

Annex F

F. Aboriginal Cultural Heritage Management Plan

Appin Area 7 Longwalls 703 to 704 Goaf Gas Drainage Project

Aboriginal Cultural Heritage Management Plan and Monitoring Methodology

Report for BHP Billiton Illawarra Coal

May 2009

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ABBREVIATIONS

AHIMS	Aboriginal Heritage Information Management System
BHPBIC	BHP Billiton Illawarra Coal
DECC	NSW Department of Environment and Climate Change
DoP	NSW Department of Planning
DPI	NSW Department of Primary Industries

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SUMMARY

BHP Billiton Illawarra Coal (BHPBIC) commissioned Biosis Research to prepare an Aboriginal Cultural Heritage Management Plan (ACHMP) as identified in the Environmental Assessment (EA) for the Proposed Appin Area 7 Longwalls 703 to 704 Goaf Gas Drainage Project.

The initial and subsequent archaeological investigations undertaken across the proposed goaf gas drainage study area (Biosis Research 2004 and 2006) identified a total of one Aboriginal archaeological site within the proposed project Study Area; Mountbatten 1 (52-2-3674). This site will not be adversely affected by the proposed development. During the afore mentioned Biosis Research survey, the following Aboriginal sites were also identified; Moreton Park Road IA-1 (52-2-3671), Moreton Park Road IA-2 (52-2-3672) and Moreton Park Road OCS-1 (52-2-3673). These sites may be impacted by the proposed development

Biosis Research prepared an Archaeological and Cultural Heritage Impact Assessment (Biosis 2009) for the proposed project, and this report describes the ACHMP for the ongoing management of recorded Aboriginal archaeological sites, and identified areas of conservation within the proposed development footprint.

Through ongoing consultation, the ACHMP also details the inclusion of relevant Aboriginal stakeholders in the management of their cultural heritage, including archaeological sites and Aboriginal resources.

The ACHMP has been developed in consultation with the Tharawal Local Aboriginal Land Council, Cubbitch Barta Native Title Claimants Aboriginal Corporation and the Department of Environment and Climate Change (DECC).

1.0 INTRODUCTION

This Aboriginal Cultural Heritage Management Plan (ACHMP) outlines protocols for the recording and ongoing management of Aboriginal cultural heritage sites that may be relocated as part of the proposed Appin Area 7 Goaf Gas Drainage Project. The ACHMP is designed to support recommendations made as part of the Appin Area 7 Goaf Gas Drainage Cultural Heritage Report.

The methodology outlined in this document details the procedures that will be undertaken to conserve these sites.

1.1 Project Background

The initial environmental assessments for the Appin Area 7 (formerly Douglas Area 7) were undertaken in 2006 and formed part of the EIS (Environmental Impact Statement) submitted to the Department of Primary Industries (DPI). The extraction of Longwalls 701 and 702 is complete. To undertake the extraction of Longwall 703, coal seam methane must be drained to ensure the safety of mine operators.

An archaeological and cultural heritage assessment for the Goaf Gas Drainage Project was undertaken on 8 April and 7 May 2009 (Biosis Research). Subsequent to this, and in consultation with the relevant Aboriginal stakeholder groups, the current Aboriginal Cultural Heritage Management Plan was developed.

1.2 Objectives

The objectives of this ACHMP are to:

- Describe protocols for ongoing Aboriginal Community engagement.
- Establish methods for suitable recording.
- Propose management options for any sites that may be affected by the implementation of the goaf gas drainage project.

