of the region, a historical overview of the Wallerawang and Lithgow region is required. A historical overview also gives us a better understanding of why the township came to be and to determine how the past now influences the present and future of the region.

Historical information has been gathered from documentary, oral and physical sources. RPS sourced documents from the Mitchell Library in Sydney, the State Archive office in Kingswood as well as two photo collections in the Lithgow Learning Centre – the Lithgow District Historical Society Photographic Collection and Lithgow Photographic Collection.

Online information on the NSW Industry and Investment web page was gathered primarily from the Mining and Petroleum early monographic publications memoirs section (<http://www.dpi.nsw.gov.au/minerals/geological/publications/memoirs>).

4.1 Historical Overview

Lithgow Valley's first European settlers arrived in 1824 and the town was named in 1827 by Hamilton Hume, in honour of William Lithgow, Governor Brisbane's private secretary (Leslie, 1988:6). By 1860, only four more families had settled in the valley. When the western railway line was extended to Lithgow in 1869 the town began to thrive (Leslie, 1988:20).

Construction of a railway line into the Lithgow Valley began in 1866. When it was completed in 1869, the Zig Zag Railway was acclaimed as a major engineering feat. (Leslie, 1988:19). Furthermore, it enabled the industrialisation of Lithgow by making the exportation of coal commercially viable. Thomas Brown commenced Lithgow's first commercial coal mine (Leslie, 1988:21). Brown commenced the first commercial coalmine the year the railway arrived.

Lithgow was declared a city in 1945. By that time much of the heavy industry was gone, although light industry continued to prosper and the population peaked in the years just after World War II (Leslie, 1988:22).

4.1.1 Brief History of Coal Mining in the Lithgow District

In 1838, Andrew Brown of "Cooerwull" wrote in his diary 'getting coal' (Cremin et al, 1987:3). This is the first written record of coal in the Lithgow Valley. In 1868, the construction of the railway line through the Valley spread workmen who built their campsites close to the cuttings, embankments and viaducts throughout the length of the valley. To supply their needs for cooking fires and for heating during the cold winter, a Mr. Poole in 1868 opened the Hermitage Colliery as the first commercial mine to engage in mining and selling coal. By 1874, there were four mines producing - Eskbank Colliery (at the eastern end of Main Street near the present Hoskins Church), the Lithgow Valley Colliery, Vale of Clywdd Colliery and the Hermitage Colliery. The owners of the Lithgow Valley Colliery secured contracts to supply coal to the Railways to run their locomotives.

4.1.2 Coal Measures of NSW in 1908 source; Carne, J. Geological Survey of NSW, 1908. Wallerawang district collieries

The nature of coal as a high volume resource necessitates that it is able to be delivered in bulk or to be located near to established transport infrastructure. In NSW, especially in the Western Coalfields region, it meant that railway networks needed to be developed. The failure of several coal mines in the Cullen Bullen region prior to the development of the Wallerawang-Mudgee railway line is testament to the importance of developing bulk haulage networks for coal (Christison 2003:7).

The railway reached Wallerawang in 1870. The Cobb and Co Coach Service provided transport between the station at Wallerawang and Bathurst and Mudgee, using the route approximating the current Castlereagh Highway. The exploitation of coal reserves began in Wallerawang around 1873 with a number of mines being opened on the Lithgow seam at Mount Piper, mid-way between Wallerawang and Lidsdale. Completion of the Wallerawang – Mudgee railway branch line in the 1880s coincided with the rapid growth of the coal mining industry in the Western Coalfields. The Lithgow coal seam outcropping was variable in nature between Lidsdale and Portland where it was predominantly expressed in clay shales. The seam became workable once again at Irondale (Carne, J. 1908:201). The mines in the Wallerawang district generally followed the railway line and included Irondale Colliery (1883), Ivanhoe Colliery (1893) and the Commonwealth Colliery (1895), which became the first open cut mine in NSW during World War II (1940). In addition were the Cullen Bullen and Invincible coal mines nearby. The Lithgow coal seam quality was best in its lowest portions, which at Cullen Bullen exhibited an average thickness of four feet, but at both Irondale and Ivanhoe had little more than one foot that was workable (Carne, J. 1908:201).

The accessibility of the Lithgow coal seam at various localities in the region dictated that mines and mining communities developed in close proximity to one another. The best example is at Lithgow, where colliery headworks were located within 100-200 metres of one another (Christison 2003:9). Generally speaking, coal mines between the years 1831-1946 were worked using manual labour using a large number of workers mostly employed on contract or piecework arrangements. Miners normally would walk, ride a horse or push bike to their work place and were expected to provide their own mining tools and equipment (Christison 2003:29).

4.2 Analysis of physical and documentary research

A number of searches were undertaken of both State and Federal heritage databases to confirm if there were any known heritage items that may be affected by the proposed works.

4.2.1 World Heritage List

A search of the World Heritage List was undertaken on the 27 January 2012 to ascertain whether any world heritage items reside in or in close proximity to the SCS. It was determined that the SCS does not contain any world heritage listed items.

4.2.2 National Heritage Database

A search for Australian heritage sites was conducted in the Australian Heritage Database (Australian Heritage Database: Accessed 17th January 2012). This database contains information of more than 20,000 natural, historical and Aboriginal places. This database includes information from the World Heritage List, National Heritage List, Commonwealth Heritage List, and the Register of the National Estate amongst several other databases. A search within the Lithgow Local Government Area (LGA) was conducted on the 17 January 2012 to determine if any items in the surrounding area were registered with historical significance.

The National Heritage List is now the lead statutory document for the protection of heritage places considered to have national importance. This list comprises Indigenous, natural and historic places that are of outstanding national heritage significance to Australia. Listed places are protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). There are nine places that have been nominated for heritage listing under the National Heritage List (**Table 7**). It was noted that none of these heritage sites are located near the SCS.

Table 7 National Heritage Database

Name of Item	Address	Suburb	Heritage Listing/Significance
Coke Ovens at Newnes Shale Oil Plant	Wolgan Rd	Newnes, NSW	Register of the National Estate
Coxs River Rail Bridge at Wallerawang (former)	Main Western Railway Line (Former)	Wallerawang, NSW	Register of the National Estate
Middle River Rail Bridge at Marrangaroo	Main Western Railway Line	Marrangaroo, NSW	Register of the National Estate
Mudgee Overpass Road Cutting	Mudgee Rd	Marrangaroo, NSW	Register of the National Estate
Newnes Junction - Sodwalls Original Railway	Main Western Railway Line	Lithgow, NSW	Register of the National Estate
Newnes Shale Mine Site	Wolgan Rd	Newnes, NSW	Register of the National Estate
The Pagoda Country	Great Western Hwy	Lithgow, NSW	Register of the National Estate (Indicative)
Willowvale Farm	Portland Rd	Wallerawang, NSW	Register of the National Estate (Indicative)
Wolgan Valley	Wolgan Rd	Wolgan Valley, NSW	Register of the National Estate (Indicative)

4.2.3 NSW Heritage Place Inventory

The State Heritage Inventory contains heritage items on statutory lists in NSW. The information is provided by local councils and state government agencies. The Heritage Branch is directly responsible for the State Heritage Register which upkeeps and maintains a list of items and places that of particular importance to NSW. A search of the NSW State Heritage Inventory (accessed 27 January 2012) in the area of Wallerawang yielded the places listed in **Table 8**.

Table 8 NSW State Heritage Inventory

Name of Item	Address	Suburb	Heritage Listing/Significance
St. John the Evangelist Church	Main Street	Wallerawang	NSW Heritage Act
Wallerawang rail bridges over Cox's River	Main Western Railway	Wallerawang	NSW Heritage Act
Wallerawang Railway Station and yard group	Main Western Railway	Wallerawang	NSW Heritage Act

The NSW Heritage Inventory lists items at the NSW (State) level and at the local level. Items of State significance are registered by the NSW Heritage Council under the NSW Heritage Act. Those items are listed on the State Heritage Register as being under an Interim Heritage Order or protected under section 136 of the NSW Heritage Act.

The Inventory also includes some heritage places of heritage significance within a local government area. These places are listed by local council under their Local Environment Plans (LEP) and additionally may be included on the NSW Heritage Inventory database. There are three places that have been nominated for heritage listing under the NSW Heritage Inventory under state significance. None of the heritage sites listed in **Table 8** are in close proximity to the SCS.

4.2.4 Local Government Heritage Register

Items of significance at the local government level are included in the Local Government Environmental Plan (LEP) as Heritage Schedules. These are a list of European and some Aboriginal items which have been listed with a council as having heritage value. A search of the Lithgow LEP Schedule 4 has indicated that there are no items listed in the village of Blackmans Flat. Surrounding Blackmans Flat is a total of 15 items of historical significance to the Lithgow LGA (**Table 9**). None of the historical sites identified in the surrounding vicinity of Blackman's Flat reside in the SCS.

Table 9 Items of Historical Significance near Blackman's Flat (Lithgow LGA)

Name of Item	Address	Suburb	Heritage Listing/Significance
Barton Park Cemetery		Wallerawang	State Government
Hospital Cottage	Lithgow Rd	Wallerawang	State Government
Hospital Farm Barn	Lithgow Rd	Wallerawang	State Government
Mary Slaven's Grave		Wallerawang	State Government
Railway Items Newnes Junction - Sodwalls	Main Street	Wallerawang	Local Government
School and Residence	Main Street	Wallerawang	Local Government
St John the Evangelist Church	Main Street	Wallerawang	Local Government
Walker-Barton private cemetery		Wallerawang	Local Government
Wallerawang A and B Power Stations chimney stack	Main Street	Wallerawang	State Government
Wallerawang Police Station and Official Residence	17 Tweedie Street	Wallerawang	State Government
Wallerawang Railway Precinct	Main Street	Wallerawang	State Government
Wallerawang Schoolhouse		Wallerawang	State Government
Wallerawang, Cox's River Underbridge	169.593km, Main Western Railway Line	Wallerawang	State Government
Willowvale	Portland Rd	Wallerawang	State Government
Wolgan Valley Station	Wolgan Rd	Wallerawang	State Government

4.3 Additional Items

In June 2013, it came to the attention of RPS that Lithgow Council were proposing to revise its Heritage Schedule as a result of a Heritage Study completed in 2000. As a result, there was one further item identified in the vicinity of the SCS (**Table 10** and **Figure 2**):

Table 10 Lithgow Council Draft LEP Schedule

Name of Item	Address	Suburb	Heritage Listing/Significance
"Berwindi"	1470 Castlereagh Highway	Blackmans Flat	Local

One further item listed in the Lithgow Land Use Strategy 2010 - 2030 was found to be located near the SCS (**Table 11** and **Figure 2**):

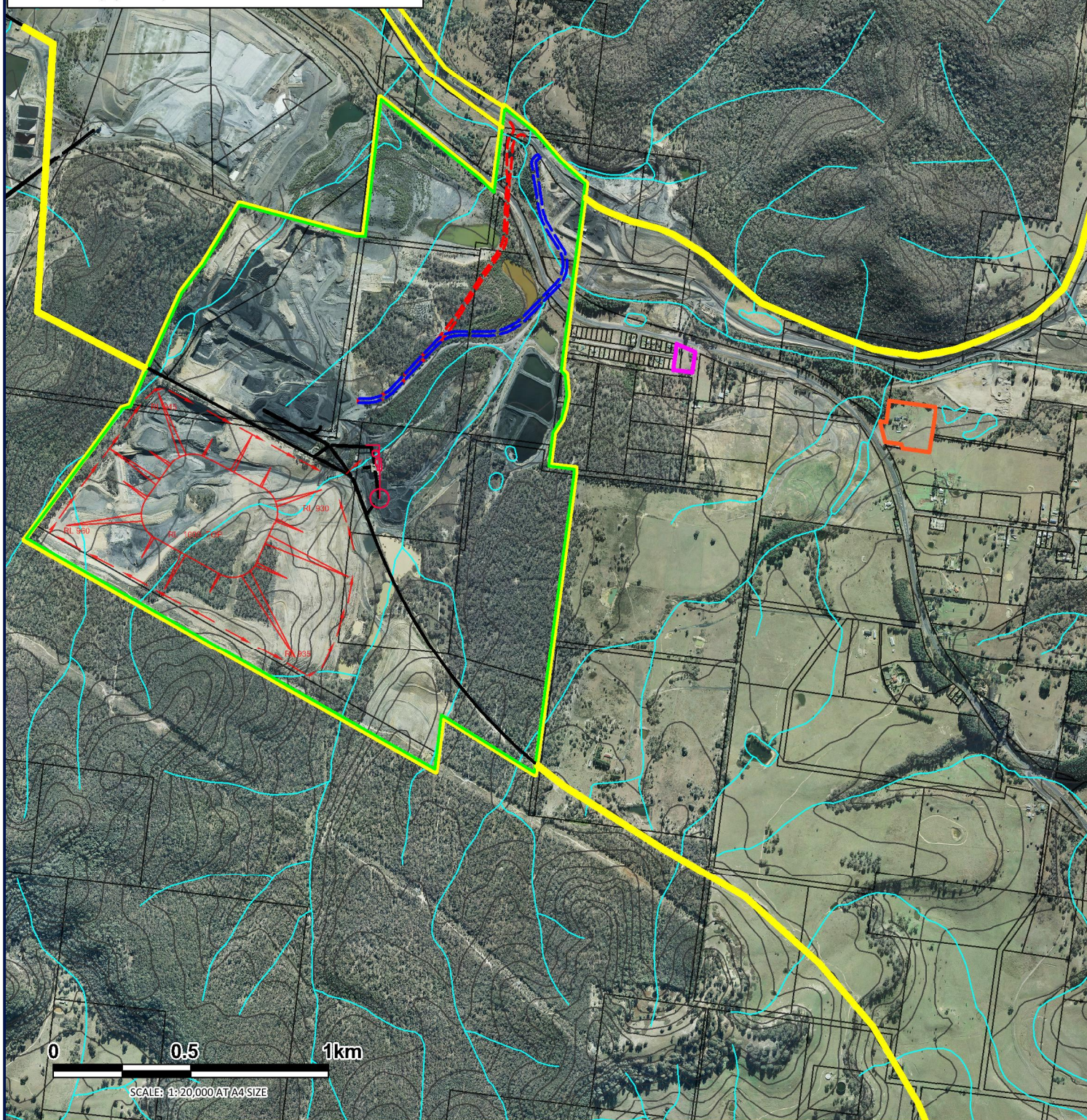
Table 11 Lithgow Council Draft LEP Schedule

Name of Item	Address	Suburb	Heritage Listing/Significance
Blackmans Flat Roman Catholic Cemetery	Castlereagh Highway	Blackmans Flat	Local

Both of these items are located outside of the boundary of the SCS and under no threat from the development. It should also be noted that as the draft LEP and its revised Heritage Schedule have not be finalised, "Berwind" does not yet have statutory heritage protection, nor does the Blackmans Flat Roman Catholic Cemetery as it is not listed in the LEP at all. However, their presence in the vicinity of the SCS should be noted for future reference.

Legend

- Project Application Area
- Springvale Coal Services Site
- Berwindi Hut
(as identified in the Draft Lithgow LEP 2013)
- Blackmans Flat Roman Catholic Cemetery
(as identified in the Lithgow Land Use Strategy 2010 – 2030)
- Proposed Haul Road (Option 1)
- Proposed Haul Road (Option 2)



TITLE: FIGURE 2: HERITAGE ITEMS IN THE VICINITY OF THE PAA

LOCATION: MOUNT PIPER WALLERAWANG

DATUM: (GDA 94)
PROJECTION: MGA ZONE 56

DATE: 27/06/2013
PURPOSE: HERITAGE

LAYOUT REF: J:\JOBS\Centennial\All Jobs\110910 Coal Services
VERSION (PLAN BY): B A4 (CYL-NW)

CLIENT: CENTENNIAL COAL
JOB REF: 110910

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RPS

4.4 Discussion

Based on the outcome of the search results, nine places have been listed with National significance, three places under the NSW Heritage Place Inventory and 15 places under the Lithgow LEP, although none are in close proximity to Blackman's Flat. However, as is noted in Section 4.3 above, there are two items in Blackmans Flat that have been included in Lithgow City Council's Consolidated List of Proposed Heritage Items and Conservation Areas, although they do not currently have statutory protection. The addition of these two items demonstrate that a rich and abundant history surrounds the village of Blackman's Flat and that the village itself stems from a long history stretching back to the time of early settlers in the western parts of the Blue Mountains region.

4.5 Conclusion

It is considered that the SCS is well removed from any listed Heritage items and therefore the proposed works will have no impact upon them.

5.0 Aboriginal Heritage Context

The Aboriginal heritage assessment process requires that the significance of Aboriginal sites within a study area be assessed. It is important that Aboriginal sites are contextualised within the local and regional landscape in order to inform the assessment of significance. The Aboriginal heritage context is also needed in order to develop a predictive model of Aboriginal sites in the SCS. Historical information also provides additional information for the interpretation of archaeological sites.

5.1 Historical Records

It is important to acknowledge that early historical documents were produced for a number of reasons and thus may contain inaccuracies and/or bias in their reporting of events of Aboriginal culture (L'Oste Brown 1998). Nonetheless, some historical documents provide important information and insights into local Aboriginal customs and material culture at the time of non-Indigenous settlement and occupation of the region.

According to Tindale (1974), the area falls within the limits of the land occupied by the Wiradjuri group. However, due to the location of the SCS at the foothills of the Blue Mountains, it was often referred to as a zone of interaction between different Aboriginal groups residing in the vicinity of the SCS, such as the Gundungurra, Wiradjuri and Darung people (Comber 2009). Early records of Aboriginal occupation in the Blue Mountains is quite scarce, largely relying on the few references made to Aboriginal subsistence strategies in the diaries of early settlers in the region.

Initial contact between the European settlers and the Dharuk people occurred in 1791 when Phillip's party arrived at the banks of the Hawkesbury and greetings were exchanged with the natives, peacefully sharing their campfire on the river bank at Pitt Town. Tench and Dawes made plans to explore the Blue Mountains and were ferried across the river by Aborigines in bark canoes (Mid Mountains Historical Society 2007).

In 1794, 22 settlers obtained land along the shorelines of the Hawkesbury-Nepean. Within a year there were 546 people occupying the banks of the river which accounted for the main source of the colony's food supply. This area was also an important source of food for the Dharuk people (Mid Mountains Historical Society 2007).

Initially, when white explorers entered the Blue Mountains they did not record any large groups of 'Aborigines' being in residence. Aboriginal presence was noted by Blaxland in 1814 in the valleys where he heard people calling (Gollan 1987). However, an earlier expedition by Barrallier in 1802, who met and observed Aborigines in the Wollondilly Valley, were escorted out of the Blue Mountains by an Aboriginal guide who had knowledge of the tracks leading to the coast. This first contact record and contemporary opinion suggests that the identity of the mountain people adjacent to the Cumberland Plain were the Dharug (Gollan 1987).

Three Frenchmen; Quoy, Gaudichaud and Pellion travelled across the Blue Mountains to Bathurst where they encountered Aborigines in the Springwood area. Pellion made drawings of the natives, including Karadra a sick old man lying on kangaroo skins near a fire and receiving attentions from a younger man. It was recorded that a local native man was peacefully disposed towards the explorers (Mid Mountains Historical Society 2007).

Windradyne (c.1800-1829), was an Aboriginal resistance leader, he was also known as "Saturday". Windradyne was a northern Wiradjuri man of the upper Macquarie River region in central-western New South Wales (Australians ND).

