

APPENDIX A: DPE Secretary's Environmental Assessment Requirements (SEARs) for the EIS



**Planning &
Environment**

Contact: Emma Barnet
Phone: (02) 9228 6412
Fax: (02) 9228 6466
Email: emma.barnet@planning.nsw.gov.au

Mr Gordon Cameron
Principal Waste and Environmental Engineer
Port Macquarie-Hastings Council
PO Box 84
Port Macquarie NSW 2444

Dear Mr Cameron

**Secretary's Environmental Assessment Requirements
Cairncross Waste Management Facility, Port Macquarie-Hastings (SSD 13_5792)**

Thank you for your letter dated 24 February 2015 seeking to amend the development description and consult further with Secretary in respect of the environmental assessment requirements issued to Port Macquarie Hastings Council on 14 February 2013. I have attached a copy of amended requirements for the development proposal

These amended requirements are based on the information you have provided to date. You should also refer to the government agency submissions submitted for the original environmental assessment requirements.

Please note that the Department may alter these requirements at any time, and that you must consult further with the Department if you do not lodge a development application and EIS for the development within two years. Once lodged, the Department will review your EIS carefully before putting it on public exhibition, and will require you to submit an amended EIS if it does not adequately address the requirements.

The Department notes that the proposed landfill would have capacity to operate for over 79 years at the predicted rate of waste input. This time frame raises some issues about whether the design and operational parameters of the landfill might begin to fall behind the community's expectation for such facilities after 20 to 30 years or so; and whether such capacity may slow or discourage continued development of waste recovery so that the amount of landfill waste is minimised.

Both waste recovery and best practice landfill design and operation are matters for consideration under clause 123 of the *State Environmental Planning Policy (Infrastructure) 2007*. Consequently, these matters will require expert analysis in the EIS. The proposed development of the landfill must be justifiable against the NSW Government's waste policy. Consideration should be given to a staged approach to developing the landfill so that the design and operation of future components can be reviewed in-line with future community's expectations and best practice.

When preparing the landfill proposal and justification, the Department would like to request that Council consult extensively with both the EPA's Waste Strategy Team and the Department's Industry Assessment Team to ensure that the issues surrounding long term best practice and waste recovery are given robust consideration.

Department of Planning & Environment
23-33 Bridge Street Sydney NSW 2000 | GPO Box 39 Sydney NSW 2001 | T 02 9228 6111 | F 02 9228 6455 | www.planning.nsw.gov.au

The Department also notes that the site currently operates under a separate consent. The Department prefers operations like the Cairncross Waste Management Facility to operate under a single, modern planning approval. Consequently, the Department encourages you to develop the project with this preference in mind, and to consider surrendering all of the existing planning approvals for the facility if the project is approved.

I wish to emphasise the importance of effective and genuine community consultation and the need for proposals to proactively respond to the community's concerns. Accordingly a comprehensive, detailed and genuine community consultation and engagement process must be undertaken during preparation of the EIS. This process must ensure that the community is both informed of the proposal and is actively engaged in issues of concern to them. Sufficient information must be provided to the community so that it has a good understanding of what is being proposed and of the potential impacts.

Your proposal may require a separate approval under Commonwealth *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). If an EPBC Act approval is required, I would appreciate it if you would advise the Department accordingly, as the Commonwealth approval process may be integrated into the NSW approval process, and supplementary DGR's may need to be issued.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit the development application and EIS for your development. This will enable the Department to:

- confirm the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*);
- consultation and public exhibition arrangements; and
- determine the number of copies (hard-copy and CD-ROM) of the EIS required for review.

If you have any enquiries about these requirements, please contact Emma Barnet on the details above.

Yours sincerely,


Chris Ritchie 7/5/15
Manager
Industry Assessments
As delegate of the Secretary

Secretary's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act 1979*
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD 13_5792
Development	The Cairncross Waste Management Facility which involves extending the operational life of the existing Cairncross landfill, and includes: <ul style="list-style-type: none"> the staged construction of new landfill cells; and progressively increasing the annual waste acceptance rate at the landfill.
Location	8395 Pacific Highway, Telegraph Point, NSW (Lot 5 DP 1041766, Lot 6 DP 1106420 and Part Lot 7 DP1106420)
Applicant	Port Macquarie-Hastings Council
Date of Issue	May 2015
General Requirements	<p>The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in Clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In addition, the EIS must include a:</p> <ul style="list-style-type: none"> clear description of the existing operations carried out on the site and how the site operates lawfully under the <i>Environmental Planning and Assessment Act 1979</i>; detailed description of the development, including: <ul style="list-style-type: none"> need for the proposed development having particular regard to the aims, objectives and guidance in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021</i>; justification for the proposed development; likely staging of the development - including construction, and operational stage/s; likely interactions between the development and existing, approved and proposed operations in the vicinity of the site; and plans of any proposed building works. consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment; detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes: <ul style="list-style-type: none"> a description of the existing environment, <u>using sufficient baseline data</u>; an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes; a description of the measures that would be implemented to avoid, minimise and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage any significant risks to the environment; and

	<ul style="list-style-type: none"> • a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS. <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> • a detailed calculation of the capital investment value (as defined in clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the proposal, including details of all assumptions and components from which the CIV calculation is derived; • a close estimate of the jobs that will be created by the development during the construction and operational phases of the development; and • certification that the information provided is accurate at the date of preparation.
Key Issues	<p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> • Strategic Landuse Planning – including: <ul style="list-style-type: none"> – demonstration that the proposal is generally consistent with the aims and objectives of all relevant environmental planning instruments and strategies including, but not limited to, <i>State Environmental Planning Policy (Infrastructure) 2007</i> (Infrastructure SEPP), the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021</i>, <i>NSW State Plan 2021 – Goal 23</i>, the <i>Waste Avoidance and Recovery Act 2001</i>, the <i>National Waste Policy</i>, <i>Port Macquarie-Hastings Local Environment Plan 2011</i>, <i>Waste and Resource Management Strategy 2011-15</i> (Port Macquarie-Hastings Council), and relevant Development Control Plans; – justification for any inconsistency between the proposed development and these plans; – consideration of the NSW government's investment in new technologies and infrastructure to drive recycling and reuse under the Waste Less, Recycle More Initiative; – demonstration that the landfill construction and operation can be staged to ensure that the design remains current and in line with best practice at the time; and – details on the suitability of the site for the proposed development. • Waste Management – including: <ul style="list-style-type: none"> – identification, classification and quantification of the likely waste streams that would be handled/stored/disposed of at the facility; – a description of how this waste would be treated, stored, used, disposed and handled on site, and transported to the site, and the potential impacts associated with these issues; – an analysis of whether the development is consistent with Clause 123 of the Infrastructure SEPP; – a description of all reasonable and feasible measures that have been or would be implemented to maximise resource recovery from the waste stream and reduce the disposal of waste to landfill in line with the aims, objectives and guidance in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021</i>, the EPA's <i>Guidelines for Composting and Related Organics Processing Facilities</i>, Council's adopted Waste Strategy, and other government policy; – details of the landfill cell design and integrity in accordance with best practice industry standard guidelines such as the EPA's

	<p><i>Environmental Guidelines: Solid Waste Landfills;</i></p> <ul style="list-style-type: none"> - a description of the staged approach to developing the landfill so that the design and operation of future components can be reviewed in-line with future community's expectations and best practice; and - operational measures to manage litter and waste that is illegally dumped on adjacent properties including Rawdon Creek Nature Reserve. <ul style="list-style-type: none"> • Flora and Fauna – including: <ul style="list-style-type: none"> - an assessment of the proposal under the Framework for Biodiversity Assessment (Oct 2014) including an assessment of any potential impacts on riparian vegetation and groundwater dependant ecosystems. • Soil, Water and Leachate – including: <ul style="list-style-type: none"> - the proposed erosion and sediment controls during construction and operation; - consideration of potential acid sulfate soils, salinity, soil contamination; - a site water balance, including a detailed description of the measures to minimise the water use at the site; - a detailed assessment of the potential impacts of the project on the quantity, quality and long-term integrity of the surface and groundwater resources in the area, including baseline data of existing conditions, potential flooding impacts and potential impacts on Rawdon Creek; - the proposed stormwater management system, including the capacity of onsite detention systems, and measures to treat, reuse or dispose of water; and - the proposed leachate management system including the capacity of the system to treat and dispose of leachate. • Air Quality and Odour – including: <ul style="list-style-type: none"> - a quantitative assessment of the potential air quality and odour impacts of the development on surrounding receivers, including impacts from construction, operation and transport; and - details of the proposed mitigation, management and monitoring measures. • Noise and Vibration – including: <ul style="list-style-type: none"> - quantitative assessment of potential construction, operational and transport noise and vibration impacts, including potential impacts on nearby sensitive receivers; and - details of the proposed noise management and monitoring measures. • Traffic – including: <ul style="list-style-type: none"> - details of all traffic types and volumes likely to be generated; - assessment of predicted impacts on road safety and the capacity of the road network to accommodate the project; and - assessment of where off site infrastructure works are required as a result of traffic impacts. • Greenhouse Gas – including: <ul style="list-style-type: none"> - a quantitative assessment of the scope 1, 2 and 3 greenhouse gas emissions of the project; and - a detailed description of the measures that would be implemented to minimise the methane emissions of the proposed landfill operations and ensure that the project is energy efficient. • Rehabilitation – including:
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	<ul style="list-style-type: none"> – a detailed description of how the site would be progressively rehabilitated, revegetated, and integrated into the surrounding landscape, including measures to ensure that the final landform is free draining; – a justification for the proposed final landform and use, taking into consideration any relevant strategic land use planning or resource management plans or policies; and • a detailed description of the measures that would be put in place to ensure sufficient resources are available to implement the proposed rehabilitation measures, and the ongoing management of the site following the cessation of landfilling activities. • Heritage - both Aboriginal and non-Aboriginal; • Visual impacts; • Hazards and risks; and • Biosecurity, pests and vermin.
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i> . These documents should be included as part of the EIS rather than as separate documents.
Consultation	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> • Environment Protection Authority; • Office of Environment and Heritage; • Department of Primary Industries; • Roads and Maritime Services; and • the local community and stakeholders. <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
Further consultation after 2 years	If you do not lodge an EIS for the development within 2 years of the issue date of these DGRs, you must consult with the Director-General in relation to the requirements for lodgement.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, Attachment 1 contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this development.

