

VICKERY EXTENSION PROJECT

ENVIRONMENTAL IMPACT STATEMENT

APPENDIX G

ABORIGINAL CULTURAL HERITAGE ASSESSMENT

Aboriginal Cultural Heritage Assessment for the Vickery Extension Project in the Gunnedah and Narrabri Shires, New South Wales



A report to

Whitehaven Coal Limited

Prepared by

Dr Matthew Whincop
Whincop Archaeology Pty Ltd

August 2018

Executive Summary

Whitehaven Coal Limited (Whitehaven) is seeking approval from the New South Wales (NSW) Minister for Planning for a new Development Consent under Part 4 of the NSW *Environmental Planning and Assessment Act, 1979* for the Vickery Extension Project (the Project).

The Project is located in the Gunnedah Coalfield, some 25 kilometres north of Gunnedah within the Gunnedah Shire Council and Narrabri Shire Council Local Government Areas, in NSW. The Project would involve the extension of open cut mining operations at the approved, but yet to be constructed, Vickery Coal Project (herein referred to as the Vickery Extension project [the Project]). This would include a physical extension to the approved Vickery Coal Project footprint to gain access to additional run-of-mine (ROM) coal reserves, an increase in the footprint of waste rock emplacement areas, an increase in the approved ROM coal mining rate and construction and operation of the Project Coal Handling and Preparation Plant, train load-out facility and rail spur.

Dr Matthew Whincop from Whincop Archaeology was commissioned by Whitehaven to prepare an Aboriginal Cultural Heritage Assessment (ACHA) for the Project. This report presents an assessment of the Aboriginal cultural heritage related issues for the Project in accordance with the general requirements of the Secretary's Environmental Assessment Requirements for State Significant Development, clause 80C of the NSW *National Parks and Wildlife Regulation, 2009* and various guidelines, including the NSW Office of Environment and Heritage (OEH) policy *Aboriginal cultural heritage consultation requirements for proponents 2010* and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*.

A large portion of the area investigated for the assessment has been subjected to intensive disturbance over the past 150 years, mainly associated with the agricultural and pastoral uses of the land and localised historic mining activity, which has variously impacted upon the survival of Aboriginal cultural heritage sites.

A search of the NSW Office of Environment and Heritage Aboriginal Heritage Information Management System was undertaken to characterise and identify the presence of previously assessed Aboriginal cultural heritage sites within the Study Area (i.e. the VEP Investigation Area and the approved Vickery Coal Project area, including the approved private haul road and Kamilaroi Highway overpass, with a 1 km buffer).

Vickery Coal Project – Approved Impacts

Forty (40) Aboriginal cultural heritage sites were identified for the approved Vickery Coal Project during the approved Vickery Coal Project ACHA (Landskape, 2012).

Thirty-one (31) of the sites identified during the approved Vickery Coal Project ACHA are approved for impacts, subject to the conditions of Development Consent SSD-5000 for the approved Vickery Coal Project. The approved impacts for these sites would remain unchanged for the Project (i.e. there would be the same level of impact for the Project as was previously assessed in the approved Vickery Coal Project ACHA).

One (1) grinding groove site identified during the approved Vickery Coal Project ACHA ('Wilga' – AHIMS 20-4-0009) was previously assessed as being subject to potential indirect impacts due to blasting.

Vickery Extension Project

A total of twenty-four (24) Aboriginal cultural heritage sites are located within the VEP Investigation Area, and are all diffuse, low-density scatters or isolated finds of stone artefacts. All the Aboriginal cultural heritage sites within the VEP Investigation Area are of low or low-moderate scientific significance. One (1) site of moderate scientific significance is located adjacent to the northern borefield ('Whitehaven Driggle Draggle Creek' – AHIMS 20-4-0013); however, it would likely not be impacted by the Project. It is noted that the Registered Aboriginal Parties consider all Aboriginal cultural heritage sites to be of cultural value, regardless of the site's context, extent or site type.

Potential indirect impacts to the grinding groove site ('Wilga' – AHIMS 20-4-0009) due to blasting for the Project have been considered in this ACHA.

Monitoring and Management

Based on the results of this assessment, it is therefore recommended that:

- Whitehaven should coordinate and implement the management strategies described in Section 12 of this report (including relevant monitoring and management measures previously described in the approved Vickery Coal Project ACHA) by integrating them into the Heritage Management Plan that would be developed for the Project. The Heritage Management Plan should remain active for the life of the Project and define the tasks, scope and conduct of all Aboriginal cultural heritage management activities. The Heritage Management Plan should be developed in consultation with the Registered Aboriginal Parties.

- In the unlikely event that human skeletal remains are encountered during the course of the development associated with the Project, all work with the potential to impact the remains must cease. Remains must not be handled or otherwise disturbed, except to prevent further disturbance. The Police or State Coroner's Office must be notified. If the Police or State Coroner's Office advise that there is potential for the skeletal remains to be that of an Aboriginal person, Whitehaven should contact the OEH's Environmental Line for advice. If an Aboriginal burial is encountered, strategies for its management would need to be developed in consultation with the local Aboriginal community.
- Whitehaven should provide training to all on-site personnel and contractors regarding the known Aboriginal cultural heritage sites, relevant to their employment tasks.
- Whitehaven should continue to involve the Registered Aboriginal Parties and any other relevant Aboriginal community groups or members in relevant matters pertaining to the Project.

An initial draft of this ACHA was provided to the Registered Aboriginal Parties for their review and comment in March/April 2016. Subsequent to this review, and following further detailed planning and design, the rail corridor proposed for the Project was augmented and an additional investigation of the rail corridor undertaken. Accordingly, in December 2016, a revised draft of this Aboriginal Cultural Heritage Assessment was provided to the revised Registered Aboriginal Parties for their review and comment in December 2016. Following review of the revised draft in December 2016 to February 2017, and following further detailed planning and design, the rail corridor proposed for the Project was further augmented and changes to the mine layout were made. This ACHA has been revised to reflect the currently proposed aspects of the Project.

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Abbreviations

AACHMP	Aboriginal Archaeology Cultural Heritage Management Plan
ACHA	Aboriginal Cultural Heritage Assessment
AHD	Australian Height Datum
AUTH	Authorisation
CHPP	Coal Handling and Preparation Plant
CL	Coal Lease
the Code	<i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i> (DECCW, 2010b)
Consultation Guidelines	<i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> (DECCW, 2010a)
EIS	Environmental Impact Statement
EL	Exploration Licence
GSV	Ground Surface Visibility
GPS	Global Positioning System
MLA	Mining Lease Application
ML	Mining Lease
NSW	New South Wales
OEH	NSW Office of Environment and Heritage
RAP	Registered Aboriginal Party
ROM	Run-of-Mine
SA	Survey Area
SEARs	Secretary's Environmental Assessment Requirements
SU	Survey Unit
UQCHU	University of Queensland Culture and Heritage Unit
VEP Investigation Area	Vickery Extension Project Investigation Area – those areas directly associated with the Project which are located outside the extent of the approved Vickery Coal Project

1 INTRODUCTION

1.1 Background and Overview

The former Vickery Coal Mine and the former Canyon Coal Mine are located approximately 25 kilometres (km) north of Gunnedah, within the Gunnedah Shire Council and the Narrabri Shire Council Local Government Areas (LGAs) in New South Wales (NSW) (Figure 1). Open cut and underground mining activities were conducted at the former Vickery Coal Mine between 1986 and 1998. Open cut mining activities at the former Canyon Coal Mine ceased in 2009. The former Vickery and Canyon Coal Mines have been rehabilitated following closure.

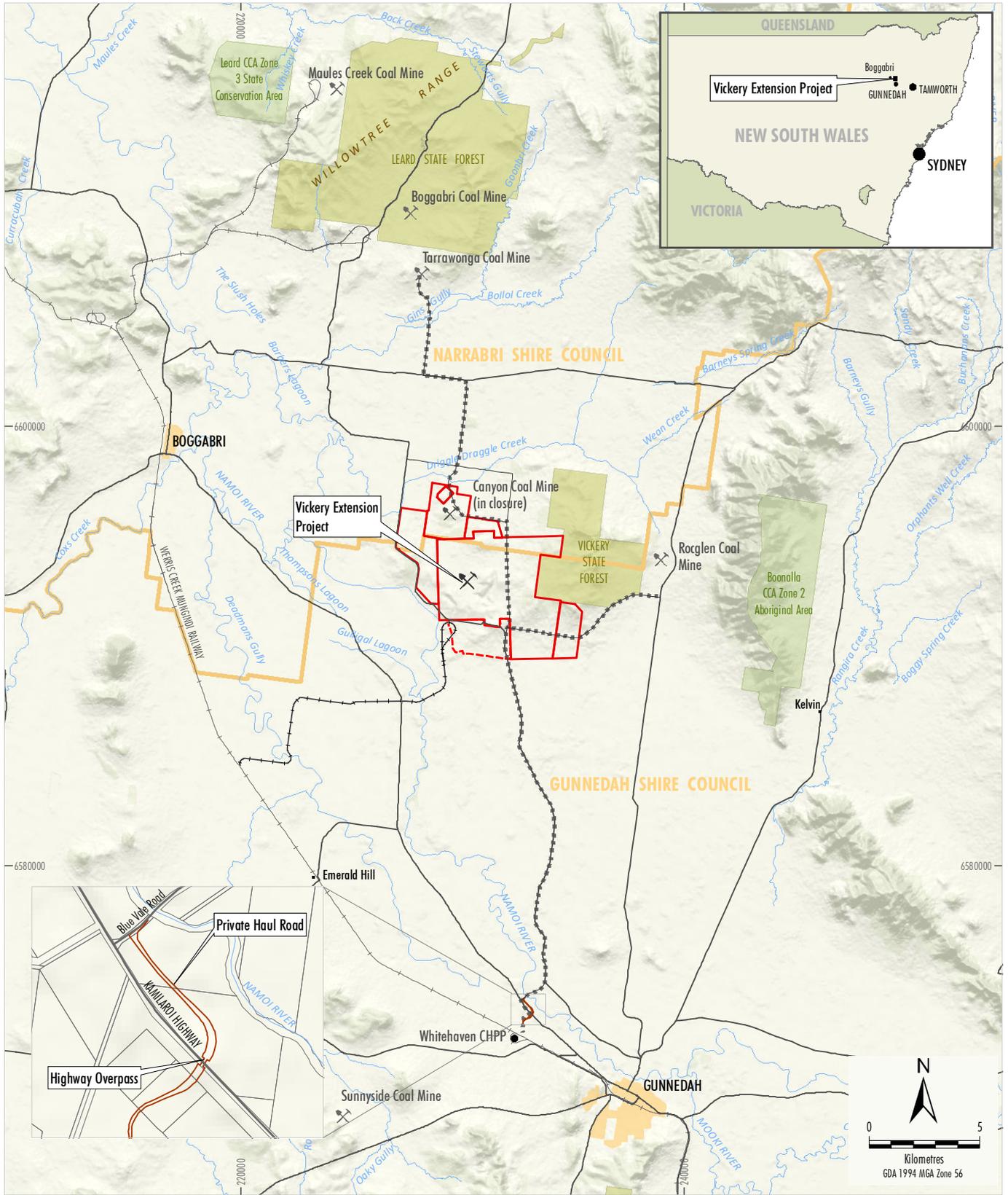
The Vickery Coal Project is an approved, but yet to be constructed, project involving the development of an open cut coal mine and associated infrastructure, and would facilitate a run-of-mine (ROM) coal production rate of up to approximately 4.5 million tonnes per annum (Mtpa) for a period of 30 years. The layout of the approved Vickery Coal Project is presented in Figure 2.

Whitehaven Coal Limited (Whitehaven) is seeking a new Development Consent for extension of open cut mining operations at the Vickery Coal Project (herein referred to as the Vickery Extension Project [the Project]) (Figures 3a and 3b). This would include a physical extension to the Vickery Coal Project footprint to gain access to additional ROM coal reserves, an increase in the footprint of waste rock emplacement areas, an increase in the approved ROM coal mining rate and construction and operation of the Project Coal Handling and Preparation Plant (CHPP), train load-out facility and rail spur. This infrastructure would be used for the handling, processing and transport of coal from the Project, as well as for other Whitehaven mining operations.

This assessment considers the cumulative impacts of the approved Vickery Coal Project and the Project. This assessment relies on the results of the approved Vickery Coal Project Aboriginal Cultural Heritage Assessment (ACHA) as well as the results of new archaeological investigations undertaken for the Project.

1.2 Study Purpose and Objectives

The Secretary's Environmental Assessment Requirements (SEARs) for State Significant Development were issued for the Project on 19 February 2016 and updated on 19 July 2018. In regard to Aboriginal heritage, the SEARs state that the Environmental Impact Statement (EIS) for the Project must include an assessment of the likely Aboriginal and historic heritage (cultural and archaeological) impacts of the development, having regard to the NSW Office of Environment and Heritage's (OEH) requirements.



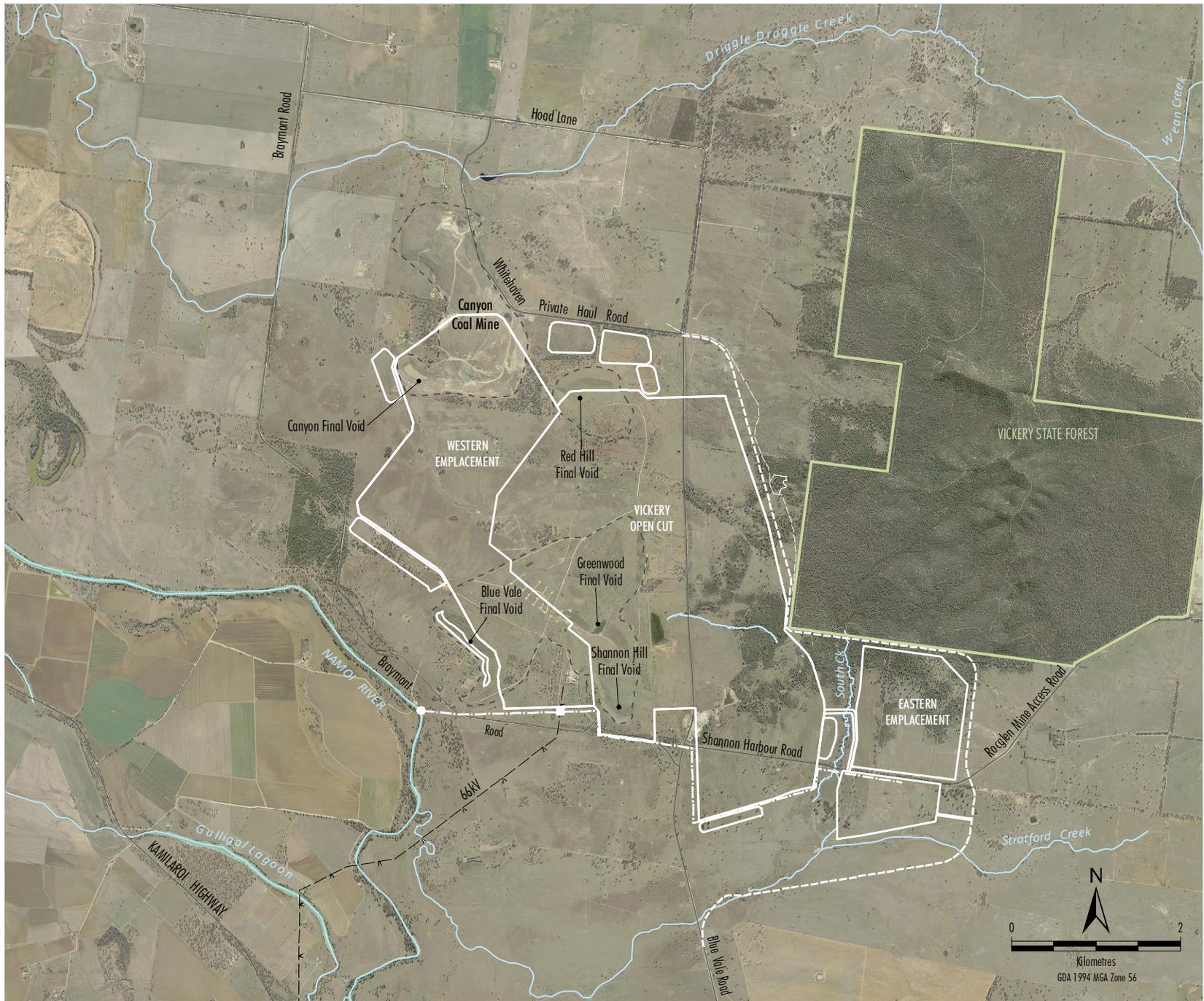
WHIC15-38_Amp_ACHA_201E

- LEGEND**
- Mining Tenement Boundary (ML and CL)
 - Mining Lease Application (MLA)
 - Local Government Boundary
 - State Forest
 - State Conservation Area, Aboriginal Area
 - Major Roads
 - Railway
 - Approved Road Transport Route
 - Indicative Project Rail Spur

WHITEHAVEN COAL
VICKERY EXTENSION PROJECT
Project Location

Source: LPMA - Topographic Base (2010); NSW Department of Industry (2015)

Figure 1



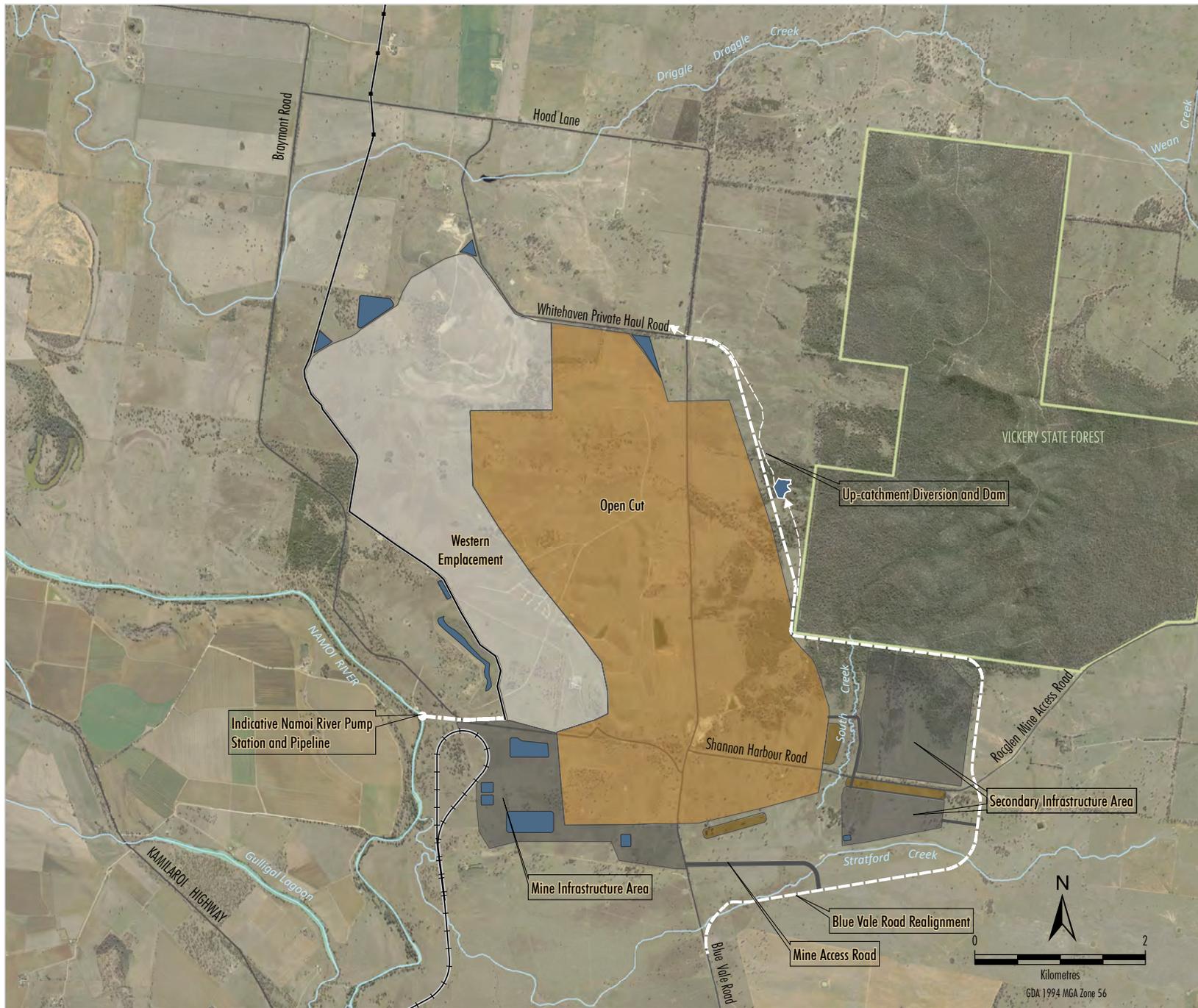
- LEGEND**
- State Forest
 - Existing 66kV Powerline
 - Historic Mining Area
 - Indicative Extent of Vickery Coal Project
 - Road Realignment
 - Up-catchment Diversion
 - Pipeline and Powerline Corridor

Source: Orthophoto - Department of Land and Property Information, Aerial Photography Flown (July 2011); Department of Industry (2015)



VICKERY EXTENSION PROJECT
Approved Vickery Coal Project
General Arrangement

Figure 2



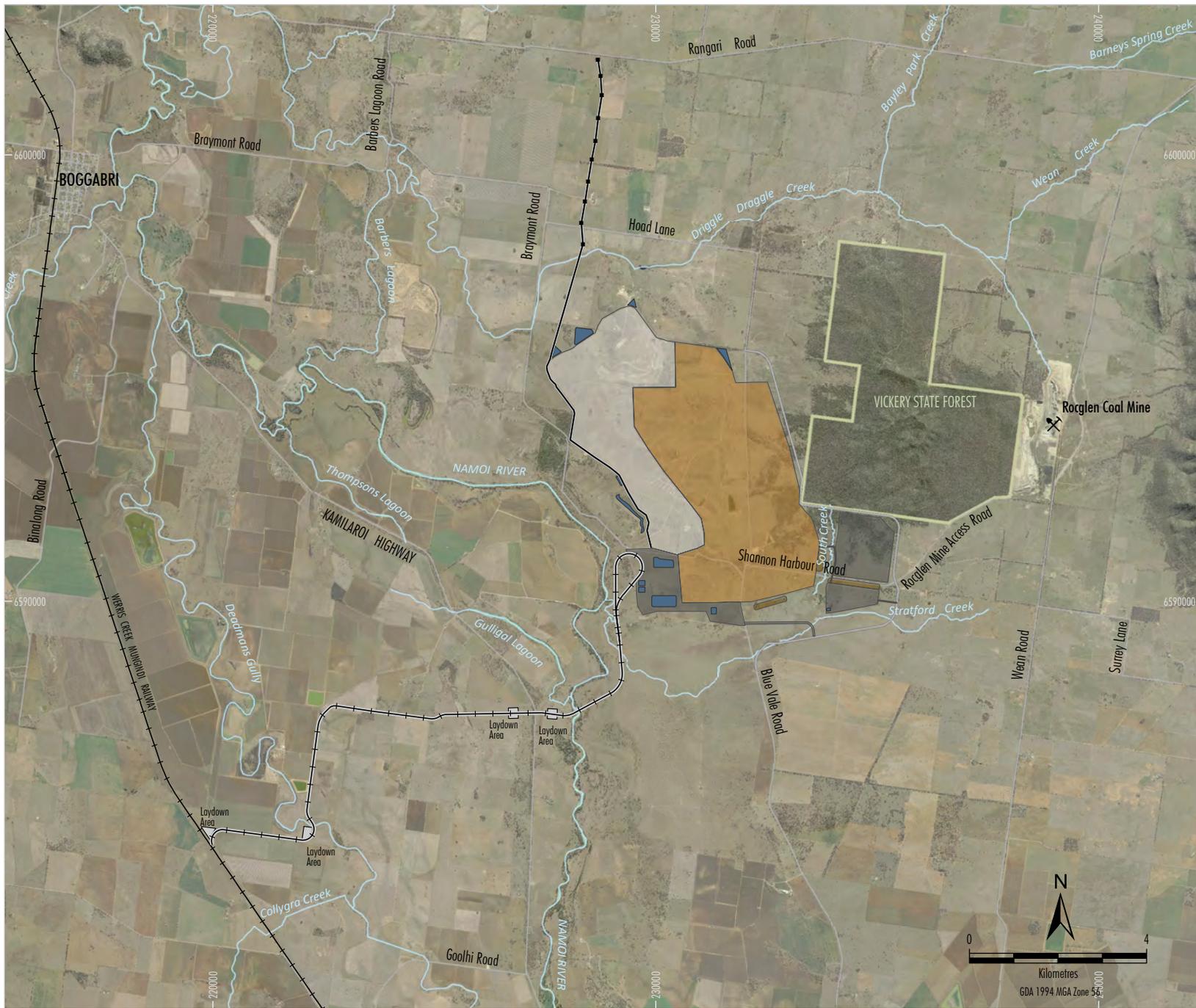
- LEGEND**
- State Forest
 - Project Components**
 - Indicative Extent of Open Cut
 - Indicative Extent of Out of Pit Waste Rock Emplacement
 - Indicative Extent of Infrastructure Area
 - Indicative Extent of Soil Stockpile
 - Indicative Extent of Water Storage
 - Indicative Mine Access Road Alignment
 - Indicative Namoi River Pump Station and Pipeline
 - Indicative Road Realignment
 - Indicative Up-catchment Diversion and Dam Location
 - Indicative Rail Spur Alignment
 - Indicative Location of Groundwater Bores and Pipeline

Source: Orthophoto - Department of Land and Property Information, Aerial Photography (July 2011); Department of Industry (2015); Essential Energy (2015)



VICKERY EXTENSION PROJECT
 Project General Arrangement -
 Project Mining Area

Figure 3a



- LEGEND**
- State Forest
 - Railway
- Project Components**
- Indicative Extent of Open Cut
 - Indicative Extent of Out of Pit Waste Rock Emplacement
 - Indicative Extent of Infrastructure Area
 - Indicative Extent of Soil Stockpile
 - Indicative Extent of Water Storage
 - Indicative Mine Access Road Alignment
 - Indicative Rail Spur Alignment
 - Indicative Location of Groundwater Bores and Pipeline
 - Indicative Road Realignment

Source: Orthophoto - Department of Land and Property Information, Aerial Photography (July 2011); Department of Industry (2015)



VICKERY EXTENSION PROJECT
Indicative Rail Spur Alignment and
Groundwater Bore Locations

Figure 3b

Dr Matthew Whincop of Whincop Archaeology Pty Ltd was commissioned by Whitehaven to prepare an ACHA for the Project in accordance with the SEARs, clause 80C of the NSW *National Parks and Wildlife Regulation, 2009* and the following guidelines:

- *Aboriginal cultural heritage consultation requirements for proponents 2010* (Consultation Guidelines) (NSW Department of Environment, Climate Change and Water [DECCW], 2010a);
- *Aboriginal Cultural Heritage: Standards and Guidelines Kit* (NSW National Parks and Wildlife Service, 1997);
- *Ask First: A Guide to Respecting Indigenous Heritage Places and Values* (Australian Heritage Commission, 2002);
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code) (DECCW, 2010b);
- *Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation* (NSW Department of Environment and Conservation, 2005);
- *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW, 2010c);
- *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH, 2011);
- *National Parks and Wildlife Act 1974: Part 6 Approvals – Interim Community Consultation Requirements for Applicants* (NSW Department of Environment and Climate Change, 2004);
- *NSW Minerals Industry Due Diligence Code of Practice for the Protection of Aboriginal Objects* (NSW Minerals Council, 2010);
- *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* (Australia International Council on Monuments and Sites [ICOMOS], 2013); and
- *Engage Early* (Commonwealth Department of Environment and Energy, 2016).

The objectives and aims of this assessment are to:

- Assess and consider previous archaeological assessments and investigations undertaken within the Study Area and surrounds (including the ACHA previously prepared for the approved Vickery Coal Project).
- Consider the landscape context, regional character and ethnographic history of the Study Area.
- Develop a predictive model for likely Aboriginal cultural heritage site distribution across the VEP Investigation Area and identify areas of higher archaeological potential.

- Consult with the local Aboriginal community in accordance with the requirements of the NSW *National Parks and Wildlife Regulation, 2009* and the Consultation Guidelines, including in relation to the cultural values of the broader Study Area.
- Undertake an archaeological survey (with representatives of the local Aboriginal community) to identify and describe Aboriginal cultural heritage sites and places within the VEP Investigation Area.
- Identify and describe the cultural heritage values within the VEP Investigation Area.
- Assess and describe the archaeological and cultural significance of the identified Aboriginal cultural heritage sites within the VEP Investigation Area.
- Identify and assess the nature and extent of potential impacts of the Project on Aboriginal heritage (cultural and archaeological).
- Provide recommendations for the mitigation and management of potential impacts associated with the Project on Aboriginal cultural heritage sites within the VEP Investigation Area.
- Document and consider input, comments and feedback provided by the Registered Aboriginal Parties (RAPs) during the consultation process.

1.3 Approved Vickery Coal Project Aboriginal Cultural Heritage Assessment

As part of the approved Vickery Coal Project, an ACHA was prepared and finalised by Landskape Natural and Cultural Heritage (Landskape) in 2012. At the completion of the assessment, the following Aboriginal cultural heritage sites had been identified for the approved Vickery Coal Project (Landskape, 2012):

- Thirty-four (34) Aboriginal cultural heritage sites within the mining area and surrounds.
- Six (6) Aboriginal cultural heritage sites within the approved private haul road and Kamilaroi Highway overpass area (which forms part of the Project).

No Aboriginal cultural heritage sites of high scientific significance were recorded. One site consisting of artefacts and a number of axe grinding grooves on the bank of the Namoi River ('Wilga' – AHIMS 20-4-0009, also referred to as 'Top Rocks', and possibly duplicated in another grinding grooves record 'Broadwater Grinding Grooves' – AHIMS 20-4-0292) was classified as having moderate scientific significance. All other sites were isolated finds or artefact scatters and were classified as having low scientific significance due to low artefact numbers or low spatial integrity (Landskape, 2012).

The impact assessment presented by Landskape (2012) states that the approved Vickery Coal Project would result in the direct disturbance of twenty-four (24) known Aboriginal cultural heritage sites and the partial disturbance of eight (8) Aboriginal cultural heritage sites. The remaining eight (8) known Aboriginal cultural heritage sites would not be directly impacted by the approved Vickery Coal Project, including the axe grinding groove site on the Namoi River and its associated artefact scatter (AHIMS 20-4-0009 and possibly AHIMS 20-4-0292).

Since approval of the Vickery Coal Project ACHA, three (3) of the eight (8) sites not scheduled for impact have since been determined to be impacted by construction of a haul road for the Project. As a result, the three (3) sites within the haul road (VCP-OS-008; VCP-IF-010; VCP-OS-011) are included within this assessment. There are no other proposed changes to the assessment and management of the remaining thirty-seven (37) Vickery Coal Project sites. Where avoidance of Aboriginal cultural heritage sites is not practicable, the site(s) would be subject to baseline recording in consultation with Aboriginal stakeholders prior to disturbance and artefacts would be salvaged for safekeeping in accordance with the stakeholders' wishes.

Further discussion on previously recorded sites is provided in Section 7.

2 STUDY AREA AND PROJECT LOCATION

The Project is located in the Gunnedah Coalfield, approximately 25 km north of Gunnedah, within the Gunnedah Shire Council and Narrabri Shire Council LGAs, in north-western NSW (Figure 1).

The majority of the Project mining area is located within previously cleared agricultural areas and rehabilitated open cut workings from historical mining activities. Open cut and underground mining activities were previously conducted in the Project mining area. Areas associated with former open cuts and associated waste rock emplacements (the Canyon Coal Mine, Red Hill Final Void, Greenwood Final Void, Shannon Hill Final Void and Blue Vale Final Void) are located within the Project mining area (Figure 2).

The Study Area for this ACHA represents a broad area, encompassing the extent of the Project and the approved Vickery Coal Project (including the approved private haul road and Kamilaroi Highway overpass), with a conservative 1 km buffer. The Study Area is presented on Figure 4.

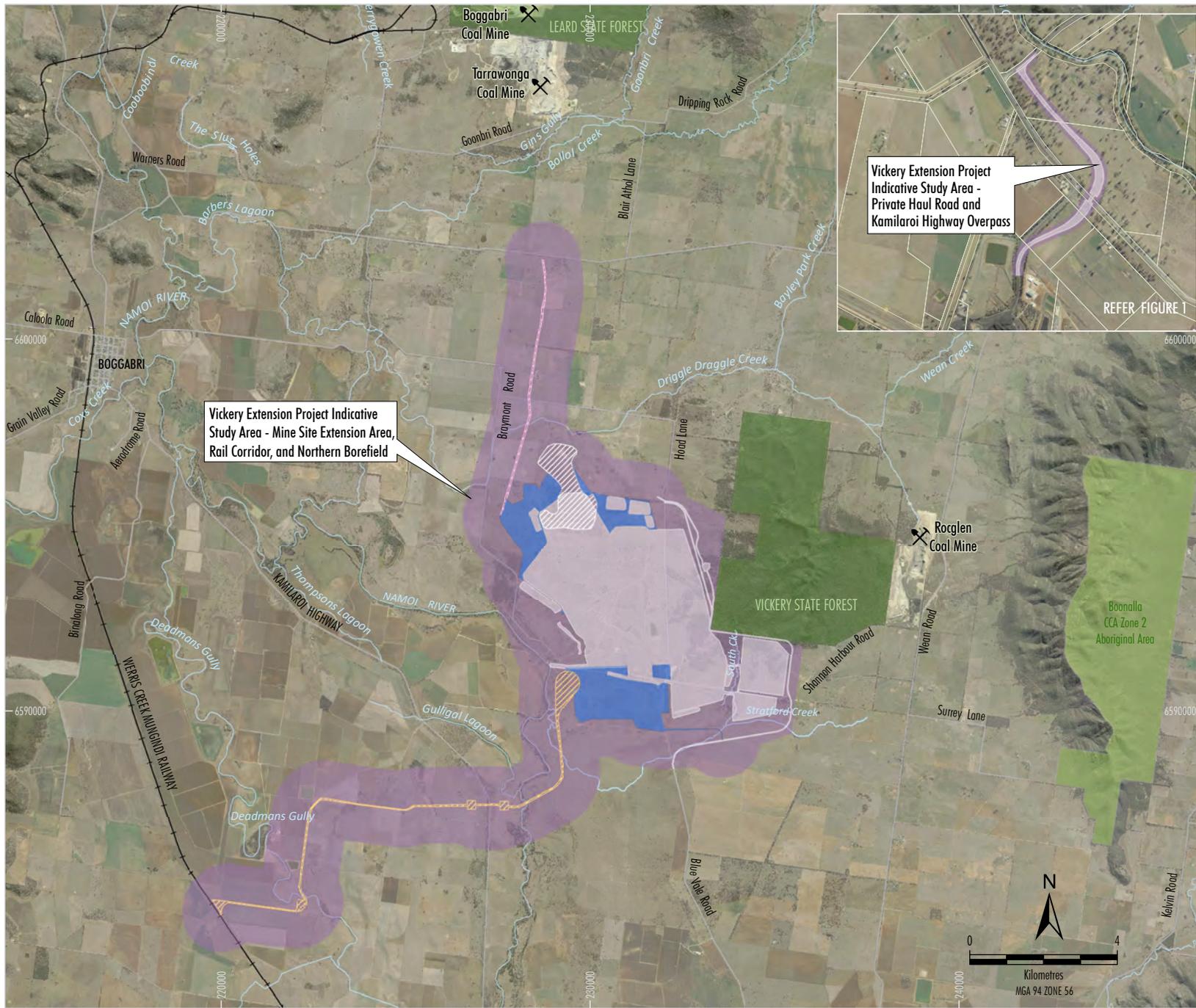
Although this ACHA considers Aboriginal cultural heritage within the broader Study Area, including the approved Vickery Coal Project (Section 1.3), the focus of the ACHA field investigations is on those areas directly associated with the Project that are located outside the extent of the approved Vickery Coal Project (i.e. the VEP Investigation Area). The VEP Investigation Area is presented on Figure 5 and is comprised of the following distinct areas:

- mine site extension area (including the short eastern haul road);
- northern borefield¹; and
- rail corridor².

