

NSW Department of Environment and Planning
Planning and Environment Officer
Coffs Harbour Bypass

Re: Submission – Environmental Impact Statement: Coffs Harbour Bypass (Aboriginal Cultural Heritage)

General Comments

As an Aboriginal community member, I agree with the corridor location, tunnels and ancillary areas for the Coffs Harbour Bypass.

Response to Aboriginal Cultural Heritage Report

The Aboriginal Cultural Assessment Report by BIOSIS Pty Ltd who conducted a survey and report in 2017 was inadequate. This report does not detail any information from Gumbaynggirr knowledge holders on highly significant cultural pathways, campsites and sensitive areas such as burials. No knowledge holders were contacted by BIOSIS for cultural information during this report.

BIOSIS during their survey in 2017 had selected areas for test (Potential Archaeological Deposits- PAD's) pits to be undertaken; this meant that many testing areas were determined without consulting the cultural knowledge holders. This also meant that these could not be included in the Kelleher/Nightingale Consulting report, which was completed in 2018.

The ongoing changes to the project boundary has affected the community's ability to accurately capture the cultural values across the project boundary area. The ongoing changes to the alignment and preferred design meant a fully informed decision concerning culture and heritage could not be done. To address this we request that mechanisms be included during the construction phase so the Aboriginal community can continue to protect Aboriginal heritage concerning this project.

Aboriginal Assessment of Corridor, Landscape and Connections

The Coffs Harbour basin, Western range and surrounding areas is the homeland of Gumbaynggirr creation. The highway corridor of which we approve will run through the most significant cultural values to Gumbaynggirr people within the dual highway construction from Nambucca Heads to the Clarence River.

All burials that were found on other road projects (Woogoolga to Ballina, Nambucca to Coffs Harbour) were found within close proximity to waterways or tributaries, previous examples are Corindi Creek and Boambee/ Bongil Bongil Creek to name a few.

The Coffs Harbour Bypass project boundary has a large number of creeks or tributaries due to the landscape formation. The majority of these locations are on creeks or a tributary system, which are areas with a high probability to contain burials. Therefore, it is highly likely that the project will encounter Aboriginal remains and burials. Such unexpected finds will need to be dealt with in a timely and sensitive manner. To address these we propose a number of recommendations. To ignore these recommendations is total neglect and failure of Aboriginal culture, and Australian history.

We, the Aboriginal community are committed to the participating in the construction of the Coffs Harbour Bypass, even with its impacts on our cultural dreamtime creation pathways, campsites, burials and all associated spiritual connection to Gumbaynggirr people. In return, we request our recommendations and conditions be applied to ensure the protection of Gumbaynggirr culture.

Conclusion

As Aboriginal community, we support the proposed EIS only with the inclusions of our recommendations/conditions. We request NSW Planning and Environment to include the following approval with conditions to the Environmental Impact Statement of the Coffs Harbour Bypass.

Condition for approval: Extensive Cultural and Community Salvage

As a community we are concerned that the report states 318 hectares of land is located within the corridor, of which only 60 square metres in total of excavation pits has been conducted a total 191 artefacts found within the 60 square meters. We feel that this investigation could have been more adequate given the area of the corridor. We also note that within the report; large areas of land could not be included due to vegetation coverage, meaning they could not be included for PAD's excavations test. The majority of these locations are on creeks or tributaries locations, which are areas that are highly likely to contain burials.

We request NSW Planning and Environment apply a condition to ensure the RMS undertake an extensive cultural and community salvage across the Bypass project boundary in partnership with the RAP's and Aboriginal community. To do this the following will need to be done:

- Work within project boundary defined within the EIS to undertake salvage and community collection for all area's with cultural material that exist within the project boundary
- RMS work with the RAP's/Aboriginal community to undertake salvage works across all 30 PAD's, not just the 6 PAD's identified for salvage by Kelleher/Nightingale
- RMS work in partnership with RAP's to undertake community collection/salvage in additional area's (on top of the 30 PAD's) within the project boundary

Condition of Approval: Aboriginal Cultural Compliance Safety Officers

Due to the inadequacy of the BIOSIS report, a large amount of cultural information was excluded and therefore not included in the Kelleher/Nightingale report. Additionally, a number of changes to the project boundary has also meant it has been difficult to assess cultural heritage and thus making the whole process inadequate. To address these inadequacies we recommend monitoring and salvage be undertaken during the construction phase. To do this we recommend the inclusion of Aboriginal Cultural Compliance Safety Officers to be key positions to address matters of Aboriginal Cultural Heritage. This will allow the officer to:

- Monitor excavation, salvage, community collection of all artefacts from all recorded pad sites
- Monitor soil stripping of all heavily vegetated areas which have value to Aboriginal Knowledge Holders
- Search, salvage, artefacts on any creek or tributary diversion or natural ground disturbance
- Search, salvage, artefacts on all bridge piling drilling
- Work with environmental officers on birds/animal boxes
- Participate in regeneration, employment, species selection
- Manage a compound area for salvage, collection of stone tools and artefacts for safety, until location for repatriation under biodiversity land negotiations with RMS
- Inspect, salvage any artefacts from fill or soil from outside project corridor
- Deliver cultural induction by RAP for all workers or personnel entering works corridor
- Assist RMS to create an educational book information on Gumbaynggirr people with emphasis on Cultural pathways, storylines within Coffs Harbour basin.

We request NSW Planning apply a condition to have Aboriginal Cultural Compliance Safety Officers as key positions as part of the project to ensure that as much Aboriginal cultural heritage is preserved and collected by the community, and to assist in a range of works to ensure the cultural integrity of the landscape within the project boundary. In particular to monitors work in and around tributaries which are heavily vegetated and likely to contain human remains.

Yours Sincerely,

CINDY HOSKINS