1.3 Consultation with the Aboriginal community

As part of the ACHMP, consultation with identified Aboriginal stakeholders with regard to managing archaeological sites and cultural heritage values within the proposed Appin Area 7 Goaf Gas Drainage Project Area will be ongoing throughout the duration of the project. It will continue to do so in respect to the following:

- The following organisations registered an interest in the Aboriginal Cultural Heritage Assessment Project for Douglas Area 7 as per the DECC *Part 6 Approvals – Interim Community Consultation Requirements for Applicants* in 2006 (Biosis Research 2006). These organisations are referred to below as the Aboriginal Stakeholders:

- Tharawal Local Aboriginal Land Council (via Lance Syme)
 - The Wadi Wadi Coomaditchie Aboriginal Corporation (via Allan Carriage)
 - Northern Illawarra Aboriginal Collective (NIAC – Chris Illert)
 - Cubbitch Barta Native Title Claimants Aboriginal Corporation (Glenda Chalker)
- Representatives of the Aboriginal community will be invited to participate in any active management of archaeological sites and objects, including consultation, salvage excavation and relocation.
 - Representatives of the Aboriginal community groups will be invited to participate in any active management of other materials of traditional significance.
 - Aboriginal community groups will be consulted regarding maintaining cultural values within the proposed projects extension landscape.
 - Systematic review of this Aboriginal Cultural Heritage Management Plan will be performed with the local Aboriginal stakeholder groups.

2.0 ABORIGINAL ARCHAEOLOGICAL CONTEXT

2.1 Previous Archaeological Investigations

This section summarises the previous archaeological survey that has been undertaken within the current Appin Area 7 Goaf Gas Drainage development footprint.

Biosis Research (2006) completed a large scale EIS project for the DPI approved Appin Area 7 (formerly known as Douglas Area 7) Longwalls 701-704 Subsidence Management Plan. This study included the southern section of the present Study Area. Due to high levels of previous archaeological work throughout the region, the study involved complimentary surveys and reassessment of previously recorded archaeological sites. The complimentary field assessment identified four new Aboriginal archaeological sites, all of which were stone artefact scatters, including Mountbatten 1 (52-2-3674).

Biosis Research (2009) undertook a Part 3A archaeological and cultural heritage assessment for the proposed Goaf Gas Drainage Project within Appin Area 7. It was during this survey that the Aboriginal archaeological sites Moreton Park Road IA-1 (52-2-3671), Moreton Park Road IA-2 (52-2-3672) and Moreton Park Road OCS-152-2-3673 that are part of this ACHMP were relocated.

3.0 BACKGROUND INFORMATION

The following section presents background and contextual information on each Aboriginal archaeological site derived from various archaeological surveys within Appin Area 7. The following site descriptions and condition assessments have been summarised from Biosis Research 2006, 2009a and 2009b reports.

The four Aboriginal archaeological sites that are considered as part of the Cultural Heritage Management Plan are listed in **Error! Reference source not found.** below.

Table 1: Cultural Heritage sites within the Appin Area 7 Goaf Gas Drainage Project Study Area.

<i>SITE NUMBER</i>	<i>SITE NAME</i>	<i>SITE TYPE</i>	<i>PAGE NO.</i>
52-2-3671	Moreton Park Road IA-1	Isolated Artefact	6
52-2-3672	Moreton Park Road IA-2	Isolated Artefact	7
52-2-3673	Moreton Park Road OCS-1	Open Camp Site	7
52-2-3674	Mountbatten 1	Open Camp Site	8

3.1.1 Moreton Park Road IA-1 (52-2-3671)

This site comprises of a single mudstone flake (refer Plate 1). The site was relocated in an exposure in undulating cleared farmland on private property on the eastern side of Moreton Park Road, Menangle NSW.

The area appears to have been used as a land fill at some stage as there were numerous sherds of modern glass and ceramic across the exposure. There were also Welsh ponies grazing in the adjoining paddocks; which would have caused surface disturbance in the area.



Plate 1: Dorsal surface of Moreton Park Road IA-1.



Plate 2: The exposure where Moreton Park Road IA-1 was relocated.

3.1.2 Moreton Park Road IA-2 (52-2-3672)

This site comprises of a single silcrete artefact on the crest of a hill that has been partly cut away for the development of the Hume Highway (refer Plates 3 and 4). The site was also located on the same private property as Moreton Park Road IA-1.

