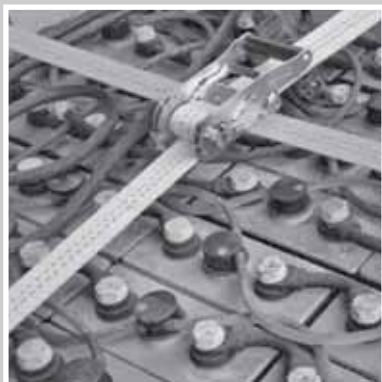


Aboriginal Cultural Heritage Assessment

Appendix L



Appendix L — Aboriginal Cultural Heritage Assessment

L

Aboriginal Cultural Heritage Report

Battery Recycling Facility

129 Mitchell Avenue Kurri Kurri

Prepared for Pymore Recyclers International Pty Ltd | 28 October 2016



Aboriginal Cultural Heritage Report

Battery Recycling Facility
129 Mitchell Avenue Kurri Kurri

Prepared for Pymore Recyclers International Pty Ltd | 28 October 2016

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Aboriginal Cultural Heritage Report

Final

Report J15156RP1 | Prepared for Pymore Recyclers International Pty Ltd | 28 October 2016

Prepared by **Andrew Crisp**

Approved by **Pamela Kottaras**

Position Project Archaeologist

Position Associate – Heritage service manager

Signature



Signature



Date 28 October 2016

Date 28 October 2016

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Document Control

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Executive Summary

Pymore Recyclers International Pty Ltd (Pymore) propose to construct a facility to recycle batteries at Kurri Kurri. The facility would have the capacity to recycle approximately 60,000 tonnes of used lead-acid batteries (ULABs) annually to recover and reuse their components (the project). The project is a state significant development (SSD) under the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act).

The project is to be located at 129 Mitchell Avenue, Kurri Kurri (the project area). It is in the Cessnock local government area (LGA), approximately 40 km northwest of Newcastle. The project area will occupy part (approximately 3.4 ha) of the lot on which the Weston Aluminium dross recycling plant (the aluminium plant) is located, within Lots 796 and 797, DP 39877.

This Aboriginal cultural heritage assessment (ACHA) has been prepared by EMM Consulting Pty Ltd (EMM) for Pymore to assess potential Aboriginal cultural heritage impacts of the project.

The aim of the ACHA is to assess the Aboriginal archaeological values within the project area in accordance with:

- the Secretary's Environmental Assessment Requirements;
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010); and
- *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (DECCW 2011).

This report has been prepared to assess the Aboriginal cultural heritage values relating to the project area. It presents the results of a field survey and includes an assessment of archaeological potential and cultural significance based on archaeological and socio-cultural values.

The objectives of the assessment are:

- to identify Aboriginal heritage values relevant to the project area, which may include;
 - Aboriginal objects and sites;
 - Aboriginal socio-cultural values (intangible sites) which may or may not be related to Aboriginal objects;
 - potential archaeological deposits (PADs);
- to assess the impact of the proposed development on any identified heritage values;
- to identify the appropriate course of action under current heritage legislation and in response to the assessed cultural significance of any heritage items; and
- to recommend measures to avoid, manage, and/or mitigate potential impacts.

Pedestrian survey of the project area under the guidelines stipulated within the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (2010 DECCW) was undertaken on 18 February 2016 by Andrew Crisp (Project Archaeologist EMM). The survey established a high level of disturbance across the project area and a single isolated artefact was located in a highly disturbed context.

Consultation was undertaken in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010).

The archaeological investigation of the site identified a single isolated artefact in a highly disturbed context; that the majority of the project area has been subject to disturbance that would likely destroy any remnant archaeological evidence. The portion of the project area within 50 m of a perennial water course is low lying and swampy. Furthermore, as no Aboriginal community values were identified pertaining specifically to the project area, the project area is assessed to have low scientific and low socio-cultural value.

An Aboriginal Heritage Management Plan (AHMP) will be prepared before commencement of project works that have the potential to impact the surface. The AHMP will need to be endorsed by DP&E.

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1 Introduction

1.1 Overview

Pymore Recyclers International Pty Ltd (Pymore) propose to construct a facility to recycle batteries at Kurri Kurri. The facility would have the capacity to recycle approximately 60,000 tonnes of used lead-acid batteries (ULABs) annually to recover and reuse their components (the project). The proposal is a state significant development (SSD) under the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act).

This Aboriginal cultural heritage assessment (ACHA) has been prepared by EMM Consulting Pty Ltd (EMM) for Pymore to assess potential Aboriginal cultural heritage impacts of the project (the site) (Figure 1.2).

1.2 Project area

The project is to be located at 129 Mitchell Avenue, Kurri Kurri (the project area). It is in the Cessnock local government area (LGA), approximately 40 km northwest of Newcastle (Figure 1.1). The project area will occupy part (approximately 3.4 ha) of the lot on which the Weston Aluminium dross recycling plant (the aluminium plant) is located, within Lots 796 and 797, DP 39877.

The project area is currently on land that has been occupied by Weston Aluminium since the late 1990s for mixed-use activities, and is currently utilised as a lay-down area for industrial plant and equipment. It was previously used for waste stockpiling associated with aluminium smelting and processing.

Small stands of disturbed vegetation are located across the project area and the land is mapped as bushfire prone.

1.3 Project description

The facility would recycle approximately 60,000 tonnes per annum (tpa) of ULABs. The ULAB recycling plant would have four main processes – crushing, screening and separation; desulphurisation; crystallisation; and lead extraction. The entire process converts a ULAB into materials which are recycled for use in new products. Lead and plastics recovered are used in the production of new batteries. Sodium sulphate crystals, a by-product of ULAB recycling, can be readily used in other industries.

1.4 Approval process

1.4.1 Environmental Planning and Assessment Act 1979

The project is State significant development (SSD) which requires development consent under Part 4, Division 4.1 of the EP&A Act. An application for SSD is required to be accompanied by an environmental impact statement (EIS). This ACHA will be appended to the EIS for the project.

1.4.2 Secretary's environmental assessment requirements

This ACHA has been prepared to address specific requirements provided in the Secretary's environmental assessment requirements (SEARs) issued on 18 March 2016. The relevant SEARs and EMM's responsive approach are presented in Table 1.1.

Table 1.1 **Relevant SEARs**

Requirement	Report section where addressed and comment
Heritage- an Aboriginal cultural heritage assessment (including cultural and archaeological significance), which must demonstrate effective consultation with relevant Aboriginal community groups; and	This Archaeological report shall address the archaeological/scientific significance relevant to the project area. The reader should refer to the Aboriginal cultural heritage assessment (ACHA) produce for the project.
Heritage – a non-Aboriginal cultural heritage assessment, (including both cultural and archaeological significance) which must outline any proposed management and mitigation measures.	This report is concerned solely with Aboriginal heritage and would refer the reader to the non-Aboriginal heritage chapter of the EIS produced for the project.

The Office of Environment and Heritage (OEH) supplied input into the SEARs requirements for the EIS on 7 March 2016. The relevant requirements and EMM's responsive approach are presented in Table 1.2.

Table 1.2 **Relevant OEH requirements**

Requirement	Report section where addressed and comment
2. The EIS must identify and describe Aboriginal cultural heritage values that exist across the whole area that will be affected by the development and document these in the EIS. This may include the need for surface survey and test excavation. The identification of cultural heritage values should be guided by the <i>Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW</i> (DECCW, 2011) and consultation with OEH regional officers.	Explanation of archaeological investigation, refer to Section 6. Consultation with agencies and Aboriginal groups, refer to Section 3
3. Where Aboriginal cultural heritage values are identified, consultation with Aboriginal people must be undertaken and documentation in accordance with the <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> (DECCW). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the EIS.	Consultation with agencies and Aboriginal groups, refer to Section 3. Significance assessment refer to 7
4. Impacts on Aboriginal cultural heritage values are to be assessed and documented in the EIS. The EIS must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to OEH.	Impact assessment and management measures, refer to Sections 8 and 9

1.5 Objectives of this report

The aim of the ACHA is to assess the Aboriginal archaeological values within the project area in accordance with:

- the SEARs;
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010); and

- *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (DECCW 2011).

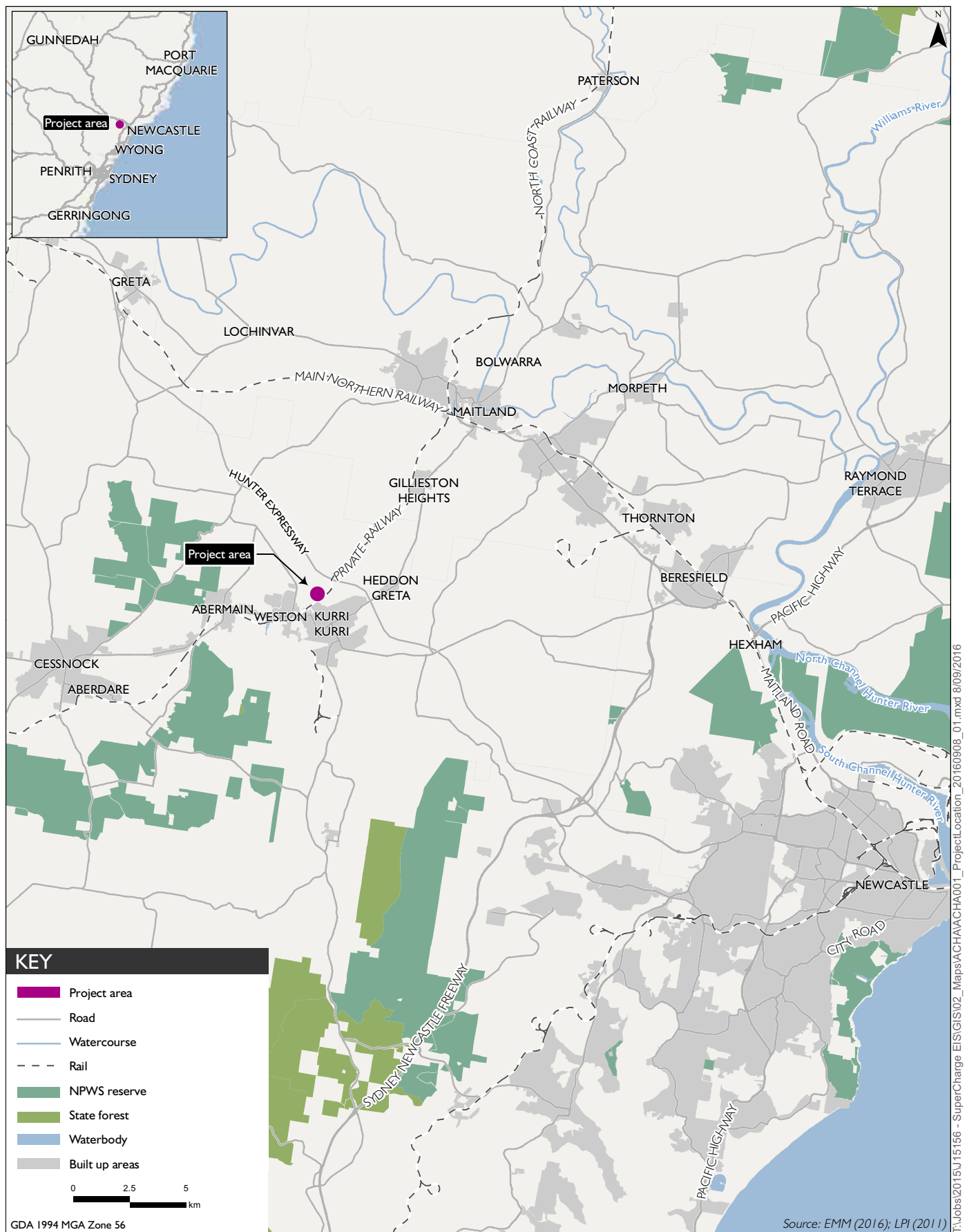
This report has been prepared to assess the Aboriginal cultural heritage values relating to the project area. It presents the results of a field survey and includes an assessment of archaeological potential and cultural significance based on archaeological and socio-cultural values.

The objectives of the assessment are:

- to identify Aboriginal heritage values relevant to the project area, which may include;
 - Aboriginal objects and sites;
 - Aboriginal socio-cultural values (intangible sites) which may or may not be related to Aboriginal objects;
 - potential archaeological deposits (PADs);
- to assess the impact of the proposed development on any identified heritage values;
- to identify the appropriate course of action under current heritage legislation and in response to the assessed cultural significance of any heritage items; and
- to recommend measures to avoid, manage, and/or mitigate potential impacts.

1.6 Authorship

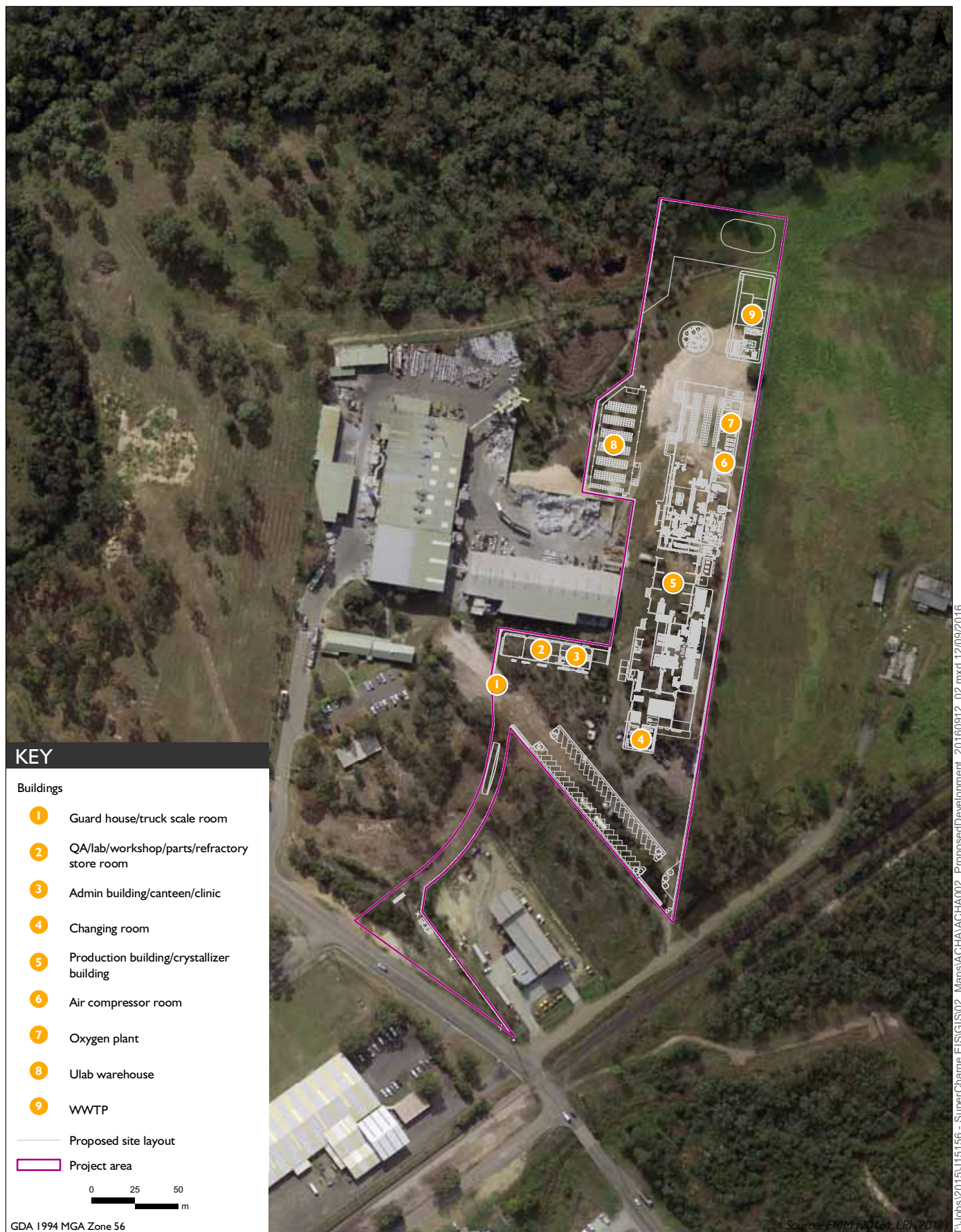
This report was written by Andrew Crisp BA (Project Archaeologist EMM), and reviewed by Pamela Kottaras BA (Heritage Services Manager EMM) and Brett McLennan (Director EMM). Ryan Desic (Senior Archaeologist EMM) provided guidance and report input.



Location of project area

Kurri Kurri Battery Recycling Facility
Aboriginal Cultural Heritage Assessment

Figure I.1



Proposed development
 Kurri Kurri Battery Recycling Facility
 Aboriginal Cultural Heritage Assessment

Figure I.2

2 Historical background

2.1 Ethno-history

Information about the socio-cultural structure of Aboriginal society prior to European contact largely comes from ethno-historic accounts made by Europeans. These accounts and observations were made after massive social disruption due to disease and displacement. As a result, this information is often contentious, particularly in relation to language area boundaries. The information below is derived from early accounts and anthropological studies.

The dominant Aboriginal language group for the study area were the Wonnarua people. Their territory extended from the Hunter River above Maitland, west to the Dividing Range and from Singleton to Merriwa (Tindale 1974). The Wonnarua people shared a southern boundary with the Darkinjang on the divide north of Wollombi.

Certain generalisations can be made from early colonial writings and subsequent research. Aboriginal people travelled across the land in small family groups subsisting on plant foods, aquatic life from the Hunter River and creeks such as Bishops Creek and a variety of animal life such as possum, kangaroo, snakes and lizards. Family groups belonged to clans, who were united by language and cultural affinities with ties to specific areas of land, within which movement was confined to these areas.

Brayshaw (1986) collated and examined ethno-historical sources of early settlers and explorers in the Hunter Valley. These sources have shown that Aboriginal people would have used a variety of items for subsistence procured from stone, shell, animal components (such as fur and bone) and plants. These items would have included spears, shields, digging sticks, boomerangs, water containers, message sticks, clapping sticks, spear-throwers, bark and vine cords, netted and woven dilly bags, bone tools, stone tools, fur belts and fur coats (Brayshaw 1986). Ethno-historical evidence is also available to suggest that Aboriginal people regularly and systematically used fire to modify the landscape to benefit their hunter-gatherer lifestyle.

The arrival of European settlers had disastrous effects for the Wonnarua people. Initially, epidemics of diseases such as smallpox, typhoid, influenza, measles and diphtheria played a major role in the decline of the Aboriginal population and traditional life. Other factors also included the loss of traditional hunting grounds and violent interactions with European settlers. However, the complexity of the frontier should not be masked by claims of uniform conflict. Writings from the 1820-30s show that Aboriginal people continued to maintain tradition hunting and gathering methods on Country in close proximity to Europeans and that individual relationships had been made with certain Europeans, such as the early surveyor Henry Dangar (Dawson 1830, p. 8 quoted in Brayshaw 1987, p.55).

In 1824, it was reported by a European settler at Patrick's Plains that 300 healthy Aboriginal men were living in the district (Wood 1972). In the span of the following twenty years, it was purported that less than three dozen Aboriginal men could be found, and that they now lived on the properties of select European settlers (Wood 1972). The year 1826 marked the start of what the 'Wonnarua uprising' (Miller 1985, p. 33-36) in which the Wonnarua, combined with their neighbours to the west, the Wiradjuri, commenced a deliberate resistance campaign against settlers in the region.

By the 1850s and 1860s Singleton and Maitland had become locations where the Wonnarua gathered. During the 1870s and 1880s amalgamations of the Wonnarua were necessitated by their dwindling numbers throughout the region (Miller 1985, p.63-66).

Despite the rapid decline in population, a large and vibrant Aboriginal population remains in the region today. Consultation with the local Aboriginal community has formed a vital part of this assessment (see Section 3).

Although no traditional stories are specifically associated with the study area, archaeological sites are shown to be associated with historical information. Mount Yengo over 60 km south-west is associated with the dreamtime hero figure Baiame (or alternative spellings Biaimi, Baayami or Baayama).

2.2 Settlement history

The Hunter Valley was first sighted by Lieutenant John Shortland in 1797 during his search for escaped convicts; however, its topography made the area difficult to explore. The local area of Cessnock lies between Australia's earliest European settlements — Sydney, the Hawkesbury and the Hunter. European settlement of the local area was initiated in the 1820s and from the 1830s, Wollombi became the established centre following the completion of the Great Northern Road.

The township of Cessnock was established in 1850, initially as a service centre of the Great North Road, which provided crucial links to Singleton and Maitland. The population of Cessnock was 62 in 1871, growing to 165 by 1901. The main factor contributing to the early 20th century increases in population was the establishment of the South Maitland Coalfield. The current pattern of urban development, transport routes and industrial landscape was also laid at this time. Townships began to form adjacent to coal mine pit tops and rail heads on the Greta seam.

Land settlement surrounding the industrial centre of Cessnock focused on agricultural activities, with wheat, tobacco and grapes being the principal crops occurring in townships such as Allandale, Nulkaba, Pokolbin and Branxton.

The township of Kurri Kurri was founded in October 1902 as investment into the South Maitland Coalfield increased around the turn of the century. The coal industry reached its peak in the mid 1920s and by the 1960s had started to dwindle. As a result numerous light industries were established in the district with particular focus on aluminium smelting.

3 Aboriginal consultation

3.1 Introduction

Consultation was undertaken in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010), and a copy of the consultation log is provided in Appendix A along with copies of all notifications and responses received.

The consultation process was initiated following the conduction of a due diligence heritage and ecological assessment conducted by EMM. Pedestrian survey of the project area under the guidelines stipulated within the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (2010 DECCW) was undertaken on Thursday 18 February 2016 by Andrew Crisp (Project Archaeologist EMM). The survey established a high level of disturbance across the project area and a single isolated artefact was located in a highly disturbed context. The survey results are discussed in detail in Section 6.

3.2 Stage 1 – Identification of registered Aboriginal parties

3.2.1 Agency contact

Initial contact was made to Mindaribba Local Aboriginal Land Council (LALC) on 11 February 2016 informing them of the preliminary project details in conjunction with request for a list of Aboriginal parties who may have an interest in the project. Response was received from Tara Dever (Acting Chief Executive Officer at Mindaribba LALC) on 24 March registering the LALC for the project. A list of Aboriginal parties was not provided by the LALC.

Letters were sent to the agencies listed in the SEARs on 29 February 2016 seeking advice on relevant Aboriginal parties who should be invited to register interest in the project. The agencies included:

- OEH – Hunter Central Coast Region;
- Mindaribba LALC;
- Cessnock City Council (CCC);
- Hunter-Central River Catchment Management Agency;
- National Native Title Tribunal (NNTT);
- the Office of the Registrar of Aboriginal Owners (the Registrar); and
- Native Title Services (NTSCorp).

Responses were received from OEH, NNTT, and the Registrar within one month of notification. CCC provided a response on 31 March 2016 which was outside a manageable timeframe for notification, and therefore was not pursued for this assessment. OEH suggested 82 parties should be notified with the NNTT suggesting five separate native title claims covering the study area. No response was received from the Hunter Central River Catchment Management Agency or Native Title Service (NTSCORP).

A second email was sent to Tara Dever on 20 April 2016 asking for a list of Aboriginal parties who may have an interest in the project. The email from EMM explained that OEH had already supplied (on 30 March 2016) an extensive list of Aboriginal parties who may have an interest in the project. The OEH list was attached to the email sent to Mindaribba LALC along with a request for any additional groups to supplement it, no response was received.

3.2.2 Press advertisement

In compliance with the consultation requirements, a public notice was placed in the *Maitland Mercury* newspaper on 25 March 2016 seeking registrations of interest from relevant Aboriginal parties. A copy of the notice is provided in Appendix A. The advertisement invited all Aboriginal persons and organisations who hold cultural knowledge relevant to the project area to register their interest within 14 days of the publication.

3.2.3 Aboriginal groups invited to register

Letters via post (to those Aboriginal parties who may have an interest in the project without a valid email) and email (to those Aboriginal parties who may have an interest in the project with valid email) were sent to the parties listed by the government agencies, inviting written registration on 26 and 27 April 2016 respectively.

i Registered Aboriginal parties

A total of 22 Aboriginal parties registered their interest in being consulted for the project. Subsequently two parties revoked their registration of interest with the project. The reason stated for withdrawing was that they did not agree with EMM consulting with other Aboriginal groups other than their own, as per the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010). The 20 registered Aboriginal parties (RAPs) permitting details to be disclosed are:

- A1 Indigenous Services;
- AGA Services;
- Amanda Hickey;
- Bringi Aboriginal Corporation;
- Cacatua General Services;
- Culturally Aware;
- Hunter Valley Environmental Land & Environment Services;
- Hunters & Collectors;
- Hunter Traditional Owner;
- Jarban & Mugrebea;
- Lower Hunter Aboriginal Incorporated;
- Mindaribba LALC;

- Smith Dhagaans Cultural Group;
- Stephen Talbott;
- Ungooroo Aboriginal Corporation;
- Wallangan Indigenous Group;
- Widescope Indigenous Group;
- Wonn1 Contracting;
- Wonnarua Nation Aboriginal Corporation; and
- Yarrawalk (a division of Tocomwall Pty Ltd).

Three of the Aboriginal groups listed above, expressed their interest in being consulted outside the registration timeframe which occurred after a list of all Aboriginal parties who may have an interest in the project had been provided to OEH and Mindaribba LALC in accordance with the ACRs. These groups were Smith Dhagaans Cultural Group, Hunter Traditional Owner, and Bringi Aboriginal Corporation. All relevant information has been supplied to the above RAPs.

3.3 Stage 2 - Site meeting and presentation of draft methodology

On 12 May 2016 a letter was sent to all project RAPs inviting them to a site meeting on 19 May 2016. The aims of the site meeting were to:

- enable RAPs to provide any cultural knowledge of the project area to the EMM archaeologist;
- provide RAPs with the project information;
- provide RAPs with the opportunity to familiarise themselves with the project and scope;
- provide the RAPs with the opportunity to familiarise themselves with the project site and the locations of previously identified artefacts; as well as
- present and discuss the draft project methodology.

A letter presenting information about the project and describing the proposed assessment methods was issued on 16 May 2016 to the RAPs registered for the project at the time. The methods explained the results of the initial due diligence assessment carried out by EMM archaeologist Andrew Crisp on 18 February 2016. Further to these results the letter included the Aboriginal Heritage Information Services (AHIMS) search results, general fieldwork strategy, previous archaeological investigations conducted in the vicinity as well as a request for cultural information pertaining to the project area. The methods letter repeated the invitation to attend the site meeting on 19 May 2016.

Prior to the site meeting, two of the RAPs associated with the project removed themselves from future consultation after being provided the assessment methods while another group, Bringi Aboriginal Corporation, requested registration as a RAP at the site meeting.

Seven RAPs attended the site meeting on 19 May 2016, as follows (groups as stated on sign in sheet):

- Jason Brown (Mindaribba LALC);
- Maree Waugh (Wallangan Cultural Services);
- Suzie Worth (Kauwal Wonn1);
- Luke Hickey (Hunter Valley Cultural Surveying);
- Josh Hickey (Wattaka Wonnarua C. C. Service);
- Stephen Talbott (Gomeroi – Nambi); and
- Greg Heard (Bringi Aboriginal Corporation).

Hard copies of the methodology letter were provided again to all RAPs present at the site meeting. EMM archaeologist Andrew Crisp discussed the draft methodology, archaeological background and results of the earlier Due Diligence assessment with those present. Following this discussion the approximate location of artefacts identified by Iain Stewart (1994) and the location of isolated find identified during an earlier EMM Due diligence all RAPs and the EMM archaeologist proceeded to both locations with the intention of locating any previously identified artefacts. No artefacts could be relocated at time of the site meeting.

Table 3.1 presents a summary of comments made by RAPs during the site meeting on 19 May 2016 and the response from EMM. Minutes of the site meeting at provided in Appendix A.

Table 3.1 **Summary of comments related to site meeting and methodology**

Comment from RAP	Response from EMM
At the site meeting Stephen Talbott and Luke Hickey expressed dissatisfaction with the due diligence process in general and more specifically that the due diligence assessment conducted for the project was conducted without Aboriginal community consultation.	<p>EMM stated that under the Due Diligence Code of Practice the initial survey does not require Aboriginal community involvement. This response was provided at the site meeting.</p> <p>EMM explained that the results of the survey showed that the project area is significantly modified with only a single isolated find identified in a heavily disturbed context.</p> <p>The site meeting was organised to enable the RAPs to see the level of site disturbance first hand, allowing them to divulge any cultural information of the project area and discuss the future treatment of the isolated find.</p>

Table 3.1 Summary of comments related to site meeting and methodology

Comment from RAP	Response from EMM
Stephen Talbott requested that the area closest to the creek, which will be avoided from impacts of current design, if design changes cause potential impacts to occur in that area further consultation is required.	<p>EMM agrees that generally locations closer to creek lines have higher potential for Aboriginal sites and efforts would be taken in the final design to reduce potential impacts in proximity to Swamp Creek.</p> <p>The research and survey results have established that there is low potential for Aboriginal sites to be located in the northernmost portion of the project area precisely because of the proximity to Swamp Creek.</p> <p>The first factor that has reduced archaeological potential is the topography of the northern end of the project area. The low-lying nature of the landscape has resulted in regular inundation of the area creating a small marshy area. This type of landscape would not have allowed for extended periods of occupation and therefore reduces the potential for subsurface deposits.</p> <p>The second factor is that ground disturbance is clearly evident in the form of dumping and ground modification up until the existing northern boundary fence. Within the northernmost portion of the project boundary, irregular undulation of the landform suggests moderate ground disturbance.</p> <p>Please refer to Section 6 of this report for detailed survey results.</p>
Concern was expressed by all RAPs present that the isolated find identified during the due diligence survey could not be relocated during site meeting.	<p>EMM archaeologist Andrew Crisp agreed that it was unfortunate that the isolated find could not be relocated. Close scrutiny was given to the landscape in the vicinity of the GPS location of the isolated find by all RAPs present and Andrew Crisp (EMM). The artefact could not be relocated.</p> <p>The project area in general, and the location of the isolated find, is so heavily disturbed, it was not possible to determine if additional impacts to the immediate area had occurred.</p> <p>It is the recommendation of this ACHA that no further archaeological investigation is required.</p> <p>Please refer to Sections 7 and 8 for detailed significance and impact assessments.</p>
Maree Waugh raised the issue of AHIMS site card not being submitted for isolated find immediately.	EMM archaeologist Andrew Crisp stated that the AHIMS card was not submitted as a result of all work on the project being paused for a number of months soon after the due diligence survey was conducted. The site card shall be submitted prior to construction commencing.
As a result of the artefact being unable to be located Stephen Talbott and Luke Hickey request a meeting with the proponent, a full archaeological assessment and a paid site survey by the RAPs.	EMM archaeologist Andrew Crisp reiterated that the current level of archaeological assessment (due diligence survey which flowed into an ACHA report) was appropriate and that a full paid survey of the project area was not justified.