A detailed description of the Project components is provided in Section 3. Relevant lots and DPs associated with the Project are included in Appendix 1.

¹ Including the associated pipeline.

² The rail corridor includes the Project rail spur, rail loop and associated laydowns.



- LEGEND**
- State Forest
 - State Conservation Area, Aboriginal Area
 - Canyon Coal Mine
 - Approximate Extent of Approved Vickery Coal Project
 - Indicative ACHA Study Area
- VEP Investigation Area**
- Mine Site Extension Area
 - Northern Borefield
 - Rail Corridor

Source: Orthophoto - Department of Land and Property Information, Aerial Photography Flown (July 2011); Whincop Archaeology (2016)


WHITEHAVEN COAL
VICKERY EXTENSION PROJECT
Indicative ACHA Study Area

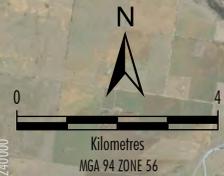
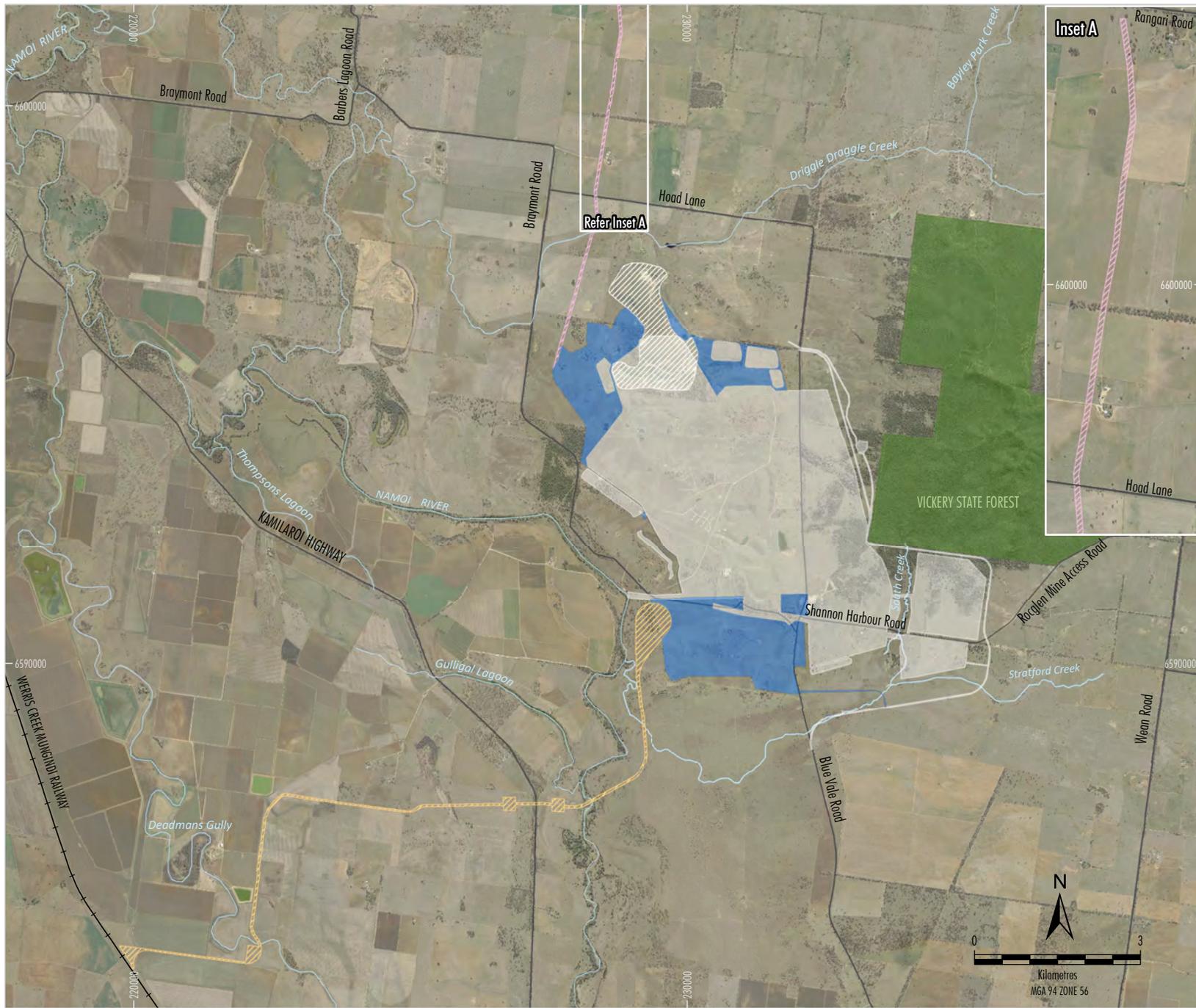


Figure 4



- LEGEND**
- State Forest
 - Canyon Coal Mine
 - Approximate Extent of Approved Vickers Coal Project
- VEP Investigation Area**
- Mine Site Extension Area
 - Northern Borefield
 - Rail Corridor

Source: Orthophoto - Department of Land and Property Information, Aerial Photography Flown (July 2011); Landscape (2012); Whincop Archaeology (2017)



VICKERY EXTENSION PROJECT
VEP Investigation Area

Figure 5

3 DESCRIPTION OF THE PROJECT

The Project involves mining the coal reserves associated with the approved Vickery Coal Project, as well as accessing additional coal reserves within the Project area. ROM coal would be mined by open cut methods at an average rate up of 7.2 Mtpa over 25 years, with a peak production of up to approximately 10 Mtpa.

As described in Section 1, the Project would include a physical extension to the approved Vickery Coal Project footprint to gain access to additional ROM coal reserves, an increase in the footprint of waste rock emplacement areas, an increase in the approved ROM coal mining rate, and construction and operation of the Project CHPP, train load-out facility and rail spur (Figures 3a and 3b). This infrastructure would be used for the handling, processing and transport of coal from the Project, as well as other Whitehaven mining operations.

Figures 3a and 3b illustrate the general arrangement of the Project. A detailed description of the Project is provided in Section 2 in the Main Report of the EIS.

This ACHA forms part of an EIS, which has been prepared to accompany a Development Application made for the Project in accordance with Part 4 of the NSW *Environmental Planning and Assessment Act, 1979* (EP&A Act).

4 INVESTIGATORS AND CONTRIBUTORS

This assessment has been prepared by Dr Matthew Whincop, Director of Whincop Archaeology Pty Ltd, in conjunction with the University of Queensland Culture & Heritage Unit (UQCHU), where Dr Matthew Whincop was previously Deputy Director. Dr Matthew Whincop's qualifications include a Bachelor of Arts (Honours) in Classics and Archaeology from Melbourne University, a Master of Arts (Honours) in Archaeology from Melbourne University and a Doctorate in Archaeology from Durham University (United Kingdom).

The field investigation was undertaken by Dr Matthew Whincop, Reiner Mantei, Jodie Crossman, Frances Wiig and Texas Nagel:

- Reiner Mantei has a Bachelor of Arts (Honours) with an extended major in Archaeology and minors in History and Anthropology from the University of Queensland, and has over 4 years of experience in Aboriginal heritage surveys, lithic identification, excavation and reporting.
- Jodie Crossman holds a Bachelor of Arts/Science (first class Honours) with a major in Genetics and Extended Archaeology from the University of Queensland, and has over 3 years of experience in Aboriginal heritage surveys, excavations and reporting. Ms Crossman is currently enrolled in doctoral studies at the University of Queensland.
- Frances Wiig holds a Bachelor of Arts in Classical and Near Eastern Archaeology (High Honours) from the University of Saskatchewan (Canada), a Masters in Archaeology and Cultural Heritage (Distinction) from the University of Leicester (United Kingdom), an Advanced Diploma in Remote Sensing (Honours) from the NSCC Centre of Geographical Sciences and has over 7 years of experience in Aboriginal heritage surveys, excavations and reporting.
- Texas Nagel has a Bachelor of Arts in Archaeology (first class Honours) from James Cook University and has over 4 years of experience in Aboriginal heritage surveys, excavations and reporting.

Community consultation pursuant to the Consultation Guidelines (DECCW, 2010a) was managed by Whitehaven.

5 ABORIGINAL COMMUNITY CONSULTATION PROCESS

Consultation with the Aboriginal community for the Project was undertaken in accordance with the Consultation Guidelines (DECCW, 2010a) and the NSW *National Parks and Wildlife Regulation, 2009*.

The Consultation Guidelines outline a four-stage consultation process that includes detailed guidance as to the aim of each consultation stage and what actions are necessary for it to be successfully completed. The four stages include the following:

- Stage 1 – Notification of Project proposal and registration of interest.
- Stage 2 – Presentation of information about the proposed Project.
- Stage 3 – Gathering information about the cultural significance.
- Stage 4 – Review of draft cultural heritage assessment report.

The following sections outline the consultation process and provide a summary of the community consultation undertaken for the ACHA.

5.1 Registration Process

In accordance with the Consultation Guidelines, Project notifications were sent on 9 September 2015 to the following organisations:

- Dubbo OEH Environmental Protection and Regulation Group office;
- Gunnedah Shire Council;
- Narrabri Shire Council;
- National Native Title Tribunal;
- Native Title Services Corporation Limited (NTSCORP);
- North West Local Land Services (previously the Namoi Catchment Management Authority);
- Red Chief Local Aboriginal Land Council (Red Chief LALC); and
- Office of the Registrar, *Aboriginal Land Rights Act, 1983*.

Responses to the Project notifications were received from the following organisations:

- NTSCORP (14 September 2015);
- National Native Title Tribunal (15 September 2015);
- OEH (23 September 2015);
- Gunnedah Shire Council (24 September 2015);
- Office of the Registrar, *Aboriginal Land Rights Act, 1983* (1 October 2015); and
- Red Chief LALC (3 November 2015).

As a result of contacting the relevant organisations, a number of individuals and groups were identified as potentially having an interest in the Project. An invitation was sent out to each individual/group, inviting Aboriginal persons or groups who hold cultural knowledge relevant to, or who have a right or interest in, determining the cultural heritage significance of Aboriginal object(s) and/or place(s) in the 'Area of Interest' to register an interest in the Project on 6 October 2015 (Appendices 2 and 3).

In addition, a public notice inviting the registration of Aboriginal persons or groups who hold cultural knowledge relevant to, or who have a right or interest in, determining the cultural heritage significance of Aboriginal object(s) and/or place(s) in the 'Area of Interest' was published in the *Namoi Valley Independent* on 8 October 2015 (Appendix 3).

A large number of Aboriginal stakeholders have been previously identified as having registered an interest in the community consultation process associated with the approved Vickery Coal Project. All existing RAPs who had previously registered an interest in the approved Vickery Coal Project were sent a letter on 6 October 2015 to advise them of the Project and to notify them that they had been automatically registered for the consultation process associated with the Project (Appendices 2 and 3).

A copy of the list of the RAPs for the Project, along with a copy of the written notifications and the public notice, were provided to the OEH and the Red Chief LALC on 27 October 2015, in accordance with the Consultation Guidelines (DECCW, 2010a).

Subsequent to the completion of the original registration process and following further mine planning, Whitehaven identified several changes to the proposed rail corridor. Accordingly, an additional registration process was undertaken.

This additional registration process mirrored the same approach as outlined above including the following:

- Project notifications distributed 2 December 2015.
- Registration invitations (and registration letters to existing RAPs) distributed 22 December 2015.
- Public notice published in Namoi Valley Independent on 7 January 2016.
- Letters to OEH and Red Chief LALC distributed 29 January 2016.

As a result of the registration processes undertaken for the Project, a total of 68 RAPs have registered an interest in the Project. A list of the RAPs for the Project is provided in Table 1.

Table 1 – List of Registered Aboriginal Parties for the Project

Registered Aboriginal Party	Registered Aboriginal Party
Aboriginal Native Title Consultants	Brian Draper
AGA Services	Bronwyn Spearim
AT Gomilaroi Cultural Consultancy	Cindy Foley
Bigundi Biame Traditional People	Dulcie Robinson
Bullen Bullen Consultants	Jacko Woodbridge
Buwarra Consultants	James Foley
Cacatua Culture Consultants	Jordan Green
Deslee Talbott Consultants	Judith Walters
Edgerton-Kwiemle Environmental Heritage and Cultural Aboriginal Corporation	Kim Mitchell-Robinson
Giwiir Consultants	Linda Roser
Gomeroi Namoi Traditional Owners	Lorraine Robinson
Gomeroi Native Title Applicants	Madeline McGrady
Gomery Cultural Consultants	Marvonja Welsh
Goomeroi Yorta Yorta	Matthew Green Senior
Gunida Gonyah Aboriginal Corporation	Nakita Silver
Gunjeewong Cultural Heritage Corporation	Natasha Rodgers
Gunnedah Elders Justice Committee	Patricia Reynolds
Hunter Valley Cultural Consultants	Raymond Welsh Junior
Min-Min Aboriginal Corporation	Reg Talbott
Minnga Consultants	Robert Miller
Muswellbrook Cultural Consultants	Robert Mitchell-Robinson
Ngurrimbaa-Gunidjaa Traditional Owners	Roger Matthews
Red Chief LALC	Ronald Long
T&G Culture Consultants	Sonny Fitzroy
T’N’L Site Trackers	Stacey Walters

Table 1 – List of Registered Aboriginal Parties for the Project (Continued)

Registered Aboriginal Party	Registered Aboriginal Party
Traditional Owner of Gomeroi Country	Bill Mitchell
Upper Hunter Heritage Consultants	Stephen Matthews
White Cockatoo	Tyan Silver
W&Y Rodgers Consultant	Loretta Long
Yinarr Cultural Services	Veronica Long
Alfred Priestley	Darryl Crowley
Anthony Munro	Jinbai McGrady
Aunty Joan Suey	Wade Natty ¹
Aunty Joyce Dorrington	Shirley Talbott ¹

¹ Registered an interest in the Project during the additional registration process.

A consultation log detailing all Aboriginal community consultation undertaken for the Project is provided in Appendix 2. A copy of relevant written correspondence sent to and received from the RAPs is provided in Appendix 3.

5.2 Proposed Methodology and Information Sessions

Information regarding the Project was provided in writing to the RAPs listed in Table 1 on 6 November 2015³. A copy of the Proposed Methodology was provided for review and comment, and the correspondence included an invitation to attend an information session regarding the Project.

A minimum of 28 days was allowed for the RAPs to provide input in regard to the following aspects:

- The nature of the Proposed Methodology.
- Any Aboriginal objects or places of cultural value within the VEP Investigation Area, or issues of cultural significance.
- Any restrictions or protocols considered necessary in relation to any information of sensitivity that may be provided.
- Any other factors considered to be relevant to the ACHA.

³ Excluding those RAPs who were not registered until the additional registration process. Copies of the Proposed Methodology were provided to these RAPs at a later date.

All RAPs were invited to attend an information session held at the community care centre in Boggabri on 19 November 2015. The purpose of the information session was to provide RAPs with an additional opportunity to raise any cultural issues or comments/perspectives regarding the Project or the Proposed Methodology.

Subsequent to the information session on 19 November 2015, an additional information session was held at the request of the Gomeroi Native Title Applicants on 5 February 2016.

The information sessions supported the information previously provided in writing and included a presentation on the nature and scale of the Project, an overview of the impact assessment process, discussion of the roles, functions and responsibilities of participants and protocols for the management of any sensitive cultural heritage information.

A total of 11 representatives of the RAPs attended the information session on 19 November 2015, while 14 representatives of the Gomeroi Native Title Applicants attended the information session on 5 February 2016. All attendees at the information sessions are listed in Table 2 below. Copies of the attendance records for the information sessions are provided in Appendix 4.

Table 2 – List of Attendees at Information Sessions

Registered Aboriginal Party	Representative	Information Session Attended
AGA Services	Donna Sampson	19 November 2015
Cacatua Culture Consultants	George Sampson	19 November 2015
Gomeroi Native Title Applicants	Clifford Toomey	19 November 2015
W&Y Consultant	Yvonne Rodgers	19 November 2015
White Cockatoo	Michael Long	19 November 2015
White Cockatoo	Michael R Long (Junior)	19 November 2015
Brian Draper	Brian Draper	19 November 2015
Gloria Foley	Gloria Foley	19 November 2015
Loretta Long	Loretta Long	19 November 2015
Natasha Rodgers	Natasha Rodgers	19 November 2015
Ronald Long	Ronald Long	19 November 2015
Gomeroi Native Title Applicants	Ian Joseph	5 February 2016
Gomeroi Native Title Applicants	Clifford Toomey	5 February 2016
Gomeroi Native Title Applicants	Lyall Munro	5 February 2016
Gomeroi Native Title Applicants	Madeline McGrady	5 February 2016
Gomeroi Native Title Applicants	Norman McGrady	5 February 2016
Gomeroi Native Title Applicants	Susan Smith	5 February 2016
Gomeroi Native Title Applicants	Elaine Binge	5 February 2016
Gomeroi Native Title Applicants	Maureen Sulter	5 February 2016
Gomeroi Native Title Applicants	Leslie Woodbridge (Jacko)	5 February 2016

Table 2 – List of Attendees at Information Sessions (Continued)

Registered Aboriginal Party	Representative	Information Session Attended
Gomeri Native Title Applicants	Alfred Priestley	5 February 2016
Gomeri Native Title Applicants	Greg Griffiths	5 February 2016
Gomeri Native Title Applicants	Anthony Munro	5 February 2016
Gomeri Native Title Applicants	Bob Weatherall	5 February 2016
Gomeri Native Title Applicants	Alfred Boney	5 February 2016

As a result of the additional registration process, an addendum to the Proposed Methodology was prepared to describe the additional survey area. This addendum was distributed to all RAPs on 22 December 2015.

Note that the RAPs who registered as a result of the additional registration process were provided with both the Proposed Methodology and addendum for their review and comment on 21 January 2016.

Copies of the Proposed Methodology and addendum are provided in Appendix 5.

5.3 Comments on Proposed Methodology

At the close of the Proposed Methodology review period, the comments and feedback on the Proposed Methodology received by Whitehaven were recorded in the consultation log. Responses to each of the submissions received from the RAPs on the Proposed Methodology are provided in Table 3.

A consultation log detailing all Aboriginal community consultation undertaken for the Project (including comments on the Proposed Methodology) is provided in Appendix 2. A copy of relevant written correspondence sent to, and received from, the RAPs is provided in Appendix 3.

Table 3 – Responses to Submissions from RAPs on Proposed Methodology

Date, Registered Aboriginal Party	Comment on the Proposed Methodology	Whitehaven Response
19 November 2015, White Cockatoo	Queried whether access would be maintained along Braymont Road to the Crown Land along the Namoi River and to the Vickery State Forest.	Access to the Crown Land portions (i.e. Lot 7003 DP 1059335 and Lot 41 DP 754929) and the 'Top Rocks' or 'Wilga' grinding grooves along the Namoi River (AHIMS 20-4-0009) would be maintained via Braymont Road, which will continue to be accessible from the north. Access to the Vickery State Forest would be maintained throughout the life of the Project.
19 November 2015, White Cockatoo	Questioned how the Aboriginal cultural heritage sites would ultimately be managed once identified during the field surveys.	All Aboriginal cultural heritage sites identified during the field surveys are described in Section 9.1.2 of this report. Recommended management measures for each of these sites are described in Section 12.
19 November 2015, White Cockatoo	Queried previous assessments and investigations undertaken on the 'Top Rocks' grinding groove site.	The grinding groove site known as 'Top Rocks' or 'Wilga' (AHIMS 20-4-0009) is located outside of the extent of proposed disturbance associated with this Project. Notwithstanding, the site has been assessed for potential indirect impacts associated with blasting and vibration and is discussed further in Section 11.3.3.
19 November 2015, White Cockatoo	Raised concerns regarding the proposed approach to the cultural values assessment for the ACHA.	<p>The assessment of cultural values forms an integral part of the ACHA and has included historical and ethnohistorical research and contemporary community consultation.</p> <p>A comprehensive program of consultation undertaken in accordance with the Consultation Guidelines (DECCW, 2010a) has been implemented, and a detailed description of the consultation undertaken for the ACHA is provided in Section 5 of this report. The assessment of cultural values within the Study area is detailed in Section 9.2.</p> <p>As described in Section 5.5 below, the cultural values assessment for the Project is still ongoing, and consultation with the Aboriginal community will continue to be undertaken during the draft ACHA review period (Section 5.6). Should any RAPs, Elders or other Aboriginal community members wish to provide input into the cultural values assessment or would like to arrange a formal interview, they will need to contact Whitehaven during the draft ACHA review period.</p>

Table 3 – Responses to Submissions from RAPs on Proposed Methodology (Continued)

Date, Registered Aboriginal Party	Comment on the Proposed Methodology	Whitehaven Response
19 November 2015, Yvonne Rodgers	Queried whether Elders would have the opportunity to inspect the Study Area.	<p>During the draft ACHA review period, all RAPs will be invited to attend an information session and site inspection where they will have the opportunity to view a selection of the Aboriginal cultural heritage sites recorded within the Study Area, and to discuss and/or provide comments or feedback on the draft ACHA.</p> <p>Whitehaven arranged for the community, including all community Elders, to attend an information session and site inspection on 6 and 7 April 2016. Transport around the site was provided by Whitehaven to facilitate access for any RAP or Elder in attendance.</p>
19 November 2015, Natasha Rodgers	Raised concerns that only those Aboriginal community members with connection to Country should be invited to attend the information sessions and site inspections for the Project.	<p>Whitehaven acknowledges that it is only Aboriginal people who can determine who is accepted by their community as being authorised to speak for Country and its associated cultural heritage (DECCW, 2010a).</p> <p>Notwithstanding, consultation for this ACHA has been undertaken in accordance with the Consultation Guidelines, including the involvement of all RAPs who registered an interest in the Project.</p>
19 November 2015, Gloria Foley	Queried whether all RAPs would be involved in the field surveys for the Project.	<p>Due to the large number of RAPs for the Project, it was not logistically possible for Whitehaven to involve all RAPs in the field surveys. On this basis, all RAPs were invited to submit applications for paid engagement in the surveys by 9 December 2016 (Appendix 3). Engagement of RAPs for paid participation in the field surveys was determined on the basis of the merits of the applications received.</p> <p>Whitehaven received a total of 14 Field Survey Engagement Application Forms. All valid applications received were considered and were allocated a position in the field surveys. Engagement of RAPs for the field surveys is described in further detail in Section 5.4 of this report.</p> <p>Notwithstanding, during the draft ACHA review period, all RAPs were invited to attend an information session and site inspection on 6 and 7 April 2016, providing opportunity to view a selection of the Aboriginal cultural heritage sites recorded within the Study Area, and to discuss and/or provide comments or feedback on the draft ACHA.</p>

Table 3: Responses to Submissions from RAPs on Proposed Methodology (Continued)

Date, Registered Aboriginal Party	Comment on the Proposed Methodology	Whitehaven Response
8 December 2015, Cacatua Culture Services and AGA Services	<i>"We feel that there should be an opportunity for the persons that are undertaking the survey to be able to survey other areas outside the predictive model. We are not requesting to check every inch of the area. It has been found that once a person is on site that they can look at the area and feel or know of significance areas, so that should be given the chance to do so."</i>	As the primary purpose of the ACHA is to assess the impacts of the Project on Aboriginal heritage, the focus and intensity of the survey coverage will vary in relation to the nature of potential impacts. The survey will widely sample the geographic extent of the VEP Investigation Area, not just specific contexts such as creeks or ridges. The survey methodology and coverage are described in Sections 8.2 and 8.4 of this report.
8 December 2015, Cacatua Culture Services and AGA Services	<i>"Also we would like to see that NO Artefact once salvaged go off country, we believe that a shipping container can be supplied and all be deposited in the shipping container on site at a location to be discussed."</i>	The final storage location of collected artefacts should be determined in consultation with the RAPs during the development of the Heritage Management Plan for the Project (which would be prepared in consultation with the RAPs). The Heritage Management Plan should consider the return of artefacts to the landscape post-rehabilitation and/or retaining for use by the Aboriginal community for display/educational purposes.
8 December 2015, Cacatua Culture Services and AGA Services	<i>"Another point we would also like to put forward is that when the breakdown of the Artefacts is undertaken (washing, bagging, tagging and analysing (including some of the paperwork)) [sic] that the RAP's are involved. We have seen this undertaken in other areas and believe that it assists with the training of the younger group, while working with the more knowledgeable and they get a better understanding that all Artefacts are not uniformed like you find in books."</i>	The involvement of RAPs in the salvage programme for the Project would be determined both post-approval and during development of the Heritage Management Plan (which would be prepared in consultation with the RAPs).

Note: The above table excludes any comments that are not directly relevant to the Project (e.g. in relation to components of the Project, such as previously proposed rail alignments that are no longer proposed). Notwithstanding, a complete record of all comments received is provided in Appendices 2 and 3.

5.4 Aboriginal Cultural Heritage Field Surveys

5.4.1 Survey Engagement Application Process

Due to the large number of RAPs for the Project, it was not logistically possible for Whitehaven to involve all RAPs in the field surveys. On this basis, all RAPs were invited to submit applications for paid engagement in the surveys by 9 December 2015 (Appendix 3). The correspondence provided to the RAPs described the requirements that Whitehaven needed the survey applicants to satisfy for engagement (e.g. personal protective equipment (PPE), fitness for work, drug and alcohol testing, insurance requirements).

The invitation included a Field Survey Engagement Application Form, which requested responses in relation to:

- specific cultural knowledge of the Study Area (and VEP Investigation Area) or any Aboriginal place(s) or object(s) within it;
- representativeness of the group or organisation within the Aboriginal community;
- fieldwork experience in Aboriginal cultural heritage surveys; and
- specialist skills or knowledge which may assist in the investigation.

Engagement of RAPs for paid participation in the field surveys was determined on the basis of the merits of the applications received.

Whitehaven received a total of 14 valid Field Survey Engagement Application Forms⁴. All valid applications received were considered and, as a result, all were allocated a position in the field surveys.

5.4.2 Aboriginal Cultural Heritage Survey

The Aboriginal heritage field surveys were undertaken over three weeks in early 2016, supplemented by an additional two days of survey in December 2016:

- Week 1 Monday 11 January to Friday 15 January 2016.
- Week 2 Monday 18 January to Friday 22 January 2016.
- Week 3 Monday 1 February to Friday 5 February 2016.
- Week 4 Wednesday 14 December and Thursday 15 December 2016.

⁴ An additional Field Survey Engagement Application Form was received; however, as the application was considered to be incomplete and invalid, this applicant was not allocated a position in the field surveys.

Changes to the original rail alignment have resulted in the western extent of the current rail alignment not previously being subject to detailed Aboriginal cultural heritage survey. Restricted access to the properties west of the Kamilaroi Highway has prevented a detailed survey from being organised; instead, Dr Whincop undertook a preliminary site visit on 1 August 2017 in order to characterise the landforms in this area and determine the likely archaeological potential. It is proposed that detailed archaeological survey be undertaken for Survey Units 48-62 (i.e. areas not yet sufficiently investigated) prior to commencement of ground disturbance works in those areas.

Further details regarding the survey and survey coverage are provided in Section 8. Table 4 summarises the survey dates and participants in the surveys.

Table 4 – Participants in the Aboriginal Heritage Field Surveys

Survey Attendee	Role	Week(s)/Dates
Michael Long (White Cockatoo)	RAP	Week 1: 11/01/2016 – 15/01/2016
	RAP	Week 2: 18/01/2016 – 22/01/2016
	RAP	Week 4: 14/12/2016 – 15/12/2016
Brian Draper	RAP	Week 1: 11/01/2016 – 15/01/2016
	RAP	Week 2: 18/01/2016 – 22/01/2016
	RAP	Week 4: 14/12/2016 – 15/12/2016
George Sampson (Cacatua Culture Services)	RAP	Week 1: 11/01/2016, 14/01/2016 & 15/01/2016
	RAP	Week 2: 18/01/2016 – 22/01/2016
Donna Sampson (Cacatua Culture Services)	RAP	Week 1: 12/01/2016
Adam Sampson (Cacatua Culture Services)	RAP	Week 1: 13/01/2016
Veronica Long	RAP	Week 1: 11/01/2016 – 15/01/2016
	RAP	Week 2: 18/01/2016 – 22/01/2016
Loretta Long	RAP	Week 1: 11/01/2016 – 15/01/2016
	RAP	Week 3: 01/02/2016 – 05/02/2016
Dean Carroll (Gunjeewong Cultural Heritage Corporation)	Representative ²	Week 1: 11/01/2016 – 15/01/2016
	Representative ²	Week 3: 01/02/2016 – 05/02/2016
Ronald Long	RAP	Week 1: 11/01/2016 – 15/01/2016
	Representative ¹	Week 2: 18/01/2016 – 21/01/2016
	RAP	Week 3: 01/02/2016 – 05/02/2016
Natasha Rodgers	RAP	Week 1: 11/01/2016 – 15/01/2016
	RAP	Week 2: 18/01/2016 – 22/01/2016
	Representative ¹	Week 3: 01/02/2016 – 05/02/2016
	RAP	Week 2: 18/01/2016 & 20/01/2016

Table 4 – Participants in the Aboriginal Heritage Field Surveys (Continued)

Survey Attendee	Role	Week(s)/Dates
Adam Sampson (AGA Services)	RAP	Week 1: 11/01/2016 & 15/01/2016
	RAP	Week 2: 19/01/2016, 21/01/2016 & 22/01/2016
Ashley Sampson (AGA Services)	RAP	Week 1: 12/01/2016 – 14/01/2016
Aaron Talbott (AT Gomilaroi Cultural Consultancy)	RAP	Week 2: 19/01/2016, 20/01/2016 & 22/01/2016
	RAP	Week 3: 01/02/2016 – 05/02/2016
Samuel Cameron (Giwir Consultants)	RAP	Week 2: 18/01/2016 – 22/01/2016
	RAP	Week 3: 01/02/2016 – 05/02/2016
David Horton (Gomery Cultural Consultants)	RAP	Week 2: 18/01/2016 – 22/01/2016
	RAP	Week 3: 01/02/2016 – 05/02/2016
Reiner Mantei (UQCHU)	Archaeologist	Week 1
Texas Nagel (UQCHU)	Archaeologist	Weeks 2-3
Jodie Crossman (UQCHU)	Archaeologist	Weeks 1-3
Frances Wiig (UQCHU)	Archaeologist	Weeks 1-3
Matthew Whincop (Whincop Archaeology)	Archaeologist	Weeks 1-4

Note: On the basis of the field survey engagement applications, a representative of Goomeoi Yorta Yorta was allocated a position in the field surveys; however was unable to provide a representative to attend.

¹ Field representative for W&Y Rodgers Consultant.

² Field representative for Gunjee Wong Cultural Heritage Corporation.

In addition to the field surveys described above, an investigation was undertaken on 11 and 12 December 2015 of possible scarred trees previously identified (but never formally recorded) in the south-western extent of the Project area. The investigation was undertaken by Dr Johan Kamminga and Mr Allan Lance of Heritage Consulting Australia, archaeologists with over 40 and 37 years, respectively, of experience in Australian archaeology. This additional investigation concluded that none of the previously identified trees had evidence of scarring of Aboriginal cultural origin; rather all identified scars were considered to be natural (e.g. branch tear, faunal wounding, insect activity) or the result of European activities (e.g. surveyors' blazes). A report on the investigation is provided in Appendix 6a.

Further assessment of the possible scarred trees was also undertaken by Dr Mark Burns of Global Soil Systems (a forestry expert) on 22, 23 and 24 February 2016. Dr Burns also concluded that all of the identified scars were natural in origin. A copy of Dr Burns' assessment report is provided in Appendix 6b.

5.5 Cultural Values Assessment

In addition to general consultation conducted for the ACHA (i.e. described in Sections 5.1 to 5.4 above), a cultural values assessment for the Project was undertaken by Dr Matthew Whincop and the team of field archaeologists. The cultural values assessment undertaken was based on the following:

- Review of background resources, including previous cultural value studies for the surrounding region, and existing and historic mining operations (Haglund, 1986; Vickery Joint Venture, 1986; Dunk and Vermeltfoort, 2011; Insite, 2010; AECOM, 2010), including the approved Vickery Coal Project (Landskape, 2012).
- Historical research.
- Discussions with RAPs during field survey.
- Discussions with RAPs during community information sessions and site inspections.
- Requests for comments during the review period for the Proposed Methodology and the draft ACHA report.