The artefact is a broken red silcrete flake (refer Plate 4); whose distal end has broken off. It has 50% cortex present and no evidence of retouch.

Again, this site is on an exposure of a highly disturbed nature as it lies right on the fence line; which has a telephone line running underneath it. There are also currently a number of Welsh ponies grazing within the paddock that surrounds this site.



Plate 3: Location of Moreton Park Road IA-2 note the cut and fill scar on the western side of the fence line where the telephone cable was emplaced.

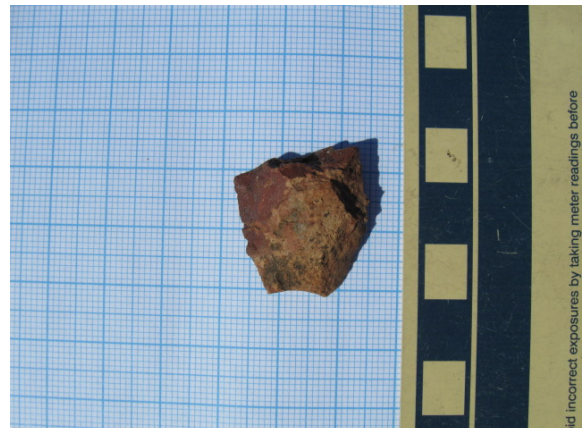


Plate 4: Dorsal surface of Moreton Park Road IA-2

3.1.3 Moreton Park OCS-1 (52-2-3673)

This site consists of two artefacts and was relocated in an exposure in undulating cleared farmland on private property on the eastern side of Moreton Park Road, Menangle NSW.

Again this site is quite close to the fence line that has been disturbed by the emplacement of the telephone cable.

The first artefact was made from a dark orange silcrete and is a large intact flake measuring 174.1 mm x 65.5 mm x 25.1 mm (refer Plate 5). The flake has evidence of retouch, and there are several scars where previous flakes have been removed. The second artefact (refer Plate 5) was located approximately five metres from the first and is a light grey mudstone artefact measuring 34.5 mm x 24.1 mm x 10.3 mm, with retouch on the dorsal edge and one previous flake scar.



Plate 5: Both artefacts from Moreton Park Road OCS-1

3.1.4 Mountbatten 1 (52-2-3674)

This site was identified originally during archaeological surveys for the Appin Area 7 Longwalls 701-704 Subsidence Management Plan (Biosis Research 2006a). This site comprises an isolated stone artefact exposed in the scald of an existing farm vehicle track on the saddle, on the lower slopes of the eastern ridge line of Spaniards Hill. The track appears to have been used continuously, causing some disturbance along its length (refer Plate 7). The site consists of one multi-directional tuff core (refer Plate 11). No further cultural material was identified and due to the high levels of ground surface visibility, it is unlikely that further stone artefacts will occur here.

During the 2008 survey a further two artefacts were exposed these consisted of two chert flakes. One is a complete flake with retouch, made from a light grey chert (refer Plate 9), whilst the second is the distal end of a yellow chert, that appears to have faded in sections due to sun exposure (refer Plate 10). This second flake does not have any retouch.



Plate 6: Western view of exposure where artefacts were relocated.



Plate 7: Southern end of exposure where artefacts identified. Note the vehicle tracks.



Plate 8: Exposure where the artefacts were identified during the survey conducted on 28th November 2008 by Biosis Research.



Plate 9: Dorsal side of light grey chert silcrete artefact with evidence of retouch.



Plate 10: Dorsal side of yellow chert broken flake with evidence of fading of artefact colour.



Plate 11: Original multi directional tuff core identified during Biosis Research's 2006. The picture was taken during the areas resurvey in 2008.

4.0 ARCHAEOLOGICAL ACTIVITIES

The archaeological methodology proposed below has been devised in light of the landform attributes, the results of the archaeological survey that have been undertaken previously on the Study Area. This has been undertaken in consultation with the relevant Aboriginal stakeholders.