3.4 Stage 3 - Review of draft assessment and management recommendations

Table 3.2 Summary of comments on the draft ACHA

Comment from RAP	Response from EMM
<p>Steve Hickey commented that Widescope is satisfied with the draft ACHA for the proposed Kurri Kurri Battery Recycling Facility.</p> <p>Suzie Worth (for Arthur C Fletcher) commented that Wonn1 still has concerns related to the isolated artefact, particularly that it has not been recorded on the AHIMS database and that there is no provision in the management recommendations (Section 9o) for a solution to its existence or lack thereof.</p> <p>Further Suzie stated that the site should have a Section 90 applied to cover the approval for its 'destruction' (which we don't really approve of!) or an effort should be made to find the artefact – it should not just be disregarded as never having been present in the first place!</p> <p>Other than the comments above Wonn1 stated that to organisation is in agreement with the draft report generally.</p> <p>Greg Heard from Bringi Aboriginal Corporation responded to the draft ACHA with the following comments:</p> <p><i>"Due diligence provision with respect to this report are not appropriate from an Aboriginal management plan perspective. This land is of cultural significance to local Aboriginal people and in particular relates to the song lines of the local people. Therefore suggestions of the site being of low cultural value is not appropriate. We look forward to supporting the next stage of works."</i></p> <p>Telephone communication between EMM archaeologist Andrew Crisp and Bringi representative Todd Heard aimed to further clarify the above comments.</p> <p>The following comments were made by Todd regarding the due diligence assessment process :</p> <p>Bringi see that the due diligence provisions have been over-used for development in the past, that RAPs should have been involved with the due diligence survey for the current project and that as a result further survey is required for the project.</p> <p>The following comments were made by Todd regarding the claim of song lines and associated cultural significance:</p> <p>Bringi argue that there is aesthetic significance associated with the project area due to the proximity of it to the 'Broke Back' and 'Dividing' mountain ranges and nearby swamps. Todd argues that there would be creation stories associated with these places. Todd argues that if there are song lines across landscape that they would be where Aboriginal people would have moved through and potentially left physical evidence behind (ie artefacts). Todd states that as there was one isolated find there is likely to be more and argues for a testing program be undertaken in the 'less disturbed' areas of the project area.</p>	<p>No response.</p> <p>At time of finalisation of this ACHA the AHIMS site card for isolated artefact SC01 had been submitted and EMM was waiting on the AHIMS site number to be supplied.</p> <p>Communication was made to Wonn1 by EMM archaeologist Andrew Crisp that Table 9.1 outlines the management summary for the isolated find. Further to this the final report will clarify that efforts were made during the site meeting to relocate the artefact, that the site is now registered with AHIMS and that a site impact recording form will be completed following the proposed impacts.</p> <p>Andrew Crisp clarified that as the project is classified an SSD that an AHIP is not required for project related impacts to site.</p> <p>EMM archaeologist Andrew Crisp reiterated that the current level of archaeological assessment (due diligence survey which flowed into an ACHA report) was appropriate and that further survey and a test excavation program are not justified.</p> <p>The claim of aesthetic significance for the project area conflicts with considerable level of disturbance evident in the project area.</p> <p>No site specific evidence has been presented to link song-lines to the project area.</p> <p>The condition of the project area and archaeological predictive model suggest that the archaeological potential for the project area is low. The presence of the isolated find does not support the claim that further subsurface deposits are likely or that it represents evidence of song lines.</p> <p>Regardless of the low archaeological potential unexpected finds and heritage induction procedures have been recommended for the project in order to appropriately manage heritage constraints.</p>

4 Archaeological background

4.1 Aboriginal Heritage Information Management System (AHIMS) search data

An Aboriginal Heritage Information Management System (AHIMS) search was conducted on 29 January 2016 (see Appendix B) for the project area and its surrounds (within MGA coordinates 354800–359800E and 6366800–6371800N, approximately 25 km²). The search area was sufficient to define the pattern of previously recorded Aboriginal sites in the landscape as it covered adjacent catchments. Previous Aboriginal heritage reports from the Kurri Kurri area were requested from AHIMS. A report received titled *An archaeological survey of the proposed dross mill at Kurri Kurri, Hunter Valley, NSW*. Prepared for Envirosciences Pty Ltd (Stuart 1994) identified a single open artefact site which had been lodged with AHIMS in 1994, however, did not appear within the AHIMS search results received for this project. The site, at time of recording in 1994, consisted of two flakes, one grey chert the other yellow course grained chert, located on track next to the eastern boundary fence of the current project area.

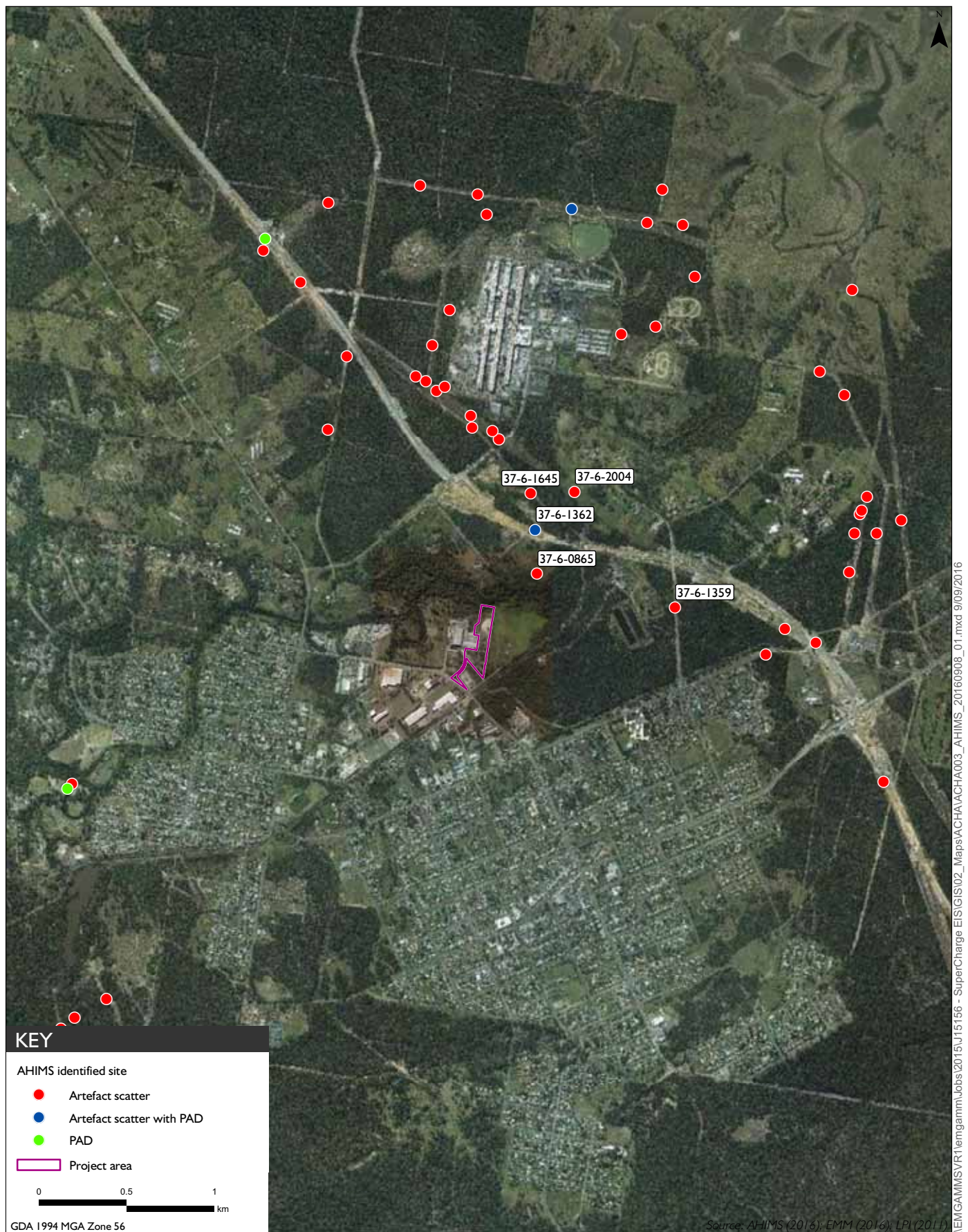
A total of 52 Aboriginal sites were identified within the search area with the single site previously recorded by Stuart (1994) identified within the project area. The search revealed that the majority of registered sites in the local area are open stone artefact sites (92.3%) as shown in Table 4.1, with open stone artefact sites with PAD (potential archaeological deposit) (3.85%) and PAD (3.85%) making up the remainder. Of the 48 open artefact sites within the search area 36 (69.23%) are isolated finds with a further 10 sites (19.23%) consisting of 10 artefacts or less. The AHIMS sites located in the vicinity of the project area are shown in Figure 4.1.

A summary of the individual site types are provided in Table 4.1.

Table 4.1 AHIMS registered sites within the search area

Site type	Number of sites
Open artefact site (including isolated finds)	47
Open artefact site with PAD	2
PAD	2
Total	51

The four closest AHIMS sites to the project area (within 1 km) are situated to the north-east in close proximity to Swamp Creek. Three of the sites are isolated finds with the fourth an isolated find with an area of PAD. All four of the sites are situated between 75-175 m from Swamp Creek. See Table 4.2 below for the nearest AHIMS site details.



AHIMS results

Kurri Kurri Battery Recycling Facility
Aboriginal Cultural Heritage Assessment

Figure 4.1

Table 4.2 Details of nearest AHIMS sites

AHIMS ID	Site Type	Distance from project area	Distance from Swamp Creek
37-6-0865 (KK-IF-2)	Open artefact site (isolated find)	320 m	75 m
37-6-1362 (Swamp Creek RTA 11 IF formerly PAD9 Swamp Creek)	Open artefact site with PAD	500 m	175 m
37-6-1645 (Swamp Creek Catchment 4)	Open artefact site (isolated find)	680 m	145 m
37-6-2004 (KR01)	Open artefact site (isolated find)	800 m	95 m

4.2 Native title claims, ILUAs or joint management arrangements

A search request from by EMM to the National Native Title Tribunal was received by the Tribunal on 7 March 2016. The results of the Tribunal register search were received on 10 March 2016 and are presented in Table 4.3.

Table 4.3 Search request results from the National Native title Tribunal for the project area

Register type	NNTT reference numbers	Application name
Schedule of Applications (unregistered claimant applications)	NC2015/002	Wonnarua Traditional Custodians #3 (NC2015/002)
Register of Native title Claims	NC2013/002; NC2013/003; NC2013/004; NC2013/006	Awabakal and Guringai People (NC2013/002); Wonnarua Traditional Custodians (NC2013/003); Plains Clans of the Wonnarua People (NC2013/004); Scott Franks and Anor on behalf of the Plains Clans of the Wonnarua People (NC2013/006).
National Native Title Register	Nil.	Nil.
Register of Indigenous Land Use Agreements	Nil.	Nil.
Notified Indigenous Land Use Agreements	Nil.	Nil.

4.3 Regional context

While studies of Aboriginal archaeology have occurred in the Hunter Valley since the late 1970s, the majority of recent studies were conducted as part of the approvals process for mining activities. Much work has been completed to determine the distribution of Aboriginal sites and artefacts within the landscape.

The level of technology in the Hunter Valley is represented by backed artefacts which were used for small tool manufacture. Backed artefacts have been dated to the early Holocene in rock shelter excavations at Mangrove Creek 50 km to the south and Capertee 140 km to the west. Aboriginal manufacture of backed artefacts flourished at around 3,500 years ago (Hiscock 2008: 154) and, therefore, this general date is inferred for open stone artefact sites with backed artefact technology.

The archaeology of the Hunter Valley comprises a broad range of Aboriginal archaeological site types dominated by open stone artefact sites primarily located along watercourses. Open stone artefact sites, comprising assemblages of flaked stone artefacts, have been recorded through site surveys and salvage excavations driven by mining and other land development activities. Archaeological investigations associated with coal mines at Warkworth and Mt Thorley yielded an abundance of stone artefacts recorded on surface ground exposures and from archaeological excavations (AECOM 2009). Excavated sites next to creeks typically revealed artefact densities of over 35 artefacts per square metre, with concentrations sometimes yielding hundreds of artefacts per square metre (AECOM 2009). Such results demonstrate that 'surface sites' are poor reflections of the rich subsurface assemblages which have moved into the topsoil through bioturbation. Excavations also regularly confirm that subsurface stone artefact deposits are limited to the upper topsoil and do not extend to clay horizons or even deeper aeolian, alluvial or clay horizons.

Generally, the most common site types are open artefact scatters and isolated finds. These sites are usually located within ground exposures. In a recent study of the Mt Arthur mine 94% of the sites identified fell into these two categories (AECOM 2009). Smaller numbers of grinding groove and rock shelter sites have been identified in the region. Some modified trees (scarred or carved through cultural practices) have been located but they account for less than 2% of in the Hunter region (Brayshaw 1987). Modified trees are rare due to the extensive historical clearing of the landscape.

Aboriginal sites have been recorded in all environmental contexts in the Hunter Valley. Studies within the Central Lowlands of the Hunter Valley have provided general principles on the distribution and likely preservation of Aboriginal objects and places in a range of landscape settings. AECOM (2009) identified artefacts in all landforms with the majority located in association with watercourses, with potential connectivity between sites in this area. Burton *et al.* (1990) conducted a regional study of the Central Lowlands examining the heritage significance of the area. The report stressed at a general level that all parts of the Hunter Valley must be considered as archaeologically sensitive. However, within this broad assessment, select areas of the landscape such as larger creek lines are of particular sensitivity. Dean-Jones and Mitchell (1992) conducted the '*Hunter Valley Aboriginal Sites Assessment Project*' which assessed the distribution of known archaeological material within a broader environmental framework. The assessment aimed to reconstruct the natural environment of the study area to provide a better understanding of Aboriginal occupation and land use throughout the area. The study emphasised that it was important to recognise the changes in drainage line morphology and hydrology that have taken place, as the existing deeply incised drainage channels of the Hunter Valley are very different to the swamp chains of ponds that are often present today.

Stone artefacts in the region are dominated by two raw materials, indurated mudstone/tuff (IMT) and silcrete (Kuskie 1999; AECOM 2009). Flakes, flaked pieces and cores associated with stone tool manufacture make up the majority of artefact assemblages. Backed artefacts such as bondi points or microliths often make up small percentages of the assemblages, and are typical of stone artefacts of the mid to late Holocene period (Holdaway and Stern 2007). The majority of archaeological sites in the Hunter Valley comprise artefacts found on the ground surface or within topsoils and are typically dated to the mid to late Holocene period.

4.4 Archaeological investigations in the local area

A large number of Aboriginal heritage investigations including surveys, salvage excavation and collections have been undertaken near the project area. Most of the previous investigations have been undertaken in response to industrial and residential developments and public infrastructure projects including the Hunter Expressway. The following provides a review of investigations most relevant to the current study.

Archaeological survey of proposed recycling facility at the Alcan smelter at Kurri Kurri, NSW. Report prepared for Envirosiences Pty Ltd (Rich 1990).

Elizabeth Rich conducted a survey within Lot 811 (DP 728985) approximately 1 km north of the project area on the opposite side of Swamp Creek. Rich's survey was of a 2.5 ha area for a proposed aluminium smelter. The survey area covered a portion of a hill slope approximately 200 m north of Swamp Creek which sloped towards the north-east. Vegetation within the survey area consisted of regrowth woodland with disturbance evident along the northern boundary adjacent to an existing smelter complex; gravel tracks cut through the survey area.

No Aboriginal sites were found during the survey and the conclusion was that no unidentified sites were likely to be present. Rich states that given "the survey area was located on the side of a hill about 200 m west of a creek. Given that most sites in the Hunter Valley occur within 50 m of creeks it would be unusual for sites to have occurred within the survey area" (Rich 1990. p. 3).

Survey for Aboriginal sites in the area of the proposed ICI Mining Services Technology Park, Richmond Vale, near Kurri Kurri, Hunter Valley. Report to Mitchell McCotter (Koettig 1990).

Margrit Koettig conducted a survey for Aboriginal sites in Richmond Vale, in the Central Lowlands subregion of the Hunter Valley, for the then proposed ICI Mining Services Technology Park (approximately 7 km south-east of the current project area). The survey area consisted of hilly and undulating lowland terrain, vegetated by regrowth woodland with occasional mature native trees.

The results of the survey were that no Aboriginal sites were located and that due to the accessibility combined with surface visibility along numerous tracks within the survey area that "archaeological material is absent from this area or is extremely sparse, and therefore not likely to be archaeologically detectable" (Koettig 1990, p.3). The conclusion of this report is that archaeological material, if present in the project area, would represent background scatter and have low archaeological significance.

An archaeological survey of the proposed dross mill at Kurri Kurri, Hunter Valley, NSW. Prepared for Envirosiences Pty Ltd (Stuart 1994).

Iain Stuart conducted a survey of a 20 acre parcel of land to the north of Mitchell Avenue, which included the project area for this ACHA, in 1994. The condition of the land parcel at the time was describes "the northern end of the study area...is confused by recent soil and rubbish dumping and the construction of a small dam" (Stuart 1994, p.1). Furthermore, Stuart states:

Throughout the study area it is apparent that considerable amounts of soil, rubbish and other material have been dumped. This has contributed to the raising of the land surface into a series of mounds on the eastern corner of site (Stuart 1994, p.1).

The survey revealed that two stone flakes were identified "in a track running beside the eastern boundary fence and the "Pound" (ie dog pound). The two flakes were some 9 metres apart" (Stuart 1994, p.2). Stuart classified the significance of the two artefacts as low and recommended there can be no objection to development proceeding on archaeological grounds. The site card was submitted to AHIMS, however, the site does not appear in mapping data supplied through AHIMS extensive searches.

An investigation for Aboriginal sites and relics of a proposed optic fibre cable route from Kurri Kurri to Benwerrin, NSW. Report prepared for Telecom Australia (Griffiths 1994).

Terry Griffiths prepared an assessment for Telecom Australia on the potential heritage impacts from a proposed optic fibre cable route between Kurri Kurri and Benwerrin in the Hunter Valley, NSW.

Griffiths outlines a site distribution pattern proposed by Hughes (1984):

- the central lowlands subregion is characterised by open campsites;
- sites are consistently found along watercourses, irrespective of the size of the watercourse; and
- there is a tendency for sites to diminish in size with diminution in size of the watercourse.

The survey method employed for the investigation was to walk the entire length of the proposed route with RAPs staggered at a distance of three metres from the surveyor with the aim of confidently identifying any Aboriginal constraints within the survey area. Griffiths with Stephen Talbott, representing Mindaribba LALC, did not locate Aboriginal sites along the entire proposed route and recommended that no further archaeological work was required.

An investigation for Aboriginal sites and relics of a proposed optic fibre cable route from Kurri Kurri to Mulbring in the Lower Hunter Valley NSW. Report prepared for Telecom Australia (Griffiths 1995).

Terry Griffiths prepared an assessment for Telecom Australia on the potential heritage impacts from a proposed optic fibre cable route between Kurri Kurri and Mulbring, NSW. The report followed essentially the same structure and method as the earlier report (Griffith 1994) investigating the route between Kurri Kurri and Benwerrin.

The study area was a 9 km stretch of corridor that extended south from Kurri Kurri to the small township of Mulbring. The study area consisted of privately owned cleared and cultivated paddocks and Crown Land consisting of low lying undulating landscape which has been subject to regular inundation from intermittent water courses. The results from the survey were that no Aboriginal sites or objects were located and that “there were no areas along creek or gullies that may have contained potential archaeological material” (Griffith 1995, p.12). Griffith recommended that no further archaeological work was required.

A Heritage Assessment for the proposed new Wastewater Treatment Plant at Kurri Kurri. Commissioned by Sinclair Knight Merz for Hunter Water Corporation (Mills 1999).

Robynne Mills was commissioned to conduct a heritage assessment for a proposed new wastewater treatment plant in Kurri Kurri. Mills identified two isolated artefacts (KK-IF-1 and KK-IF-2) as well as a potential archaeological deposit (PAD).

Site type and distribution predictions made by Mills include:

- open camp sites are most likely to be found on elevated areas, all of which occur outside the Sewerage Treatment Plant area;
- all areas of old growth timber have the potential for culturally modified trees;
- areas of heavy disturbance within the present sewerage treatment plant would limit the potential for sites to remain; and
- isolated artefacts may be located throughout the study area.

Proposed National Highway Link F3 to Branxton (Brayshaw 1994, 2001; Umwelt 2003, 2004, 2005, 2006a, 2006b).

There have been extensive archaeological surveys, test excavations, surface collections and salvage excavations for the development of the F3 to Branxton Highway upgrade. The F3 to Branxton upgrade is a dual carriageway route of approximately 40 km from the M1 at Seahampton to the New England Highway at the Belford Deviation west of Branxton. A section of this route traverses the local landscape over 500 m from the project area to the north.

Brayshaw conducted an initial survey of the route in 1994. Subsequent surveys, test excavations and salvage and excavations were carried out by Brayshaw (2001) and Umwelt (2003, 2004, 2005, 2006a, 2006b). Numerous stone artefact sites were identified, along with smaller numbers of grinding grooves and stone arrangements. The results of the most relevant investigations are described below.

Brayshaw's initial survey in September 1994 identified five artefact scatters, five isolated artefacts and 10 potential archaeological deposits (PADs). All sites identified were less than 120 m away from water courses. Brayshaw noted the potential for additional subsurface remains increase where broad rises and gentle slopes are present in the landscape.

From late 2003 to early 2004, Umwelt undertook surveys for Section 1 of the route, the easternmost 4 km of the proposed alignment near Seahampton. Also in 2004, surveys were undertaken for Section 2 of the route, the route west of Seahampton to the Belford Deviation west of Branxton.

The surveys identified 50 stone artefact scatters, 29 isolated stone artefact, 8 grinding groove sites, and 3 stone arrangements, along with 22 potential archaeological deposits (PADs).

Subsurface investigation of a number of sites and PADs were undertaken by Umwelt (2006a) between July 2004 and October 2005. These investigations included at least four recorded sites of potential significance and 19 PADs. Additionally, nine landform units were tested across nine different creek catchments. Approximately 1,560 artefacts were recorded from the overall testing program.

Aboriginal heritage assessment and management plan: Portions of the Lochinvar Urban Release Area. Lochinvar, Hunter Valley, NSW. Report to Paradigm Planning & Development consultants Pty Ltd on behalf of Stockland Developments Pty Ltd (Mary Dallas Consulting Archaeologists 2010).

Mary Dallas and Paul Irish conducted a field survey and desktop analysis to inform future planning for the Lochinvar Urban Release Area (Lochinvar URA). The area subject to comprehensive assessment came to approximately 188 ha and is situated approximately 9.5 km to the north-west of the current project area.

The results of the survey were:

- the only archaeological evidence located within the study areas were stone artefacts;
- the artefacts were located primarily along creek lines or at creek confluences in generally low numbers and densities, though isolated or dispersed artefacts can and do occur in most topographic contexts in the local landscape;
- subsurface archaeological potential is also closely related to creek lines and creek confluences. PAD has generally not been identified in the uppermost reaches of minor tributaries due to levels of disturbance, the impermanence of water and hence lower likelihood of intensive use of these areas, and the results of test excavations in these areas which have located little in the way of archaeological material (e.g. Ruig 1997, McCardle 2005b); and

- most of the stone artefacts recorded during the study were present in isolation or low densities in disturbed contexts with little or no likelihood of associated subsurface archaeological deposit. Such sites are common in the local landscape and excavation in these areas would be unlikely to yield *in situ* remains of any scientific/archaeological potential or significance.

Branxton Waste Water Treatment Works Stage 3 Upgrade: Aboriginal Heritage Impact Assessment (Kuskie 2010).

In 2010, Southeast Archaeology Pty Ltd (Peter Kuskie) undertook an Aboriginal heritage impact assessment for the Stage 3 upgrade of the Branxton waste water treatment works, located approximately 19 km north-west of the field survey area. The study area was a 7.5 ha parcel of land, 3 ha of which had been previously disturbed by extensive earthmoving works and construction. Considering this, the field survey focused on the undisturbed 4.5 ha of land that had some archaeological potential.

Field survey covered landforms units comprising flats, a terrace, spur crests, a drainage depression and simple slopes. Surface visibility was typically low across the unmodified study area due to extensive grass coverage. One isolated artefact find adjacent to a PAD was identified outside the impact area. One PAD was identified within the impact area on a terrace, flat and drainage depression overlooking Anvil Creek (a high order watercourse) on an undisturbed context. The PAD was identified on the basis that focused Aboriginal occupation would have been largely confined to elevated areas fringing watercourses and resource zones (eg elevated, well-drained flats/terraces, low gradient simple slopes and low gradient spur crests). Test excavation of the PAD was recommended.

Archaeological assessment of the proposed Pioneer Concrete Batch Plant Site, Corner of Tunnel Road and Cessnock Road (Umwelt (Australia) Pty Limited 2002).

In 2002, Umwelt undertook an archaeological assessment of the proposed Pioneer Concrete Batch Plant site on the corner of Tunnel Road and Cessnock Road, 8 km south west of the current study area. Field survey involved traversing the 4.5 ha area on foot, across landform units comprising creek terraces and very gently inclined lower hill slopes. The survey area was found to be highly disturbed by bioturbation and activities associated with the old Aberdare mine and ground visibility was very low. One isolated find was found within a disturbed context. The assessment concluded that there was low potential for intact Aboriginal sites to occur within the study area which was largely attributed to the high levels of previous land disturbance.

Heritage Assessment for the Proposed Gas Pipeline from Seahampton to Rutherford, Field Survey and Desktop Analysis (Environmental Resources Management Australia (ERM) on behalf of Harper Somers O'Sullivan (HSO) 2004).

In 2004, HSO prepared a Review of Environmental Factors (REF) for the construction of a new gas pipeline between Seahampton and Rutherford in the Lower Hunter Valley. ERM was commissioned to assess potential heritage impacts as part of the REF. The pipeline route traversed through multiple landscapes including the rugged terrain of Mt Sugarloaf, undulating and gently undulating terrain, low lying swampy areas of Wentworth Swamp and aeolian sands adjacent to Wallis Creek and Swamp Creek. The pipeline route crossed a total of 36 creeks of varying stream order (between first and fifth order) and one swamp.

Field survey of the pipeline route identified a total of 21 Aboriginal sites. Aboriginal sites were identified on simple slopes, creek banks, open depressions associated with creeks, and flats, which yielded a series of low density stone artefact scatters and isolated finds. The highest frequencies of Aboriginal sites were located on open depressions associated with creek lines, followed by flats and simple slopes on gentle inclines.

In discussing Aboriginal occupation and land use, the report argued that the association of Aboriginal sites with certain landforms such as creeks and swamps is not a simple one of distance/proximity, but can also be an association with good outlook regardless of proximity to creeks (HSO 2004).

Heritage Green Residential Golf Course Development, Rutherford (Kuskie 2004).

In 2004 Southeast Archaeology Pty Ltd undertook an Aboriginal heritage assessment for the heritage green residential golf course development around Rutherford. Field survey identified 27 sites, over half of which were found along the banks of Stony Creek and a nearby first order tributary creek. Those sites not found along creek banks were all within 100 m of drainage depressions, all but one of which were found on simple slopes suitable for short term encampments.

Indigenous Heritage Study: Anvil Creek, Greta NSW, Greta NSW (HLA Envirosiences (HLA) 2005).

In August 2002 HLA undertook an archaeological assessment of the proposed Anvil Creek development to the south of Greta of an area of 423 ha approximately 14 km north-west of the current study area. Field survey comprised 45 transects that covered ridge crests, hill slopes, lower order streams (first and second order) and upper order streams (third and fourth order). Archaeological material was found in 12 of the 45 transects.

Exposures of stone artefacts were identified more frequently in the two landform units covering watercourses than on the hill slope and ridge crest areas. However, the study noted that levels of exposures and visibility varied across landform units as the result of erosional and other geomorphological processes (HLA 2004). It was observed that lower order streams provided the most visibility (approximately 20%), while other landforms had lower visibility (approximately 8% across other landform units). Six sites comprising 141 stone artefacts were found on lower order streams, three sites comprising 13 stone artefacts were found on hill slopes, two sites were found on upper order streams comprising 59 stone artefacts and one site was found on a ridge crest.

The contrast in site frequency and distribution across landform units was preliminarily attributed to the incidence of erosion and exposures, ie lower order streams had the highest visibility and exposure, and as a result, the highest site incidence. Overall, higher densities of artefacts were found in sites along higher order watercourses, followed by lower order streams. Lower artefact densities were found on hill slopes and ridge crests.