On arrival of the first settlers, Windradyne attempted to peacefully communicate with the European counterparts. Windradyne had Wiradjuri people befriend the new settlers and assist them with areas to camp. However, when the Europeans began to clear the land it became obvious to the Aborigines that their arrival to Australia was not on a temporary basis. The settlers started destroying the environment and places that were sacred to the natives. Windradyne was determined to not let these people destroy local families and their society. After the conflict many of the Wiradjuri surrendered to the British, but Windradyne was able to elude capture, and later in 1824 Windradyne and 130 Wiradjuri warriors walked for 17 days from Bathurst across the Blue Mountains and into the settlement of Paramatta to attend the annual native feast. On arrival to the feast Windradyne had the word peace stuck in his hat (Australians ND). He was accepted by the British as a result of this encounter.

5.2 Local Archaeological Heritage Context

The local Aboriginal heritage context provides a review of previous archaeological work conducted in the local landscape, identifies whether Aboriginal sites have been previously identified (AHIMS search) in the Project Application Area (PAA) and informs the predictive model of Aboriginal sites in the SCS. The review of previous archaeological work includes relevant local research publications as well as archaeological consultancy reports. Two types of archaeological investigations are generally undertaken; excavations and surveys. Archaeological excavations can provide high resolution data regarding specific sites, such as the dates or chronology of Aboriginal occupation, as well as, information on stone tool technology (reduction sequences, raw material use, tool production, usewear and similar). Archaeological surveys generally cover wider areas than excavations and can provide important information on the spatial distribution of sites. The detection of sites during survey can be influenced by the amount of disturbance or erosion and therefore sensitivity mapping is sometimes also required to interpret survey results. The local Aboriginal heritage context also provides a framework for assessing local significance.

5.2.1 Aboriginal Heritage Information Management System (AHIMS)-PAA

A search of the OEH Aboriginal Heritage Information Management System (AHIMS) for a 10 km area centred on the SCS on the 9th December, 2011 yielded 97 results. Due to the large quantity of sites identified at a 10 km radius around the SCS, the analysis was narrowed down to only capture sites in proximity to the PAA. The parameter of the AHIMS search was subsequently limited to GDA Zone 56H (230704 m E – 6306164 m N) and a total of 60 sites were identified within the PAA (**Table 12; Figure 3**). The most common site type was open camp sites, rockshelters with deposit and isolated finds. All other site types occurred in fewer numbers. An inspection of the site cards revealed that AHIMS #45-1-0236 was a duplication of AHIMS #45-1-0241. AHIMS #45-1-0242 was also identified as a duplication of AHIMS #45-1-0235. Given that two sites were mistakenly registered twice, the correct number of sites in proximity to the PAA was 58 sites.

Table 12 Summary of AHIMS results

Site Type	Frequency	Percent
Grinding Grooves	2	3.4%
Isolated Finds	7	12.1%
Open Camp Sites	35	60.3%
Rockshelter with Art and Deposit	1	1.7%
Rockshelter with Art, Deposit and Grinding Grooves	2	3.4%
Rockshelter with Deposit	7	12.1%
Rockshelter with Deposit and Grinding Grooves	3	5.3%
Stone Arrangement	1	1.7%
Total	58	100%

5.2.2 AHIMS Sites Previously Recorded in the SCS Site (The Construction Area)

Although 58 sites had been previously identified within the PAA, only 11 of these sites reside inside the SCS. It is important to note that actual development will only take place within the SCS so none of the AHIMS sites captured outside of the SCS will be harmed by development works.

All the sites (11) previously identified inside the SCS were artefact scatters recorded between 1992 and 1993. Given that most of these sites reside in the area of active mine works, a search of the OEH AHIMS database revealed that (7) sites have been destroyed after seeking a S90 AHIP (**Table 13**). The remaining three sites are: AHIMS #45-1-0208, AHIMS #45-1-2601 and AHIMS #45-1-0218. They are still present onsite and will be discussed in further detail.

5.2.2.1 AHIMS #45-1-0208 (Site 5)

AHIMS #45-1-0208 was identified and originally recorded in 1991 by Elizabeth Rich. The site consisted of one bipolar flake and a distal flake fragment, both manufactured from quartz. These artefacts were identified along the base of a steep slope above Lamberts Creek surrounded by woodland vegetation. OzArk (2005) attempted to relocate the site, as the AHIMS site card indicated that the site was never salvaged because the proposed works at the time would not disturb the site. OzArk (2005) did not find the two quartz flakes although there were quartz pieces where the site was presumed to be located. Advice was given to the client to apply for a S90 AHIP to salvage, but the AHIP was never sought because the site was not at risk of harm.

5.2.2.2 AHIMS #45-1-2601 (SVW-OSI)

AHIMS #45-1-2601 was identified and originally recorded by Oz Ark in 2005. This was an Open Site assessed with Potential Archaeological Deposit (PAD) and situated on a slightly flat landform near a small drainage line. AHIMS #45-1-2601 was deemed highly disturbed by a vehicle track and mining activity adjacent to the site. As a result, the artefacts were removed from the track and placed at the base of a red stringybark tree to prevent further damage to the stone artefacts. The site was assessed as having moderate scientific significance and high Aboriginal significance, which was confirmed by the traditional stakeholder representing BLALC in the field. It was recommended that an S90 AHIP to salvage be undertaken after limited test pitting had been conducted if the site was likely to be impacted by proposed mine works. The client, however, was able to avoid the site which was subsequently protected with barrier flagging.

5.2.2.3 AHIMS #45-1-0218 (Site 7)

AHIMS #45-1-0218 was identified and originally recorded in 1992 by Elizabeth Rich and Alice Gorman and revisited in 2005 by OzArk. AHIMS #45-1-0218 was an open site consisting of ten artefacts on an overgrown track set on a low spur above a gully. Ten artefacts were recorded, all manufactured from quartz except for one which was of a fine-grained white material. The assemblage consisted of eight flakes and two cores and there was limited potential for intact sub-surface deposits. The proposed development works at the time the site was identified only posed minimal risk of harm to the site in terms of disturbance. As a result no permits were sought to destroy the site. OzArk (2005) revisited the site, relocated a few of the artefacts and came to the conclusion that a S90 AHIP to impact the site should be sought after undertaking limited test pitting. However, Springvale Coal Pty Ltd opted to protect the site which was flagged with tape and noted on mining plans to avoid. AHIMS #45-1-0218 is still present onsite.

Table 13 Summary of Previously Recorded Sites inside the SCS

Site Name	AHIMS Number	Year Registered	Site Type	Recommendation at the time	Current Status
Western Main 2	45-1-0234	1993	Open Camp Site	Fencing for protection. Subsurface testing to be carried out.	Consent to destroy granted under S90 Permit (Artefacts have been salvaged).
Site 13	45-1-0244	1993	Open Camp Site	Consent to destroy part of the site to be issued without further archaeological work required.	Consent to destroy granted under S90 Permit (Artefacts have been salvaged).
Lamberts Creek 6	45-6-2355	1992	Open Camp Site	Subsurface testing undertaken. Only a small number of sparsely distributed artefacts.	Consent to destroy granted under S90 Permit (Artefacts have been salvaged).
Lamberts Creek 7	45-6-2354	1992	Open Camp Site	Subsurface testing undertaken.	Consent to destroy granted under S90 Permit (Artefacts have been salvaged).
Western Main 1	45-1-0236/45-1-0241	1993	Open Camp Site	Consent to destroy be sought.	Consent to destroy granted under S90 Permit (Artefacts have been salvaged).
Site 12	45-1-0243	1993	Open Camp Site	Consent to destroy be sought.	Consent to destroy granted under S90 Permit (Artefacts have been salvaged).
Site 6	45-1-0203	1992	Open Camp Site	Proposed development to be marked out on the ground. If most sites to be destroyed it warrants salvage.	Site Destroyed
Western Main 3	45-1-0242/0235	1993	Open Camp Site	Consent to destroy be sought	Site Destroyed
Site 5	45-1-0208	1992	Open Camp Site	Site would not be affected by proposed works (1992). OzArk in 2005 was unable to relocate the site. It was recommended that an S90 AHIP to destroy the site be sought and granted.	Unable to relocate the site. OzArk (2005). No S90 AHIP was sought to destroy.
SVW-0S1	45-1-2601	2005	Open Site with PAD	Avoid impact if possible or implement a limited test excavation prior to destruction if the site cannot be avoided.	Avoid impact if possible or implement a limited test excavation prior to destruction if the site cannot be avoided.
Site 7	45-1-0218	1992	Open Site with PAD	Extent of conveyor to be marked out on ground so that the full extent of impact can be determined. OzArk in 2005 recommended that limited test pitting at this site be undertaken prior to destruction.	The site has been flagged with tape and noted on mining plans to be avoided.

5.3 Local Archaeological Studies

5.3.1 Comber J (2009) Aboriginal Heritage Assessment: Great Western Highway Upgrade Mt Vic to Lithgow

The Road Traffic Authority (RTA) required an Aboriginal Heritage Assessment for the proposed upgrade to the Great Western Highway from Mt Victoria to Lithgow. The study area extended from the western end of the Soldiers Pinch Project near Brownstown Oval Mount Victoria to the west of the McKanes Falls Road Junction, South Bowenfels. The desk top survey undertaken involved developing a predictive model of where sites were likely to occur in the region. By drawing on ethnographic sources, historical documents and identifying where sites were previously recorded, Comber was able to ascertain areas of high, moderate and low areas of sensitivity.

5.3.2 Hall N.K (1991) Inventory of Rock Art Sites Kandos Weir Section: 3.2, Wollemi National Park (Unpublished Report)

This section of the report provides a descriptive overview of contact history in the Rylstone District and Upper Cudgong River Valley. It has been reported that ongoing conflict between Aboriginal groups and European settlers in the early 1800's led to a significant decline in Aboriginal populations in the Bathurst – Lithgow area. In January 1836, Charles Darwin reported that the arrival of European diseases and the frontier lifestyle greatly impacted on the Aboriginal population. The following account was provided:

"The number of Aborigines is rapidly decreasing...no doubt must be partly owing to the introduction of spirits, to European diseases and to the gradual extinction of the wild animals...as the difficulty of procuring food increases so must their wandering habits"
(Darwin in Mackaness 1950).

5.3.3 OzArk (2005) Flora/Fauna and Heritage Assessment: Open Cut Mine Expansion Mining Lease 1448

This document reports on the findings of the archaeological survey undertaken within Mining Lease 1448 which consisted of a proposed extension to the existing Lamberts Gully Open Cut Coal Mine. The report also involved a desk top survey of previously recorded sites in the vicinity of the SCS. The desk top review suggested that eight Aboriginal sites had previously been recorded within Mining Lease 1448. Of these eight sites, five were open sites, two were initially potential archaeological deposits (PAD) later assessed to be open sites and a single isolated find. The field team attempted to relocate the previously recorded sites with varying degrees of success. The assessment identified three sites which were directly in the area of impact. As a result, it was recommended that the proponent apply to the Director – General of OEH for a Section 90 permit to impact these sites.

5.3.4 RPS HSO (2009) Lidsdale Siding Loading Facility Project, Ivanhoe Coal Pty Ltd

In 2009, Centennial Coal engaged RPS (formally RPS HSO) to undertake an archaeological investigation for the proposed upgrade to the Lidsdale Siding loading facility. The field survey was undertaken in two parts: the existing coal loading operations and the existing rail siding. The survey of the existing coal loading operations was undertaken via vehicle inspection for the purpose of investigating impact to potential Aboriginal and European heritage material items. No evidence of Aboriginal cultural heritage was identified despite excellent visibility. Survey of the rail siding yielded the same result of no Aboriginal cultural material identified.

5.4 Predictive Model for Aboriginal Archaeology in SCS (The Construction Area)

A predictive model is created to provide an indication of Aboriginal sites likely to occur within the SCS. It draws on the review of the existing information from the regional and local archaeological context, as well as, the environmental context. The predictive model is necessary to formulate appropriate field methodologies, as well as, providing information for the assessment of archaeological significance.

There are a number of factors which influence Aboriginal occupation of an area. These include essential subsistence resources such as food (flora and fauna), as well, as freshwater. However, other resources such as stone raw materials, wood and bark, animal skins, reeds for uses such as basket weaving, string, clothing and similar were also used.

Landscape features such as dune ridges, creek lines, swamp areas, ridges, flat elevated areas, rockshelters and similar, may have also influenced Aboriginal occupation of an area. In addition, cultural activities may have also taken place at certain locations in the landscape for example corroborees, mythological places, initiation sites and similar.

5.5 Site Predictions

The following site predictions for the SCS have been made on the basis of the environmental context, available historic observations of Aboriginal people in the region, archaeological studies and an analysis of the AHIMS data.

Based on the AHIMS search results and archaeological literature about the region, it appears that stone assemblages occur more frequently along the valley floor and areas of lower elevation, particularly near drainage lines and gravel terraces. The most common types of stone assemblages include artefact scatters, although it would not be unusual to identify isolated artefacts. Sandstone rockshelters have been identified in areas of higher elevation along stony terraces and ridgelines. Although there have been no scarred trees identified in the region, this does not discount the possibility that they may exist, particularly in virgin forest landscapes (eg: state forest).

There are two previously recorded shelters located to the south of the SCS. However, given that the SCS resides in an undulating landscape with few steep ridges or sandstone escarpments, it is unlikely that sandstone rockshelters will be identified inside the boundary of the SCS. There is a possibility that isolated finds and more artefact scatters may be present, given that these site types have already been identified in the SCS. The SCS intersects several small drainage zones which would have been a suitable place for past hunter-gatherer groups to exploit the resources nearby, such as fresh water and vegetation cover suitable as temporary shelters and for creating wooden implements.

6.0 Archaeological Field Survey

6.1 Aboriginal Field Survey Method

This heritage assessment has been undertaken in accordance with best practice guidelines for survey reporting and included the following components:

- Documentation of survey coverage;
- Documentation of results; and
- Documentation of significance of sites/areas to the Aboriginal community.
- The survey methodology aimed to provide adequate coverage of the SCS, sample coverage of all landforms, areas of exposure, as well as, vegetated areas. The locations of previously recorded sites were also inspected.

Each survey unit was described, detailing the level of exposure and ground surface visibility. The purpose of describing the survey units is to ensure comparability of results between different areas of the local landscape. Areas with high visibility and exposure generally have a lot of land surface disturbance, which can expose high quantities of archaeological material (particularly stone artefacts). Conversely, areas of low visibility and exposure are generally more intact (undisturbed) landscapes, where the likelihood of identifying sites (particularly artefact scatters) is generally lower. Areas of low visibility however, usually provide a higher potential for locating intact archaeological deposits which have been protected by vegetation coverage.

In accordance with OEH guidelines photographic recording was undertaken of landforms, survey units, Aboriginal cultural material, areas of archaeological or cultural sensitivity, levels of disturbance, as well as, other areas/items of interest. Photographs were scaled, as appropriate.

Field notes incorporated details which included the size, location, contents and condition of Aboriginal heritage in the area, as well as, survey units. Size was recorded, either by GPS or tape measure. Location was recorded using differential GPS. The conditions of Aboriginal sites/areas of sensitivity were recorded providing detailed descriptions of the levels and cause of disturbances, erosion, land clearing and similar factors.

The Aboriginal stakeholder(s) participating in the survey were asked about the cultural significance of the survey area and where applicable and/or appropriate, about the significance of Aboriginal sites and/or areas of archaeological sensitivity. An opportunity to comment on cultural significance was also provided in the survey preparation documentation and post survey reporting.

6.2 Archaeological Field Survey Results

This SCS was surveyed in six survey units (see Figure 4): Coal Services Survey Unit 1 (CS SU1) to Coal Services Survey Unit 6 (CS SU6). Exposure and visibility for each survey unit was assessed according to the criteria listed in **Table 14** and the effective survey coverage data for each survey unit is shown in **Table 15**. A pedestrian survey was completed in two days (13 January and 8 February, 2012) by RPS archaeologist Cheng Yen Loo, accompanied by Aboriginal community stakeholders representing the North-East Wiradjuri (Mr Jack Pennell), Mingaan Aboriginal Corporation (Mr Elwin Wolfenden), Bathurst Local Aboriginal Land Council (Ms Chantel Peters-Chapman) and Warrabinga Native Title Claimants Aboriginal Corporation (Ms Wendy Lewis). On the 8th February a further survey was conducted by RPS archaeologist Mr David White.

6.2.1 Coal Services Survey Unit 1 (CS SU1)

CS SU1 consisted of a small portion of land north of the Castlereagh Highway which was owned and operated by Pinedale Coal Mine (ML 1569). This Survey Unit was approximately 8.5 hectares and access was gained from the Castlereagh Highway (**Figure 4**). Upon inspection of the Survey Unit, it was noted that the area was highly disturbed by earthworks because portions of the Survey Unit extended into an active mining area which is surrounded by a pine plantation. Estimated ground surface visibility ranged between 30 - 85%, although all areas had been disturbed by development activities. Access into a few areas of the Survey Unit was impeded by artificial ponds and tributaries that spur off Wangcol Creek.

▲ No Aboriginal cultural material or items of historical significance were identified in CS SU1.

6.2.2 Coal Services Survey Unit 2 (CS SU2)

CS SU2 was south of the Castlereagh Highway close to the southern boundary of the SCS. This portion of land consisted of two discrete clumps of woodland vegetation, approximately 9.4 hectares and resides in Consolidated Coal Lease 733 (**Figure 4**). The woodland vegetation has been moderately impacted by logging. The periphery of this Survey Unit has been disturbed and modified by a regrowth plantation. Littering in the area was noted by way of cans and plastic objects scattered throughout, although the amount was minimal. Ground surface visibility ranged from 65% in vegetated areas up to 90% in exposed clearings.

▲ No Aboriginal cultural material or items of historical significance were identified in CS SU2.

6.2.3 Coal Services Survey Unit 3 (CS SU3)

CS SU3, is approximately 53.1 hectares and along the eastern boundary of the SCS and includes a raised platform south of the coal conveyor dominated by open woodland forest with an understorey of small bushes and ground cover of seasonal grass (**Plate 1**; **Plate 2**). Several small clearings were noted in the survey unit, some of which appeared to be the product of natural erosion. The landscape gently undulated and some minor surface cracking was noted. According to Tony Seibel-Barnes (Centennial), the cracks were caused by ground subsidence induced by coal extraction. The survey unit was littered with piles of rubbish, most likely the result of illegal dumping of household rubbish in the past. Several dirt tracks also meandered throughout the landscape and were used to access the full extent of the survey unit. Estimate ground surface visibility ranged from 5% in dense vegetation up to approximately 80% in the clearings. One newly identified artefact was located in a clearing, being a distal quartz fragment (56H 226166-6303832). Further discussion about the isolated find is found in Chapter 7.

An open site with PAD (AHIMS #45-1-2601) was recorded in 2005 (OzArk) in this survey unit which comprised of six artefacts located on an unsealed track (**Figure 4**). The site was assessed as having high Aboriginal significance and moderate scientific significance. The site is currently still present onsite and has been flagged in the field with wooden marker posts. Centennial's proposed development plans are not in proximity to the site and it therefore is not at risk of harm.

▲ One new Aboriginal site was identified and recorded in CS SU3 and no items of historical significance were identified.

6.2.4 Coal Services Survey Unit 4 (CS SU4)

CS SU4 was approximately 56.8 hectares and consisted of a portion of land south of the Castlereagh Highway and west of the existing access road, which to some extent contained woodland vegetation (**Figure 4**; **Plate 3**; **Plate 4**). Several small clearings were noted throughout the survey unit and were inspected for cultural material, in addition to the unsealed tracks that meandered across the landscape. Ground surface visibility varied throughout, ranging from 60% up to 85% (**Plate 5**; **Plate 6**). The area near the Wangcol

Creek tributary was inspected for cultural material, but no artefacts were identified. Evidence of disturbance was marked by soil dumps and garbage in the survey unit. Two artefact scatters (AHIMS #45-1-0234 and AHIMS #45-1-0236/0241) were recorded in this survey unit in 1993 and were located in close proximity to the Castlereagh Highway, but have since been salvaged under a Section 90 AHIP. During the survey, the signage and old fence boundary of AHIMS# 45-1-0234 was observed although the site has since been salvaged under a Section 90 AHIP. A total of five isolated finds were identified in the eroded clearings adjacent to a dirt track. Four of these artefacts were manufactured from quartz, and the other of quartzite. All of these artefacts were complete flakes, except for one distal flake fragment. The artefacts do not appear to be *in situ* as the area appears to have been re-vegetated.