During the field surveys, attending RAPs were invited to provide any cultural information or values associated with the VEP Investigation Area. For example, each field archaeologist encouraged participants to provide input on bush tucker and medicine, fauna, and cultural associations/knowledge of the Study Area.

The outcomes of the cultural values assessment undertaken and a consideration of the identified cultural values are described in Section 9.2.

It is noted that the cultural values assessment for the Project was ongoing during the draft ACHA review period (Section 5.6). RAPs, Elders and other Aboriginal community members who wished to provide input into the cultural values assessment, or who would prefer to arrange a formal interview, were encouraged to contact Whitehaven during the draft ACHA review period.

5.6 Review of Draft ACHA Report

5.6.1 Provision of Draft ACHA for Review and Comment

In accordance with the Consultation Guidelines, an initial draft of this ACHA was provided to all RAPs listed in Table 1 for review and comment on 18 March 2016, with feedback requested by Wednesday 27 April 2016. Responses received are recorded in the consultation log in Appendix 2.

5.6.2 Draft ACHA Information Sessions and Site Inspections

As part of the initial draft ACHA review process, Whitehaven invited all 68 RAPs and other Aboriginal community stakeholders and Elders to attend an information session regarding the draft ACHA. To facilitate attendance, information sessions were held over two days at the Boggabri Golf Club on Wednesday 6 April and Thursday 7 April 2016.

The purpose of the information sessions were to discuss the key findings of the draft ACHA and to provide an opportunity for RAPs, other Aboriginal community stakeholders and Elders to discuss, ask questions and/or provide comment on the draft ACHA.

One RAP attended the information session on Wednesday 6 April 2016 (Appendix 2). Comments received during the information session are considered in Section 5.6.3.

The information sessions also included an opportunity to attend a site inspection (i.e. in addition to the field surveys held in January and February 2016) to view the Study area and a selection of the recorded Aboriginal heritage sites. No RAPs chose to attend the site inspections.

5.6.3 Consideration of Comments Received on Draft ACHA

Comments on the initial draft ACHA received during the review period (Section 5.6.1) included the following:

- Yvonne Rodgers (1 April 2016); and
- Judith Walters (6 April 2016 and 27 April 2016).

These submissions are recorded in Appendix 2. Responses to each submission received by the RAPs on the draft ACHA are provided below.

Comments Received from Yvonne Rodgers

On 1 April 2016, Yvonne Rodgers provided the following comments (verbally):

Comment: Raised concerns regarding some field survey attendees being described as RAPs when they were simply representing RAPs and were not registered for the consultation process.

Response: Noted. Table 4 has been updated to incorporate additional text to clarify that some field survey attendees were representatives of RAPs.

Comments Received from Judith Walters

On 6 April 2016, Judith Walters provided the following comments (verbally):

Comment: Whitehaven should consider employment opportunities for the Aboriginal community, including more community-based sponsorships.

Response: Opportunities for employment are considered to be outside of the scope of the ACHA. Whitehaven would target employment of 10% of the operational workforce being of Aboriginal and/or Torres Strait Islander descent within 5 years of commencement of operations. Whitehaven has a Donations and Sponsorship Policy in place which directs our discretionary support of charities and community organisations which benefit health, education, whole-of-community benefit and/or representative-level Aboriginal sporting achievements within the regions of our operations.

Comment: Whitehaven should consider implementation of a regional cultural heritage signage program, to help provide more community awareness of cultural heritage sites in the broader region.

Response: Whitehaven would consider a variety of mechanisms to assist raising cultural awareness in the community, including the support of relevant local initiatives and the development protocols to allow for Aboriginal community access to portions of the Study Area.

Of note, Judith Walters provided the following comment (via text message) on 27 April 2016:

“ ... Just a few lines to say how much we appreciated the Whitehaven presentation at the Boggabri Golf Club [sic] It was a most informative session and answered many previously uninformed, speculative questions. We have been travelling since the meeting and apologise for not acknowledging our appreciation earlier. Regards Judy and Dave Walters”.

5.6.4 Additional Review of Draft ACHA

December 2016 to February 2017

Subsequent to the review of the initial draft ACHA in March/April 2016, and following further detailed planning and design, a revised draft ACHA was provided to all RAPs listed in Table 1 for their review and comment on 23 December 2016, with feedback requested by Friday 3 February 2017. As at 3 February 2017 no comments had been received from the RAPs.

June 2018

Following review of the revised draft in December 2016 to February 2017, and following further detailed planning and design, the rail corridor proposed for the Project was further augmented and changes to the mine layout were made. This ACHA has been revised to reflect the currently proposed aspects of the Project (Figures 3a and 3b).

In accordance with the Consultation Guidelines, a draft of this ACHA was provided to all RAPs listed in Table 1 for review and comment on 29 June 2018, with feedback requested by 1 August 2018 (Appendix 2).

Four RAPs had incorrect postal addresses, and as a result an additional copy of the revised draft ACHA was provided to these RAPs on 6 July 2018, with feedback requested by 9 August 2018 (Appendix 2).

Responses received are included in Appendices 2 and 3 of this report.

5.6.5 Consideration of Comments Received on Revised Draft ACHA

One written comment on the revised draft ACHA was received during the consultation period from Cherie Carroll Turrise (Gunjeewong Cultural Heritage Aboriginal Corporation) on 2 July 2018 (Appendix 3).

Comment (via letter): *"I believe it is most important that any artefacts regardless of how small we find of our ancestors Aboriginal need to be found and kept for future generations to learn from."*

Response: Noted. Section 12.1 of this ACHA describes that it is recommended a Heritage Management Plan be prepared for the Project, including detail on the management of potential impacts to Aboriginal cultural heritage sites.

One verbal comment was received during the consultation period from Wade Natty on 3 July 2018 (Appendix 2).

Comment (via telephone): **Raised issues with the proximity of the Project to the Burbagate property and burials.**

Response: Wade was informed that the Project would have no impact on the burials, as Burbagate is located well outside of the Project area.

As at 9 August 2018 no other comments had been received.

5.7 Review of Final Report

A copy of the final ACHA report will be made available by the Department of Planning and Environment to all RAPs during the public exhibition period for the Project EIS. During this exhibition period, all RAPs will have the opportunity to review and provide additional comment on the final ACHA report as well as any other component of the Project EIS (e.g. including the ecological and water assessments).

6 ENVIRONMENTAL CONTEXT

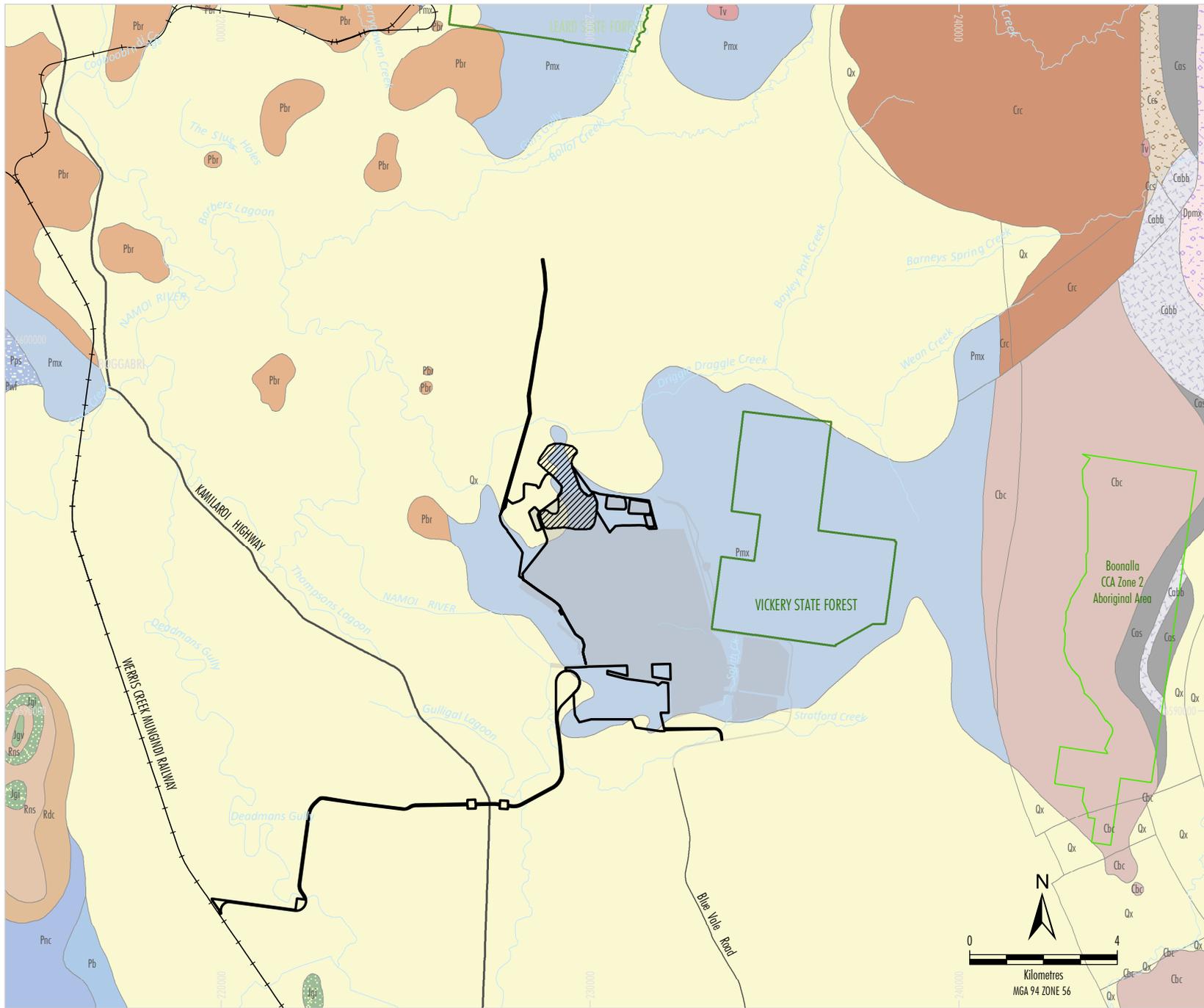
It is important to understand the environmental context of the VEP Investigation Area (and broader Study Area) in order to gain a better understanding of the resources potentially available to Aboriginal people (in both the pre- and post-contact periods) and European settlers. In addition, this information assists in determining whether natural environmental processes (i.e. weathering of land surfaces) will have impacted on Aboriginal cultural heritage sites deriving from activities associated with these resources.

The following discussion highlights aspects of the environmental context that are likely to have influenced pre-contact patterns of land use and Aboriginal cultural heritage site location in and around the Study Area. In particular, the nature of the local geology and soils, landform and hydrology, and flora and fauna, combined with an understanding of historical and Aboriginal land use (Sections 7.4 and 7.5) will together contribute to the development of a reliable predictive model for in situ Aboriginal cultural heritage objects in the VEP Investigation Area (Section 7.6).

6.1 Geology and Soils

Aboriginal people made wide use of the resources available to them, including a wide variety of stone resources, which were used to produce stone tools. The nature of stone exploitation by Aboriginal people relies on the nature of the available resource, whether as a primary outcrop or as a secondary gravel source (Doelman et al., 2008). The following description of the local geological context provides perspective on stone resources available in the Study Area (including the VEP Investigation Area), which traverses several geological landscapes, including the following (Figures 6a and 6b):

- **Quaternary undifferentiated sediments and sands** – undifferentiated alluvial deposits including Holocene alluvial channels and overbank deposits of sand, silt and clay; generally does not include residual and veneer colluvial deposits.
- **Permian Maules Creek formation** – basal carbonaceous claystone, pelletoidal clay sandstone, passing into fining-up cycles of sandstone, siltstone and coal. Conglomerate dominant towards top. The Maules Creek Formation consists of Early Permian carbonaceous clay stones interbedded with sandstone and minor coal seams, all of which are capped by upper conglomerates that contain acid volcanic clasts (Beckett et al. 1983).



LEGEND

-  Canyon Coal Mine
-  Approximate Extent of Approved Vickers Coal Project
-  VEP Investigation Area

Regional Geology Legend
Refer Figure 6b

Source: Dept of Mineral Resources (2006)
Coalworks (Vickers South Pty Ltd) (2012);
Whincup Archaeology (2017)



VICKERS EXTENSION PROJECT
Regional Geology



Figure 6a

Era	Period	Stratigraphy		Symbol	Lithology		
		Group	Formation				
CENOZOIC	QUATERNARY		undifferentiated sediments	Qx	Undifferentiated alluvial deposits; includes Holocene alluvial channels and overbank deposits of sand silt and clay. Generally does not include residual and veneer colluvial deposits		
		TERTIARY	undifferentiated sediments	Ts	Sand, sandstone, pebble sandstone, pebble to cobble gravels, and tuffs		
	Nandewar Volcanic Complex		Tn	Basalt, dolerite, teschenite, nephelinite or trachyte sills, dykes, plugs and flows			
	undifferentiated volcanics		Tv	Basalt, dolerite, teschenite, nephelinite or trachyte sills, dykes, plugs and flows			
MESOZOIC	JURASSIC	Surt Basin Units	Orallo Formation	Jpo	Fine to coarse grained labile to sub-labile clayey sandstone with interbedded siltstone and mudstone		
			Pilliga Sandstone	Jps	Quartz pebble and quartzose sandstone with minor lithic sandstone and siltstone		
			Purlawaugh Formation	Jpx	Thin bedded lithic labile sandstone interbedded with siltstone and mudstone		
			Glenrowan Intrusives	Jgi	Sills and dykes of alkali dolerite and micro-syenodolerite		
			Garrawilla Volcanics	Jgv	Vesicular and non-vesicular, alkali olivine basalt, alkali basalt, hawaiite, mugearite, soda trachyte and interbedded pyroclastics		
PALAEOZOIC	TRIASSIC	Gunnedah Basin Units	MIDDLE	Deriah Formation	Rdh	Fine to medium grained lithic sandstone rich in volcanic fragments with common mudstone clasts overlain by off-white lithic sandstone and dark grey mudstone	
				Napperby Formation	Rns	Coarsening-up sequences of dark-grey siltstone/sandstone laminite overlain by parallel bedded or low-angle crossbedded quartzose sandstone	
			EARLY	Digby Formation	Rdc	Poorly sorted volcanic lithic pebble orthoconglomerate overlain by massive, parallel or cross bedded coarse to fine grained quartzitic and then quartzose sandstone	
				LATE	Nea Subgroup	Tinkey Formation	Pnc
			Wallala Formation			Fining up sequence of dominant lithic conglomerate, sandstone, siltstone, claystone and coal with minor tuff and tuffaceous sediments.	
			Coagal Subgroup		Clare Sandstone	Medium bedded, cross stratified medium to coarse grained quartzose sandstone. Quartzose conglomerate locally developed	
					Benelabri Formation	Interbedded claystone, siltstone and fine grained quartzose sandstone and coal	
			Brothers Subgroup		Hoskissons Coal	Coal with subordinate layers of fine grained sandstone, carbonaceous siltstone and claystone, and tuff	
					Brigalow Formation	Fining-up sequence of medium grained quartzose sandstone and siltstone.	
					Arkarula Formation	Fining-up sequence of fine-medium lithic sandstone and siltstone with worm burrows	
	Pamboola Formation	Lithic sandstone, siltstone, claystone, conglomerate and intercalated coals in generally coarsening-up and sporadic fining-up sequences					
	PERMIAN	MILLIE GROUP		Watermark Formation	Pwf	Fining-up sequence of intensely bioturbated silty sandstone to sandstone/claystone laminite with marine fossils overlain by finely laminated siltstone/claystone with little bioturbation, then by coarsening-up sequences of strongly bioturbated silty to sandy laminite	
				Porcupine Formation	Pps	Basal conglomerate passing upward into bioturbated silty sandstone and minor siltstone with dropped pebbles	
		BELLATA GROUP		Mauls Creek Formation	Pmx	Basal carbonaceous claystone, pelletoidal clay sandstone, passing into fining-up cycles of sandstone, siltstone and coal. Conglomerate dominant towards top	
				Goonbri Formation	*	Carbonaceous siltstone and thin coal grading upwards to fine to medium sandstone	
				Leard Formation	Pll	Buff coloured flint (pelletoidal)/claystone, conglomerate sandstone and siltstone	
				Werrie Basalt	Pwb	Basaltic lavas with intervening palaeosols and local thin coals	
	CARBONIFEROUS	LATE	New England Orogen Units	Boggabri Volcanics	Pbr	Rhyolitic to dacitic lavas and ashflow tuffs with interbedded shale. Rare trachyte and andesite	
					Currabubula Formation	Cbc	Paraconglomerate or thoconglomerate, crossbedded feldspathic and lithic sandstone, siltstone, mudstone and minor limestone. Felsic ashflow and airfall tuff, rhyolitic to andesitic crystal and vitric tuff
				Lark Hill Formation	Clh	Feldspathic arenite, litharenite, subordinate orthoconglomerate and paraconglomerate, siltstone, rhyodacite, and dacitic ashflow and airfall tuff	
				Rocky Creek	Crc	Orthoconglomerate, minor feldspathic arenite and litharenite, siltstone and intermediate ashflow tuff	
				Plagyan Rhyodacite Tuff Member	Crpt	Multiple beds of rhyolitic to andesitic crystal and vitric tuff	
				Conglomerate			
				Cilfden Formation	Ccl	Crossbedded feldspathic and lithic sandstones, subordinate conglomerate, shale, rhyodacitic and dacitic airfall tuffs	
				Caroda Formation	Cabb	Porphyritic andesite	
				Barneys Spring Andesite Member	Cas	Crossbedded sandstone, minor lenticular oolitic limestone and magnetite sandstone, succeeded by coarse fluvial litharenite, conglomerate, shale, thin coal	
DEVONIAN				LATE	Parry Group	Mostyn Vale Formation	Dpmx

* Known only from borehole data

Source: Dept of Mineral Resources NSW (2006)

Refer Figure 6a for Regional Geology Mapping.

Figure 6b

The geological context of the Study Area (including the VEP Investigation Area) demonstrates an abundance of suitable stone resources available for artefact production (e.g. fine-grained gravels derived from Maules Creek Formation conglomerate rocks are ideal for knapping, while potential sandstone outcrops are suitable for artefact grinding).

The erosion pattern associated with the geology discussed above indicates that the presence of overhangs or shelters large enough for use by the local Indigenous population is unlikely in the Study Area. Generally speaking, rock shelters are produced where a resistant, insoluble rock (e.g. sandstone) overlies a relatively weaker bedrock geology and when considerable erosive forces (e.g. water, wind) cut away the weaker rock, leaving behind the more resistant rock as an overhang or rock shelter. For much of the Study Area, the primary geological units are not durable enough to withstand most erosive forces. Instead, the geology is dominated by sand and alluvial deposits, and crumbly conglomerate outcrops, which are unlikely to form overhangs of sufficient size for human occupation. As a result, there remains limited potential for the presence of rock shelters within the Study Area (including the VEP Investigation Area).

Soils of the Liverpool Plains are generally characterised as extensive black earths on low angle slopes, with brown clays, alluvial soils and red or brown texture contrast soils on more pronounced slopes.

6.2 Topography and Hydrology

The Study Area is located wholly within the lower slopes and alluvial plains of the Namoi River catchment area, a major river system situated as an intermediary between the tablelands of the Nandewar Range (to the northeast) and broad plains of the Gunnedah Basin (to the southwest). The Namoi River generally flows in a north-westerly direction from its headwaters in the Great Dividing Range and, ultimately, into the Barwon River. Although higher landforms and associated slopes are abundant in areas to the north-east, these slopes quickly flatten out into the undulating plains that characterise the majority of the Study Area.

The Study Area is characterised by several landform units:

- **Level to very gently undulating plains** (generally with slopes <5.450, as defined by McDonald et al., 1984), which encompass a large proportion of the VEP Investigation Area, including portions of the mine site extension area and the western extent of the rail corridor.

- **Moderately sloped landform** (>5.450, as defined by McDonald et al. 1984), which encompasses localised sections of the undulating plains, especially in the central areas of the VEP Investigation Area associated with the slightly higher landforms of the Maules Creek Formation geological unit (Section 6.1).
- **Alluvial floodplain** (generally flat, but with occasional incised drainage lines), which encompasses the generally flat floodplain of the Namoi River (i.e. where the rail corridor crosses the river and to the west – the Namoi River is currently situated at the eastern edge of the 2 to 3 km wide alluvial floodplain), as well as occasional incised gullies associated with drainage of the floodplain.

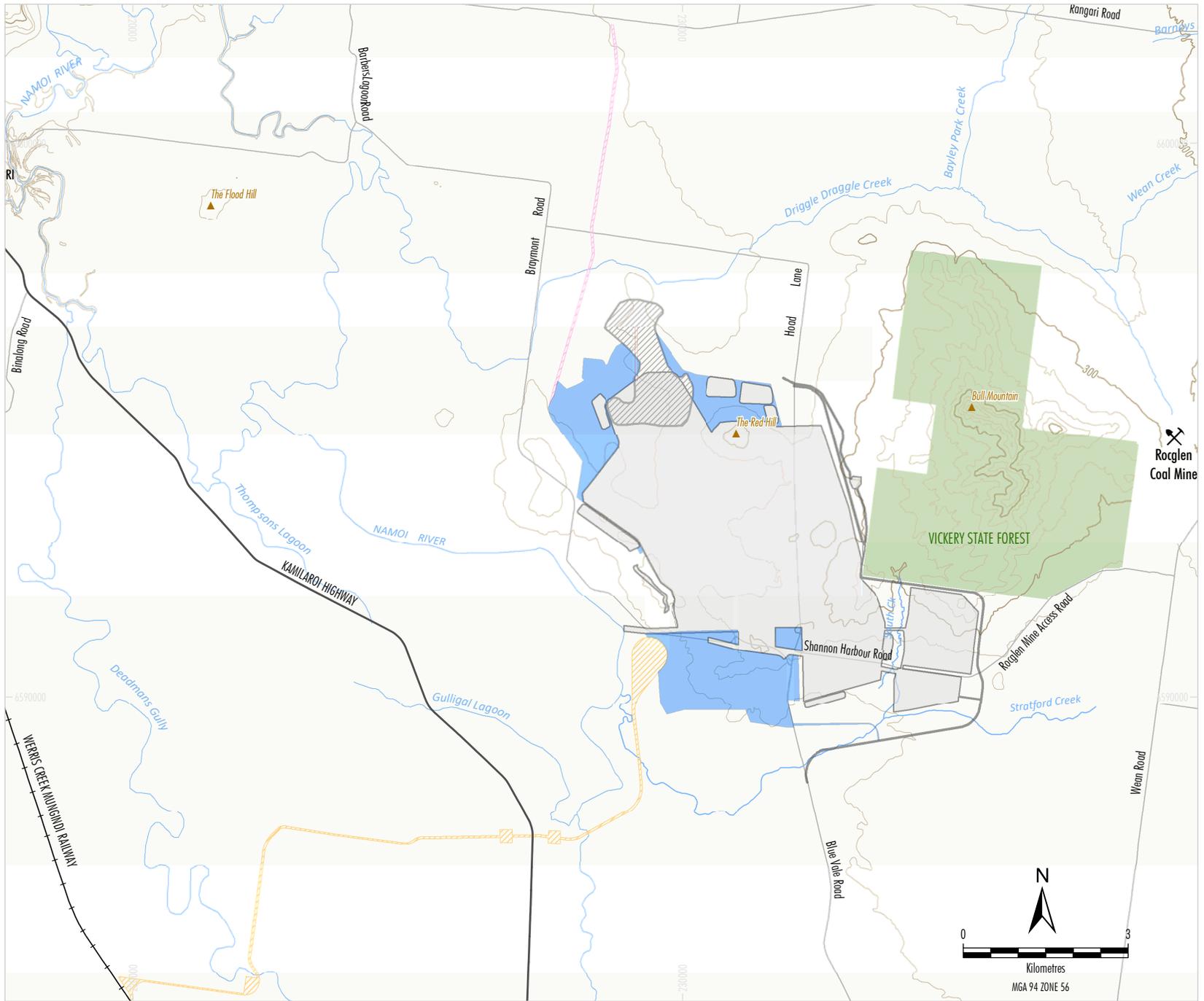
In the vicinity of the Study Area, the Namoi River meanders through wide alluvial plains and is fed by several ephemeral creeks (e.g. Deadman’s Gully, Thompsons Lagoon, Driggle Draggie Creek via Barbers Lagoon) that drain surrounding uplands and traverse the alignment of the rail corridor (Figure 7).

These tributaries tend to originate in higher ground, draining the upper slopes and steeper terrain and forming ephemeral creeks that only flow following prolonged rainfall and do not retain water for long. These creeks and streams can be dry for extended periods.

Surface water is uncommon across much of the Study Area, except for short periods following storms or during long, wet periods (Haglund, 1986: 4). The higher-order tributaries and major rivers are located on the valley flats and floodplains, while creeks and billabongs are located at the base of lower slopes, where temporary water collects following rainfall. Major floods generally occur in late summer, during which time extensive areas of the wide floodplain are inundated.

The elevation of the south-eastern part of the Study Area ranges from approximately 330 metres (m) Australian Height Datum (AHD) near the boundary of the Vickery State Forest, to around 270 m AHD at the southern extent of the Vickery Open Cut. Red Hill is located at the very northern extent of the Vickery Open Cut, rising to an elevation of approximately 310 m AHD.

The topography and hydrology in the vicinity of the Study Area are presented on Figure 7.



- LEGEND**
- State Forest
 - Canyon Coal Mine
 - Approximate Extent of Approved Vickers Coal Project
- VEP Investigation Area**
- Mine Site Extension Area
 - Northern Borefield
 - Rail Corridor

Source: Coalworks (Vickers South Pty Ltd) (2012);
 Landskape (2012); L&PI NSW(2016); Whincop
 Archaeology (2017)


VICKERY EXTENSION PROJECT
 Hydrology and Topography

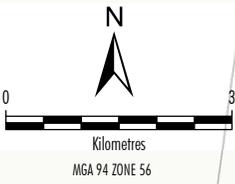


Figure 7

6.3 Climate

The climate of the locality is characterised by hot summers and mild winters with frequent frosts. The climate is dry subhumid, receiving an average of 636.4 millimetres (mm) of rainfall per annum in nearby Gunnedah (Bureau of Meteorology, 2018). The hottest month of the year is January, with an average maximum temperature of 32.1 degrees Celsius (°C) and low of 19.0°C. January is also the wettest month of the year, with an average monthly rainfall of 83.1 mm, which constitutes approximately 17 percent (%) of the average annual rainfall. July is generally the coldest month of the year, with average temperatures ranging from 4.8°C to 16.2°C (Bureau of Meteorology, 2018).

6.4 Flora and Fauna

The Study Area is located within the Brigalow Belt South Bioregion, one of the largest bioregions in Australia, and which accounts for approximately 6.7% of land in NSW. Extensive research has been undertaken on the native flora and fauna of this bioregion; however, much of the Study Area has been significantly altered over the past two centuries.

Dryland cropping and grazing of cattle is conducted to the north, west and south of the Study Area, on the flatter lands near the Namoi River and its tributaries. There are several irrigated cropping enterprises in the vicinity of the Project, to the west of the Namoi River and to the north-west of the Study Area.

Vegetation communities within the Study Area comprise degraded River Red Gum (*Eucalyptus camaldulensis*) grassland along the riparian zone of the Namoi River, with some remnant stands of White Cypress Pine (*Callitris glaucophylla*) and White Box, Poplar Box and Narrow-leaved Ironbark (*Eucalyptus albens*, *E. Populnea*, *E. crebra*) open woodland and isolated paddock trees on the cleared adjacent plains.

Native vegetation has been removed from much of the Study Area due to extensive clearing associated with pastoral and agricultural activities. Undulating plains in the Study Area are dominated by either open grasslands (often used as pasture), or cultivated fields. The presence of animal pasture and agricultural crops has resulted in reduced ground surface visibility (GSV) across the Study Area.

Timber extraction is evident across the Study Area, resulting in the survival of remnant native woodland species in only small pockets, with very few mature native trees evident.

Previous fauna surveys identified mammal, bird, reptile and amphibian species within the Study Area. These surveys confirm the presence of the few native species encountered during the recent archaeological survey and which were likely food resources for past Aboriginal communities. These species include (but are not limited to) the eastern grey kangaroo, wallaroo, brush-tailed possum, and goanna.

7 ABORIGINAL ARCHAEOLOGICAL CONTEXT

The aims of this contextual study are twofold: to determine the level of previous investigation of the Study Area (including the VEP Investigation Area) and surrounding region; and to determine the presence of any previously registered Aboriginal cultural heritage sites within the VEP Investigation Area. A review and analysis has been undertaken of data, including previous Aboriginal cultural heritage assessments and management plans prepared for surrounding mining operations, published research and up-to-date extensive searches of the Aboriginal Heritage Information Management System (AHIMS) database, in order to identify and/or characterise the Aboriginal cultural heritage site types and locations likely to be present within the VEP Investigation Area.

The below review of previous archaeological research considers *regional studies*, which assist in characterising the general pattern of Aboriginal cultural heritage site distribution across a broad region, and *localised studies*, which assist in developing an understanding of archaeological sensitivity and the extent and scope of prior investigation in a relatively limited area or environment. With an increase in extractive activities in the Gunnedah Basin in recent years, the region has been subject to an increasing number of localised Aboriginal cultural heritage surveys, assessments and management plans. Much of the previous archaeological investigations undertaken in the surrounding area have been associated with existing operations at the nearby Tarrawonga, Boggabri and Maules Creek Coal Mines.

7.1 Previous Archaeological Investigations of the Study Area

Previous investigations undertaken within the Study Area (including the VEP Investigation Area) and immediate surrounds include:

Kamminga (1978) undertook a sample survey of the proposed coal mining operation at the Boggabri Coal Mine, which included an examination of the then proposed Vickery Coal Mine. In particular, the survey focused on identifying potential chalcedony quarries on Robertson's Mount and in the outcrops around Gin's Leap. Kamminga also investigated anecdotal evidence for the presence of burial grounds, scarred trees, a bora ground and a fish trap, but was unable to conclusively locate any such sites. This is possibly due to destruction through modern land-use activities (e.g. ploughing). No Aboriginal cultural heritage sites were identified during his assessment.

Thompson (1981) undertook an assessment of the then proposed Vickery Coal Mine as part of the broader EIS. Investigations identified several site types within and around the Study Area for the current Project, including grinding grooves, scarred trees, artefact scatters and some smaller open sites near minor drainage channels and on slopes and ridgetops. Thompson (1981: H-10) concluded that the locations of camp sites (represented by extensive artefact scatters) are closely associated with the presence of water; either a permanent river or intermittent creeks. Sites with the highest artefact densities (though none were particularly rich) were generally located on a permanent water source with access to a variety of environments and, therefore, resources (i.e. the Namoi River where it intersects the open plains in proximity to nearby low hills). Thompson noted that, although camp sites rarely occur away from permanent water, smaller artefact scatters do occur along creeks immediately downstream from steeper sections (i.e. where water can pool).

Scarred trees are generally not well-represented in Thompson's (1981: H-21) study, except for the Cypress Pine tree scars that Thompson associated with 'torches' and nocturnal resource gathering. These same 'torch-bark' scars were inspected by a member of the NSW Forestry Commission, who interpreted these scars to be the result of a fire and should not be considered Aboriginal relics (Haglund, 1985: 19-20). It is noted that similar scars encountered during archaeological survey of the nearby Maules Creek Coal Mine were also dismissed by a forestry expert with more than 30 years' forestry experience as not having a cultural origin (Burns, 2013).

Haglund (1982) undertook an archaeological investigation of two artefact scatters located on the Namoi River (immediately adjacent to the VEP Investigation Area) that had been identified by Thompson (1981): the sites were named 'Top Rocks' (AHIMS 20-4-0009) and 'Bottom Rocks' (AHIMS 20-4-0008), though both were registered on AHIMS under the site name 'Wilga' (note, the 'Wilga' grinding grooves have potentially been recorded a second time as Broadwater Grinding Grooves [AHIMS 20-4-0292]). Haglund's detailed inspection of the two 'Wilga' sites identified a wider class of artefact and raw material evident than that recorded by Thompson. Of the two sites, only 'Top Rocks' (artefact scatter with associated grinding grooves) (AHIMS 20-4-0009) was interpreted as maintaining some spatial integrity with in situ archaeological deposits. 'Bottom Rocks' (AHIMS 20-4-0008) was considered to be much disturbed and damaged by erosion and human activity.

Haglund (1985) undertook extensive archaeological investigations of proposed coal mining areas north of Gunnedah, including areas now associated with the existing Boggabri, Tarrawonga and Maules Creek Coal Mines. Haglund identified four extensive artefact scatters within an area that now forms part of the current Study Area, including the two 'Wilga' sites (AHIMS 20-4-0008 and 20-

4-0009 [see above]) located on the banks of the Namoi River that were first identified by Thompson (1981) and subject to more detailed investigation by Haglund (1982).

The results of Haglund's archaeological investigations revealed low artefact densities, with the greatest artefact numbers concentrated along the Namoi River and then, to a lesser degree, ephemeral drainage lines.

Landskape (2012) completed an ACHA of the now-approved Vickery Coal Project, which included a portion of the current VEP Investigation Area (Section 1.3). In addition to previously recorded sites, the field surveys identified 20 artefact scatters and 15 isolated artefact sites, all of which constituted small, low-density artefact sites. The approved Vickery Coal Project ACHA assessed five previously recorded sites, including the 'Wilga' grinding grooves (AHIMS 20-4-0009) on the Namoi River.

Also in 2012, Susan Hudson commenced preparation of an ACHA for the then proposed Vickery South Project, which includes part of the current VEP Investigation Area. The ACHA was never completed. Nevertheless, during the field surveys undertaken, Hudson identified over 30 potential Aboriginal cultural heritage sites, including more than 20 possible scarred trees. As described in Section 5.5, two separate independent investigations have since determined the potential scarred trees to be of natural origin (Appendices 6a and 6b). Notwithstanding, four of the artefact sites previously identified by Hudson have been confirmed as Aboriginal cultural heritage sites by the archaeological survey undertaken in 2016 for this ACHA.