4.4.1 Summary

The archaeology of the Hunter Valley comprises a broad range of Aboriginal archaeological site types dominated by open stone artefact sites primarily located along watercourses. Open stone artefacts sites, comprising assemblages of flaked stone artefacts, have been recorded through site surveys and salvage excavated related to mining and other land development activities. Excavated sites next to creeks typically reveal artefact densities of over 35 artefacts per square metre, with concentrations sometimes yielding hundreds of artefacts per square metre. Excavations have confirmed that subsurface stone artefact deposits are limited to the upper topsoil and do not extend to clay horizons or aeolian, alluvial or clay horizons.

Isolated artefacts occur sporadically throughout the Hunter as either intentional or unintentional discards by past Aboriginal people. The potential for isolated finds decreases the further away from archaeologically sensitive landforms, such as close to watercourses and on elevated landforms with good outlook over the local landscapes.

Previous archaeological investigations and AHIMS data has shown that there is potential for stone artefacts to occur across virtually all landform units within the Hunter Valley. However, site density and distribution tends to vary significantly over these landforms. Higher densities of artefacts representing open camp sites are typically shown to occur within 50 m of high order streams and on adjacent low gradient simple slopes or spur crests. Open camp sites also occur in proximity to lower order streams and drainage depressions, but generally occur in lower densities. As the distance from water increases along with gradient, the likelihood for open camp sites sharply decreases; however, the likelihood for isolated finds decreases more gradually. Kuskie (2010) states that in the Central Lowlands sites tend to be predominantly identified near watercourses, specifically level or gently sloping landform units and close to higher order streams. Further to this, there are fewer instances of artefacts along ridgelines.

4.5 Register searches

Searches were also made of the following heritage databases on 23 March 2016:

- World Heritage List (WHL);
- National Heritage List (NHL);
- the NSW State Heritage Register (SHR);
- the NSW State Heritage Inventory (SHI);
- Section 170 Registers;
- the *Cessnock Local Environmental Plan LEP 2011* (Cessnock LEP); and
- Register of the National Estate (RNE) (non-statutory).

The results of the searches indicated that there are no items of Aboriginal heritage significance located in the project area.

5 Landscape context

5.1 Overview

The project area is within the town of Kurri Kurri situated within the central Hunter Valley, NSW. The wider Kurri Kurri region includes the eight districts of: Abermain, Heddon Greta, Kurri Kurri, Neath, Pelaw Main, Stanford Merthyr, Weston and portions of Buchanan, Buttai and Mulbring. The town of Kurri Kurri is approximately 145 km north-west Sydney, 40 km northwest of Newcastle and 14 km east of Cessnock. It is situated within the Cessnock LGA.

5.2 Landform and topography

The project area is located within the Central Lowlands region of the Lower Hunter Valley. The Central Lowlands is generally characterised by undulating grassland and plains, bounded by steep areas. The project area is characterised by shallow gradient hill slopes with a creek to the north of the area.

The field survey is made up of shallow inclined hill slopes sloping in a northerly direction toward Swamp Creek (Figure 5.3). Ephemeral drainage depressions occur to the east and south-east of this area and form gently inclined slopes.

5.3 Drainage

The northern edge of the project area abuts Swamp Creek, a small second order stream that runs in a north easterly direction. Swamp Creek joins with Black Waterholes Creek approximately 4 km to the north-east of the project area, the confluence of Swamp Creek and Wallis Creek is approximately 9 km to the north east which drains into the Hunter River 12 km to the north east of the project area (Figure 5.3).

5.4 Geology and soils

The project area is underlain by the Braxton geological formation. Braxton is siltstone and silty, pebbly sandstone with minor coal (Figure 5.4). The geological formation is overlain with the Neath soil landscape, which is described as the soil landscape that covers gently undulating rises and melaleuca swamps to the east of Cessnock (Figure 5.5).

Main soils are grey Solodic Soils which occur only in poorly drained swampy areas of the Neath soil landscape while yellow Solodic Soils occur on better drained slopes (Kovac and Laurie 1991). The north and north western low lying portions of the project area show clear evidence of regular inundation. The north western corner of the project area is currently modified into a small dam (prior to this it would have been a natural swampy area) to deal with the flood waters which drain south and west from Swamp Creek. The northern most portion of the study area forms part of this regularly inundated swampy landform.

5.5 Climate

At the start of the Holocene approximately 10,000 years ago, climate conditions changed substantially. The melting of the ice sheets in the Northern Hemisphere and Antarctica caused a rise in sea levels and an associated rise in temperature and rainfall. The changes reached their peak approximately 6,000 years ago. At around 1,000 years ago temperatures stabilised to similar to temperatures today. Thus, the climate of the study area for the past 1,000 years would probably have been much the same as present day conditions, providing a habitable environment.

The climate of the local area is predominately warm and temperate. The mean annual rainfall is 740 mm, with 5560 mm per month in summer dropping to 30 mm per month in winter (Kovac and Laurie 1991). Although available soil moisture is high throughout the year, plant growth is limited by low temperatures from June to September. Mean summer temperatures range from 16.9°C to 30.7°C and winter temperatures are from 4.8°C to 19.9°C.

5.6 Vegetation

The dominant community in the southern half of the project area is the Parramatta Red Gum - Narrow-leaved Apple - Prickly-leaved Paperbark shrubby woodland (Plant Community Type (PCT) 1633). It occurs as a series of small to medium sized patches, interspersed with cleared areas. Dominant canopy species include Earp's Gum (*E. parramattensis subsp. decadens*), Red Ironbark (*Eucalyptus fibrosa*) and Narrow-leaved Apple (*Angophora bakeri*).

Cabbage Gum-Rough-barked Apple grassy woodland on alluvial floodplains of the lower Hunter (PCT 1594) occurs in the north-west corner of the project area, and is part of a large corridor of vegetation, occurring along Swamp Creek. Rough-barked Apple (*Angophora floribunda*) and Forest Red Gum (*Eucalyptus tereticornis*) are the dominant canopy species recorded.

Exotic grassland occurs in the central and northern portions of the site portions. This community is dominated by exotic grasses and forbs with no native canopy or mid-stratum species.

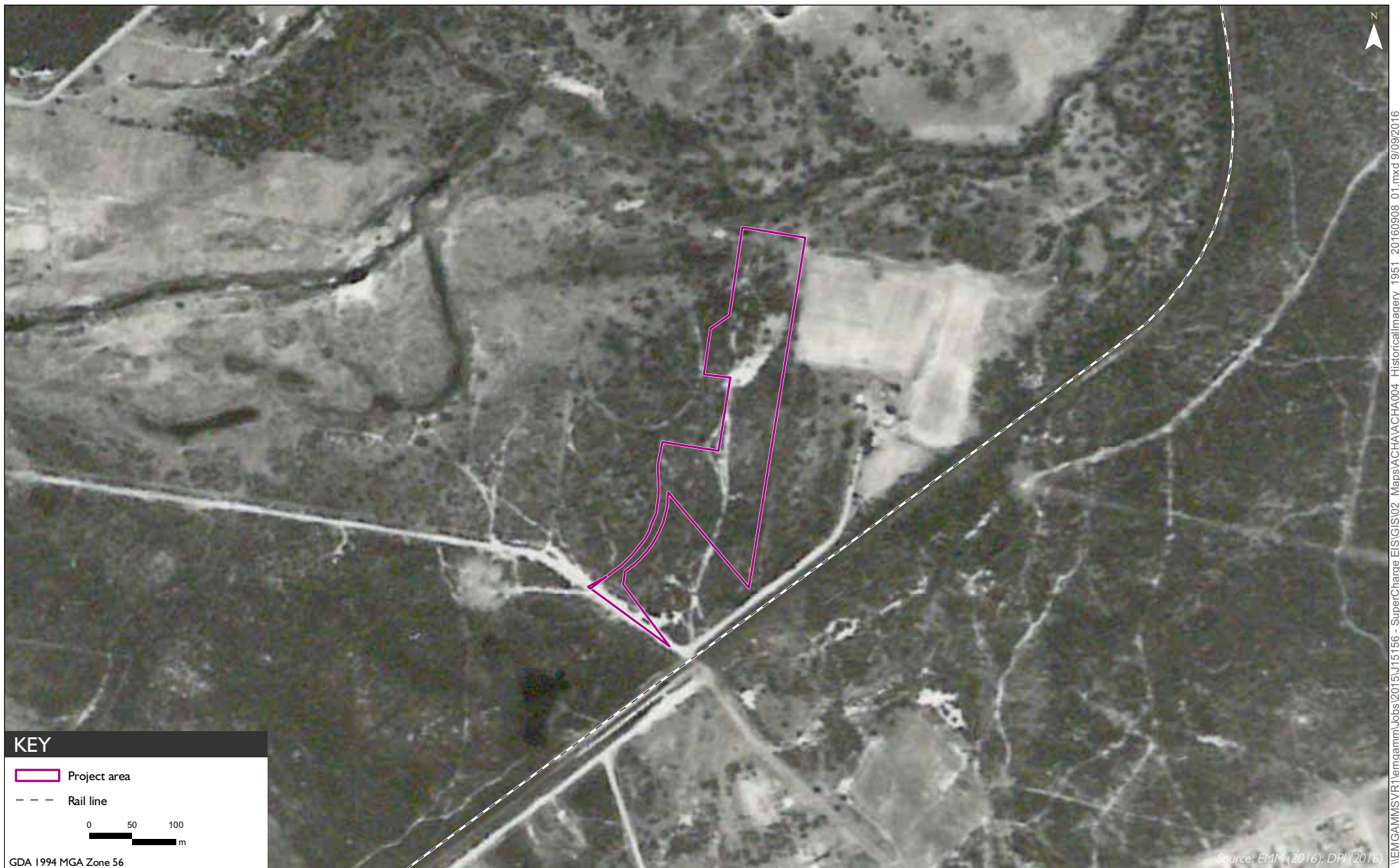
Prior to European settlement the vegetation with the study area would have been continuous, with the shrubby woodland community occurring over the majority of the site. There would have been a transitional area in the north of the study area where the shrubby woodland intergrades with the grassy woodland on alluvial floodplains.

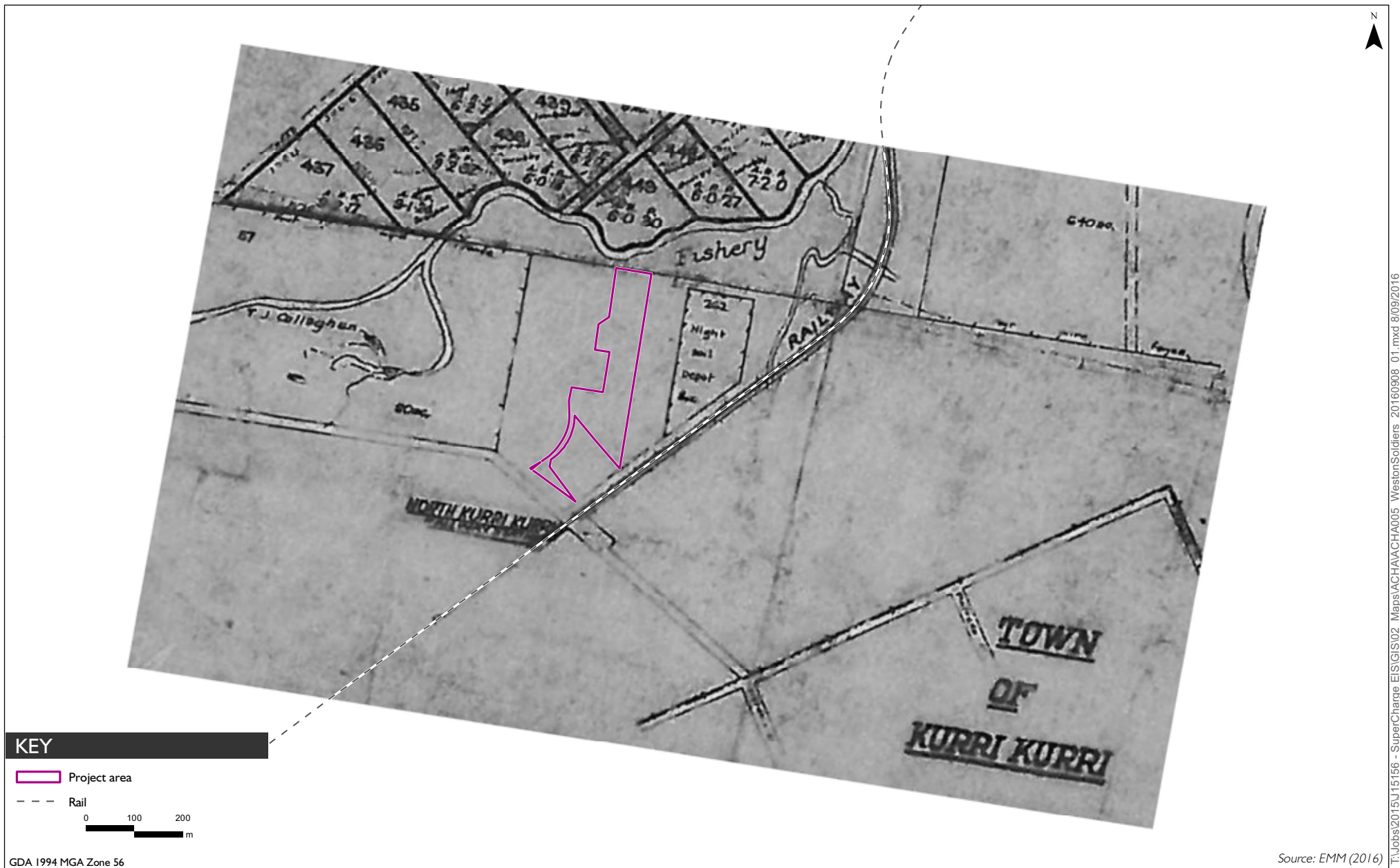
5.7 Land-use and disturbance

The project area and the landscape in the immediate vicinity have been subject to various forms of historical disturbance. Aerial photography from 1951 shows that numerous heavily used tracks across the project area with a cleared area entirely devoid of vegetation situated on the eastern boundary approximately 50 m south of Swamp Creek. The 1951 aerial photograph (Figure 5.1) shows that the landscape within the project area at this time remained moderately vegetated relative to the surrounding landscape. The aerial confirms the heavy disturbance to the property abutting the eastern boundary of the project area which in the early 20th Century was the district's "Night Soil Depot" (Figure 5.2).

The condition of the project area by the early 1990s continued to deteriorate with the site described by Iain Stuart in his earlier Aboriginal heritage assessment for the project area, (Stuart 1994, p.1), as being confused by recent soil and rubbish dumping as well as dam construction.

Field survey confirms that dumping, machine movements and land modification have significantly impacted on the integrity of the project area. The majority of the project area has been mostly cleared of vegetation and modified through levelling, filling and storage of industrial equipment..





5.8 Environmental implications for archaeology in the project area

5.8.1 Introduction

European settlement activities, particularly within the last two to three decades, have resulted in substantial modifications to the project area. These modifications have included the removal of native vegetation, changes in local hydrology and modifications to the landscape.

5.8.2 Implications

As a result of historical clearing of vegetation in the region since the establishment of the township of Kurri Kurri, mature trees which might carry the scars of Aboriginal modification (Aboriginal scarred trees) are rare. None occur within the project area.

There is very low to negligible archaeological potential in the existing project area due to the high levels of disturbance by previous levelling, clearing, dam construction and landscape modification. Any archaeological deposits are likely to have been completely removed or destroyed.

Grinding groove sites are typically found on exposed sandstone bedrock in association with reliable water. No such instances of exposed sandstone were found within the project area in addition to no instances of grinding grooves being identified in the wider AHIMS search for the project area.

Aboriginal rock shelter sites occur where the local geology permits, which largely limits their occurrence to the margins around ridges, hills and outcrops. No rock shelter sites were identified by the AHIMS search and the few recordings in the broader Hunter Valley reflect the paucity of development related survey activity in these landforms. As no cliffs or rock overhangs occur within the study area, there is a no potential for Aboriginal rock shelter sites.

Other more uncommon Aboriginal site types such as lithic quarries, stone arrangements, ceremonial sites, and burials have not been recorded in the local area. Lithic quarries only have the potential to exist if outcrops of a suitable stone raw material such as IMT or silcrete are present. Considering the underlying Braxton geology, the potential is assessed as low; further, none were noted during survey for the due diligence assessment. The potential for ceremonial sites is very low, largely due to the recent land-use history of the site which is likely to have removed such features. Stone arrangements are usually found on hill tops and ridge crests which contain stone outcrops or surface stone. However considering there are no hill tops or ridge crests within the project area combined with the extent of recent land use impacts the potential for stone arrangements is low. Burials tend to occur in hollow trees, caves or sand deposits, and are highly unlikely to be found in the study area.

5.8.3 Predictive model of site location

The predictions of potential site location and site characteristics have been informed by the archaeological background and environmental context discussed in the preceding chapters. The predictive model for the field survey has been based on:

- identification of the local landscape and landform units;
- previous archaeological investigations;
- distribution and site densities of AHIMS registered sites;
- traditional land use patterns; and

- cultural information provided by the local Aboriginal community.

The following predictions can be made regarding Aboriginal site location and general site characteristics:

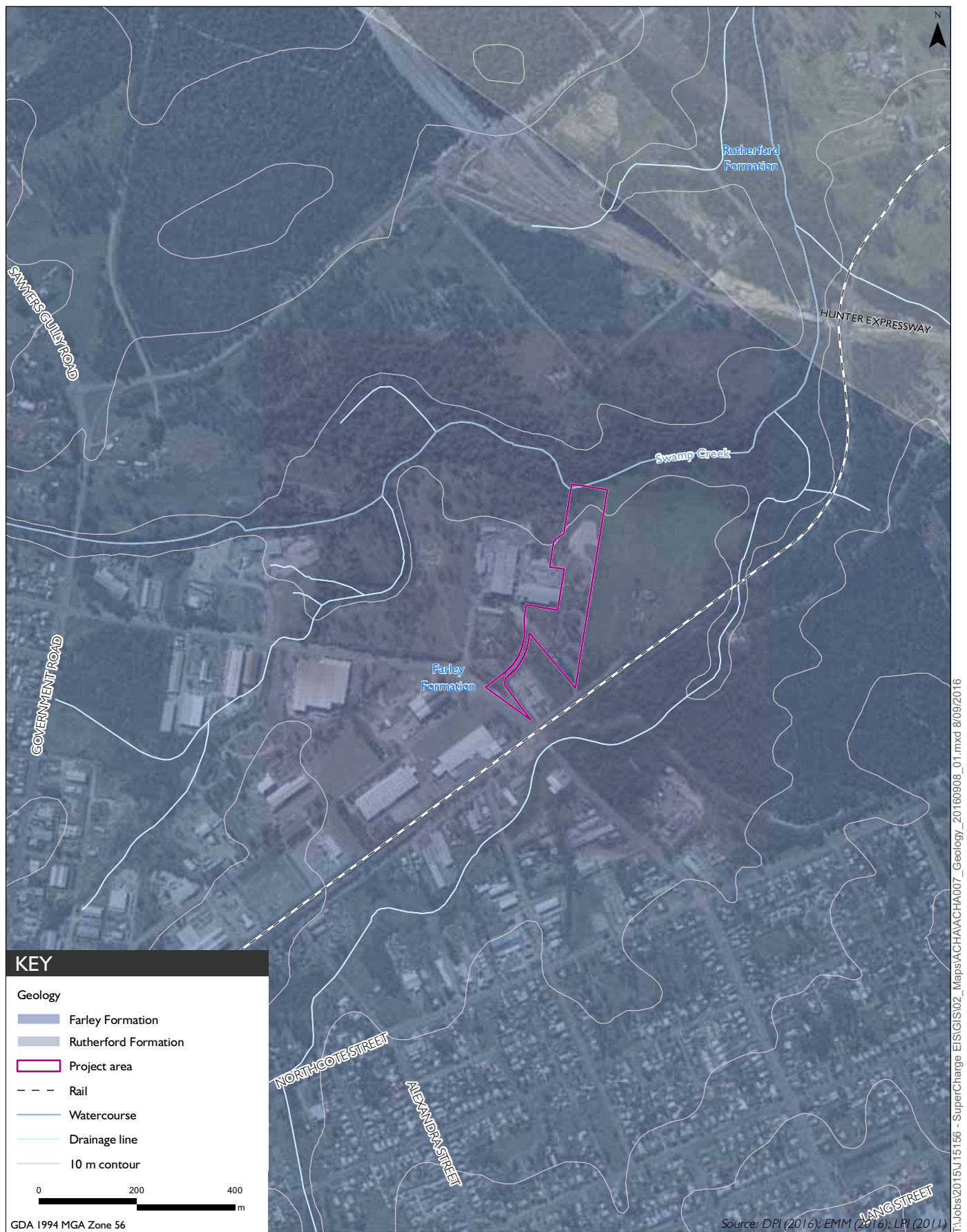
- there is nil to low potential for intact sites within the project area;
- isolated finds or low density scatters are the most likely site types to occur;
- sites are most likely to occur on gently inclined landforms including spurs, simple slopes and crests that have good outlook over watercourses;
- higher artefact densities are likely to occur close to reliable water courses;
- sites are likely to be within a disturbed context, from slight to heavy disturbance depending on the location;
- stone artefact sites are likely to consist of silcrete, IMT and quartz, but other raw materials may be present in lower densities;
- there is nil potential for modified trees to occur;
- there is nil potential for rock shelter sites;
- there is nil to low potential for lithic quarries;
- there is nil potential for stone arrangements;
- there is low potential for ceremonial sites; and
- there is low potential for burials.



Drainage and topography

Kurri Kurri Battery Recycling Facility
Aboriginal Cultural Heritage Assessment

Figure 5.3

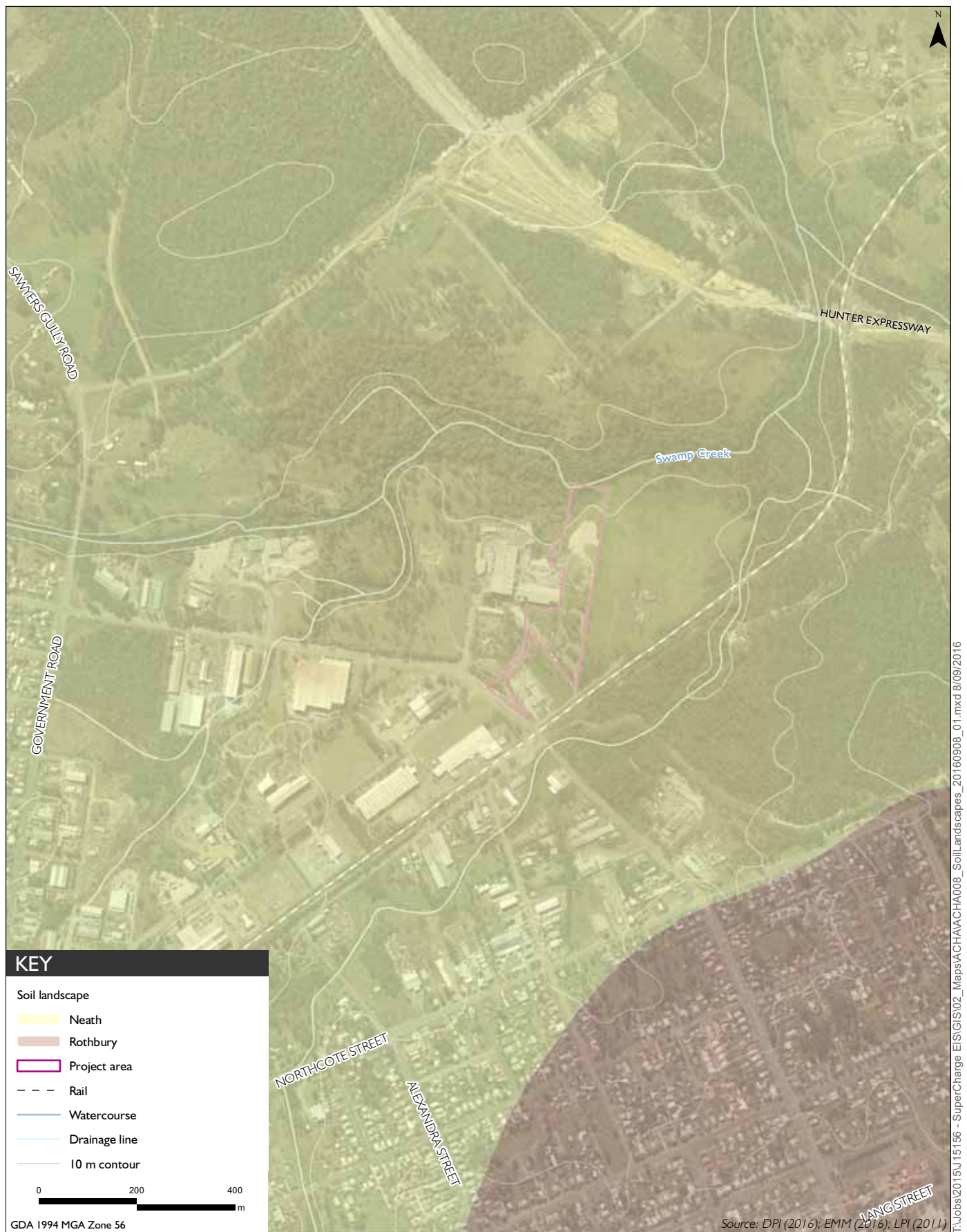


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Geology

Kurri Kurri Battery Recycling Facility
Aboriginal Cultural Heritage Assessment

Figure 5.4



Soil landscapes

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Figure 5.5

6 Archaeological investigation

6.1 Overview

Pedestrian survey of the project area under the guidelines stipulated within the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (2010 DECCW) was undertaken on Thursday 18 February 2016 by Andrew Crisp (Project Archaeologist EMM).

6.2 Survey of project area

6.2.1 General field survey method

The relatively small size of the project area allowed for near complete survey coverage. After initial visual inspection it was determined that the project area could be segmented into four survey units:

- Transect One: Mitchell Avenue road frontage and narrow curving proposed access way;
- Transect Two: Triangle of lightly wooded terrain to the south of the main Weston Aluminium structures;
- Transect Three: sub-rectangular hardstand/lay-down yard and waste dump; and
- Transect Four: small portion closest to the creek north of rear boundary fence of 129 Mitchell Avenue.

Soil exposures on the ground were targeted for the inspection of any archaeological evidence including vehicle and walking tracks, road embankments, ant nests and erosion.

Although trees in the project area appeared to be of a relative immature age, each was inspected for cultural scarring. While scars were noted, none were deemed to be of Aboriginal cultural provenance as they all were clearly naturally created.

A photographic record was kept throughout the site visit. Areas of Aboriginal significance were recorded using the GDA 94 coordinate reference system on handheld GPS.

6.2.2 Identification and recording of Aboriginal sites

i Definition of a site

Aboriginal sites identified during survey are defined by the presence of one or more Aboriginal objects on the ground surface. The boundaries of a site are limited to the extent of the observed Aboriginal objects. A 'site' does not include the assumed extent of subsurface archaeological deposits.

PADs are technically separate to sites as they are defined as the predicted extent of subsurface Aboriginal objects of an area. PADs are not technically Aboriginal sites until Aboriginal objects are identified, typically through archaeological excavation. PADs can also be associated with artefact scatters that are likely to have eroded out of a more extensive subsurface deposit.

A general boundary definition employed by archaeologists is that artefacts more than 50 m apart are regarded as separate sites, although this technique may not reflect subsurface artefacts occurring between the 50 m distance. The 50 m separation rule was used for the preliminary assessment. EMM acknowledges that the 50 m rule is an arbitrary distinction and is mainly used as a tool for the consistency of results and for comparison with Aboriginal sites beyond the area surveyed.

ii Site recording

The isolated find location was recorded using a hand-held GPS unit with recorded data confirmed on GIS software. Transects were accurately mapped by downloading tracks recorded on GPS.