▲ Five new Aboriginal sites were identified and recorded in CS SU4 and no items of historical significance were identified.

6.2.5 Coal Services Survey Unit 5 (CS SU5)

CS SU5 consisted of the Coal Services stockpile area, the proposed REA near the southern project boundary and cleared land for the current operations measuring 139.9 hectares. CS SU5 is the largest survey unit in the SCS and had been heavily modified for the Coal Services mine site. Ground surface visibility was high, but no new Aboriginal sites were located. A total of seven Aboriginal sites have previously been recorded and registered with OEH (**Figure 4**), all of which were artefact scatters recorded in 1992 and 1993. It is certain that a consent to destroy permit (S90 AHIP) was sought and granted for five of these sites, with the other two being AHIMS #45-1-0218 and AHIMS #45-1-0208.

AHIMS #45-1-0218 was originally recorded by Rich and Gorman in 1992. This site was protected with flagging tape and noted on Centennial's mining plans to be avoided after the recommendations provided in 2005 by OzArk (after a revisit to the site). A total of 10 artefacts were identified along an overgrown disused vehicle track. Geographically, the site was near the western side of the Project boundary and 12m away from the proposed REA 1. Based on the advice of the client, the proposed works would not impact on the site, as a bunt divided the site from the area of activity.

AHIMS #45-1-0208 was originally identified in 1991 by Rich and Gorman. The site was an open scatter consisting of two artefacts amongst quartz gravels on a dirt track. In 2005, OzArk revisited the site, but was unable to relocate the artefacts. Recommendations were made to destroy the site via a S90 AHIP, because the artefact was assessed as having low cultural significance and the proposed works for the 2005 project would have impacted the site. In 2011, RPS retrieved AHIMS #45-1-0208 site cards to confirm that a S90 AHIP had been granted to destroy the site, but, there was no information to indicate that a S90 AHIP had been sought and granted. RPS attempted to relocate the site but was unable to find the artefacts. Given that it has been 21 years since the site was first recorded, the natural processes of erosion have most likely displaced the artefacts.

▲ No additional Aboriginal cultural material or any items of historical significance were identified in CS SU5.

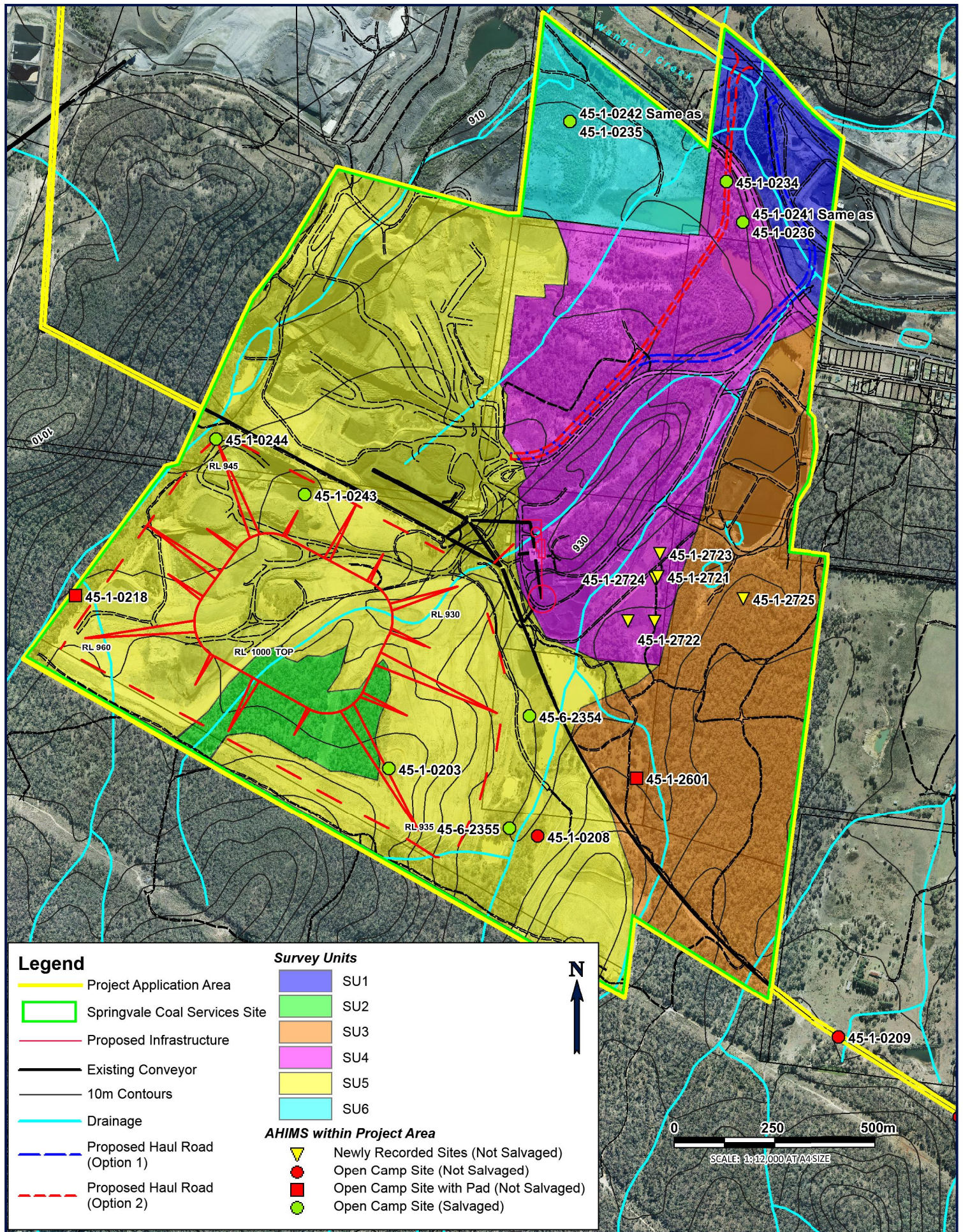
6.2.6 Coal Services Survey Unit 6 (CS SU 6)

CS SU6 is in the north-western portion of the SCS. CS SU 6 is bounded to the north by Castlereagh Highway and the ground surface area is relatively flat. A portion of the survey unit has been rehabilitated with native vegetation (**Plate 7**). Relatively juvenile scrub trees and an understorey of seasonal grass dominated the revegetated landscape. Ground surface visibility in that area was relatively low. The remainder of the survey unit has been heavily disturbed by landfill material (**Plate 8**). In 2006, a development assessment report for Blackmans Flat Waste Management Facility was prepared for Lithgow City Council. CS SU 6 formed part of the Blackmans Flat Landfill site which is why this portion of land has been subjected to extensive disturbance.

One site previously recorded in CS SU 6 was AHIMS #45-1-0242/45-1-0235. This is an open camp site recorded in 1993 by Helen Brayshaw. The artefacts were identified in a strip of land that had been exposed by a bulldozer blade. The site itself was very low density comprising of artefacts at >20m apart and partially disturbed. Brayshaw (1993) recommended that consent be sought to destroy the site under a Section 90 AHIP. However, it is uncertain if an AHIP application was actually sought to destroy the site.

During the field survey, RPS attempted to relocate AHIMS #45-1-0242/45-1-0235. The geographical location of the site is now in a highly disturbed area (infill facility and vehicle track way). AHIMS #45-1-0242/45-1-0235 no longer exists at its original position. No remnants of the site were observed during the field survey.

▲ No additional Aboriginal cultural material or any items of historical significance were identified in CS SU6.



TITLE: FIGURE 4: SURVEY UNITS
IN THE SCS

LOCATION: MOUNT PIPER
WALLERAWANG

DATUM: (GDA 94)
PROJECTION: MGA ZONE 56

DATE: 20/06/2013
PURPOSE: HERITAGE

LAYOUT REF: J:\OBS\Centennial\All Jobs\110910 Coal Services
Wallerawang\10. Drafting\MapInfo Workspaces
VERSION (PLAN BY): C A4 (CYL-NW)

CLIENT: CENTENNIAL COAL
JOB REF: 110910

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RPS

Table 14 Ground Surface Visibility Rating

GSV Rating	Overall Rating	Description
0 – 9%	Low	Heavy vegetation with scrub foliage, debris cover and/or dense tree cover. Ground surface not clearly visible.
10 – 29%	Low	Moderate level of vegetation, scrub or tree cover. Small patches of soil surface visible resulting from animal tracks, erosion or blowouts. Patches of ground surface visible.
30 – 49%	Moderate	Moderate levels of vegetation, scrub and/or tree cover. Moderate sized patches of soil surface visible possible associated with animal tracks, walking tracks and erosion surfaces. Moderate to small patches across a larger section of the study area.
50 – 59%	Moderate	Moderate to low level of vegetation, tree and/or scrub. Greater amounts of areas of ground surface visible in the form of erosion scalds, recent ploughing, grading or clearing.
60 – 79%	High	Low levels of vegetation and scrub cover. High incidence of ground surface visible due to recent or past land-use practices such as ploughing, grading and mining. Moderate level of ground surface visibility due to sheet wash erosion, erosion scalds and erosion scours.
80 – 100%	High	Very low to non-existent levels of vegetation and scrub cover. High incidence of ground surface visible due to past or recent and use practices, such as ploughing, grading and mining. Extensive erosion such as rill erosion, gilgai, sheet wash, erosion scours and scalds.

Table 15 Survey Coverage Data

Survey Unit	Landform	Survey Unit Area (Square metres)	Exposure (%)	Visibility (%)	Effective Coverage Area (square metres)	Effective Coverage (percent)
1	Modified/Plantation	85225.4	30	55	68180	80
2	Vegetated	93550.4	50	75	70163	75
3	Vegetated/Modified	531354.8	65	65	478219	90
4	Vegetated/Modified	568082.5	75	70	397658	70
5	Modified	1398670.6	65	90	839202	60
6	Modified/Plantation	160703.6	55	65	96422	60

7.0 Newly identified sites in the SCS (Aboriginal)

A total of six sites were identified in the SCS: five in CS SU4 and one in CS SU3 (**Table 16; Figure 5**). Several factors can influence the effectiveness of the field inspection, such as the level of ground surface visibility, exposure and the number of people undertaking the inspection. The sites identified were mostly located in small patches of open clearing and areas of moderate to high visibility. Each site identified and recorded will be discussed individually below.

Table 16 Aboriginal sites located within the SCS

No.	Code	Name	AHIMS Ref No	Eastings	Northings	Type
1	CS SU3 - A1	Coal Services Survey Unit 3 – Artefact 1	45-1-2725	E226166	N6303832	Isolated Find
2	CS SU4 – A1	Coal Services Survey Unit 4 – Artefact 1	45-1-2724	E225946	N6303882	Isolated Find
3	CS SU4 – A2	Coal Services Survey Unit 4 – Artefact 2	45-1-2723	E225959	N6303943	Isolated Find
4	CS SU4 – A3	Coal Services Survey Unit 4 – Artefact 3	45-1-2722	E225879	N6303777	Isolated Find
5	CS SU4 – A4	Coal Services Survey Unit 4 – Artefact 4	45-1-2721	E225953	N6303887	Isolated Find
6	CS SU4 – A5	Coal Services Survey Unit 4 – Artefact 5	45-1-2720	E225945	N6303776	Isolated Find

(GDA Zone 56 H)

7.2 CS SU3 – A1 [AHIMS #45-1-2725] (Isolated Find) – 56H 226166 - 6303832 [GDA Zone 56H]

Isolated find CS SU3-A1 (AHIMS #45-1-2725) was identified in a small clearing surrounded by a sparse cover of seasonal grass. This artefact was a distal fragment of quartz located at co-ordinates (56H 226166-6303832), approximately 139 m from the artificial sedimentation pond. The quartz fragment was relatively small, measuring 15 mm x 9 mm x 4 mm and exhibiting one negative flake scar on the dorsal surface and 20% remaining cortex (**Plate 9; Plate 10**).

▲ This site is greater than 50 m away from the proposed REA boundary and haul road (Option 1 and 2) and therefore not at risk of harm from proposed development.

7.3 CS SU4 – A1 [AHIMS #45-1-2724] (Isolated Find) – 56H 225946 – 6303882 [GDA Zone 56H]

Isolated find CS SU4-A1 (AHIMS # 45-1-2724) was identified on a clearing subjected to seasonal inundation and approximately 7 m west from a light vehicle track. The area was relatively clear of woodland trees, only surrounded by small low lying shrubs and grass. The isolated find consisted of a quartz complete flake measuring 14 mm x 16 mm x 5 mm, and a flat platform (6 mm x 4 mm). One negative flake scar and 60% terrestrial cortex were recorded (**Plate 11; Plate 12**).

▲ This site is greater than 50 m away from the proposed REA boundary and haul road (Option 1 and 2) and therefore not at risk of harm from proposed development.

7.4 CS SU4 – A2 [AHIMS #45-I-2723] (Isolated Find) – 56H 225959-6303943 [GDA Zone 56H]

Isolated find CS SU4-A2 (AHIMS #45-1-2723) was identified in a gravel clearing on a lower hill that gently sloped towards the southeast. A graded track was adjacent to the clearing and the ground surface appeared to have been disturbed in the recent past. The artefact was a complete flake of quartz measuring 14 mm x 11 mm x 5 mm and a cortical platform (10 mm x 5 mm). The flake exhibited one negative flake scar and 50% terrestrial cortex (**Plate 13; Plate 14**).

▲ This site is greater than 50 m away from the proposed REA boundary and haul road (Option 1 and 2) and therefore not at risk of harm from proposed development.

7.5 CS SU4 – A3 [AHIMS #45-I-2722] (Isolated Find) – 56H 225879-6303777 [GDA Zone 56H]

Isolated find CS SU4-A3 (AHIMS #45-1-2722) was identified amongst a dense ground cover of grass surrounded by small shrubs. A light vehicle track was located approximately 20 m west. The artefact was a complete flake of quartz measuring 31 mm x 11 mm x 5 mm and a cortical platform (15 mm x 5 mm). Two negative flake scars were noted on the dorsal surface (**Plate 15; Plate 16**).

▲ This site is greater than 50 m away from the proposed REA boundary and haul road (Option 1 and 2) and therefore not at risk of harm from proposed development.

7.6 CS SU4 – A4 [AHIMS #45-I-2721] (Isolated Find) – 56H 225953-6303887 [GDA Zone 56H]

Isolated find CS SU4-A4 (AHIMS # 45-1-2721) was identified in a sandy clearing on a gentle slope. Vegetation in proximity of the site consisted of low-lying scrub with a dense ground cover of seasonal grass. The isolated find was a distal flake fragment of quartz measuring 16 mm x 7 mm x 3 mm. Two dorsal scars were identified, but no evidence of usewear or retouch was identified on the lateral margins (**Plate 17; Plate 18**). CS SU4-A4 resided 15 m inside proposed REA 3 and was within the zone of impact.

▲ This site is greater than 50 m away from the proposed REA boundary and haul road (Option 1 and 2) and therefore not at risk of harm from proposed development.

7.7 CS SU4-A5 [AHIMS #45-I-2720] (Isolated Find) -56H 225945-6303776 [GDA Zone 56H]

Isolated find CS SU4-A5 (AHIMS # 45-1-2720) was identified on a small gravel clearing adjacent to a light vehicle track orientated on an approximate north-south axis. The isolated find was a complete flake of pale purple silcrete measuring 36 mm x 31 mm x 9 mm and a flat platform (22 mm x 7 mm). Two negative flake scars were identified on the dorsal surface of the flake (**Plate 19; Plate 20**).

▲ This site is greater than 50 m away from the proposed REA boundary and haul road (Option 1 and 2) and therefore not at risk of harm from proposed development.

7.8 Historical Sites

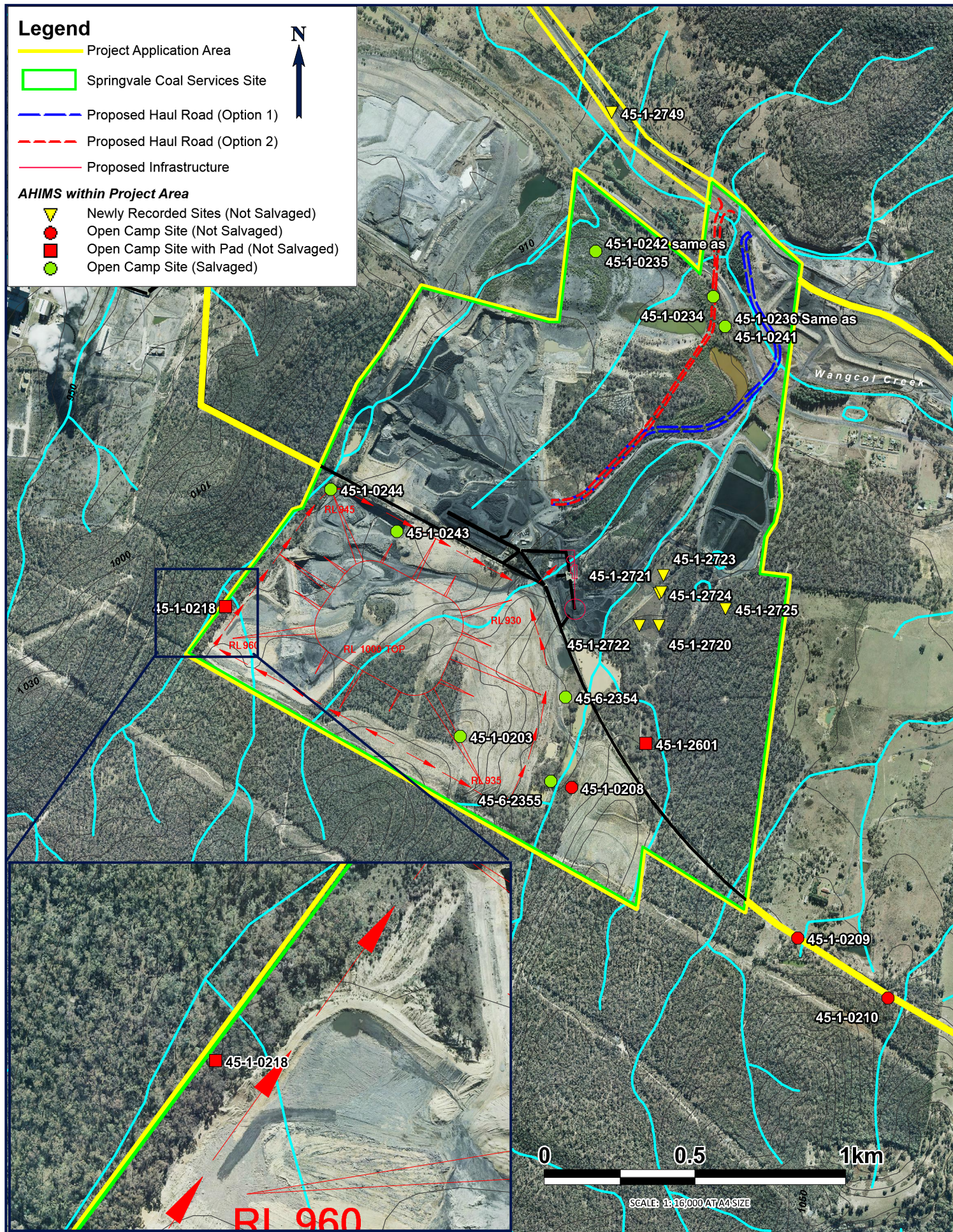
The SCS was inspected for items of historical significance. There were no objects identified or present during the survey.