APPENDIX B: OEH recommendations for DPE Secretary's Environmental Assessment Requirements (SEARs) in relation to Aboriginal cultural heritage (excerpt from Attachment 1 of correspondence from OEH to DPI, 7th February 2013)

1. Whether the proposal is consistent with any floodplain risk management plans.
2. Whether the proposal is compatible with the flood hazard of the land.
3. Whether the proposal will significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties.
4. Whether the proposal will significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.
5. Whether the proposal incorporates appropriate measures to manage risk to life from flood.
6. Whether the proposal is likely to result in unsustainable social and economic costs to the community as a consequence of flooding.
7. The EIS needs to provide full details of the flood assessment and modelling undertaken in determining any design flood levels (if applicable), including the 1 in 100 year flood levels.
8. In addition, the assessment should include a sensitivity assessment of the potential impacts of an increase in rainfall intensity and runoff (10%, 20% and 30%) due to climate change on the flood behaviour for the 1 in 100 year design flood.
9. Surface water management controls, coupled with comprehensive leachate, groundwater and surface water monitoring programs must adequately demonstrate and have in place measures that prevent any poor water quality impacting the Hastings River Estuary.

5 Aboriginal Cultural Heritage

OEH recommends that the following Aboriginal cultural heritage issues be addressed by the proponent in preparing the EIS.

Existing Aboriginal cultural heritage values

OEH acknowledges the existence of numerous registered Aboriginal sites in the regional locality. These include culturally modified trees, isolated finds, camp sites, artefact scatters and Potential Archaeological Deposits (PADS). It is also acknowledged that the project area contains landforms which have yielded a significant volume of evidence of Aboriginal occupation. It is therefore recommended that the proponent consider any potential impacts of the proposal on these known Aboriginal sites/objects, the sensitivity and significance of these sites to the traditional Aboriginal knowledge holders and any relationship that may exist between these sites and any Aboriginal cultural heritage values of the project area.

Potential impacts of the project on Aboriginal cultural heritage values

Standard requirements:

1. The EIS must address and document the information requirements set out in the draft '*Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation*' (Department of Environment and Conservation 2005). This document is available from Department of Planning and Infrastructure upon request.
2. The EIS must include surveys by suitably qualified archaeological consultants in consultation with all of the local Aboriginal knowledge holders.
3. The EIS should identify the nature and extent of impacts on Aboriginal cultural heritage values across the project area and clearly articulate strategies proposed to avoid/minimise these impacts.

If impacts are proposed as part of the final development, clear justification for such impacts should be provided.

4. The EIS must assess and document the archaeological and Aboriginal significance of the site's Aboriginal cultural heritage values.
5. Describe the actions that will be taken to avoid or mitigate impacts of the project on Aboriginal cultural heritage values. This must include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented. Any proposed methodology for Aboriginal cultural heritage investigation should reflect best practice standards recommended by OEH in the '*Code of Practice for Archaeological Investigations of Objects in New South Wales (2010)*'.
6. The EIS must provide documentary evidence to demonstrate that effective community consultation with Aboriginal communities has been undertaken in assessing impacts, developing protection and mitigation options and making final recommendations. OEH supports broad-based Aboriginal community consultation and as a guide OEH's '*Aboriginal cultural heritage consultation requirements for proponents 2010*' provides a useful model to follow. This requirement is available on OEH's website at:
www.environment.nsw.gov.au/licences/consultation.htm.
7. If impacts on Aboriginal cultural heritage values are proposed as part of the final development, an assessment of the proposed impacts in the context of '*inter generational equity*' and cumulative impact must be undertaken. This assessment must examine both cultural and archaeological perspectives equally at both the local and regional levels, with consideration given to the site level and broader landscape level.

Note: If the EIS is relying on past surveys it is critical to confirm that the surveys are consistent with the requirements of the above Major Project application guidelines. Further, whilst there may be no requirement for obtaining an Aboriginal Heritage Impact Permit (AHIP) under Part 6 of the *National Parks and Wildlife Act 1974* (NPW Act) for projects approved under the provisions of Part 4 of the *Environmental Planning and Assessment Act 1979*, there are other sections of the NPW Act which remain valid. This includes the requirement to obtain a Care Agreement for salvaged objects (Section 85) and reporting to OEH on the status of new or impacted Aboriginal sites (Section 89A).

6 Biodiversity

OEH acknowledges that the proposal appears to only involve the clearing of plantation native vegetation (as stated in the Preliminary Environmental Assessment [PEA]). However, this may still provide habitat to threatened species and/or populations, and as such, where applicable, an appropriate assessment (including relevant surveys) must be conducted in accordance with the following recommendations. OEH considers surveys undertaken for the original EIS would now be out-dated and would need to be re-done in accordance with current guidelines and methodologies. Furthermore, OEH notes that the PEA indicates that as part of the original EIS carried out in 1999, it was determined that the proposal would not significantly impact on threatened species. OEH considers that this appraisal is now out-dated, given that it does not include taxa added to the *Threatened Species Conservation Act 1995* (TSC Act) after 1999. OEH recommends that an appropriate assessment of threatened species, populations, ecological communities and their habitats be conducted in accordance with the following guidance. The following should be used as guide where applicable.

Biodiversity impacts can be assessed using either the BioBanking Assessment Methodology (scenario 1) or a detailed biodiversity assessment (scenario 2). The requirements for each of these approaches are detailed below.

The BioBanking Assessment Methodology can be used either to obtain a BioBanking statement, or to assess impacts of a proposal and to determine required offsets without obtaining a statement. In the latter instances, if the required credits are not available for offsetting, appropriate alternative options may be developed in consultation with the OEH and in accordance with OEH policy.

APPENDIX C: Aboriginal consultation log

Cairncross Landfill EIS- Aboriginal Consultation Log			
Date	Stakeholder/other contact	Contact person	Summary of consultation
11/06/15	Office of Environment and Heritage	Rosalie Neve, Aboriginal Heritage Planning Officer	Email requesting OEH list of Aboriginal parties who may have an interest in the Port Macquarie Hastings LGA for consultation purposes.
15/06/15	Office of Environment and Heritage	Dimitri Young, Team Leader Planning, NE Region	Email letter received with list of known Aboriginal parties that OEH considers likely to have an interest in the proposal. Hard copy later received by post.
	National Native Title Tribunal		Request for search of tribunal registers (on application form downloaded from website: nswenquiries@nntt.gov.au) emailed.
	Office of the Registrar, Aboriginal Land Rights Act 1983		Letters mailed with a brief overview of the proposal, including a location map and the name and contact details of the proponent, requesting that each organisation notify the consultant of any Aboriginal parties who may have an interest in the proposal and hold knowledge relevant to determining cultural significance. Advice requested by mail or email by 06/07/15.
	NTSCorp Limited		
	Port Macquarie Hastings Council	The General Manager	
16/06/15	Birpai Local Aboriginal Land Council	Steven Miles, CEO	Letters mailed to all organisations on OEH list with a brief overview of the proposal, maps and additional information as per the Stage 1 ACH consultation requirements for proponents 2010. Stakeholder registration required in writing by 06/07/15.
	Saltwater Tribal Council		
	Ghinni Ghinni Youth and Culture Aboriginal Corporation		
	Bindi Aboriginal Heritage and Culture Centre Inc.		
	Sunrise Guiwan Biripi Elders Corporation		
	Lakkari NTCG	Mick Leon	
18/06/15	National Native Title Tribunal	Dianne Drake, Case Manager	Email response to register search request, advising no relevant entries in databases.
26/06/15	Port Macquarie News		Newspaper advertisement inviting registration of relevant Aboriginal knowledge-holders. Responses required by 10/07/15.
30/06/15	Office of the Registrar, Aboriginal Land Rights Act 1983	Sally Porter, Administration Officer	Mail response to letter dated 15/06/15, advising that the project area "does not appear to have Registered Aboriginal Owners pursuant to Division 3 of the Aboriginal Land Rights Act 1983 (NSW)". Suggested contact the Birpai LALC.
1/07/15	Camden Haven Courier		Repeat of newspaper advertisement inviting registration of relevant Aboriginal knowledge-holders. Responses required by 10/07/15.