7.2 Previous Archaeological Investigations of the Broader Region

Previous investigations within the broader region include intensive survey associated with several coal mines to the north of the VEP Investigation Area (i.e. the Tarrawonga, Boggabri and Maules Creek Coal Mines). These investigations are described in the following subsections.

In addition, several other studies undertaken in the Gunnedah/Narrabri region have been reviewed and considered as part of this ACHA.

7.2.1 Regional Studies

It is noted that **Balme's (1984)** broad regional study of the north central river systems identified open artefact scatters and scarred trees as predominant site types in similar landform units to those recorded in the current Study Area. Balme (1984) noted that these sites tend to be located in association with permanent watercourses and, to a lesser degree, ephemeral creeks at the base of higher landforms.

7.2.2 Maules Creek Coal Mine

Haglund (1983) summarises the preliminary results of a broad archaeological reconnaissance survey of the Maules Creek Coal Project, located approximately 20 km north of the VEP Investigation Area. The survey was aimed at characterising the archaeological potential of the area based on general observations regarding landform, geology, and site identification. Haglund (1983: 2) noted that the river flats in the area (i.e. those associated with the Namoi River and Back Creek) were surrounded by more rugged terrain with steep-sided ridges and spurs separated by narrow erosion gullies. While rocky outcrops were noted by Haglund, nowhere was the rock seen to form overhangs or shelters large enough for use by Indigenous people (*ibid*). North of Back Creek, the more gently sloping terrain consisted of extensive colluvium and alluvium. Haglund concluded that areas ‘likely to have been preferred for Aboriginal camp sites occur on flat-topped spurs where finer sediment remains with the gravel, on stretches of Black Soil [...] and on the areas of colluvium and alluvium’ (Haglund, 1983: 3). Archaeological material was considered more likely on high creek banks close to rocky outcrops exposed in creek beds and, to a lesser degree, on the lower slopes of low hills and broad saddles. No archaeological material was evident above the 340 m contour, likely due to the scarcity of surface water and the prevalence of steep surfaces. Haglund’s (1983: 7; 1986: 5) study confirmed the relevance of Thompson’s (1981: H-10) predictive model: namely, the presence of low-density artefact scatters on intermittent creeks at locations just downstream from steeper sections that drain hills, but upstream of where the creek channels become poorly defined and spread out on the flat alluvial areas downstream (i.e. in areas where water pools after rain).

Three years later, **Haglund (1986)** followed up the reconnaissance survey of the Maules Creek Coal Project area with a more detailed sampling survey. As a result of the two surveys, Haglund identified 21 artefact scatters and several isolated artefacts in the Maules Creek Coal Project area. Haglund (1986: 9) noted that the richest sites, in terms of artefact frequency and diversity, were those sites located on the banks of Maules Creek. Furthermore, the smaller assemblages primarily consisted of un-retouched flakes, flake cores, and flake fragments – artefact categories that characterise stone-working activities associated with stone resource acquisition. The Aboriginal cultural heritage sites identified by Haglund are characterised by scatters of flaked stone artefacts of variable raw material (e.g. mudstone, silcrete, chert, quartz, quartzite and chalcedony).

Dallas (1986) also undertook an archaeological survey of proposed infrastructure options for the Maules Creek Coal Project. The survey located four Aboriginal cultural heritage sites, including three low-density artefact scatters and one rock shelter with an associated bifacial artefact.

The rock shelter site (known as MC22), which contained no evidence of Aboriginal occupation or use within the shelter (the bifacial artefact was located downslope from the 'rock shelter'), is located at the western end of the same rock outcrop associated with Gin's Leap. There is no archaeological evidence to indicate that this small overhang, rare for this area, should be considered an Aboriginal cultural heritage site.

The Aboriginal Archaeology and Cultural Heritage Management Plan (AACHMP) for the Maules Creek Coal Mine was prepared in 2013 and revised plans were approved two and three years later (UQCHU, 2015; Whincop Archaeology, 2016). Cultural heritage sensitive areas were defined in the AACHMP as those areas within 50 m of a known Aboriginal cultural heritage site and/or land within 200 m of a named watercourse and/or 100 m either side of unnamed but mapped drainage lines.

7.2.3 Tarrawonga Coal Mine

A 2005 archaeological investigation of the then proposed East Boggabri Coal Mine (now known as the Tarrawonga Coal Mine), approximately 12 km northeast of the VEP Investigation Area, identified eight Aboriginal cultural heritage sites, including one scarred tree, one isolated artefact site, and six artefact scatters (Archaeological Surveys and Reports, 2005).

Several assessments have since been undertaken for different aspects of Whitehaven's Tarrawonga Coal Mine (Dunk and Vermeltfoort, 2011; Landskape, 2010; Kayandel, 2011). The Environmental Assessment reports the identification of 58 previously unregistered sites (including 22 artefact scatters, 25 isolated artefacts and 11 scarred trees), in addition to the 90 previously recorded sites already registered on AHIMS at that time (including 76 artefact scatters, 11 scarred trees, a potential archaeological deposit [PAD], an artefact scatter with a scarred tree and a restricted access site). All but two of the artefact scatters identified during survey were located on the lower slopes or plains landform units, and only one was found in a location not within 200 m of Goonbri Creek. The majority of artefact scatters were considered to be low density; the highest number recorded was 61 artefacts (including 10 cores). The isolated artefacts identified were distributed across a wider variety of landforms than artefact scatters (i.e. ridge tops, plains, and lower slopes), but were generally still located within 200 m of a known creek or water source. Investigations undertaken at the Tarrawonga Coal Mine demonstrate that there is a strong correlation between the size and density of artefact remains, water availability, and landform.

7.2.4 Boggabri Coal Mine

Hamm (2005) identified 59 Aboriginal cultural heritage sites (including artefact scatters, isolated artefacts and scarred trees) as part of an ACHA at the Boggabri Coal Mine, approximately 13 km north of the VEP Investigation Area (immediately north of the Tarrawonga Coal Mine).

The Cultural Heritage Management Plan for Idemitsu's (2013) Boggabri Coal Mine incorporates the results of several different archaeological surveys, but is not explicit about the actual number of sites located within the relevant project area. An earlier ACHA (Archaeological Surveys & Reports Pty Ltd, 2005) identified 61 sites (including 30 artefact scatters, 26 isolated artefacts and five scarred trees), while a later survey (Insite, 2010) identified a total of 77 Aboriginal cultural heritage sites (again including artefact scatters, isolated artefacts and scarred trees). It is not clear, however, if any of the original 61 sites are included in the later total of 77 sites. Furthermore, several sites identified during the ACHAs prepared for the Tarrawonga and Maules Creek Coal Mines are managed by the currently approved Boggabri Coal Mine Cultural Heritage Management Plan. The 2009 AHIMS search undertaken as part of the Aboriginal Cultural Heritage Impact Assessment Report (Insite, 2010: 19) prepared for the Boggabri Coal Mine identified 103 sites within a 500 square kilometer (km²) area (see Insite, 2010: Figure 3), including 86 artefact sites, 14 scarred trees, a PAD (later de-registered), an artefact site with a scarred tree and a mythological site (Gin's Leap). Two patches of grinding grooves on sandstone bedrock in the Leard State Forest were also identified during subsequent survey, though they are both considered relatively poor archaeological examples of their site type (Insite, 2010: 73). The results of the 2010 assessment concluded that the majority of artefact sites were located on the lower slopes of the Ban Baa Range, while fewer sites were identified in the sediments of the Namoi River floodplain. Much of what was identified by the various surveys and assessments were notably disturbed, though Insite (2010: 50) states that the lower slopes of the Leard State Forest hold potential for subsurface, undisturbed sites.

7.3 AHIMS Searches

In addition to a review of relevant literature and reports for the Study Area and wider region, several extensive searches of the OEH AHIMS database were undertaken for the Study Area (i.e. the VEP Investigation Area and the approved Vickery Coal Project area, including the approved private haul road and Kamilaroi Highway overpass, with a 1 km buffer). These searches were undertaken on 7 August 2015, 23 October 2015, 16 December 2015, 15 December 2016, 9 August 2017, 16 November 2017 and 2 May 2018 and identified the presence of Aboriginal cultural heritage sites within the Study Area.

A series of more recent extensive searches of the AHIMS database were undertaken on 15 May 2018 (AHIMS Search IDs #345135, #345136 and #345137) that identified a total of 148 Aboriginal cultural heritage sites within the Study Area (Appendix 7). These search results include a number of the Aboriginal cultural heritage sites identified during the 2016 surveys undertaken as part of this assessment, as well as those identified during the Vickery Coal Project ACHA investigations, all of which were subsequently registered on the OEH AHIMS database. Due to an alteration of the originally proposed rail alignment, many of the sites identified during the 2016 survey are now located outside the VEP Investigation Area and would not be subject to disturbance associated with the Project.

The 148 Aboriginal cultural heritage sites identified in the AHIMS search include:

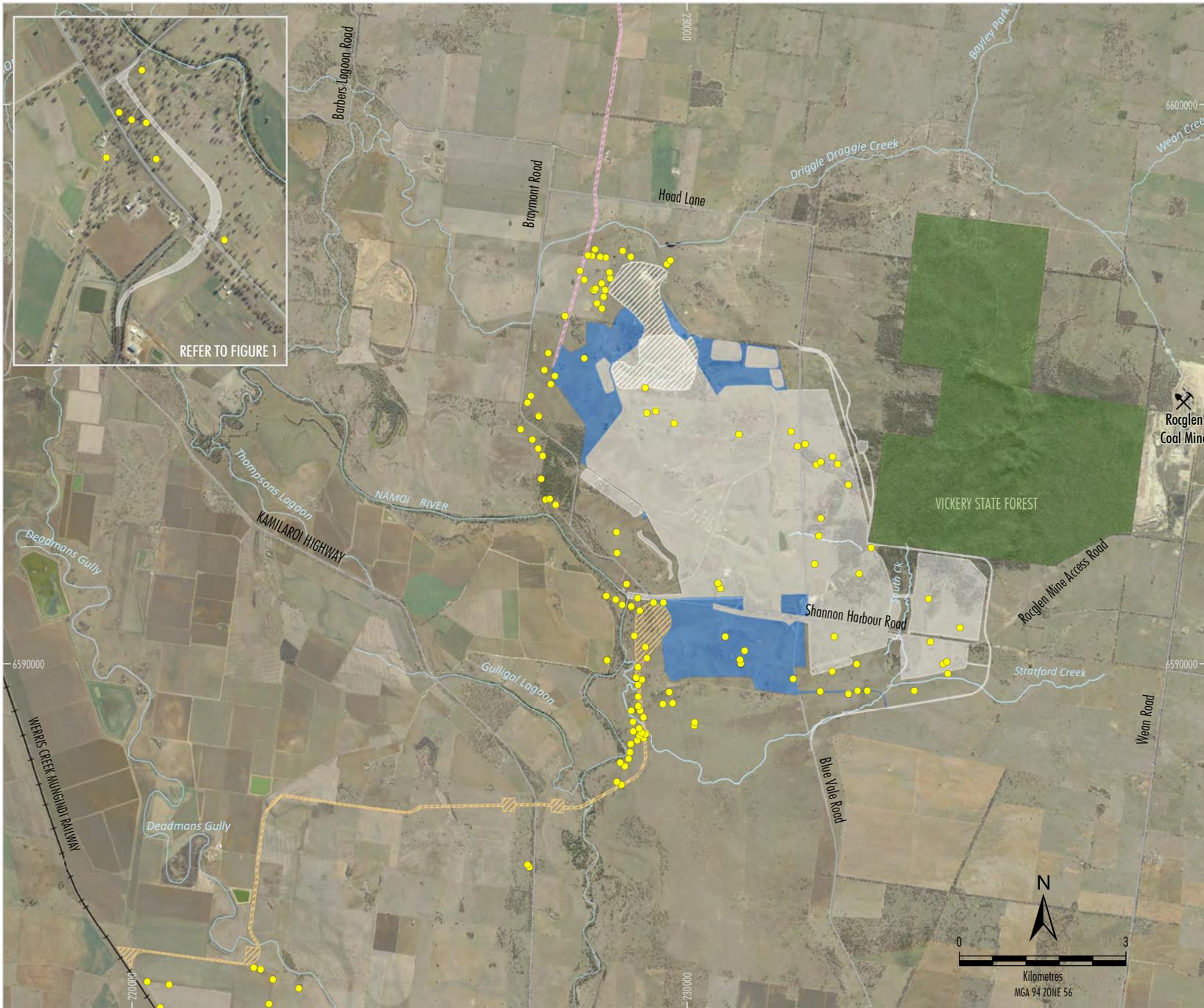
- Two (2) grinding groove sites (possibly the same site registered twice at two different locations – ‘Wilga’ [AHIMS 20-4-0009] and ‘Broadwater Grinding Grooves’ [AHIMS 20-4-0292] – the coordinates of neither are actually situated on the Namoi River);
- Nine (9) scarred trees;
- Seventy-three (73) artefact scatters (including one (1) associated with the ‘Wilga’ grinding grooves [AHIMS 20-4-0009], and four (4) associated with scarred trees); and
- Sixty-nine (69) isolated artefacts.

The results of the AHIMS search are presented on Figure 8 and provided in Appendix 7.

Forty (40) of the Aboriginal cultural heritage sites listed on the AHIMS register were identified for the approved Vickery Coal Project ACHA (Table 12), thirty-four (34) of which are located immediately east of the VEP Investigation Area including twenty-two (22) artefact scatters and twelve (12) isolated artefacts. The remaining six (6) (all artefact scatters) are located within the approved private haul road and Kamilaroi Highway overpass area.

One (1) additional isolated artefact listed on AHIMS (‘Whitehaven 4’ – AHIMS 20-4-0091) is located within the former Canyon Coal Mine and has likely been destroyed by past mining activities, despite its status remaining ‘valid’ on AHIMS (note, the AHIMS site card discusses the intention to salvage the site and the AHIMS search results reference permit #2051).

Twenty-four (24) Aboriginal cultural heritage sites listed on the AHIMS register are located within the VEP Investigation Area, including nine (9) artefact scatters and fifteen (15) isolated artefacts (Table 8).



LEGEND

- State Forest
- State Conservation Area, Aboriginal Area
- Canyon Coal Mine
- Approximate Extent of Approved Vickers Coal Project

VEP Investigation Area

- Mine Site Extension Area
- Northern Borefield
- Rail Corridor

Aboriginal Heritage Sites

- Individual Record

Source: Orthophoto - Department of Land and Property Information, Aerial Photography Flown (July 2011); AHIMS (2015); Coalworks (Vickers South Pty Ltd) (2012); Landscape (2012); Whincop Archaeology (2017)


WHITEHAVEN COAL
VICKERY EXTENSION PROJECT
AHIMS Search Results



Figure 8

The approved Vickery Coal Project area also contains three (3) AHIMS sites that are located within the VEP Investigation Area. The Vickery Coal Project ACHA determined that there would be no impacts to the three (3) sites; however, the sites have since been determined to be impacted by the Project.

One (1) additional AHIMS site ('Whitehaven Driggle Draggie Creek' [AHIMS 20-4-0013], an artefact scatter) is located adjacent to the VEP Investigation Area and may be potentially impacted by the Project. The extent of this site is not accurately known; however, it is believed to be located outside of the VEP Investigation Area.

It is noted that, while the AHIMS database provides a good indication of the known Aboriginal cultural heritage sites in a given area and can be used to assist in characterising the heritage potential of that area, the search is only reflective of the previous survey effort undertaken in that area. Additional sites may be located within a given area depending on whether the area has been extensively and sufficiently surveyed.

7.4 Ethnographic and Historical Context

In this section the available ethno-historical and historical information relating to Aboriginal people in the Study Area and the broader region is briefly reviewed. This information can assist in formulating a model of local Aboriginal subsistence and occupation patterns. In conjunction with an analysis of the documented archaeological record of the region, the ethno-historical and historical information also assists in the interpretation of Aboriginal cultural heritage sites in the wider area, and in predicting the potential location and likelihood of occurrence of Aboriginal cultural heritage site types within the VEP Investigation Area.

The present distribution, physical condition and visibility of Aboriginal cultural heritage sites depends on local patterns of past human behaviour, as well as intensive land use practices over the last 150 years. This section draws from early ethnographic sources to explore the history of local Indigenous people at the time of, and subsequent to, European contact. For this reason, the following summary of past land use practices is important to the development of an archaeological predictive model for the VEP Investigation Area.

There are several problems, however, concerned with correctly describing nineteenth century Aboriginal groups west of the Great Dividing Range. This is the result of discrepancies in early European accounts and the difficulties early settlers had in understanding Aboriginal languages and social systems.

The effects of European settlement on Aboriginal people, such as the loss of traditional lands and resources, spread of disease, social breakdown, and removal of people to Reserves have added additional complexities. Hence, it is difficult to accurately identify the ethno-history and post contact history of specific Aboriginal clan groups.

In the late Pleistocene period, during the last glacial maximum (24,000 to 18,000 years ago), the climate was significantly cooler (6-10°C) and drier than at present. Water was less abundant and less reliably available in some areas, especially in areas today generally lacking surface water, such as the undulating plains adjacent to the Namoi River floodplain. The general lack of water and associated subsistence resources would not have represented an environment conducive to Aboriginal occupation. By the Holocene period, which commenced around 11,700 years ago, water was more frequently available and areas previously considered sub-optimal were much more conducive to human occupation. As a result, Aboriginal cultural heritage sites dating to the Pleistocene, if present in the area, will be restricted to the margins of the Namoi River, where water was sufficient to sustain life.

Aboriginal people of the Kamilaroi (or Gamilaraay) language group occupied the Liverpool Plains at the time of European contact (Mitchell, 1839; Fison and Howitt, 1867; Parker, 1905; Tindale, 1974; Howitt, 1996). A language group consisted of independent groups of closely related kin, or 'clans', who were spiritually linked to designated areas of land through their association with topographic features connected to mythic beings or deities (Berndt, 1982). Clan lands were inalienable and clan members had religious responsibilities (e.g. conducting rituals) to ensure 'the perpetuation of species associated with the particular mythic beings associated with that territory' (Berndt, 1982: 4). Traditionally, reconstructions of tribal boundaries have been based on language groups documented in the ethnographic and ethno-historical literature. It is important to note, however, that these reconstructions do not necessarily reflect the spatial distribution of Aboriginal peoples prior to European settlement and, instead, provide an approximate guide to Aboriginal tribal boundaries during the contact period (Sullivan, 1981). During the early phase of European exploration, the few observations made of Aboriginal groups were generally limited to distant sightings of Aboriginal people and their fires (Mitchell, 1839).

The territory of the Kamilaroi extended from Singleton in the south to the Warrumbungle Mountains in the west and incorporated areas today associated with Quirindi, Tamworth, Narrabri, Boggabri, Walgett, Moree and Mungindi in northern NSW, as well as some parts of southern Queensland. Tribal boundaries were linked with physiographic features (e.g. mountain ranges) and should not be considered as rigid lines in the landscape.

European observers noted that the Kamilaroi were hunter-fisher-gatherers who appeared to lead a semi-nomadic lifestyle. In 1831, the Surveyor-General of NSW, Major Thomas Mitchell (1839) examined the Namoi (Namoy, Nammoy) River valley and remarked on the open appearance of the undulating landform in the vicinity of Barber's Lagoon. The managed appearance of this landscape reminded him of farmland in England. Much of the country close to the river consisted of open woodland where Aboriginal landscape management practices, such as cold season burn-offs, had modified the landscape to make it more productive (i.e. attracting grazers) (Thompson, 1981: H-3; Haglund, 1986: 5).

The Kamilaroi caught fish, eels, freshwater crayfish, yabbies, tortoises and freshwater mussels in the Namoi River and other streams and wetlands in the region (Mitchell, 1839; Parker, 1905; O'Rourke, 1997). Watercrafts were manufactured from large slabs of bark cut from river red gum trees.

Reed nets were used to catch birds, whose eggs were also collected. Other animals that Kamilaroi hunted included kangaroos, wallabies, possums, emus, echidnas, lizards, snakes and frogs (Mitchell, 1839; Fison and Howitt, 1867; Parker, 1905; O'Rourke, 1997). A wide variety of plant foods were also collected, including wild orange, native lime, tubers, yams and roots (Gott, 1983).

Mitchell, amongst others, took note of the extensive Kamilaroi encampments (though Mitchell met only one person in the area) located beside reliable watercourses, such as the Namoi River, Gywdir River, and Cox's Creek (Mitchell, 1839; O'Rourke, 1997). O'Rourke (1997) has estimated a total historical regional population in north-western NSW of around 10,000 Kamilaroi, with each clan having resided throughout the year at a small number of established, favourable locations within their estate. Subsistence was based on seasonal occupation of the riverine corridors and drier 'backcountry'. Large populations of people congregated at the rivers during the drier months, while in the cooler or wetter months, mobile bands dispersed over the plains and adjacent foothills, exploiting ephemeral resources (O'Rourke, 1997). The archaeological record of this occupation is preserved in the distribution pattern of Aboriginal cultural heritage sites, most of which probably date to the Holocene period (Purcell, 2000; 2002).

Other early accounts also record important details about ceremonial activities and burial practices. Mathews (1917) observed large initiation and ritual scarification ceremonies, including taboo behaviours, at the important ceremonial rings at Terry-Hie-Hie (north of Mount Kaputar). Some of these ceremonial areas were lined with carved trees. Around 1845, a traditional burial ceremony was recorded near Dubbo, where the body was placed in a sitting position and wrapped in a skin cloak tied together by the mourners' belts (Garnsey, 1942: 24). The body was buried in sandy soil near a river bank, with a number of trees being carved by the participants.

This summary of Aboriginal behavioural patterns within the Boggabri area during the mid-nineteenth century indicates that occupation was undertaken on a seasonal basis, characterised by temporary encampments shifting between resource-rich zones at different times of the year. Large campsites were often placed close to rivers and creeks. Such camps were generally occupied by smaller family groups for a few days or longer in resource-rich areas. Camps were shifted regularly to take advantage of foods as they came into season. Camps and travel routes were also located to take advantage of available resources such as stone for making tools. Physical evidence of such activities would have been left behind as stone-working debris and discarded used tools at quarries and campsites.

The lives of Aboriginal groups in the wider area were severely disrupted by the establishment and expansion of European settlement. In 1818, John Oxley became the first European explorer to journey through the Boggabri area, but he found the area too wet for effective grazing (Roberts, 1935: 133-134). Several years later (April and May 1825), Cunningham investigated the local area for potential pasture, water and mineral resources, but he too concluded that the area was a permanent swamp 'unsafe' for stock (Rolls, 1984: 67). The earliest recorded contact between the Kamilaroi and European settlers occurred in 1824, when the two cultures clashed violently at a pass in the Liverpool Range (Roworth, 2000:59), an encounter that temporarily delayed further expeditions westward, at least until Clark's reports of an 'inland sea' reignited interest.

George 'the barber' Clark, an escaped convict had resided with the Kamilaroi from 1825 until his recapture five years later. He journeyed west and encountered the Kamilaroi people in the area of modern Boggabri, eventually settling at a half-moon waterhole today known as 'Barber's Lagoon' (Rolls, 1984: 94). Clarke learnt their language, customs and dress and was given knowledge enough to allow his participation in ceremonies at Terry-Hie-Hie (Boyce, 1970), where he underwent ritual scarification as well as staining his body with wild berry juice, clay and ochre.

Clark also dressed wearing a possum-skin cloak, grass beads, a twisted human hair belt, and a reed headband. During his time with the Kamilaroi, Clarke instructed his new kin in the techniques of stock-rustling and showed them how to build a stockyard by the lagoon, which represents the first structure along the Namoi in the Boggabri area (Rolls, 1984: 94; Roworth, 2000: 61). On the recapture of Clarke, he recounted a story about a great inland sea (probably the Namoi River in flood) which prompted the 1831 expedition of Mitchell into the area. Mitchell encamped at the stockyard by Barbers Lagoon while exploring the immediate area, but he encountered no local Kamilaroi people. While Mitchell did not find the great 'inland sea' he was expecting, it is his description of the rich environment of the Liverpool Plains that initiated a concerted move into the area by European settlers.

By 1835, several squatters had moved up the Namoi River to establish illegal sheep runs. Edward Cox drove his flock from the headwaters of Cox's Creek to its junction with the Namoi River and established the Namoi Hut Station, which would eventually (in 1860) become the township of Boggabri (Archaeology Australia, 2010: 13). Another pioneering squatter in the Boggabri district was William Wentworth at Burburgate, a holding that incorporated a large area south of the VEP Investigation Area. By 1848, all the land along the Namoi River was occupied by pastoralists (O'Rourke, 1997: 201).

As more settlers moved into the Liverpool Plains to establish large runs, the Indigenous community was pushed further and further into marginal areas where subsistence was difficult. Within several decades of first contact many Kamilaroi people were living in 'fringe camps' adjacent to pastoral stations and taking up work as shepherds or stockmen (O'Rourke, 1997). Following the pastoral settlement of the district, the effects of introduced disease, dispossession and European aggression combined to decimate the Aboriginal population and cause the breakdown of traditional social and subsistence systems (e.g. the last recorded Kamilaroi bora ceremony occurred in 1905 at Wee Waa [O'Rourke, 1997]). In 1909, following the passing of the *NSW Aborigines Protection Act, 1909*, a series of Aboriginal Reserves and Stations were established in Kamilaroi lands, including those at Baan Baa and Borah Crossing, approximately 30-40 km north-west and south-east of the VEP Investigation Area, respectively (Thompson, 1981; Barber et al., 2007).

7.5 Post-Contact Land Use

In the past 150 years, pastoralist activities, farming, forestry, mining and other land management practices have combined to significantly alter the fabric of the Liverpool Plains landscape (Haglund, 1986: 5). Land in the Study Area was first used and settled by Europeans as squatting runs for stock and sheep in the mid-nineteenth century. Agricultural activities were then introduced into the Boggabri District after the passing of the Crown Land Alienation and Occupation Acts of 1861, which facilitated the selection of land by farmers on pastoral holdings for the cultivation of wheat and later cotton. Much of the alluvial flats associated with the major creeks and rivers were extensively cleared and heavily cultivated. By the late nineteenth century, the Boggabri township also operated several sawmills in order to service the logging industry working the timber reserves east of Boggabri. Select areas in the wider landscape have also been subject to commercial mining and mineral exploration activities.

As a result of land clearance activities, many Aboriginal cultural heritage sites have been either destroyed, removed or significantly disturbed over the course of the past 150 years. The ground surface has been extensively cleared, ploughed and trampled, while much of the area's woodland has been logged and cleared. The nature of unwooded open country has also compounded the erosive effects of annual flooding of the Namoi River, which would have accelerated impacts to Aboriginal cultural heritage sites. As a result, it is likely that the majority of artefact scatters have either been significantly disturbed or eroded, while the potential for traditional scarred trees to survive clearing and logging activities is considered to be low.

7.6 Predictive Model

Predictive models are generally based on the results of previous archaeological investigations within a similar local environment and take into account a wide variety of environmental influences (Rowland and Connolly, 2002).

The purpose of a predictive model is to inform archaeological investigations and intensify focus on areas with archaeological potential. As a result, a large portion of the development of each model is undertaken as a desk-based study. This provisional predictive model is then further refined during site visits and archaeological survey when general observations are recorded regarding landform, geology, elevation, slope and the extent of clearance and disturbance on each property. In other words, the desktop predictive model is subject to further development based on actual conditions on-site.

A summary of the results of previous archaeological investigations indicates that Aboriginal cultural heritage sites do occur in and around the VEP Investigation Area, indicating some potential remains for the discovery of previously unidentified Aboriginal cultural heritage sites (Sections 7.1 and 7.2). This section presents a list of implications and the likelihood for the potential discovery of different Aboriginal cultural heritage site types within the VEP Investigation Area.

General predictions for site patterning:

- Aboriginal cultural heritage sites are known to exist within and around the VEP Investigation Area.
- Previous archaeological investigations have demonstrated a pattern of Aboriginal cultural heritage site distribution linked to the Namoi River and associated drainage lines, as well as raised landforms overlooking permanent water sources.
- The Study Area (including the VEP Investigation Area) has been subjected to intensive disturbance over the past 150 years, which has variously impacted upon the survival of Aboriginal cultural heritage sites. These activities have included vegetation clearance, crop production, animal pasture, road construction, ploughing, animal trampling, logging, mining exploration and localised mining activity. These processes have generally not occurred uniformly, and as a consequence there remains only limited potential for the survival of in situ Aboriginal cultural heritage sites within areas of low disturbance within the VEP Investigation Area. In scientific terms, disturbed sites are generally considered to be of lower scientific significance and, as such, generally require less rigorous management responses.
- It is thought that flood events associated with the Namoi River floodplain have dispersed, buried and/or scoured many sites that may have been located in this landform unit.
- On the basis of the nature of the known archaeological record in the wider region and the landforms present in the VEP Investigation Area, it has been determined that the drainage lines and watercourses within the VEP Investigation Area retain the highest potential to contain Aboriginal cultural heritage sites.
- If unidentified Aboriginal cultural material has survived in the VEP Investigation Area this will most likely be represented by stone artefacts located within disturbed soil horizons. Scarred trees will survive only in areas with mature native vegetation preservation (e.g. along the banks of the Namoi River), which are rare within the VEP Investigation Area.

Artefact Scatters:

- Artefact scatters are the site type most likely to occur in the VEP Investigation Area.

- Artefact sites are more likely to be found on the banks of, and in proximity to, permanent rivers and, to a lesser degree, alongside intermittent creeks.
- The archaeology of the surrounding area is characterised by diffuse artefact scatters or isolated artefacts that occur in higher densities along the Namoi River, but which conversely decrease in density with distance from water.
- Two large artefact scatters located on the banks of the Namoi River ('Top Rocks' and 'Bottom Rocks' – registered as 'Wilga' [AHIMS 20-4-0008 and 20-4-0009]), and which are located adjacent to the VEP Investigation Area, have been disturbed and partially destroyed by bank erosion, with only a narrow strip of in situ archaeological deposit still evident at the time of initial recording in 1982.
- There is a strong correlation between the size and density of artefact remains and water availability (i.e. the frequency of stone artefacts decreases with increasing distance from permanent water). Sites associated with permanent water are generally more extensive and more frequently used than sites located in other landforms.
- When artefacts are encountered on higher landforms (i.e. away from permanent or intermittent water sources), they are generally representative of a sporadic and diffuse Aboriginal presence.
- Stone artefact scatters and isolated artefacts have potential to occur over the entire VEP Investigation Area but are more likely to be found within 50 m of other artefacts and/or 200 m of a named watercourse and/or 100 m of an unnamed drainage line.
- Near rivers and lagoons, artefact sites tend to survive only on the higher parts of the banks, above normal flood level.
- The presence of low-density artefact scatters on intermittent creeks is generally limited to locations downstream from steeper sections that drain higher terrain, but upstream of where the creek channels become poorly defined. These locations are likely associated with temporary water-holes and billabongs following rain.
- The presence of stone artefact scatters on intermittent creeks is often associated with the presence of exposed outcrops of suitable stone resources. The nature of artefacts from these sites reflects preliminary stone-working activities associated with stone resource acquisition.
- A review of the relevant geology indicates an abundance of eroded conglomerate gravels suitable for artefact manufacture (knapping or grinding), and potential sandstone outcrops suitable for artefact grinding.

Scarred Trees and Carved Trees:

- Scarred trees have been reported to occur within the wider area, but are generally quite rare.
- Scarred trees, which represent the sources of material for shields, containers, canoes, shelters, etc., can occur near water or away from it, depending on the type of wood or bark required and its purpose.
- Considering the generally accepted late nineteenth century cessation of cultural tree scarring, only mature native trees have the potential to contain cultural scars.
- Haglund noted in 1986 that few trees were observed in the wider area that would be old enough to have been affected by traditional Aboriginal practices.
- Not all trees containing scars are the result of cultural activities; several trees registered on AHIMS as scarred trees have been reassessed as being of natural origin (e.g. Thompson's [1981] 'torch bark scars'; Burns' [2013] reassessment of trees at Maules Creek Coal Mine).
- Scarred trees are largely associated with permanent water sources (e.g. the Namoi River).
- Scarred trees will survive only in areas with mature native vegetation preservation.
- Carved trees have been previously recorded in the Gunnedah area (e.g. the Burburgate Tree as described in Dallas 1986: 5), but such trees are generally known and listed, and unlisted examples would be possible in very remote areas only.

Rock Shelters:

- Sites dependent upon the presence of rock formations, such as rock shelters and rock art sites, would be unlikely to occur in the VEP Investigation Area because this landscape is generally devoid of suitable rock formations. The volcanic and conglomerate bedrock in the low hills does not weather to form caves or overhangs and, therefore, shelter sites are rare in the region.
- Rock shelter sites will not occur in an alluvial or sand-based landscape, as is the case for much of the VEP Investigation Area.
- Rock shelter sites are known to exist in the National Parks of the broader region (e.g. Mount Kaputar National Park; Boonalla CCA Zone 2 Aboriginal Area).

Spiritual/Ceremony Sites:

- Mythological or religious sites, including stone arrangements, generally occur on ridges or in association with distinctive landscape features.
- Bora rings and spiritual sites have been reported, but not necessarily substantiated, for the wider Boggabri area; such sites are rare, and their survival even more so.
- Gin's Leap has been registered on AHIMS (20-4-0010) as a Mythological site, and is the only site of this type in proximity to the VEP Investigation Area.
- Ceremonial grounds, such as Bora rings, tend to be some distance from occupation sites, due to the culturally sensitive nature of activities that occur at these locations (McCarthy, 1940).

Burials:

- Burial sites are either known through tradition or found by accident when disturbed (e.g. eroding out of sand dunes or creek banks, or when disturbed by development).
- Human remains tended to be placed in hollow trees, caves or sand deposits along river banks.
- Traditional burials are unlikely to occur or remain across much of the VEP Investigation Area. The heavy alluvial soils of the Namoi River floodplain, acidic volcanic soils of the Maules Creek Formation uplands, and shallow stony soils of the surrounding ridges are unlikely to contain traditional burials. Acidic soils are not suited to preserving bone and other organic material.