Legend

- Project Application Area
- Springvale Coal Services Site
- Proposed Haul Road (Option 1)
- - - Proposed Haul Road (Option 2)
- Proposed Infrastructure

AHIMS within Project Area

- ▼ Newly Recorded Sites (Not Salvaged)
- Open Camp Site (Not Salvaged)
- Open Camp Site with Pad (Not Salvaged)
- Open Camp Site (Salvaged)



TITLE: FIGURE 5: NEWLY RECORDED SITES
IN THE SCS AND EXISTING AHIMS SITES

LOCATION: MOUNT PIPER
WALLERAWANG

DATUM: (GDA 94)
PROJECTION: MGA ZONE 56

DATE: 20/06/2013
PURPOSE: HERITAGE

LAYOUT REF: J:\OBS\Centennial\All Jobs\110910 Coal Services
Wallerawang\10_Drafting\MapInfo Workspaces
VERSION (PLAN BY): C A4 (CYL-NW)

CLIENT: CENTENNIAL COAL
JOB REF: 110910

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RPS

8.0 Significance Assessment

In order to develop appropriate heritage management outcomes, it is necessary for the significance of Aboriginal sites or areas of archaeological sensitivity to be assessed. Aboriginal heritage can be significant for cultural and/or scientific reasons. Aboriginal people are the best placed to assess cultural significance and are therefore consulted in the Aboriginal heritage management process. Scientific significance is assessed according to scientific criteria outlined in OEH heritage guidelines.

8.1 Cultural Significance Criteria

An assessment of cultural significance incorporates a range of values which may vary for different individual groups and may relate to both the natural and cultural characteristics of places or sites. Cultural significance and Aboriginal cultural views can only be determined by the Aboriginal community using their own knowledge of the sites and their own value system.

As cultural significance is a criterion that only Aboriginal people can assess, a detailed appraisal of cultural significance for the SCS has not been included as part of this study. However, response and comment on the SCS was discussed with Aboriginal representatives during the survey. RPS does acknowledge that the Traditional Owners who participated in this study (Section 1.4) have a responsibility to their People to provide the utmost of protection for Aboriginal culture and heritage in their country.

8.2 Cultural Significance Assessment

RPS contacted the Aboriginal stakeholders who had expressed their interest in the project and who had participated in the survey field work in order to record their comments and feedback in relation to cultural significance (Section 2, **Table 6**). No comments regarding specific cultural knowledge for Aboriginal objects or places were provided by the Aboriginal stakeholder organisations contacted at this time however it is understood by RPS that moderate to high cultural significance is attached to all Aboriginal sites and associated landscapes in the region as discussed with Aboriginal stakeholder representatives during field work (Section 2, **Table 4**).

8.3 Aboriginal Archaeological Significance Criteria

Archaeological significance, also referred to as scientific significance, is determined by assessing an Aboriginal heritage site or area according to archaeological criteria. The assessment of archaeological significance is used to develop appropriate heritage management and impact mitigation strategies. The following archaeological significance criteria have been used: rarity, representativeness, integrity, connectedness, complexity and research potential and are defined in **Table 17**.

Table 17 Archaeological Significance Criteria

Criteria	
Rarity	This criterion examines the frequency of the identified site types with others previously recorded in the local or regional landscape
Representativeness	All sites are representative of a site type, however, some sites may be in better condition, or demonstrate more clearly a particular site type. Representativeness is based on the understanding of extant sites in the local or regional landscape and the purpose of this criteria is to ensure a representative sample of sites area conserved for future generations
Integrity	This refers to site intactness. A site with contextual integrity can provide information relating to chronology, social systems, tool technology, site formation processes, habitation, frequency of use as well as other occupation indicators. Moderate to high levels of disturbance will generally result in low integrity.
Connectedness	Relates to inter-site relationships, that is, whether a site can be linked to an archaeological

Criteria	
	complex, or where sequence of activities can be discerned. For example, a quarry (stone extractions site), may be linked to an adjacent heat treatment pit and knapping floor, these site thus could be linked as part of a stone tool production sequence.
Complexity	Refers to the contents of the site, such as, the variety and nature of features and/or of artefacts present. For example, rockart sites with many motifs may be ranked highly in terms of complexity, or artefact scatters with a wide variety of raw materials and/or or tool types may be more complex than surrounding sites.
Research Potential	This criteria is used to identify whether a site has the potential to contribute new information which to the interpretation of Aboriginal occupation in the area.

The archaeological significance criteria are usually assessed on two scales: local and regional; in exceptional circumstances; however, state significance may also be identified. Archaeological significance criteria is assessed in three levels to which scores are assigned; low (score=1), moderate (score=2) and high (score=3).

A combination of these scores then enables an overall significance ranking of the site to be determined.

- Low significance 6-10
- Moderate significance 11-14
- High significance 15-18

8.4 Assessment of Aboriginal Archaeological Significance

The archaeological significance of the identified area of archaeological sensitivity has been assessed and is summarised in **Table 18** and **Table 19**.

Table 18 Assessed Levels of Archaeological Significance (Local Scale)

Area	Site Name	AHIMS #	Significance scale	Rarity	Representativeness	Integrity	Connectedness	Complexity	Research Potential	Overall Significance
SU3	CS SU3-A1	45-1-2725	Local	1	1	1	1	1	1	Low
SU4	CS SU4-A1	45-1-2724	Local	1	1	1	1	1	1	Low
SU4	CS SU4-A2	45-1-2723	Local	1	1	1	1	1	1	Low
SU4	CS SU4-A3	45-1-2722	Local	1	1	1	1	1	1	Low
SU4	CS SU4-A4	45-1-2721	Local	1	1	1	1	1	1	Low
SU4	CS SU4-A5	45-1-2720	Local	1	1	1	1	1	1	Low

Table 19 Assessed Level of Archaeological Significance (Regional Scale)

Area	Site Name	AHIMS #	Significance scale	Rarity	Representativeness	Integrity	Connectedness	Complexity	Research Potential	Overall Significance
SU3	CS SU3-A1	45-1-2725	Regional	1	1	1	1	1	1	Low
SU4	CS SU4-A1	45-1-2724	Regional	1	1	1	1	1	1	Low
SU4	CS SU4-A2	45-1-2723	Regional	1	1	1	1	1	1	Low
SU4	CS SU4-A3	45-1-2722	Regional	1	1	1	1	1	1	Low
SU4	CS SU4-A4	45-1-2721	Regional	1	1	1	1	1	1	Low
SU4	CS SU4-A5	45-1-2720	Regional	1	1	1	1	1	1	Low

8.5 Discussion

Due to the nature of all the newly identified sites being isolated finds, they cannot be contextualised to determine the types of subsistence activities that took place in the past. It is highly unlikely that these isolated finds were identified near their original place of deposition due to the level of disturbance in the SCS. All previously recorded sites were scatters and/or PADs which enables an archaeologist to derive more conclusions about the assemblage such as the preferred raw material worked the reduction sequence that took place and density of occupation. Due to the discrete nature of isolated finds, only the diagnostic attributes of the artefacts can be examined, which limits the level of scientific interpretation that can be formulated.

Isolated finds as the name suggests are individual stone flakes. They are not markers for potential sub-surface finds, and are common occurrences in the landscape. However, isolated finds are nevertheless Aboriginal objects and require protection under NSW state legislation.

9.0 Impact Assessment and Mitigation

9.1 Aboriginal Heritage Impact Assessment and Mitigation

This section provides an assessment of potential impact to Aboriginal heritage sites in relation to the development footprint. Conservation of Aboriginal sites and areas of archaeological sensitivity is the preferred heritage outcome. However, other mitigation options have been developed in case this is not possible as part of the proposed development. The identified risks to heritage as well as proposed conservation and mitigation strategies have been summarised in **Table 20**. Based on the review of all Aboriginal sites in the SCS, a total of nine known sites are located in the SCS. Of these sites, none are at high risk of impact (see **Table 20**), one at low-moderate risk and eight at low (remote) risk of impact.

A traffic light system has been adopted to show the likely risk of harm to each site in the SCS. Sites deemed to be at high risk of impact are highlighted in pink, sites at moderate risk of impact in yellow and sites assessed to be at low risk in green (see **Table 20**).

High Risk
Moderate Risk
Low Risk

9.1.1 High Risk of Impact Sites

The sites at high risk of harm are either located within or in close proximity of the development footprint. Based on the outcome of the analysis, it was determined that there are zero sites close enough to the large REA near the southern boundary or the two optional haul roads to be at risk of harm from development works and passing traffic.

9.1.2 Low-Moderate Risk of Impact Sites

AHIMS #45-1-0218 is approximately 40 m from the proposed REA development footprint and is at low-moderate risk of harm. An artificial bund separates the site from the area of proposed mining activity and therefore offers sufficient protection to avoid harming it. Centennial has informed RPS that there will be no development works west of the bund where the site is located. To ensure that all Centennial staff working in the vicinity are aware of it and to ensure that access is prohibited, it is advised that the site is re-fenced using star pickets (or comparable material) with high visibility barrier tape affixed to each picket. The site should continually be noted on future mine plans.

9.1.3 Low Risk of Impact Sites

The eight remaining sites in the SCS being AHIMS # 45-1-0208, 45-1-2723, 45-1-2721, 45-1-2724, 45-1-2722, 45-1-2720, 45-1-2725 and 45-1-2601 are at low to remote risk of harm from mining works given that the development footprint is greater than 50 m from them. In the event that Centennial is able to avoid the sites, it is recommended that a Cultural Heritage Management Plan (CHMP) be produced by a suitably qualified cultural heritage consultant to ensure that appropriate steps are undertaken for the management of Aboriginal sites.

Table 20 Summary of potential impacts, risks to heritage and mitigation options

Impact	AHIMS	Potential Risk	Mitigation Option 1	Mitigation Option 2
REA	45-1-0218	Low –moderate risk of impact to site caused by development works	Avoid and re-picket boundary fence according to protocols in CHMP	Salvage under a CHMP
None	45-1-0208	Low (remote) risk of impact caused by development works	Follow protocols in CHMP	
None	45-1-2721	Low (remote) risk of impact caused by development works	Follow protocols in CHMP	
None	45-1-2724	Low (remote) risk of impact caused by development works	Follow protocols in CHMP	
None	45-1-2723	Low (remote) risk of impact caused by development works	Follow protocols in CHMP	
None	45-1-2720	Low (remote) risk of impact caused by development works	Follow protocols in CHMP	
None	45-1-2722	Low (remote) risk of impact caused by development works	Follow protocols in CHMP	
None	45-1-2725	Low (remote) risk of impact caused by development works	Follow protocols in CHMP	
None	45-1-2601	Low (remote) risk of impact caused by development works	Follow protocols in CHMP	

10.0 Cumulative Effect Assessment

The purpose of considering the cumulative effects is to forecast ideas about the potential flow on effect caused by the proposed works. According to Godwin (2011), there are three fundamental elements a cultural heritage officer requires in order to undertake this assessment effectively. The three elements are:

- (a) An established datum against which impact/loss can be measured;
- (b) A defined threshold of this datum so that the cultural heritage officer can determine at what point we can accept impact or loss; and
- (c) The ability to determine when this threshold has been crossed.

Unfortunately, there is much debate in regards to how archaeological impact can be assessed, as there is no defined benchmark to create the datum for assessing impact/loss against. Secondly, the point in which we can accept such impact and loss is subjective and may vary according to the agenda and intentions of various parties involved in this project both directly and/or indirectly. At best, only a broad identification of some key effects can be derived.

10.1 Possible Items at Risk of Potential Harm

A total of 17 registered sites have been identified in the SCS. Of these sites, eight (47.5%) have been salvaged under a S90 AHIP, which means that only 52.9% of all known sites are still present onsite. If Centennial opts to salvage the six newly recorded sites (isolated finds) in the SCS, this will reduce the total number of sites remaining to three (17.6%).

As discussed in Section 8.1 of this report, isolated finds are a common occurrence in the landscape which cannot be contextualised or associated with an assemblage to develop an understanding of the subsistence activity once associated with the artefact. Given that the six newly recorded sites were identified in a highly modified and/or disturbed landscape, the value of these sites has also been assessed as low. In conclusion, there are no cumulative impacts or foreseeable risk of harm due to the proposed development works.

11.0 Conclusion and Recommendations

This report has considered the available environmental and archaeological information, the land condition and the nature of the proposed activities. Based on the field results, six new sites were identified and recorded, all of which consisted of isolated stone artefacts. These sites were all confined to two survey units: CS SU3 and CS SU4. A search of all previously recorded sites in the SCS identified 11 sites, eight of which have been salvaged under a S90 AHIP. The locations of the remaining three sites, along with the newly recorded sites, were compared to the development footprint to ascertain if they were at risk of harm. The following management recommendations have been formulated with consideration to all available information.

Recommendation 1

All Aboriginal and European heritage in the SCS should be managed under a Cultural Heritage Management Plan (CHMP), the Aboriginal aspects of which must be developed in consultation with the Aboriginal Stakeholders. This is to occur prior to any earthworks commencing. It is recommended that any potential harm to the newly recorded sites listed below is managed as part of the CHMP.

- AHIMS #45-1-2720
- AHIMS #45-1-2721;
- AHIMS #45-1-2722;
- AHIMS #45-1-2723;
- AHIMS #45-1-2724; and
- AHIMS #45-1-2725.

Recommendation 2

Springvale Coal Pty Ltd has modified the mine plan to avoid harm to AHIMS #45-1-0218 & AHIMS #45-1-2601. Consequently at both sites a protective buffer boundary should be established around them using star picket fencing with high visibility tape affixed to each picket. The buffer boundary should be monitored and maintained on a regular basis. The location of the protected sites should be noted on all future mining development plans.

Recommendation 3

In the event that a salvage program is built into the CHMP, it is recommended that the relevant Aboriginal stakeholders are invited to participate in the salvage works.

Recommendation 4

All relevant project staff should be made aware of their statutory obligations for heritage under NSW NPW Act (1974) and the NSW Heritage Act (1977), which may be implemented as a heritage induction.

Recommendation 5

If further Aboriginal site(s) are identified in the SCS, all works in the area should cease, the area be cordoned off and contact made with Enviroline (on 131 555), a suitably qualified archaeologist and the registered Aboriginal stakeholders so that it can be adequately assessed and managed.

Recommendation 6

In the event that skeletal remains are identified, work must cease immediately in the vicinity of the remains and the area cordoned off. The NSW Police are to be contacted immediately. No further action is to be taken until the police provide written advice to the client on how to progress. If determined to be Aboriginal, the client must contact Enviroline (on 131 555), a suitably qualified archaeologist and representatives of the local Aboriginal community stakeholders to determine an action plan for the management of the skeletal remains, formulate management recommendations and to ascertain when work can recommence.

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13.0 Plates



Plate 1 View of CS SU3: Woodland vegetation amongst an understorey of grass



Plate 2 View of CS SU3: Open woodland vegetation



Plate 3 View of CS SU4: Pockets of exposed ground



Plate 4 View of CS SU4: Small shrubs with pockets of exposed ground



Plate 5 View of CS SU4: Elevated landscape



Plate 6 View of CS SU4: Photo taken from the top of hill



Plate 7 View of CS SU 6-Rehabilitation



Plate 8 View of CS SU 6 -Disturbance



Plate 9 CS SU3-A1: Quartz distal flake



Plate 10 CS SU3-A1: Quartz distal flake



Plate 11 CS SU4-A1: Quartz complete flake



Plate 12 CS SU4-A1: Quartz complete flake



Plate 13 CS SU4-A2: Quartz complete flake



Plate 14 CS SU4-A2: Quartz complete flake



Plate 15 CS SU4-A3: Quartz complete flake



Plate 16 CS SU4-A3: Quartz complete flake



Plate 17 CS SU4-A4: Quartz distal flake



Plate 18 CS SU4-A4: Quartz distal flake



Plate 19 CS SU4-A5: Silcrete complete flake



Plate 20 CS SU4-A5: Silcrete complete flake

Appendix I

Legislative Requirements

Summary of Statutory Controls

The following overview of the legal framework is provided solely for information purposes for the client, it should not be interpreted as legal advice. RPS will not be liable for any actions taken by any person, body or group as a result of this general overview and recommend that specific legal advice be obtained from a qualified legal practitioner prior to any action being taken as a result of the summary below.

COMMONWEALTH

Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (ATSHP Act), Amendment 2006

The purpose of this Act is to preserve and protect all heritage places of particular significance to Aboriginal and Torres Strait Islander people. This Act applies to all sites and objects across Australia and in Australian waters (s4).

It would appear that the intention of this Act is to provide national baseline protection for Aboriginal places and objects where State legislation is absent. It is not to exclude or limit State laws (s7(1)). Should State legislation cover a matter already covered in the Commonwealth legislation and a person contravenes that matter, that person may be prosecuted under either Act, but not both (s7(3)).

The Act provides for the preservation and protection of all Aboriginal objects and places from injury and/or desecration. A place is construed to be injured or desecrated if it is not treated consistently with the manner of Aboriginal tradition or is or likely to be adversely affected (s3).

The Australian Heritage Commission Act 1975

The Australian Heritage Commission Act (1975) established the Australian Heritage Commission which assesses places to be included in the National Estate and maintains a register of those places. Places maintained in the register are those which are significant in terms of their association with particular community or social groups and they may be included for social, cultural or spiritual reasons. The Act does not include specific protective clauses.

The Australian Heritage Council Act (2003) together with *The Environment Protection and Biodiversity Conservation Act (1999 as amended)* includes a National Heritage List of places of National heritage significance, maintains a Commonwealth Heritage List of heritage places owned or managed by the Commonwealth and ongoing management of the Register of the National Estate.

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

The Significant Impact Guidelines for *Actions on, or impacting upon, Commonwealth land, and actions by Commonwealth agencies*, provides guidance on the management of Commonwealth Heritage Places. These guidelines require that a heritage impact assessment is undertaken where an action has, will have, or is likely to have a significant impact on a Commonwealth Heritage Place.

STATE

It is incumbent on any land manager to adhere to state legislative requirements that protect Aboriginal Cultural heritage. The relevant legislation in NSW includes but is not limited to:

National Parks & Wildlife Act 1974 (NPW Act)

The *NPW Act (1974)* provides statutory protection for all Aboriginal heritage, places and objects (not being a handicraft made for sale), with penalties levied for breaches of the Act. This legislation is overseen by OEH (formerly DECCW) and specifically the Director-General of OEH. Part 6 of this Act is the relevant part concerned Aboriginal objects and places, with the Section 86 and Section 90 being the most pertinent. In 2010, this Act was substantially amended, particularly with respect to Aboriginal cultural heritage requirements. Relevant sections include:

Section 86

This section now lists four major offences:

- A person must not harm an object that the person knows is an Aboriginal object;
- A person must not harm an Aboriginal object;
- For the purposes of s86, “circumstances of aggravation” include (a) the offence being committed during the course of a commercial activity; or (b) that the offence was the second or subsequent offence committed by the person.
- A person must not harm or desecrate an Aboriginal place.

Offences under s86 (2) and (4) are now strict liability offences, i.e., knowledge that the object or place harmed was an Aboriginal object or place needs to be proven. Penalties for all offences under Part 6 of this Act have also been substantially increased, depending on the nature and severity of the offence.