4.1.1 Conservation of known areas of sensitivity containing cultural material

Mountbatten 1 (52-2-3674) will remain undisturbed and will be avoided by the proposed Goaf Gas Drainage development footprint.

This area will be temporally fenced prior to the commencement of any ground disturbance works to remain undisturbed for the life of the development of the Appin Area 7 Goaf Gas Drainage project.

4.1.2 Collection and Relocation of Identified Aboriginal Objects

The Aboriginal Objects shall be collected using the following methodology:

- each site will be photographed, its location recorded using GPS and additional information recorded as appropriate;
- the Archaeologist and relevant Aboriginal stakeholders will collect the surface Aboriginal Objects from each site which may be impacted;
- the collected Aboriginal Objects will be bagged and temporarily stored in a locked cabinet located at Biosis Research offices in Wollongong;
- upon completion of archaeological works under this ACHMP, the Archaeologist will analyse (see methodology outlined below) the Aboriginal Objects as part of the requirements for this ACHMP;
- following completion of the analysis requirements, collected Aboriginal Objects will be relocated to an appropriate location on-site – generally within close proximity to the original location. New co-ordinates for the relocated material will be taken using a hand-held GPS and the information gathered will be used to update the existing AHIMS Site Cards and resubmitted to DECC.

4.1.3 Topsoil Stripping - Procedure for previously undiscovered Aboriginal Objects

If, during topsoil and surface stripping for the proposed project, an Aboriginal Object is discovered, the following will occur:

- all works within the immediate vicinity should cease until the Aboriginal Object(s) can be assessed and collected for further analysis;

- the extent and significance of the Aboriginal Object(s) will be assessed, recorded and collected. Topsoil and surface stripping may continue immediately after collection;
- the Aboriginal Object(s) will be relocated, following analysis by a qualified archaeologist, to an appropriate location at the completion of works.

Aboriginal Objects considered to be culturally significant should be assessed by an archaeologist and the cultural values determined by the Aboriginal stakeholder groups.

Should any of these Aboriginal Object(s) be deemed culturally significant, then further investigation with a qualified archaeologist should be undertaken to determine the need for further archaeological investigation. If the Aboriginal Object(s) are not regarded to be significant, these will be collected for analysis, and relocated accordingly.

4.1.4 Discovery of Human Remains

If during the course of construction works Human Remains are uncovered, the following procedure should be followed:

- Inform BHP Billiton Illawarra Coal (BHPBIC) of the find and cease all works within the vicinity of the remains. Do not further disturb or remove any of the remains.
- Inform the Local Police and DECC.
- If the remains are determined to be Aboriginal, then following DECC advice the traditional owners should be informed of their discovery. Detailed excavation of the skeletal remains and any associated Aboriginal Objects should be undertaken by a suitably qualified archaeological or physical anthropologist with the required experience and expertise for Aboriginal remains.
- The repatriation of the remains should then be left up to the Aboriginal stakeholders who will determine a suitable location nearby. It would be preferable if such remains could be repatriated to within the identified areas of Conservation.

4.1.5 Analysis of Aboriginal Objects

Any artefacts recovered from the procedures described above will be collected and analysed. The analysis will be designed to describe stone tool technology and typology. Dependent on assemblage size the analysis will also attempt to expand and refine regional descriptions and predictive modelling. This will also naturally allow the analysis to provide information on the types of activities undertaken in the past within the study area. The analysis will include details of stone type, manufacturing techniques and varieties of tool types. As there has previously been only limited archaeological work in the region, this will enable a baseline reference for comparison against future excavations in the region.

Consultation with Tharawal Local Aboriginal Land Council and Cubbitch Barta Native Title Claimants Aboriginal Corporation is currently being undertaken to determine an appropriate Care Agreement for relocation or storage of any artefacts recovered after the completion of the works.