Date	Stakeholder/other contact	Contact person	Summary of consultation
13/07/15	Office of Environment and Heritage Birpai Local Aboriginal Land Council	Dimitri Young, Team Leader Planning, NE Region Steven Miles, CEO	Letter mailed advising nil response to Stage 1 letters and newspaper advertisement (copies attached). Advised that due to his past experience, local knowledge-holder Lindsay Moran would be fully involved in the assessment.
15/07/15	Birpai Local Aboriginal Land Council	Mike Vegter, Acting CEO	Email advising resignation of CEO Steven Miles. No objection to participation of Lindsay Moran.
18/08/15	Dunghutti Elders Council	Ngairi Matthews, General Manager	Phone message advising Dunghutti Elders' wish to be involved in the assessment.
31/08/15	Dunghutti Elders Council	Ngairi Matthews, General Manager	Phone call to Ngairi Matthews advising that despite late response, the Dunghutti Elders Council will be included in forthcoming consultation, including participation in the field survey.
15/09/15	Lindsay Moran	Birpai knowledge-holder	Phone call to Lindsay Moran inviting him to participate in the assessment, including the field survey. Advised wish to be involved.
9/10/15	Dunghutti Elders Council Lindsay Moran	Ngairi Matthews, General Manager Birpai knowledge-holder	Letters mailed with overview of the development proposal (including maps), and draft assessment methodology for clearance or amendment before proceeding. Response to draft methodology required by 16/11/15.
22/10/15	Lindsay Moran	Birpai knowledge-holder	Phone call supporting draft assessment methodology. No amendments required.
3/11/15	Dunghutti Elders Council	Ngairi Matthews, General Manager	Email advising Uncle Bob Mumbler will be involved in field survey on behalf of the Dunghutti Elders. Will hand on letter sent re draft methodology to Bob Mumbler for suggestions, if any.
13/11/15	Dunghutti Elders Council	Bob Mumbler	Phone message asking for return call.
16/11/15 17/11/15 18/11/15	Dunghutti Elders Council	Bob Mumbler	Phone calls to Bob Mumbler. No answer.
19/11/15	Dunghutti Elders Council	Bob Mumbler	Phone call from Bob Mumbler supporting draft assessment methodology. No amendment required. Scope, purpose and timing of the assessment discussed.
26/04/16	Dunghutti Elders Council Dunghutti Elders Council Lindsay Moran	Ngairi Matthews, General Manager Bob Mumbler Birpai knowledge-holder	Phone call to Ngairi Matthews advising project planning is now sufficiently advanced to undertake the field survey and wish to engage Bob Mumbler for the survey on 13/05/16. Ngairi recommended making arrangements directly with Bob Mumbler. Phone call to Bob Mumbler arranging field survey on 13/05/16. Phone call to Lindsay Moran arranging field survey on 13/05/16.
13/05/16	Lindsay Moran Dunghutti Elders Council	Birpai knowledge-holder Bob Mumbler	Early phone call from Lindsay Moran- cannot attend field survey due to ill health. Phone call response same day advising will arrange for Lindsay to instead come another day once health OK. Field survey with Bob Mumbler. No artefacts/sites or PADs identified. No advised development constraints.

Date	Stakeholder/other contact	Contact person	Summary of consultation
6/6/16	Lindsay Moran	Birpai knowledge-holder	Phone call to Lindsay Moran enquiring whether he is yet fit enough for field survey. Advised that he had had a heart attack, was on medication, and would not be able to participate further in the assessment. Lindsay advised that on this basis he was withdrawing his registration of interest.
	Birpai Local Aboriginal Land Council	David Carroll, CEO	Phone call to David Carroll (1st day as CEO) explaining project and consultation undertaken to date, enquiring whether Land Council now wished to be involved. Advised that he will get back to me by the end of the week (10/06/16) with response.
10/6/16	Birpai Local Aboriginal Land Council	David Carroll, CEO	Phone call from David Carroll advising that Birpai LALC does wish to be involved. Ring Jason Holten (sites officer) to arrange inspection.
14/6/16	Birpai Local Aboriginal Land Council	Jason Holten, sites officer	Phone call to Jason Holten arranging field survey on 20/06/16.
20/6/16	Birpai Local Aboriginal Land Council	Jason Holten, sites officer	Field survey with Jason Holten. No artefacts/sites or PADs identified. No advised development constraints.
30/8/16	Birpai Local Aboriginal Land Council	David Carroll, CEO	Draft report posted for review and comment.
	Dunghutti Elders Council	Ngaire Matthews, General Manager	
12/9/16	Birpai Local Aboriginal Land Council	David Carroll, CEO	Letter received from Land Council advising that draft report has been reviewed- no amendments required.
15/9/16	Dunghutti Elders Council	Ngaire Matthews, General Manager	Phone call to Ngaire Matthews enquiring whether draft report received. Ngaire advised unable to find and requested it be re-sent by email.
			Draft report emailed to Ngaire Matthews.
21/9/16	Dunghutti Elders Council	Ngaire Matthews, General Manager	Phone call to Ngaire Matthews to check whether emailed draft report received. Ngaire confirmed received and will supply letter once reviewed.
7/10/16	Dunghutti Elders Council	Ngaire Matthews, General Manager	Letter received from Dunghutti Elders advising that draft report has been reviewed- no amendments required.
25/10/16	Lindsay Moran	Birpai knowledge-holder	Phone call to Lindsay Moran to inform the assessment results and enquire as to whether he had collected artefacts from the CWMF prior to its initial development, in his then role as Birpai LALC sites officer. Lindsay advised that he had collected CWMF artefacts and handed them on for storage at the Birpai LALC premises. Also advised that the CWMF property not of particular cultural significance- probably marchland between Hastings and Wilson Rivers.

**APPENDIX D: Aboriginal cultural heritage consultation requirements for proponents 2010-
Copy of letters sent in compliance with Stage 1, Step 4.1.2**

From: Jacqueline Collins <jpollins@optusnet.com.au>
Date: 11 June 2015 7:01:44 PM AEST
To: Rosalie Neve <Rosalie.Neve@environment.nsw.gov.au>
Subject: **Cairncross Landfill Expansion**

Dear Ms Neve,

Port Macquarie Hastings Council proposes to extend landfill operations at the existing Cairncross Waste Facility, located within the Port Macquarie Hastings LGA, 3-4km south of Telegraph Point on the mid-north coast.

I have been engaged by Hyder Consulting to assess Aboriginal cultural heritage impacts with respect to the proposed landfill extension area. My assessment would form part of an EIS to be prepared by Hyder Consulting, and requires implementation of the 'Aboriginal cultural heritage consultation requirements for proponents 2010'. As such, I would appreciate if you could email the OEH list of Aboriginal groups/people who may have an interest in the Port Macquarie Hastings LGA and hold knowledge relevant to determining cultural significance values.

Yours Sincerely,



Jacqui Collins
Consultant Archaeologist
Email: jpollins@optusnet.com.au

JACQUELINE COLLINS - Consultant Archaeologist
Adise Pty Ltd ABN 27 074 129 909
PO Box 6 Laurieton NSW 2443 Telephone 0427 599137 Email. jpollins@optusnet.com.au

15th June 2015

Office of the Registrar
Aboriginal Land Rights Act 1983
PO Box 112
GLEBE NSW 2037

Dear Sir/Madam,

Re: Proposed Expansion of Cairncross Waste Management Facility, Telegraph Point, Port Macquarie Hastings LGA. Identification of Aboriginal stakeholders for Cultural Heritage Assessment

Port Macquarie Hastings Council* is seeking approval from the NSW Department of Planning & Environment for a proposed expansion of the existing Cairncross Waste Management Facility. The subject expansion area is located on part Lot 7 DP 1106420, Pacific Highway, Pembroke, approximately 3.8km south of the Wilson River at Telegraph Point on the NSW mid-north coast (see attached map).

Port Macquarie Hastings Council has commissioned Hyder Consulting to address matters in relation to the proposal, including preparation of an Environmental Impact Statement (EIS). I have been engaged by Hyder Consulting to undertake a cultural heritage assessment of the proposed impact area to inform the EIS.

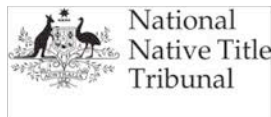
To facilitate effective Aboriginal consultation, and in accordance with the *Aboriginal Cultural Heritage Community Consultation Requirements for Proponents 2010* (DECCW 2010), I am seeking your assistance and advice. To this end, I would be most grateful if you could supply me with a list of any 'Aboriginal owners' that you may have on your register for the Port Macquarie Hastings LGA by the 6th of July 2015 (please send your response to me at the letterhead mail or email address).

Yours faithfully,



Jacqui Collins
Consultant Archaeologist

- The General Manager
Port Macquarie Hastings Council
PO Box 84 (17 Burrawan Street)
PORT MACQUARIE NSW 2444



Request for Search of Tribunal Registers

* mandatory fields are marked with an asterisk

1. Your details*

NAME: Jacqueline Collins
 POSITION: Consultant Archaeologist
 COMPANY/ORGANISATION: Adise Pty Ltd
 POSTAL ADDRESS: PO Box 6 Laurieton NSW 2443
 TELEPHONE: 0427 599137
 EMAIL: jpollins@optusnet.com.au
 YOUR REFERENCE: Cairncross Waste Management Facility
 DATE OF REQUEST: 16/06/2015

2. Reason for your request - please complete either Part A OR Part B*

Part A - Are you a party to a native title proceeding? ☐ Yes ☒ No

Please provide Federal Court/Tribunal file number/
 or application name: _____

OR

Part B - Do you need to identify existing native title interests to comply with the *Native Title Act 1993* (Cth) or other State/Territory legislation? ☒ Yes ☐ No

Please provide brief details of these obligations here: Compliance with clause 80C of NPW Regulation 2009 for Aboriginal cultural heritage assessment

3. Identify the area to be searched – please complete either Part A OR Part B*

Part A - Mining tenure Tenement ref/s: _____
 State/Territory: _____

OR

Part B - Other tenure type
☒ Crown Land, crown reserve
☐ Agricultural/pastoral lease
☒ Freehold (privately owned)**
 State/Territory: NSW
 Local Government Area: Port Macquarie Hastings

4. Description (please provide as many details as possible)

Provide any additional details, including maps with landmarks clearly shown

Lot and plan details: Lot 7 DP 1106420
 Property name: _____
 Pastoral Lease number or name: _____
 County: Macquarie
 Parish: Cairncross
 Town: _____
 Section: _____
 Hundred: _____
 Northern Territory Portion: _____

JACQUELINE COLLINS - Consultant Archaeologist
Adise Pty Ltd ABN 27 074 129 909
PO Box 6 Laurieton NSW 2443 Telephone 0427 599137 Email. jpollins@optusnet.com.au

15th June 2015

Native Title Services Corporation Limited
PO Box 2105
Strawberry Hills NSW 2012

Dear Sir/Madam,

Re: Proposed Expansion of Cairncross Waste Management Facility, Telegraph Point, Port Macquarie Hastings LGA. Identification of Aboriginal stakeholders for Cultural Heritage Assessment

Port Macquarie Hastings Council* is seeking approval from the NSW Department of Planning & Environment for a proposed expansion of the existing Cairncross Waste Management Facility. The subject expansion area is located on part Lot 7 DP 1106420, Pacific Highway, Pembroke, approximately 3.8km south of the Wilson River at Telegraph Point on the NSW mid-north coast (see attached map).