Section 87

This section now provides defences to the offences of s86. These offences chiefly consist of having an appropriate Aboriginal Heritage Impact Permit (AHIP), not contravening the conditions of the AHIP or demonstrating that due diligence was exercised prior to the alleged offence.

Section 87A & 87B

These sections provide exemptions from the operation of s86: Section 87A for authorities such as the Rural Fire Service, State Emergency Services and offices of the National Parks & Wildlife Service in the performance of their duties and s87B for Aboriginal people performing traditional activities.

Section 89A

This section provides that a person who knows of an Aboriginal object or place and does not advise the Director-General of that object or place within a reasonable period of time, is guilty of an offence.

Section 90

This section authorises the Director-General to issue an AHIP.

Section 90A-90R

These sections govern the requirements relating to applying for an AHIP. In addition to the amendments to the Act, OEH have issued three new policy documents clarifying OEH's requirements with regards to Aboriginal archaeological investigations: *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*, *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* and *Code of Practice for Archaeological Investigations in NSW*. The Consultation Requirements formalise the consultation with Aboriginal community groups into four main stages and include details regarding the parties required to be consulted and the methods of establishing the necessary stakeholders to be consulted, advertisements inviting Aboriginal community groups to participate in the consultation process, requirements regarding the provision of methodologies, draft and final reports to the Aboriginal stakeholders and timetables for the four stages. The Due Diligence Code of Practice sets out the minimum requirements for investigation, with particular regard as to whether an AHIP is required. The Code of Practice for Archaeological Investigation sets out the minimum requirements for archaeological investigation of Aboriginal sites.

Aboriginal Heritage Impact Permits (AHIP)

OEH encourages consultation with relevant Aboriginal stakeholders for all Aboriginal Heritage assessments. However, if an Aboriginal Heritage Impact Permit (AHIP) is required for an Aboriginal site, then specific OEH guidelines are triggered for Aboriginal consultation.

Aboriginal Cultural Heritage Consultation Requirements for Proponents

In 2010, the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (ACHCRs) were issued by OEH (12th of April, 2010). These consultation requirements replace the previously issued *Interim Community Consultation Requirements* (ICCR) for Applicants (DEC 2004). These guidelines apply to all AHIP applications prepared after April 12, 2010; for projects commenced prior to April 12, 2010 transitional arrangements have been stipulated in a supporting document, Questions and Answers 2: Transitional Arrangements.

The ACH Consultation Requirements 2010, include a four stage Aboriginal consultation process and stipulates specific timeframes for each stage. Stage 1 requires that Aboriginal people who hold cultural information are identified, notified and invited to register an expression of interest in the assessment. Stage 1 includes the identification of Aboriginal people who may have an interest in the project area and hold information relevant to determining the cultural significance of Aboriginal objects or places. This identification process should draw on reasonable sources of information including: the relevant OEH EPRG regional office, the relevant Local Aboriginal Land Council(s), the registrar, Aboriginal Land Rights Act 1983, the Native Title Tribunal, Native Title Services Corporation Limited, the relevant local council(s) and the relevant catchment management authority. The identification process should also include an advertisement placed in a local newspaper circulating in the general location of the project area. Aboriginal organisations and/or individuals identified should be notified of the project and invited to register an expression of interest (Eol) for Aboriginal consultation. Once a list of Aboriginal stakeholders has been compiled from the Eols, they need to be consulted in accordance with ACH Consultation Requirements Stages 2, 3 and 4.

For projects commenced before the 12th of April, 2010, Section 1 (Q1) of the transitional arrangements indicates that if Aboriginal consultation was commenced prior to the 12th of April 2010 (including advertising and notification of stakeholders) then consultation is to be continued under the previous ICCR guidelines.

Interim Community Consultation Requirements (ICCR) for Applicants (DEC 2004) required a three stage process of which timeframes were stipulated for specific components. Stage 1 required the notification and registration of interests. Notification included an advertisement in a local print media, as well as, as contacting the Local Aboriginal Land Council(s), the registrar of Aboriginal Owners, Native Title Services, local council(s) and the Department of Environment and Conservation. Stage 1 also required the invitation for expressions of interest (Eoi) to be sent to interested Aboriginal parties and an Aboriginal stakeholder list compiled. Stage 2 required the preparation of an assessment design to be sent to the Aboriginal stakeholders for comment and review. Stage 3 required that the assessment report be provided to registered Aboriginal stakeholders for review and comment.

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979 (EP&A ACT)

This Act regulates a system of environmental planning and assessment for New South Wales. Land use planning requires that environmental impacts are considered, including the impact on cultural heritage and specifically Aboriginal heritage. Within the *EP&A Act*, Parts 3, 4 and 5 relate to Aboriginal heritage.

Part 3 regulates the preparation of planning policies and plans. Part 4 governs the manner in which consent authorities determine development applications and outlines those that require an environmental impact statement. Part 5 regulates government agencies that act as determining authorities for activities conducted by that agency or by authority from the agency. The National Parks & Wildlife Service is a Part 5 authority under the *EP&A Act*.

THE HERITAGE ACT 1977

This Act protects the natural and cultural history of NSW with emphasis on non-indigenous cultural heritage through protection provisions and the establishment of a Heritage Council. Although Aboriginal heritage sites and objects are primarily protected by the *National Parks & Wildlife Act (1974, as amended 2001)*, if an Aboriginal site, object or place is of great significance, it may be protected by a heritage order issued by the Minister subject to advice by the Heritage Council.

Other legislation of relevance to Aboriginal cultural heritage in NSW includes the *NSW Local Government Act (1993)*. Local planning instruments also contain provisions relating to indigenous heritage and development conditions of consent.

Appendix 2

Aboriginal Consultation

Aboriginal Consultation 2a (Newspaper Advert)

Contact the Lithgow Mercury to advertise
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classifieds.lithgowruralpress.com
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COM AU

DEATH NOTICES

The family of the late **Tom Batchelor** wish to thank our family and friends for their many acts of kindness, words of comfort, messages of sympathy, and flowers in our bereavement.
Judy, Dianne and Ian Batchelor.

DEATH NOTICE

WILKINSON: Keith Allan
3 October, 2011 peacefully at Lithgow Community Private Hospital, Of Tweed Road, Lithgow and formerly of Maple Crescent, Lithgow. Beloved partner of Helen, dearly loved husband of Loretta (deceased), loved father and father-in-law of Mark and Peta, Katrina and Michael Kable, Theresa and Melissa, Nathan and Renay, Stephen Hall, Stephen and Julie, Sharon and Elwin, much loved 'Poppy' of Joshua, Brendan, 'Rochelle', Matthew, Ethan, Benjamin, Hannah, Lily, Lylla, Stephen and Patsy, loving brother, brother-in-law and uncle of his family.
Aged 64 years.
"Told you I was sick"
Fond memories.

Kerry Linegar Funerals FDA - NSW
(David & Michael Brown)
157 Mort Street, Lithgow
Telephone: 6351 2561

BIRTH NOTICES

Muir
David & Susan are thrilled to announce the birth of a beautiful baby girl.
Eliza Grace Ruby Muir
Born 9/9/2011 at Bathurst Hospital.
A little sister for Connor and second Grandchild for Barbara Thomas and the late Thelma & Laurie Muir.

ENGAGEMENTS

WITHERSPOON & WHITELOCK
Brooke to Ben
Son of Gary and Lesann Whitelock of Portland
Love and best wishes for a happy life together.

MARRIAGES

A MARRIAGE CELEBRANT
for you, available for weddings, baby namings & renewal of vows. Located in Lithgow and available Central West, Blue Mountains and coastal areas. Phone Maureen 0418610379, 63514774. www.lithgowmarriagecelebrant.com

WEDDING SERVICES

Call Cheryl Whiting
An experienced and professional celebrant for personally written marriage and naming ceremonies.
Heartfelt Celebrations
0407 427 266 or 02 6355 5241

PUBLIC NOTICES

Registration of Interest for Aboriginal Cultural Knowledge Holders Centennial Coal Western Region
Centennial Coal is requesting registrations of interest from Aboriginal Stakeholders for projects in the Capertee, Blackmans Flat, Lidsdale and Newnes Plateau localities.
The purpose of this community consultation with Aboriginal people is to assist the proposed applicant in the potential preparation of applications for Aboriginal Heritage impact Permits and to assist the Director, General of Office of Environment and Heritage in his or her consideration and determination of the applications.
As per Department of Environment Climate Change and Water (now Office of Environment and Heritage) 2010 Aboriginal Cultural Heritage Consultation Requirements for Proponents responses are to be received before **Friday 21 October 2010**. Written applications should be forwarded to:
Tony Seibel-Barnes
Centennial Coal Company
Locked Bag 1002
Wallerawang NSW 2845
Mobile: 0448 443864
tony.seibel-barnes@centennialcoal.com.au
Further information will be provided upon registration.

Donnybrook Fish and Social Club A.G.M.
Sunday 9-10-11 all members please attend 1.00pm start.

HYPNOTHERAPY
ANXIETY, stress, panic attacks, phobias, smoking, low confidence. Ring Anthony Taylor, MA, Dip. Hypn., 4751-4224, available Saturdays.

Wallerawang/Lidsdale Progress Association Inc will hold their AGM on Tuesday 11th October 2011 at the Wallerawang Bowling Club commencing 6.30pm. All welcome.

TRADES & SERVICES

Handyman, Carpentry, lawns mowed, rubbish removed. Licence number 85036C. Ph 0414 621 104.

MARK O'Toole Electrician. All types electrical work. No jobs too small. 0409-582526, 6355-2488.

"I'll Paint It" - Painting and Decorating Service. Lic 224658c. Ring Sam for a quote 0431 016 031 "All you do is watch it dry!"

PLUMBER Mick Linhart residential - rural-commercial. Ph 0417 045 105 or (02) 6355 22 55

Tractor Slashing, ride on mowing, spraying and firewood.
Rob 0415 292 102

GARAGE SALES

HUGE garage sale! Inc upright piano, lounges, lamps, new clothes & more! Rear lane 36 Rifle Pde, Sat 8th Oct.

Today 9am 64 Main Street Wallerawang. Lots of bargains.

FOR SALE

BATHS RE-SURFACED
ULTRA-GLAZE. Established Blue Mountains 26 yrs, 7 years guarantee. Free quotes. 6352-4748.

DIRT Cheap Topsoil \$30 per ton. Plus delivery 1-3 ton deliveries. Ph 6355-1066.

PICTON PANELSPAN LITHGOW
Next week. Free Quotes. Glassed/Screen Rooms, Patios, Carports, Cladding
Ph: 6353-1377, www.panelspan.com.au
Lic No: BL83737C

SHIPPING CONTAINERS (USED) for sale 20' & 40'. Totally wind & water tight. Del. avail. www.containers4sale.com.au, 0421 084 054

STAFFY PUPS
5 males - 1 female \$500.00
Also 1 Golden Lab male 15 months \$300.00
o.n.o. Ph 0420 733 003

FUNERAL NOTICES

FUNERAL NOTICE
WILKINSON: Prayers for the repose of the soul of the late **KEITH ALLAN WILKINSON** of Tweed Road, Lithgow and formerly of Maple Crescent, Lithgow will be offered in St. Patrick's Catholic Church, Mort Street, Lithgow **TODAY, THURSDAY AT 11.00AM.**
At the conclusion of the prayers private cremation will take place.
Members of Club Lithgow and Homets Hockey Club are invited to attend.
No flowers by request and in lieu donations could be considered to the Lithgow Cancer Support Group and may be left at the church.

Kerry Linegar Funerals FDA - NSW
(David & Michael Brown)
157 Mort Street, Lithgow
Telephone: 6351 2561

PUBLIC NOTICES

APPLICATION FOR POSSESSORY TITLE TO LAND
APPLICATION No. AG184389 by David Harris pursuant to part 6A of the Real Property Act 1900 in respect of the undermentioned land:
Property being lot 40 in Deposited Plan 1146950 in Parish of Hartley county of Cook and surrounded by Virginia, Hume, Paul and Felix Streets, Hartley.
The Applicant is claiming by possession adverse to Patrick Phillips and his heirs. It is not proposed to grant the application

PROBATE NOTICES

IN THE SUPREME COURT OF NEW SOUTH WALES EQUITY DIVISION - PROBATE LIST
After 14 days from publication of this notice an application for probate of the will dated 3 May 2004 of MARY CAIRNS BRUCE late of LIDSDALE in the State of New South Wales, will be made by Ian Robert Bruce and Judith Anne Jenkins the executors of the Will.
Creditors are required to send particulars of their claims upon her estate to:
LE FEVRE & CO., Solicitors
108 Main Street
Lithgow NSW 2790
DX 3151 LITHGOW

TOMATO JIM HAS RETIRED

Thank You Lithgow.

LA WARDROBES ORANGE

"The Built-in Storage Specialists"
New wardrobes or upgrade existing. We also specialise in laundry and office design and fitout.
For a free measure and quote phone 6362 4900.

WANTED TO BUY

ANTIQUES old wares, estates cleared. Phone Peter 4758-6919.

Aboriginal Consultation Log 2b

Date	Consultation Description	Method of Contact	Outcomes
6/10/2011	Advertisement placed in Lithgow Mercury for Registration of Interest from Aboriginal Cultural Knowledge Holders.	Phone	Received phone call from Sharon Riley indicating that Mingaan Aboriginal Corporation would be interested in all areas specified in the advert (Capertee, Blackmans Flat, Lidsdale and Newnes Plateau localities)
10/10/2011		Email	Received email from Helen Riley indicating that Mingaan Aboriginal Corporation would be interested in all areas specified in the advert (Capertee, Blackmans Flat, Lidsdale and Newnes Plateau localities)
7/10/2011	<p>Letters sent to the following organisations/ departments:</p> <ul style="list-style-type: none"> Office of Environment and Heritage-Planning and Aboriginal Heritage Lithgow City Council Office of the Registrar-Aboriginal Land Rights Act National Native Title Tribunal Native Title Services Corporation Limited Hawkesbury-Nepean Catchment Management Authority Bathurst Local Aboriginal Land Council <p>(in accordance with the DECCW Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010).</p>	Letter	Received letter (dated 10.10.2011) from the 'Office of the Registrar Registered Aboriginal Owners. None identified.
18/10/2011	Received letter(via Email) (dated 18.10.2011) from the 'Native Title Tribunal' re Registered Aboriginal Owners. Identified: Wellington Valley Wiradjuri, Wiray-dyuraa Ngumbaay-dyil, Wiray-dyuraa Maying-gu, Warrabinga-Wiradjuri, Gundungurra (GTCAC)	Letter	
19/10/2011	Received letter (dated 14.10.2011) from the 'OEH' re Registered Aboriginal Owners. Identified: Bill Allen, Dhuuluu-Yala, Warrabinga-Wiradjuri, Gundungurra (GTCAC), Gundungurra (GAHA), Hawkesbury-Nepean CMA, Lyn Syme, Mingaan, Mooka, Nth-East Wiradjuri, Wiradjuri Elders, Wiradjuri Traditional Owners.	Letter	

Date	Consultation Description	Method of Contact	Outcomes
4/11/2011	Received email (dated 04.11.2011) from Tonilee (BLALC) stating Bathurst Local aboriginal Land Council would like to register an Interest for the Archaeological investigation	Email	
4/11/2011	Received email (dated 04.11.2011) from John Lennis (CMA) stating that the Hawkesbury-Nepean Catchment Management Authority has no interest in the Archaeological investigation and they would pass the letter on to their Advisory Committee (who may respond).	Email	
7/11/2011	Received email (dated 07.11.2011) from Anupam Sharma (Native Title Services Corporation Limited - 'NTS Corp'). She stated that they had notified all relevant parties regarding on the 17th of October. I have replied requesting more information\correspondence.	Email	
8/11/2011	Received email (dated 08.11.2011) from Anupam Sharma (Native Title Services Corporation Limited - 'NTS Corp'). She responded to my email (07/11/2011) stating that due to privacy regulations, they do not provide contact details of clients (Aboriginal groups/individuals) to any organisation (but confirmed that they had notified all relevant parties directly and requested they contact us if interested).	Email	

Date	Consultation Description	Method of Contact	Outcomes
8/11/2011	<p>Letters sent to the following Aboriginal Individuals\Groups:</p> <ul style="list-style-type: none"> ▪ Dhuuluu-Yala Aboriginal Corporation ▪ Wiradjuri Council of Elders ▪ Wiradjuri Council of Elders (Robert Clegg) ▪ Wiradjuri Traditional Owners Central West Aboriginal Corporation ▪ Wiray-dyuraa Ngumbaay-dyil (Bill Allen) ▪ Gundungurra Tribal Council Aboriginal Corporation (GTCAC) ▪ Gundungurra Aboriginal Heritage Association Inc (GAHA) ▪ Mingaan (Sharon Riley) ▪ Hawkesbury-Nepean Catchment Management Authority (Aboriginal Reference Group) ▪ Bathurst Local Aboriginal Land Council (Tonilee Scott) ▪ Warrabinga Native Title Claimants Aboriginal Corporation (Wendy Lewis) ▪ North-East Wiradjuri (Lyn Syme) ▪ Mooka Traditional Owners (Neville Williams) ▪ Blackshield Lawyers (Simon Blackshield, on behalf of the Warrabinga-Wiradjuri People represented by: Ms Wendy Lewis, Ms Mavia Agnew, Mr Martin de Launey) ▪ Eddy Neumann Lawyers (Eddy Neumann, on behalf of the Gundungurra Tribal Council Aboriginal Corporation represented by: Mr Mervyn Trindall, Ms Elsie Stockwell, Ms Pamela Stockwell) ▪ Teitzel & Partners (Philip Teitzel, on behalf of the Wiray-dyuraa Ngumbaay-dyil & Wiray-dyuraa Maying-gu represented by: Mr William (Bill) Allen, Mr Joe Bugg, Mr Stephen Riley, Mr John Brasher) ▪ Teitzel & Partners (Philip Teitzel, on behalf of the Wellington Valley Wiradjuri represented by: Mrs Joyce Williams, Mrs Violet Carr, Mrs Elizabeth Ferguson) <p>(in accordance with the DECCW Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010).</p>	Phone	Phoned Blackshield Lawyers to follow up on letter sent 08/11/11 (only able to leave message - with message service).