4.2 Contingency Triggers and Management Responses

Any contingent management strategies will be developed in consultation with the identified Aboriginal communities, BHP Billiton Illawarra Coal and DECC.

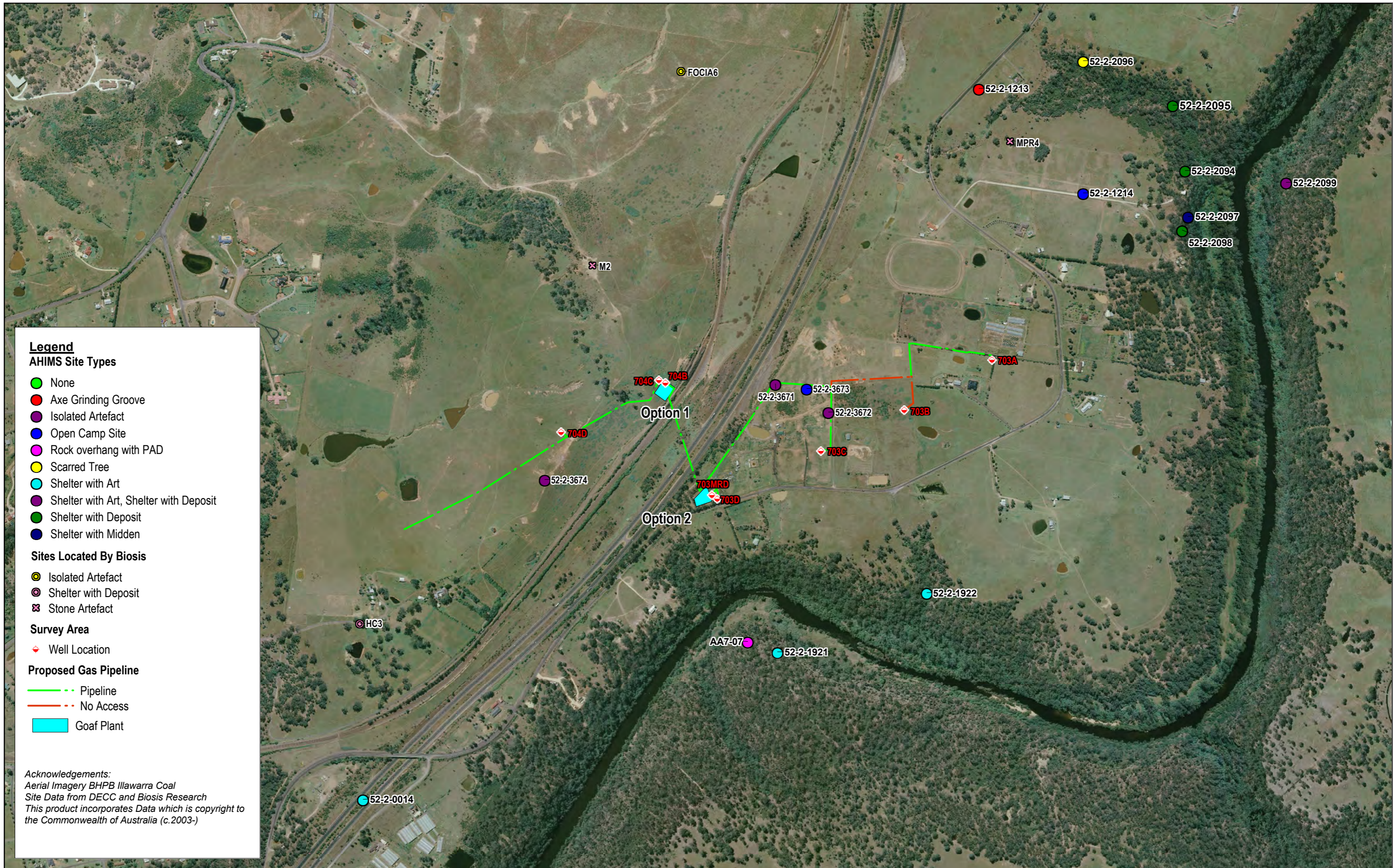
Management strategies will be implemented in accordance with current conservation practice and the conservation principles contained within the Australia International Council on Monuments and Sites (ICOMOS) *Burra Charter*, and the NSW DECC *Guidelines for Aboriginal Heritage Impact Assessment* (Draft) and the *Aboriginal Cultural Heritage Standards and Guidelines Kit*. The advice of the identified Aboriginal communities regarding appropriate management methodologies will form an integral part of the development of the management strategies.