Port Macquarie Hastings Council has commissioned Hyder Consulting to address matters in relation to the proposal, including preparation of an Environmental Impact Statement (EIS). I have been engaged by Hyder Consulting to undertake a cultural heritage assessment of the proposed impact area to inform the EIS.

To facilitate effective Aboriginal consultation, and in accordance with the *Aboriginal Cultural Heritage Community Consultation Requirements for Proponents 2010* (DECCW 2010), I am seeking your assistance and advice. To this end, I would be most grateful if you could supply me with a list of any 'Aboriginal owners' that you may have on your register for the Port Macquarie Hastings LGA by the 6th of July 2015 (please send your response to me at the letterhead mail or email address).

Yours faithfully,



Jacqui Collins
Consultant Archaeologist

- The General Manager
Port Macquarie Hastings Council
PO Box 84 (17 Burrawan Street)
PORT MACQUARIE NSW 2444

JACQUELINE COLLINS - Consultant Archaeologist
Adise Pty Ltd ABN 27 074 129 909
PO Box 6 Laurieton NSW 2443 Telephone 0427 599137 Email. jpollins@optusnet.com.au

15th June 2015

The General Manager
Port Macquarie Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444

Dear Sir/Madam,

Re: Proposed Expansion of Cairncross Waste Management Facility, Telegraph Point, Port Macquarie Hastings LGA. Identification of Aboriginal Stakeholders for Cultural Heritage Assessment

As you are aware, Port Macquarie Hastings Council is seeking approval from the NSW Department of Planning & Environment for a proposed expansion of the existing Cairncross Waste Management Facility.

Council has commissioned Hyder Consulting to address matters in relation to the proposal, including preparation of an Environmental Impact Statement (EIS). I have been engaged by Hyder Consulting to undertake a cultural heritage assessment of the proposed impact area to inform the EIS.

To facilitate effective Aboriginal consultation, and in accordance with the *Aboriginal Cultural Heritage Community Consultation Requirements for Proponents 2010* (DECCW 2010), I am seeking your assistance and advice. To this end, I would be most grateful if you could supply me with details of any Aboriginal persons, groups and/or organisations known to Council, who may hold knowledge of/cultural attachments to the Pembroke/Telegraph Point locality. I would require this information by the 6th of July 2015 (please send your response to me at the letterhead mail or email address).

Yours faithfully,



Jacquie Collins
Consultant Archaeologist

APPENDIX E: *Aboriginal cultural heritage consultation requirements for proponents 2010-*
Responses to letters sent in compliance with Stage 1, Step 4.1.2



Office of
Environment
& Heritage

Our reference: DOC15/212365
Contact: Rosalie Neve (02) 6659 8221

Ms Jacqui Collins
Adise Pty Ltd
PO Box 6
Laurieton NSW 2443

Dear Ms Collins

RE: Aboriginal Cultural Heritage Impact Assessment – Cairncross Waste Facility, NSW

Thank you for your correspondence of 11 June 2015 to the Office of Environment and Heritage (OEH) regarding Aboriginal cultural heritage consultation for the proposed assessment of the abovementioned property which lies in the Port Macquarie Hastings local government area. I appreciate the opportunity to provide input.

Please find enclosed a list of known Aboriginal parties for the Port Macquarie Hastings local government area (**Attachment A**) that OEH considers likely to have an interest in the proposal. Note this is not necessarily an exhaustive list of all interested Aboriginal parties. Receipt of this list does not remove the requirement for a proponent/consultant to advertise the proposal in the local print media and contact other bodies and community groups seeking interested Aboriginal parties, in accordance with the OEH 'Aboriginal cultural heritage consultation requirements for proponents 2010' (the CRs).

OEH would also like to take this opportunity to remind the proponent and consultant to:


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

Locked Bag 914, Coffs Harbour NSW 2450
Federation House Level 7, 24 Moonee Street,
Coffs Harbour NSW 2450
Tel: (02) 6651 5946 Fax: (02) 6651 6187
ABN 30 841 387 271
www.environment.nsw.gov.au

- Note that Appendix A of the CRs contains a map illustrating which Regional Office of OEH should be contacted regarding the AHIP application based on the local government area in which the project is located. Full details of the consultation requirements and the relevant Fact Sheets can be located on the OEH website at:
www.environment.nsw.gov.au/licences/consultation.htm.
- Forward to OEH any changes to the contact details of interested Aboriginal parties, or information regarding additional parties, so that OEH can update its records.
- Ensure that consultation is fair, equitable and transparent. If the Aboriginal parties express concern or are opposed to parts of or the entire project, OEH expects that evidence will be provided to demonstrate the efforts made to find common ground between the opponents and the proponent.

If you require further information or clarification please do not hesitate to contact Ms Rosalie Neve, Aboriginal Heritage Planning Officer, on (02) 6659 8221.

Yours sincerely

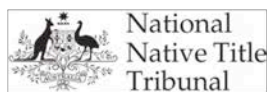
 12 June 2015

DIMITRI YOUNG
Senior Team Leader Planning, North East Region
Regional Operations

Enclosure: Attachment A

**ATTACHMENT A: OEH Known Aboriginal Parties for the
Port Macquarie Hastings Local Government Area**

1.	Saltwater Tribal Council 18 Ronald Road TAREE, NSW 2430 Ph: (02) 65524440
2.	Ghinni Ghinni Youth and Culture Aboriginal Corporation PO Box 641 TAREE, NSW 2430 Ph: (02) 65512160 Ghinni_ghinni@hotmail.com
3.	Bindi Aboriginal Heritage and Cultural Centre Inc. 187 Beechwood Road WAUCHOPE, NSW 2446 Ph: (02) 65864560
4.	Sunrise Guiwan Biripi Elders Corporation Warner Saunders PO Box 129 CUNDLETOWN NSW 2430 Ph: 0487660726 Warner.saunders9@gmail.com
5.	Lakkari NTCG Mick Leon C/- Doo-wa-kee CHS 82 Victoria Street TAREE NSW 2430 Ph: (02) 65527835 Mob: 0402 751 584 doowakee@virginbroadband.com.au
6.	Birpi Local Aboriginal Land Council Steven Miles Lot 33 - Aston Street PORT MACQUARIE NSW 2444 Ph: (02) 6584 9066 Fax: (02) 6583 8172 birpailalc@midcoast.com.au



18 June 2015

Ms Jacqueline Collins
Consultant Archaeologist
Adise Pty Ltd
PO BOX 6
LAURIETON NSW 2443

Operations East, Sydney Office

Level 16, Law Courts
Building, Queens Square
Sydney NSW 2000
GPO Box 9973
Sydney NSW 2001
Telephone (02) 9227 4000
Facsimile (02) 9227 4030

Our Reference: Cairncross Waste Facility Reference
Your Reference: 728

Dear Ms Collins

Native Title Search Results for Port Macquarie-Hastings Local Government Area

Thank you for your search request received on 16 June 2015 in relation to the above area.

Search Results

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

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

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

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

Shared country, shared future

Freecall 1800 640 581
www.nntt.gov.au



Tribunal accepts no liability for reliance placed on enclosed information

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

If you have any further queries, please do not hesitate to contact me on the number below or on the free call number 1800 640 501.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D Drake'.

Dianne Drake | CASE MANAGER

National Native Title Tribunal | Sydney Office, Operations East

Telephone (02) 9227 4007 | Facsimile (02) 9227 4030 | Email dianne.drake@nntt.gov.au

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

Shared country, shared future.



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

Jacqui Collins
Jacqueline Collins Consult Archaeologist
PO BOX 6
LAURIETON NSW 2443

Dear Jacqui

Re: Request - Search for Registered Aboriginal Owners

I refer to your fax dated 15 June 2015 regarding Aboriginal Cultural Heritage Assessment within the Pembroke area.

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

I suggest that you contact the Birapai Local Aboriginal Land Council. They will be able to assist you in identifying other Aboriginal stakeholders for this project.

Yours sincerely

Sally Porter
Administration Officer
Office of the Registrar, *Aboriginal Land Rights Act (1983)*

**APPENDIX F: Aboriginal cultural heritage consultation requirements for proponents 2010-
Copy of letters sent and newspaper advertisement in compliance with Stage 1, Step 4.1.3 and
Step 4.1.6**

JACQUELINE COLLINS - Consultant Archaeologist
Adise Pty Ltd ABN 27 074 129 909
PO Box 6 Laurieton NSW 2443 Telephone 0427 599137 Email. jpollins@optusnet.com.au

16th June 2015

Steven Miles, CEO
Birpai Local Aboriginal Land Council
PO Box 876
PORT MACQUARIE NSW 2444

Dear Steven,

**Re: Proposed Expansion of Cairncross Waste Management Facility, Telegraph Point, Port Macquarie Hastings LGA.
Identification of Aboriginal Stakeholders for Cultural Heritage Assessment**

Port Macquarie Hastings Council* is seeking approval from the NSW Department of Planning & Environment for a proposed expansion of the existing Cairncross Waste Management Facility, located on part Lot 7 DP 1106420, Pacific Highway, Pembroke, approximately 3.8km south of the Wilson River at Telegraph Point.

An EIS was prepared for the entire waste facility site (including the currently proposed expansion area) in 1999, and approval was given for development of Stage 1. This approval is due to expire in 2026. Council now plans to submit a new Development Application to permit longer-term use of the Stage 1 area and development the remaining landfill stages (see attached map).