Date	Consultation Description	Method of Contact	Outcomes
16/11/2011	Phoned Wendy Lewis (Warrabinga) to follow up on letter sent 08/11/11. She said she had not received the letter (she has moved and the letter was sent to her old address - address details now updated). The contents of the letter were explained to Wendy over the phone. She stated that she wished to register interest.	Phone	
16/11/2011	Phoned Lyn Syme (North-East Wiradjuri) to follow up on letter sent 08/11/11. She said she was not certain that she had received the letter. The contents of the letter were explained to Lyn over the phone. She stated that she wished to register interest.	Phone	
16/11/2011	Phoned Sharon Riley (Mingaan) to follow up on letter sent 08/11/11. Left message on her phone.	Phone	
16/11/2011	Phoned Teitzel Lawyers (representing Wiray-dyuraa Ngumbaay-dyil & Wiray-dyuraa Maying-gu) to follow up on letter sent 08/11/11 (only able to leave a message). Sent follow up email.	Phone/Email	
16/11/2011	Sent follow up email (with letter attached) to Eddy Neumann Lawyers (representing Gundungurra Tribal Council Aboriginal Corporation) to follow up on letter sent 08/11/11.	Phone	
18/11/2011	Email received from Sharon Brown (Gundungurra - GTCAC) registering interest (and requesting a soft copy of the round 2 letter). Copy of letter sent again to Sharon via email.	Email	
18/11/2011	Phoned Helen Riley (Mingaan) to follow up on letter sent 08/11/11. She confirmed that they wish to register interest.	Phone	
21/11/2011	Phoned Eddy Neumann Lawyers (representing Gundungurra Tribal Council Aboriginal Corporation) to follow up on letter sent 08/11/11. Eddy said that Gundungurra would be interested in registering and he would send an email to state this in writing. Email was received later in the day (registering interest).	Phone	

Date	Consultation Description	Method of Contact	Outcomes
21/11/2011	Phoned Teitzel Lawyers (representing Wiray-dyuraa Ngumbaay-dyil & Wiray-dyuraa Maying-gu & Wellington Valley Wiradjuri People) to follow up on letter sent 08/11/11. He stated that he was unable to respond in writing until Wednesday 23/11/2011, however, he said the following parties would be interested: Wiray-dyuraa Ngumbaay-dyil & Wiray-dyuraa Maying-gu (Bill Allen, Tim Lucas, John Brasher, Stephen Riley). He also stated there may be interest from Wellington Valley Wiradjuri People (Wayne Carr, Brian Doherty), but said he would confirm this on Wednesday (23/11/2011).	Phone	
21/11/2011	Phoned Blackshield Lawyers to follow up on letter sent 08/11/11 (only able to leave message for them to contact us - with message service). He returned the call but not available to take it. Called Simon back again, left message on his mobile.	Phone	
21/11/2011	Emailed Wiradjuri Council of Elders (Rob Clegg) to follow up on letter sent 08/11/11. Sent copy of letter and requested a response ASAP.	Email	
21/11/2011	Emailed Dhuuluu-Yala Aboriginal Corporation to follow up on letter sent 08/11/11. Sent copy of letter and requested a response ASAP.	Email	
21/11/2011	Phoned Rochelle from Dhuuluu-Yala Aboriginal Corporation to follow up on letter sent 08/11/11. She mentioned she did not specifically recall the letter and stated they may not have a sites officer available. However, she would check the email sent through and respond this evening.	Phone	
21/11/2011	Searched internet for Wiray-dyuraa Ngumbaay-dyil (and Bill\William Allen) alternate contact methods\details. No other contact details found.	-	
21/11/2011	Emailed Mooka Traditional Owners (Neville Williams) to follow up on letter sent 08/11/11. Sent copy of letter and requested a response ASAP.	Email	
21/11/2011	Phoned Neville Williams from Mooka Traditional owners to follow up on letter sent 08/11/11. He mentioned he did not recall receiving the letter. However, he would check the email sent through and respond. Email was received later in the evening registering interest (for Sharon Williams).	Phone	

Date	Consultation Description	Method of Contact	Outcomes
21/11/2011	Emailed Wiradjuri Traditional Owners Central West Aboriginal Corporation (Rob Clegg) to follow up on letter sent 08/11/11. Sent copy of letter and requested a response ASAP.	Email	
21/11/2011	Phoned Brian Grant from Wiradjuri Traditional Owners Central West Aboriginal Corporation to follow up on letter sent 08/11/11. He was not at home and his mobile phone was engaged.	Phone	
21/11/2011	Attempted to follow up with Gundungurra Aboriginal Heritage Association Inc (GAHA) regarding letter sent 08/11/11. Informed that this group may no longer exist(?).	-	
22/11/2011	Phoned Rochelle from Dhuuluu-Yala Aboriginal Corporation to follow up on letter sent 08/11/11. She said she had sent an email last night stating that they did not have a sites officer available thus did not wish to register interest.	Phone	
23/11/2011	Phoned Brian Grant from Wiradjuri Traditional Owners Central West Aboriginal Corporation to follow up on letter sent 08/11/11. He was not at home (left message) and his mobile phone was still engaged.	Phone	

Date	Consultation Description	Method of Contact	Outcomes
23/11/2011	<p>Methodology letters sent to the following groups (who responded to the invitations for expression of interest):</p> <ul style="list-style-type: none"> ▪ Wiradjuri Council of Elders (Robert Clegg) ▪ Wiray-dyuraa Ngumbaay-dyil (Bill Allen) ▪ Gundungurra Tribal Council Aboriginal Corporation (GTCAC) ▪ Mingaan (Sharon Riley) ▪ Bathurst Local Aboriginal Land Council (Tonilee Scott) ▪ Warrabinga Native Title Claimants Aboriginal Corporation (Wendy Lewis) ▪ North-East Wiradjuri (Lyn Syme) ▪ Mooka Traditional Owners (Neville Williams) ▪ Blackshield Lawyers (Simon Blackshield, on behalf of the Warrabinga-Wiradjuri People represented by: Ms Wendy Lewis, Ms Mavia Agnew, Mr Martin de Launey) ▪ Eddy Neumann Lawyers (Eddy Neumann, on behalf of the Gundungurra Tribal Council Aboriginal Corporation represented by: Mr Mervyn Trindall, Ms Elsie Stockwell, Ms Pamela Stockwell) ▪ Teitzel & Partners (Philip Teitzel, on behalf of the Wiray-dyuraa Ngumbaay-dyil & Wiray-dyuraa Maying-gu represented by: Mr William (Bill) Allen, Mr Joe Bugg, Mr Stephen Riley, Mr John Brasher) ▪ Teitzel & Partners (Philip Teitzel, on behalf of the Wellington Valley Wiradjuri represented by: Mrs Joyce Williams, Mrs Violet Carr, Mrs Elizabeth Ferguson) <p>(in accordance with the DECCW Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010).</p>	Mail	Responses to methodology due 20 December 2011
28/11/2011	Received email from Robert Clegg (Wiradjuri Council of Elders) to propose that Sharon or Helen Riley be their representatives for registration.	Email	

Date	Consultation Description	Method of Contact	Outcomes
7/12/2011	Community Meeting for interested stakeholder groups: Black Gold Cabins. Methodology overview was provided and Tender Agreement Form.	Community Meeting	Following groups expressed interest in Lidsdale Siding Project: 1. Wiray – dyuraa Ngumbaay-Dyil. 2. Wiradjuri Council of Elders 3. Mingaan 4. North – East Wiradjuri 5. Warrabinga 6. Gundungurra
7/12/2011	Receive response to methodology form from Elwin Wolfenden & Helen Riley of Mingaan	At Community Meeting	Mr Wolfenden and Ms Riley stated that Mingaan “endorse the proposed methodology proposed for site work”. NB form received is dated 7/11/11 but should have been dated 7/12/11.
7/12/2011	Tender Agreement received from Warrabinga (Wendy Lewis)	At Community Meeting	
7/12/2011	Tender Agreement received from Mingaan (Helen Riley)	At Community Meeting	
7/12/2011	Tender Agreement received from Gunungurra (Jason Brown)	At Community Meeting	
7/12/2011	Receive response to methodology form from Wendy Lewis of Warrabinga	At Community Meeting	Ms Lewis signed the form with no additional comments from Warrabinga
14/12/2011	Received phone call from John Lennis (Hawkesbury-Nepean Catchment Management Authority) to confirm that they did not wish to register interest in any of the projects.	Phone	
16/12/2011	Letters of Invite sent out to Bathurst, Mingaan, Warrabinga, North-East Wiradjuri, Gundugurra for Lidsdale Siding Project.	Mail	
20/12/2011	Receive response to methodology form from Sharon Riley representing both Wiray – dyuraa Ngumbaay-Dyil and Wiray – dyuraa Maying - gu.	Email	Ms Riley stated that Wiray – dyuraa Ngumbaay-Dyil and Wiray – dyuraa Maying – gu “endorsed proposed methodology”.
20/12/2011	Tender Agreement received from Sharon Riley representing both Wiray – dyuraa Ngumbaay-Dyil and Wiray – dyuraa Maying - gu.	Fax	
21/12/2011	Receive response to methodology form from Jason Brown of Gunungurra	Fax	Mr Brown signed the form with no additional comments from Gundungurra.

Date	Consultation Description	Method of Contact	Outcomes
21/12/2011	Receive response to methodology form from Lyn Syme of North-East Wiradjuri	Fax	Ms Syme signed the form in agreeance with the methodology and with the outcomes of the meeting on 7/12/11.
21/12/2011	Receive response to methodology form from Tonilee Scott of Bathurst LALC	Fax	Ms Scott stated that Bathurst LALC were "satisfied everything has been covered in methodology".
21/12/2011	Tender Agreement received from Bathurst	Fax	
21/12/2011	Tender Agreement received from North-East Wiradjuri		
09/01/2012	Received response for field participation – Warrabinga (Wendy Lewis)	Phone	
09/01/2012	Received response for field participation – North – East Wiradjuri (Lyn Syme)	Phone	
09/01/2012	Received response for field participation – Mingaan (Elwin Wolfenden)	Phone	
09/01/2012	Response from "Nita" on behalf of Helen Riley Wiray – dyuraa Ngumbaay-Dyil.	Phone	Will attend the following field work session
09/01/2012	Cheng Yen Loo contacted Sharon Brown (Gundungurra) via telephone to request valid public liability certificate.	Phone	Sharon informed that the information would be provided in time. Document was not delivered to RPS on the 09/01/2012.
10/01/2012	Cheng Yen Loo contacted Sharon Brown (Gundungurra) via telephone to request valid public liability certificate. Cheng Yen informed Sharon that we require a valid certificate before a field inspector can attend as per the Tender Agreement which was signed by Nathan Brown.	Phone	Sharon Brown did not provide the valid public liability certificate as per requested on the 10/1/2012
11/01/2012	Cheng Yen Loo attempted to contact Sharon Brown (Gundungurra) via telephone as per the 10 January 2012	Phone	Sharon Brown provided the valid certificate.
13/01/2012	Mr Jack Pennell of North-East Wiradjuri participated in the field survey	In Person	Participated in fieldwork
13/01/2012	Ms Chantel Peters Chapman of Bathurst LALC participated in the field survey	In Person	Participated in fieldwork
13/01/2012	Mr Kevin Williams of Warrabinga participated in the field survey	In Person	Participated in fieldwork
13/01/2012	Mr Elwin Wolfenden of Mingaan participated in the field survey	In Person	Participated in fieldwork
13/01/2012	Mr Nathan Brown of Gundungurra Tribal Council Aboriginal Corporation informed RPS he would attend field work.	In Person	Despite confirming he would participate in the field work, Mr Brown did not attend the site works

Date	Consultation Description	Method of Contact	Outcomes
25/06/2012	Informed Gundungurra that RPS obtaining information about the final layout of the mine plan. Any news relevant will be related back to the community	In Person	Appreciated the update-said it was ok
25/06/2012	Informed Wiray-dyuraa Ngumbaay-dyil & Wiray-dyuraa Maying-Gu that RPS obtaining information about the final layout of the mine plan. Any news relevant will be related back to the community	In Person	Appreciated the update-said it was ok
25/06/2012	Informed Mingaan that RPS obtaining information about the final layout of the mine plan. Any news relevant will be related back to the community	In Person	Appreciated the update-said it was ok
25/06/2012	Informed North East Wiradjuri that RPS obtaining information about the final layout of the mine plan. Any news relevant will be related back to the community	In Person	Appreciated the update-said it was ok
25/06/2012	Informed Bathurst that RPS obtaining information about the final layout of the mine plan. Any news relevant will be related back to the community	In Person	Appreciated the update-said it was ok
25/06/2012	Informed Warrabinga that RPS obtaining information about the final layout of the mine plan. Any news relevant will be related back to the community	In Person	Appreciated the update-said it was ok
11/09/2012	Informed Bathurst that the report is in preparation soon available for review	Mail/Email	No Response
11/09/2012	Informed Wiradjuri Council of Elders that the report is in preparation soon available for review	Mail/Email	No Response
11/09/2012	Informed Wiray-dyuraa Ngumbaay-dyil & Wiray-dyuraa Maying-Gu that the report is soon available for review	Mail/Email	No Response
11/09/2012	Informed Gundungurra that the report is soon available for review	Mail/Email	No Response
11/09/2012	Informed Mingaan that the report is soon available for review	Mail/Email	No Response
11/09/2012	Informed Mooka that the report is soon available for review	Mail/Email	No Response
11/09/2012	Informed North East Wiradjuri that the report is soon available for review	Mail/Email	No Response
11/09/2012	Informed Warrabinga that the report is soon available for review	Mail/Email	No Response

Date	Consultation Description	Method of Contact	Outcomes
24/09/2012	Send a copy of the report for comment and review - Bathurst LALC	Mail	Due date for comments was the 23 rd October 2012
24/09/2012	Sent a copy of the report for comment and review – Gundungurra Tribal Council	Mail	Due date for comments was the 23 rd October 2012
24/09/2012	Sent a copy of the report for comment and review – Mingaan	Mail	Due date for comments was the 23 rd October 2012
24/09/2012	Sent a copy of the report for comment and review – Mooka	Mail	Due date for comments was the 23 rd October 2012
24/09/2012	Sent a copy of the report for comment and review – North/East Wiradjuri	Mail	Due date for comments was the 23 rd October 2012
24/09/2012	Sent a copy of the report for comment and review – Warrabinga	Mail	Due date for comments was the 23 rd October 2012
24/09/2012	Sent a copy of the report for comment and review – Wiradjuri Council of Elders	Mail	Due date for comments was the 23 rd October 2012
24/09/2012	Sent a copy of the report for comment and review - Wiray-dyuraa Ngumbaay-dyil & Wiray-dyuraa Maying-Gu	Mail	Due date for comments was the 23 rd October 2012
25/09/2012	Send an electronic copy of the report for comment and review - Bathurst LALC	Email	Due date for comments was the 23 rd October 2012
25/09/2012	Sent an electronic copy of the report for comment and review – Gundungurra Tribal Council	Email	Due date for comments was the 23 rd October 2012
25/09/2012	Sent an electronic copy of the report for comment and review – Mingaan	Email	Due date for comments was the 23 rd October 2012
25/09/2012	Sent an electronic copy of the report for comment and review – Mooka	Email	Due date for comments was the 23 rd October 2012
25/09/2012	Sent an electronic copy of the report for comment and review – North/East Wiradjuri	Email	Due date for comments was the 23 rd October 2012
25/09/2012	Sent a copy of the report for comment and review – Warrabinga	Email	Due date for comments was the 23 rd October 2012
25/09/2012	Sent an electronic copy of the report for comment and review – Wiradjuri Council of Elders	Email	Due date for comments was the 23 rd October 2012
25/09/2012	Sent an electronic copy of the report for comment and review - Wiray-dyuraa Ngumbaay-dyil & Wiray-dyuraa Maying-Gu	Email	Due date for comments was the 23 rd October 2012
22/10/2012	Sent reminder that calls for comments was due on the 23/10/2012 – Bathurst LALC	Email	No comments provided from Bathurst LALC

Date	Consultation Description	Method of Contact	Outcomes
22/10/2012	Sent reminder that calls for comments was due on the 23/10/2012 – Gundungurra LALC	Email	No comments provided from Gundungurra LALC
22/10/2012	Sent reminder that calls for comments was due on the 23/10/2012 – Mingaan	Email	No comments provided from Mingaan
22/10/2012	Sent reminder that calls for comments was due on the 23/10/2012 – North/East Wiradjuri	Email	No comments provided from North/East Wiradjuri
22/10/2012	Sent reminder that calls for comments was due on the 23/10/2012 - Warrabinga	Email	No comments provided from Warrabinga
22/10/2012	Sent reminder that calls for comments was due on the 23/10/2012 – Newmann Lawyers Tietzel (re Wiray-dyuraa Ngumbaay-dyil and Wiray-dyuraa Maying Gu)	Email	No comments provided from Newmann Lawyers Tietzel (re Wiray-dyuraa Ngumbaay-dyil and Wiray-dyuraa Maying Gu)
22/10/2012	Sent reminder that calls for comments was due on the 23/10/2012 – Wiradjuri Council of Elders	Email	No comments provided from Wiradjuri Council of Elders
22/10/2012	Sent reminder that calls for comments was due on the 23/10/2012 – Mooka	Email	No comments provided from Mooka
14/6/2013	RPS contacted Bathurst LALC for comments/feedback, cultural input in the report.	Phone	Tonilee Scott informed RPS that Bathurst LALC was happy with the outcome of the assessment and agreed with the recommendations provided.
14/6/2013	RPS contacted Wiradjuri Council of Elders for comments/feedback, cultural input in the report.	Phone	Robert Clegg informed RPS that the Wiradjuri Council of Elders are happy with the recommendations and outcome of the report. Robert requested that an additional recommendation be included being that if site salvage is to occur, Aboriginal stakeholders are to be invited to the salvage program.
14/6/2013	RPS contacted Mooka Traditional Owners (Neville Williams) for comments/feedback, cultural input in the report.	Phone	No response
14/6/2013	RPS contacted Wiray-dyuraa Ngumbaay-dyil (Bill Allen) for comments/feedback, cultural input in the report.	Phone	No response
14/6/2013	RPS contacted Wiray-dyuraa Maying-dyil for comments/feedback, cultural input in the report.	Phone	No response
14/6/2013	RPS contacted North East Wiradjuri for comments/feedback, cultural input in the report.	Phone	Kevin Williams answered the telephone and informed RPS that Lyn Symes would contact RPS

Date	Consultation Description	Method of Contact	Outcomes
14/6/2013	RPS contacted Mingaan Aboriginal Corporation for comments/feedback, cultural input in the report.	Phone	No response
14/6/2013	RPS contacted Warrabinga Aboriginal Corporation for comments/feedback, cultural input in the report.	Phone/Email	RPS requested comments and feedback by the 19 th June 2013. A copy of the report was again sent out to Warrabinga Aboriginal Corporation.
14/6/2013	RPS contacted Gundungurra Tribal Council for comments/feedback, cultural input in the report.	Phone	No response
17/6/2013	RPS contacted North East Wiradjuri for comments/feedback, cultural input in the report.	Phone	RPS contacted Lyn Syme to seek comments and feedback. Lyn informed RPS that Kevin Williams has been nominated to provide comments.
17/6/2013	RPS contacted Mingaan Aboriginal Corporation for comments/feedback, cultural input in the report.	Phone	Elwin replied to phone message left by RPS on the 17/6/2013. Elwin informed RPS that Mingaan was happy with the report findings and the recommendations provided.
17/6/2013	RPS contacted Wiray-dyuraa Ngumbaay-dyil for comments/feedback, cultural input in the report.	Phone	No Response. Elwin informed RPS that Wiray-dyuraa Ngumbaay-dyil is happy with the recommendations.
17/6/2013	RPS contacted Wiray-dyuraa Maying-dyil for comments/feedback, cultural input in the report.	Phone	No Response. Elwin informed RPS that Wiray-dyuraa Maying-dyil is happy with the recommendations.
17/6/2013	No Response. Elwin informed RPS that Gundungurra Tribal Council is happy with the recommendations.	Phone	No response
17/6/2013	RPS contacted Mooka Traditional Owners (Neville Williams) for comments/feedback, cultural input in the report.	Phone	No response
18/6/2013	Kevin Williams of North-East Wiradjuri sent his comments and feedback to RPS.	Email	Kevin provided comments on the report. Stated that North-East Wiradjuri was in general agreeance with the report. However, they would like to know more about the CHMP when developed. They would also like database of sites on mine land to have layers within the GIS program, and offered to prepare visual presentations if required to educate onsite mine staff on their legislative obligations. Also required the word "unlikely" removed from recommendation 5.
19/6/2013	RPS contacted Gundungurra Tribal Council for comments/feedback, cultural input in the report.	Phone	No response. Due date is today.
19/6/2013	RPS contacted Warrabinga Aboriginal Corporation for comments/feedback, cultural input in the report.	Phone	No response. Due date is today.