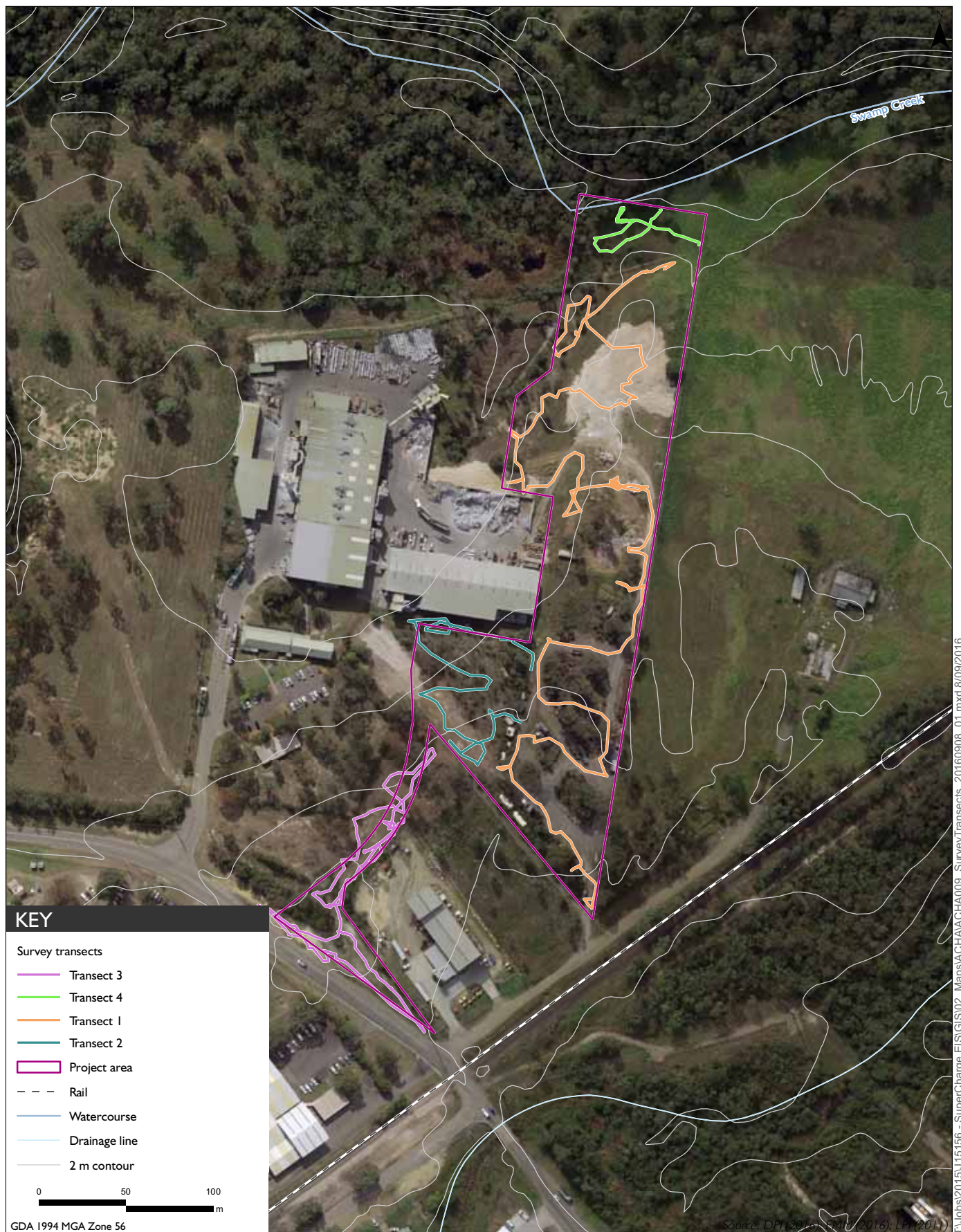
Photographs identifying landscape context and artefact attributes were taken for the isolated find. Details taken of the isolated find included size measurements, material types and preliminary diagnostic elements.

6.2.3 Survey coverage data

The survey effort was divided into four transect survey units within a single landform, which is a simple slope. The locations of the individual survey areas are marked on Figure 6.1 and descriptions are presented in Section 6.2.4. A summary of the survey coverage is presented in Table 6.1 for the combined landform units.

Table 6.1 Effective survey coverage results

Landform unit	Survey unit	Area (m ²)	Slope	Exposure %	Visibility %	Effective coverage area (m ²)	Effective coverage %
Simple slope	Transect 1	6000	Gently inclined	40	20	480	8
Simple slope	Transect 2	1950	Gently inclined	20	35	137	7
Simple slope	Transect 3	3535	Level to gently inclined	35	50	619	17.5
Simple slope	Transect 4	845	Level to gently inclined	0	0	0	0



Survey transects

Kurri Kurri Battery Recycling Facility
Aboriginal Cultural Heritage Assessment

Figure 6.1

6.2.4 Field survey results

Field survey confirmed that the project area is heavily disturbed as a result of at least two decades of vehicle movement, dumping, introduction of fill and levelling with small areas of exposure due to water run-off and vehicle movement.

Transect 1 showed the most evidence of disturbance with the northern half of the transect showing many exposures along vehicle tracks, wheel ruts and erosion scars. Transect 2 showed evidence of top soil erosion along with mounding. Transect 3 displayed a high level of ground surface impact in the form of erosion and wheel rutting from heavy vehicle movement along the Mitchell Avenue frontage. Transect 4, the northernmost portion of the project area, had zero visibility due to complete coverage by exotic grasses; however pedestrian survey confirmed moderate to high levels of irregular undulation indicating prior ground surface impacts.

A single isolated find (red silcrete unidirectional core) was identified during the survey in Transect 1.

i Transect 1

Transect 1 is located on a simple slope bound to the east by a now decommissioned “dog pound”, previously the district “night soil depot”, and to the west is the currently operating Weston Aluminium recycling facility. To the south is a light industrial complex and to the north, the modified south bank of Swamp Creek. Vegetation was sparse with only a small number of mature trees present. All mature trees were inspected for evidence of cultural modification and none were identified. The southern half of Transect 1 is highly impacted by the introduction of hardstand material (Plate 6.1). The northern half of the transect shows high levels of impact from dumping (demolition and smelting waste), mounding and evidence of machine impact to ground surface (Plate 6.2 and Plate 6.3).

A single isolated find was located within a highly disturbed exposure (GPS 0357447E, 6369296N) north-east of the main Weston buildings, to the north of a large concrete slab dump, and to the south of the curving vehicle track (Plate 6.4, Plate 6.5 and Plate 6.6).



Plate 6.1 Southern portion of Transect 1, showing introduced blue metal hardstand (aspect west)



Plate 6.2 Central portion of Transect 1, showing extensive machine disturbance and numerous mounds of demolition rubble and smelting refuse (aspect west)



Plate 6.3 Northern portion of Transect 1, showing demolition rubble and smelting waste (aspect south west)



Plate 6.4 Northern half of Transect 1 showing exposure in which a single isolated find was located (aspect west)



Plate 6.5 Detail of wheel-rutted exposure in which the isolated find was identified (aspect west)



Plate 6.6 Isolated find (SC01) – red silcrete unidirectional core

ii **Transect 2**

Transect 2 was located to the west of Transect 1, and to the south of the current Weston Aluminium sheds. The land within the survey transect showed evidence of mounding along the northern edge toward the sheds (Plate 6.7) with topsoil erosion evident across the transect area due to run off. Ground surface exposure was low to moderate (20%) due to a small number of trees which had been uprooted, animal tracks and vehicle movement. Visibility in Transect 2 was at approximately 35% due to surface erosion exposing the topsoil and thin surface vegetation coverage allowing for visual inspection of the ground surface (Plate 6.8). No artefacts were located.



Plate 6.7 Northern portion of Transect 2, south of Weston Aluminium sheds showing evidence of mounding, vegetation clearance and regrowth scrubland (aspect west)



Plate 6.8 Southern portion of Transect 2 showing moderate ground surface exposure (aspect north)

iii Transect 3

Transect 3 comprised of a triangle of land abutting the northern side of Mitchell Avenue which showed evidence of previous impacts from the introduction of high voltage power pylons along the northern side of Mitchell Avenue. The road verge shows extensive impact from truck and vehicle movement (Plate 6.9) and has been disturbed by the road making process. Ground visibility was moderate (50%). A small linear portion of Transect 3 that runs north and north-west from the Mitchell Avenue easement is less disturbed than the road frontage with sandy ground visible in a few small exposures (Plate 6.10). Ground visibility was approximately 50% as a result of the highly exposed road frontage. No artefacts were located.



Plate 6.9 Portion of Transect 3 showing the highly disturbed road easement on the northern side of Mitchell Avenue (aspect east)



Plate 6.10 Linear portion of Transect 3 heading away from Mitchell Avenue (aspect north)

iv **Transect 4**

Transect 4 was located at northern most end of site close to Swamp Creek. The ground visibility was zero with complete coverage by exotic grasses (Plate 6.11). Pedestrian survey discovered throughout the location that the ground undulated drastically and unevenly, suggesting ground impact. The western side of the survey area is impacted by mounding associated with the creation of a dam on the western edge of the study area (Plate 6.12). No artefacts were located.



Plate 6.11 Undulating gentle slope to south of Swamp Creek from eastern edge of project area (aspect west)



Plate 6.12 Mounding on western edge of project area associated with dam construction (aspect west)

6.3 Results of project area survey

6.3.1 Overview of Aboriginal sites within the project area

This section of the ACHA presents the details of the Aboriginal object SC01 (isolated find) located during the survey.

i SC01 (isolated find)

Site SC01 (Plate 6.13 and Plate 6.14) was located in a 2 m by 2 m disturbed exposure on a heavily modified gentle slope toward Swamp Creek. To the south of the exposure were mounds of demolition rubble. The exposure was within, and in close association to, fill comprising of bricks, bonded ceramics, lime and refractories from brick rotary furnaces to the north. Table 6.2 outlines the site details for SC01 (AHIMS # pending) with the attributes of the isolated find presented in (Table 6.3).



Plate 6.13 SC01 – Red silcrete unidirectional core



Plate 6.14 SC01 – Red silcrete unidirectional core

Table 6.2 Summary of sites found during October 2015 survey (EMM)

Site Name	Site type	Landform	Site characteristics	Coordinates (MGA)
SC01	Isolated find	Simple slope	Silcrete unidirectional core	0357447E 6369296N

Table 6.3 Attributes of SC 01

Artefact type	Material	Colour	Dimensions (mm)
Unidirectional core	Silcrete	Dark red	40 x 35 x 30

6.3.2 Summary and discussion of archaeological investigation

The level and nature of effective survey coverage is generally satisfactory for the landform unit surveyed. The coverage was comprehensive for obtrusive site types (eg modified trees and grinding grooves) and representative for the less obtrusive stone artefact scatters. It was considered that the level of visibility shown in the exposures in each transect was adequate to reveal archaeological material if present.

The varying levels of disturbance are also likely to have affected potential site integrity. It is estimated that approximately 80% of the project area has been disturbed to a level that has the potential to remove or highly displace stone artefacts within the topsoil. The remainder of the field survey area is likely to have been disturbed to a level that would have displaced stone artefacts within the topsoil without fully diminishing their heritage value.

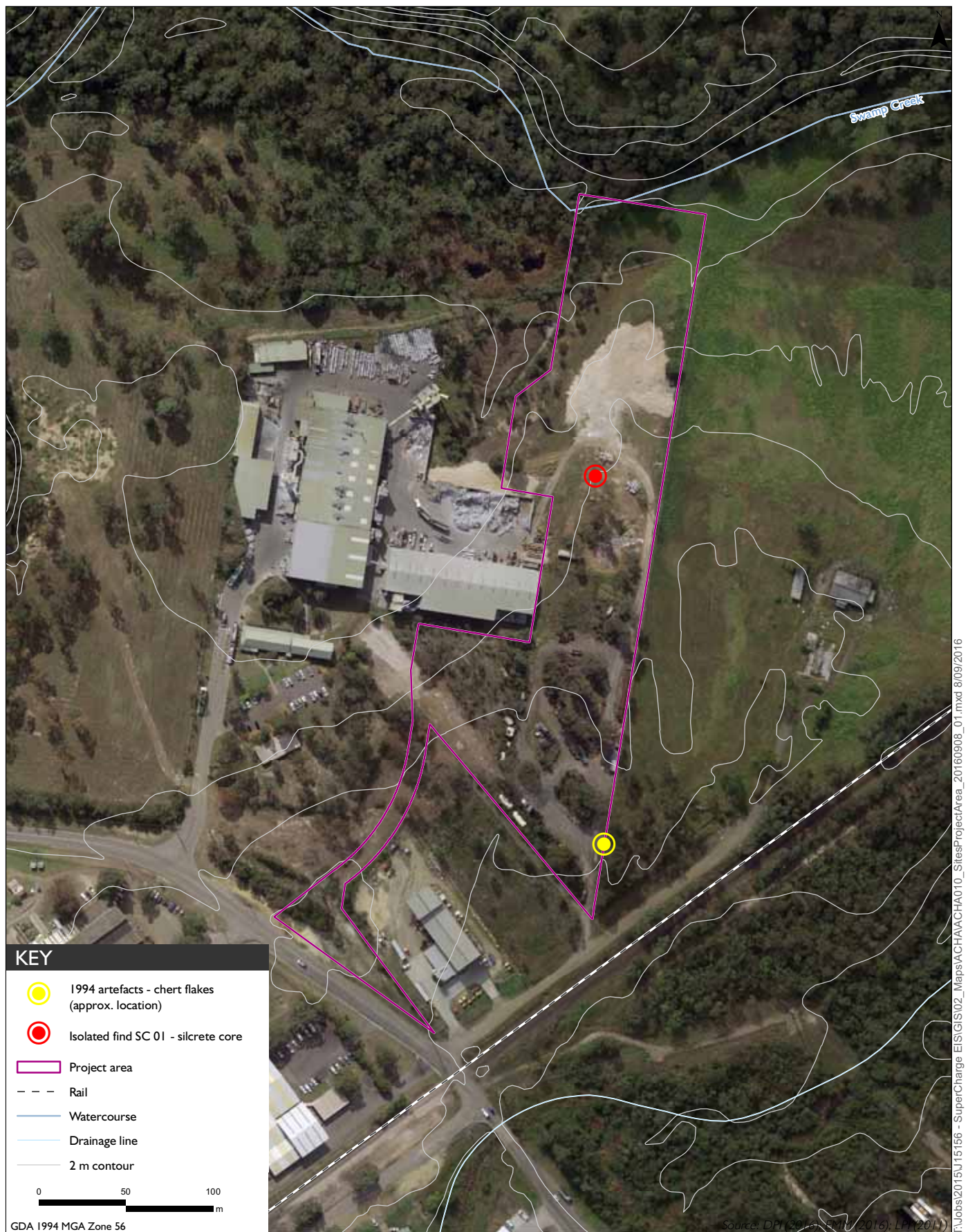
The survey was effective for the identification of obtrusive site types. No Aboriginal sites such as scarred or carved trees, grinding grooves, rock shelters, lithic quarries, stone arrangements and tangible ceremonial sites were identified. Less obtrusive sites such as burials were also not identified, but cannot be discounted due to visibility levels. However, burials are shown to be very rare and the potential for this site type is considered to be very low.

Overall, the investigation agrees with the predictive model of site location which proposes that as distance from reliable water and landform gradient increases, the stone artefact density and distribution decreases. Previous archaeological investigations (discussed in Section 4.4) and AHIMS data gathered for this ACHA has shown that there is potential for stone artefacts to occur across virtually all landform units within the Hunter Valley. However, site density and distribution tends to vary significantly across varying landforms. Higher densities of artefacts representing open camp sites are typically shown to occur within 50 m of high order streams and on adjacent low gradient simple slopes or spur crests. Open camp sites also occur in proximity to lower order streams and drainage depressions, but generally occur in lower densities. As the distance from water courses increases along with gradient, the likelihood for open camp sites sharply decreases.

The land within the project area surveyed by Transects 1, 2, and 3 is all at least 50 m away from the second order Swamp Creek (to the north of project area). The disturbance present within each of these transects significantly reduces the likelihood of Aboriginal heritage sites surviving within these portions of the project area. The south easternmost portion of Transect 3 is noted to be within 75-100 m of an ephemeral drainage line and the predictive model states that there is potential for low density open camp sites to occur within close proximity to these landscape features. Despite the proximity to the ephemeral drainage line the entire road frontage along Mitchell Avenue has been subjected to heavy impact from vehicle movement, road widening, run off and the installation of a row of high voltage power pylons. The potential for Aboriginal sites to be present in Transect 3 is low due to these past disturbances.

Transect 4 is located on a low lying swampy landform within 50 m of Swamp Creek. No artefacts or areas of PAD were identified. The area would have been unsuitable for activities that would have deposited archaeological material in any predictable manner, such as camping or stone tool manufacture. Transect 4 would have been unsuitable for camping, though it is in close proximity to a perennial stream, because the area is poorly drained, swampy and subject to inundation. The area may have been subject to transitory movement associated with travel or hunting in the surrounding waters. Such activities may have deposited archaeological material in low densities and sporadically across the landscape.

The levels of previous disturbance across the survey area indicate low usage in some areas and in others, the potential for intact archaeological deposits to survive is low because of the level of disturbance.



Aboriginal sites within the project area

Kurri Kurri Battery Recycling Facility
Aboriginal Cultural Heritage Assessment

Figure 6.2

7 Significance assessment

7.1 Defining heritage significance

Heritage sites, objects and places hold value for communities in many different ways. The nature of those heritage values is an important consideration when deciding how to manage a heritage site, object or place and balance competing land-use options.

The many heritage values are summed up in an assessment of ‘cultural significance’.

The primary guide to management of heritage places is the Australia ICOMOS *Burra Charter* 2013. The *Burra Charter* defines cultural significance as follows:

Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects.

Places may have a range of values for different individuals or groups. (Article 1.2).

7.2 Socio-cultural value: significance to the Aboriginal community

Even though an area may not have Aboriginal archaeological sites, it may still have cultural significance to Aboriginal communities. Research and consultation with the Aboriginal community was conducted to determine whether any socio-cultural, or intangible, heritage value relates specifically to the project area regardless of archaeological evidence.

Aboriginal heritage sites with archaeological evidence are all of value to the Aboriginal community as they provide a tangible connection with pre-colonial Aboriginal land use. It is acknowledged that the Aboriginal community consider Aboriginal objects as culturally significant items.

While it is accepted that the broader landscape is of significance to Aboriginal people, this study sought to identify whether there were specific locations within the project area that were, or are, of particular significance to Aboriginal people.

All of the RAPs for the project were invited to provide knowledge or any cultural importance/significance information for the area. Bringi Aboriginal Corporation expressed that the project area should be recognising as having a higher level of socio-cultural value as the project area is part of a wider landscape that is suggested to contain song-lines. These song-lines are argued by Bringi Aboriginal Corporation to pertain to creation stories and have expressed the need for intangible values about the overarching landscape to be conveyed.

To date, no information has been received that identifies specific heritage values unrelated to the Aboriginal object in the project area. No historical connection has been identified specifically about the project area.

7.3 Scientific value

Scientific value is assessed according to the research potential of a site. Rarity and representativeness are also related concepts that are taken into account. The following scientific values are identified as 'low', 'moderate' or 'high' for each identified Aboriginal site with an overall rating based on the results of each individual assessment.

7.3.1 Research potential

Research potential or demonstrated research importance is considered according to the contribution that a heritage site can make to our understanding of human society and the human past. Those heritage sites, objects or places of high scientific significance are those which provide an uncommon opportunity to answer specific questions about the place, or to provide a rare glimpse of artistic endeavour, or to provide a rare chronological record of changing life through archaeological investigation.

As there was a single Aboriginal object within a heavily disturbed context identified during the field survey. Levels of disturbance across the project area are considered moderate to high and as a result the research potential is considered to be low.

7.3.2 Rarity

The comparative rarity of a site is a consideration in assessing scientific significance. A certain site type may be 'one of a kind' in one region, but very common in another. Artefacts of a particular type may be common in one region, but outside the known distribution in another.

One artefact manufactured from common material was found during the survey. Its rarity value is considered to be low.

7.3.3 Integrity

The integrity of a site is also a consideration in determining scientific significance. While disturbance of a topsoil deposit with artefacts does not entirely diminish research value, it may limit the types of questions that could be addressed. A heavily cultivated paddock may be unsuited to addressing research questions of small-scale site structure, but it may still be suitable for answering more general questions of stone tool distribution in a region and raw material logistics.

The project area is heavily disturbed context and has been, in parts, filled. The one artefact found during the survey, was located at the edge of filling. Therefore its integrity value is considered to be low.

7.3.4 Research themes

The capacity of a site to address research questions is predicated on a definition of what the key research issues are for a region. In the local region, the key research issues revolve around developing a predictive model for Aboriginal site locations, specifically regarding the validity of using landform type to predict Aboriginal site presence.

The artefact does not contribute to issues of chronology, tool manufacture or site prediction models. As such, its value to research themes is considered to be low.

7.3.5 Educational value

Educational value relates to the capacity of a site to portray more easily recognisable archaeological features. While the educational potential of Aboriginal sites can only be effectively realised through interpretation, those sites with more obtrusive elements and suitable settings offer greater potential to illustrate the main features of Aboriginal activity.

An extensive grinding groove site or a rock shelter with art has a higher capability to demonstrate to an audience the physical evidence of Aboriginal occupation in an area. In contrast, small scatters of artefacts or isolated finds may not be readily differentiated from natural gravel. Therefore, aesthetic values play a major part in the educational value of an Aboriginal site.

Stone artefact sites with larger and richer assemblages would be better candidates for education. Sites with retouched implements, hatchet heads and grindstones have greater educational value than sites comprising three quartz flakes in a cattle track. Educational value is elevated in Aboriginal sites with richer features, such as larger grinding groove sites and extensive dense artefact scatters in natural creek-side settings.

The disturbance level in which the artefact was located severely reduces the educational potential of the project area.

7.4 Statement of scientific significance

The archaeological investigation of the site identified a single isolated artefact in a highly disturbed context; that the majority of the project area has been subject to disturbance that would likely destroy any remnant archaeological evidence; and the portion of the project area within 50 m of a perennial water course is low lying and swampy. As a result the project area is assessed to have low scientific significance.

Table 7.1 presents the statements of scientific significance for the isolated find according to the scientific value criteria set out in Section 7.3.

Table 7.1 **Statement of scientific significance for Aboriginal site**

Site name	Research potential	Rarity	Integrity	Research themes	Educational value	Overall archaeological significance rating
SC01 (AHIMs # pending)	Low: The artefact is a common type in a heavily disturbed context.	Low: The project area contained one artefact manufactured from common material.	Low: The artefact is located within a heavily disturbed context (potentially introduced material) in a machine rut.	Low: The artefact does not contribute to issues of chronology, tool manufacture or site prediction models.	Low: The disturbance level in which the artefact was located severely reduces the educational potential of the project area.	Low: SC01 is both a common artefact and material type in a disturbed context. It is categorised as having low archaeological significance.

8 Impact assessment

8.1 Sources of development impact

The majority of the project area will be subject to significant earth movement, levelling and creation of new hardstand surfaces. The ground disturbance activities have the potential to impact the one known and unknown Aboriginal objects in the project area.

8.2 Definition of impact type

Project elements will impact the one known and unknown Aboriginal sites to varying degrees. The following definitions relate to this project.

- Disturbance means Aboriginal sites and objects will be disrupted and moved a short distance through displacement of ground. Disturbance occurs where topsoil (the artefact bearing layer) is moved during construction, but not removed from the locality. Artefacts are retained generally in the same locality but with the loss of context and spatial patterning.
 - Total disturbance is when the entirety of the Aboriginal site will be redistributed by the project.
 - Partial disturbance describes the redistribution of part of a recorded site.
- Loss entails complete removal of an Aboriginal site's elements, such as large-scale earthworks such as substantial cutting and filling. The total modification of a landscape can also constitute loss, even if artefacts are collected and later returned to the modified surface in their original positions, because the context (an integral part of archaeological site value) is irretrievable.
- Total loss is when the entirety of a site will be removed as a result of the project.
- Partial loss describes the removal of part of a site.

Degrees of impact from lesser to greater are:

- partial disturbance;
- total disturbance;
- partial loss; and
- total loss.

8.3 Impacts to site

As the re-location of SC01 was unsuccessful, impact to the artefact will be total loss (Table 8.1).

Table 8.1 **Impact summary**

Site Name	Coordinates	AHIMS site number	Significance	Impact type	Impact assessment	Consequence of impact
SC01	0357447E 6369296N	Pending	Low	Direct	Total loss	Total loss of value; low significance

8.4 Measures to minimise harm and alternatives

Efforts were made during the site meeting to relocate the artefact, that the site is now registered with AHIMS and a site impact recording form will be completed following the proposed impacts.

Impact minimisation to the isolated find is not a viable option in this case as the artefact could not be relocated during the site visit on 19 May 2016. The level of recording undertaken of the isolated find during the initial due diligence survey obtained sufficient detail to categorise it as a low significance item.

8.5 Intergenerational equity

Aboriginal heritage management is based on the principle of *intergenerational equity* which has the intention to ensure present generations consider future generations when making management decisions on environmental issues. This principle is possibly the most relevant part of the notion of *ecologically sustainable development* (ESD) which can be applied to Aboriginal and historic heritage management.

This principle can be achieved by a regional program of protection for representative cultural landscapes and sites. The project will result in minor loss to the local archaeological resource. The only impacted Aboriginal site SC01 (isolated find), which will be subject to total loss, was located in such a disturbed context that its provenance cannot be ascertained and is therefore categorised as displaying low archaeological significance. Overall the cultural landscape will not be adversely affected.

8.6 Cumulative impact within region

Unavoidable harm to Aboriginal objects is acknowledged as a result of the project. The project is a relatively small development with a discrete footprint that will impact on a landscape that has historically been subject to significant ground disturbances. The project will have a negligible loss of the Aboriginal archaeological record in the area.

9 Management

9.1 Aboriginal heritage management

This section describes the management measures for identified Aboriginal heritage values in the project area. The management measures proposed here respond to:

- the impacts identified in the preceding chapter;
- the assessed significance of the Aboriginal site;
- the views of the Aboriginal community as represented by RAPs;
- the need to address intergenerational equity in the values of Aboriginal heritage; and
- the need to mitigate the loss and disturbance of impacted Aboriginal sites and Aboriginal objects.

9.2 Aboriginal heritage management

9.2.1 Aboriginal heritage management plan

An Aboriginal Heritage Management Plan (AHMP) will be prepared before commencement of project works that have the potential to impact the surface. The AHMP will need to be endorsed by DP&E. The AHMP will address project impacts and will provide details of:

- any Aboriginal sites identified for the project;
- management measures and their progress towards completion;
- continuing consultation and involvement of registered Aboriginal parties;
- protocols for newly identified sites;
- protocols for suspected human skeletal material; and
- provisions for review and updates of the AHMP.

9.2.2 Special procedures

i Aboriginal ancestral remains

In the event that known or suspected human skeletal remains are encountered during construction, the following procedure will be followed:

- all work in the immediate vicinity will cease and the find will be reported to the work supervisor who will advise the site supervisor or other nominated senior staff member; these actions will occur without any delays;
- the site supervisor or other nominated senior staff member will promptly notify the police and the state coroner (as required for all human remains discoveries);

- the site supervisor or other nominated senior staff member will contact OEH for advice on identification of the skeletal material as Aboriginal and management of the material; and
- if it is determined that the skeletal material is Aboriginal ancestral remains, the RAPs will be contacted and consultative arrangements will be made to discuss ongoing care of the remains.

ii Discovery of new Aboriginal sites

In the event of discovery of new Aboriginal sites in the project area, all work should halt and an archaeologist and members of the RAPs must be contacted to determine the significance of the objects(s). Any new sites must also be registered in the AHIMS database. Objects will be managed in a manner consistent with the management measures outlined above, including appropriate forms of salvage collection.

9.2.3 Management summary

Table 9.1 provides a summary of Aboriginal sites, impact types and management recommendations.

Table 9.1 Management summary

Site name	Site type	Significance	Impact type	Management
SC01	Open stone artefact site – isolated find	Low	Total loss	Unmitigated impact

Abbreviations

Abbreviation	Term
\$	dollars
AHD	Australian Height Datum
ACHA	Aboriginal cultural heritage assessment
AHIMS	Aboriginal Heritage Information Management System
AMBS	Australian Museum Business Services
ATU	Archaeological terrain unit
BOM	Bureau of Meteorology
c.	circa
CHMA	Cultural Heritage Management Australia
cm	centimetres
DPE	Department of Planning and Environment
EMM	EMM Consulting Pty Limited
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
g	grams
GIS	geographical information system
GPS	global positioning system
IMT	Indurated mudstone/tuff
km	kilometres
LEP	Local Environmental Plan
LGA	Local Government Area
m	metres
m ²	square metres
mm	millimetres
Mtpa	million tonnes per annum
NSW	New South Wales
OEH	Office of Environment and Heritage
PAD	Potential archaeological deposit
RAP	Registered Aboriginal Party
SEARs	Secretary's Environmental Assessment Requirements
SSD	State Significant Development
t	Tonne
TP	Test pit

Glossary

Many of these definitions have been taken from the *Code of Practice for archaeological investigation of Aboriginal objects in NSW* (DECCW 2010).

Aboriginal object: A physical manifestation of past Aboriginal activity. The legal term is defined in the National Parks and Wildlife Act 1974 section 5 as: any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

Typical examples include stone artefacts, grinding grooves, Aboriginal rock shelters which by definition include physical evidence of occupation, midden shell, hearths, stone arrangements and other landscape features which derive from past Aboriginal activity.

Archaeological survey: A method of data collection for Aboriginal heritage assessment. It involved a survey team walking over the land in a systematic way recording information. Activities are not invasive or destructive.

Aboriginal culturally modified tree: A tree of sufficient age to have been mature at the time of traditional Aboriginal hunter-gatherer life and therefore generally of more than 220 years age with evidence of bark or cambium wood removal for the purpose of implement manufacture, footholds, bark sheet removal for shelter, or extraction of animals or other food. Care must be taken to distinguish Aboriginal scars from the much more common natural causes of branch tear, insect attack, animal impact, lightning strike and dieback. Culturally modified tree recognition guidelines exist to distinguish these features. Naturally scarred trees are often misidentified as Aboriginal culturally modified trees.

Aboriginal site: The location where a person in the present day can observe one or more Aboriginal objects. The boundaries of a site are limited to the extent of the observed evidence. In the context of this report a 'site' does not include the assumed extent of unobserved Aboriginal objects (such as archaeological deposit). Different archaeologists can have varying definitions of a 'site' and may use the term to reflect the assumed extent of past Aboriginal activity beyond visible Aboriginal objects. Such use of the term risks defining all of Australia as a single 'site'.

Aboriginal stone artefact: A stone object with morphological features derived from past Aboriginal activity such as intentional fracture, abrasion or impact. Artefacts are distinguished by morphology and context. Typically flaked stone artefacts are distinguished from naturally broken stone by recognition of clear marginal fracture initiation (typically herzian/conchoidal or wedging initiation) on highly siliceous stone types which can often be exotic to the area. Care must be taken to distinguish modern broken stone in machine impacted contexts and therefore context must be carefully considered as well as morphology.

AHIMS: Aboriginal Heritage Information Management System – a computer software system employed by the Office of Environment and Heritage to manage many aspects of Aboriginal site recording and permitting. AHIMS includes an Aboriginal sites database which can be accessed via an internet portal.