Other Site Types:

- Earthen features, including mounds, ovens and hearths, are normally restricted to level ground adjacent to water sources. These site types are unlikely to survive in the immediate landscape due to the extent of previous land disturbance.
- Freshwater shell middens rarely occur more than 100 m from permanent water sources (Dunk and Vermeltoort, 2011: 36).
- Grinding grooves tend to be close to water, where suitable outcrops of coarse sandstone are available. Grinding grooves are known to exist in sandstone outcrops along the Namoi River in the vicinity of the VEP Investigation Area.
- Underlying conglomerate bedrock, such as that associated with the uplands of the Maules Creek Formation, is generally unsuitable for the development and use of grinding grooves.

- Quarry sites (areas where Aboriginal people obtained raw materials, such as stone and ochre) may be associated with volcanic rock outcrops and exposed sedimentary formations. Quarry sites are unlikely to occur in the VEP Investigation Area due to the nature of the underlying geology.

A predictive model for the VEP Investigation Area indicates that Aboriginal cultural heritage sites are most likely to occur in areas:

- containing mature native trees in association with the Namoi River or its main tributaries; or
- within 200 m of a named watercourse and/or 100 m of a mapped drainage line and/or 50 m of a known Aboriginal cultural heritage site and on slopes no greater than 30°, except where sandstone is present.

8 FIELD SURVEY

Prior to the commencement of field survey for the Project, research and desktop investigations were undertaken in relation to environmental, cultural and archaeological context of the VEP Investigation Area (and broader Study Area), drawing upon previous work completed by Dr Matthew Whincop in the surrounding region (Sections 6 and 7). Consultation was also undertaken with the Aboriginal community in accordance with the Consultation Guidelines (DECCW, 2010a) and the NSW *National Parks and Wildlife Regulation, 2009*. Extensive searches of the OEH AHIMS database were also completed (Section 7.3). These three lines of enquiry combined to prepare an effective survey methodology for the VEP Investigation Area.

8.1 Survey Approach and Objectives

The survey methodology applied to the VEP Investigation Area was devised in accordance with principles outlined in the Code (DECCW, 2010b). Requirement 5 of the Code covers the principles of 'Archaeological Survey', including the requirements for developing an effective survey sampling strategy (Requirement 5a), undertaking survey (Requirement 5b), and defining relevant survey units (Requirement 5c). The Code states that the survey sampling strategy must:

- include all landforms that will potentially be impacted;
- place a proportional emphasis on those landforms deemed to have archaeological potential, clearly describing and justifying the reasons for their selection;
- describe how sampling relates to the footprint that is proposed to be impacted by the Project; and
- clearly state when a full coverage survey will be undertaken and justify when it is not.

Hence, the aims of the current field survey were:

- 1) to systematically inspect all areas with GSV for Aboriginal cultural heritage sites within the VEP Investigation Area;
- 2) to examine and undertake a survey of each of the different landforms contained within the VEP Investigation Area⁵;

⁵ To ensure representative coverage of all landform units, including those with a lower probability of retaining in situ Aboriginal objects.

- 3) to target areas of higher archaeological potential (as determined through the development and application of the archaeological predictive model that considers the geological, geomorphological, archaeological and cultural context of the VEP Investigation Area [Section 7.6]); and
- 4) to identify places of potential cultural significance within the VEP Investigation Area.

8.2 Survey Methodology

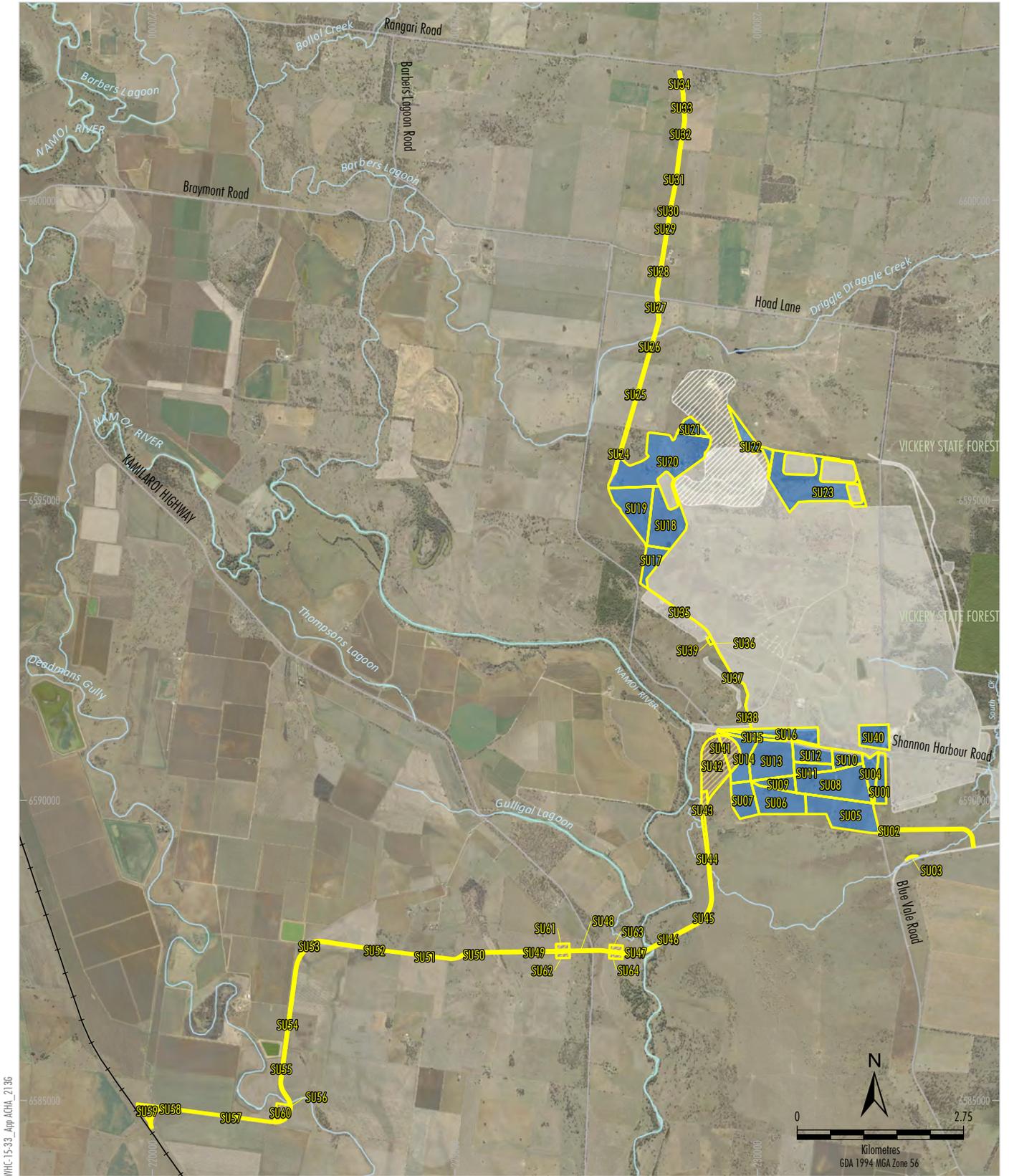
The landscape of the VEP Investigation Area generally comprises flat to gently undulating plains with the Project rail corridor crossing the Namoi River and its wide floodplains that extend out from the river's current course. Due to the size and extent of the Project, the VEP Investigation Area was divided into three major survey areas (Figure 5), according to proposed use:

- **Mine Site Extension Area** represents the mine site extension area associated with the Project and includes the short haul road to the east of the VEP Investigation Area.
- **Northern Borefield** represents the northern borefield and pipeline associated with the Project.
- **Rail Corridor** represents the rail corridor associated with the Project, including the Project rail spur, rail loop and associated laydowns.

These survey areas were in turn subdivided into 64 discrete survey units of a more manageable size, based on localised factors of accessibility (e.g. fence lines), landform units and visibility (e.g. vegetation cover). The various survey units for this assessment are presented on Figure 9, while Table 6 summarises the nature and results of each survey unit.

Comprehensive archaeological survey, which was informed by the archaeological predictive model (Section 7.6), used a combined approach of vehicular and pedestrian transects to maximise overall survey coverage.

Pedestrian survey was undertaken in areas considered to hold potential for Aboriginal cultural heritage sites and in large areas of acceptable GSV (e.g. >50%), while targeted sampling was preferred for discrete landforms (e.g. stony rise, drainage lines). All areas with potential for Aboriginal cultural heritage sites (i.e. areas within 200 m of rivers, creeks and drainage lines) were surveyed by pedestrian transects, where team members walked approximately 5-10 m apart, examining all surface exposures. Pedestrian spacing was sufficient to identify any areas of significant ground exposure and these areas were extensively targeted, in accordance with archaeological practice outlined in Burke and Smith (2004: 65-69).



WHC-15-33_Appt ACRH_2136

- LEGEND**
- Canyon Coal Mine
 - Approximate Extent of Approved Vickers Coal Project
- VEP Investigation Area**
- Mine Site Extension Area
 - Northern Borefield
 - Rail Corridor



VICKERY EXTENSION PROJECT
Survey Units -
VEP Investigation Area

Source: Department of Land and Property Information Orthophoto - Aerial Photography Flown (July 2011), Land Tenure (2016); Department of Industry (2015); Whincoop Archaeology (2017)

Figure 9

Vehicular transects were employed only in areas considered to hold low potential and in large areas with low GSV. Vehicular transects were also used to identify localised areas of exposure, which were then subject to intensive inspection on foot. Some survey units were subject to a combination of vehicular and pedestrian surveys, though only when pedestrian survey first indicated low GSV in areas of low potential.

The above methodology was applied to each survey unit in consultation with the RAPs present. If a RAP considered a vehicular transect would not provide sufficient coverage, a pedestrian transect was instead employed. The above strategy ensured each landform was sufficiently sampled, and a series of pedestrian transects were strategically positioned to cover areas of highest potential for Aboriginal cultural heritage sites.

In addition, the field survey included the examination of all potential mature trees for signs of cultural scarring. All rock outcrops were carefully inspected for the presence of grinding grooves, rock shelters or caves.

Several survey units within the rail corridor were not systematically inspected due to a combination of limited access, extensive levels of disturbance, the presence of crops, and low potential for in situ archaeological material (Section 8.6). Notwithstanding, the survey coverage obtained is considered to be sufficient for the purposes of this assessment. This is considered further in Section 8.6.

8.3 Survey Personnel

As described in Section 5.4.2, the field surveys were undertaken over four weeks. A list of the attending RAPs and RAP representatives, as well as other relevant survey personnel, is provided in Table 4. During the initial three-week survey, the participants were divided into three separate teams with an average of two to five people per team. Each team consisted of a minimum of one archaeologist and one RAP (or RAP representative), though teams typically included two or three RAPs/representatives. During the two-day survey in December 2016, a single team of three people (comprised of one archaeologist and two RAPs) focused on a rail corridor option east of the Namoi River, an area not included within the current VEP Investigation Area.

8.4 Survey Coverage

Comprehensive archaeological survey coverage was attained across the geographic extent of the VEP Investigation Area. All areas holding potential for Aboriginal cultural heritage sites were comprehensively sampled. The remaining intermediate areas were sampled using a combined approach of vehicular and pedestrian transects, as described in Section 8.2 above. Several discrete landforms were sampled as individual units. An example of pedestrian survey being undertaken is provided in Photo 1.

Photo 1: Pedestrian Transect



GSV was generally low to moderate across most of the VEP Investigation Area and was hindered by denser vegetation cover in some areas (Photo 2), although areas of higher exposure also occurred (Photo 3). Sediment deposition associated with the Namoi River floodplain and variable ground disturbance (e.g. vehicle tracks, erosion scours) also limited visibility in localised areas.

Photo 2: Thick Vegetation Cover Hindered Survey in Some Areas



Photo 3: Inspection of Identified Exposure



The total effective coverage of survey (i.e. ground physically inspected for heritage evidence) for the VEP Investigation Area equated to approximately 1,106,865 m² (approximately 110 hectares [ha]), or approximately 14.4% of the total VEP Investigation Area (7,707,239.93 m²; approximately 770 ha) (Table 5). The actual coverage for obtrusive site types (e.g. scarred trees, grinding grooves, rock shelters), however, can be considered greater than this as survey was sufficient to identify all mature trees, rock outcrops and landforms with potential for overhangs or caves. Notwithstanding localised areas of low GSV, the resulting effective survey coverage (14.4%) is considered comprehensive enough to present an effective assessment of the Aboriginal cultural heritage resources identified and potentially present within the VEP Investigation Area. Examples of the landforms encountered within the VEP Investigation Area are provided in Photos 2 to 8.

Table 5 – Landform, Size and Effective Survey Coverage for VEP Investigation Area Survey Units

Survey Unit	Survey Area	Landform	Survey Unit Area (m ²)	Visibility (%)	Exposure (%)	Effective Coverage (m ²)	Effective Coverage (%)
SU01	Mine Site	Undulating plains	127,002.63	80%	60%	60,961.26	48%
SU02	Mine Site	Undulating plains	71,614.05	80%	60%	34,374.74	48%
SU03	Mine Site	Undulating plains	2,470.90	0%	0%	0	0%
SU04	Mine Site	Undulating plains	129,655.44	40%	30%	15,558.65	12%
SU05	Mine Site	Undulating plains	503,788.52	50%	20%	50,378.85	10%
SU06	Mine Site	Undulating plains	339,632.68	40%	20%	27,170.61	8%
SU07	Mine Site	Undulating plains	217,298.4	40%	30%	26,075.81	12%
SU08	Mine Site	Moderate slope	554,682.23	30%	30%	49,921.40	9%
SU09	Mine Site	Moderate slope	122,605.71	40%	30%	14,712.68	12%
SU10	Mine Site	Moderate slope	131,292.36	30%	30%	11,816.31	9%
SU11	Mine Site	Undulating plains	105,543.06	30%	30%	9,498.88	9%
SU12	Mine Site	Undulating plains	194,194.72	40%	30%	23,303.37	12%
SU13	Mine Site	Undulating plains	436,417.13	30%	30%	39,277.54	9%
SU14	Mine Site	Undulating plains	212,052.02	30%	30%	19,084.68	9%
SU15	Mine Site	Undulating plains	73,293.50	20%	80%	11,726.96	16%
SU16	Mine Site	Undulating plains	211,220.38	40%	80%	67,590.52	32%
SU17	Mine Site	Undulating plains	147,194.17	20%	80%	23,551.07	16%
SU18	Mine Site	Undulating plains	444,116.69	20%	80%	71,058.67	16%
SU19	Mine Site	Moderate slope	397,092.04	20%	80%	63,534.73	16%
SU20	Mine Site	Undulating plains	878,309.67	20%	80%	140,529.50	16%
SU21	Mine Site	Undulating plains	94,312.81	40%	80%	30,180.10	32%
SU22	Mine Site	Undulating plains	197,023.84	0%	0%	0	0%
SU23	Mine Site	Undulating plains	679,506.96	30%	80%	163,081.70	24%
SU24	Northern Borefield	Undulating plains	4,270.46	30%	80%	1,024.91	24%
SU25	Northern Borefield	Undulating plains	5,586.11	25%	100%	1,396.53	25%
SU26	Northern Borefield	Undulating plains	2,724.46	25%	100%	681.12	25%
SU27	Northern Borefield	Undulating plains	2,830.28	25%	100%	707.57	25%

Table 5 – Landform, Size and Effective Survey Coverage for VEP Investigation Area Survey Units
(Continued)

Survey Unit	Survey Area	Landform	Survey Unit Area (m ²)	Visibility (%)	Exposure (%)	Effective Coverage (m ²)	Effective Coverage (%)
SU28	Northern Borefield	Undulating plains	4,471.04	25%	100%	1,117.76	25%
SU29	Northern Borefield	Undulating plains	2,650.84	25%	100%	662.71	25%
SU30	Northern Borefield	Undulating plains	293.08	30%	90%	79.13	27%
SU31	Northern Borefield	Undulating plains	5,120.81	30%	90%	1,382.62	27%
SU32	Northern Borefield	Undulating plains	2,478.66	30%	90%	669.24	27%
SU33	Northern Borefield	Undulating plains	2,035.93	30%	90%	549.70	27%
SU34	Northern Borefield	Undulating plains	1,908.45	30%	90%	515.28	27%
SU35	Mine Site	Undulating plains	6,525.22	10%	80%	522.02	8%
SU36	Mine Site	Undulating plains	1,440.84	20%	80%	230.53	16%
SU37	Mine Site	Undulating plains	5,224.92	30%	80%	1,253.98	24%
SU38	Mine Site	Undulating plains	2,203.70	30%	80%	528.89	24%
SU39	Mine Site	Undulating plains	8,049.60	20%	80%	1,287.94	16%
SU40	Mine Site	Undulating plains	187,324.22	30%	80%	44,957.81	24%
SU41	Rail Corridor	Floodplain	122,295.12	30%	30%	11,006.56	9%
SU42	Rail Corridor	Floodplain	335,564.33	20%	40%	26,845.15	8%
SU43	Rail Corridor	Floodplain	48,075.96	50%	70%	16,826.59	35%
SU44	Rail Corridor	Floodplain	33,140.95	75%	80%	19,884.57	60%
SU45	Rail Corridor	Floodplain	38,932.05	20%	80%	6,229.13	16%
SU46	Rail Corridor	Floodplain	25,251.87	30%	40%	3,030.22	12%
SU47	Rail Corridor	Floodplain	41,025.92	20%	50%	4,102.59	10%
SU48	Rail Corridor	Floodplain	14,507.23	20%	30%	870.43	6%
SU49	Rail Corridor	Floodplain	46,264.69	0%	0%	0	0%
SU50	Rail Corridor	Floodplain	31,983.77	0%	0%	0	0%
SU51	Rail Corridor	Floodplain	23,863.52	0%	0%	0	0%
SU52	Rail Corridor	Floodplain	24,837.34	0%	0%	0	0%
SU53	Rail Corridor	Floodplain	64,879.96	0%	0%	0	0%
SU54	Rail Corridor	Floodplain	33,249.35	0%	0%	0	0%
SU55	Rail Corridor	Floodplain	26,512.15	0%	0%	0	0%
SU56	Rail Corridor	Floodplain	30,051.06	0%	0%	0	0%
SU57	Rail Corridor	Floodplain	33,470.62	10%	90%	3,012.356	9%
SU58	Rail Corridor	Floodplain	30,966.56	0%	0%	0	0%
SU59	Rail Corridor	Floodplain	49,328.55	0%	0%	0	0%
SU60	Rail Corridor	Floodplain	52804.83	0%	0%	0	0%
SU61	Rail Corridor	Floodplain	22,840.22	0%	0%	0	0%
SU62	Rail Corridor	Floodplain	20,920.88	0%	0%	0	0%
SU63	Rail Corridor	Floodplain	21,669.33	20%	50%	2,166.93	10%
SU64	Rail Corridor	Floodplain	19,345.14	20%	50%	1,934.51	10%
TOTAL			7,707,239.93			1,106,864.81	14.4%

Photo 4: Example of Moderate Slope Landform in SU10 (mine site extension area)



Photo 5: Example of Undulating Plains Landform in SU20 (mine site extension area)



Photo 6: Example of GSV in Floodplain Landform adjacent to SU55 (rail corridor)



Photo 7: Namoi River Floodplain in SU47 (rail corridor)



Photo 8: Example of Ground Disturbance in Floodplain Landform of SU46 (rail corridor)



8.5 Survey Limitations

Thick pasture cover, crop production, and existing ground disturbances combined to obscure the original GSV over much of the VEP Investigation Area. Overall, there were medium to high levels of disturbance across the survey units due to both natural (e.g. erosion, alluvial deposits) and anthropogenic (e.g. pastoral activities, farming, historic mining, field clearance, logging) factors.

As described in Section 8.2, a few areas within the rail corridor were unable to be accessed during the Project field surveys (i.e. SU48-SU56 and SU58-SU62). As a result, a site visit of the unsurveyed areas of the rail alignment was undertaken on 1 August 2017 by Dr Matthew Whincop, who noted the general levels of disturbance, presence of any potentially sensitive landforms and GSV. Dr Whincop concluded from the site visit that SU48-SU56 and SU58-SU62 contain similar landforms to those areas investigated during the Project field surveys and that they contain no unusual or culturally sensitive landforms. Dr Whincop also noted extensive levels of disturbance across the rail corridor. Although surface artefacts may exist in these areas, they are unlikely to be located in undisturbed contexts and, therefore, will not be considered scientifically significant. The unsurveyed areas of the rail corridor would be subject to systematic survey prior to surface disturbance works to identify any previously unidentified artefacts that may require salvage, as part of the recommended management measures in Sections 11.4 and 12.

8.6 Summary of Results

At the time of survey, thick grass cover inhibited GSV and obscured surfaces across large expanses of the VEP Investigation Area. In addition, a large portion of the VEP Investigation Area has undergone a variety of disturbances, mainly associated with the agricultural and pastoral uses of the land (e.g. vegetation clearance, the grazing and agistment of stock, regular and repeated cropping, construction of dams and irrigation channels) and localised historical mining activity.

Only a few mature native trees exist within the VEP Investigation Area, all of which were inspected for evidence of Aboriginal scarring.

The contextual study of the local geology identified the general lack of rock formations suitable for the formation of rock shelters and caves within the VEP Investigation Area. Nevertheless, all outcrops of rock (although not commonly encountered) were inspected for overhangs and caves, as well as grinding grooves. Sandstone and/or conglomerate rock was noted in only a few survey units and generally consisted of isolated boulders or exposed bedrock surfaces.

On conclusion of the comprehensive field survey, twenty-one (21) previously unidentified Aboriginal cultural heritage sites were identified within the VEP Investigation Area. This is in addition to three sites already registered on the AHIMS database at the time of the Project field surveys, and which are also located within the approved Vickery Coal Project area (AHIMS 20-4-0356 – VCP-OS-011; AHIMS 20-4-0366 – VCP-IF-010; AHIMS 20-4-0387 – VCP-OS-008). An additional artefact scatter (AHIMS 20-4-0013 – ‘Whitehaven Driggle Draggie Creek’) is located adjacent to the VEP Investigation Area based on the coordinates provided in the AHIMS site card, but may actually extend into the VEP Investigation area⁶. In total, twenty-four (24) Aboriginal cultural heritage sites are known to exist within the VEP Investigation Area, all of which are surface artefact sites, including fifteen (15) isolated artefacts and nine (9) surface artefact scatters.

For the purpose of this assessment, an ‘artefact scatter’ is defined by the presence of two or more stone artefacts in close association (i.e. within 50 m of each other) (NSW National Parks and Wildlife Service, 1997). An isolated artefact is one where no other artefacts have been identified within a 50 m radius. Each site extent was determined by applying a 10 m buffer to each artefact.

⁶ It is noted that based on the description provided in the AHIMS site card this site is believe to be located along Driggle Draggie Creek and potentially outside of the VEP Investigation Area.

As a result, the site extent for each isolated artefact site consists of a circular buffer around the artefact with a 10 m radius. The site extent for each artefact scatter was determined by creating a polygon that encompasses the 10 m buffers of all artefacts within that scatter. The resulting site extents, therefore, account for potential Global Positioning System (GPS) inaccuracies as well as incorporating a protective buffer around known artefacts/objects.

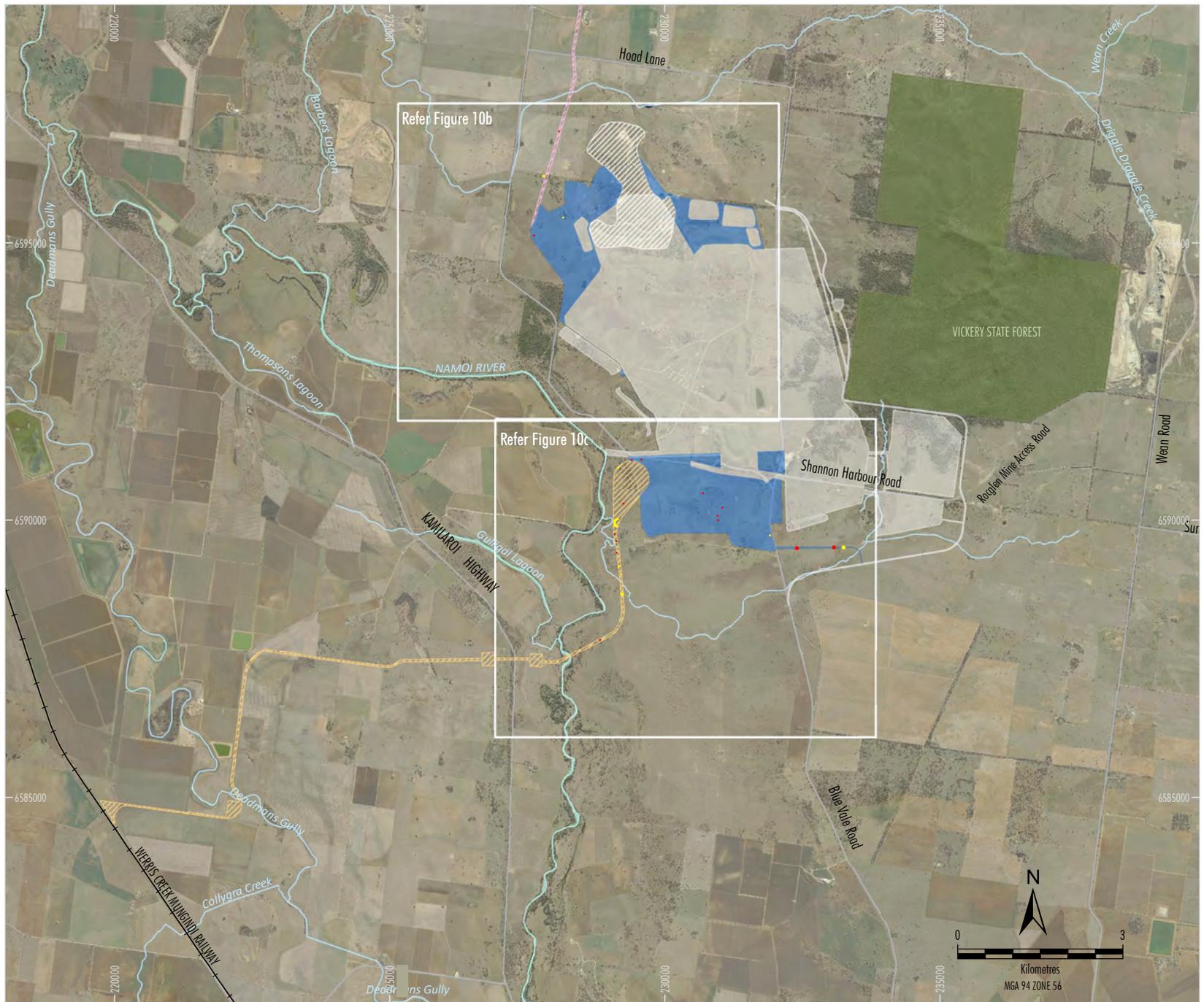
Details of the twenty-four (24) Aboriginal cultural heritage sites located within the VEP Investigation Area, including 21 previously unidentified sites recorded during survey, are presented in Table 6, and Figures 10a to 10c. Table 8 presents the details of the sites located within the approved Vickery Coal Project.

Table 6 – Aboriginal Cultural Heritage Sites Located within the VEP Investigation Area

Site Name	Type	Easting	Northing	Area (m ²)	Landform Unit	Survey Unit	Artefacts
VCP-IF-010 ¹	IA	232401	6589501	312	Undulating Plain	SU02	1
VCP-OS-011 ¹	AS	233249	6589513	30,660	Undulating Plain	SU02	66
VCP-OS-008 ¹	IA	233073	6589516	312.57	Undulating Plain	SU02	1
VEP AS 14	AS	228153	6595458	346	Undulating Plain	SU20	2
VEP AS 20	AS	229153	6590949	314	Undulating Plain	SU42	3
VEP AS 21	AS	229117	6589941	6,231	Undulating Plain	SU43	19
VEP AS 23	AS	229158	6589162	811	Undulating Plain	SU44	4
VEP AS 24	AS	229221	6589039	1,114	Undulating Plain	SU44	2
VEP AS 27	AS	229189	6588765	341	Undulating Plain	SU44	2
VEP AS 29	AS	229225	6588668	2,355	Undulating Plain	SU44	9
VEP AS 38	AS	231912	6589723	314	Undulating Plain	SU05	20
VEP IA 01	IA	228072	6597015	314	Undulating Plain	SU25	1
VEP IA 24	IA	227623	6595133	314	Moderate Slope	SU19	1
VEP IA 36	IA	229576	6591092	314	Undulating Plain	SU15	1
VEP IA 37	IA	229399	6591088	314	Undulating Plain	SU14	1
VEP IA 39	IA	229250	6590298	314	Undulating Plain	SU42	1
VEP IA 41	IA	229087	6589748	314	Undulating Plain	SU43	1
VEP IA 42	IA	229120	6589620	314	Undulating Plain	SU43	1
VEP IA 43	IA	229122	6589409	314	Undulating Plain	SU44	1
VEP IA 49	IA	228823	6587839	314	Undulating Plain	SU45	1
VEP IA 52	IA	230691	6590487	314	Undulating Plain	SU11	1
VEP IA 53	IA	231040	6590227	314	Moderate Slope	SU08	1
VEP IA 54	IA	230956	6590077	314	Undulating Plain	SU05	1
VEP IA 55	IA	230970	6589998	314	Undulating Plain	SU05	1

AS = Artefact Scatter; IA = Isolated Artefact

¹ These three sites were identified for the approved Vickery Coal Project and are within the VEP Investigation Area.



- LEGEND**
- State Forest
 - Canyon Coal Mine
 - Approximate Extent of Approved Vickery Coal Project
- VEP Investigation Area**
- Mine Site Extension Area
 - Northern Borefield
 - Rail Corridor
- Aboriginal Heritage Site Type**
- Artefact Scatter
 - Isolated Artefact

Source: Orthophoto - Department of Land and Property Information, Aerial Photography Flown (July 2011); Department of Industry (2015); Whincoy Archaeology (2017)



VICKERY EXTENSION PROJECT
VEP Investigation Area Survey Results - Key

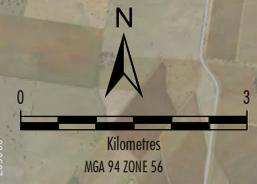
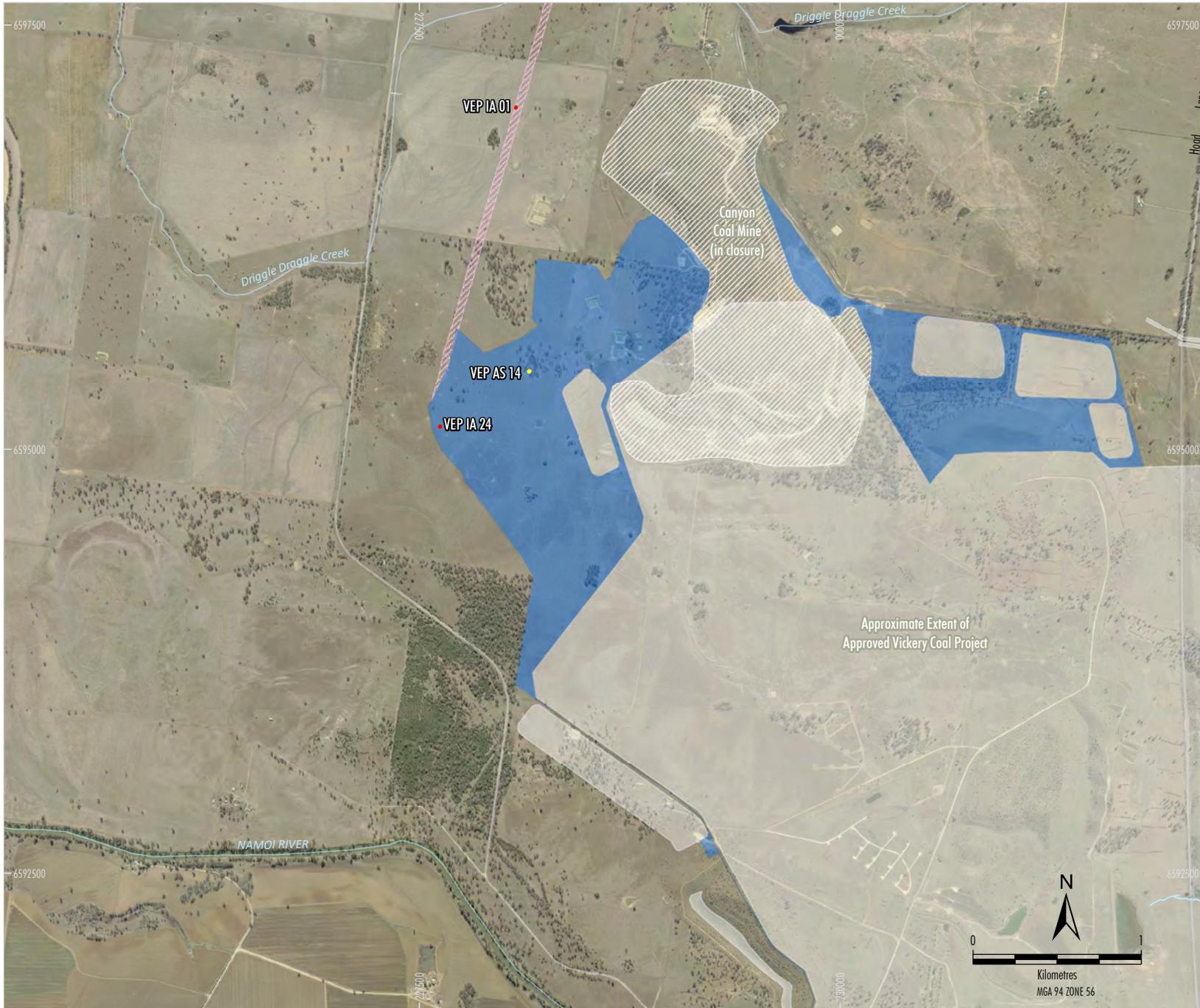


Figure 10a



- LEGEND**
- Aboriginal Heritage Site Type**
- Artefact Scatter
 - Isolated Artefact
- VEP Investigation Area**
- Mine Site Extension Area
 - Northern Borefield
 - Rail Corridor

Note ¹ Location of this site considered to be inaccurate.