For Your Information- The 1999 EIS included an Aboriginal cultural heritage assessment (done by me). In addition to a field survey with Birpai LALC sites officer/knowledge holder Lindsay Moran, consultation was undertaken with the late Birpai Elders William Holten (Snr) and Pat Preece. No sites of special cultural significance were identified by the Elders. Four sites containing between one and six stone artefacts were detected during the field survey. Of these, two sites, each containing two stone artefacts, lie within the proposed landfill expansion area.

Port Macquarie Hastings Council has commissioned Hyder Consulting to address matters in relation to the current proposal, including preparation of an updated Environmental Impact Statement (EIS). I have been engaged by Hyder Consulting to undertake a cultural heritage assessment of the proposed impact area to inform the new EIS.

In accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (Office of Environment and Heritage), I am writing to notify you of the proposal, and to invite the Land Council to register an interest in the consultation and assessment process. I would also be grateful if you could advise the names and contact details of any Aboriginal persons that the Land Council may be aware of, who may hold knowledge of/cultural attachments to the Pembroke/Telegraph Point locality.

The consultation process will assist Council in the preparation of an Aboriginal Heritage Impact Permit (AHIP) application should this be warranted, and assist the Office of Environment and Heritage in its consideration and determination of any AHIP application.

To formally register your interest in the cultural heritage assessment, please do so in writing (letter or email) to the letterhead address to arrive by close of business 6th of July 2015. In the event that the Land Council registers an interest, please nominate a contact person who will provide input and advice on your behalf. Note that if the Land Council registers an interest, details of this registration will be forwarded to the Office of Environment and Heritage unless you specify that you do not want these details released.

If you require any further information at this time, please don't hesitate to contact me on the above phone number to discuss.

Yours sincerely,



Jacqui Collins
Consultant Archaeologist

• The General Manager
Port Macquarie Hastings Council
PO Box 84 (17 Burrawan Street)
PORT MACQUARIE NSW 2444

JACQUELINE COLLINS - Consultant Archaeologist

Adise Pty Ltd

ABN 27 074 129 909

PO Box 6 Laurieton NSW 2443 Telephone/Fax (02) 6559 9138 jpollins@optusnet.com.au

16th June 2015

Saltwater Tribal Council
18 Ronald Road
TAREE NSW 2430

Dear Sir/Madam,

Re: Proposed Expansion of Cairncross Waste Management Facility, Telegraph Point, Port Macquarie Hastings LGA. Identification of Aboriginal Stakeholders for Cultural Heritage Assessment

Port Macquarie Hastings Council (PO Box 84, Port Macquarie NSW 2444) is seeking approval from the NSW Department of Planning & Environment for a proposed expansion of the existing Cairncross Waste Management Facility. The subject expansion area is located on part Lot 7 DP 1106420, Pacific Highway, Pembroke, approximately 3.8km south of the Wilson River at Telegraph Point on the NSW mid-north coast.

Port Macquarie Hastings Council has commissioned Hyder Consulting to address matters in relation to the proposal, including preparation of an Environmental Impact Statement (EIS). I have been engaged by Hyder Consulting to undertake a cultural heritage assessment of the proposed impact area to inform the EIS. My assessment would include consultation with Aboriginal people who have an interest in the Pembroke/Telegraph Point area and hold knowledge relevant to determining the cultural significance of Aboriginal objects and places that may be affected by the proposal, and to prepare an Aboriginal Cultural Heritage Assessment report that includes the process and outcomes of this consultation. The consultation will assist Port Macquarie Hastings Council in the preparation of an Aboriginal Heritage Impact Permit (AHIP) application should this prove necessary, and assist the Office of Environment and Heritage in its consideration and determination of any AHIP application.

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water 2010), I am seeking the registration of Aboriginal persons/parties with knowledge relevant to assessing the cultural significance of Aboriginal objects and places within the area to be affected by the proposed landfill expansion, to take part in the consultation program.

Should the Saltwater Tribal Council have an interest in, and/or cultural knowledge of/attachments to the Pembroke/Telegraph Point locality, please formally register this interest by close of business 6th of July 2015, by post, email or phone to me at the letterhead address. In the event that the Saltwater Tribal Council registers an interest, please nominate a contact person who will provide input on behalf of the organisation. Details of this interest will be forwarded to the Office of Environment and Heritage and the Birpai Local Aboriginal Land Council unless you specify that you do not want these details to be released.

If you require any further information at this time, please don't hesitate to contact me on the above phone number to discuss.

Yours faithfully,



Jacqui Collins
Consultant Archaeologist

JACQUELINE COLLINS - Consultant Archaeologist

Adise Pty Ltd

ABN 27 074 129 909

PO Box 6 Laurieton NSW 2443 Telephone/Fax (02) 6559 9138 jpollins@optusnet.com.au

16th June 2015

Ghinni Ghinni Youth and Culture Aboriginal Corporation
PO Box 641
TAREE NSW 2430

Dear Sir/Madam,

Re: Proposed Expansion of Cairncross Waste Management Facility, Telegraph Point, Port Macquarie Hastings LGA. Identification of Aboriginal Stakeholders for Cultural Heritage Assessment

Port Macquarie Hastings Council (PO Box 84, Port Macquarie NSW 2444) is seeking approval from the NSW Department of Planning & Environment for a proposed expansion of the existing Cairncross Waste Management Facility. The subject expansion area is located on part Lot 7 DP 1106420, Pacific Highway, Pembroke, approximately 3.8km south of the Wilson River at Telegraph Point on the NSW mid-north coast.

Port Macquarie Hastings Council has commissioned Hyder Consulting to address matters in relation to the proposal, including preparation of an Environmental Impact Statement (EIS). I have been engaged by Hyder Consulting to undertake a cultural heritage assessment of the proposed impact area to inform the EIS. My assessment would include consultation with Aboriginal people who have an interest in the Pembroke/Telegraph Point area and hold knowledge relevant to determining the cultural significance of Aboriginal objects and places that may be affected by the proposal, and to prepare an Aboriginal Cultural Heritage Assessment report that includes the process and outcomes of this consultation. The consultation will assist Port Macquarie Hastings Council in the preparation of an Aboriginal Heritage Impact Permit (AHIP) application should this prove necessary, and assist the Office of Environment and Heritage in its consideration and determination of any AHIP application.

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water 2010), I am seeking the registration of Aboriginal persons/parties with knowledge relevant to assessing the cultural significance of Aboriginal objects and places within the area to be affected by the proposed landfill expansion, to take part in the consultation program.

Should the Ghinni Ghinni Youth and Culture Aboriginal Corporation have an interest in, and/or cultural knowledge of/attachments to the Pembroke/Telegraph Point locality, please formally register this interest by close of business 6th of July 2015, by post, email or phone to me at the letterhead address. In the event that the Ghinni Ghinni Youth and Culture Aboriginal Corporation registers an interest, please nominate a contact person who will provide input on behalf of the organisation. Details of this interest will be forwarded to the Office of Environment and Heritage and the Birpai Local Aboriginal Land Council unless you specify that you do not want these details to be released.

If you require any further information at this time, please don't hesitate to contact me on the above phone number to discuss.

Yours faithfully,



Jacqui Collins
Consultant Archaeologist

JACQUELINE COLLINS - Consultant Archaeologist

Adise Pty Ltd

ABN 27 074 129 909

PO Box 6 Laurieton NSW 2443 Telephone/Fax (02) 6559 9138 jpollins@optusnet.com.au

16th June 2015

Bindi Aboriginal Heritage and Cultural Centre Inc.
187 Beechwood Road
WAUCHOPE NSW 2446

Dear Sir/Madam,

Re: Proposed Expansion of Cairncross Waste Management Facility, Telegraph Point, Port Macquarie Hastings LGA. Identification of Aboriginal Stakeholders for Cultural Heritage Assessment

Port Macquarie Hastings Council (PO Box 84, Port Macquarie NSW 2444) is seeking approval from the NSW Department of Planning & Environment for a proposed expansion of the existing Cairncross Waste Management Facility. The subject expansion area is located on part Lot 7 DP 1106420, Pacific Highway, Pembroke, approximately 3.8km south of the Wilson River at Telegraph Point on the NSW mid-north coast.

Port Macquarie Hastings Council has commissioned Hyder Consulting to address matters in relation to the proposal, including preparation of an Environmental Impact Statement (EIS). I have been engaged by Hyder Consulting to undertake a cultural heritage assessment of the proposed impact area to inform the EIS. My assessment would include consultation with Aboriginal people who have an interest in the Pembroke/Telegraph Point area and hold knowledge relevant to determining the cultural significance of Aboriginal objects and places that may be affected by the proposal, and to prepare an Aboriginal Cultural Heritage Assessment report that includes the process and outcomes of this consultation. The consultation will assist Port Macquarie Hastings Council in the preparation of an Aboriginal Heritage Impact Permit (AHIP) application should this prove necessary, and assist the Office of Environment and Heritage in its consideration and determination of any AHIP application.

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water 2010), I am seeking the registration of Aboriginal persons/parties with knowledge relevant to assessing the cultural significance of Aboriginal objects and places within the area to be affected by the proposed landfill expansion, to take part in the consultation program.

Should the Bindi Aboriginal Heritage and Cultural Centre have an interest in, and/or cultural knowledge of/attachments to the Pembroke/Telegraph Point locality, please formally register this interest by close of business 6th of July 2015, by post, email or phone to me at the letterhead address. In the event that Bindi Aboriginal Heritage and Cultural Centre registers an interest, please nominate a contact person who will provide input on behalf of the organisation. Details of this interest will be forwarded to the Office of Environment and Heritage and the Birpai Local Aboriginal Land Council unless you specify that you do not want these details to be released.

If you require any further information at this time, please don't hesitate to contact me on the above phone number to discuss.