5.0 PROCESS REVIEW AND DOCUMENTATION

This ACHMP will be reviewed:

- In conjunction with the EA for the Appin Area 7 Longwalls 703 to 704 Goaf Gas Drainage Project.
- At anytime with the mutual agreement of the Tharawal Local Aboriginal Land Council, Cubbitch Barta Native Title Claimants Aboriginal Corporation and BHP Billiton Illawarra Coal.

FIGURES



Legend

AHIMS Site Types

- None
- Axe Grinding Groove
- Isolated Artefact
- Open Camp Site
- Rock overhang with PAD
- Scarred Tree
- Shelter with Art
- Shelter with Art, Shelter with Deposit
- Shelter with Deposit
- Shelter with Midden

Sites Located By Biosis

- Isolated Artefact
- Shelter with Deposit
- Stone Artefact

Survey Area

- Well Location

Proposed Gas Pipeline

- Pipeline
- No Access
- Goaf Plant

*Acknowledgements:
Aerial Imagery BHPB Illawarra Coal
Site Data from DECC and Biosis Research
This product incorporates Data which is copyright to
the Commonwealth of Australia (c.2003-)*

Figure 4: All recorded Aboriginal sites recorded within the present Study Area

Figure 4: All recorded Aboriginal sites recorded within the present Study Area

Date: 08 May 2009	
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Location: ..5000\5300s\5310\Mapping\S5310 F4 Sites.WOR	

Scale: 0 0.1 0.2 0.3 0.4 0.5 kilometres

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APPENDICES

APPENDIX 1

A1. Consultation Log

Aboriginal Group	Type of Consultation	Date/Time of Consultation	Response
Pre-field work			
Wadi Wadi Coomaditchie Aboriginal Corporation	DEC Part 6 advertisement in local newspapers	November 2005	No verbal or written response was received
Gandungara People	DEC Part 6 advertisement in local newspapers	November 2005	No verbal or written response was received
Tharawal Local Aboriginal Land Council	DEC Part 6 advertisement in local newspapers	November 2005	No verbal or written response was received
Northern Illawarra Aboriginal Collective (NIAC)	DEC Part 6 advertisement in local newspapers	November 2005	No verbal or written response was received
Cubbitch Barta Native Title Claimants	DEC Part 6 advertisement in local newspapers	November 2005	Registered an interest via written response on the 16 November 2005
Wadi Wadi Coomaditchie Aboriginal Corporation	Douglas Area 7 Survey Methodology forwarded via mail	9 December 2005	No verbal or written response was received
Gandungara People	Douglas Area 7 Survey Methodology forwarded via mail	9 December 2005	No verbal or written response was received
Tharawal Local Aboriginal Land Council	Douglas Area 7 Survey Methodology forwarded via mail	9 December 2005	No verbal or written response was received
Northern Illawarra Aboriginal Collective (NIAC)	Douglas Area 7 Survey Methodology forwarded via mail	9 December 2005	No verbal or written response was received