Archaeological deposit: Aboriginal objects occurring in one or more soil strata. The most common form of archaeological deposit relates to the presence of a single conflated layer of Aboriginal stone artefacts worked into the topsoil through bioturbation.

Backed artefact: A thin flake or blade-flake that has been shaped by secondary flaking (**retouch**) along one lateral margin. The retouched margin is typically steep and bipolar to form a blunt 'back' in the manner of a modern scalpel blade. Distinctive symmetrical and asymmetrical forms are typically found called geometric **microliths** and Bondi points respectively. A thick symmetrical form, called an Elouera, is typically the size of a mandarin segment.

Bioturbation: is the reworking of soils and sediments by animals or plants. Its effects include changing texture of sediments (diagenetic), bioirrigation and displacement of microorganisms and non-living particles.

Bipolar flaking: Where the stone to be worked is rested on an anvil or other stone before being hit by the hammerstone. This results in the presence of negative flake scars on both ends of the core.

Bondi point: See backed artefact definition.

Culturally modified tree: A tree that has been scarred, carved or modified by an Aboriginal person using traditional methods.

Conchoidal: A term used in relation to fracture surfaces on Aboriginal stone artefacts - bulb-like in the manner of a bulbous protrusion on a bivalve shell.

Elouera: See backed artefact definition.

Eraillure scar: The small flake scar on the dorsal side of a flake next to the platform. It is the result of rebounding force during percussion flaking.

Exposure: Is used to estimate the area with likelihood of revealing buried artefacts or deposits rather than just being an observation of the amount of bare ground. It is the percentage of land for which erosion and exposure was sufficient to reveal archaeological evidence on the surface of the ground. In other words, exposure is 'what reveals'.

Geometric microlith: See backed artefact definition.

Grinding grooves: Grinding grooves typically derive from the sharpening of stone hatchet heads on sandstone rock. Grooves appear as elliptical depressions of around 25 cm length with smooth bases. Although mostly occurring in association with water to wash the abraded stone dust away from the groove, such sites have been recorded away from water. Narrow grooves or broad abraded areas may occur less commonly and may be derived from spear sharpening or other grinding activities.

Holocene: A period of time generally 10,000 years, which marks the end of the last ice age, to the present.

Isotropic: Having a physical property that has the same value when measured in different directions. In relation to stone used for stone tools a fracture path is not hindered by layer boundaries or other favoured plane of cleavage.

Microlith: Very small fragments of flakes retouched into geometric shapes and usually present on tools like barbed spears, arrows and sickles.

Keeping place: A room or facility with the express and exclusive purpose of storing Aboriginal cultural heritage materials with accompanying documentation in a secure and accessible manner which protects their cultural heritage values.

Open stone artefact site/stone artefact site: An unenclosed area where Aboriginal stone artefacts occur – typically exposed from a topsoil archaeological deposit by erosion. Typically the term is used to refer to two or more artefacts although this is an arbitrary distinction. A general ‘rule of thumb’ boundary definition employed by archaeologists is that artefacts or features more than 50 m apart are regarded as separate sites, however there is no theoretical imperative dictating such as rule. (The 50 m separation rule is used for the most part in EMM’s work).

Pleistocene: A period of time 2.6 million years ago to 10,000 years ago. Reference to ‘Pleistocene sites’ generally means reference to sites older than 10,000 years.

Point cluster: A group of GPS points used to identify the locations of individual artefacts in the field.

Potential Archaeological Deposit: An area where there is an inferred presence of Aboriginal objects in the soil based on the environmental context which is typically associated with discovery of Aboriginal objects in analogous areas. This is not strictly a ‘site’ type, although AHIMS records it as such for the purpose of associating Aboriginal heritage Impact Permits with geographical areas.

Retouch: The modification of the edges of a flake or tool by the removal of a series of small flakes.

Survey Unit: Is a unit of land which has been surveyed on foot and is used as the minimum analytical or descriptive unit for the survey.

Thumbnail scraper: A thumbnail sized thin flake with steep unidirectional retouch or use-wear around a convex working edge.

Visibility: The amount of bare ground on exposures which might reveal artefacts or other archaeological materials. In other words, visibility refers to ‘what conceals’.

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Appendix A

Consultation log

Aboriginal Consultation Log

Consultation was put on hold from approximately Thursday 10 March 2016
by Mario Alba

The consultation got the go ahead to continue as of Friday 15 April 2016
from Mario Alba

Project J15156: Kurri Kurri Battery Recycling Facility

Stage 1 - Advisory Requests Sent

	Contact type	Date Sent	Comment/response
Local Newspaper Ad	Letter re: identification of Aboriginal parties	29-Feb-16 Sally Tindall was contacted 25-Mar-16 Advertisement published in Maitland Mercury newspaper.	
OEH - Hunter Central Coast Region	Letter re: identification of Aboriginal parties	29-Feb-16	Response received from Peter Saad on Monday 7 March 2016. Attachment was an internal file that could not be opened. Word version of RAP list received on Wednesday 30 March 2016.
Mindaribba LALC	Letter re: identification of Aboriginal parties Email re: identification of Aboriginal parties	29-Feb-16 20-Apr-16	Response received from Tara Dever on Thursday 24 March 2016. Tara registered MLALC for the project in the resonance. Emailed Tara asking the MLALC to supply list of supplementary RAPs to those received from OEH.
Registrar Aboriginal Owners	Letter re: identification of Aboriginal parties	29-Feb-16	Response received from Tabatha Dantoine on Monday 7 March 2016.
Native Title Services NTSCORP	Letter re: identification of Aboriginal parties	29-Feb-16	
Cessnock City Council	Letter re: identification of Aboriginal parties	29-Feb-16	Response received from Theresa Brooks on Thursday 31 March 2016.
Hunter-Central Rivers CMA	Letter re: identification of Aboriginal parties	29-Feb-16	
National Native Title Tribunal	Letter re: identification of Aboriginal parties	29-Feb-16	Response received from Sylvia Jagtman on Thursday 10 March 2016.

Aboriginal Group Notifications Sent - see "addresses" sheet Groups without current email address

Organisation	Contact type	Date	Comments
Aboriginal Native Title Elders Consultants	Registered Post - Invitation to Register	27-Apr-16	Returned to EMM with note "Left address"
Bullen Bullen	Registered Post - Invitation to Register	27-Apr-16	Returned to EMM with note "Left address"
Carrawonga Consultants	Registered Post - Invitation to Register	27-Apr-16	Letter returned to EMM with note 'Left Address'
DRM Cultural Managemen	Registered Post - Invitation to Register	27-Apr-16	Delivery confirmed on 23 May 2016
Esther Tighe	Registered Post - Invitation to Register	27-Apr-16	Letter returned to EMM "Unclaimed"
Giwiirr Consultants	Registered Post - Invitation to Register	27-Apr-16	Delivery confirmed on 2 May 2016
Griffiths Group	Registered Post - Invitation to Register	27-Apr-16	Delivery confirmed on 2 May 2016. Letter later returned to EMM "Not here"
Hunter Traditional Owner	Registered Post - Invitation to Register	27-Apr-16	Letter returned to EMM with note 'Gone no address'
Hunter Valley Cultural Consultants	Registered Post - Invitation to Register	27-Apr-16	Letter returned to EMM "RTS"

Hunter Valley Natural and Cultural Resources	Registered Post - Invitation to Register	27-Apr-16 Letter returned to EMM with note "Unknown at this address"
J & A Leonardi	Registered Post - Invitation to Register	27-Apr-16 Delivery confirmed on 2 May 2016
Jeff Matthews	Registered Post - Invitation to Register	27-Apr-16 Delivery confirmed on 2 May 2016
JLC Culural Services	Registered Post - Invitation to Register	27-Apr-16
KL KG Saunders Trading Services	Registered Post - Invitation to Register	27-Apr-16 Letter returned to EMM "Unclaimed"
Loraine Towney	Registered Post - Invitation to Register	27-Apr-16 Letter returned to EMM "RTS"
Mindaribba Local Aboriginal Land Council	Registered Post - Invitation to Register	27-Apr-16
Mingga Consultants	Registered Post - Invitation to Register	27-Apr-16 Letter returned to EMM with note 'Left Address'
Mooki Plains Management	Registered Post - Invitation to Register	27-Apr-16
Mooki Plains Management	Registered Post - Invitation to Register	27-Apr-16 Delivery confirmed on 2 May 2016 to both Les Fields and Stephen Matthews
Muswellbrook Cultural Consultants	Registered Post - Invitation to Register	27-Apr-16 Delivery confirmed on 3 May 2016
Roger Noel Matthews Consultancy	Registered Post - Invitation to Register	27-Apr-16 Delivery confirmed on 9 May 2016
Scott Franks & Anor on behalf of the Plains Clans of the Wonnarua People	Registered Post - Invitation to Register	27-Apr-16 Letter returned to EMM with note "Not at this address/unknown at address"
Scott Smith	Registered Post - Invitation to Register	27-Apr-16 Delivery confirmed on 2 May 2016
St Clair Singleton Aboriginal Corporation	Registered Post - Invitation to Register	27-Apr-16
Steven Saunders	Registered Post - Invitation to Register	27-Apr-16
T & G Culture Consultants	Registered Post - Invitation to Register	27-Apr-16
Trevor Robinson	Registered Post - Invitation to Register	27-Apr-16 Letter returned to EMM with note 'Left Address/Unknown'
Upper Hunter Heritage Consultants	Registered Post - Invitation to Register	27-Apr-16 Letter returned to EMM with note 'Left Address'
Upper Hunter Wonnarua Council Inc	Registered Post - Invitation to Register	27-Apr-16
Valley Culture	Registered Post - Invitation to Register	27-Apr-16 Letter returned to EMM "RTS"
Wanaruah Custodians	Registered Post - Invitation to Register	27-Apr-16 Letter returned to EMM "Unclaimed"
Wonnarua Culture Heritage	Registered Post - Invitation to Register	27-Apr-16
Wonnarua Elders Council	Registered Post - Invitation to Register	27-Apr-16
Wonnarua Nation Aboriginal Corporation	Registered Post - Invitation to Register	27-Apr-16
Culturally Aware	Registered Post - Invitation to Register	27-Apr-16 Delivery confirmed on 5 May 2016
Deslee Talbott Consultants	Registered Post - Invitation to Register	27-Apr-16 Letter returned to EMM "Unclaimed"

Hielamon Cultural Consultants

Registered Post - Invitation to Register

27-Apr-16 Letter returned to EMM "RTS"

Groups with current email address

Organisation	Contact type	Date	Comments
Aliera French Trading	Email - Invitation to Register	26-Apr-16	
Alison Sampson	Email - Invitation to Register	26-Apr-16	
Black Creek Aboriginal Corporation	Email - Invitation to Register	26-Apr-16	
Cacatua Culture Consultants	Email - Invitation to Register	26-Apr-16	
Carolyn Hickey	Email - Invitation to Register	26-Apr-16	Confirmation email read by Carolyn Hickey on 26 April 2016
Devine Diggers Aboriginal Cultural Consultants	Email - Invitation to Register	26-Apr-16	
DFTV Enterprises	Email - Invitation to Register	26-Apr-16	
Gidawaa Walanga & Barkuma Neighbourhood Centre Inc	Email - Invitation to Register	26-Apr-16	
HECMO Consultants	Email - Invitation to Register	26-Apr-16	
HSB Heritage Consultants	Email - Invitation to Register	26-Apr-16	
Hunter Valley Cultural Surveying	Email - Invitation to Register	26-Apr-16	
Hunters & Collectors	Email - Invitation to Register	26-Apr-16	
I and E Aboriginal Culture and Heritage	Email - Invitation to Register	26-Apr-16	
Jarban & Mugrebea	Email - Invitation to Register	26-Apr-16	Confirmation email read by Leslie Atkinson on 28 April 2016
Jumbunna Traffic Management Group Pty Ltd	Email - Invitation to Register	26-Apr-16	
Kauma Pondee Inc	Email - Invitation to Register	26-Apr-16	
Lower Hunter Aboriginal Incorporated	Email - Invitation to Register	26-Apr-16	
Lower Hunter Wonnarua Council Inc	Email - Invitation to Register	26-Apr-16	
Lower Wonnarua Tribal Consultancy Pty Ltd	Email - Invitation to Register	26-Apr-16	
Michelle Saunders	Email - Invitation to Register	26-Apr-16	
Moreeites	Email - Invitation to Register	26-Apr-16	
Murrawan Cultural Consultants	Email - Invitation to Register	26-Apr-16	
Myland Cultrual & Heritage Group	Email - Invitation to Register	26-Apr-16	Email failed to be delivered to address on 28 April 2016
Ngarramang-Kuri Aboriginal Culture and Heritage Group	Email - Invitation to Register	26-Apr-16	Email failed to be delivered to address 28 April 2016
Rebecca Lester	Email - Invitation to Register	26-Apr-16	
Ron Smith	Email - Invitation to Register	26-Apr-16	
Roslyn Sampson	Email - Invitation to Register	26-Apr-16	
Smith Dhagaans Cultural Group	Email - Invitation to Register	26-Apr-16	Confirmation email read by Timothy Smith on 26 April 2016
Stephen Talbot	Email - Invitation to Register	26-Apr-16	
Thawan Heritage Consultant	Email - Invitation to Register	26-Apr-16	
Ungooroo Aboriginal Corporation	Email - Invitation to Register	26-Apr-16	Confirmation email read by 'Admin' on 26 April 2016
Ungooroo Cultural and Community Services Inc	Email - Invitation to Register	26-Apr-16	
Waabi Gabinya Cultural Consultancy	Email - Invitation to Register	26-Apr-16	
Wallangan Cultural Services	Email - Invitation to Register	26-Apr-16	Confirmation email read by Maree Waugh on 29 April 2016
Wanaruah Local Aboriginal Land Council	Email - Invitation to Register	26-Apr-16	
Warragil Cultural Services	Email - Invitation to Register	26-Apr-16	Confirmation email read by Aaron Slater on 26 April 2016
Wattaka Wonnarua C.C. Service	Email - Invitation to Register	26-Apr-16	Confirmation email read by Des Hickey on 26 April 2016
Widescope Indigenous Group	Email - Invitation to Register	26-Apr-16	
Wonn1 Contracting	Email - Invitation to Register	26-Apr-16	
Wonnarua Traditional Custodians NTA CT	Email - Invitation to Register	26-Apr-16	
Yarrowalk (A division of Tocomwall Pty Ltd)	Email - Invitation to Register	26-Apr-16	Confirmation email read by Scott Franks on 26 April 2016
Yinarr Cultural Services	Email - Invitation to Register	26-Apr-16	

Aboriginal Group Registrations & Communications

Registered Aboriginal Party	Contact type	Date	Comments
A1 Indigenous Services	Email - Letter of Registration	26-Apr-16	Email stating wish to register for project
AGA Services	Email - Letter of Registration	5-May-16	Email stating wish to register for project
Amanda Hickey	Email - Letter of Registration	26-Apr-16	Email stating wish to register for project
Cacatua Generl Services	Email - Letter of Registration	5-May-16	Email stating wish to register for project

Culturally Aware	Email - Letter of Registration	8-May-16 Email stating wish to register for project
Hunter Valley Environmental Land & Environment Services	Email - Letter of Registration	3-May-16 Email stating wish to register for project
Hunters & Collectors	Email - Letter of Registration	27-Apr-16 Email stating wish to register for project
Jarban & Mugrebea	Email - Letter of Registration	28-Apr-16 Email stating wish to register for project
Wonn1 Contracting	Email - Letter of Registration	9-May-16 Email stating wish to register for project
Lower Hunter Aboriginal Incorporated	Email - Letter of Registration	9-May-16 Email stating wish to register for project
Mindaribba LALC	Email - Letter of Registration	9-May-16 Email stating wish to register for project
Yarrawalk (A division of Tocomwall Pty Ltd)	Phone	26-Apr-16 Scott Franks called EMM office and spoke to Andrew Crisp to confirm desire to be RAP
Stephen Talbot	Email - Letter of Registration	10-May-16 Email stating wish to register for project
Ungooroo Aboriginal Corporation	Email - Letter of Registration	27-Apr-16 Email stating wish to register for project
Wallangan Indigenous Group	Email - Letter of Registration	1-May-16 Email stating wish to register for project
Widescope Indigenous Group	Email - Letter of Registration	26-Apr-16 Email stating wish to register for project
Wonnarua Nation Aboriginal Corporation	Email - Letter of Registration	10-May-16 Email stating wish to register for project
Smith Dhagaans Cultural Group	Email - Letter of Registration	12-May-16 2 DAYS AFTER CLOSE OF REG PERIOD - Email stating wish to register for project
		6 DAYS AFTER CLOSE OF REG PERIOD - Phone call stating wish to register for project and
Hunter Traditional Owner	Phone	16-May-16 update of address and phone number.

OEH & LALC notified of Registered Stakeholders

Organisation	Contact type	Date	Comments
Mindaribba LALC	Email	04-Jul-16	Email including list of RAPs, confirmation of advertisement in Maitland Mercury and letter asking for registration sent to all RAPs.
Peter Saad - OEH Hunter Central Coast Region	Email	04-Jul-16	Email including list of RAPs, confirmation of advertisement in Maitland Mercury and letter asking for registration sent to all RAPs.

Stage 2 - Invitation to site meeting

Registered Aboriginal Party	Contact Name	Date Sent	Comments
A1 Indigenous Services	Carolyn Hickey	14-May-16	
AGA Services	Adam Sampson	14-May-16	Attending
Amanda Hickey	Amanda Hickey	14-May-16	
Cacatua General Services	George Sampson	14-May-16	Attending
Culturally Aware	Tracey Skene	14-May-16	
Hunter Valley Environmental Land & Environment Services	Des Hickey	14-May-16	Attending
Hunters & Collectors	Tania Matthews	14-May-16	
Hunter Traditional Owner	Paulette Ryan	17-May-16	
Jarban & Mugrebea	Les Atkinson	14-May-16	
Wonn1 Contracting	Arthur Fletcher	14-May-16	
Lower Hunter Aboriginal Incorporated	David Ahoy	14-May-16	
Mindaribba LALC	Steve Brereton	14-May-16	
Yarrawalk (A division of Tocomwall Pty Ltd)	Scott Franks	14-May-16	
Smith Dhagaans Cultural Group	Timothy Smith	14-May-16	
Stephen Talbot	Stephen Talbot	14-May-16	
Ungooroo Aboriginal Corporation	Alan Paget	14-May-16	Attending
Wallangan Indigenous Group	Maree Waugh	14-May-16	Attending
Widescope Indigenous Group	Steven Hickey	14-May-16	
Wonnarua Nation Aboriginal Corporation	Laurie Perry	14-May-16	

Project Presentation & Methodology Advice

Registered Aboriginal Party	Contact type	Date Sent	Comments
A1 Indigenous Services	Email - methodology and project information	16-May-16	
AGA Services	Email - methodology and project information	16-May-16	
Amanda Hickey	Email - methodology and project information	16-May-16	
Cacatua General Services	Email - methodology and project information	16-May-16	
Culturally Aware	Email - methodology and project information	16-May-16	
Hunter Valley Environmental Land & Environment Services	Email - methodology and project information	16-May-16	
Hunters & Collectors	Email - methodology and project information	16-May-16	
Hunter Traditional Owner	Email - methodology and project information	16-May-16	
Jarban & Mugrebea	Email - methodology and project information	16-May-16	
Wonn1 Contracting	Email - methodology and project information	16-May-16	
Lower Hunter Aboriginal Incorporated	Email - methodology and project information	16-May-16	
Mindaribba LALC	Email - methodology and project information	16-May-16	
Yarrawalk (A division of Tocomwall Pty Ltd)	Email - methodology and project information	16-May-16	
Smith Dhagaans Cultural Group	Email - methodology and project information	16-May-16	
Stephen Talbott	Email - methodology and project information	16-May-16	
Ungooroo Aboriginal Corporation	Email - methodology and project information	16-May-16	
Wallangan Indigenous Group	Email - methodology and project information	16-May-16	
Widescope Indigenous Group	Email - methodology and project information	16-May-16	
Wonnarua Nation Aboriginal Corporation	Email - methodology and project information	16-May-16	

Aboriginal Group Comments Received

Organisation	Contact type	Date Rec'd	Comments
A1 Indigenous Services	Carolyn Hickey		
AGA Services	Adam Sampson		
Amanda Hickey	Amanda Hickey		
Cacatua General Services	George Sampson		

Culturally Aware
Hunter Valley Environmental Land & Environment Services
Hunters & Collectors
Hunter Traditional Owner

Tracey Skene
Des Hickey
Tania Matthews
Paulette Ryan

17-May-16

These are my comments as a Wonnarua person in regards to this Assessment:
I would like to have all relevant project information sent to me to view and comment on ,along with having my input into the AIMS of this meeting in 3.2 of your letter.

- present the project information;
- provide RAPs with the opportunity to familiarise themselves with the project and its scope;
- provide RAPs with the opportunity to familiarise themselves with the project site and the location of
- Identified artefact(s); and discuss project methodology and draft ACHA.

I have been part of previous Assessments of this land, I would like to be involved in any future Assessments/Investigation on this Assessment area,

Jarban & Mugrebea
Kawul Cultural Services
Wonn1 Contracting
Lower Hunter Aboriginal Incorporated
Mindaribba LALC
Yarrowalk (A division of Tocomwall Pty Ltd)
Smith Dhagaans Cultural Group
Stephen Talbott
Ungooroo Aboriginal Corporation
Wallangan Indigenous Group

Les Atkinson
Vicky Slater
Arthur Fletcher
David Ahoy
Steve Brereton
Scott Franks
Timothy Smith
Stephen Talbott
Alan Paget
Maree Waugh

16-May-16 I still wish to be consulted and any cultural and heritage work available. Please do not hesitate to call on 0466 016 369 or 0431 612 069

Widescope Indigenous Group
Wonnarua Nation Aboriginal Corporation
Wurrumay Consultants

Steven Hickey
Laurie Perry
Kerrie Slater

18-May-16 As for the draft (ACHA) I have looked through and I am satisfied with the Draft Methodology. Andrew, I would appreciate if you could please continue to informed me on the project, and would also like to be included in any survey works on the project that may eventuate.

Site Meeting Attendance

Registered Aboriginal Party (as stated on sign in sheet)	Contact Name	Date	Comments
Wallangan Cultural Services	Maree Waugh	19-May-16	
Mindaribba LALC	Jason Brown	19-May-16	
Kauwal Wonn1	Suzie Worth	19-May-16	
HVCS	Luke Hickey	19-May-16	
Wattaka	Josh Hickey	19-May-16	
Gomeri - NAMBI	Steven Talbott	19-May-16	
BRINGI ABORIGINAL CORPORATION	Greg Heard	19-May-16	

Stage 3 - Draft reports for review

Organisation	Contact type	Date Sent	Comments
A1 Indigenous Services	Email	20-Sep-16	

AGA Services	Email	20-Sep-16	
Amanda Hickey	Email	20-Sep-16	
BRINGI Aboriginal Corporation	Email	20-Sep-16	
Cacatua General Services	Email	20-Sep-16	
Culturally Aware	Email	20-Sep-16	
Hunter Valley Environmental Land & Environment Services	Email	20-Sep-16	
Hunters & Collectors	Email	20-Sep-16	
Jarban & Mugrebea	Email	20-Sep-16	
Wonn1 Contracting	Email	20-Sep-16	
Lower Hunter Aboriginal Incorporated	Email	20-Sep-16	
Mindaribba LALC	Email	20-Sep-16	
Yarrowalk (A division of Tocomwall Pty Ltd)	Email	20-Sep-16	
Smith Dhagaans Cultural Group	Email	20-Sep-16	
Stephen Talbott	Email	20-Sep-16	
Ungooroo Aboriginal Corporation	Email	20-Sep-16	
Wallangan Indigenous Group	Email	20-Sep-16	
Widescope Indigenous Group	Email	20-Sep-16	Sun 25 Sep 2016 Steven Hickey replied via email - "Widescope is satisfied with the draft (ACHA) for the proposed Kurri Kurri Battery Recycling Facility"
Wonnarua Nation Aboriginal Corporation	Email	20-Sep-16	
		20/09/2016 and again on	
Hunter Traditional Owner	Email	26/9/2016 via Des Hickey's email	The initial email bounced from again on the 26-Sep-16 to pass on to Paulette. the ACHA was sent to Des Hickey

Response to draft report from RAPs

Registered Aboriginal Party	Response received by
-----------------------------	----------------------

			Greg Heard responded to the Draft ACHA with the following: <i>"Due diligence provision with respect to this report are not appropriate from an Aboriginal management plan perspective. This land is of cultural significance to local Aboriginal people and in particular relates to the song lines of the local people. Therefore suggestions of the site being of low cultural value is not appropriate. We look forward to supporting the next stage of works."</i>
BRINGI Aboriginal Corporation	Email	20-Sep-16	
Widescope Indigenous Group	Email	25-Sep-16	Steve Hickey responded to Draft ACHA with the following: <i>"Widescope is satisfied with the draft (ACHA) for the proposed Kurri Kurri Battery Recycling Facility."</i>

Aboriginal Communication Log

Organisation	Contact made by	Contact to	Contact Type	Date	Comments
Yarrowalk (A division of Tocomwall Pty Ltd)	Scott Franks	Andrew Crisp	Phone call	26-May-16	Scott Franks called to as a RAP and spoke about his concerns in regard to a PACT decision in relation to the study area.
Trevor Robinson	Sebastian	Trevor Robinson	Phone call	10-May-16	Googled name looking for possible contact information, references and details attached in a previous heritage consultation in 2009. A voice recorded message was given with contact details.
Hunter Traditional Owner	Paulette Ryan	Andrew Crisp	Phone call	16-May-16	Paulette called Andrew at EMM and stated her desire to register as a RAP. I informed her that the consultation period had close 6 days earlier how ever I updated her details in our records. I told Paulette that her invitation to register had been returned to EMM at which point she said that she had moved, I therefore took her new address. I asked her if her contact number was still at which point she said her number had changed, I therefore took her new number. I informed Paulette that I would email her through the details. I gave Paulette my work email and asked her to send an email with the new contact information.
Hunter Traditional Owner	Andrew Crisp	Paulette Ryan	Phone call	16-May-16	Called Paulette to get her best email to send Kurri Kurri site visit invitation and methodology to.
Hunter Traditional Owner	Andrew Crisp	Paulette Ryan	Phone call	17-May-16	Left a message on her phone to call me back.
Hunter Traditional Owner	Paulette Ryan	Andrew Crisp	Phone call	17-May-16	Paulette returned my call. I told her the emails I had been sending her had been failing to get through and if she had an alternative email. She asked me to send the information through to Des Hickey, her brother.
Steve Talbott	Steve Talbot	Pamela Kottaras	Phone call	17-Jun-16	Steve was concerned that the project was progressing without the input of the RAPs. It was explained that as the lead archaeologist was on leave, the assessment was on hold and that as soon as a draft report was ready, all RAPs would be consulted for their views. Expressed concern also for the artefact that could not be re-found and he was informed that the management measures for Aboriginal objects on the project site would make all efforts to locate this artefact.
Steve Talbott	Andrew Crisp	Steve Talbott	Phone call	23-Jun-16	Follow up is for AC to call Steve and discuss the progress of the assessment. Tried to call Steve twice at 3:45pm but there was no answer on number Call is to inform Steve that I am back from leave, there has essentially been no developments with the project since I left on leave in May. We are still waiting for the project layout to be finalised and I will continue to work on the ACHA and Historic report in the mean time.
Steve Talbott	Andrew Crisp	Steve Talbott	Phone call	24-Jun-16	Tried to call Steve at 1:15pm but there was no answer on number Call is to inform Steve that I am back from leave, there has essentially been no developments with the project since I left on leave in May. We are still waiting for the project layout to be finalised and I will continue to work on the ACHA and Historic report in the mean time.
BRINGI Aboriginal Corporation	Andrew Crisp	Greg Heard	Phone call	24-Jun-16	Tried to call Steve at 1:25pm on number supplied by OEH for Stephen Talbott. Greg Heard answered and said he would get Steve to call me back. I explained to Greg that the project is at essentially the same point as it was when I went on leave and that we are waiting for a final project design from the client.