Yours faithfully,



Jacqui Collins
Consultant Archaeologist

JACQUELINE COLLINS - Consultant Archaeologist

Adise Pty Ltd

ABN 27 074 129 909

PO Box 6 Laurieton NSW 2443 Telephone/Fax (02) 6559 9138 jpollins@optusnet.com.au

16th June 2015

Warner Saunders
Sunrise Guiwan Biripi Elders Corporation
PO Box 129
CUNDLETON NSW 2430

Dear Warner,

Re: Proposed Expansion of Cairncross Waste Management Facility, Telegraph Point, Port Macquarie Hastings LGA. Identification of Aboriginal Stakeholders for Cultural Heritage Assessment

Port Macquarie Hastings Council (PO Box 84, Port Macquarie NSW 2444) is seeking approval from the NSW Department of Planning & Environment for a proposed expansion of the existing Cairncross Waste Management Facility. The subject expansion area is located on part Lot 7 DP 1106420, Pacific Highway, Pembroke, approximately 3.8km south of the Wilson River at Telegraph Point on the NSW mid-north coast.

Port Macquarie Hastings Council has commissioned Hyder Consulting to address matters in relation to the proposal, including preparation of an Environmental Impact Statement (EIS). I have been engaged by Hyder Consulting to undertake a cultural heritage assessment of the proposed impact area to inform the EIS. My assessment would include consultation with Aboriginal people who have an interest in the Pembroke/Telegraph Point area and hold knowledge relevant to determining the cultural significance of Aboriginal objects and places that may be affected by the proposal, and to prepare an Aboriginal Cultural Heritage Assessment report that includes the process and outcomes of this consultation. The consultation will assist Port Macquarie Hastings Council in the preparation of an Aboriginal Heritage Impact Permit (AHIP) application should this prove necessary, and assist the Office of Environment and Heritage in its consideration and determination of any AHIP application.

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water 2010), I am seeking the registration of Aboriginal persons/parties with knowledge relevant to assessing the cultural significance of Aboriginal objects and places within the area to be affected by the proposed landfill expansion, to take part in the consultation program.

Should you or any other members of the Sunrise Guiwan Biripi Elders Corporation have an interest in, and/or cultural knowledge of/attachments to the Pembroke/Telegraph Point locality, please formally register this interest by close of business 6th of July 2015, by post, email or phone to me at the letterhead address. In the event that the Sunrise Guiwan Biripi Elders Corporation registers an interest, please nominate a contact person who will provide input on behalf of the organisation. Details of this interest will be forwarded to the Office of Environment and Heritage and the Birpai Local Aboriginal Land Council unless you specify that you do not want these details to be released.

If you require any further information at this time, please don't hesitate to contact me on the above phone number to discuss.

Kind regards as always,



Jacqui Collins- Consultant Archaeologist

JACQUELINE COLLINS - Consultant Archaeologist

Adise Pty Ltd

ABN 27 074 129 909

PO Box 6 Laurieton NSW 2443 Telephone/Fax (02) 6559 9138 jpollins@optusnet.com.au

16th June 2015

Mick Leon
Lakkari NTCG
c/- Doo-wa-kee CHS
82 Victoria Street
TAREE NSW 2430

Dear Mick,

Re: Proposed Expansion of Cairncross Waste Management Facility, Telegraph Point, Port Macquarie Hastings LGA. Identification of Aboriginal Stakeholders for Cultural Heritage Assessment

Port Macquarie Hastings Council (PO Box 84, Port Macquarie NSW 2444) is seeking approval from the NSW Department of Planning & Environment for a proposed expansion of the existing Cairncross Waste Management Facility. The subject expansion area is located on part Lot 7 DP 1106420, Pacific Highway, Pembrooke, approximately 3.8km south of the Wilson River at Telegraph Point on the NSW mid-north coast.

Port Macquarie Hastings Council has commissioned Hyder Consulting to address matters in relation to the proposal, including preparation of an Environmental Impact Statement (EIS). I have been engaged by Hyder Consulting to undertake a cultural heritage assessment of the proposed impact area to inform the EIS. My assessment would include consultation with Aboriginal people who have an interest in the Pembrooke/ Telegraph Point area and hold knowledge relevant to determining the cultural significance of Aboriginal objects and places that may be affected by the proposal, and to prepare an Aboriginal Cultural Heritage Assessment report that includes the process and outcomes of this consultation. The consultation will assist Port Macquarie Hastings Council in the preparation of an Aboriginal Heritage Impact Permit (AHIP) application should this prove necessary, and assist the Office of Environment and Heritage in its consideration and determination of any AHIP application.

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water 2010), I am seeking the registration of Aboriginal persons/parties with knowledge relevant to assessing the cultural significance of Aboriginal objects and places within the area to be affected by the proposed landfill expansion, to take part in the consultation program.

Should the Lakkari NTCG have an interest in, and/or cultural knowledge of/attachments to the Pembrooke/ Telegraph Point locality, please formally register this interest by close of business 6th of July 2015, by post, email or phone to me at the letterhead address. In the event that the Lakkari NTCG registers an interest, please nominate a contact person who will provide input on behalf of the organisation. Details of this interest will be forwarded to the Office of Environment and Heritage and the Birpai Local Aboriginal Land Council unless you specify that you do not want these details to be released.

If you require any further information at this time, please don't hesitate to contact me on the above phone number to discuss.

Kind regards as always,



Jacqui Collins
Consultant Archaeologist

Excerpt from Port Macquarie Hastings Council 'Council Matters', published in *Port Macquarie News* (26th June 2015). Also published in the *Camden Haven Courier* (1st July 2015)

COMMUNITY NEWS

UPDATED CAIRNCROSS WASTE MANAGEMENT FACILITY EIS-NOTIFICATION AND REGISTRATION OF INTEREST IN ABORIGINAL CONSULTATION

Port Macquarie Hastings Council has engaged Hyder Consulting to prepare an updated EIS for the expansion of Cairncross Waste Management Facility, located on part Lot 7 DP 1106420, County Macquarie, Parish Cairncross. Consultation with Aboriginal people as required by the National Parks and Wildlife Amendment (Aboriginal Objects and Aboriginal Places) Regulation 2010 is to be undertaken in conjunction with a cultural heritage assessment. Aboriginal people who hold cultural knowledge relevant to assessing the significance of Aboriginal objects and/or places within the Pembroke/Telegraph Point locality are invited to register their interest in the community consultation process by registering. Details of registrations will be forwarded to the Office of Environment and Heritage and the Birpai Local Aboriginal Land Council. To register an interest, please forward your written submission by 10/7/2015 to: Jacqueline Collins (Consultant Archaeologist), PO Box 6, Laurieton NSW 2443. Email: jpollins@optusnet.com.au

4 Port Macquarie News Friday, June 26, 2015

JACQUELINE COLLINS - *Consultant Archaeologist*
Adise Pty Ltd ABN 27 074 129 909
PO Box 6 Laurieton NSW 2443 Tel. 0427 599137 Email jpollins@optusnet.com.au

13th July 2015

Your reference: DOC 15/212365

Dimitri Young
Senior Team Leader Planning, North East Region
Office of Environment and Heritage
Locked Bag 914
COFFS HARBOUR NSW 2450

Dear Mr Young,

Re: Aboriginal Cultural Heritage Assessment- Cairncross Waste Facility, NSW

As required under Section 4.1.6 of the *Aboriginal cultural heritage consultation requirements for proponents 2010*, find attached copies of notification letters sent out for the purposes of identifying Aboriginal parties who may hold cultural knowledge relevant to the Cairncross Waste Facility site (as per your letter dated 12th of June 2015).

A copy of the required newspaper advertisement, published in the *Port Macquarie News* (June 26, 2015) and the *Camden Haven Courier* (July 1, 2015) is also attached.

No Aboriginal organisations, groups or individuals responded to either the letters or the newspaper advertisement.

However, I have worked with the local Aboriginal people over a period of more than two decades, and am aware that Birpai knowledge-holder Lindsay Moran has cultural information handed down through the generations, is highly experienced in archaeological field survey, and has knowledge of the Cairncross Waste Facility site. Owing to the nil response from others, I propose to undertake the assessment with the assistance and advice of Lindsay Moran.

Please advise if any problem or if any further information is required.

Yours sincerely,



Jacqui Collins
Consultant Archaeologist

JACQUELINE COLLINS - Consultant Archaeologist
Adise Pty Ltd ABN 27 074 129 909
PO Box 6 Laurieton NSW 2443 Tel. 0427 599137 Email jpollins@optusnet.com.au

13th July 2015

Steven Miles, CEO
Birpai Local Aboriginal Land Council
PO Box 876
PORT MACQUARIE NSW 2444

Dear Steven,

Re: Re: Aboriginal Cultural Heritage Assessment- Cairncross Waste Facility, NSW

As required under Section 4.1.6 of the *Aboriginal cultural heritage consultation requirements for proponents 2010*, find attached copies of notification letters sent out for the purposes of identifying Aboriginal parties who may hold cultural knowledge relevant to the Cairncross Waste Facility site (as per my letter dated 16th of June 2015).

A copy of the required newspaper advertisement, published in the *Port Macquarie News* (June 26, 2015) and the *Camden Haven Courier* (July 1, 2015) is also attached.

No Aboriginal organisations, groups or individuals responded to either the letters or the newspaper advertisement.

However, I have worked with the local Aboriginal people over a period of more than two decades, and am aware that Birpai knowledge-holder Lindsay Moran has cultural information handed down through the generations, is highly experienced in archaeological field survey, and has knowledge of the Cairncross Waste Facility site. Owing to the nil response from others, I propose to undertake the assessment with the assistance and advice of Lindsay Moran.

Please advise if any problem or if any further information is required.

Yours sincerely,



Jacqui Collins
Consultant Archaeologist

**APPENDIX G: Aboriginal cultural heritage consultation requirements for proponents 2010-
Response to letters sent and newspaper advertisement in compliance with Stage 1, Step 4.1.3**

From: Michael Vegter <mvegterceo@gmail.com>
Date: 15 July 2015 3:43:58 PM AEST
To: jpollins@optusnet.com.au
Subject: Cairncross Waste Facility

Hello Jacqui,

I advise that Steven Miles has resigned from this Land Council, and I am Acting CEO until a new CEO is employed.