Consultation Correspondence Trail – 2c

Newcastle Office

Ground Floor, 241 Denison Street, Broadmeadow, NSW Australia 2292

PO Box 428, Hamilton, NSW Australia 2303

T +61 2 4940 4200 F +61 2 4961 6794 E newcastle@rpsgroup.com.au W rpsgroup.com.au

Our Ref: PR 110910-1
Date: 24.9.2012

Attn: Ms Tonilee Scott
Bathurst Local Aboriginal Land Council
149 Russell St
Bathurst NSW 2795

Dear Ms Tonilee Scott


RE: Update: Western Coal Services Project - Cultural Heritage Assessment

Please find attached a copy of the Cultural Heritage Assessment report for the Coal Services upgrade and distribution project. If you have any comments to make about the assessment report, please send your comments to RPS in writing by the 23rd October 2012.

Please note that the final day for accepting comments and feedback is **5pm on the 23rd October 2012 – close of business.**

We trust this information is sufficient for your purposes; however should you require any further details or clarification, please do not hesitate to contact Cheng Yen Loo or Tessa Boer-Mah.

Yours sincerely
RPS



Cheng Yen Loo
Senior Archaeologist
BA Arts (Hon) UWA

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Ground Floor, 241 Denison Street, Broadmeadow, NSW Australia 2292

PO Box 428, Hamilton, NSW Australia 2303

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Our Ref: PR 110910-1
Date: 24.9.2012

Attn: Ms Sharon Brown & Nathan Brown
Gundungurra Tribal Council Aboriginal Corporation
14 Oak St, Katoomba
NSW 2780

Dear Ms Sharon Brown and Mr Nathan Brown


RE: Update: Western Coal Services Project - Cultural Heritage Assessment

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Yours sincerely
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BA Arts (Hon) UWA

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PO Box 428, Hamilton, NSW Australia 2303

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Our Ref: PR 110910-1
Date: 24.9.2012

Attn: Ms Helen Riley and Mr Elwin Wolfenden
Mingaan Aboriginal Corporation
38 Tweed Rd Lithgow
NSW 2790

Dear Ms Helen Riley and Mr Elwin Wolfenden

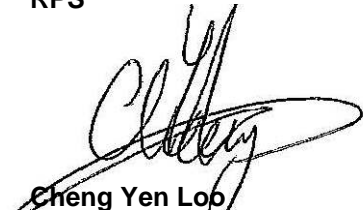
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Our Ref: PR 110910-1
Date: 24.9.2012

Attn: Mr Neville Williams
Mooka Traditional Owners
PO Box 70
Cowra NSW 2794

ATTENTION: Mr Neville Williams

Dear Mr Williams,

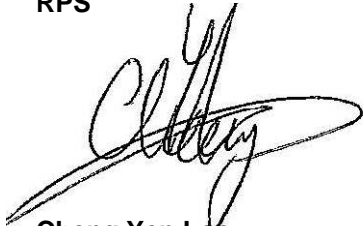
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Our Ref: PR 110910-1
Date: 24.9.2012

Attn: Ms Lyn Syme
North-East Wiradjuri
112 – 114 Main St
Ulan NSW 2850

Dear Ms Lyn Syme

RE: Update: Western Coal Services Project - Cultural Heritage Assessment

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PO Box 428, Hamilton, NSW Australia 2303

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Our Ref: PR 110910-1
Date: 24.9.2012

Attn: Ms Wendy Lewis
Warrabinga Native Title Claimants Aboriginal Corporation
525 Pheasants Nest Rd
Pheasants Nest NSW 2574

Dear Ms Wendy Lewis

RE: Update: Western Coal Services Project - Cultural Heritage Assessment

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Our Ref: PR 110910-1
Date: 24.9.2012

Attn: Mr Robert Clegg
Wiradjuri Council of Elders
3 Loretta Place
Glendenning, NSW 2761

ATTENTION: Mr Robert Clegg

Dear Mr Clegg

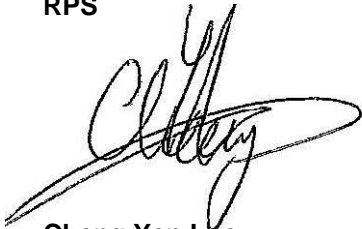
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Our Ref: PR 110910-1
Date: 24.9.2012

Attn: Eddy Newmann Lawyers Tietzel
(Representing Wiray-dyuraa Ngumbaay-dyil & Wiray-dyuraa Maying-Gu)
Level 1, 255 Castlereagh St
Sydney 2000

ATTENTION: Eddy Newmann Lawyers Tietzel

Dear Sir

RE: Update: Western Coal Services Project - Cultural Heritage Assessment

Please find attached a copy of the Cultural Heritage Assessment report for the Coal Services upgrade and distribution project. If you have any comments to make about the assessment report, please send your comments to RPS in writing by the 23rd October 2012.

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Yours sincerely
RPS



Cheng Yen Loo
Senior Archaeologist
BA Arts (Hon) UWA

Cheng Yen Loo

From: Cheng Yen Loo
Sent: Tuesday, 25 September 2012 4:08 PM
To: 'bathlalc2@bigpond.com'
Cc: Darrell Rigby; Tessa Boer-Mah
Subject: Western Coal Services Project CHA - Bathurst LALC
Attachments: CHA Coal Services Draft 1C_DR cyl V2 19 9 2012_VD.pdf; Bathurst.pdf

Tracking:	Recipient	Delivery	Read
	'bathlalc2@bigpond.com'		
	Darrell Rigby	Delivered: 25/09/2012 4:09 PM	
	Tessa Boer-Mah	Delivered: 25/09/2012 4:09 PM	
	Rob Dwyer	Delivered: 25/09/2012 4:09 PM	Read: 25/09/2012 4:10 PM
	Tony Proust	Delivered: 25/09/2012 4:09 PM	Read: 28/11/2012 2:24 PM

Dear Toni Lee

Please find attached a copy of the Western Coal Services Project CHA report for your review and comments. A hard copy version has also been posted to the nominated address provided.

Please mail or fax through your comments to RPS before the closing date (23rd October 2012 – close of business 5pm).

Kindest regards

Cheng Yen



Cheng Yen Loo
Senior Archaeologist
Planning & Development
RPS Australia Asia Pacific
38 Station Street, Subiaco, WA, Australia, 6008
PO Box 465, Subiaco WA 6904
Tel: +61 8 9211 3568
Fax: +61 8 9211 1122
Email: ChengYen.Loo@rpsgroup.com.au
www: <http://rpsgroup.com.au>



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Cheng Yen Loo

From: Cheng Yen Loo
Sent: Tuesday, 25 September 2012 4:08 PM
To: 'mingaan.lithgow@gmail.com'
Cc: Darrell Rigby; Tessa Boer-Mah
Subject: Western Coal Services Project CHA - Mingaan
Attachments: Mingaan.pdf; CHA Coal Services Draft 1C_DR cyl V2 19 9 2012_VD.pdf

Tracking:	Recipient	Delivery	Read
	'mingaan.lithgow@gmail.com'		
	Darrell Rigby	Delivered: 25/09/2012 4:09 PM	
	Tessa Boer-Mah	Delivered: 25/09/2012 4:09 PM	
	Rob Dwyer	Delivered: 25/09/2012 4:09 PM	Read: 25/09/2012 4:10 PM
	Tony Proust	Delivered: 25/09/2012 4:09 PM	

Hi Helen and Elwin

Please find attached a copy of the Western Coal Services Project CHA report for your review and comments. A hard copy version has also been posted to the nominated address provided.

Please mail or fax through your comments to RPS before the closing date (23rd October 2012 – close of business 5pm).

Kindest regards

Cheng Yen

RPS

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Planning & Development
RPS Australia Asia Pacific
38 Station Street, Subiaco, WA, Australia, 6008
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Cheng Yen Loo

From: Cheng Yen Loo
Sent: Tuesday, 25 September 2012 4:08 PM
To: 'backstreetmission@yahoo.com.au'
Cc: Darrell Rigby; Tessa Boer-Mah
Subject: Western Coal Services Project CHA-Mooka
Attachments: Mooka.pdf; CHA Coal Services Draft 1C_DR cyl V2 19 9 2012_VD.pdf

Tracking:	Recipient	Delivery	Read
	'backstreetmission@		
	Darrell Rigby	Delivered: 25/09/2012 4:08 PM	
	Tessa Boer-Mah	Delivered: 25/09/2012 4:08 PM	
	Rob Dwyer	Delivered: 25/09/2012 4:08 PM	Read: 25/09/2012 4:10 PM
	Tony Proust	Delivered: 25/09/2012 4:08 PM	

Hi Neville

Please find attached a copy of the Western Coal Services Project CHA report for your review and comments. A hard copy version has also been posted to the nominated address provided.

Please mail or fax through your comments to RPS before the closing date (23rd October 2012 – close of business 5pm).

Kindest regards

Cheng Yen

Cheng Yen Loo
Senior Archaeologist
Planning & Development
RPS Australia Asia Pacific
38 Station Street, Subiaco, WA, Australia, 6008
PO Box 465, Subiaco WA 6904
Tel: +61 8 9211 3568
Fax: +61 8 9211 1122
Email: ChengYen.Loo@rpsgroup.com.au
www: <http://rpsgroup.com.au>



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Cheng Yen Loo

From: Cheng Yen Loo
Sent: Tuesday, 25 September 2012 4:08 PM
To: 'lsyme@aapt.net.au'
Cc: Darrell Rigby; Tessa Boer-Mah
Subject: Western Coal Services Project - North /East Wiradjuri
Attachments: North - East Wiradjuri.pdf; CHA Coal Services Draft 1C_DR cyl V2 19 9 2012_VD.pdf

Tracking:	Recipient	Delivery	Read
	'lsyme@aapt.net.au'		
	Darrell Rigby	Delivered: 25/09/2012 4:08 PM	
	Tessa Boer-Mah	Delivered: 25/09/2012 4:08 PM	
	Rob Dwyer	Delivered: 25/09/2012 4:08 PM	Read: 25/09/2012 4:10 PM
	Tony Proust	Delivered: 25/09/2012 4:08 PM	Read: 26/09/2012 7:02 AM

Hi Lyn

Please find attached a copy of the Western Coal Services Project CHA report for your review and comments. A hard copy version has also been posted to the nominated address provided.

Please mail or fax through your comments to RPS before the closing date (23rd October 2012 – close of business 5pm).

Kindest regards

Cheng Yen

RPS

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Senior Archaeologist
Planning & Development
RPS Australia Asia Pacific
38 Station Street, Subiaco, WA, Australia, 6008
PO Box 465, Subiaco WA 6904
Tel: +61 8 9211 3568
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Cheng Yen Loo

From: Cheng Yen Loo
Sent: Tuesday, 25 September 2012 4:08 PM
To: 'teitzel@bigpond.net.au'
Cc: Darrell Rigby; Tessa Boer-Mah
Subject: Western Coal Services Project CHA - Tietzel
Attachments: Wiray-dyuraa Ngumbaay-dyil and Wiray-dyuraa Maying-Gu.pdf; CHA Coal Services Draft 1C_DR cyl V2 19 9 2012_VD.pdf

Tracking:	Recipient	Delivery	Read
	'teitzel@bigpond.net'		
	Darrell Rigby	Delivered: 25/09/2012 4:08 PM	
	Tessa Boer-Mah	Delivered: 25/09/2012 4:08 PM	
	Rob Dwyer	Delivered: 25/09/2012 4:08 PM	Read: 25/09/2012 4:10 PM
	Tony Proust	Delivered: 25/09/2012 4:08 PM	

To Newmann Lawyers Tietzel
(representing Wiray-dyuraa Ngumbaay-dyil and Wiray-dyuraa Maying-Gu)

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Newcastle Office

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T +61 2 4940 4200 F +61 2 4961 6794 E newcastle@rpsgroup.com.au W rpsgroup.com.au

Our Ref: PR 110910

Date: 11 September 2012

Ms Tonilee Scott
Bathurst Local Aboriginal Land Council
149 Russell St
Bathurst NSW 2795

ATTENTION: Ms Tonilee Scott

Dear Tonilee,


RE: Update: Coal Services Cultural Heritage Assessment

RPS (Cultural Heritage) would like to provide you with an update on the Coal Services Cultural Heritage Assessment Report. On the 16th January 2012 RPS sent out invitations to the registered Aboriginal stakeholder groups to participate in the field survey. The field survey was conducted on the 13th January 2012. The report is currently under preparation and will soon be available for your comments and review. RPS would like to thank you for your patience and we will keep you up to date with any developments regarding the Cultural Heritage Assessment Report.

If you have any further enquiries regarding the above please do not hesitate to contact Cheng Yen Loo or Tessa Boer-Mah

Yours faithfully

RPS



Cheng Yen Loo
Senior Archaeologist
BA Art (Honours UWA)



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Our Ref: PR 110910

Date: 11 September 2012

Mr Robert Clegg
Wiradjuri Council of Elders
3 Loretta Place
Glendenning, NSW 2761

ATTENTION: Mr Robert Clegg

Dear Mr Clegg,

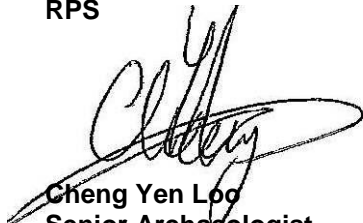
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Our Ref: PR 110910

Date: 11 September 2012

Eddy Newmann Lawyers Tietzel
(Representing Wiray-dyuraa Ngumbaay-dyil & Wiray-dyuraa Maying-Gu
Level 1, 255 Castlereagh St
Sydney 2000

ATTENTION: Eddy Newmann Lawyers Tietzel

Dear Sir,

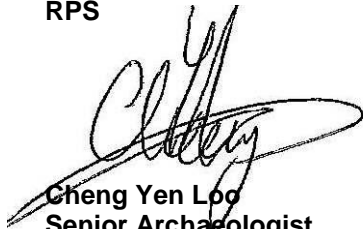
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Our Ref: PR 110910

Date: 11 September 2012

Ms Sharon Brown
Gundungurra Tribal Council Aboriginal Corporation
14 Oak St, Katoomba
NSW 2780

ATTENTION: Ms Sharon Brown

Dear Sharon,

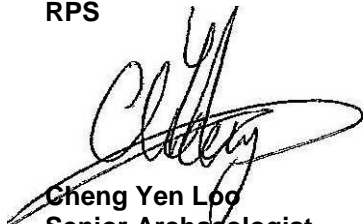
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BA Art (Honours UWA)

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Our Ref: PR 110910

Date: 11 September 2012

Ms Helen Riley & Mr Elwin Wolfenden
Mingaan Aboriginal Corporation
38 Tweed Rd
NSW 2790

ATTENTION: Ms Helen Riley and Mr Elwin Wolfenden

Dear Helen and Elwin,

RE: Update: Coal Services Cultural Heritage Assessment

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Yours faithfully

RPS

A handwritten signature in black ink, appearing to read 'Cheng Yen Loo', is written over a large, stylized, and somewhat illegible signature that spans across the text.

Cheng Yen Loo
Senior Archaeologist
BA Art (Honours UWA)



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Our Ref: PR 110910

Date: 11 September 2012

Mr Neville Williams
Mooka Traditional Owners
PO Box 70
Cowra NSW 2794

ATTENTION: Mr Neville Williams

Dear Mr Williams,

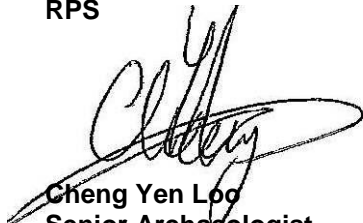
RE: Update: Coal Services Cultural Heritage Assessment

RPS (Cultural Heritage) would like to provide you with an update on the Coal Services Cultural Heritage Assessment Report. On the 16th January 2012 RPS sent out invitations to the registered Aboriginal stakeholder groups to participate in the field survey. The field survey was conducted on the 13th January 2012. The report is currently under preparation and will soon be available for your comments and review. RPS would like to thank you for your patience and we will keep you up to date with any developments regarding the Cultural Heritage Assessment Report.

If you have any further enquiries regarding the above please do not hesitate to contact Cheng Yen Loo or Tessa Boer-Mah

Yours faithfully

RPS



Cheng Yen Loo
Senior Archaeologist
BA Art (Honours UWA)

**Newcastle Office**

Ground Floor, 241 Denison Street, Broadmeadow, NSW Australia 2292

PO Box 428, Hamilton, NSW Australia 2303

T +61 2 4940 4200 F +61 2 4961 6794 E newcastle@rpsgroup.com.au W rpsgroup.com.au

Our Ref: PR 110910

Date: 11 September 2012

Ms Lyn Syme
North-East Wiradjuri
112-114 Main St
Ulan NSW 2850

ATTENTION: Ms Lyn Syme

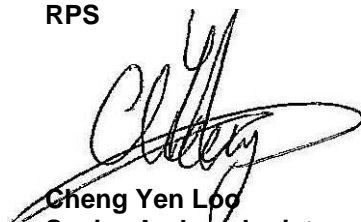
Dear Lyn,

RE: Update: Coal Services Cultural Heritage Assessment

RPS (Cultural Heritage) would like to provide you with an update on the Coal Services Cultural Heritage Assessment Report. On the 16th January 2012 RPS sent out invitations to the registered Aboriginal stakeholder groups to participate in the field survey. The field survey was conducted on the 13th January 2012. The report is currently under preparation and will soon be available for your comments and review. RPS would like to thank you for your patience and we will keep you up to date with any developments regarding the Cultural Heritage Assessment Report.

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Yours faithfully
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PO Box 428, Hamilton, NSW Australia 2303

T +61 2 4940 4200 F +61 2 4961 6794 E newcastle@rpsgroup.com.au W rpsgroup.com.au

Our Ref: PR 110910

11th September 2012

Ms Wendy Lewis
Warrabinga Native Title Claimants Aboriginal Corporation
525 Pheasants Nest Rd
Pheasants Nest NSW 2574

ATTENTION: Ms Wendy Lewis

Dear Wendy,

RE: Update: Coal Services Cultural Heritage Assessment

RPS (Cultural Heritage) would like to provide you with an update on the Coal Services Cultural Heritage Assessment Report. On the 16th January 2012 RPS sent out invitations to the registered Aboriginal stakeholder groups to participate in the field survey. The field survey was conducted on the 13th January 2012. The report is currently under preparation and will soon be available for your comments and review. RPS would like to thank you for your patience and we will keep you up to date with any developments regarding the Cultural Heritage Assessment Report.

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Yours faithfully

RPS



Cheng Yen Loo
Senior Archaeologist
BA Art (Honours UWA)

Cheng Yen Loo

From: Cheng Yen Loo
Sent: Tuesday, 11 September 2012 4:37 PM
To: 'bathlalc2@bigpond.com'
Cc: Darrell Rigby; Tessa Boer-Mah
Subject: Update Coal Services Cultural Heritage Assessment Report - Bathurst LALC
Attachments: Bathurst.pdf

Tracking:	Recipient	Delivery	Read
	'bathlalc2@bigpond.'		
	Darrell Rigby	Delivered: 11/09/2012 4:37 PM	Read: 12/09/2012 6:37 AM
	Tessa Boer-Mah	Delivered: 11/09/2012 4:37 PM	

Hi Tonilee

I just wanted to let you know RPS is currently in the process of getting the Coal Services Cultural Heritage Assessment report ready for your review and comments. We thank you for your patience and will keep you informed with any developments.