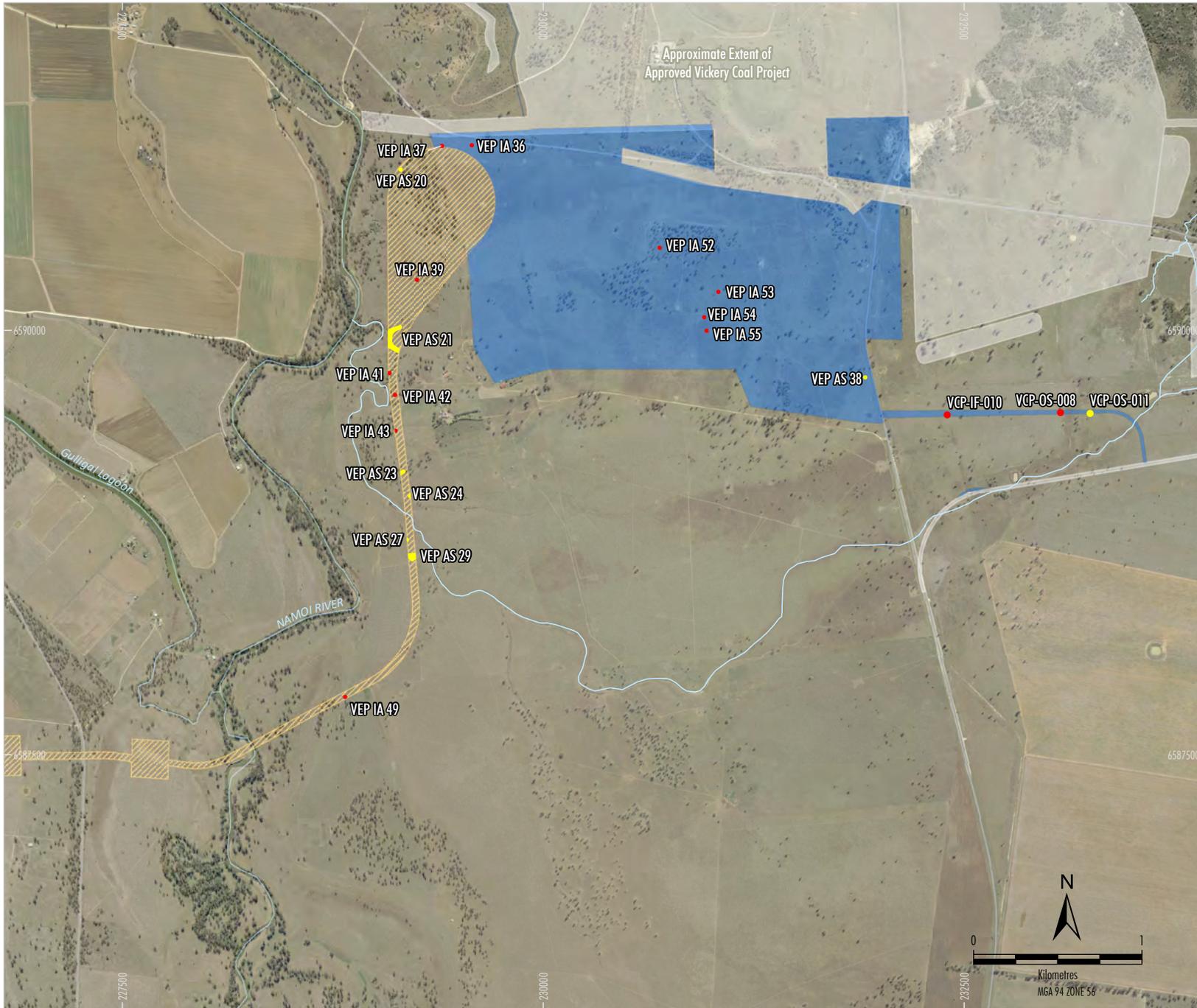
Source: Orthophoto - Department of Land and Property Information, Aerial Photography Flown (July 2011); Coalworks (Vickery South Pty Ltd) (2012); Landscape (2012); Whincop Archaeology (2016)



VICKERY EXTENSION PROJECT

**Survey Results -
Mine Site Extension Area
and Northern Borefield**

Figure 10b



LEGEND

Aboriginal Heritage Site Type

- Artefact Scatter
- Isolated Artifact

VEP Investigation Area

- Mine Site Extension Area
- Rail Corridor

Note ¹ Location of this site considered to be inaccurate.

Source: Orthophoto - Department of Land and Property Information, Aerial Photography Flown (July 2011); Coalworks (Vickery South Pty Ltd) (2012); Landscape (2012); Whincop Archaeology (2016)



VICKERY EXTENSION PROJECT

**Survey Results -
Mine Site Extension Area and
Rail Corridor**

Figure 10c

The majority of Aboriginal cultural heritage sites within the VEP Investigation Area, and those with the greatest concentration of artefacts, are located on the undulating plains landform within close proximity to the Namoi River and, to a lesser degree, the ephemeral Driggle Draggie Creek. This distribution pattern of artefact sites supports the validity of the predictive model developed above (Section 7.6).

A summary of the survey results according to landform is presented in Table 7, which clearly indicates that the undulating plains landform is the most representative of the VEP Investigation Area.

Table 7 – Summary of VEP Investigation Area Survey Results by Landform Unit

Landform	Landform Area (m ²)	Area Effectively Surveyed (m ²)	% of Landform Effectively Surveyed	Number of Sites	Number of Artefacts	% Landform Represented in VEP Investigation Area	% of Total Artefacts Recorded
Floodplain	1,191,781.40	95,909.05	8.0%	0	0	15.5%	0%
Moderate Slope	1,205,672.34	139,985.12	11.6%	2	2	15.6%	1.4%
Undulating Plains	5,309,786.19	870,970.64	16.4%	22	140	68.9%	98.6%
TOTAL	7,707,239.95	1,106,864.81	14.4%	24	142	100%	100%

Archaeological investigations have identified 142 individual artefacts across the VEP Investigation Area, 140 of which (or 98.6%) were identified in the Undulating Plains landform (Table 7). The Moderate Slope landform unit represents 15.6% of the VEP Investigation Area, yet it only accounts for 1.4% of all artefacts identified; similarly, the Namoi River floodplain represents 15.5% of the VEP Investigation Area, but no artefacts were identified therein (largely due to the limited survey undertaken in this landform due to access restrictions). While the two latter landforms may be considered to be 'lower sensitivity', other factors may influence the identification of artefacts. For instance, the alluvial deposits of the Namoi River floodplain may have obscured or moved many sites.

In view of the predictive modelling and survey results obtained from the sample of effective coverage (14.4% overall), it is considered that the survey provides a valid basis for formulating recommendations for the management of identified and potential Aboriginal cultural heritage resources in the VEP Investigation Area.

9 ABORIGINAL ARCHAEOLOGICAL AND CULTURAL VALUES

This section presents an overview of the Aboriginal cultural heritage values of the VEP Investigation Area and the broader Study Area, incorporating the results of the AHIMS database search, extensive desktop investigations and the comprehensive field survey.

9.1 Archaeological Values

This section describes the nature and extent of the Aboriginal cultural heritage sites known to exist within the VEP Investigation Area and the approved Vickery Coal Project area (Landskape, 2012).

As described in Section 8.6, all twenty-four (24) Aboriginal cultural heritage sites identified within the VEP Investigation Area are surface artefact sites, including fifteen (15) isolated artefacts and nine (9) surface artefact scatters. A large proportion of these artefact sites are small discrete artefact scatters containing less than 10 artefacts, with only occasional evidence of more dense and expansive artefact concentrations evident along the margins of Driggle Draggie Creek and the Namoi River floodplain.

9.1.1 Description of Previously Identified Aboriginal Cultural Heritage Sites in VEP Investigation Area

VCP-IF-010 (AHIMS 20-4-0366)

Identified during the approved Vickery Coal Project ACHA, VCP-IF-010 is an isolated artefact, located west of Hoad Lane and situated on a gentle sloping grassy area. The site is represented by a mudstone flake and has been previously assessed as being of low scientific significance (Landskape, 2012).

VCP-OS-008 (AHIMS 20-4-0387)

Identified during the approved Vickery Coal Project ACHA, VCP-OS-008 is an isolated artefact, located west of Blue Vale Road and situated on a gentle sloping grassy area. This site has been previously assessed as being of low scientific significance (Landskape, 2012).

VCP-OS-011 (AHIMS 20-4-0356)

Identified during the approved Vickery Coal Project ACHA, VCP-OS-011 is an artefact scatter, located west of Blue Vale Road and situated on a gentle sloping grassy area. The site is represented by a medium density artefact scatter consisting of 48 flakes, 17 cores, one piece of debitage and one piece of petrified wood. This site has been previously assessed as being of low-moderate scientific significance (Landskape, 2012).

9.1.2 Description of Aboriginal Cultural Heritage Sites in VEP Investigation Area Identified during Survey

VEP AS 14 (AHIMS 20-4-0673)

VEP AS 14 is a small artefact scatter located in SU20 of the mine site extension area, approximately 500 m south of Driggle Draggie Creek and 2.8 km north of the Namoi River. The site is situated on a flat landform, mostly cleared with a few remnant trees. The site is represented by two artefacts; a brown quartzite secondary flake and a black chert flake fragment. VEP AS 14 is located adjacent to an ant hill and has been affected by bioturbation as well as stock movement.

VEP AS 20 (AHIMS 20-4-0683)

VEP AS 20 is a small artefact scatter located in SU42 of the rail corridor, approximately 140 m east of the Namoi River and situated on top of a gentle west-facing grassy slope. The site is represented by three artefacts: a white quartzite tertiary flake, a grey chert medial flake and a grey silcrete secondary flake. Integrity of the site is low, as it is located adjacent to the Namoi River floodplain and has been affected by stock movement.

VEP AS 21 (AHIMS 20-4-0684)

VEP AS 21 is an artefact scatter located in SU43 of the rail corridor, approximately 250 m east of the Namoi River and situated on top of a gentle west-facing grassy slope. The site is represented by at least 19 artefacts: a white chert tertiary flake, two grey chert tertiary flakes, a black chert blade, a black chert secondary flake, a black chert tertiary flake, a black silcrete secondary flake, a white silcrete blade, two white silcrete tertiary flakes, a grey silcrete tertiary flake, a grey chert secondary flake, two cream chert secondary flakes, a red chert secondary flake, a red chert tertiary flake, a red chert flake fragment, a white translucent chalcedony tertiary flake and a quartzite single platform core with one complete scar. Integrity of the site is low, as it is located adjacent to the Namoi River floodplain and has been affected by stock movement.

VEP AS 23 (AHIMS 20-4-0680)

VEP AS 23 is a small artefact scatter located in SU44 of the rail corridor, approximately 220 m east of a drainage line and 550 m east of the Namoi River and situated within an exposure on a gently undulating grassy plain. The site is represented by four artefacts: a white chert tertiary flake, a black chert secondary flake, a white silcrete secondary flake and a brown silcrete primary flake. This site is considered to be a localised manifestation of a broader background scatter covering a much larger area. Integrity of the site is low, as it is located adjacent to the Namoi River floodplain and the site has been affected by stock movement.

VEP AS 24 (AHIMS 20-4-0681)

VEP AS 24 is a small artefact scatter located in SU44 of the rail corridor, approximately 200 m east of a drainage line and 500 m east of the Namoi River and situated within an exposure on a gently undulating grassy plain. The site is represented by two artefacts: a red and white chalcedony primary flake and a white chalcedony flake fragment. This site is considered to be a localised manifestation of a broader background scatter covering a much larger area. Integrity of the site is low, as it is located adjacent to the Namoi River floodplain and has been affected by stock movement.

VEP AS 27 (AHIMS 20-4-0694)

VEP AS 27 is a small artefact scatter located in SU44 of the rail corridor, approximately 80 m south-west of a drainage line and 400 m east of the Namoi River. It is situated within an exposure on a gently undulating grassy plain. The site is represented by two artefacts: a black chert tertiary flake and a white silcrete tertiary flake. This site is considered to be a localised manifestation of a broader background scatter covering a much larger area. Integrity of the site is low, as it is located adjacent to the Namoi River floodplain and the site has been affected by stock movement.

VEP AS 29 (AHIMS 20-4-0693)

VEP AS 29 is an artefact scatter located in SU44 of the rail corridor, approximately 90 m west of a drainage line and 400 m east of the Namoi River. It is situated within an exposure on a gently undulating grassy plain. The site is represented by at least nine artefacts: a black chert proximal blade, a black chert secondary flake, two black chert tertiary flakes, a brown chert blade, two cream chert flakes, a red chert tertiary flake and a grey chert flake fragment. This site is considered to be a localised manifestation of a broader background scatter covering a much larger area. Integrity of the site is low, as it is located adjacent to the Namoi River floodplain and the site has been affected by stock movement.

VEP AS 38 (AHIMS 20-4-0696)

VEP AS 38 is a low-density artefact scatter located in SU05 of the mine site extension area, approximately 2.8 km east of the Namoi River and 40 m west of Blue Vale Road. It is situated on the lower slope in an undulating plain. The site consists of at least 20 artefacts, predominately flakes and debitage. Lithic source materials used include silcrete, mudstone and chalcedony. There is potential for the site to extend eastwards, as surface visibility in that direction was significantly reduced. Spatial integrity of the site is low, due to the presence of infrastructure, the haul road and a large dam, as well as stock movement around the dam.

VEP IA 01 (AHIMS 20-4-0659)

VEP IA 01 is an isolated artefact located in SU25 of the northern borefield, between Driggle Draggie Creek and its associated overbanks and approximately 4.1 km north-north-east of the Namoi River. The site is situated in a cleared field with evidence of ploughing and is represented by a single quartzite flake. This site is considered to be a localised manifestation of a broader background scatter in proximity to Driggle Draggie Creek.

VEP IA 24 (AHIMS 20-4-0610)

VEP IA 24 is an isolated artefact located in SU19 of the mine site extension area, 1 km south of Driggle Draggie Creek and 2.4 km north of the Namoi River. It is situated on an exposure on a very gentle north-facing grassy slope in a cleared paddock. The site is represented by a single grey silcrete secondary flake. Integrity of the site is low, as the area has been affected by stock movement and sheet erosion.

VEP IA 36 (AHIMS 20-4-0603)

VEP IA 36 is an isolated artefact located in SU15 of the mine site extension area approximately 650 m east of the Namoi River and is situated in a pastoral paddock close to a public road. The site is represented by a quartzite secondary flake. Integrity of the site is low, as it has been affected by earthworks and stock movement and is located adjacent to the Namoi River floodplain.

VEP IA 37 (AHIMS 20-4-0608)

VEP IA 37 is an isolated artefact located in SU14 of the mine site extension area, approximately 500 m east of the Namoi River and is situated in a pastoral paddock close to a public road. The site is represented by a chert tertiary flake. Integrity of the site is low, as it has been affected by earthworks and stock movement and is located adjacent to the Namoi River floodplain.

VEP IA 39 (AHIMS 20-4-0643)

VEP IA 39 is an isolated artefact located in SU42 of the rail corridor approximately 350 m east of the Namoi River and is situated in a small exposure on a gently undulating grassy plain in a cleared paddock. The site is represented by a black quartzite tertiary flake. Integrity of the site is low, as it is located adjacent to the Namoi River floodplain and has been affected by stock movement.

VEP IA 41 (AHIMS 20-4-0634)

VEP IA 41 is an isolated artefact located in SU43 of the rail corridor approximately 350 m east of the Namoi River. It is situated in a small exposure on a gently undulating grassy plain in a cleared paddock. The site is represented by a black volcanic primary flake. Integrity of the site is low, as it is located adjacent to the Namoi River floodplain and has been affected by stock movement.

VEP IA 42 (AHIMS 20-4-0633)

VEP IA 42 is an isolated artefact located in SU43 of the rail corridor approximately 440 m east of the Namoi River. It is situated on a gently undulating grassy plain in a cleared paddock. The site is represented by a white silcrete tertiary flake. Integrity of the site is low, as it is located adjacent to the Namoi River floodplain and has been affected by stock movement.

VEP IA 43 (AHIMS 20-4-0632)

VEP IA 43 is an isolated artefact located in SU44 of the rail corridor 30 m from a drainage line leading into the Namoi River, which is located approximately 500 m to the west. The site is situated in an exposure under a small grove of trees on a gently undulating grassy plain in a cleared paddock. The site is represented by a cream silcrete secondary flake. This site is considered to be a localised manifestation of a broader background scatter covering a much larger area. Integrity of the site is low, as it is located adjacent to the Namoi River floodplain and has been affected by stock movement.

VEP IA 49 (AHIMS 20-4-0629)

VEP IA 49 is an isolated artefact located in SU45 of the rail corridor approximately 400 m east of the Namoi River. It is situated on a flat grassy plain in a cleared paddock. The site is represented by a grey chert single platform core with one (1) complete flake scar. Integrity of the site is low, as it is located on the Namoi River floodplain and has been affected by stock movement.

VEP IA 52 (AHIMS 20-4-0646)

VEP IA 52 is an isolated artefact located in SU11 of the mine site extension area, approximately 1.8 km east of the Namoi River. The site is situated in a cleared, low hill-top within the undulating plains landform. The isolated artefact is a large chert flake with possible retouch. Integrity of the site is low, as it has been extensively cleared and grazed by stock.

VEP IA 53 (AHIMS 20-4-0639)

VEP IA 53 is an isolated artefact located in SU08 of the mine site extension area, approximately 2 km east of the Namoi River, and is situated in a pastoral paddock. The site is represented by a silcrete tertiary flake. Integrity of the site is low, as it is located in a paddock that has been extensively cleared and grazed.

VEP IA 54 (AHIMS 20-4-0619)

VEP IA 54 is an isolated artefact located in SU05 of the mine site extension area, approximately 1.9 km east of the Namoi River, and is situated on the edge of a drainage line through an undulating plain. The site consists of a mudstone tertiary flake. The artefact was found on a large erosion scar on the edge of a small drainage line.

VEP IA 55 (AHIMS 20-4-0620)

VEP IA 55 is an isolated artefact located in SU05 of the mine site extension area, approximately 1.8 km east of the Namoi River on the crest of a rise in an undulating plain. The site consists of a mudstone bi-directional core. The core has one prepared platform and five flake scars but still has cortex present. Spatial integrity of the site is low, as the location has been cleared and is actively used as a pastoral paddock.

9.1.3 Description of Aboriginal Cultural Heritage Sites Potentially Within VEP Investigation Area

Whitehaven Driggle Draggie Creek (AHIMS 20-4-0013)

Originally recorded by Peter Thompson (1981: 4.2.1), the description on the site card vaguely refers to a large area adjacent to Driggle Draggie Creek:

This site was known to Mr Eric White of Gundewarra (formerly Cranleigh). It is about 400 m east of the abandoned Cranleigh homestead. Stone artifacts [sic] were seen in three eroded areas on both banks of Driggle Draggie Creek. The channel of the creek is well defined and includes temporary waterholes. Mr White's son has collected several ground edge axes from this site. Stone artifacts [sic] seen include flakes, cores, rejuvenation flakes, hammerstones and a bondi point.

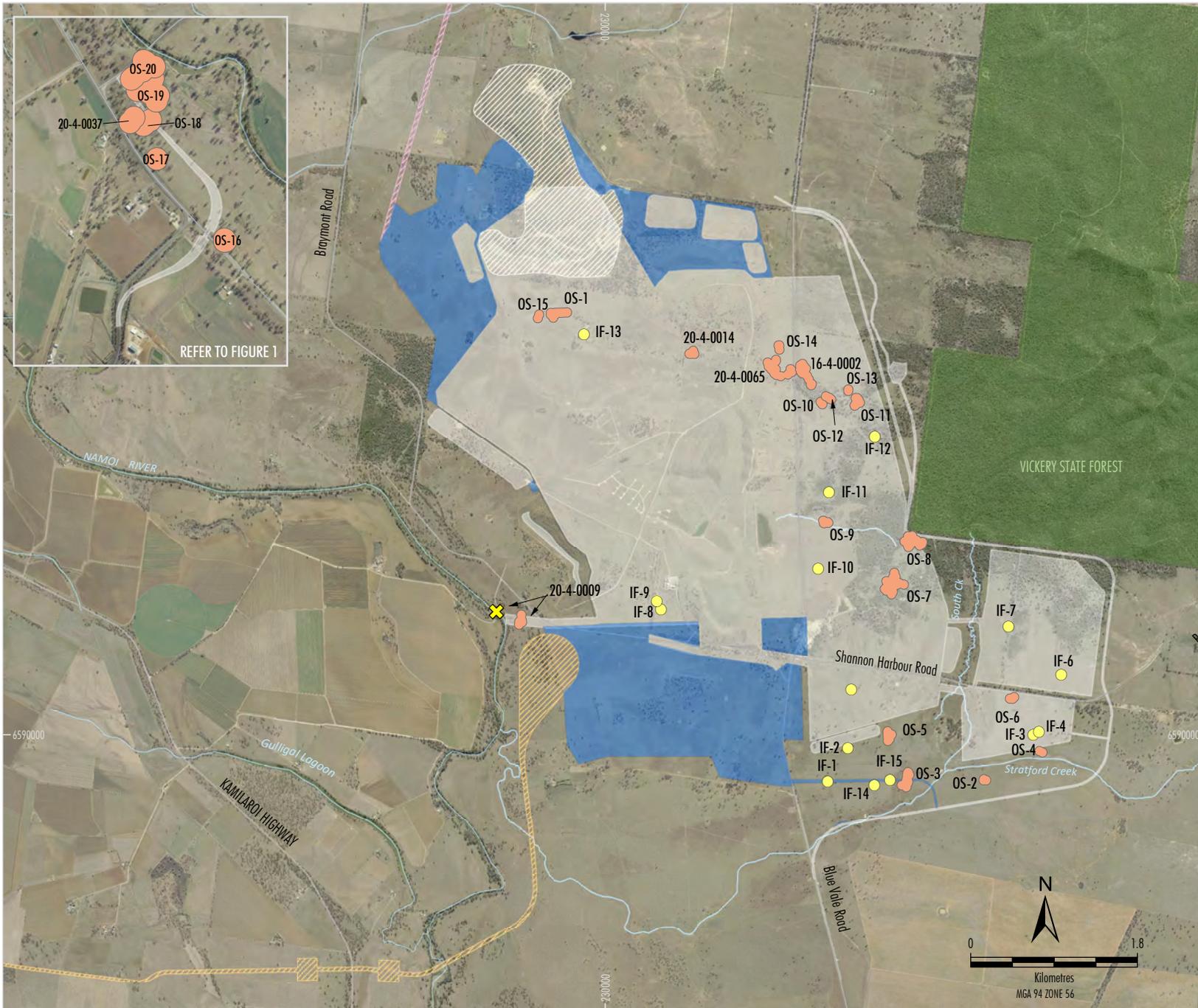
Thompson 1981: 4.2.1

The AHIMS coordinates of the site situate it in a small copse of trees adjacent to SU24 of the northern borefield. This point is located approximately 550 m east of Driggle Draggie Creek, although the site card description indicates a larger site area. Based on the description provided in the AHIMS site card, this site is believed to be located along Driggle Draggie Creek (Figure 8) and outside of the extent of surface disturbance associated with the Project.

9.1.4 Summary of Aboriginal Cultural Heritage Sites Identified for the Approved Vickery Coal Project

In addition to the known Aboriginal cultural heritage sites within the VEP Investigation Area, Aboriginal cultural heritage sites are also known to exist within the wider Study Area, including the area associated with the approved Vickery Coal Project. The ACHA undertaken by Landskape (2012: 33-34) for the approved Vickery Coal Project identified a total of 40 Aboriginal cultural heritage sites including (Figure 11):

- 25 artefact scatters, one of which included grinding grooves ('Wilga' – AHIMS 20-4-0009); and
- 15 isolated artefacts.



LEGEND

- State Forest
- State Conservation Area, Aboriginal Area
- Canyon Coal Mine
- Approximate Extent of Approved Vickers Coal Project

VEP Investigation Area

- Mine Site Extension Area
- Northern Borefield
- Rail Corridor

Aboriginal Heritage Sites

- Isolated Artefact
- Artefact Scatter
- Grinding Groove

Source: Orthophoto - Department of Land and Property Information, Aerial Photography Flown (July 2011); AHIMS (2015); Coalworks (Vickers South Pty Ltd) (2012); Landscape (2012); Whincop Archaeology (2017)


WHITEHAVEN COAL
VICKERY EXTENSION PROJECT
Approved Vickers Coal Project
ACHA Sites

Figure 11

Three (3) sites assessed in the approved Vickery Coal Project ACHA are located within the VEP Investigation Area and are described above (Section 9.1.1); they are also included in Table 8 (below). Not all sites identified in the approved Vickery Coal Project ACHA are scheduled to be impacted by the approved Vickery Coal Project (Table 12). The previous assessment undertaken by Landskape (2012) is described in Sections 1.3 and 7.3. Table 8 lists the Aboriginal cultural heritage sites identified during the approved Vickery Coal Project ACHA. A more detailed description of these sites is provided in the Vickery Coal Project ACHA (Landskape 2012: 32-40).

Table 8 – Aboriginal Cultural Heritage Sites Identified for the Approved Vickery Coal Project

Site Name	AHIMS	Type	Easting	Northing	Area (m ²)	Artefacts
BBS;Red Chief LALC; Whitehaven Rd 1	20-4-0065	AS	231992	6593886	54,870	19
Greenwood Creek	20-4-0014	AS	230937	6594089	15,483	19
VCP-IF-010 ²	20-4-0366	IA	232401	6589501	312	1
VCP-IF-014	20-4-0367	IA	232620	6589857	312	1
VCP-IF-017	20-4-0368	IA	234619	6589999	312	1
VCP-IF-018	20-4-0369	IA	234681	6590028	312	1
VCP-IF-034	20-4-0370	IA	232656	6590482	312	1
VCP-IF-040	20-4-0371	IA	234920	6590639	312	1
VCP-IF-043	20-4-0365	IA	234352	6591156	312	1
VCP-IF-055	20-4-0372	IA	230603	6591344	312	1
VCP-IF-060	20-4-0373	IA	230558	6591433	312	1
VCP-IF-070	20-4-0374	IA	232300	6591777	312	1
VCP-IF-090	20-4-0364	IA	232414	6592595	312	1
VCP-IF-095	20-4-0375	IA	232911	6593192	312	1
VCP-IF-109	20-4-0386	IA	229771	6594288	312	1
VCP-OS-001	20-4-0354	AS	229440	6594509	29,841	21
VCP-OS-007	20-4-0353	IA	232909	6589459	312	1
VCP-OS-008 ²	20-4-0387	IA	233073	6589516	312	1
VCP-OS-009	20-4-0355	AS	234095	6589516	11,300	9
VCP-OS-011 ²	20-4-0356	AS	233249	6589513	30,660	66
VCP-OS-014	20-4-0357	AS	234701	6589818	11,293	2
VCP-OS-021	20-4-0358	AS	233059	6589987	21,788	37
VCP-OS-036	20-4-0359	AS	234390	6590393	13,083	4
VCP-OS-046	20-4-0360	AS	233105	6591613	56,425	39
VCP-OS-049	20-4-0361	AS	233320	6592067	43,212	34
VCP-OS-051	20-4-0362	AS	232376	6592277	15,255	5

Table 8 – Aboriginal Cultural Heritage Sites Identified for the Approved Vickery Coal Project
(Continued)

Site Name	AHIMS	Type	Easting	Northing	Area (m ²)	Artefacts
VCP-OS-055	20-4-0363	AS	232333	6593553	11,008	4
VCP-OS-056	20-4-0376	AS	232714	6593566	20,805	30
VCP-OS-057	20-4-0377	AS	232409	6593609	14,452	4
VCP-OS-058	20-4-0378	AS	232623	6593691	9,334	4
VCP-OS-067	20-4-0379	AS	231876	6594149	12,927	4
VCP-OS-069	20-4-0380	AS	229280	6594481	11,887	2
VM-OS-1	16-4-0002	AS	232129	6593923	39,682	25
NR-OS-001 ¹	20-4-0381	AS	233225	6573191	9,025	4
NR-OS-002	20-4-0385	AS	232919	6573555	7,837	3
NR-OS-003 ¹	20-4-0384	AS	232874	6573717	11,795	8
NR-OS-004 ¹	20-4-0382	AS	232807	6573729	10,639	2
NR-OS-006 ¹	20-4-0383	AS	232854	6573952	22,632	43
Wilga ³	20-4-0009	AS; GG	229001	6591012	-	41
Naomi River/ CWR	20-4-0037	AS; ST	232751	6573762	-	58

AS = Artefact Scatter; IA = Isolated Artefact; ST = Scarred Tree; GG = Grinding Grooves.

¹ These sites from the approved Vickery Coal Project ACHA are located within the area of the approved private haul road and Kamilaroi Highway Overpass.

² These three sites were identified for the approved Vickery Coal Project and are within the VEP Investigation Area.

³ The grinding groove site 'Wilga' (AHIMS 20-4-0009) is located outside of the extent of proposed disturbance associated with the Project; however, may be subject to potential indirect impacts (e.g. blasting vibration).

9.2 Cultural Values Assessment

9.2.1 Consultation and Approach to Cultural Values Assessment

As described in Section 5, this assessment has been prepared in accordance with the Consultation Guidelines (DECCW, 2010a) and the NSW *National Parks and Wildlife Regulation, 2009*.

The cultural values assessment undertaken to date has been based on the following:

- Review of background resources, including previous cultural values studies for the surrounding region and the approved Vickery Coal Project (Landsape, 2012).
- Historical research.
- Discussions with RAPs during field survey.
- Discussions with RAPs during community information sessions and site inspections.
- Requests for comments during the review period for the Proposed Methodology.
- Requests for comments during the review period of the draft ACHA.

These points of consultation provided the opportunity for the Aboriginal community to have direct input into the management of Aboriginal cultural heritage values—both tangible and intangible—in the VEP Investigation Area and wider Study Area, as required by the SEARs, the Consultation Guidelines (DECCW, 2010a) and the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH, 2011).

It is noted that, prior to the commencement of the archaeological surveys, some RAPs expressed a desire for as much data as possible to be collected in the field, and for that data collection to go beyond observations about the archaeological material. Therefore, prior to the archaeological survey work commencing, all archaeologists were provided with information recording forms with a series of questions designed to prompt responses about additional cultural information from the attending RAPs.

Thus, during the archaeological surveys the archaeologists encouraged participants to provide input on bush tucker/medicine, fauna and cultural associations/knowledge of the Study Area. RAPs were also invited to provide cultural information regarding:

- Aboriginal objects of cultural value to Aboriginal people in the Study Area or surrounds.
- Places of cultural value to Aboriginal people, including flora and fauna communities, in the Study Area or surrounds. This included places of social, spiritual and cultural value, historic places with cultural significance and potential places/areas of historic, social, spiritual and/or cultural significance.

It is noted that, in the event that RAPs or other community members wish to provide culturally sensitive information, Whitehaven is committed to managing such sensitive material in an agreed manner with the relevant Aboriginal person/group at the time the information is provided. Whitehaven respects the right of Aboriginal persons to retain ownership of cultural information they provide.

Although some RAPs were sometimes reluctant to go into detail, the results of the cultural values assessment were generally consistent with the results of the in-depth cultural values consultation that UQCHU has undertaken since 2013 at the Maules Creek Coal Mine, which is in close proximity to the VEP Investigation Area.

9.2.2 Outcomes of Cultural Values Assessment

General Cultural Values

The cultural values consultation undertaken to date in the Study Area and surrounds has established several themes of traditional knowledge:

- **The inter-connectedness of places** - traditionally, Kamilaroi people are considered to have traversed the broader region for trade, hunting and foraging along established routes defined by the topography (e.g. certain creek lines and ridgelines). Further, their movement through the landscape would have been reflected in traditional stories and places (e.g. 'songlines' and 'Dreaming places'). This traditional knowledge has been impacted by the actions of European settlers and government policy since first contact, but some RAPs have noted the proximity of the VEP Investigation Area's environs with significant features of the wider landscape (e.g. 'Gin's Leap', Barbers Pinnacle, Mount Kaputar and Dripping Rock).
- **'Nature' and 'Culture'** - some Aboriginal people do not make a clear distinction between the natural world and 'culture', because the two things are closely intertwined (e.g. through the existence of totemic species, the use of bush tucker and bush medicine, and through cultural obligations for the management of Country). It is noted that the RAPs consulted have identified various flora and fauna of traditional importance to them.
- **Access** - some Kamilaroi people are presently experiencing a renewed interest in their history and traditions, and they wish to be afforded opportunities to access Country containing major cultural sites, objects, items, etc., to continue to embed their beliefs in physical places, to continue to practice traditional activities and to educate their younger generations.

During the archaeological surveys, the attending RAPs did not identify any specific locations within the VEP Investigation Area that were inter-connected with 'Gin's Leap', Barbers Pinnacle, Mount Kaputar and Dripping Rock, or any other known heritage place.

For most of the RAPs engaged in the VEP Investigation Area archaeological survey, it was the first time that they had been able to access the VEP Investigation Area. This is because most of the land within the VEP Investigation Area has been under private ownership for several generations. Therefore, the surveys described in this assessment have been an important measure in the mitigation of the existing restrictions to access that would be continued throughout the life of the Project.

Flora and Fauna

During archaeological survey of the VEP Investigation Area, various species of flora and fauna were sometimes observed by the attending RAPs who identified them as being culturally significant. Mostly, the identified species were stated to be significant for their uses as bush tucker or bush medicine, although some were noted to be totemic species. None of the identified species are rare or endangered, and in all cases they are considered better represented in other locations outside the VEP Investigation Area. Some RAPs have requested that the knowledge that they have shared in relation to culturally significant flora and fauna not be made publicly available.

As part of ongoing heritage management in the nearby Maules Creek Coal Mine, UQCHU has undertaken consultation with RAPs in relation to aspects of flora and fauna in the wider region (including the Study Area for the Project) that are considered to have some cultural association. Species from the region that are reported to have some cultural association include, for example, Wilga (*Geijera parviflora*), Wattle (*Acacia asparagoides*), Sandalwood (*Santalum obtusifolium*), Hop Bush (*Dodonaea boroniifolia*), Ironbark (*Eucalyptus paniculata*) and White Cypress Pine (*Callitris glaucophylla*).