We received your letter dated 13 July, 2015 regarding Aboriginal Assessment of the Cairncross Waste Facility, along with copies of letters and advertisement.

Unfortunately we did not see the advertisement in the Port Macquarie News, nor did we receive the letter to us dated 16 June 2015, which you have provided a copy of.

Regardless of the above, Lindsay Moran would probably be the proper person to assist you, and we have no objection to that happening.

Regards,
Mike Vegter
Acting CEO
Birpai Local Aboriginal Land Council
PO Box 876, Port Macquarie NSW 2444
02 6584 9066

APPENDIX H: Aboriginal cultural heritage consultation requirements for proponents 2010- Project information and draft assessment methodology supplied in compliance with Stage 2 and Stage 3, Step 4.3.1

JACQUELINE COLLINS - Consultant Archaeologist
Adise Pty Ltd ABN 27 074 129 909
PO Box 6 Laurieton NSW 2443 Tel. 0427 599137 Email. jpollins@optusnet.com.au

9th October 2015

Ngaire Matthews
General Manager
Dunghutti Elders Council (Aboriginal Corporation)
17/23 South Street
SOUTH KEMPSEY NSW 2440

Dear Ngaire,

Re: Proposed Expansion of Cairncross Waste Management Facility, Telegraph Point, Port Macquarie Hastings LGA.
Scope of the proposed project and draft methodology for the cultural heritage assessment

Thanks again for expressing an interest in the above cultural heritage assessment on behalf of the Dunghutti Elders Council.

Background and current proposal

For your information, the Cairncross Waste Management Facility is zoned *SP2 Infrastructure (Waste Management Facility)* under Port Macquarie-Hastings LEP 2011, and is the primary centre for Council's waste operations. A comprehensive EIS prepared by ERM Mitchell McCotter in 1999 in conjunction with the initial planning process addressed construction and ongoing waste operations for the entirety of the proposed site (including landfill Stages 1-5). The 1999 EIS included an Aboriginal archaeological/cultural assessment prepared by me in liaison with then Birpai LALC sites officer Lindsay Moran, and also involved consultation with now deceased local Elders William Moran (Snr) and Pat Preece. No sites/places of special significance were identified by either Elder within or near the proposed waste management facility site. Four sites (CWD 1, 2, 3 and 4) containing between one and six Aboriginal stone artefacts were recorded during the field survey.

Stage 1 of the landfill, development of an adjacent organics resource recovery facility and other waste management activities were subsequently approved, and operations at Cairncross commenced in September 2001. The two recorded Aboriginal sites (CWD 1 [scatter of six stone artefacts], AHIMS #30-3-0238; and CWD 2 [isolated stone artefact], AHIMS #30-3-0239) adjacent to this development were not disturbed.

The current Stage 1 landfill approval is due to conclude in 2026, and approval for the expansion of landfill operations into the area covered by Stages 2-5 is yet to be sought. Port Macquarie-Hastings Council thus proposes to submit a development application to extend the operational life of the existing Stage 1 landfill, and permit staged construction of the remaining landfill cells (Stages 2-5). Expansion into the Stage 2-5 landfill cells would be undertaken on an incremental, sub-stage basis, and would require impact upon the two other registered Aboriginal sites (CWD 3, AHIMS #30-3-0242 and CWD 4, AHIMS #3-3-0241), each of which contain two identified artefacts.

An updated EIS is needed to accompany the proposed development application. I have been engaged by Arcadis (formerly Hyder Consulting) to undertake the new cultural heritage assessment.

Proposed methodology for the cultural heritage assessment

For your review and further input, my cultural heritage assessment methodology would include:

- Consultation with Aboriginal knowledge-holders (as per your advice) to identify the location, nature, extent and significance of any known sites/places of ceremonial, spiritual or other traditional, historic or contemporary socio-cultural value within and near the project area, and the impacts that the proposal may have on these values.
- A field inspection of the registered site locations and potentially sensitive landforms to be affected by the proposed landfill expansion, assisted by a Dunghutti knowledge holder/sites officer. The field inspection would be directed towards:
 - Determining where Aboriginal objects occur/are likely to occur, and assessing the existing preservation status of these objects.
 - Assessing the socio-cultural and archaeological significance of any identified and potential Aboriginal objects.

- Formulating management strategies designed to mitigate impacts of the proposal upon Aboriginal socio-cultural and archaeological values, including any required avoidance/site conservation/protection measures, subsurface investigations deemed necessary to provide further information, and/or recommended artefact salvage.
- Production of a report presenting all relevant information, including site significance assessments and management recommendations. No cultural information flagged as sensitive/for restricted access only will be divulged in the report. A draft copy of the report would be supplied for your review and comment prior to its finalisation. The final report would be changed as/if you require, and your comments incorporated.
- Submission of site recording forms (new sites) and extra information (previously registered sites) to the OEH Aboriginal Sites Registrar.

Before going ahead with arranging any consultation or fieldwork, I would be pleased if you could let me know, at your earliest convenience (email jpollins@optusnet.com.au or phone 0427 599137), whether the above proposed cultural heritage assessment methodology is OK, and if not, what else you would want included. I would appreciate this advice by the 16th of November 2015.

Kind regards and please phone if you need any further information in regard to this letter.



Jacqui Collins
Consultant Archaeologist

JACQUELINE COLLINS - Consultant Archaeologist
Adise Pty Ltd ABN 27 074 129 909
PO Box 6 Laurieton NSW 2443 Tel. 0427 599137 Email. jpollins@optusnet.com.au

9th October 2015

Lindsay Moran
Birpai Knowledge-holder
7365 Oxley Highway
Mount Seaview NSW 2446

Dear Lindsay,

**Re: Proposed Expansion of Cairncross Waste Management Facility, Telegraph Point, Port Macquarie Hastings LGA.
Scope of the proposed project and draft methodology for the cultural heritage assessment**

Thanks again for expressing an interest in the above cultural heritage assessment, and I look forward to working with you again.

Background and current proposal

For your information, the Cairncross Waste Management Facility is zoned *SP2 Infrastructure (Waste Management Facility)* under Port Macquarie-Hastings LEP 2011, and is the primary centre for Council's waste operations. A comprehensive EIS prepared by ERM Mitchell McCotter in 1999 in conjunction with the initial planning process addressed construction and ongoing waste operations for the entirety of the proposed site (including landfill Stages 1-5). The 1999 EIS included an Aboriginal archaeological/cultural assessment prepared by me in liaison with yourself, and also involved consultation with Birpai Elders Pat Preece and your dad William Moran (Snr). No sites/places of special significance were identified by either Elder within or near the proposed waste management facility site. As you already know, four sites (CWD 1, 2, 3 and 4) containing between one and six Aboriginal stone artefacts were recorded during the field survey.

Stage 1 of the landfill, development of an adjacent organics resource recovery facility and other waste management activities were subsequently approved, and operations at Cairncross commenced in September 2001. The two recorded Aboriginal sites (CWD 1 [scatter of six surface artefacts], AHIMS #30-3-0238; and CWD 2 [isolated stone artefact], AHIMS #30-3-0239) adjacent to this development were not disturbed.

The current Stage 1 landfill approval is due to conclude in 2026, and approval for the expansion of landfill operations into the area covered by Stages 2-5 is yet to be sought. Port Macquarie-Hastings Council thus proposes to submit a development application to extend the operational life of the existing Stage 1 landfill, and permit the staged construction of new landfill cells (Stages 2-5). Expansion into the Stage 2-5 landfill cells would be undertaken on an incremental, sub-stage basis and would ultimately require impact upon the two remaining known Aboriginal sites (CWD 3, AHIMS #30-3-0242 and CWD 4, AHIMS #3-3-0241), each of which contain two identified artefacts.

An updated EIS is needed to accompany the proposed development application. I have been engaged by Arcadis (formerly Hyder Consulting) to undertake the new cultural heritage assessment.

Proposed methodology for the cultural heritage assessment

For your review and further input, my cultural heritage assessment methodology would include:

- Consultation with Aboriginal knowledge-holders (including you and any others you are aware of) to identify the location, nature, extent and significance of any known sites/places of ceremonial, spiritual or other outstanding traditional, historic or contemporary socio-cultural value within and near the project area, and the impacts that the proposal may have on these values.
- A field inspection of the registered site locations and potentially sensitive landforms to be affected by the proposed landfill expansion (with your assistance). The field inspection would be directed towards:
 - Determining where Aboriginal objects occur/are likely to occur, and assessing the existing preservation status of these objects.
 - Assessing the socio-cultural and archaeological significance of any identified and potential Aboriginal objects.

- Formulating management strategies designed to mitigate impacts of the proposal upon Aboriginal socio-cultural and archaeological values, including any required avoidance/site conservation/protection measures, subsurface investigations deemed necessary to provide further information, and/or recommended artefact salvage.
- Production of a report presenting all relevant information, including site significance assessment/s and management recommendations. No cultural information flagged as sensitive/for restricted access only will be divulged in the report. A draft copy of the report would be supplied for your review and comment prior to its finalisation. The final report would be changed as/if you require, and your comments incorporated.
- Submission of site recording forms (new sites) and extra information (previously registered sites) to the OEH Aboriginal Sites Registrar.

Before going ahead with arranging any consultation or fieldwork, I would be pleased if you could let me know, at your earliest convenience (email jpollins@optusnet.com.au or phone 0427 599137), whether the above proposed cultural heritage assessment methodology is OK, and if not, what else you would require to be included. I would appreciate this advice by the 16th of November 2015.

Kindest regards as always, and please phone if you need any further information in regard to this letter.