Regards

Cheng Yen



Cheng Yen Loo
Senior Archaeologist
Planning & Development
RPS Australia Asia Pacific
38 Station Street, Subiaco, WA, Australia, 6008

PO Box 465, Subiaco WA 6904

Tel: +61 8 9211 3568

Fax: +61 8 9211 1122

Email: ChengYen.Loo@rpsgroup.com.au

www: <http://rpsgroup.com.au>



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Cheng Yen Loo

From: Cheng Yen Loo
Sent: Tuesday, 11 September 2012 4:37 PM
To: 'sharonbrown@gundungurra.org.au'
Cc: Darrell Rigby; Tessa Boer-Mah
Subject: Update Coal Services Cultural Heritage Assessment Report - Gundungurra
Attachments: Gundungurra.pdf

Tracking:	Recipient	Delivery	Read
	'sharonbrown@gund		
	Darrell Rigby	Delivered: 11/09/2012 4:37 PM	Read: 12/09/2012 6:37 AM
	Tessa Boer-Mah	Delivered: 11/09/2012 4:37 PM	

Dear Sharon and Nathan

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Regards

Cheng Yen



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Cheng Yen Loo

From: Cheng Yen Loo
Sent: Tuesday, 11 September 2012 4:37 PM
To: 'mingaan.lithgow@gmail.com'
Cc: Darrell Rigby; Tessa Boer-Mah
Subject: Update Coal Services Cultural Heritage Assessment Report - Mingaan
Attachments: Mingaan.pdf

Tracking:	Recipient	Delivery	Read
	'mingaan.lithgow@gmail.com'		
	Darrell Rigby	Delivered: 11/09/2012 4:37 PM	Read: 12/09/2012 6:37 AM
	Tessa Boer-Mah	Delivered: 11/09/2012 4:37 PM	

Hi Elwin and Helen

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Regards

Cheng Yen



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Cheng Yen Loo

From: Cheng Yen Loo
Sent: Tuesday, 11 September 2012 4:37 PM
To: 'backstreetmission@yahoo.com.au'
Cc: Darrell Rigby; Tessa Boer-Mah
Subject: Update Coal Services Cultural Heritage Assessment Report - Mooka
Attachments: Mooka.pdf

Tracking:	Recipient	Delivery	Read
	'backstreetmission@		
	Darrell Rigby	Delivered: 11/09/2012 4:37 PM	Read: 12/09/2012 6:37 AM
	Tessa Boer-Mah	Delivered: 11/09/2012 4:37 PM	

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Cheng Yen Loo

From: Cheng Yen Loo
Sent: Tuesday, 11 September 2012 4:37 PM
To: 'Isyme@aapt.net.au'
Cc: Darrell Rigby; Tessa Boer-Mah
Subject: Update Coal Services Cultural Heritage Assessment Report - North East Wiradjuri
Attachments: North East Wiradjuri.pdf

Tracking:	Recipient	Delivery	Read
	'Isyme@aapt.net.au'		
	Darrell Rigby	Delivered: 11/09/2012 4:37 PM	Read: 12/09/2012 6:37 AM
	Tessa Boer-Mah	Delivered: 11/09/2012 4:37 PM	

Hi Lyn

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Regards

Cheng Yen



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Cheng Yen Loo

From: Cheng Yen Loo
Sent: Tuesday, 11 September 2012 4:37 PM
To: 'rclegg55@gmail.com'
Cc: Darrell Rigby; Tessa Boer-Mah
Subject: Update Coal Services Cultural Heritage Assessment Report - Wiradjuri Council of Elders Council of Elders.pdf
Attachments:

Tracking:	Recipient	Delivery	Read
	'rclegg55@gmail.com'		
	Darrell Rigby	Delivered: 11/09/2012 4:37 PM	Read: 12/09/2012 6:37 AM
	Tessa Boer-Mah	Delivered: 11/09/2012 4:37 PM	

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Cheng Yen Loo

From: Cheng Yen Loo
Sent: Tuesday, 11 September 2012 4:37 PM
To: 'teitzel@bigpond.net.au'
Cc: Darrell Rigby; Tessa Boer-Mah
Subject: Update Coal Services Cultural Heritage Assessment Report -Wiray – gyuraa Ngumbaay – dyil and Wiray – dyuraa Maying –Gu
Attachments: Eddy Newmann.pdf

Tracking:	Recipient	Delivery	Read
	'teitzel@bigpond.net'		
	Darrell Rigby	Delivered: 11/09/2012 4:37 PM	Read: 12/09/2012 6:37 AM
	Tessa Boer-Mah	Delivered: 11/09/2012 4:37 PM	

To the representatives of Wiray – gyuraa Ngumbaay –dyil and Wiray – dyuraa Maying –Gu

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Regards

Cheng Yen



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Email: ChengYen.Loo@rpsgroup.com.au

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Cheng Yen Loo

From: Cheng Yen Loo
Sent: Monday, 22 October 2012 3:10 PM
To: 'bathlalc2@bigpond.com'
Cc: Tessa Boer-Mah; Darrell Rigby; Rob Dwyer
Subject: FW: Western Coal Services Project CHA - Bathurst LALC

Importance: High

Tracking:	Recipient	Delivery
	'bathlalc2@bigpond.com'	
	Tessa Boer-Mah	Delivered: 22/10/2012 3:10 PM
	Darrell Rigby	Delivered: 22/10/2012 3:10 PM
	Rob Dwyer	Delivered: 22/10/2012 3:10 PM

Dear Toni Lee

I just wanted to remind you that the closing date for your review and comments for the Western Coal Services Project CHA report is due on the 23rd October 2012 – 5pm close of business (tomorrow).

If you have any comments to make regarding the report, please send them through to myself or Tessa Boer-Mah no later than the stipulated date.

Kindest Regards

Cheng Yen



Cheng Yen Loo
Senior Archaeologist
Planning & Development
RPS Australia Asia Pacific

38 Station Street, Subiaco, WA, Australia, 6008
PO Box 465, Subiaco WA 6904
Tel: +61 8 9211 3568
Fax: +61 8 9211 1122
Email: ChengYen.Loo@rpsgroup.com.au
www: <http://rpsgroup.com.au>



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From: Cheng Yen Loo
Sent: Tuesday, 25 September 2012 4:08 PM
To: 'bathlalc2@bigpond.com'
Cc: Darrell Rigby; Tessa Boer-Mah
Subject: Western Coal Services Project CHA - Bathurst LALC

Dear Toni Lee

Please find attached a copy of the Western Coal Services Project CHA report for your review and comments. A hard copy version has also been posted to the nominated address provided.

Please mail or fax through your comments to RPS before the closing date (23rd October 2012 – close of business 5pm).

Kindest regards

Cheng Yen Loo

From: Cheng Yen Loo
Sent: Monday, 22 October 2012 3:11 PM
To: 'sharonbrown@gundungurra.org.au'
Cc: Darrell Rigby; Tessa Boer-Mah; Rob Dwyer
Subject: FW: Western Coal Services Project - Gundungurra

Tracking:	Recipient	Delivery
	'sharonbrown@gundungurra.org.au'	
	Darrell Rigby	Delivered: 22/10/2012 3:11 PM
	Tessa Boer-Mah	Delivered: 22/10/2012 3:11 PM
	Rob Dwyer	Delivered: 22/10/2012 3:11 PM

Dear Sharon and Nathan

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From: Cheng Yen Loo
Sent: Tuesday, 25 September 2012 4:07 PM
To: 'sharonbrown@gundungurra.org.au'
Cc: Darrell Rigby; Tessa Boer-Mah
Subject: Western Coal Services Project - Gundungurra

Hi Sharon and Nathan

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Kindest regards

Cheng Yen

Cheng Yen Loo

From: Cheng Yen Loo
Sent: Monday, 22 October 2012 3:11 PM
To: 'mingaan.lithgow@ymail.com'
Cc: Tessa Boer-Mah; Darrell Rigby; Rob Dwyer
Subject: FW: Western Coal Services Project CHA - Mingaan

Tracking:	Recipient	Delivery
	'mingaan.lithgow@ymail.com'	
	Tessa Boer-Mah	Delivered: 22/10/2012 3:11 PM
	Darrell Rigby	Delivered: 22/10/2012 3:11 PM
	Rob Dwyer	Delivered: 22/10/2012 3:11 PM

Dear Helen and Elwin

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Cheng Yen

Cheng Yen Loo

From: Cheng Yen Loo
Sent: Monday, 22 October 2012 3:10 PM
To: 'Isyme@aapt.net.au'
Cc: Darrell Rigby; Tessa Boer-Mah; Rob Dwyer
Subject: FW: Western Coal Services Project - North /East Wiradjuri

Importance: High

Tracking:	Recipient	Delivery
	'Isyme@aapt.net.au'	
	Darrell Rigby	Delivered: 22/10/2012 3:10 PM
	Tessa Boer-Mah	Delivered: 22/10/2012 3:10 PM
	Rob Dwyer	Delivered: 22/10/2012 3:10 PM

Dear Lyn Symes

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If you have any comments to make regarding the report, please send them through to myself or Tessa Boer-Mah no later than the stipulated date.

Kindest Regards

Cheng Yen



Cheng Yen Loo
Senior Archaeologist

Planning & Development RPS Australia Asia Pacific

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Sent: Tuesday, 25 September 2012 4:08 PM
To: 'Isyme@aapt.net.au'
Cc: Darrell Rigby; Tessa Boer-Mah
Subject: Western Coal Services Project - North /East Wiradjuri

Hi Lyn

Please find attached a copy of the Western Coal Services Project CHA report for your review and comments. A hard copy version has also been posted to the nominated address provided.

Please mail or fax through your comments to RPS before the closing date (23rd October 2012 – close of business 5pm).

Cheng Yen Loo

From: Cheng Yen Loo
Sent: Monday, 22 October 2012 3:11 PM
To: 'teitzel@bigpond.net.au'
Cc: Darrell Rigby; Tessa Boer-Mah; Rob Dwyer
Subject: FW: Western Coal Services Project CHA - Tietzel
Attachments: Wiray-dyuraa Ngumbaay-dyil and Wiray-dyuraa Maying-Gu.pdf; CHA Coal Services Draft 1C_DR cyl V2 19 9 2012_VD.pdf

Tracking:	Recipient	Delivery
	'teitzel@bigpond.net.au'	
	Darrell Rigby	Delivered: 22/10/2012 3:11 PM
	Tessa Boer-Mah	Delivered: 22/10/2012 3:11 PM
	Rob Dwyer	Delivered: 22/10/2012 3:11 PM

To Newmann Lawyers Tietzel
(representing Wiray-dyuraa Ngumbaay-dyil and Wiray-dyuraa Maying-Gu)

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Senior Archaeologist

Planning & Development

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To: 'teitzel@bigpond.net.au'
Cc: Darrell Rigby; Tessa Boer-Mah
Subject: Western Coal Services Project CHA - Tietzel

To Newmann Lawyers Tietzel
(representing Wiray-dyuraa Ngumbaay-dyil and Wiray-dyuraa Maying-Gu)

Please find attached a copy of the Western Coal Services Project CHA report for your review and comments. A hard copy version has also been posted to the nominated address provided.

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Cheng Yen Loo

From: Cheng Yen Loo
Sent: Monday, 22 October 2012 3:11 PM
To: 'rclegg55@gmail.com'
Cc: Tessa Boer-Mah; Darrell Rigby; Rob Dwyer
Subject: FW: Western Coal Services Project CHA - Wiradjuri Council of Elders

Tracking:	Recipient	Delivery
	'rclegg55@gmail.com'	
	Tessa Boer-Mah	Delivered: 22/10/2012 3:11 PM
	Darrell Rigby	Delivered: 22/10/2012 3:11 PM
	Rob Dwyer	Delivered: 22/10/2012 3:11 PM

Dear Robert

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Cc: Darrell Rigby; Tessa Boer-Mah; Rob Dwyer
Subject: FW: Western Coal Services Project CHA-Mooka

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	Darrell Rigby	Delivered: 22/10/2012 3:12 PM
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Dear Neville

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Sent: Tuesday, 25 September 2012 4:08 PM
To: 'backstreetmission@yahoo.com.au'
Cc: Darrell Rigby; Tessa Boer-Mah
Subject: Western Coal Services Project CHA-Mooka

Hi Neville

Please find attached a copy of the Western Coal Services Project CHA report for your review and comments. A hard copy version has also been posted to the nominated address provided.

Please mail or fax through your comments to RPS before the closing date (23rd October 2012 – close of business 5pm).

Kindest regards

Cheng Yen

Cheng Yen Loo

From: Cheng Yen Loo
Sent: Friday, 14 June 2013 2:39 PM
To: 'Robyn Williams'; info@warrabinga.com.au
Cc: Tessa Boer-Mah
Subject: RE: Western Coal Services Report - Feedback and Comments Warrabinga
Attachments: CHA Coal Services Draft 1C_DR cyl V2 19 9 2012_VD.pdf

Hi Robyn

Sure no problems. Here is what I sent out to Wendy via postage on the 24th September 2012.

We will update our contact list so that we can send through our correspondence to Warrabinga via info@warrabinga.com.au.

You can give me a call on 0408 974 996 if you would like to talk about the report alternatively I can call you if you would prefer. Otherwise if you are able to email or post your comments/responses to chengyen.loo@rpsgroup.com.au or to PO Box 428 Hamilton NSW Australia 2303 by the 19th June 2013 that would be great.

Cheng



Cheng Yen Loo
Senior Archaeologist
RPS Australia Asia Pacific
38 Station Street, Subiaco, WA , Australia, 6008
PO Box 465, Subiaco WA 6904

Tel: +61 8 9211 1111
Fax: +61 8 9211 1122
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www: <http://rpsgroup.com.au>

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From: Robyn Williams [<mailto:robyn.williams@warrabinga.com.au>]
Sent: Friday, 14 June 2013 2:24 PM
To: Cheng Yen Loo; info@warrabinga.com.au
Cc: Tessa Boer-Mah
Subject: RE: Western Coal Services Report - Feedback and Comments Warrabinga

Chen,

Can you please provide a copy of the file via return email. Please also note that Lyn Syme is not the appropriate person to be sending correspondence to for Warrabinga. All Warrabinga correspondence should come via info@warrabinga.com.au or via PO Box 282 Mudgee, NSW 2850

Regards,

Robyn Williams
Director

From: Cheng Yen Loo [<mailto:ChengYen.Loo@rpsgroup.com.au>]
Sent: Friday, 14 June 2013 3:54 PM
To: info@warrabinga.com.au
Cc: Tessa Boer-Mah
Subject: Western Coal Services Report - Feedback and Comments Warrabinga
Importance: High

Hi Wendy

How are you? It is Cheng from RPS. I hope you are well, it has been a long time since I have spoken to you. I tried to call your number but it has since been disconnected. What is your new phone number?

The reason why I am trying to get in touch with you is because I wanted to see if you had any comments or feedback to make about the Western Coal Services project (Centennial). I sent out a hard copy report to you on the 25th September 2012 but I never got a reply. I also sent an electronic copy out to you via Lyn Symes as well.

Kevin Williams participated in the field survey as a representative of Warrabinga.

I am happy to talk through the body of the report and read out the recommendations to you to see if you are happy with it.

Please give me a call on 0408 974 996 so that we can discuss when you get a moment. Ideally if you can give me a call today or Monday (17.6.2013) that would be great.

Regards

Cheng



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Cheng Yen Loo

From: kevin williams [brunglekev@hotmail.com]
Sent: Tuesday, 18 June 2013 5:53 AM
To: Cheng Yen Loo
Subject: Re response

Cheng

Hi

I have incorporated our responses within your email.

We are generally agreed on the recommendations

Regards

Kevin

Recommendation 1

All Aboriginal and European heritage in the SCS should be managed under a Cultural Heritage Management Plan (CHMP), the Aboriginal aspects of which must be developed in consultation with the Aboriginal Stakeholders. This is to occur prior to any earthworks commencing. It is recommended that any potential harm to the newly recorded sites listed below is managed as part of the CHMP.

- AHIMS #45-1-2720
- AHIMS #45-1-2721;
- AHIMS #45-1-2722;
- AHIMS #45-1-2723;
- AHIMS #45-1-2724; and
- AHIMS #45-1-2725.

Response:

Agreed. We would like to know more about how the CHMP is to be developed and the level and timing of consultation

Recommendation 2

Springvale Coal Pty Ltd has modified the mine plan to avoid harm to AHIMS #45-1-0218 & AHIMS #45-1-2601. Consequently at both sites a protective buffer boundary should be established around them using star picket fencing with high visibility tape affixed to each picket. The buffer boundary should be monitored and maintained on a regular basis. The location of the protected sites should be noted on all future mining development plans.

Agreed. It has been our knowledge in the past that “accidents” still happen. We would like to request that any database of sites on mine land also have all layers within the GIS program linked so as to prevent any “accidents”.

Recommendation 3

All relevant project staff should be made aware of their statutory obligations for heritage under NSW NPW Act (1974) and the NSW Heritage Act (1977), which may be implemented as a heritage induction.

Agreed. Our organisation has been involved in preparing a visual presentation of the aspects of cultural heritage. We are prepared to provide this as a starting point for a presentation for an induction programme.

Recommendation 4

If further Aboriginal site(s) are identified in the SCS, all works in the area should cease, the area be cordoned off and contact made with Enviroline (on 131 555), a suitably qualified archaeologist and the registered Aboriginal stakeholders so that it can be adequately assessed and managed.

Agreed.

Recommendation 5

In the unlikely event that skeletal remains are identified, work must cease immediately in the vicinity of the remains and the area cordoned off. The NSW Police are to be contacted immediately. No further action is to be taken until the police provide written advice to the client on how to progress. If determined to be Aboriginal, the client must contact Enviroline (on 131 555), a suitably qualified archaeologist and representatives of the local Aboriginal community stakeholders to determine an action plan for the management of the skeletal remains, formulate management recommendations and to ascertain when work can recommence.

Agreed. However, our organisation does not recognise that it is an “...*unlikely event*...” that skeletal remains will be identified. Our people have occupied this land for some thousands of years. There always remains the possibility of skeletal remains.

Appendix 3

Glossary of Site Types

Aboriginal Site Types

The following is a brief description of most Aboriginal site types.

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. Factors such as poor light, vegetation, leaf litter may 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 NSW 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 Aborigines 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

An Isolated find describes a site where only one artefact is visible. 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 study 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

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.

Ochre quarries

Ochre, iron oxide may in colours through brown, yellow to red. Ochre may have been used dry for colouring hair or skin or ground to a fine powder and mixed with mediums such as water, blood, fat, etc as a fixative. Ochre was used for decorating the body, artefacts and rock shelters. Quality deposits provided a valuable resource with evidence of wide spread trade of the substance.

Rock Shelters may contain 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 a study area will indicate 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. Preservation of those sites is dependent on minimal impact from recent land use practices.

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 4

Artefact Analysis

Survey Unit 3

Site Name	Central GPS Co-ords		Artefact Type	Raw Material	Length (mm)	Width (mm)	Thickness (mm)	Platform Type		Platform Type	Colour	No. Dorsal Scars	Comments
	Eastings	Northings						Length (mm)	Width (mm)				
SU3-A1	E226166	N6303832	Distal Flake	Quartz	15	9	4					1 Negative flake scar	

Survey Unit 4

Site Name	Central GPS Co-ords		Artefact Type	Raw Material	Length (mm)	Width (mm)	Thickness (mm)	Platform Type		Platform Type	Colour	No. Dorsal Scars	Comments
	Eastings	Northings						Length (mm)	Width (mm)				
SU4-A1	E225946	N6303882	Flake	Quartz	14	16	5	6	4	Flat		1	This artefact was located in CS4, on a washout clearing approximately 7m west of a light vehicle dirt track. The area is relatively clear of woodland trees and low lying scrub.
SU4-A2	E225959	N6303943	Complete Flake	Quartz	14	11	5	10	5	Cortical		1	
SU4-A3	E225879	N6303777	Complete Flake	Quartz	31	11	6	15	5	Cortical		2	
SU4-A4	E225953	N6303887	Distal Flake	Quartz	16	7	3					2	
SU4-A5	E225945	N6303776	Complete Flake	Silcrete	36	3	9	22	7	Feather		2	