Cultural Significance of the Broader Region

A number of RAPs have previously expressed concern about developments that might impact upon Aboriginal cultural heritage and values on land that is traditionally theirs. As they express it, all land is considered to have high cultural significance for the local Aboriginal community. It should also be noted that development upon, or disturbance of, land is stated by some RAPs to be contrary to fundamental Aboriginal beliefs regarding land, its values and its inherent cultural significance (Landskape, 2012).

A number of RAPs have also previously identified the Study Area as a place that Aboriginal people had occupied in the past. Generally, the Aboriginal representatives viewed all Aboriginal cultural heritage sites as significant because they preserve a record of how and where people lived in the past (Landskape, 2012).

The Namoi River and its adjacent plains are also considered to be of cultural significance to the Aboriginal community. Several of the RAPs involved in the assessment have previously advised that the riverine environs have special significance to the Aboriginal community. Local Aboriginal people previously visited, and still occasionally visit, the Namoi River for social events including meetings, fishing, mussel collecting and family outings (Landskape, 2012).

Cultural Significance of Known Aboriginal Cultural Heritage Sites

In the course of the archaeological surveys for the VEP Investigation Area, it was sometimes observed by the attending RAPs that individual artefacts may not have scientific significance, but were still vivid reminders of their ancestors' past actions. This also accords with sentiments expressed by Aboriginal participants in community consultation undertaken by UQCHU in the wider Study Area and surrounds since 2013.

AHIMS records for the surrounding areas identified a mythological site to the north-west of the VEP Investigation Area ('Gin's Leap' - AHIMS 20-4-0010). The site is located on the western margin of the Kamilaroi Highway, approximately 3 to 4 km north of the Boggabri township. Although the AHIMS record places this site well outside of both the Study Area and VEP Investigation Area (i.e. approximately 13 km north-west of the VEP Investigation Area), it is noted that 'Gin's Leap' is an unusual landscape feature (a prominent outcrop of weathered rhyolite).

The site card for 'Gin's Leap' (AHIMS 20-4-0010) indicates that several other hills in the locality were identified by a 'Gamilaraay' man who guided Sir Thomas Mitchell through the area in 1831. The relevant site card was prepared over 30 years ago and does not include detailed referencing. It indicates that these hills, namely Tanguilda (Dhanggalda), Bullabalakit (Balabalagirr) and Einerguendi (Yinarr ngindaay) have names associated with mussels, death and women, respectively, although the source for this information is not clear. Notwithstanding, it is noted that contemporary RAPs have not provided any additional information in relation to the above described hills in consultations to date and these hills are located outside of the VEP Investigation Area.

9.2.3 Ongoing Consultation

The surveys and community consultation undertaken for this assessment have not been the only, or first, opportunity afforded to the local Aboriginal community to provide information in relation to cultural values embodied by the wider region, including the VEP Investigation Area. Other opportunities have been provided on a range of surrounding projects (within portions of the Study Area and immediate surrounds), including consultation undertaken for the original Vickery Coal Mine (Haglund, 1986; Vickery Joint Venture, 1986: §5.2), the Tarrawonga Coal Mine (Dunk and Vermeltfoort, 2011: 14), the Boggabri Coal Mine (Insite, 2010) and the Maules Creek Coal Mine (AECOM, 2010).

In addition, it is also noted that Thompson (1981) and Haglund (1986: 2) both made enquiries through the Red Chief LALC regarding cultural values in the Study Area, with the same result:

None of the people contacted revealed any knowledge of sacred sites or other places of particular importance to them on or close to the Mine Authorisation Areas.

Thompson, 1981: H-10

No information indicates the presence of sites of mythological/ceremonial significance within the [Maules Creek] study area.

Haglund, 1986: 6

In 2014, some RAPs (including RAPs for the current Project) were asked by RPS Australia East Pty Ltd if there were any particular areas of cultural value within the vicinity of the Boggabri, Tarrawonga and Maules Creek Coal Mines and no specific geographic areas were identified (Boer-Mahr, 2014: 38-40).

As described in Section 5.6, it is noted that the cultural values assessment for the Project was ongoing during the draft ACHA review period. RAPs, Elders and other Aboriginal community members who wished to provide input into the cultural values assessment, or who would prefer to arrange a formal interview, were encouraged to contact Whitehaven during the draft ACHA review period.

10 SIGNIFICANCE ASSESSMENT

The assessment of cultural heritage value or 'significance' is a fundamental component of the heritage management process in that it assists in determining which sites, places, landscapes, environments and items are of sufficient importance that they require conservation.

As such, the significance assessment process underpins the legislative framework for heritage site protection by establishing a framework within which various types (assessment criteria) and levels (significance ratings) of heritage value can be defined. The effective assessment of these values will, in turn, facilitate the formulation of appropriate management decisions for a specific heritage item, whether an Aboriginal cultural heritage object, site, place or landscape.

Aboriginal tradition is not static and unchanging from a distant 'authentic past'. 'Tradition' is the handing down of beliefs from one generation to the next, but does not mean that significance in accordance with Aboriginal tradition requires an immutable value from 'time immemorial'. A scatter of discarded flakes from a one-off utilitarian task may acquire 'significance in accordance with Aboriginal tradition' with the passage of time and cultural change.

A statement of the significance of the Aboriginal cultural heritage found, discovered and/or subject to investigation in terms of this definition of 'cultural heritage significance' is an essential step in the process of developing cultural heritage management recommendations. All Aboriginal cultural heritage may hold 'cultural significance', but the preservation of all Aboriginal cultural heritage is not possible. Therefore, a process of assessing significance is necessary to determine which elements of Aboriginal cultural heritage require preservation, management and/or mitigation.

Assessment of scientific significance can encompass a range of heritage values. A process for establishing cultural significance is outlined in the *Australia ICOMOS Charter for Places of Cultural Significance*, otherwise known as 'The Burra Charter' (Australia International Council on Monuments and Sites [ICOMOS], 2013). The Burra Charter is, in turn, based on preceding international charters formulated by ICOMOS. The revised Burra Charter (Australia ICOMOS, 2013) defines cultural heritage significance as the social, spiritual, historical, scientific and aesthetic value for past, present or future generations.

The assessment of the significance of Aboriginal cultural heritage sites is a complex process and involves the consideration of both scientific significance and value to the local Aboriginal community (i.e. social and/or spiritual significance, sometimes also referred to as cultural or traditional value). While less commonly relevant to the assessment of Aboriginal cultural heritage sites, the historical and aesthetic values are also briefly discussed below.

This section undertakes an assessment of significance for the twenty-four (24) Aboriginal cultural heritage sites located within the VEP Investigation Area. While it also considers the significance of those sites located within the approved Vickery Coal Project area, it does not re-assess those same sites. The approved Vickery Coal Project sites have already been assessed and will be included below for completeness and consideration of the cumulative significance of Aboriginal cultural heritage sites associated with the Project.

10.1 Scientific Significance

The following section provides an assessment of the scientific significance of the Aboriginal cultural heritage sites recorded in the VEP Investigation Area and includes reference to the results of a significance assessment undertaken for the approved Vickery Coal Project sites. Scientific significance is assessed by examining the research potential and rarity/representativeness of the Aboriginal cultural heritage sites recorded. Therefore, the focus of the assessment for the VEP Investigation Area is on those sites that have the potential to yield data that will contribute to substantive research questions.

Research Potential

Research potential is assessed by examining site contents and site condition. 'Site contents' refers to all cultural materials and organic remains associated with human activity at a site. It does not only refer to the number of objects (e.g. artefacts) at a site, but the site structure, size, spatial patterning, and presence of any stratified deposits. 'Site condition' refers to the degree of disturbance to the contents of a site at the time it was recorded. Ratings for site contents and condition are given below.

SITE CONTENTS:

0 No cultural materials remaining.

1 Site contains a small number (e.g. 0-10 artefacts) or limited range of cultural materials with no evident stratification.

2 Site contains:

(a) a larger number, but limited range of cultural materials: and/or

(b) some intact stratified deposit remains.

3 Site contains:

(a) a large number and diverse range of cultural materials; and/or

(b) largely intact stratified deposit; and/or

(c) surface spatial patterning of cultural materials that still reflect the way in which the cultural materials were laid down.

SITE CONDITION:

0 Site destroyed.

1 Site in a deteriorated condition with a high degree of disturbance; some cultural materials remaining.

2 Site in a fair to good condition, but with some disturbance.

3 Site in an excellent condition with little or no disturbance. For surface artefact scatters this may mean that the spatial patterning of cultural materials still reflects the way in which the cultural materials were laid down.

Rarity and Representativeness

‘Representativeness’ refers to the regional distribution of a particular site type. It is assessed on whether the site is common, occasional or rare in a given region. Assessments of representativeness are subjectively biased by current knowledge of the distribution and numbers of Aboriginal cultural heritage sites in a region. This varies from place to place, depending on the extent of previous archaeological research. Assessment of representativeness also takes into account the contents and condition of a particular site. For example, in any region, there may only be a limited number of sites of any type that have suffered minimal disturbance. Such sites would therefore be given a high rating for representativeness, although they may occur commonly within the region.

REPRESENTATIVENESS

1 Common occurrence

2 Occasional occurrence

3 Rare occurrence

Scientific Significance

Overall scientific significance ratings for sites, based on a cumulative score for site contents, site condition and representativeness are given as follows:

- 1-4** Low scientific significance
- 5-7** Moderate scientific significance
- 8-9** High scientific significance

10.1.1 Scientific Significance Assessment for VEP Investigation Area

The scientific significance assessment for Aboriginal cultural heritage sites identified within the VEP Investigation Area is provided below (Table 9). It is noted that the below significance assessment may change on the basis of future investigations, research and analysis (when undertaken).

Table 9 – Scientific Significance of Aboriginal Cultural Heritage Sites within VEP Investigation Area

Site Name	Figure	Type	Area (m ²)	Site Contents	Site Condition	Representativeness	Scientific Significance ¹
Whitehaven Driggle Draggle Creek ²	-	AS	-	2	1	2	5 – Moderate
VCP-IF-010 ³	10c	IA	312	Assessed in approved Vickery Coal Project ACHA			Low ⁴
VCP-OS-008 ³	10c	IA	312	Assessed in approved Vickery Coal Project ACHA			Low ⁴
VCP-OS-011 ³	10c	AS	30,660	Assessed in approved Vickery Coal Project ACHA			Low-Moderate ⁴
VEP AS 14	10b	AS	346	1	1	1	3 – Low
VEP AS 20	10c	AS	314	1	1	1	3 – Low
VEP AS 21	10c	AS	6,231	2	1	1	4 – Low
VEP AS 23	10c	AS	811	1	1	2	4 – Low
VEP AS 24	10c	AS	1,114	1	1	2	4 – Low
VEP AS 27	10c	AS	341	1	1	2	4 – Low
VEP AS 29	10c	AS	2,355	1	1	2	4 – Low
VEP AS 38	10c	AS	314	2	1	1	4 – Low
VEP IA 01	10b	IA	314	1	1	1	3 – Low
VEP IA 24	10b	IA	314	1	1	1	3 – Low
VEP IA 36	10c	IA	314	1	1	1	3 – Low
VEP IA 37	10c	IA	314	1	1	1	3 – Low
VEP IA 39	10c	IA	314	1	1	1	3 – Low
VEP IA 41	10c	IA	314	1	1	1	3 – Low
VEP IA 42	10c	IA	314	1	1	1	3 – Low
VEP IA 43	10c	IA	314	1	1	2	4 – Low
VEP IA 49	10c	IA	314	1	1	1	3 – Low
VEP IA 52	10c	IA	314	1	1	1	3 – Low
VEP IA 53	10c	IA	314	1	1	1	3 – Low
VEP IA 54	10c	IA	314	1	1	1	3 – Low
VEP IA 55	10c	IA	314	1	1	1	3 – Low

AS = Artefact Scatter; IA = Isolated Artefact

¹ Scientific significance ratings are provided on a local scale. These ratings would be reduced if assessed on a regional scale.

² The area of the site is not included on the AHIMS site card, which describes only generally that the site is located on Driggle Draggle Creek. This site is included here as part of it may extend into the VEP Investigation Area.

³ These sites were identified for the approved Vickery Coal Project and are within the VEP Investigation Area.

⁴ 'Overall Archaeological Significance Rating' as determined by Landskape (2012: Table 15).

All twenty-four (24) Aboriginal cultural heritage sites present within the VEP Investigation Area are considered to be of low or low-moderate scientific significance due to the low number of site contents, the disturbed context of the sites and the common occurrence of these site types within the wider region. One site ('Whitehaven Driggle Draggie Creek' – AHIMS 20-4-0013) adjacent to the VEP Investigation Area, which has potential to be impacted by the Project, is considered to be of moderate scientific significance due to the relatively higher number of site contents and/or potential for a subsurface component and/or capacity for further research (based on the vague AHIMS site card description). No sites of high scientific significance are known to exist within the VEP Investigation Area.

10.1.2 Sites Previously Assessed in Approved Vickery Coal Project ACHA

The results of the approved Vickery Coal Project ACHA scientific significance assessment are presented in Table 10. A total of forty (40) Aboriginal cultural heritage sites were identified for the approved Vickery Coal Project, three (3) of which are also located within the VEP Investigation Area (these sites are included in both Table 9 and Table 10). Landskape (2012) determined the scientific significance of these sites to be all either low or low-moderate and no sites of moderate or high significance were identified for the approved Vickery Coal Project.

Table 10 – Scientific Significance of Aboriginal Cultural Heritage Sites Identified for the Approved Vickery Coal Project

Site Name	Type	Area (m ²)	Scientific Significance ^{1, 2}
BBS;Red Chief LALC; Whitehaven Rd 1	AS	54,870	Low-Moderate
Greenwood Creek	AS	15,483	Low-Moderate
VCP-IF-010 ⁴	IA	312	Low
VCP-IF-014	IA	312	Low
VCP-IF-017	IA	312	Low
VCP-IF-018	IA	312	Low
VCP-IF-034	IA	312	Low
VCP-IF-040	IA	312	Low
VCP-IF-043	IA	312	Low
VCP-IF-055	IA	312	Low
VCP-IF-060	IA	312	Low
VCP-IF-070	IA	312	Low
VCP-IF-090	IA	312	Low
VCP-IF-095	IA	312	Low
VCP-IF-109	IA	312	Low
VCP-OS-001	AS	29,841	Low-Moderate

Table 10 – Scientific Significance of Aboriginal Cultural Heritage Sites Identified for the Approved Vickery Coal Project (Continued)

Site Name	Type	Area (m ²)	Scientific Significance ^{1, 2}
VCP-OS-007	IA	312	Low
VCP-OS-008 ⁴	IA	312	Low
VCP-OS-009	AS	11,300	Low
VCP-OS-011 ⁴	AS	30,660	Low-Moderate
VCP-OS-014	AS	11,293	Low
VCP-OS-021	AS	21,788	Low-Moderate
VCP-OS-036	AS	13,083	Low
VCP-OS-046	AS	56,425	Low-Moderate
VCP-OS-049	AS	43,212	Low-Moderate
VCP-OS-051	AS	15,255	Low
VCP-OS-055	AS	11,008	Low
VCP-OS-056	AS	20,805	Low-Moderate
VCP-OS-057	AS	14,452	Low
VCP-OS-058	AS	9,334	Low
VCP-OS-067	AS	12,927	Low
VCP-OS-069	AS	11,887	Low
VM-OS-1	AS	39,682	Low-Moderate
NR-OS-001 ³	AS	9,025	Low
NR-OS-002	AS	7,837	Low
NR-OS-003 ³	AS	11,795	Low
NR-OS-004 ³	AS	10,639	Low
NR-OS-006 ³	AS	22,632	Low-Moderate
Wilga ⁵	AS; GG	-	Moderate
Naomi River/ CWR	AS; ST	-	Low-Moderate

Source: After Landskape (2012)

AS = Artefact Scatter; IA = Isolated Artefact; GG = Grinding Groove; ST = Scarred Tree.

- ¹ The significance ratings in Landskape (2012) for the approved Vickery Coal Project sites were ascribed by a different method than the present ACHA. Only the overall significance rating is included here.
- ² Scientific significance ratings are provided on a local scale. These ratings would be reduced if assessed on a regional scale.
- ³ These sites from the approved Vickery Coal Project ACHA are located within the approved private haul road and Kamilaroi Highway Overpass.
- ⁴ These sites were identified for the approved Vickery Coal Project and are within the VEP Investigation Area.
- ⁵ The grinding groove site 'Wilga' (AHIMS 20-4-0009) is located outside of the extent of proposed disturbance associated with the Project; however, it may be subject to potential indirect impacts (e.g. blasting vibration).

10.2 Cultural Significance

In addition to the scientific significance assessment of Aboriginal cultural heritage sites (Section 10.1), the cultural significance in accordance with Aboriginal tradition also warrants consideration. It should be noted that Aboriginal cultural significance may reflect Aboriginal community values not only in regard to individual sites and groups of sites, but also in terms of the general landscape. As discussed in Section 9.2, Aboriginal values do not necessarily correspond to the scientific values placed on individual sites, but will reflect the social, spiritual, educational and aesthetic values of such locations.

The RAPs consulted for this report characterised the social and spiritual significance of the VEP Investigation Area (and the wider environment of which it forms a part) in terms of:

- The identified artefacts being reflections of the activities of their ancestors – their ‘footprints’.
- Aspects of the natural world that embody cultural significance, including bush tucker, bush medicine and totemic species.
- The positive feelings that being ‘on Country’ produced for them, especially in the light of renewed access after generations of denied access.

The RAPs preferred not to ‘rank’ Aboriginal heritage as being of low, moderate or high cultural significance. For example, they stated that even an isolated stone artefact is of high cultural significance to them. However, they did indicate that different types of Aboriginal cultural heritage sites (e.g. an isolated artefact, grinding grooves or hearths) would demand different levels of management rigour. Of the site types identified in the VEP Investigation Area, none were identified by the RAPs as requiring the highest level of management rigour.

Although not specifically raised by the RAPs for this assessment, it is noted that, in general, Aboriginal people consider that the entire landscape within their Country is of cultural value. Review of literature, previous studies and consultation with the wider Aboriginal community for previous assessments indicates that the following landscape characteristics are generally considered to be of cultural value:

- **Waterways and wetlands** – in addition to the high potential for the occurrence of Aboriginal cultural heritage sites within proximity to these areas, the waterway and wetlands are themselves generally considered to be culturally significant. Fords and fish traps in creeks can make the watercourses culturally significant, as well as the associated stories and dreaming, and the occurrence of Aboriginal cultural heritage sites in close proximity. It is noted, however, that there are no wetlands within the VEP Investigation Area.

- **Areas of natural habitat, including wildlife corridors**, are likely to have high archaeological potential, but are also likely to be of high cultural value generally. Flora and fauna have cultural value as traditional and contemporary sources of food, charcoal, sap/eucalyptus gum, medicines, clothing, baskets/tools, artistic expression, stories, spiritual beliefs and totems. Continuing health of habitat and ongoing access to nature and its resources are important management issues.
- **Known cultural heritage sites** are very important and, in some cases, the surroundings and corridors of access and use associated with such sites may also have associated values (such as spiritual sites).
- **Ceremonial sites and gathering places** known from traditional, historical and contemporary times are generally considered to be important to the Aboriginal community. It is noted, however, that there are no known ceremonial sites within the VEP Investigation Area.
- **Stone sources** for the manufacture of stone artefacts of different kinds; ochre is another culturally important natural resource.
- **Conspicuous landscape features** – while these areas may or may not have high potential for Aboriginal cultural heritage sites, many of them may represent important story places, landmarks, look-outs, boundary markers (and so on). Two distinctive features in the landscape of the wider Study Area are ‘Gin’s Leap’ (*Gagabaayindaay/Bullabalakit*) and Barber’s Pinnacle (*Tungulda*), both of which are understood to hold cultural associations for the Kamilaroi people.
- **Places of post-contact and contemporary history** – including features or places given Indigenous names in contemporary or historical times, favoured camping and recreation sites, and places where Aboriginal people have held important gatherings or made significant achievements.

Detailed consideration of cultural values and cultural significance of known Aboriginal cultural heritage sites is provided in Section 9.2.

10.3 Historical Significance

As described by Landskape (2012), the historic value of Aboriginal cultural heritage sites largely stems from their importance in providing evidence of Aboriginal peoples’ association with the area. The VEP Investigation Area (and the broader Study Area, including the approved Vickery Coal Project area) is within a region that was occupied by the Kamilaroi tribal group at the time of first contact with Europeans (Mitchell, 1839).

Archaeological and ethno-historical sources show that past Aboriginal people frequented specific places within the region for habitation or to manufacture lithic implements (O'Rourke, 1997).

No sites have been identified in the VEP Investigation Area that are considered to have historic (post settlement) significance for Aboriginal people.

10.4 Aesthetic Significance

Aesthetic significance refers to the sensory, scenic, architectural and creative aspects of a place or Aboriginal cultural heritage site. It is often closely linked with the social values. It may consider form, scale, colour, texture and material of the fabric or landscape, and the smells and sounds associated with the place and its use (OEH, 2011).

All Aboriginal cultural heritage sites located within the VEP Investigation Area are stone artefact sites (i.e. artefact scatters or isolated finds), which are small features in the landscape. The RAPs consulted did not identify them as places of high aesthetic value. As described by Landskape (2012), the outcrop containing the axe-grinding grooves ('Wilga' – AHIMS 20-4-0009) is also not prominent and is often underwater.

The VEP Investigation Area has been significantly altered by tree clearing and agricultural/pastoral activities following European settlement. The area is considered to be a modified rural landscape dominated by fence lines, homesteads and other evidence of farming and grazing activities. This landscape has not been identified as one of cultural significance either by the RAPs present during the field surveys, during the Aboriginal community consultation undertaken to date, or during previous assessments undertaken in the Study Area and surrounds (including the approved Vickery Coal Project area).

10.5 Statement of Significance

The ACHA has assessed the archaeological potential of the VEP Investigation Area within the context of the wider landscape and previous disturbances. The contextual desktop study and field survey explored the actual and potential archaeological values for the Study Area and resulted in the identification of twenty-four (24) Aboriginal cultural heritage sites (including three previously recorded Aboriginal cultural heritage sites) within the VEP Investigation Area. Of these sites, all twenty-four (24) are classified as being of low or low-moderate scientific significance. One site adjacent to the VEP Investigation Area, which has potential to be impacted by the Project, is of moderate scientific significance (Table 10).

The significance of forty (40) Aboriginal cultural heritage sites located in the approved Vickery Coal Project area were assessed within the ACHA prepared by Landskape (2012) as being of low or low-moderate scientific significance. Thirty-two (32) of these sites were recommended for salvage due to potential impact from the approved Vickery Coal Project (Landskape 2012).

The majority of the identified Aboriginal cultural heritage sites, and those with the greatest concentration of artefacts, are located within close proximity to the Namoi River and, to a lesser degree, the ephemeral Driggle Draggie Creek. A much smaller number of low-density artefact scatters and isolated artefacts (all deemed to be of low scientific significance [Section 10.1]) were identified in areas with limited access to water. Although the current assessment has concluded that the more dense and expansive artefact scatters occur on the margins of the Namoi River floodplain, no artefacts were identified within the Namoi River floodplain within the VEP Investigation Area (likely due to limited survey being undertaken in the floodplain).

No Aboriginal cultural heritage sites of high scientific value have been identified within the VEP Investigation Area or the approved Vickery Coal Project area.

The VEP Investigation Area and approved Vickery Coal Project area are considered to contain localised evidence of Aboriginal occupation of the Namoi River margins and associated catchment, much of which has been impacted through historical land use practices. While the overall scientific significance of the Study Area is not considered to be high, the Aboriginal cultural heritage sites therein hold potential to add some knowledge of Aboriginal occupation in the broader region (although it is not expected to significantly alter any regional predictive modelling).

The RAPs consulted for this report did not identify the Study Area as critical to their ability to connect or re-connect to 'Country'.

The Study Area contains some species of flora and fauna that have cultural significance to the Aboriginal people consulted for this assessment. However, these flora and fauna are neither rare nor endangered, and are well represented in locations outside the Study Area.

It was noted by some RAPs that, apart from their scientific value, all artefacts are culturally significant to them, because they are reflections of the actions of their ancestors.

11 IMPACT ASSESSMENT

The Project has the potential to directly and indirectly impact Aboriginal cultural heritage sites within the VEP Investigation Area and the approved Vickery Coal Project area. This section provides an impact assessment for the VEP Investigation Area as well as impacts described in the approved Vickery Coal Project ACHA. The impact assessment includes a consideration of potential surface disturbance impacts from the proposed open cut, out-of-pit waste rock emplacements (i.e. major project components) and ancillary infrastructure, as well as a consideration of potential indirect impacts associated with blasting and vibration.

In accordance with *the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH, 2011), the principles of ecologically sustainable development were considered in assessing the likely harm of the Project to Aboriginal cultural heritage sites.

11.1 Potential Direct Impacts

11.1.1 Major Project Components

A description of the Project, including the proposed disturbance works, is provided in Section 3. The proposed general arrangement for the Project is presented on Figures 3a and 3b.

The major Project components (e.g. open cut, waste rock emplacements) would be developed within a footprint of approximately 2,945 ha, noting that approximately 776 ha is additional disturbance associated with the Project that has not been subject to previous approval for the approved Vickery Coal Project. While the precise layout and detailed design of the infrastructure components are not yet finalised, disturbance will only occur within this footprint and not all areas would be subject to disturbance. Notwithstanding, for the purposes of this assessment it is conservatively assumed that the development of major Project components would be of a nature that would cause direct harm to any Aboriginal objects or areas of cultural value.

The direct harm associated with surface disturbance activities is anticipated to cause either a total or partial loss of heritage value at affected Aboriginal cultural heritage sites and would have a cumulative impact of partial loss of values for the wider area as a whole.

The disturbance associated with the development of the major Project components will not impact Aboriginal cultural heritage sites of moderate scientific significance. A summary of the Aboriginal cultural heritage sites potentially subject to surface disturbance activities is presented in Sections 11.3 to 11.6.

11.1.2 Ancillary Infrastructure

In addition to the proposed major surface disturbance works described above, the Project may also include the development of ancillary infrastructure. Ancillary infrastructure comprises minor surface infrastructure located outside of the proposed major surface infrastructure and development areas, although the location of such infrastructure cannot be determined at this stage in the Project. Ancillary infrastructure includes, for example, the following activities:

- The construction and/or maintenance of access tracks (e.g. for the installation and/or maintenance of surface infrastructure).
- Internal Project power infrastructure.
- Consumable storage areas.
- Minor water infrastructure such as pipelines.
- Other associated minor infrastructure, plant, equipment and activities.

The location and design of ancillary infrastructure would be flexible and would be located in an attempt to avoid known Aboriginal cultural heritage sites and areas of cultural sensitivity as far as practicable. The location of the ancillary infrastructure would be determined as required over the life of the Project.

While the design and location of the ancillary infrastructure is somewhat flexible, some Aboriginal cultural heritage sites may not be able to be avoided completely (e.g. artefact scatters extending over large areas). Where this occurs, appropriate management measures would be implemented, including salvage activities where necessary and avoidance of portions of the site that were not impacted (Section 12).

11.2 Potential Indirect Impacts

In addition to significant earthmoving works associated with the development of major Project components or ancillary infrastructure (Sections 11.1.1 and 11.1.2), potential indirect impacts to Aboriginal cultural heritage sites may also occur. Potential indirect impacts to Aboriginal cultural heritage sites could include (but are not limited to) the following:

- potential impacts associated with blasting and vibration (although it is noted that blasting is expected to only have an adverse impact on those Aboriginal cultural heritage sites with an inherent structural component [e.g. artefact scatters with in situ stratigraphy, grinding grooves, rock shelters]);

- deposition of dust generated by mining;
- accidental disturbance by peripheral activities; and
- inappropriate visitation of known Aboriginal cultural heritage sites, including the unauthorised removal of Aboriginal objects.

Potential indirect impacts to known Aboriginal cultural heritage sites are described in Sections 11.3 to 11.6.

11.3 Potential Impacts on Known Aboriginal Archaeological Values

The impact of the Project on Aboriginal cultural heritage sites in the VEP Investigation Area and approved Vickery Coal Project is determined by the nature of the proposed development works and the degree of harm this will cause. The type of harm defined in this assessment is either direct or indirect and, therefore, the consequence of harm is a total or a partial loss in value. A total loss in value would occur when the entire site is impacted by the Project. A partial loss of value would occur when only part of the site (such as in the case of an artefact scatter) is impacted by the Project.

11.3.1 Potential Impacts on Known Aboriginal Archaeological Sites within VEP Investigation Area

As described in Section 8.6, there are a total of twenty-four (24) known Aboriginal cultural heritage sites located within the VEP Investigation Area, all of which are surface artefact sites, including fifteen (15) isolated artefacts and nine (9) surface artefact scatters.

The potential impacts of the Project on each of the Aboriginal cultural heritage sites in the VEP Investigation Area are described in Table 11 below. The Project would result in a total loss of value for twenty-four (24) known Aboriginal cultural heritage sites of low or low-moderate scientific significance. The only site of moderate scientific significance is adjacent to SU24 and will likely not be impacted by the Project. As described in Section 8.6, the description provided in the AHIMS site card locates this site along Driggle Draggles Creek and outside of the extent of surface disturbance associated with the Project, and hence, it is anticipated that this Aboriginal cultural heritage site of moderate scientific significance would be avoided by the Project⁷.

⁷ If this site is later identified to be within the extent of surface disturbance associated with the Project, the salvage protocol described in Section 12 would be implemented.

Table 11 – Potential Impacts on Known Aboriginal Cultural Heritage Sites within the VEP Investigation Area

Site Name	Figure	Type	Location	Type of Harm	Degree and Consequence of Harm
Whitehaven Driggle Draggie Creek	-	AS	Northern Borefield	Nil	No loss of value ²
VCP-IF-010 ³	10c	IA	Mine Site	Direct (Total)	Total loss of value
VCP-OS-008 ³	10c	IA	Mine Site	Direct (Total)	Total loss of value
VCP-OS-011 ³	10c	AS	Mine Site	Direct (Total)	Total loss of value
VEP AS 14	10b	AS	Mine Site	Direct (Total)	Total loss of value
VEP AS 20	10c	AS	Rail Corridor	Direct (Partial or Total)/Nil	Total/Partial/Nil loss of value ¹
VEP AS 21	10c	AS	Rail Corridor	Direct (Partial or Total)/Nil	Total/Partial/Nil loss of value ¹
VEP AS 23	10c	AS	Rail Corridor	Direct (Partial or Total)/Nil	Total/Partial/Nil loss of value ¹
VEP AS 24	10c	AS	Rail Corridor	Direct (Partial or Total)/Nil	Total/Partial/Nil loss of value ¹
VEP AS 27	10c	AS	Rail Corridor	Direct (Partial or Total)/Nil	Total/Partial/Nil loss of value ¹
VEP AS 29	10c	AS	Rail Corridor	Direct (Partial or Total)/Nil	Total/Partial/Nil loss of value ¹
VEP AS 38	10c	AS	Mine Site	Direct (Total)	Total loss of value
VEP IA 01	10b	IA	Northern Borefield	Direct (Partial or Total)/Nil	Total/Partial/Nil loss of value ¹
VEP IA 24	10b	IA	Mine Site	Direct (Total)	Total loss of value
VEP IA 36	10c	IA	Mine Site	Direct (Total)	Total loss of value
VEP IA 37	10c	IA	Mine Site	Direct (Total)	Total loss of value
VEP IA 39	10c	IA	Rail Corridor	Direct (Partial or Total)/Nil	Total/Partial/Nil loss of value ¹
VEP IA 41	10c	IA	Rail Corridor	Direct (Partial or Total)/Nil	Total/Partial/Nil loss of value ¹
VEP IA 42	10c	IA	Rail Corridor	Direct (Partial or Total)/Nil	Total/Partial/Nil loss of value ¹
VEP IA 43	10c	IA	Rail Corridor	Direct (Partial or Total)/Nil	Total/Partial/Nil loss of value ¹
VEP IA 49	10c	IA	Rail Corridor	Direct (Partial or Total)/Nil	Total/Partial/Nil loss of value ¹
VEP IA 52	10c	IA	Mine Site	Direct (Total)	Total loss of value
VEP IA 53	10c	IA	Mine Site	Direct (Total)	Total loss of value
VEP IA 54	10c	IA	Mine Site	Direct (Total)	Total loss of value
VEP IA 55	10c	IA	Mine Site	Direct (Total)	Total loss of value

AS = Artefact Scatter; IA = Isolated Artefact

¹ This term is used in the table to refer to those Aboriginal cultural heritage sites which are located within the rail corridor or northern borefield and may be avoided (i.e. nil loss of value) or either directly (i.e. total loss of value) or indirectly (i.e. partial loss of value) impacted by the Project, depending on the final design.

² If this site is later identified to be within the extent of surface disturbance associated with the Project, the salvage protocol described in Section 12 would be implemented and the Degree of Consequence and Harm would be Partial to Total.

³ These sites were identified for the approved Vickery Coal Project and are also within the VEP Investigation Area.

Mine Site Extension Area

This assessment has identified that the mine site extension area contains twelve (12) Aboriginal cultural heritage sites of low or low-moderate scientific significance. The mine site extension area does not contain any sites of moderate or high scientific significance.

With the exception of two artefact scatters (VEP AS 38, which contains 20 artefacts but is significantly disturbed by previous dam and road construction works, and VCP-OS-011) all Aboriginal cultural heritage sites located within the mine site extension area are sites with three or less artefacts (VCP-IF-010; VCP-OS-008; VEP AS 14; VEP IA 24; VEP IA 36; VEP IA 37; VEP IA 52; VEP IA 53; VEP IA 54 and VEP IA 55).

While the location of the major Project components is generally known, the specific location and detailed design of infrastructure will be located in an attempt to avoid known Aboriginal cultural heritage sites as far as is practicable. While the design and location of some facilities is flexible to a degree, some Aboriginal cultural heritage sites may not be able to be avoided completely. Where sites cannot be avoided, appropriate management measures would be implemented, including salvage activities where necessary.