Cubbitch Barta Native Title Claimants	Douglas Area 7 Survey Methodology forwarded via mail	9 December 2005	No verbal or written response was received
Field Survey Requests (Initial Survey)			
Wadi Wadi Coomaditchie Aboriginal Corporation	Fax sent requesting field representative participation in survey	31 January 2006	No verbal or written response was received
Gundungara People	Phone call to arrange participation in fieldwork	30 January 2006	At this stage, Gundungara representatives were not available for initial survey and agreed that they would be involved in any future survey work
Tharawal Local Aboriginal Land Council	Phone call to arrange participation in fieldwork	30 January 2006	Confirmation of availability of a representative to participate in the field survey
Northern Illawarra Aboriginal Collective (NIAC)	Fax sent requesting field representative participation in survey	31 January 2006	No verbal or written response was received
Cubbitch Barta Native Title Claimants	Phone call to arrange participation in fieldwork	30 January 2006	Confirmation of availability of a representative to participate in the field survey
Field Survey Requests (Ongoing Survey)			
Wadi Wadi Coomaditchie Aboriginal Corporation	Fax sent requesting field representative participation in survey	24 May 2006	Responded via fax to confirm involvement in field survey of previously inaccessible properties
Gundungara People	Phone call to arrange participation in fieldwork	25 May 2006	No verbal or written response was received
Tharawal Local Aboriginal Land Council	Fax and phone call to arrange participation in fieldwork	25 May and 21 June 2006	Responded via telephone to confirm field work dates
Northern Illawarra Aboriginal Collective (NIAC)	Fax sent requesting field representative participation in survey	24 May 2006	Responded via fax to confirm involvement in field survey of previously inaccessible properties
Cubbitch Barta Native Title Claimants	Phone call to arrange participation in fieldwork	25 May and 21 June 2006	Responded via telephone to confirm field work dates

Field Survey Requests (Final Survey)			
Wadi Wadi Coomaditchie Aboriginal Corporation	Fax sent requesting field representative participation in survey via NIAC	14 August 2006	Responded via fax to confirm involvement in field survey of previously inaccessible properties
Gandungara People	Fax sent requesting field representative participation in survey via NIAC	14 August 2006	Responded via fax to confirm involvement in field survey of previously inaccessible properties
Tharawal Local Aboriginal Land Council	Fax sent requesting field representative participation in survey	14 August 2006	Responded via fax to confirm involvement in field survey of previously inaccessible properties
Northern Illawarra Aboriginal Collective (NIAC)	Fax sent requesting field representative participation in survey	14 August 2006	Responded via fax to confirm involvement in field survey of previously inaccessible properties
Cubbitch Barta Native Title Claimants	Phone call to request field representative for this field work	14 August 2006	Responded immediately to confirm representative to be involved in field work
Final Draft Report Comments			
Wadi Wadi Coomaditchie Aboriginal Corporation	Copy of Final Draft report sent via post for comment	September 2006	No response received
Gandungara People	Copy of Final Draft report sent via post for comment	September 2006	No response received
Tharawal Local Aboriginal Land Council	Copy of Final Draft report sent via post for comment	September 2006	No response received
Northern Illawarra Aboriginal Collective (NIAC)	Copy of Final Draft report sent via post for comment	September 2006	No response received
Cubbitch Barta Native Title Claimants	Copy of Final Draft report sent via post for comment	September 2006	No response received



THARAWAL LOCAL ABORIGINAL LAND COUNCIL

Gibbergunyah (Formerly Stonequarry Lodge)
50 Matthews Lane, Picton NSW 2571

Biosis Research
Renee Regal
8 Tate Street,
WOLLONGONG NSW 2500

26th of May 2009

Re: The proposed Goaf Gas Drainage, Douglas Park

Dear Renee,

I have read report 1 and report 2 on the Goaf Gas drainage project at Douglas Park and I am pleased with your recommendations for Aboriginal sites to be avoided if possible. However I am aware that there are a couple of sites that will be affected by the proposed Gas project and I was relieved that you recommended fencing the area off and also the possible collection of artefacts till the work is completed and the re-dispersal of artefacts back in the original area after completion of the Goaf Gas project.

I support your recommendations.

Donna Whillock
Cultural and Heritage Representative
Tharawal Local Aboriginal Land Council

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