Steve Talbott	Andrew Crisp	Steve Talbott	Phone call	4-Jul-16	Called Steve at 3:45pm on [redacted] I spoke to him for a few minutes to let him know that we are still waiting on the project design for the facility and that while I was on leave for the month the project has been on pause. Informed him that if anything changes/develops that he would be my first point of contact. Steve agreed with that.
BRINGI Aboriginal Corporation	Andrew Crisp	Todd Heard	Phone call	20-Sep-06	Called and left a message on Todd's phone asking for the best email to send the draft ACHA to.
BRINGI Aboriginal Corporation	Todd Heard	Andrew Crisp	Phone call	20-Sep-06	Todd Heard returned my phone call and supplied the best email for BRINGI A.C. As [redacted] Todd asked when the next stage of the work is likely to begin. I informed Todd that I was currently in the process of sending out copies of the draft ACHA to the groups for review, 28 days to receive comments, and that we would go from there.
BRINGI Aboriginal Corporation	Andrew Crisp	Todd Heard	Phone call	27-Oct-16	Called contact number [redacted] at 10:30am to discuss Draft ACHA comments. No answer - left message and contact number.
Wonn1 Contracting	Andrew Crisp	Arthur C Fletcher	Phone call	27-Oct-16	Called Wonn1 on contact number [redacted] and spoke to Arthur C Fletcher. I spoke to Arthur about the comments supplied by Wonn1 on the Draft ACHA, specifically that the site card needed to be submitted, that an AHIP is needed for the project and that the artefact could not be relocated. I explained that the site card has been submitted for SC01 and we are currently waiting on the site number from AHIMS and that a subsequent site impact recording form will be completed as the project advances, Arthur agreed with these actions. I explained that as the project is classed as an SSD and an AHIP is not required, Arthur agreed with this. Further to this I explained that at the site meeting myself and all RAPS present searched for the isolated artefact and that I continued to search the area once the meeting adjourned with no success. Arthur stated that this sort of thing (being unable to relocated artefacts) happens all the time. Arthur requested that I email both him and Suzie Worth and that they will respond to my comments shortly.
BRINGI Aboriginal Corporation	Andrew Crisp	Todd Heard	Phone call	27-Oct-16	Called contact number [redacted] once again at 1pm to discuss Draft ACHA comments. No answer - left message and contact number.
BRINGI Aboriginal Corporation	Todd Heard	Andrew Crisp	Phone call	27-Oct-16	Todd Heard returned my phone call and had a discussion with EMM archaeologist Andrew Crisp regarding the Draft ACHA. The following comments wer made by Todd regarding the Due Diligence assessment process - BRINGI see that the Due Diligence provisions have been over-used for development in the past, that RAPs should have been involved with the Due Diligence survey for the current project and that as a result further survey is required for the project. Andrew asked for clarification regarding the claim of song-lines associated with the project area. Todd made the following comments regarding songlines and cultural significance - There is aesthetic significance associated with the project area due to the proximity of the project area to the 'Broke Back' and 'Dividing' mountain ranges and nearby swamps. Todd argues that there would be creation stories associated with these places. Todd argues that if there are song lines across landscape that they would be where Aboriginal people would have moved through and potentially left physical evidence behind (ie artefacts). Todd states that as there was one isolated find there is likely to be

29 February 2016

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Re: Kurri Kurri Battery Recycling Facility Project Aboriginal Consultation — Agency Request

Dear

EMM Mitchell McLennan Pty Ltd (EMM) on behalf of Pymore Recyclers International Pty Ltd is seeking to identify Aboriginal organisations or Aboriginal persons who hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or Aboriginal places in the area of the proposed battery recycling facility.

The project is to construct a battery recycling facility at 129 Mitchell Avenue, Kurri Kurri NSW. The facility would process around 40,000 tonnes per annum (tpa) of battery waste. The proposed activities will occur on land within the suburb of Kurri Kurri approximately 11 km north-east of Cessnock within the Cessnock Local Government Area (LGA) (Figure 1). The project will be located in an existing industrial area and will occupy part (approximately 3.24 ha) of the lot on which the Weston Aluminium Dross Recycling Facility is located (Lot 797 DP 39877) (Figure 2).

The purpose of community consultation with Aboriginal people is to assist the applicant in: 1) assessing the Aboriginal heritage values of the area, 2) preparing an Environmental Impact Statement under Part 4, Division 4.1 of the Environmental Planning and Assessment Act 1979, 3) to assist regulators in the assessment of Aboriginal heritage reports prepared for this project, and 4) and the preparation of an Aboriginal Heritage Impact Permit (AHIP) application, should one be required.

In accordance with the DECCW (now OEH) *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* EMM requests information about relevant Aboriginal persons and Aboriginal organisations who you consider may have cultural knowledge and should be invited to register for consultation.

Would you please provide a list of relevant organisations or persons by 14 March 2016 to

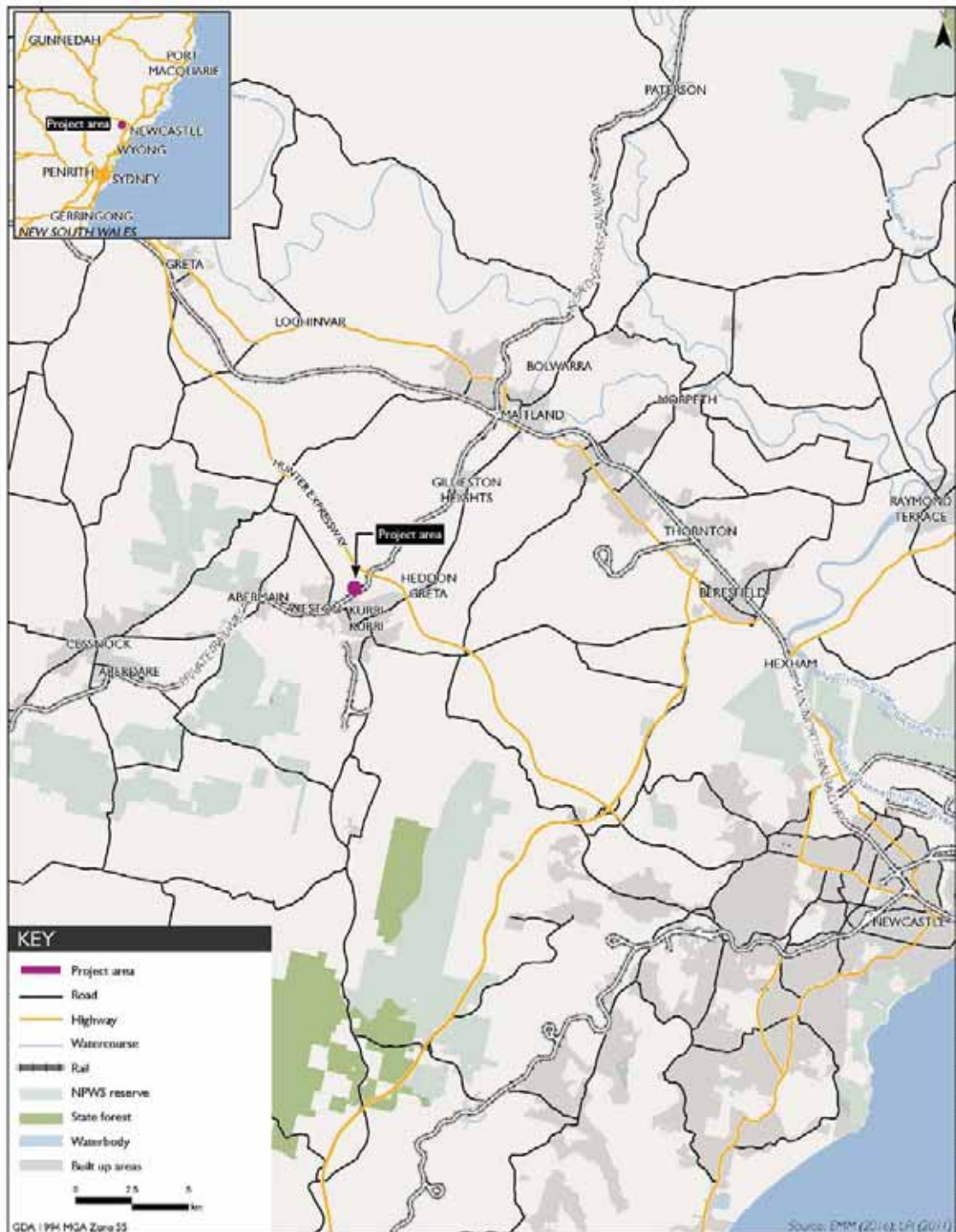
Kurri Kurri Battery Recycling Facility Project
c/o EMM
Attn: Andrew Crisp
PO Box 21
St Leonards NSW 1590
Email: andrew.crisp@emmconsulting.com.au

Information received after 14 March 2016 may not be considered in the consultation process due to the assessment timeframe.

Yours sincerely



Andrew Crisp
Archaeologist



Location of project area
Kurri Kurri Battery Recycling Facility

Figure 1



Project site
Kurri Kurri Battery Recycling Facility
Request for Secretary's Environmental Assessment Requirements
Figure 2



From: [Theresa Brooks](#)
To: [Andrew Crisp](#);
Subject: Aboriginal letter request for Kurri Kurri Battery Facility
Date: Thursday, 31 March 2016 9:27:06 AM
Attachments: [Kurri Kurri Battery Recycling Facility letter request _ T Brooks _ Cessnock City Council.pdf](#)

Good morning Andrew,

I hope this email finds you well.

Apologies for the delay in responding to your letter received on 3 March 2016, I realise the assessment timeframe has lapsed however please find attached letter outlining the request details.

Kind regards,



Theresa Brooks | Business Support Officer
62-78 Vincent St | PO Box 152 | Cessnock NSW 2325
p 02 4993 4100
www.cessnock.nsw.gov.au | www.facebook.com/CessnockCityCouncil
www.twitter.com/CessnockCouncil

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From: [Jagtman, Sylvia](#)
To: [Andrew Crisp](#)
Subject: Native title search request 0993 Kurri Kurri within the Cessnock LGA [SEC=UNCLASSIFIED]
Date: Thursday, 10 March 2016 10:50:34 AM
Attachments: [Request for search of Tribunal registers April 2014.docx](#)
[Request for search of Tribunal registers April 2014.pdf](#)
[Searching the NNTT Registers in New South Wales.pdf](#)

UNCLASSIFIED

Dear Andrew

Thank you for your search request received on 7 March 2016 in relation to the above area.

Please note: As an Australian Government agency, the Tribunal is required to move from paper to digital records and information management. It would assist us in this transition if future requests for searches of the Tribunal's Registers were directed to us via email using the attached form. The form is also available to download from our website at <http://www.nntt.gov.au/assistance/Pages/Searches-and-providing-Register-information.aspx> (scroll to links for the word and pdf versions at the bottom of the page).

Please now find your results below. You may wish to refer to the attached NNTT Registers factsheet to help guide your understanding of the search results.

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)	NC2015/002
Register of Native Title Claims	NC2013/002; NC2013/003; NC2013/004; NC2013/006
National Native Title Register	Nil.
Register of Indigenous Land Use Agreements	Nil.
Notified Indigenous Land Use Agreements	Nil.

Links to the relevant claims on our website, and attachments, are provided below –

NC2015/002 - http://www.nntt.gov.au/searchRegApps/NativeTitleClaims/Pages/details.aspx?NTDA_Fileno=NC2015/002

NC2013/002 - http://www.nntt.gov.au/searchRegApps/NativeTitleRegisters/Pages/RNTC_details.aspx?NNTT_Fileno=NC2013/002

NC2013/003 - http://www.nntt.gov.au/searchRegApps/NativeTitleRegisters/Pages/RNTC_details.aspx?NNTT_Fileno=NC2013/003

NC2013/004 - http://www.nntt.gov.au/searchRegApps/NativeTitleRegisters/Pages/RNTC_details.aspx?NNTT_Fileno=NC2013/004

NC2013/006 - http://www.nntt.gov.au/searchRegApps/NativeTitleRegisters/Pages/RNTC_details.aspx?NNTT_Fileno=NC2013/006

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

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

Search results and the existence of native title

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

Tribunal accepts no liability for reliance placed on enclosed information

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

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

Regards

Enquiries

National Native Title Tribunal

Freecall 1800 640 501

Email enquiries@nntt.gov.au

Website www.nntt.gov.au

Shared country, shared future.



31 March 2016

Kurri Kurri Battery Recycling Facility
Project
C/O: EMM Consulting
PO Box 21
ST LEONARDS NSW 1590

Our Ref: **DOC2016/015803**

Dear Mr Crisp,

Apologies for the delay in responding to your letter received 3 March 2016 in regards to details of Aboriginal organisations or Aboriginal persons, in relation to the Kurri Kurri Battery Recycling Facility Project Aboriginal Consultation.

As noted the cut off date has lapsed however please find below details for your reference.

- James Sinclair / Tracey Skene –
- Les Atkinson –
- Mick Chenery –

If you have any further questions or anything that we can assist with please do not hesitate to be in contact.

Yours faithfully,

Theresa Brooks
Business Support Officer

From: [Peter Saad](#)
To: [Andrew Crisp](#)
Subject: Aboriginal Stakeholder List for Kurri Kurri Battery Recycling Facility Project
Date: Monday, 7 March 2016 12:12:02 PM
Attachments: [Wonnarua - Attachment A - Aboriginal parties in the Area of Interest.tr5](#)

Hi Andrew,

Please find attached the OEH Aboriginal stakeholder list for the region containing your project area.

The attached list includes self-nominated individuals and Aboriginal organisations who may wish to register an interest in your project. Further consultation in accordance with the Aboriginal cultural heritage consultation requirements for proponents (DECCW 2010) is advised to confirm the identification of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places as relevant to the proposed project area.

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

Kind Regards
Peter Saad
Archaeologist - Planning
Hunter Central Coast Region
Regional Operations Group
Office of Environment and Heritage
Locked Bag 1002 Dangar NSW 2309
(Level 4/26 Honeysuckle Drive Newcastle)

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From: [Peter Saad](#)
To: [Andrew Crisp](#);
Subject: RE: Aboriginal Stakeholder List for Kurri Kurri Battery Recycling Facility Project
Date: Wednesday, 30 March 2016 10:44:40 AM
Attachments: [image001.png](#)
[DOC14 31646 Wonnarua - Attachment A - Aboriginal parties in the Area of Interest.doc](#)

Hi Andrew,

Apologies for the confusion. I sent you an internal link to the document.

Please find attached the requested document.

Please note that the attached list includes self-nominated individuals and Aboriginal organisations who may wish to register an interest in your project. Further consultation in accordance with the Aboriginal cultural heritage consultation requirements for proponents (DECCW 2010) is advised to identify the Aboriginal people on this list who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places as relevant to the proposed project area.

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

Kind Regards
Peter Saad
Archaeologist - Planning
Hunter Central Coast Region
Regional Operations Group
Office of Environment and Heritage
Locked Bag 1002 Dangar NSW 2309
(Level 4/26 Honeysuckle Drive Newcastle)

From: Andrew Crisp
Sent: Wednesday, 30 March 2016 9:37 AM
To: Peter Saad
Subject: RE: Aboriginal Stakeholder List for Kurri Kurri Battery Recycling Facility Project

Thank you Peter,

I am having trouble opening the attachment to this email. What program should I be using? Is it possible for you to resend it in PDF form?

Much appreciated,

Andrew Crisp | Project Archaeologist

T 02 9493 9500 | **D** 02 9493 9539 | **F** 02 9493 9599

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PO Box 21, St Leonards NSW 1590



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From: Peter Saad
Sent: Monday, 7 March 2016 12:12 PM
To: Andrew Crisp
Subject: Aboriginal Stakeholder List for Kurri Kurri Battery Recycling Facility Project

Hi Andrew,

Please find attached the OEH Aboriginal stakeholder list for the region containing your project area.

The attached list includes self-nominated individuals and Aboriginal organisations who may wish to register an interest in your project. Further consultation in accordance with the Aboriginal cultural heritage consultation requirements for

proponents (DECCW 2010) is advised to confirm the identification of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places as relevant to the proposed project area.

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

Kind Regards
Peter Saad
Archaeologist - Planning
Hunter Central Coast Region
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Office of Environment and Heritage
Locked Bag 1002 Dangar NSW 2309
(Level 4/26 Honeysuckle Drive Newcastle)

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From: [Andrew Crisp](#)
To: "CEO";
Subject: RE: Kurri Kurri
Date: Wednesday, 20 April 2016 3:10:00 PM
Attachments: [image002.png](#)
[image003.png](#)
[DOC14 31646 Wonnarua - Attachment A - Aboriginal parties.docx](#)

Good afternoon Tara,

It is my turn to apologise for the late reply. This email is to confirm the registration of MLALC for the Kurri Kurri Battery Recycling Facility Project as well as ask for any further Registered Aboriginal Parties that MLALC may be able to supply. I have already been in contact with the Office of Environment and Heritage (OEH) for Hunter Central Coast Region and they have supplied by with a comprehensive list of over 80 groups (which I have attached to this email).

Would it be possible for you to supply me with any group contact details MLALC feel should be consulted the project that are not already supplied on the OEH list?

Thank you for your time.

Kind regards,

Andrew Crisp | Project Archaeologist

T 02 9493 9500 | **D** 02 9493 9539 | **F** 02 9493 9599

Ground Floor, Suite 01, 20 Chandos Street, St Leonards NSW 2065

PO Box 21, St Leonards NSW 1590



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From: CEO
Sent: Thursday, 24 March 2016 12:43 PM
To: Andrew Crisp
Subject: Kurri Kurri
Importance: High

Good afternoon Andrew,

Firstly my apologies for the delay in response I am replying to a letter received on the 11th of February 2016. Unfortunately I am new to my position and there was quite a backlog of correspondence to work through. The letter was addressed to Donna Matthews, who no longer works for the Mindaribba Local Aboriginal Land Council and any future correspondence can be directed to myself or my attached email address.

Mindaribba Local Aboriginal Land Council,(MLALC), would firstly like to take this opportunity to register its interest in being consulted in relation to the Kurri Kurri Battery Recycling Facility Project Aboriginal Consultation – Agency Request.

We act on behalf of 520 Aboriginal Peoples within the Cessnock LGA, Maitland LGA and part of the Dungog, Singleton, Newcastle and Port Stephens LGAs.

I do not have a current list of Aboriginal Owners and relevant organisations for the area, however, I can get one together for you for next week if this is still required.

If you could please pass my details on to Phil Towler, that would be greatly appreciated.

Kind Regards

Tara

Tara Dever
Acting Chief Executive Officer
Mindaribba Local Aboriginal Land Council
PO Box 401, East Maitland, NSW 2323
Ph: +6102 4015 7000
Mobile: 0423 770 173



From: [Dantoine, Tabatha](#)
To: [Andrew Crisp;](#)
Subject: FW: Aboriginal Stakeholders
Date: Monday, 7 March 2016 11:15:50 AM
Attachments: [07032016105815-0001.pdf](#)

Good Morning Andrew

Please see attached letter for Aboriginal stakeholders' consultations as requested.

Kind Regards

Tabatha Dantoine
Directorate Support Officer
Office of the Registrar Aboriginal Land Rights Act
11-13 Mansfield Street GLEBE NSW 2037

T: (02) 9562 6327 F: (02) 9562 6350
www.oralra.nsw.gov.au

-----Original Message-----

From: 0282-Q01001C1.central.det.win
Sent: Monday, 7 March 2016 11:58 AM
To: Dantoine, Tabatha
Subject: Scan Data from 0282-Q01001C1

Number of Images: 1
Attachment File Type: PDF

Device Name: 0282-Q01001C1.central.det.win Device Location: AA Glebe Office 4475

This message is intended for the addressee named and may contain privileged information or confidential information or both. If you are not the intended recipient please delete it and notify the sender.

7 March 2016

Andrew Crisp
EMM
PO Box 21
St LEONARDS NSW 1590

Dear Andrew

Re: Request - Search for Registered Aboriginal Owners

I refer to your letter dated 29 February 2016 regarding Aboriginal Cultural Heritage Assessment within Kurri Kurri in NSW.

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 Mindaribba Local Aboriginal Land Council on (02) 4934 8511. They will be able to assist you in identifying other Aboriginal stakeholders for this project.

Yours sincerely



Tabatha Dantoine
Directorate Support Officer
Office of the Registrar, *Aboriginal Land Rights Act 1983*

From: [CEO](#)
To: [Andrew Crisp;](#)
Subject: Kurri Kurri
Date: Thursday, 24 March 2016 12:43:13 PM
Attachments: [image001.png](#)

Good afternoon Andrew,

Firstly my apologies for the delay in response I am replying to a letter received on the 11th of February 2016. Unfortunately I am new to my position and there was quite a backlog of correspondence to work through. The letter was addressed to Donna Matthews, who no longer works for the Mindaribba Local Aboriginal Land Council and any future correspondence can be directed to myself or my attached email address. Mindaribba Local Aboriginal Land Council, (MLALC), would firstly like to take this opportunity to register its interest in being consulted in relation to the Kurri Kurri Battery Recycling Facility Project Aboriginal Consultation – Agency Request.

We act on behalf of 520 Aboriginal Peoples within the Cessnock LGA, Maitland LGA and part of the Dungog, Singleton, Newcastle and Port Stephens LGAs.

I do not have a current list of Aboriginal Owners and relevant organisations for the area, however, I can get one together for you for next week if this is still required.

If you could please pass my details on to Phil Towler, that would be greatly appreciated.

Kind Regards

Tara

Tara Dever
Acting Chief Executive Officer
Mindaribba Local Aboriginal Land Council
PO Box 401, East Maitland, NSW 2323
Ph: +6102 4015 7000
Mobile: 0423 770 173



From:
To: [Andrew Crisp;](#)
Subject: AW1963210 - Notice of Aboriginal Consultation Projec
Date: Wednesday, 2 March 2016 11:30:52 AM
Attachments: [1963210_582592835.jpg](#)

ADVERTISING PROOF

Ref no: AW1963210 Printed: 02/03/2016 11:30:14 (PGSRV)
Account id: 12159370
Attention: ANDREW CRISP
Company: EMM- EMGA MITCHELL MCLENNAN

BOOKING DETAILS

Name: EMM- EMGA MITCHELL MCLENNAN
Address: PO BOX 21
City: ST LEONARDS
State: NSW
Postcode: 1590
Authorised by: ANDREW CRISP
PO Number:
Cost: \$430.43
Size: 13 x 2
Class / section: Public Notices (628)
Ad description: ABORIGINAL CONS

APPEARANCE DETAILS

25/03/2016	Maitland Mercury	\$430.43 inc GST
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AUTHORISATION

I have checked all details contained in the advertisement (including phone numbers and spelling) and authorise you to proceed as per the booking details above.

Please advise if the advertisement is to proceed as is or if any changes are required.

Name:

Signature:

Date:

Once authorised, please reply with 'authorised' in the subject field to classifieds.

Please note: If you do not authorise your advertisement by the close of business prior to the publication day, your advertisement will not appear.

Should you have any further enquiries please do not hesitate to contact me.

Regards,

Sally

Phone 02 4990 1244.

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Notice of Aboriginal Consultation

Project name: Kurri Kurri Battery Recycling Facility

Proponent: Pymore Recyclers International Pty Ltd

Location: 129 Mitchell Avenue, Kurri Kurri NSW

Pymore Recyclers propose to construct a battery recycling facility at 129 Mitchell Avenue, Kurri Kurri NSW within Cessnock Local Government Area (LGA). The proposed facility would process around 40,000 tonnes per annum (tpa) of battery waste. The facility is located in an existing industrial area and will occupy part (approximately 3.4 ha) of the lot on which the Weston Aluminium Dross Recycling Facility is located (Lots 796 and 797 DP 39877).

Aboriginal organisations or Aboriginal persons who hold knowledge relevant to determining the cultural significance of Aboriginal objects andr Aboriginal places in the area of the proposal are invited to register an interest in a process of community consultation with the proponent regarding the proposal.

The purpose of community consultation with Aboriginal people is to assist the applicant in: 1) assessing the Aboriginal heritage values of the area, 2) preparing an Environmental Impact Statement under Part 4, Division 4.1 of the Environmental Planning and Assessment Act 1979, and 3) to assist regulators in the assessment of Aboriginal heritage reports prepared for this project.

Registrations of interest must be submitted in writing on or before ???????? Registrations should include the name of a contact person, address and other relevant contact details, preferably including an email address. The names of registered Aboriginal parties will be passed on to the relevant Local Aboriginal Land Council and the Office of Environment and Heritage unless a request to the contrary is made. Fieldwork positions are limited and survey is anticipated to run from 1 day.

Send registrations of interest to:

Kurri Kurri Battery Recycling Facility Project

C/o EMM Mitchell McLennan Pty Ltd

PO Box 21, St Leonards, NSW, 1590

Fax: 02 94939599

Registration of interest does not guarantee paid involvement.

From: [Carolyn .H](#)
To: [Andrew Crisp;](#)
Subject: Registration
Date: Tuesday, 26 April 2016 3:18:20 PM
Attachments: [A1.WC.2016.pdf](#)
[A1.PLInsurance2016.pdf](#)

A1 Indigenous Services
Contact: Carolyn

Hi Andrew,

**RE : Registration : Aboriginal Consultation for
the Kurri Kurri Battery Recycling Facility
Project**

I would like to register my interest in the
cultural heritage assessment, and any upcoming
survey fieldwork

Please feel free to contact me on the details
supplied above, I look forward to hearing from you
I have also attached business insurances.

Thank you

Carolyn Hickey/Representative

12 May 2016

Ground Floor, Suite 01, 20 Chandos Street
St Leonards, NSW, 2065
PO Box 21
St Leonards, NSW, 1590

T +61 2 9493 9500

F +61 2 9493 9599

www.emmconsulting.com.au

Re: J15156: Kurri Kurri Battery Recycling Facility Project –invitation to site meeting.

Dear

1 Introduction

Thank you for registering your interest in being consulted on Aboriginal cultural heritage matters for the Kurri Kurri Battery Recycling Facility Project (hereafter the project). EMM Consulting (EMM), on behalf of Pymore Recyclers International Pty Ltd (Pymore) is preparing an Aboriginal cultural heritage assessment (ACHA) for the project.

This letter is to invite all Registered Aboriginal Parties (RAPs) to a site meeting at which information on the project and a draft ACHA methodology will be discussed. The site meeting will be held on **Thursday 19 May 2016 at 129 Mitchell Avenue, Kurri Kurri**. Confirmation of attendance would be appreciated by the close of business on Wednesday 18 May 2016. **Letters attached to email or telephone confirmations are the preferred mode of written communication as they will reduce postal waiting periods.** This document is provided in accordance with sections 4.2 and 4.3 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*, which is the Aboriginal consultation framework for the project.

For those registered parties who are sole traders, we will only accept feedback from the person registered as the sole trader.

2 Project information

Pymore propose to construct a facility to recycle batteries at Kurri Kurri. The facility would have the capacity to recycle approximately 60,000 tonnes of used lead-acid batteries annually to recover and reuse their components. The proposal is a State Significant Development (SSD) under the Environmental Planning and Assessment Act 1979. The development is classified as hazardous waste facilities that transfer, store and disposed of solid or liquid waste classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste that handles more than 1,000 tonnes annually.

3 Kurri Kurri site meeting

All RAPs are invited to a site meeting on **Thursday 19 May 2016**. Please meet at **11 am** at 129 Mitchell Avenue Kurri Kurri at the Weston Aluminium site office car park. Entrance for parking is off the north side of Mitchell Avenue to the west of the old train line. The meeting is estimated to run for approximately 2 hours.

3.1 Who is invited?

- For RAPs who are companies or corporations with several members, the meeting invitation is for the authorised representative of that corporation; and,
- for RAPs who are individual persons, including those with a business name, the meeting invitation is for the registered person and not by another employee.

These arrangements are made to ensure efficient communication.

3.2 Aims of the site meeting

The aims of the site meeting are to:

- present the project information;
- provide RAPs with the opportunity to familiarise themselves with the project and its scope;
- provide RAPs with the opportunity to familiarise themselves with the project site and the location of identified artefact(s); and
- discuss project methodology and draft ACHA.

3.3 Remuneration

This site meeting is not considered a survey (i.e. fieldwork) and as such Pymore shall not be paying daily or half daily rates. Pymore shall be offering a mileage budget of \$100 per car group to cover travel costs and shall cover meal expenses of \$30 for each RAP in attendance.

4 What's next?

Please respond with email (preferred) or telephone call (details below) advising if you wish to accept the invitation to attend the site meeting on Thursday 19 May 2016. You may receive a telephone call from me prior to the meeting to confirm whether you are attending.

5 What to wear?

Please wear appropriate PPE including long sleeved trousers and shirt (hi-vis or bring hi-vis vest to go over the top), hard hat and wide brim hat (discretion on the day shall determine which shall be worn), and steel cap boots.

6 Any questions?

If you have any questions about the project please do not hesitate to contact Andrew Crisp

Yours sincerely





Figure 1 Meet in car park indicated by the grey circle, access off north side of Mitchell Avenue.

From:
To: [Andrew Crisp;](#)
Subject: AGA services EOI
Date: Thursday, 5 May 2016 9:00:20 AM
Attachments: [EOI AGA kurri kurri battery recycling facility.docx](#)

Andrew,

I have been requested by Adam from AGA Services to forward his EOI, as AGA is having computer problems.

Thank you
George Sampson

From: [Amanda Hickey](#)
To: [Andrew Crisp;](#)
Subject: Registration
Date: Tuesday, 26 April 2016 3:27:31 PM

Contact Details

Contact : **Amanda Hickey**

Hi Andrew,

RE : Registration : Aboriginal Consultation for the Kurri Kurri Battery Recycling Facility Project

I would like to register my interest in the cultural heritage assessment, and any upcoming survey fieldwork
Please feel free to contact me on the details supplied above, I look forward to hearing from you.

Thank you
Amanda Hickey DeZwart / Representative

Cacatua General Services

Entity of Carcatchua P/L

ABN: 87 145 082 480 ACN: 145 082 480

5th May 2016

ATT: Andrew Crisp
Kurri Kurri Battery Recycling Facility Project
EMM Consulting
PO Box 21
St Leonards NSW 1590

RE: Aboriginal Consultation for the Kurri Kurri Battery Recycling Facility Project

Andrew,

Cacatua General Services would like to express our interest in being involved in the above proposed Aboriginal Consultation for the Kurri Kurri Battery Recycling facility Project.

Cacatua is an Aboriginal owned business created to assist proponents and Archaeologists to undertake cultural heritage archaeological assessment according to all processes and approved conditions. Our aim is to provide quality Aboriginal cultural heritage works, while ensuring compliance to work specific practices.

Our Organisation is fully insured and registered with OEH. The staffs of Cacatua have undertaken work on all types of sites.

Please do not hesitate to contact us if you require more information.

Yours truly



George Sampson
Manager

Culturally Aware



Aboriginal Heritage Consultancy

ABN: 75 379 659 080

7 Crawford Place, Millfield NSW 2325

17th May 2015

EMM

Ground Floor, Suite 01, 20 Chandos Street

St Leonards, NSW, 2065

PO Box 21, St Leonards, NSW, 1590

T +61 2 9493 9500

F +61 2 9493 9599

www.emmconsulting.com.au

Re: Re: J15156: Kurri Kurri Battery Recycling Facility Project –invitation to site meeting.

Dear Mr. Andrew Crisp,

Thank you for confirmation on my registration and interest, in being consulted on Aboriginal cultural heritage matters for the Kurri Kurri Battery Recycling Facility Project.