Jacqui Collins
Consultant Archaeologist

APPENDIX I: Aboriginal cultural heritage consultation requirements for proponents 2010-
Response to draft assessment methodology supplied in compliance with Stage 3, Step 4.3.1

From: admin@decac.com.au
Subject: draft methodology
Date: 3 November 2015 10:05 am
To: jpollins@optusnet.com.au




Hi Jacqui,

Just to let you know, that Uncle Bob Mumbler, who will be attending the site on behalf of the Dunghutti Elders Council. Is not available till after the 6/11/15. I will be sure to hand this document to him for his suggestions (if any) and get back to you (if needed).

Regards,

Ngaire Matthews
General Manager
Email: admin@decac.com.au
Phone: 02 6562 2855

APPENDIX J: Aboriginal cultural heritage consultation requirements for proponents 2010-
Response received following registered Aboriginal party review of draft report in compliance
with Stage 4

From: **David Carroll** dcarroll.birpai@gmail.com 
Subject: Cultural Heritage Assessment for Cairncross Landfill Expansion
Date: 12 September 2016 11:10 am
To: Jacqueline Collins jpollins@optusnet.com.au
Cc: Birpai Land Council birpailalc@midcoast.com.au


DC

Hi Jacqui


Sorry for the delay in replying. We have reviewed the draft Cultural Heritage Assessment for the Cairncross Landfill Expansion. Having reviewed the document it seems to be a very thorough and covers the areas of concern for the Birpai Local Aboriginal Land Council. Given the above and the input already provided by our Sites Officer Jason Holten, the Birpai Local Aboriginal Land Council will not be providing any further comments.

Thank you for your efforts and the opportunity to review the document.

David Carroll
CEO
Birpai Local Aboriginal Land Council
Ph 02 6584 9066



Birpai Local Aboriginal
Land Council



This email has been checked for viruses by Avast antivirus software.
www.avast.com

From: **Dunghutti Elders Council Aboriginal Corp** admin@decac.com.au

Subject: Reply to Cairncross report.

Date: 7 October 2016 12:08 pm

To: Jacqueline Collins jpollins@optusnet.com.au

DE

Hi Jacquie,

Following is the statement dictated by Uncle Bob,

I read the report right through....
Looked at comments re: forests and re growths. With the re growth's would of looked at artefacts' etc.....
Observation of plantation trees was the Pioneering Trees and how the proximity of Rolland Plains was brought into it. Something close to my heart as my ancestors reign from this area.
Also the closeness of Point Plomer the factory & quarry.
These 2 places would of played a significant role in the Hastings & Wilson river Catchment Areas.

Kind Regards

Ngairé Matthews
General Manager
Dunghutti Elders Council (Aboriginal Corporation) RNTBC
PH: 6562 2346
F: 6562 5742
M: 0448 111 284
I Pay my respect to Elders, Pass & Present.
I Acknowledge that I work & live on Dunghutti Traditional Lands....

APPENDIX K: AHIMS search result for land within 5km of the project area

AHIMS Web Services (AWS)										Your Ref/PO Number : Cairncross Waste Facility Client Service ID : 230327		
Extensive search - Site list report												
SiteID	SiteName	Datum	Zone	Easting	Northing	Contact	Site Status	SiteFeatures	SiteTypes	Reports		
30-3-0143	Extension Rd 2-1; Contact	AGD Recorders	56	478200	6529450	Open site	Valid	Artefact :-	Isolated Find	2598		
30-3-0146	Waterfall Rd 1-1; Contact	AGD Recorders	56	472950	6532650	Open site	Valid	Artefact :-	Open Camp Site	2598		
30-3-0147	Waterfall Ck 2-1; Contact	AGD Recorders	56	473600	6531650	Open site	Valid	Artefact :-	Isolated Find	2598		
30-3-0101	Telegraph Point; Contact	AGD Recorders	56	481820	6530550	Open site	Valid	Artefact :-	Open Camp Site			
30-3-0316	7-11 Trail#1 Contact	AGD Recorders	56	479410	6531490	Open site	Valid	Artefact :-				
30-3-0317	7-12 Trail#1 Contact	AGD Recorders	56	479600	6531900	Open site	Valid	Artefact :-				
30-3-0318	7-2 Trail#1 Contact	AGD Recorders	56	479450	6531550	Open site	Valid	Artefact :-				
30-3-0298	17-3 TRAIL 1 Contact	AGD Recorders	56	474648	6530632	Open site	Valid	Artefact :-				
30-3-0299	RAMP ROAD #1 Contact	AGD Recorders	56	477854	6531300	Open site	Valid	Artefact :-				
30-3-0293	7-12 Trail #1 duplicate of 30-3-0317 Contact	AGD Recorders	56	479600	6531900	Open site	Deleted	Artefact :-				
30-3-0294	7-2 TRAIL #1 duplicate of 30-3-0318 Contact	AGD Recorders	56	479450	6531550	Open site	Deleted	Artefact :-				
30-3-0295	WATERFALL ROAD #3 Contact	AGD Recorders	56	473310	6531220	Open site	Valid	Artefact :-				
30-3-0296	WATERFALL ROAD #4 Contact	AGD Recorders	56	473445	6531220	Open site	Valid	Artefact :-				
30-3-0306	Waterfall Road #2 Contact	AGD Recorders	56	473310	6531220	Open site	Valid	Artefact :-				
30-3-0307	Waterfall Road #5 Contact	AGD Recorders	56	473445	6531220	Open site	Valid	Artefact :-				
30-3-0308	Waterfall Road #1 Contact	AGD Recorders	56	473300	6531220	Open site	Valid	Artefact :-				
30-3-0300	7-2 Trail#2 Contact	AGD Recorders	56	479525	6531890	Open site	Valid	Artefact :-				

Report generated by AHIMS Web Service on 18/06/2016 for Jacqueline Collins for the following area at Datum :GDA, Zone :56, Eastings : 473000 - 484000, Northings : 6524500 - 6535500 with a Buffer of 0 meters. Additional Info : Cultural heritage assessment to inform EIS for on-going use and expansion of Cairncross Waste Management Facility. Number of Aboriginal sites and Aboriginal objects found is 30
This information is not guaranteed to be free from error omission. Office of Environment and Heritage (NSW) and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.



Office of
Environment
& Heritage

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : Cairncross Waste Facility

Client Service ID : 230327

SiteID	SiteName	Datum	Zone	Eastng	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
30-3-0351	6-8 TR	AGD	56	479990	6530810	Open site	Valid	Artefact : 1	Permits	
	Contact T Russell									
30-3-0392	OHK 46/A	Recorders	56	482543	6525461	Open site	Valid	Artefact : -	Permits	
	Contact									
30-3-0396	OHK 219	Recorders	56	481070	6528740	Open site	Valid	Artefact : 2	Permits	
	Contact									
30-3-0401	OHK 54	Recorders	56	482110	6526360	Open site	Valid	Artefact : 1	Permits	
	Contact									
30-3-0386	KPM-IF2	Recorders	56	482616	6525780	Open site	Valid	Artefact : 1	Permits	
	Contact									
30-3-0391	OHK 47/A	Recorders	56	482513	6525387	Open site	Valid	Artefact : -	Permits	
	Contact									
30-3-0238	CWD1	Recorders	56	478210	6530200	Open site	Valid	Artefact : -	Open Camp Site	98467.102557
	Contact									
30-3-0239	CWD2	Recorders	56	478620	6530720	Open site	Valid	Artefact : -	Isolated Find	
	Contact									
30-3-0241	CWD 4	Recorders	56	478600	6530050	Open site	Valid	Artefact : -	Open Camp Site	
	Contact									
30-3-0242	CWD 3	Recorders	56	478650	6529740	Open site	Valid	Artefact : -	Open Camp Site	
	Contact									
30-3-0344	3.2 Trail 2	Recorders	56	482470	6526565	Open site	Valid	Artefact : 1	Permits	
	Contact T Russell									
30-3-0345	Swamp Road 3	Recorders	56	482693	6526035	Open site	Valid	Artefact : 1	Permits	
	Contact T Russell									
30-3-0346	3.4 Trail 1	Recorders	56	482380	6525900	Open site	Valid	Artefact : 1	Permits	
	Contact T Russell									

Report generated by AHIMS Web Service on 18/06/2016 for Jacqueline Collins for the following area at Datum :GDA, Zone : 56, Eastings : 473000 - 484000, Northings : 6524500 - 6535500 with a Buffer of 0 meters. Additional Info : Cultural heritage assessment to inform EIS for on-going use and expansion of Cairncross Waste Management Facility. Number of Aboriginal sites and Aboriginal objects found is: 30

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APPENDIX L: Available documentary information for Consent to Destroy (with Salvage) #N37/CDS/2000



CONSENT #: N37/CDS/2000
(HO use only)

NATIONAL PARKS AND WILDLIFE ACT 1974
SECTION 90

CONSENT

CONSENT TO CARRY OUT THE DESTRUCTION OF AN
ABORIGINAL RELIC/PLACE

WHEREAS the Aboriginal relics described in Schedule "A" are situated upon the land described in Schedule "B", and which constitute relics within the meaning of Section 90 of the *National Parks and Wildlife Act 1974*, and WHEREAS application has been made by:

of: Geoffrey Noel Freeman
Director, Community & Recreational Services
Hastings Council
Car Lord & Burrawan Streets
PORT MACQUARIE NSW 2444

FOR CONSENT to destroy those Aboriginal relics in the course of:

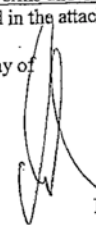
Construction of the Cairncross Waste Depot

NOW I, Brian John Gilligan, Director-General of National Parks and Wildlife, in pursuance of Section 90 of the said Act, and subject to the Conditions hereunder set out DO HEREBY CONSENT to the destruction of the said relics by the said applicant.

TERMS AND CONDITIONS OF THIS CONSENT

This Consent is issued subject to General Terms and Conditions covering all archaeological Permits and Consents, as well as the Specific Terms and Conditions pertaining to Consents to destroy Aboriginal relics all of which conditions are detailed in the attached pages.

DATED at Sydney this 5th day of JUNE, 2000


FOR Director-General of
National Parks and Wildlife Service