And also my invite along with all other Registered Aboriginal Parties (RAPs) to a site meeting on the Thursday 19 May 2016,

Discussions will be held on this day about the draft ACHA methodology of this Assessment, and further information about the process and stages you are up to in regards to this project, as a Wonnarua Traditional owner and knowledge holder I have a great understanding of the process and have sadly seen over the twenty + years on how our Aboriginal people are put at the bottom of the pile with our views, opinions and knowledge by the government and environmental departments I hope this is not the case on this Assessment.

My family grew up in this LGA area and aware of the significance of the cultural landscape and surrounding cultural landscapes and their traditional stories.

Due to prior commitments I am already scheduled with other meetings on this day and unable to make it to this meeting.



These are my comments as a Wonnarua person in regards to this Assessment:

I would like to have all relevant project information sent to me to view and comment on ,along with having my input into the AIMS of this meeting in 3.2 of your letter.

- present the project information;
- provide RAPs with the opportunity to familiarise themselves with the project and its scope;
- provide RAPs with the opportunity to familiarise themselves with the project site and the location of
- Identified artefact(s); and discuss project methodology and draft ACHA.

I have been part of previous Assessments of this land, I would like to be involved in any future Assessments/Investigation on this Assessment area,

Sincerely

Tracey Skene (manager /Culturally Aware)

I look forward working with you in the near future

Culturally Aware



Aboriginal Heritage Consultancy

7 Crawford Place, Millfield NSW 2325

ABN: 75 379 659 080

To Mr Andrew Crisp,

Regarding: Kurri Kurri Battery Recycling Facility

I would like to put forward my Expression of Interest in for the above project , I'm a Traditional Owner (knowledge holder) of the area and also a proud Wonnarua Woman.

I have lived in the LGA area all my life and very familiar with the Cultural values and Cultural Landscapes of my Traditional country.

I am more than happy to assist with assessing this project on Aboriginal Heritage values in the local LGA -Cessnock and the LGA -Maitland areas and also the upper Hunter Valley.

I have been working on country participating with Aboriginal Heritage and Culture Assessments for 20 years and also know my cultural knowledge and Oral History of my Traditional Lands.

I'm more then experienced , I work for an Environmental company assisting with Aboriginal Culture and Heritage Assessments, and I have worked within the cultural landscape of this area and also in the surrounding areas ,so I'm quite aware of recorded and none recorded sites.

Please feel free to contact me on my office number 0249981587 or mobile 0474106537 if any further information is needed.

More information:

I would like to submit an interest in the Cultural Heritage Investigation of this area as I grew up within these lands and know it very well, I am a Wonnarua woman that have serious concerns with people that are not from country and never walked these land and don't know the cultural values of them as a Wonnarua person.

Culturally Aware



Aboriginal Heritage Consultancy

7 Crawford Place, Millfield NSW 2325

ABN: 75 379 659 080

EXECUTIVE SUMMARY

Culturally Aware (CA) was constituted in accordance with the provisions of the Native Title Act 1993 (NTA) and administers the relevant provisions as they apply to the functions listed under Aims and Objectives, which set out the services and standards that can be expected from the organization.

Culturally Aware has the responsibility of protecting and fostering the best interests of all Aboriginal people in the area, including the ongoing protection and conservation of the Aboriginal Culture and Heritage within the Wonnarua Region.

Additionally, Culturally Aware promotes the awareness and protection of the Aboriginal Culture & Heritage of the area to the wider community.

1. I have Aboriginal Field workers that are of Wonnarua descendant.

2. Staff has the relevant experience and hold cultural knowledge of the area. Each of these members has been trained in Cultural Fieldwork.

4. All staff is healthy and is able to undertake survey field work.

5. Name of individual, who will be attending for Investigation, will be either myself Tracey Skene Mobile(0474 106 537), Donna Swan(0422 127 049) or Georgina Berry(Mobile 0421 877 830) Confirmation of which fieldworker attending will be confirmed on availability at a later date.

Tracey Skene (Miller)

Culturally Aware



Hunter Valley Environmental Land & Mining Services

Aboriginal & Native Title Corporation

Contact person: Des Hickey

Date: 3/5/2016

To: EMM Consulting PO Box 21 St Leonards NSW 1590

**Re: Aboriginal consultation for the Kurri Kurri Battery Recycling Facility Project-
Identification of Aboriginal Parties.**

Attn: Andrew Crisp

Dear Andrew

**Hunter Valley Environmental Land & Mining Services Aboriginal corporation or
(Valley ELM Corp) wish to be involved in the above said project.**

**Valley ELM Corp also wish that our information be giving only to OEH our method of
Contact Email or phone .**

Regards

Des Hickey

**Contact person for
Valley ELM Corp**

Hunters and Collectors

Of Aboriginal History

27. Apr. 2016

Ms Tania Matthews

To Andrew

My name is Tania Matthews and would like to register with the Kurri Kurri Project.
If you would like to discuss this please contact me as soon as possible.

Yours Sincerely

Tania Matthews

From: [TaniaMatthews](#)
To: [Andrew Crisp](#);
Subject: RE: Invitation to Register - Kurri Kurri Battery Recycling Facility Project
Date: Wednesday, 27 April 2016 9:06:57 PM
Attachments: [image001.png](#)
[Hunters and Collectors \(3.docx\)](#)

Hi Andrew I have sent you my contact details for the Kurri Kurri Battery Facility Project

From: Andrew Crisp
Sent: Tuesday, April 26, 2016 2:56 PM
To: undisclosed-recipients:
Subject: Invitation to Register - Kurri Kurri Battery Recycling Facility Project

Dear potentially interested party,

EMM Consulting Pty Ltd (EMM), on behalf of Pymore Recyclers International Pty Ltd (the proponent) is seeking to identify Aboriginal organisations or Aboriginal persons who hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or Aboriginal places in the area of the proposed Kurri Kurri Battery Recycling Facility (the project) located approximately 10 km north-east of Cessnock within the Cessnock Local Government Area (LGA).

Your organisation was identified by the Office of Environment and Heritage as having potential interest in registering for consultation in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

Please see the attached formal invitation to register for further details.

Information must be received by Andrew Crisp (see contact details below) by close of business on Tuesday 10 May 2016.

Kurri Kurri Battery Recycling Facility Project
C/- Andrew Crisp
EMM Consulting
PO Box 21
St Leonards NSW 1590

Yours sincerely

Andrew Crisp | Project Archaeologist

T 02 9493 9500 | **D** 02 9493 9539 | **F** 02 9493 9599

Ground Floor, Suite 01, 20 Chandos Street, St Leonards NSW 2065

PO Box 21, St Leonards NSW 1590



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From: [Leslie Atkinson](#)
To: [Andrew Crisp](#);
Subject: [SPAM?] Re: Invitation to Register - Kurri Kurri Battery Recycling Facility Project
Date: Thursday, 28 April 2016 8:38:52 AM
Attachments: [image001.png](#)

Hi Andrew ,
my name is Les Atkinson , proprietor of Jarban +Mugrebea Aboriginal Cultural and heritage consultants
I would like to mexpress an interest and conduct Culteral surveying , we have relevant insurances and cultural knowledge to conduct work
Thanking you
les

From: Andrew Crisp
Sent: Tuesday, 26 April 2016 2:56 PM
Subject: Invitation to Register - Kurri Kurri Battery Recycling Facility Project

Dear potentially interested party,

EMM Consulting Pty Ltd (EMM), on behalf of Pymore Recyclers International Pty Ltd (the proponent) is seeking to identify Aboriginal organisations or Aboriginal persons who hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or Aboriginal places in the area of the proposed Kurri Kurri Battery Recycling Facility (the project) located approximately 10 km north-east of Cessnock within the Cessnock Local Government Area (LGA).

Your organisation was identified by the Office of Environment and Heritage as having potential interest in registering for consultation in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

Please see the attached formal invitation to register for further details.

Information must be received by Andrew Crisp (see contact details below) by close of business on Tuesday 10 May 2016.

Kurri Kurri Battery Recycling Facility Project
C/- Andrew Crisp
EMM Consulting
PO Box 21
St Leonards NSW 1590
Fax: 02 9493 9539

Yours sincerely

Andrew Crisp | Project Archaeologist

T 02 9493 9500 | **D** 02 9493 9539 | **F** 02 9493 9599

Ground Floor, Suite 01, 20 Chandos Street, St Leonards NSW 2065

PO Box 21, St Leonards NSW 1590



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Wonn1
Entity of Kauwul Pty Ltd

9 May 2016

Kurri Kurri Battery Recycling Facility Project
C/- Mr A Crisp
Project Archaeologist
EMM Consulting
PO Box 21
ST LEONARDS NSW 1590

Dear Andrew

RE: REGISTRATION OF INTEREST – ABORIGINAL CONSULTATION FOR THE KURRI KURRI BATTERY RECYCLING FACILITY PROJECT

Thank you for your invitation to submit the above expressions of interest dated 26 April 2016. Arthur Fletcher of Kauwul Pty Ltd trading as Wonn1 Contracting would like to be consulted, invited to any meetings and to participate in any future site inspections or fieldwork proposed for the above project.

Registered Aboriginal Party: Kauwul Wonn1 Contracting

Brief Description of Skills and Experience:

Arthur Fletcher has had many years' experience in cultural heritage/archaeological survey, salvage and excavation work within the Lower and Upper Hunter Valley on projects including mining, infrastructure and development sites. He has worked with EnergyAustralia, TransGrid, Hunter Water, RTA/RMS including Hunter Expressway, ARTC and on many mine sites. Arthur has had sites training through NSW NPWS and continues to expand cultural heritage knowledge independently through his association with skilled knowledge-holder Elders within the Hunter Valley and further afield. He has undertaken many inductions for RMS, ARTC and carries SGS Induction cards for mine sites including Glencore/Xstrata and Rio Tinto Coal & Allied sites (Induction cards are available upon request).

(White Card: Arthur Fletcher Work Cover CG100787865SEQ1 11/03/2006)

Statement of Physical Fitness to Undertake the Necessary Sites Work:

Arthur is physically fit and will be able to complete the specific project tasks required within acceptable survey terrain limits and climate.

Statement of Cultural Knowledge and/or Connection with Country:

Arthur is a Wonnarua/Gringai Elder with knowledge of cultural lore and a concentrated interest, knowledge and understanding of cultural heritage sites within the Lower and Upper Hunter region, and spiritual beliefs of his traditional Country. This knowledge also includes the Kurri Kurri and Cessnock region.

Organisations Commercial Rates and Terms of Engagement:

Total rates per day (including travel and GST) = \$800.00/day

Terms of payment is 14 day following your receipt of our invoice.

Certificates of Currency:

Both the Certificates of Currency for Workers Compensation and Public Liability Insurance are attached to this letter as requested.

Thank you once again for this opportunity to lodge an expression of interest for this project. We look forward to hearing from you soon.

Kind regards



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

(Attached)

From: [Lower Hunter Aboriginal Incorporated](#)
To: [Andrew Crisp;](#)
Subject: Re: Invitation to Register - Kurri Kurri Battery Recycling Facility Project
Date: Monday, 9 May 2016 1:46:47 PM

Hello Andrew

On behalf of LHAI I would like to register an interest in the Kurri Kurri Battery Recycling Facility Project.
My family lives in Kurrie Kurrie and I have worked with EMM before on the Allandale Quarry project.

Thank You David Ahoy
Sites Manager
LHAI

Lower Hunter Aboriginal Incorporated

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If you have received this email in error please notify the sender immediately.

From: [Steve Brereton](#)
To: [Andrew Crisp](#);
Subject: Aboriginal Consulting parties for Kurri Kurri Battery Recycling Facility Project.
Date: Monday, 9 May 2016 10:13:55 AM
Attachments: [image001.png](#)

Hi Andrew,

We wish to register our interest as an Aboriginal party for consulting on Aboriginal Culture and Heritage values with the Kurri Kurri Battery Recycling Facility Project.

The contact person and rep of the organisation is;
Steve Brereton
Culture and Heritage Officer
Mindaribba Local Aboriginal Land Council

Current contact details are;
Mindaribba LALC

Regards

Stephen Brereton
Culture and Heritage Officer
Mindaribba Local Aboriginal Land Council



From: [Timothy Smith](#)
To: [Andrew Crisp](#);
Subject: Re: Invitation to Register - Kurri Kurri Battery Recycling Facility Project
Date: Thursday, 12 May 2016 3:27:27 PM
Attachments: [image001.png](#)

Hi Andrew

I've had computer problems for the last two weeks, I've been waiting to send in smith Dhagaans cultural groups expression of interest for the above job.

I can hopefully get it to you by tonight if that's ok.

Thanks

Timothy smith

Sent from my iPhone

On 26 Apr 2016, at 2:56 PM, Andrew Crisp wrote:

Dear potentially interested party,

EMM Consulting Pty Ltd (EMM), on behalf of Pymore Recyclers International Pty Ltd (the proponent) is seeking to identify Aboriginal organisations or Aboriginal persons who hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or Aboriginal places in the area of the proposed Kurri Kurri Battery Recycling Facility (the project) located approximately 10 km north-east of Cessnock within the Cessnock Local Government Area (LGA).

Your organisation was identified by the Office of Environment and Heritage as having potential interest in registering for consultation in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

Please see the attached formal invitation to register for further details.

Information must be received by Andrew Crisp (see contact details below) by close of business on Tuesday 10 May 2016.

Kurri Kurri Battery Recycling Facility Project
C/- Andrew Crisp
EMM Consulting

PO Box 21
St Leonards NSW 1590

Yours sincerely

Andrew Crisp | Project Archaeologist

T 02 9493 9500 | **D** 02 9493 9539 | **F** 02 9493 9599

Ground Floor, Suite 01, 20 Chandos Street, St Leonards NSW 2065

PO Box 21, St Leonards NSW 1590

<image001.png>

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[closure, rehab](#) | [gis](#)

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<J15156 InvitationtoRegister 20160426.pdf>

From: [stephen talbott](#)
To: [Andrew Crisp](#);
Subject: Re: Invitation to Register - Kurri Kurri Battery Recycling Facility Project
Date: Tuesday, 10 May 2016 5:51:35 PM
Attachments: [image001.png](#)

Hi Andrew

I just realised that the email I sent today went to my drafts
I would like to register my expression of interest for this job.

Thanks
Steve

From: Andrew Crisp <acrisp@emmconsulting.com.au>
Sent: Tuesday, 26 April 2016 2:56:20 PM
Subject: Invitation to Register - Kurri Kurri Battery Recycling Facility Project

Dear potentially interested party,

EMM Consulting Pty Ltd (EMM), on behalf of Pymore Recyclers International Pty Ltd (the proponent) is seeking to identify Aboriginal organisations or Aboriginal persons who hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or Aboriginal places in the area of the proposed Kurri Kurri Battery Recycling Facility (the project) located approximately 10 km north-east of Cessnock within the Cessnock Local Government Area (LGA).

Your organisation was identified by the Office of Environment and Heritage as having potential interest in registering for consultation in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

Please see the attached formal invitation to register for further details.

Information must be received by Andrew Crisp (see contact details below) by close of business on Tuesday 10 May 2016.

Kurri Kurri Battery Recycling Facility Project
C/- Andrew Crisp
EMM Consulting
PO Box 21
St Leonards NSW 1590

Yours sincerely

Andrew Crisp | Project Archaeologist

T 02 9493 9500 | **D** 02 9493 9539 | **F** 02 9493 9599

Ground Floor, Suite 01, 20 Chandos Street, St Leonards NSW 2065

PO Box 21, St Leonards NSW 1590



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From: [Admin](#)
To: [Andrew Crisp;](#)
cc: [Taasha Layer; Allen Stuart Paget;](#)
Subject: RE: Invitation to Register - Kurri Kurri Battery Recycling Facility Project
Date: Wednesday, 27 April 2016 3:15:48 PM
Attachments: [image002.png](#)
[image003.png](#)

Hi Andrew,

Thank you for your email.

Ungooroo Aboriginal Corporation would like to register our interest in the above mentioned project. Our representative is Mr Allen Paget and you can find our contact details in my email signature below.

Thanks Bree

Kind Regards,

Bree Waterhouse

Medical Administration Officer

Ungooroo Aboriginal Corporation (UAC)
DOOKAL Group Pty Ltd



- DOOKAL Group Pty Ltd



- WUPA@Wanaruah

"Ungooroo Aboriginal Corporation acknowledges Aboriginal and Torres Strait Islander peoples as the Traditional Owners. We would like to acknowledge the Traditional Owners of our area, the Wanaruah people.

We pay our respect to the elders past, present and future for they hold the memories, traditions, culture and hope of indigenous peoples in Australia."

From: Andrew Crisp

Sent: Tuesday, 26 April 2016 2:56 PM

Subject: Invitation to Register - Kurri Kurri Battery Recycling Facility Project

Dear potentially interested party,

EMM Consulting Pty Ltd (EMM), on behalf of Pymore Recyclers International Pty Ltd (the proponent) is seeking to identify Aboriginal organisations or Aboriginal persons who hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or Aboriginal places in the area of the proposed Kurri Kurri Battery Recycling Facility (the project) located approximately 10 km north-east of Cessnock within the Cessnock Local Government Area (LGA).

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Yours sincerely

Andrew Crisp | Project Archaeologist

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From: [maree waugh](#)
To: [Andrew Crisp](#);
Subject: Re: Invitation to Register - Kurri Kurri Battery Recycling Facility Project
Date: Sunday, 1 May 2016 1:48:38 PM
Attachments: [image001.png](#)

Hi Andrew, I would like to register for the Kurri Kurri Battery Recycling Facility Project.

Maree Waugh
Wallangan Cultural Services

From: Andrew Crisp <acrisp@emmconsulting.com.au>
Sent: Tuesday, April 26, 2016 2:56:20 PM
Subject: Invitation to Register - Kurri Kurri Battery Recycling Facility Project

Dear potentially interested party,

EMM Consulting Pty Ltd (EMM), on behalf of Pymore Recyclers International Pty Ltd (the proponent) is seeking to identify Aboriginal organisations or Aboriginal persons who hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or Aboriginal places in the area of the proposed Kurri Kurri Battery Recycling Facility (the project) located approximately 10 km north-east of Cessnock within the Cessnock Local Government Area (LGA).

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Kurri Kurri Battery Recycling Facility Project
C/- Andrew Crisp
EMM Consulting
PO Box 21
St Leonards NSW 1590

Yours sincerely

Andrew Crisp | Project Archaeologist

T 02 9493 9500 | **D** 02 9493 9539 | **F** 02 9493 9599

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From: [WIDESCOPE .](#)
To: [Andrew Crisp;](#)
Subject: FW: Registration
Date: Tuesday, 26 April 2016 3:46:23 PM
Attachments: [WIG 2016 Cert currancy WC.pdf](#)
[Wig 2016 currancy Cert NRMA.pdf](#)

Widescope Indigenous Group

Hi Andrew,

RE : Registration : Aboriginal Consultation for the Kurri Kurri Battery Recycling Facility Project

I would like to register my interest in the cultural heritage assessment, and any upcoming survey fieldwork

Please feel free to contact me on the details supplied above, I look forward to hearing from you

I have also attached business insurances.

Thank you

Steven Hickey/Representative

From: [Laurie Perry](#)
To: [Andrew Crisp](#);
Subject: Aboriginal consultation for Battery Recycling Facility Project
Date: Tuesday, 10 May 2016 9:36:26 AM

Hi Andrew

I received your letter dated 26th April.

WNAC would like to be consulted for this project.

The appointed representatives are Kirsten Berry or Georgina Berry

My details are below.....mobile best contact.

Cheers

Laurie Perry
CEO
Wonnarua Nation Aboriginal Corporation

We acknowledge the Traditional Lands of the Wonnarua/Gringai people of the Hunter Valley who remain the spiritual and cultural owners of our land and continue to practice our values, language, beliefs and Knowledge, we offer respect to our Elders past and present and through our Elders, to all Aboriginal and Torres Strait Islander people.

Memorandum



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St Leonards, NSW, 2065
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St Leonards, NSW, 1590

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F +61 2 9493 9599

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20 May 2016

To Registered Aboriginal Parties
From
Subject Kurri Kurri Battery Recycling Facility Site Meeting

1 Introduction

The following document presents the meeting minutes of the Aboriginal consultation site meeting for the proposed Kurri Kurri Battery Recycling Facility project. The meeting was held on site at 129 Mitchell Avenue, Kurri Kurri, on Thursday 19 May 2016. The topics discussed are presented in the draft methodology provided in Appendix A.

2 Attendees

Table 1 Meeting attendees

Name	Organisation	Position on project
Jason Brown (JB)	Mindaribba Local Aboriginal Land Council	Registered Aboriginal party
Maree Waugh (MW)	Wallangan Cultural Services	Registered Aboriginal party
Suzie Worth (SW)	Kauwal Wonn1	Registered Aboriginal party
Luke Hickey (LH)	Hunter Valley Cultural Surveying	Registered Aboriginal party
Josh Hickey (JH)	Wattaka Wonnarua C. C. Service	Registered Aboriginal party
Stephen Talbott (ST)	Gomerioi – Nambi	Registered Aboriginal party
Greg Heard (GH)	Bringi Aboriginal Corporation	Registered Aboriginal party
Andrew Crisp (AC)	EMM Consulting	Project archaeologist
Ian Burns (IB)	Weston Aluminium	

3 General proceedings

- Meeting start time 11am
- Introductions
- AC presented draft methodology as well as prior research and assessment conducted for project.
- Issues raised by ST regarding the due diligence assessment process.
- Issues raised by ST regarding remuneration for the meeting.
- Inspection of the location Ian Stuart recorded two artefacts in 1994.

- Inspection of the location of the isolated artefact discovered during the due diligence assessment for the project.
- Issues related to the inability to relocate the isolated artefact raised by all registered Aboriginal parties (RAPs).
- Minutes taken by AC
- Meeting finished 1.30pm

4 Meeting minutes

Table 1 Meeting minutes

Topic	Discussion	Response/outcome
Introduction and presentation of draft methodology	<p>AC distributed a hard copy of the draft methodology which had been electronically supplied to all RAPs prior to the site meeting. Explanation was given of the prior due diligence assessment, background research, results and draft methodology.</p> <p>AC explained that the aims of the site meeting are to:</p> <ul style="list-style-type: none"> - present the project information; - provide RAPs with the opportunity to familiarise themselves with the project and its scope; - provide RAPs with the opportunity to familiarise themselves with the project site and the location of identified artefact(s); and - discuss project methodology and draft ACHA. <p>ST raised concerns with the due diligence process. Particularly that a survey was conducted without consulting the Aboriginal community. ST argued that lack of consultation was disrespectful to the community.</p>	<p>AC stated that the due diligence process does not require consultation at such an early stage, however, as an artefact was located during the survey consultation was immediately sought. Hence the organisation of the site meeting.</p> <p>AC stated that the intention was not to be disrespectful but to follow the Due Diligence Code of Practice.</p>
Request for cultural information	AC asked that if any RAP had cultural information relating to the project area to please provide it at this meeting.	No site specific cultural information was provided.
Inspection of site identified by Iain Stuart in 1994	<p>The approximate location of the 1994 site and landscape in the vicinity inspected by all present. The location is along the eastern boundary fence of the project area within 20-50m of the south-east corner.</p> <p>Levels of disturbance and introduced fill made identification of the site impossible.</p>	It was agreed that the 1994 site is no longer extant due to disturbance over the last two decades at the location.
Remuneration	ST asked whether this was a survey and if so remuneration should be made to the RAPs present or a paid survey should be organised for a later date.	<p>AC explained that it is not a survey and the intention is to provide the opportunity for RAPs to ground truth the conclusions made in the due diligence.</p> <p>AC stated that the earlier due diligence survey was comprehensive and the results indicate that further survey/archaeological investigation is not warranted.</p>

Table 1 **Meeting minutes**

Topic	Discussion	Response/outcome
Inspection of location of isolated artefact SC01	<p>The location of the isolated find identified during the earlier due diligence survey was inspected and close scrutiny was given to the surrounding landscape.</p> <p>All stake holders raised concerns that the artefact could not be relocated.</p> <p>SW raised issue that an AHIMS site had not yet been registered for the site.</p> <p>SW, MW and ST commented on the level of vehicle disturbance in the vicinity.</p> <p>ST with agreement from LH and JH stated that as the isolated artefact could not be relocated that they want a meeting with OEHL, the proponent and EMM to discuss:</p> <ul style="list-style-type: none"> - the next step; and - The due diligence process in general. <p>ST requested for a 'full assessment' including a paid site survey for the RAPs.</p>	<p>AC stated that the AHIMS site card had not yet been submitted as all work on the project had been halted by the client soon after the initial due diligence survey. However, the site will be registered on AHIMS before any works on the project begin.</p> <p>AC stated that the exposure in which the isolated artefact was located is a heavy vehicle wheel rut. The level of disturbance across the site has made discerning whether further vehicle impacts had occurred in the vicinity of the isolated find post due diligence survey very difficult.</p> <p>AC stated that through consultation with EMM and OEHL the current ACHA level assessment shall allow for the most appropriate management measures to be implemented.</p>

From: [WIDESCOPE.](#)
To: [Andrew Crisp](#)
Subject: RE: Draft Kurri Kurri ACHA for review and comment
Date: Sunday, 25 September 2016 5:05:49 PM
Attachments: [image001.png](#)

Hi Andrew,

Widescope is satisfied with the draft (ACHA) for the proposed Kurri Kurri Battery Recycling Facility

Regards Steven Hickey RAP

From: [Andrew Crisp](#)
Sent: Tuesday, 20 September 2016 1:24 PM
Subject: Draft Kurri Kurri ACHA for review and comment

Good afternoon,

Please find attached the draft ACHA for the proposed Kurri Kurri Battery Recycling Facility for your review. Any comments should be supplied to EMM by 18 October 2016 (28 day review period) at the following email:

acrisp@emmconsulting.com.au

Kind regards,

Andrew Crisp | Project Archaeologist

T 02 9493 9500 | **D** 02 9493 9539 | **F** 02 9493 9599

Ground Floor, Suite 01, 20 Chandos Street, St Leonards NSW 2065

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Wonn1
Entity of Kauwul Pty Ltd

25 October 2016

Kurri Kurri Battery Recycling Facility Project
C/- Mr A Crisp
Project Archaeologist
EMM Consulting
PO Box 21
ST LEONARDS NSW 1590

Dear Andrew

**RE: COMMENTS ON DRAFT ABORIGINAL CULTURAL HERITAGE ASSESSMENT FOR
THE KURRI KURRI BATTERY RECYCLING FACILITY PROJECT**

Thank you for your email and attached draft ACHA for the above project dated 20 September 2016.

We have reviewed the draft report and still have a concern with relation to the treatment of the 'lost' isolated find being a red silcrete core (Site name SC01) – that it has not been recorded yet on the OEH AHIMS database and that there is no provision in the management recommendations (Section 9) for a solution to its existence or lack thereof. At least the site should have a Section 90 applied to cover the approval for its 'destruction' (which we don't really approve of!) or an effort should be made to find the artefact – it should not just be disregarded as never having been present in the first place! This reporting to OEH of the site and the current situation regarding the site's management must be taken into consideration.

Anyway, apart from the issue above, we are in agreement with the draft report generally and should you wish to discuss the above matter, please do not hesitate to contact us.

Kind regards

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

From: [Todd HEard](#)
To: [Andrew Crisp](#)
Subject: Re: Draft Kurri Kurri ACHA for review and comment
Date: Tuesday, 20 September 2016 10:04:46 PM
Attachments: [image001.png](#)

Hi Andrew

Due diligence provision with respect to this report are not appropriate from an Aboriginal management plan perspective.

This land is of cultural significance to local Aboriginal people and in particular relates to the song lines of the local people. Therefore suggestions of the site being of low cultural value is not appropriate.

We look forward to supporting the next stage of works.

Kid regards

Gregory Heard

On 20 Sep 2016, at 1:24 PM, Andrew Crisp wrote:

Good afternoon,

Please find attached the draft ACHA for the proposed Kurri Kurri Battery Recycling Facility for your review. Any comments should be supplied to EMM by 18 October 2016 (28 day review period) at the following email:

Kind regards,

Andrew Crisp | Project Archaeologist

T 02 9493 9500 | **D** 02 9493 9539 | **F** 02 9493 9599

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<J15156_ACHA_20160916_toRAPs.pdf>

Appendix B

AHIMS search results and site cards

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : J15156 Kurri Kurri

Client Service ID : 209411

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
37-6-1799	HEZ Spine Road Two 2	AGD	56	355411	6366675	Open site	Valid	Artefact : 1		
	Contact	Recorders		L.M Nelson				Permits	2832,2835	
37-6-0865	KK-IF-2	AGD	56	357640	6369450	Open site	Valid	Artefact : -	Isolated Find	98174,102135
	Contact	Recorders		Mrs.Robynne Mills				Permits		
37-6-0866	KK-IF-1	AGD	56	358540	6371140	Open site	Valid	Artefact : -	Isolated Find	98174,102231
	Contact	Recorders		Mrs.Robynne Mills				Permits		
37-6-1325	Swamp Creek RTA 10 IF (SWC RTA 10IF)	AGD	56	356447	6370271	Open site	Valid	Artefact : 1		
	Contact	Recorders		Umwelt (Australia) Pty Limited,Leila McAdam				Permits	2102	
37-6-1343	Black Waterholes Creek RTA 3 IF	AGD	56	356293	6371108	Open site	Valid	Artefact : 1		102231
	Contact	Recorders		Umwelt (Australia) Pty Limited,Leila McAdam				Permits	2102	
38-4-0814	Swamp Creek RTA 2	AGD	56	359614	6368267	Open site	Destroyed	Artefact : 6		
	Contact	Recorders		Umwelt (Australia) Pty Limited,Leila McAdam				Permits	2102	
37-6-1355	Swamp Creek RTA 3	AGD	56	359052	6369135	Open site	Valid	Artefact : 10		102388
	Contact	Recorders		Umwelt (Australia) Pty Limited,Leila McAdam				Permits	2102	
37-6-1356	Swamp Creek RTA 4	AGD	56	356557	6370688	Open site	Valid	Artefact : 4		
	Contact	Recorders		Umwelt (Australia) Pty Limited,Leila McAdam				Permits	2102	
37-6-1357	Swamp Creek RTA 5 IF	AGD	56	358943	6368993	Open site	Valid	Artefact : 1		102388
	Contact	Recorders		Umwelt (Australia) Pty Limited,Leila McAdam				Permits	2102	
37-6-1358	Swamp Creek RTA 6 IF	AGD	56	359229	6369057	Open site	Valid	Artefact : 1		102388
	Contact	Recorders		Umwelt (Australia) Pty Limited,Leila McAdam				Permits	2102	
37-6-1359	Swamp Creek RTA 7 IF	AGD	56	358425	6369259	Open site	Valid	Artefact : 1		102388
	Contact	Recorders		Umwelt (Australia) Pty Limited,Leila McAdam				Permits	2102	
37-6-1360	Swamp Creek RTA 8 IF	AGD	56	357269	6370282	Open site	Valid	Artefact : 1		
	Contact	Recorders		Umwelt (Australia) Pty Limited,Leila McAdam				Permits	2102	
37-6-1361	Swamp Creek RTA 9	AGD	56	357005	6370549	Open site	Valid	Artefact : 7		
	Contact	Recorders		Umwelt (Australia) Pty Limited,Leila McAdam				Permits	2102	
37-6-1362	Swamp Creek RTA 11 IF (formerly PAD9 Swamp Creek)	AGD	56	357630	6369700	Open site	Valid	Potential Archaeological Deposit (PAD) : 1, Artefact : -		
	Contact	Recorders		Umwelt (Australia) Pty Limited,Leila McAdam				Permits	2096,2562	
37-6-1363	PAD11 Black Waterholes Creek	AGD	56	356091	6371356	Open site	Valid	Potential Archaeological Deposit (PAD) : 1		102231
	Contact	Recorders		Umwelt (Australia) Pty Limited,Leila McAdam				Permits	2096	
37-6-1823	Hunter Sewer Main 1 (HSM 1)	GDA	56	355033	6367051	Open site	Valid	Artefact : 1		

Report generated by AHIMS Web Service on 29/01/2016 for Pamela Chauvel for the following area at Datum :GDA, Zone : 56, Eastings : 354800 - 359800, Northings : 6366800 - 6371800 with a Buffer of 50 meters. Additional Info : comparative research. Number of Aboriginal sites and Aboriginal objects found is 51

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AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : J15156 Kurri Kurri

Client Service ID : 209411

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
	Contact	Recorders						Permits		
37-6-1957	KK09	GDA	56	358372	6371638	Open site	Valid	Artefact : 1	2853,2856	102231
	Contact	Recorders						Permits		
37-6-1958	KK10	GDA	56	357407	6371800	Open site	Valid	Artefact : 3	3203	102231
	Contact	Recorders						Permits		
37-6-1959	KK11	GDA	56	357079	6371849	Open site	Valid	Artefact : 1	3203	102231
	Contact	Recorders						Permits		
37-6-2004	KR01	GDA	56	357959	6370106	Open site	Valid	Artefact : -	3203	
	Contact	Recorders						Permits		
37-6-2005	KR02	GDA	56	357528	6370404	Open site	Valid	Artefact : -	3201	
	Contact	Recorders						Permits		
37-6-2006	KR03	GDA	56	357491	6370454	Open site	Valid	Artefact : -	3201	
	Contact	Recorders						Permits		
37-6-2007	KR04	GDA	56	357367	6370539	Open site	Valid	Artefact : -	3201	
	Contact	Recorders						Permits		
37-6-2008	KR05	GDA	56	357171	6370683	Open site	Valid	Artefact : -	3201	
	Contact	Recorders						Permits		
37-6-2009	KR06	GDA	56	356187	6371481	Open site	Valid	Artefact : -	3201	102231
	Contact	Recorders						Permits		
37-6-1879	HSM 3	GDA	56	355292	6367218	Open site	Valid	Artefact : 1	3012	
	Contact	Recorders						Permits		
38-4-1149	KK01 (Beresfield)	GDA	56	359679	6369869	Open site	Valid	Artefact : 3	3151	
	Contact	Recorders						Permits		
38-4-1150	KK02 (Beresfield)	GDA	56	359819	6369944	Open site	Valid	Artefact : 3	3151	
	Contact	Recorders						Permits		
37-6-1953	KK03	GDA	56	359355	6370790	Open site	Valid	Artefact : 10	3203	
	Contact	Recorders						Permits		
45-3-3387	KK04 (Wyong)	GDA	56	357942	6371717	Open site	Valid	Artefact : 103, Potential Archaeological Deposit (PAD) : -	3151,3203	
	Contact	Recorders						Permits		
37-6-1954	KK05	GDA	56	358577	6371627	Open site	Valid	Artefact : 17	3203	102231
	Contact	Recorders						Permits		
37-6-1956	KK08	GDA	56	359497	6370657	Open site	Destroyed	Artefact : 1		103000,103001

Report generated by AHIMS Web Service on 29/01/2016 for Pamela Chauvel for the following area at Datum :GDA, Zone : 56, Eastings : 354800 - 359800, Northings : 6366800 - 6371800 with a Buffer of 50 meters. Additional Info : comparative research. Number of Aboriginal sites and Aboriginal objects found is 51

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AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : J15156 Kurri Kurri

Client Service ID : 209411

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
	Contact	Recorders	Australian Museum Consulting (AM Consulting),Ms.Tessa Boer-Mah							
37-6-3063	Hydro-AS20-14	GDA	56	358459	6371828	Open site	Valid	Artefact : -	Permits	3203,3640
	Contact	Recorders	Andrew McLaren							
37-6-3065	Hydro-AS22-14	GDA	56	357458	6371685	Open site	Valid	Artefact : -	Permits	
	Contact	Recorders	Andrew McLaren							
37-6-3067	Hydro-AS25-14	GDA	56	356555	6371753	Open site	Valid	Artefact : -	Permits	
	Contact	Recorders	Andrew McLaren							
37-6-3068	Hydro-AS26-14	GDA	56	357247	6371141	Open site	Valid	Artefact : -	Permits	
	Contact	Recorders	McLachlan Thorpe Partners							
37-6-3069	Hydro-AS27-14	GDA	56	357148	6370939	Open site	Valid	Artefact : -	Permits	
	Contact	Recorders	Andrew McLaren							
37-6-3070	Hydro-AS28-14	GDA	56	357219	6370703	Open site	Valid	Artefact : -	Permits	
	Contact	Recorders	Andrew McLaren							
37-6-3071	Hydro-AS29-14	GDA	56	358225	6371002	Open site	Valid	Artefact : -	Permits	
	Contact	Recorders	Andrew McLaren							
37-6-3072	Hydro-AS30-14	GDA	56	358420	6371046	Open site	Valid	Artefact : -	Permits	
	Contact	Recorders	Andrew McLaren							
37-6-3073	Hydro-AS31-14	GDA	56	359541	6371256	Open site	Valid	Artefact : -	Permits	
	Contact	Recorders	Andrew McLaren							
37-6-0267	Kurri Kurri No.1;	AGD	56	359420	6369460	Open site	Valid	Artefact : -	Open Camp Site	783,102388
	Contact	Recorders	A Djekic							
37-6-0268	Kurri Kurri No 2.;	AGD	56	359450	6369680	Open site	Valid	Artefact : -	Open Camp Site	783
	Contact	Recorders	A Djekic							
37-6-0269	Kurri Kurri No.3;	AGD	56	359480	6369790	Open site	Valid	Artefact : -	Open Camp Site	783,102388
	Contact	Recorders	A Djekic							
37-6-0270	Kurri Kurri No.4;	AGD	56	359490	6369810	Open site	Valid	Artefact : -	Open Camp Site	783,102135,102388
	Contact	Recorders	A Djekic							
37-6-0271	Kurri Kurri No.5;	AGD	56	359520	6369890	Open site	Valid	Artefact : -	Open Camp Site	102135,102388
	Contact	Recorders	A Djekic							
37-6-1557	HEZ 3	AGD	56	355005	6366925	Open site	Valid	Artefact : 123		
	Contact Searle	Recorders	Mr.Neville Baker							
37-6-1644	Swamp Creek Catchment 5	AGD	56	356949	6370574	Open site	Valid	Artefact : 2		100062
	Contact Searle	Recorders	Ms.Tudur Llwyd Davies							
								Permits	2520,2660	

Report generated by AHIMS Web Service on 29/01/2016 for Pamela Chauvel for the following area at Datum :GDA, Zone : 56, Eastings : 354800 - 359800, Northings : 6366800 - 6371800 with a Buffer of 50 meters. Additional Info : comparative research. Number of Aboriginal sites and Aboriginal objects found is 51

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.

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : J15156 Kurri Kurri

Client Service ID : 209411

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
37-6-1645	Swamp Creek Catchment 4	AGD	56	357603	6369908	Open site	Valid	Artefact : 1		100062
	<u>Contact</u> Searle	<u>Recorders</u>		Ms.Tudur Llwyd Davies				<u>Permits</u>	2520,2660	
37-6-2090	Chinamans Hollow IF1	GDA	56	355094	6368443	Open site	Valid	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>		Doctor.Tim Owen				<u>Permits</u>		
37-6-2093	Chinamans Hollow PAD	GDA	56	355069	6368415	Open site	Valid	Potential Archaeological Deposit (PAD) : 1		
	<u>Contact</u>	<u>Recorders</u>		Doctor.Tim Owen				<u>Permits</u>		

Report generated by AHIMS Web Service on 29/01/2016 for Pamela Chauvel for the following area at Datum :GDA, Zone : 56, Eastings : 354800 - 359800, Northings : 6366800 - 6371800 with a Buffer of 50 meters. Additional Info : comparative research. Number of Aboriginal sites and Aboriginal objects found is 51

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.

[x] New recording

[] Additional Info



National Parks and Wildlife Service

Box 1967, Hurstville NSW 2220. Tel: (02) 585 6444

Standard Site Recording Form ~~NPWS Form 108~~ Revised 12/92

NPWS Code

1:250,000 map sheet: _____

AMG Grid reference

Full reference - please
include leading digits

250K 250K

3	5	7	2	0	mE	6	3	6	8	9	0	mN
25K					5/6	25K						

Scale of map used for grid reference
Please use largest scale available

[x] 25K, 50K (preferred) [] 100K [] 250K

1:25K, 50K, 100K map name: KESSNOCK 9132-2-N

HEAD OFFICE USE ONLY:

NPWS Site no: _____

Site types: _____

Accessioned by: _____ Date: _____

Data entered by: _____ Date: _____

Owner/Manager: _____

Address: _____

Site name: Drops - 1Locality/property name: Swamp Creek

NPWS District: _____

Region: _____

Reason for investigation

Survey for proposed Drops MillPortion no: 398 77 / 796Parish: HEDDON

Photos taken?

How many attached?

How to get to the site (refer to permanent features, give best approach to site eg. from above, below, along cliff.
(Draw diagram on separate sheet.)The site is in a track immediately to the west of the boundary fence onOther sites in locality? No

Site Types include: _____

Are sites in NPWS Register? NoHave artefacts been removed from site? No

When?

By whom?

Deposited where?

Is site important to local Aborigines? No

Give contact(s) name(s) + address(es)

Contacted for this recording? Rich-Jo Griffiths, Mindaribba Local Aboriginal Council

(Attach additional information separately) If not, why not?

Verbal/written reference sources (including full title of accompanying report)

NPWS Report
Catalogue #Checklist:
surface visibility,
damage/disturbance/
threat to siteCondition of site: Poor but note lack of visibility in the area

Recommendations for management & protection (attach separate sheet if necessary):

NoneSite recorded by: IAIN STUARTDate: 24th June 1994

Address/institution:

ENVIROSCIENCES Pty. Ltd. P.O. Box 726 Pymple 2073

SITE POSITION & ENVIRONMENT

OFFICE USE ONLY: NPWS site no:

1. Land form a. beach/hill slope/ridge top, etc: valley

b. site aspect: — c. slope: —

d. mark on diagram provided or on your own sketch the position of the site:

e. Describe briefly: site located on a gentle slope leading to the Swamp Creek valley



f. Local rock type:

g. Land use/effect: Vacant

2. Distance from drinking water: 320m

Source: Swamp Creek

3. Resource Zone associated with site (estuarine, riverine, forest etc):

4. Vegetation: Open forest

5. Edible plants noted: —

6. Faunal resources (include shellfish): —

7. Other exploitable resources (river pebbles, ochre, etc): —

Site type:

Open site /
Isolated finds

DESCRIPTION OF SITE & CONTENTS.

Note state of preservation of site & contents. Do NOT dig, disturb, damage site or contents.

CHECKLIST TO HELP:

length, width, depth, height of site, shelter, deposit, structure, element eg. tree scar, grooves in rock.

DEPOSIT: colour, texture, estimated depth, stratigraphy, contents-shell, bone, stone, charcoal, density & distribution of these, stone types, artefact types.

ART: area of surface decorated, motifs, colours, wet, dry pigment, technique of engraving, no. of figures, sizes, patination.

BURIALS: number & condition of bone, position, age, sex, associated artefacts.

TREES: number, alive, dead, likely age, scar shape, position, size, patterns, axe marks, regrowth.

QUARRIES: rock type, debris, recognisable artefacts, percentage quarried.

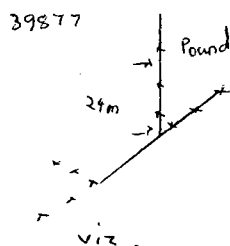
OTHER SITES EG. structures (fish traps, stone arrangements, bora rings, mia mias), mythological sites, rock holes, engraved groove channels, contact sites (missions massacres cemeteries) as appropriate

The site consists of two flakes located in a track on the eastern side of the boundary fence between portion 796 and 87 (marked as "pound" on the Connock 1:25,000 map). The two flakes are 9m apart. The soil is a light grey/brown sand. Although the overall visibility of the block is poor this track was had good visibility.

The site is approximately 24m along the fence line.

The site flakes are

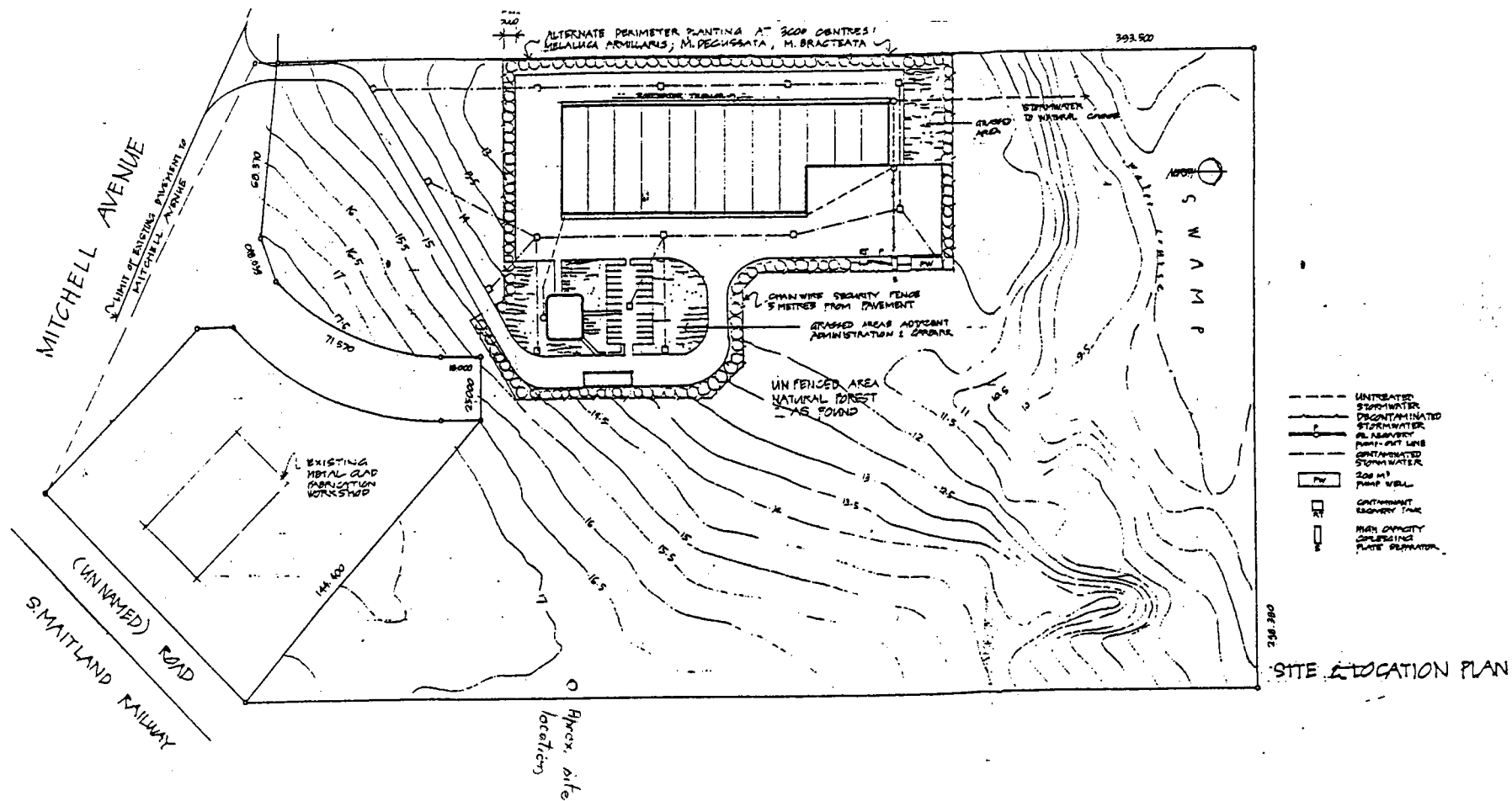
- ① block of yellow coarse grained chert with flake scars
- ② grey chert flake with cortex



Attach sketches etc. eg. plan & section of shelter, show relation between site contents, indicate north, show scale.

Attach annotated photos (stereo where useful) showing scale, particularly for art sites.

FIGURE 1



NOT TO SCALE - FOR DIAGRAMMATIC PURPOSES ONLY

Sketch Plan of Dross Mill Site, Kurri Kurri
Showing approximate locations of tracks

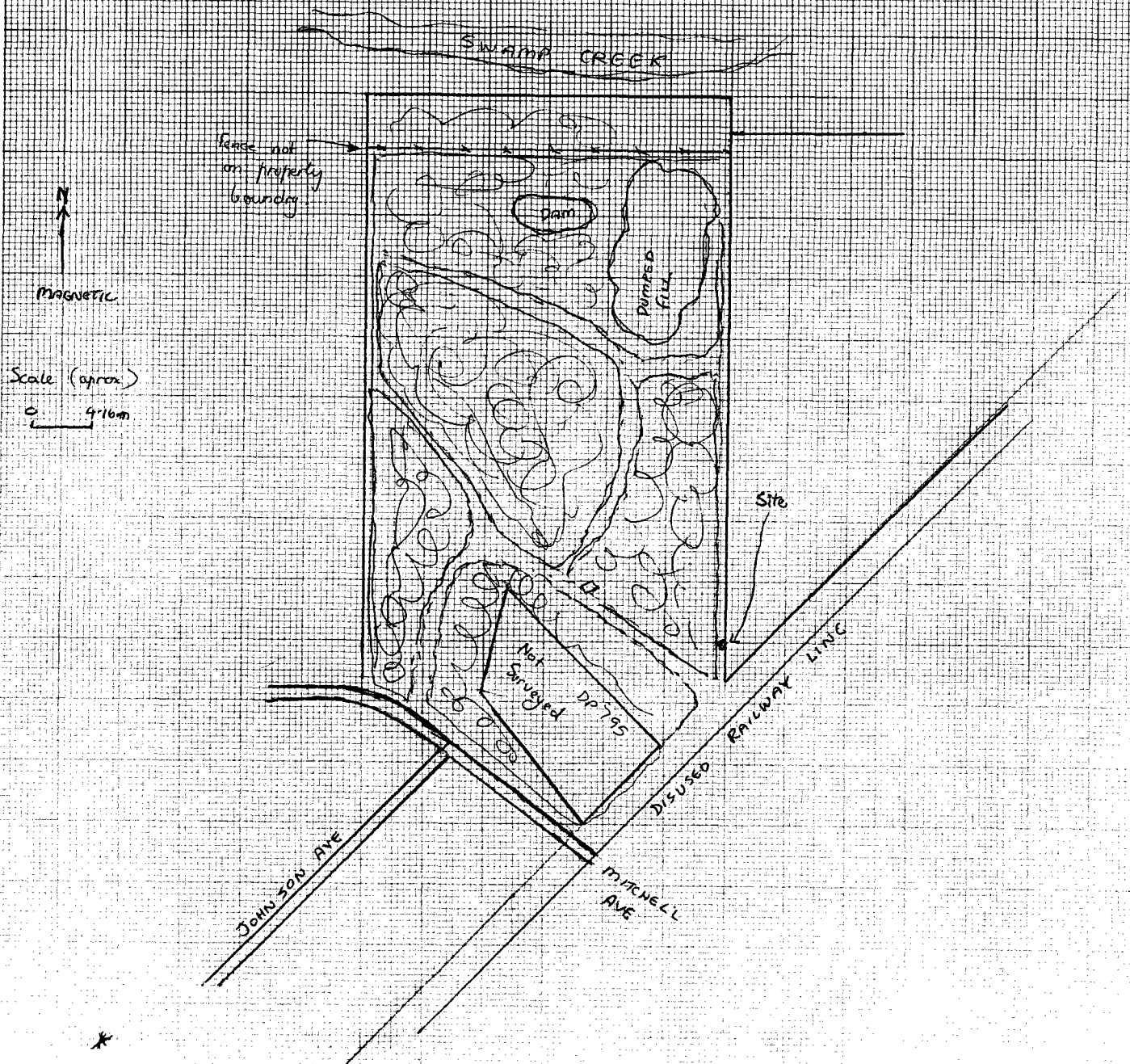


FIGURE 2

Aboriginal Site Recording Form

AHIMS Registrar
PO Box 1967, Hurstville 2220 NSW

AHIMS site ID: 37-6-3794

Date recorded: 02-11-2016

Site Location Information

Site name: Kurri Kurri SC01

Easting: 357447

Northing: 6369296

Coordinates must be in GDA (MGA)

Horizontal Accuracy (m):

10

Zone: 56

Location method:

Non-Differential GPS

Recorder Information

(The person responsible for the completion and submission of this form)

Title

Surname

First name

Mr.

Crisp

Andrew

Organisation: EMM Consulting

Address:

Ground Floor, Suite 01, 20 Chandos Street, St Leonards NSW 2065

Phone: 0294935300

E-mail:

acrisp@emmconsulting.com.au

Site Context Information

Land Form
Pattern:

Plain

Land Form
Unit:

Slope

Vegetation:

Cleared

Distance to
Water (m):

200

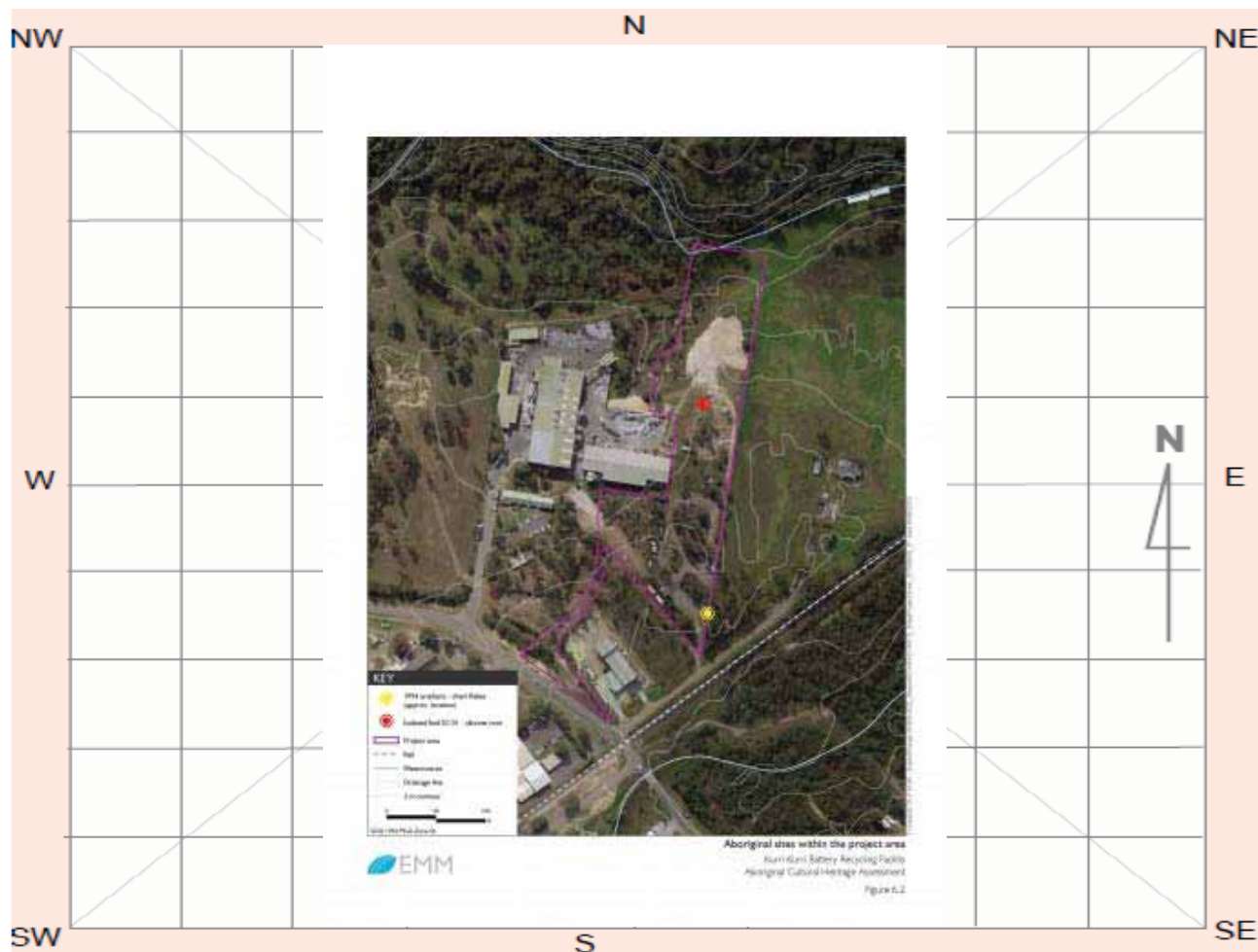
Primary
Report:

Aboriginal Cultural Heritage Report - Battery Recycling Facility (EMM 2016)

How to get
to the site:

Access through property of Weston Aluminium (129 Mitchell Avenue, Kurri Kurri) on the northern side of Mitchell Avenue to west of train line. Nearest access point to isolated find is off access road the runs along the western side of the railway line

Site location map



Site contents information

open/closed site:

Site condition:

Features:

1.

Number of features: Length of feature(s) extent (m): Width of feature (s) extent (m):

Scarred Trees			
Scar Depth (cm)	Regrowth (cm)	Scar Length (cm)	Scar Width (cm)
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Scar shape	<input type="text"/>		Tree Species
<input type="text"/>			

Description:

Site SC01 (isolated artefact - core) was located in a 2 m by 2 m disturbed exposure on a heavily modified gentle slope. To the south of the exposure were mounds of demolition rubble. The exposure was within, and in close association to, fill comprising of bricks and bonded ceramics.

Features:




2.







Number of features: Length of feature(s) extent (m): Width of feature (s) extent (m):

Scarred Trees			
Scar Depth (cm)	Regrowth (cm)	Scar Length (cm)	Scar Width (cm)
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Scar shape	<input type="text"/>		Tree Species
<input type="text"/>			

Description:




3. _____







Number of features	Length of feature(s) extent (m)	Width of feature (s) extent (m)
		

Scarred Trees			
Scar Depth (cm)	Regrowth (cm)	Scar Length (cm)	Scar Width (cm)
			
Scar shape	Tree Species		
			

--




4. _____






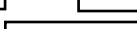
Number of features	Length of feature(s) extent (m)	Width of feature (s) extent (m)
		

Scarred Trees			
Scar Depth (cm)	Regrowth (cm)	Scar Length (cm)	Scar Width (cm)
			
Scar shape	Tree Species		
			

--

5.

Number of features	Length of feature(s) extent (m)	Width of feature (s) extent (m)
		

Scarred Trees			
Scar Depth (cm)	Regrowth (cm)	Scar Length (cm)	Scar Width (cm)
			
Scar shape	Tree Species		
			

--

Field survey confirmed that the project area is heavily disturbed as a result of at least two decades of vehicle movement, dumping, introduction of fill and leveling with small areas of exposure due to water run-off and vehicle movement.

Site photographs



Description:



Description:



Description:



Description:

Site restrictions

Do you want to Restrict this site?:

Restriction type:

Why is this site restricted?:

Further information contact

Title

Surname

First name

Organisation:

Address:

Phone: E-mail:



SYDNEY

Ground floor, Suite 01, 20 Chandos Street
St Leonards, New South Wales, 2065
T 02 9493 9500 F 02 9493 9599

NEWCASTLE

Level 5, 21 Bolton Street
Newcastle, New South Wales, 2300
T 02 4927 0506 F 02 4926 1312

BRISBANE

Level 4, Suite 01, 87 Wickham Terrace
Spring Hill, Queensland, 4000
T 07 3839 1800 F 07 3839 1866