Rail Corridor

The rail corridor contains eleven (11) Aboriginal cultural heritage sites, all of which are sites of low scientific significance (VEP IA 39; VEP IA 41; VEP IA 42; VEP IA 43; VEP IA 49; VEP AS 20; VEP AS 21; VEP AS 23; VEP AS 24; VEP AS 27 and VEP AS 29). The rail corridor does not contain any sites of moderate or high scientific significance. All the sites identified within the rail corridor are located in close proximity to the Namoi River.

Northern Borefield

The northern borefield contains only one (1) Aboriginal cultural heritage site of low significance, an isolated artefact north of Driggle Draggie Creek (VEP IA 01). The northern borefield does not contain any sites of high scientific significance. The coordinates for 'Whitehaven Driggle Draggie Creek' (AHIMS 20-4-0013), situate this artefact scatter site in close proximity to the northern borefield. However, the relevant AHIMS site card provides only a vague description of its location in association with Driggle Draggie Creek. 'Whitehaven Driggle Draggie Creek' (AHIMS 20-4-0013) is of moderate scientific significance and is likely part of a broad background artefact scatter associated with Driggle Draggie Creek.

11.3.2 Potential Impacts on Known Aboriginal Cultural Heritage Sites Identified for the Approved Vickery Coal Project

The potential impacts of the Project on Aboriginal cultural heritage sites identified for the approved Vickery Coal Project (Sections 1.3 and 7.3) have been previously considered and assessed by Landskape (2012) and approved subject to the conditions of Development Consent SSD-5000. As described in Section 7.3, a total of forty (40) Aboriginal cultural heritage sites were identified for the approved Vickery Coal Project, thirty-four (34) of which are located immediately east of the VEP Investigation Area, including twenty-two (22) artefact scatters and twelve (12) isolated artefacts. The remaining six (6) (all artefact scatters) are located at the approved private haul road and Kamilaroi Highway overpass area.

Thirty-one (31) of the sites identified during the approved Vickery Coal Project ACHA are approved for impacts (Table 12), subject to the conditions of Development Consent SSD-5000 for the approved Vickery Coal Project. The approved impacts for these sites would remain unchanged for the Project (i.e. there would be the same level of impact for the Project as was previously assessed in the approved Vickery Coal Project ACHA).

Table 12 – Potential Impacts on Known Aboriginal Cultural Heritage Sites Identified for the Approved Vickery Coal Project

Site Name	Type	Location	Type of Harm	Degree and Consequence of Harm
VCP-OS-001	AS	Mining Area	Direct	Total loss of value
VCP-OS-009	AS	Mining Area	Direct (Partial)	Partial loss of value
VCP-OS-011 ²	AS	Mining Area	Nil	No loss of value
VCP-OS-014	AS	Mining Area	Direct (Partial)	Partial loss of value
VCP-OS-021	AS	Mining Area	Nil	No loss of value
VCP-OS-036	AS	Mining Area	Direct	Total loss of value
Wilga	AS; GG	Mining Area	Nil ¹	No loss of value ¹
VCP-OS-046	AS	Mining Area	Direct	Total loss of value
VCP-OS-049	AS	Mining Area	Direct (Partial)	Partial loss of value
VCP-OS-051	AS	Mining Area	Direct	Total loss of value
VCP-OS-055	AS	Mining Area	Direct	Total loss of value
VCP-OS-056	AS	Mining Area	Direct	Total loss of value
VCP-OS-057	AS	Mining Area	Direct	Total loss of value
VCP-OS-058	As	Mining Area	Direct	Total loss of value
BBS; Red Chief LALC; Whitehaven Rd 1	AS	Mining Area	Direct	Total loss of value
VM-OS-1	As	Mining Area	Direct	Total loss of value
Greenwood Creek	AS	Mining Area	Direct	Total loss of value
VCP-OS-067	AS	Mining Area	Direct	Total loss of value
VCP-OS-069	AS	Mining Area	Direct	Total loss of value

Table 12 – Potential Impacts on Known Aboriginal Cultural Heritage Sites Identified for the Approved Vickery Coal Project (Continued)

Site Name	Type	Location	Type of Harm	Degree and Consequence of Harm
VCP-IF-010 ²	IA	Mining Area	Nil	No loss of value
VCP-IF-014	IA	Mining Area	Nil	No loss of value
VCP-IF-017	IA	Mining Area	Direct	Total loss of value
VCP-IF-018	IA	Mining Area	Direct	Total loss of value
VCP-IF-034	IA	Mining Area	Direct	Total loss of value
VCP-IF-040	IA	Mining Area	Direct	Total loss of value
VCP-IF-043	IA	Mining Area	Direct	Total loss of value
VCP-IF-055	IA	Mining Area	Direct	Total loss of value
VCP-IF-060	IA	Mining Area	Direct	Total loss of value
VCP-IF-070	IA	Mining Area	Direct	Total loss of value
VCP-IF-090	IA	Mining Area	Direct	Total loss of value
VCP-IF-095	IA	Mining Area	Direct	Total loss of value
VCP-IF-109	IA	Mining Area	Direct	Total loss of value
VCP-OS-007	IA	Mining Area	Nil	No loss of value
VCP-OS-008 ²	IA	Mining Area	Nil	No loss of value
NR-OS-001	AS	Haul Road and Overpass	Direct (Partial)	Partial loss of value
NR-OS-002	AS	Haul Road and Overpass	Nil	No loss of value
NR-OS-003	AS	Haul Road and Overpass	Direct (Partial)	Partial loss of value
NR-OS-004 ²	AS	Haul Road and Overpass	Nil	No loss of value
'Naomi River/ CWR' ³	AS; ST	Haul Road and Overpass	Direct (Partial)	Partial loss of value
NR-OS-006	AS	Haul Road and Overpass	Direct (Partial)	Partial loss of value

Source: After Landskape (2012).

AS = Artefact Scatter; IA = Isolated Artefact; ST = Scarred Tree; GG = Grinding Grooves.

- ¹ Landskape (2012) listed the 'Wilga' grinding grooves as 'Direct (Partial)' impact, yet an investigation by Wilkinson Murray (2018) determined that no vibration-induced damage was likely to occur at the site. The 'Wilga' site is therefore considered to have Nil impact and therefore no loss of value.
- ² These sites not scheduled for impact by the approved Vickery Coal Project ACHA have since been reassessed as being impacted by the Project and have been included in the VEP Investigation Area for this ACHA (Table 12).
- ³ The AHIMS coordinates for this site locate it outside of the approved private haul road and Kamilaroi Highway overpass footprint.

11.3.3 Potential Impacts on Known Aboriginal Cultural Heritage Sites in the Wider Study Area

The axe grinding grooves at 'Wilga' (AHIMS 20-4-0009, also referred to as 'Top Rocks') would not be directly impacted (i.e. subject to surface disturbance) by the Project and are located well outside of the VEP Investigation Area.

Despite this, the rock platform on which the grinding grooves are located may be susceptible to indirect impacts from blast vibration. Wilkinson Murray (2018) has undertaken a noise and blasting assessment for the Project and determined that the maximum vibration levels at the 'Wilga' (AHIMS 20-4-009) site would be approximately 6.3 millimetres per second (mm/second) over the entire life of the Project (Wilkinson Murray, 2018).

In the absence of regulatory criteria in Australia for assessing vibration impacts to archaeological features, Wilkinson Murray has nominated a conservative limit of 50 mm/second, above which damage may possibly occur at the site. It is noted, however, that these criteria are highly conservative and vibration measurements above this level may not result in damage to an archaeological feature. This is based on review of several Australian, British and German Standards and studies undertaken in the United States. Based on the vibration levels predicted at 'Wilga' (AHIMS 20-4-0009) (i.e. approximately 6.3 mm/second), Wilkinson Murray (2018) has concluded that no vibration induced damage would occur at the grinding groove site.

Blast vibration monitoring would be undertaken as part of the Project and would be detailed in the Blast Management Plan. Blast monitoring would be undertaken at potentially sensitive receptors located around the Project, and the grinding groove site ('Wilga' – AHIMS 20-4-0009) would be considered as a potential monitoring location. The results of the blast monitoring would be used to calibrate the blast vibration predictions at the grinding groove site.

11.4 Potential Impacts on Previously Unidentified Aboriginal Cultural Heritage Sites

Although most of the VEP Investigation Area and the approved Vickery Coal Project area was sufficiently surveyed (excluding the rail corridor west of the Kamilaroi Highway), there remains the potential for additional Aboriginal cultural heritage sites to be located within the extent of the Project (e.g. sites that may have been obscured by grass or soil at the time of survey). Such previously unidentified features, should they occur, would probably be additional isolated finds or low-density concentrations of stone artefacts (based on the predictive model outlined in Section 7.6 and informed by the results of the Project surveys, summarised in Sections 8 and 9).

A strategy for managing any previously unidentified Aboriginal cultural heritage sites during the life of the Project is outlined in Section 12.

11.5 Potential Cumulative Impacts

The Project is located within a region that contains a number of currently approved or operational mine sites. These mine sites have operated for some decades, and the approved mining operations have caused adverse heritage impacts to a range of Aboriginal cultural heritage sites, principally archaeological ones. For the most part, these adverse impacts have been associated with the disturbance or destruction of Aboriginal cultural heritage sites, subsequent to archaeological investigation and assessment.

The surveys undertaken for this Project and the approved Vickery Coal Project ACHA indicate that the types of Aboriginal cultural heritage sites within the Study Area that may be impacted by the Project generally comprise part of a region-wide 'background scatter' of *ex situ* isolated artefacts and disturbed artefact scatters of low or low-moderate (occasionally moderate) scientific significance. Given the generally low scientific significance of these Aboriginal cultural heritage sites, the cumulative effect that may result from the development of the Project is considered to be low and would be mitigated by the ongoing program of archaeological recording recommended by this assessment.

In terms of cultural values, the Project is located within an area that has already been heavily modified by tree clearing and agro-pastoral activities for over 150 years. Hence, the Project is considered to cause few impacts additional to those that have already occurred; for example, access to Country, culturally significant flora and fauna or inter-relationships with other previously identified heritage places.

On the basis of the above, it is therefore considered that the Project would not substantially increase cumulative impacts to Aboriginal heritage in the region.

11.6 Avoiding and Minimising Harm to Aboriginal Cultural Heritage Sites

The evaluation undertaken as part of this ACHA has determined that twenty-four (24) Aboriginal cultural heritage sites occur within the VEP Investigation Area and are likely to be impacted by the Project. A further thirty-one (31) sites are located within the approved Vickery Coal Project area (including the approved private haul road and Kamilaroi Highway overpass). None of the sites that will potentially be impacted within the VEP Investigation Area or approved Vickery Coal Project area have been assessed as being of high scientific significance. As a result, no Aboriginal cultural heritage sites of high scientific significance would be impacted by the Project.

One (1) Aboriginal cultural heritage site of moderate scientific significance located in close proximity to the northern borefield in the VEP Investigation Area ('Whitehaven Driggle Draggie Creek' – AHIMS 20-4-0013), has the potential to be impacted, either directly or indirectly, by the Project, although efforts will be made to either avoid or minimise harm to the site.

One (1) other Aboriginal cultural heritage site of moderate scientific significance ('Wilga' – AHIMS 20-4-0009) would be potentially subject to blasting impacts, although this potential impact has been assessed as having nil impact on the heritage values of the site.

This ACHA has undertaken an assessment of the potential impacts associated with the development of the major Project components and ancillary infrastructure, as well as the rail corridor and northern borefield. Impacts associated with the approved Vickery Coal Project have been considered but not re-assessed, with the exception of three sites that are now included in the VEP Investigation Area

(VCP-OS-011; VCP-OS-008; VCP-IF-010). Potential indirect impacts to the grinding groove site ('Wilga' – AHIMS 20-4-0009) due to blasting for the Project have been considered in this ACHA (Section 11.3.3).

12 PROPOSED MANAGEMENT AND MITIGATION MEASURES

It is a fundamental principle of heritage conservation that the nature and level of an Aboriginal cultural heritage site's significance will determine the appropriate management response. Sites of higher scientific significance generally require a more stringent management regime than sites of lower scientific significance. Similarly, the reasons for a site's scientific significance are relevant to its management. For example, a site that is significant for its scientific value is likely to require a different management strategy to a site considered significant for its aesthetic or spiritual values. Generally, Aboriginal cultural heritage sites that are significant solely for their scientific values will usually be considered to be appropriately conserved when their research value has been met (e.g. through excavation and documentation).

This section summarises the recommended management measures for the Aboriginal cultural heritage sites identified within the VEP Investigation Area and approved Vickery Coal Project area in order to fulfil the above management principles.

The management and mitigation measures outlined in the approved Vickery Coal Project ACHA would apply for the sites within the extent of the approved Vickery Coal Project area (excluding those for the three sites now within the VEP Investigation Area and the 'Wilga' grinding grooves) (Landscape, 2012).

In addition, it is noted that standard contingency plans for the possible discovery of further Aboriginal cultural heritage objects and/or human remains are recommended to be adopted during the development and life of the Project (Section 13).

A Heritage Management Plan would be developed for the Project in consultation with the Aboriginal community and the OEH to define, develop and formalise the management and mitigation measures described in this section. The Heritage Management Plan would be developed prior to any Project-related works that would harm Aboriginal cultural heritage sites.

12.1 Management of Potential Direct Impacts

Given the nature of the proposed surface disturbance works (i.e. associated with the major Project components and ancillary infrastructure), it is not possible to avoid all Aboriginal cultural heritage sites. Notwithstanding, this assessment has concluded that none of the identified Aboriginal cultural heritage sites are of high scientific significance and that the one Aboriginal cultural heritage site of moderate scientific significance would likely be avoided by the Project.

On this basis, it is recommended that the Heritage Management Plan developed for the Project include the following measures (or protocols) to manage the potential impacts of surface disturbance on Aboriginal cultural heritage sites within the Project area:

- Whitehaven should maintain a record of known Aboriginal cultural heritage sites and mark these sites on relevant Project documentation and plans.
- Whitehaven should update their Aboriginal cultural heritage sites database to reflect whether the 'Whitehaven Driggle Draggie Creek' site (AHIMS 20-4-0013) is or is not located within the extent of surface disturbance associated with the Project.
- Archaeological survey of all potential impact areas within the rail corridor that have not been subject to systematic survey sampling, using the same methodology as for the investigation undertaken for the VEP Investigation Area.
- Whitehaven should implement a protocol for surface disturbance works to reduce the risk of accidental damage to known Aboriginal cultural heritage sites (e.g. demarcation of Aboriginal cultural heritage sites located in proximity to, but outside of, disturbance areas).
- Where practicable, known Aboriginal cultural heritage sites should be avoided during Project construction and operational works associated with flexible components.
- The location of known Aboriginal cultural heritage sites should be considered during final detailed engineering designs of the road realignments and ancillary infrastructure.
- Where avoidance of known Aboriginal cultural heritage sites is not practicable, the site(s) should be subject to salvage of a representative collection of visible surface artefacts in consultation with the Aboriginal community.
- A protocol should be developed for the management of previously unidentified Aboriginal cultural heritage sites.
- Protocols should be developed that prescribe the involvement of the RAPs in cultural heritage works conducted under the Heritage Management Plan. The intent of this would be to focus on RAPs or RAP groups that represent the wider Aboriginal community.
- A communication protocol should be developed that describes clear methods of communication, including expectations of suitable notification and response times between the proponent and the RAPs.

Options for the final storage location of any collected artefacts should be determined in consultation with the RAPs during development of the Heritage Management Plan, although it should also consider return to the landscape post-rehabilitation and/or retaining for use by the Aboriginal community for display/educational purposes.

The Heritage Management Plan would also incorporate the management measures outlined in the approved Vickery Coal Project ACHA for the sites within the extent of the approved Vickery Coal Project.

The recommended approach for the management of potential impacts associated with ancillary infrastructure that disturb the ground surface should be similar to that described above, albeit with some additional avoidance constraints. In the first instance, the ancillary infrastructure should be designed to avoid known Aboriginal cultural heritage sites. Further, it is recommended that proposed ancillary surface infrastructure areas should be surveyed (if not already done so). Following surveys, the design of ancillary infrastructure should seek to avoid recorded sites. For artefact sites where harm cannot be avoided, detailed mapping and salvage via surface collection of a selection of artefacts should be conducted.

12.2 Management of Potential Indirect Impacts

It is important to note that only certain site types are considered susceptible to potential indirect impacts. The heritage values of surface artefacts within a disturbed context, for instance, are unlikely to be significantly affected by blasting impacts. Grinding grooves and artefact scatters with an *in situ* subsurface component, however, may be susceptible to blasting impacts, depending on the level of vibration.

As described in Section 11.2, blast vibration monitoring would be undertaken as part of the Project and would be detailed in the Blast Management Plan. Blast monitoring would be undertaken at potentially sensitive receptors located around the Project, and the 'Wilga' grinding grooves site (AHIMS 20-4-009) would be considered as a potential monitoring location.

12.3 Other Recommended Management Measures

12.3.1 Aboriginal Cultural Heritage Induction Requirements

It is recommended that Whitehaven seek to minimise the risk of inadvertent damage to Aboriginal cultural heritage sites by promoting an awareness of heritage conservation via the induction process. It is recommended that Whitehaven provide training to all on-site personnel and contractors regarding the presence of known Aboriginal cultural heritage sites and protection measures, relevant to their employment tasks.

12.3.2 Maintenance of Aboriginal Cultural Heritage Sites Database

A comprehensive Aboriginal Cultural Heritage Sites Database, which contains the name, AHIMS number, site type, scientific (or other) significance, MGA coordinates and status of all Aboriginal cultural heritage sites located in the Study Area and immediate environs should be established and maintained for the life of the Project. It is recommended that Whitehaven maintains an accurate and up-to-date Aboriginal Cultural Heritage Sites Database and contact the OEH to advise of any errors in the OEH AHIMS register where discrepancies are identified. Updates to the Aboriginal Cultural Heritage Sites Database should be undertaken as required.

The information within this database should be saved in both tabular and GIS formats and should be made available to all relevant staff and contractors when developing maps/drawings/figures, to ensure that any disturbance works consider the location of known Aboriginal cultural heritage sites.

12.3.3 Ongoing Consultation with Aboriginal Community

Whitehaven is committed to involving the local Aboriginal community as an integral participant in the management of Aboriginal cultural heritage values in the Project area. In this regard, it is recommended that Whitehaven maintains ongoing consultation with the Aboriginal community over the life of the Project, including appropriate Aboriginal representation during archaeological fieldwork (e.g. collection of artefacts prior to disturbance). As described above, it is recommended that protocols should be developed that prescribe the involvement of the RAPs in cultural heritage works conducted under the Heritage Management Plan. The intent of this would be to focus on RAPs or RAP groups that represent the wider Aboriginal community rather than having to work with large numbers of individual RAPs.

Whitehaven should provide opportunities for Aboriginal community members to access known Aboriginal culture heritage sites located on Whitehaven-owned land (e.g. for cultural reasons or as part of scheduled field activities) in accordance with relevant Work Health and Safety requirements.

12.3.4 Management of Human Skeletal Remains

In the unlikely event that human skeletal remains are encountered, all work with the potential to impact the remains must cease. Remains must not be handled or otherwise disturbed except to prevent further disturbance. The Police or State Coroner's Office must be notified. If the Police or State Coroner's Office advise that there is potential for the skeletal remains to be that of an Aboriginal person, Whitehaven should contact the OEH's Environmental Line for advice. If an Aboriginal burial is encountered, strategies for its management would need to be developed in consultation with the local Aboriginal community.

13 RECOMMENDATIONS

Based on the results of this assessment, it is therefore recommended that:

- Whitehaven should coordinate and implement the management strategies described in Section 12 of this report (including relevant monitoring and management measures previously described in the approved Vickery Coal Project ACHA) by integrating them into the Heritage Management Plan that would be developed for the Project. The Heritage Management Plan should remain active for the life of the Project and define the tasks, scope and conduct of all Aboriginal cultural heritage management activities. The Heritage Management Plan should be developed in consultation with the RAPs.
- If human skeletal remains are encountered during the course of the development associated with the Project, all work with the potential to impact the remains must cease. Remains must not be handled or otherwise disturbed except to prevent further disturbance. The Police or State Coroner's Office must be notified. If the Police or State Coroner's Office advise that there is potential for the skeletal remains to be that of an Aboriginal person, Whitehaven should contact the OEH's Environmental Line for advice. If an Aboriginal burial is encountered, strategies for its management would need to be developed in consultation with the local Aboriginal community.
- Whitehaven should provide training to all on-site personnel and contractors regarding the known Aboriginal cultural heritage sites, relevant to their employment tasks.
- Whitehaven should continue to involve the RAPs and any other relevant Aboriginal community groups or members in relevant matters pertaining to the Project.

GLOSSARY

Aboriginal Object	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 (NSW), being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, including Aboriginal remains (NSW <i>National Parks and Wildlife Act, 1974</i> section 5[1]).
Aboriginal Cultural Heritage Site	Location of evidence of Aboriginal occupation (typically, Aboriginal objects, but also places of traditional or historical cultural value for which no Aboriginal objects exist).
Artefact	An object made by human agency (e.g. stone artefacts).
Cumulative Impacts	Combination of individual effects of the same kind due to multiple actions from various sources over time.
In situ	Latin terminology meaning 'undisturbed'.
Potential Archaeological Deposit (PAD)	Potential Archaeological Deposit, archaeological evidence (typically stone artefacts buried within the upper soil unit of rock shelters or in open contexts) predicted to occur in a specific place through application of a predictive model of site location.
Registered Aboriginal Party	Aboriginal groups or individuals who have registered an interest in the consultation process for the Project.

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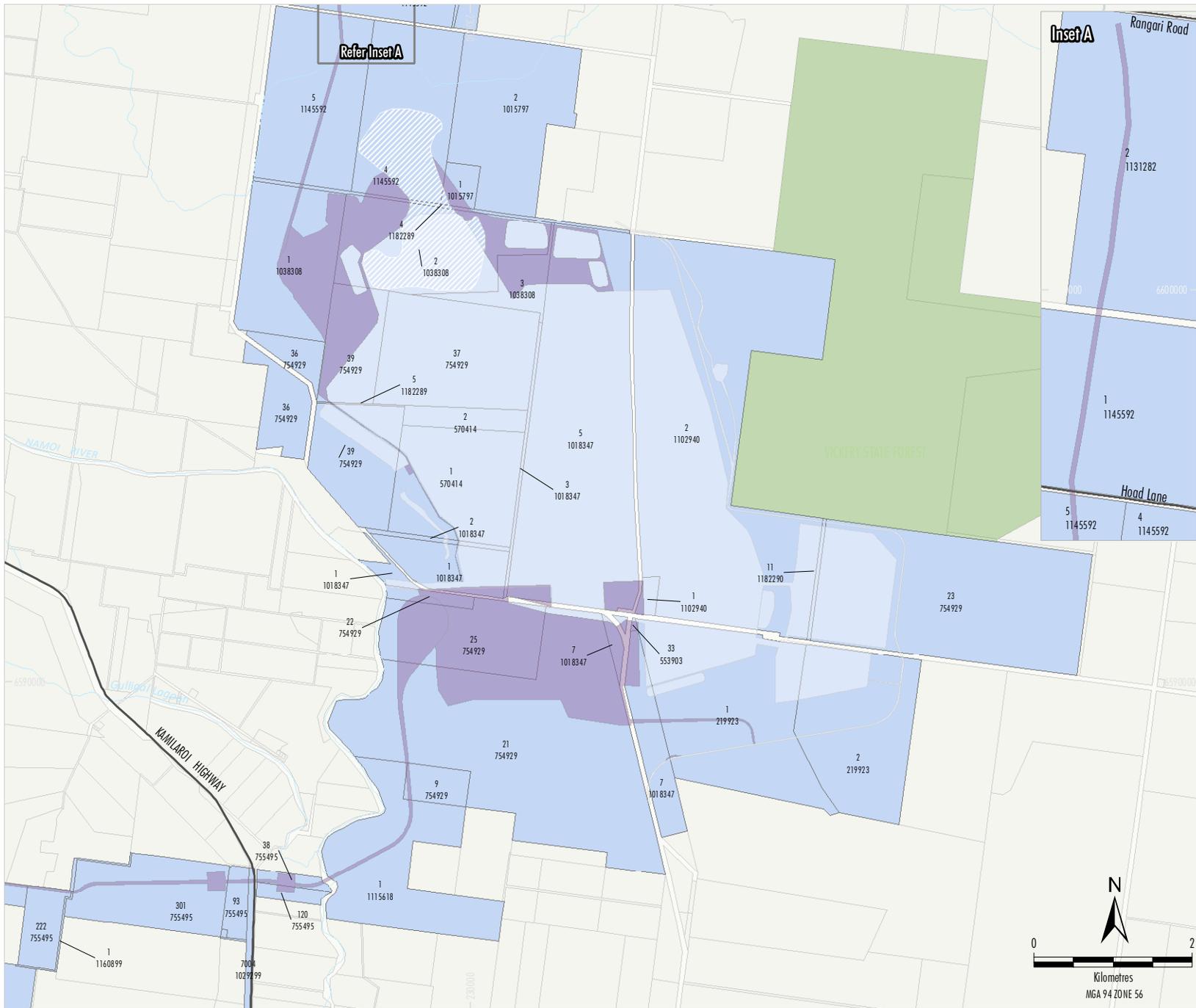
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APPENDIX 1: SUPPORTING FIGURES



- LEGEND**
- State Forest
 - Canyon Coal Mine
 - Approximate Extent of Approved Vickers Coal Project
 - Indicative VEP Investigation Area

Source: Department of Land and Property Information, AHIMS (2015); Landsape (2012) Coalwarks (Vickers South Pty Ltd) (2012);


WHITEHAVEN COAL
VICKERY EXTENSION PROJECT
Indicative ACHA Study Area
Relevant Lot Details

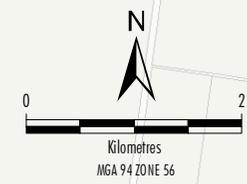
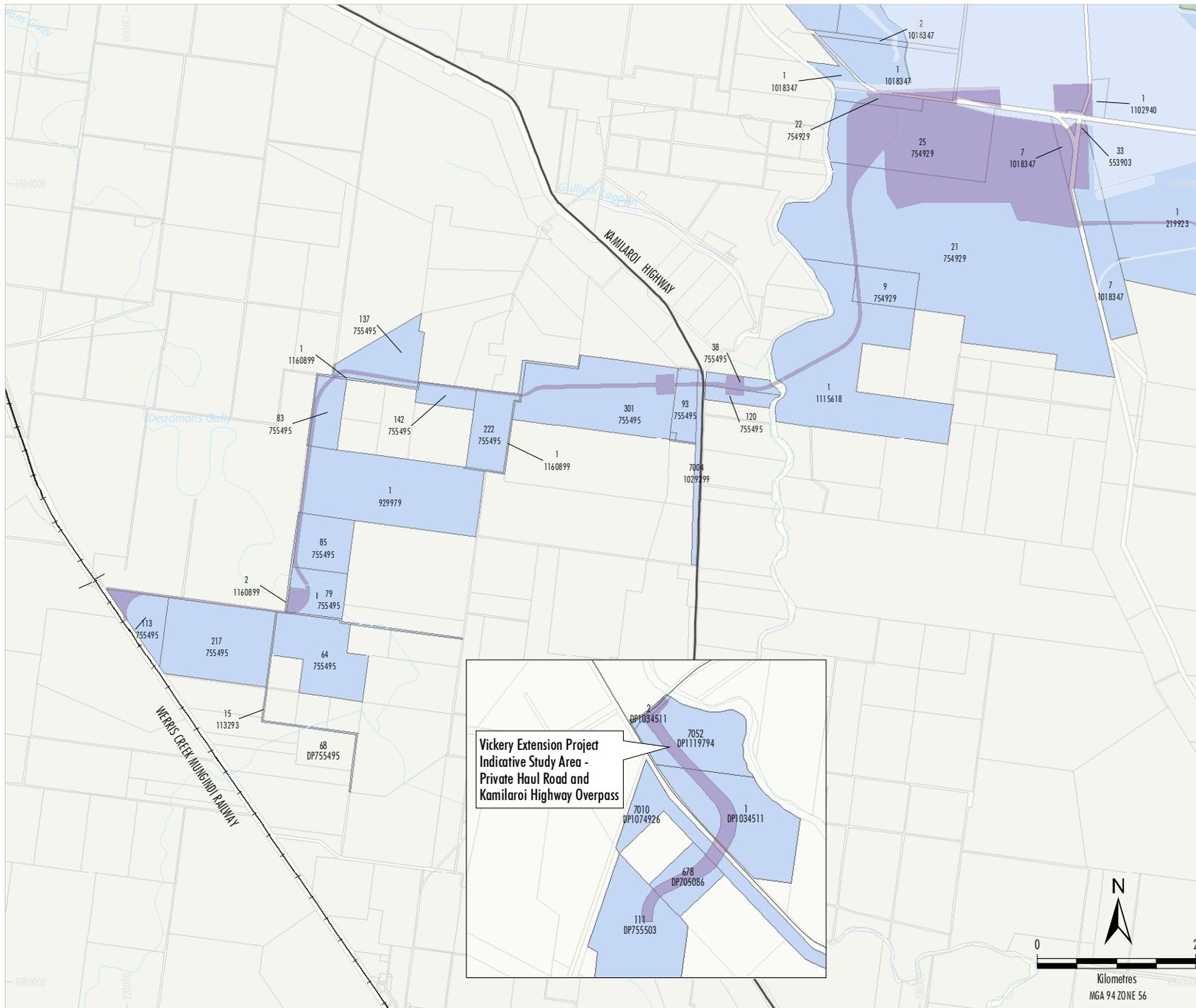


Figure A-1a



- LEGEND**
- State Forest
 - Canyon Coal Mine
 - Approximate Extent of Approved Vickery Coal Project
 - Indicative VEP Investigation Area

Source: Department of Land and Property Information, AHIMS (2015); Landsape (2012); Coalwarks (Vickery South Pty Ltd) (2012);



VICKERY EXTENSION PROJECT
Indicative ACHA Study Area
Relevant Lot Details

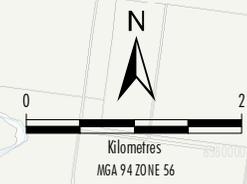


Figure A-1b

APPENDIX 2: ABORIGINAL COMMUNITY CONSULTATION LOG

DATE	ORGANISATION CONTACTED	ORGANISATION CONTACTED	HOW CONTACTED	CONTACTED BY	ORGANISATION REPRESENTED	NATURE OF CONSULTATION
9/09/2015	Step 1 Government Organisations	Office of Environment and Heritage, Red Chief Local Aboriginal Land Council, Gunnedah Shire Council, Narrabri Shire Council, NTSCORP, North West Local Land Services, National Native Title Tribunal, Registrar of Aboriginal Land Rights Act 1983	Post	Mark Edmondson	Whitehaven Coal Limited	Step 1 letters sent out to relevant organisation requesting details of Aboriginal persons or groups who hold cultural knowledge relevant to, or who have a right or interest in, determining the cultural heritage significance of Aboriginal object(s) and/or place(s) in the Area of Interest for the Vickery Extension Project.
14/09/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	George Tonna	NTSCORP	Response to Step 1 letter received.
14/09/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Sally Porter	Office of the Registrar, Aboriginal Land Rights Act 1983	Response to Step 1 letter received.
15/09/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Email	Sylvia Jagtman	National Native Title Tribunal	Response to Step 1 letter received.
23/09/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Email	Alfred Priestley	Alfred Priestley	Registered an interest in the consultation process for the Project.
23/09/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Paul Houston	OEH	Response to Step 1 letter received.
24/09/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Email	Donna Ausling	Gunnedah Shire Council	Response to Step 1 letter received.
24/09/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Email	Wade Natty	Gunida Gonyah Aboriginal Corporation	Registered an interest in the consultation process for the Project.
25/09/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Email	Marvonja Welsh	Marvonja Welsh	Registered an interest in the consultation process for the Project and registered on behalf of Raymond Welsh Junior, Matthew Green Senior and Jordan Green.
30/09/2015	Alfred Priestley	Alfred Priestley	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Called to discuss registration. Alfred confirmed that he was registering as an individual. Alfred provided the contact details of the lawyers representing the Gomeri Native Title Goup.
1/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Madeline McGrady	Madeline McGrady	Registered an interest in the consultation process for the Project.
1/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Jacko Woodbridge	Jacko Woodbridge	Registered an interest in the consultation process for the Project.
6/10/2015	Existing Registered Aboriginal Parties for the Vickery Coal Project and Vickery South Coal Project	Existing Registered Aboriginal Parties for the Vickery Coal Project and Vickery South Coal Project	Post	Mark Edmondson	Whitehaven Coal Limited	Letters sent out to existing RAPs at the approved Vickery Coal Project to advise them of the Project and to notify them that they have been automatically registered as Registered Aboriginal Parties for the Project.
6/10/2015	Aboriginal stakeholders identified by relevant government organisations	Aboriginal stakeholders identified by relevant government organisations	Post	Mark Edmondson	Whitehaven Coal Limited	Step 2 letters sent out to groups/individual identified during Step 1 (who are not already automatically registered for the Project), inviting Aboriginal persons or groups who hold cultural knowledge relevant to, or who have a right or interest in, determining the cultural heritage significance of Aboriginal object(s) and/or place(s) in the Area of Interest to register an interest in the Project.
8/10/2015	N/A	N/A	Public Notice	Whitehaven Coal Limited	Whitehaven Coal Limited	A public notice was published in the Namoi Valley Independent on 8 October 2015, inviting Aboriginal persons or groups who hold cultural knowledge relevant to, or who have a right or interest in, determining the cultural heritage significance of Aboriginal object(s) and/or place(s) in the Area of Interest to register an interest in the Project.
9/10/2015	David Horton	Gomery Cultural Consultants	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Registered an interest in the consultation process for the Project. Noted that Brian Horton was the contact for Muswellbrook Cultural Consultants.
11/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Email	Stephen Matthews	Stephen Matthews	Registered an interest in the consultation process for the Project.
11/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Email	Stephen Matthews	Stephen Matthews	Registered an interest in the consultation process for the Project on behalf of Nakita Silver.
12/10/2015	Ray Welsh Senior	Ray Welsh Senior	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Returned a missed call. Confirmed registration for the Project.
12/10/2015	Anthony Munro	Anthony Munro	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Returned a missed call. Confirmed registration for the Project.

12/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Email	Tyan Silver	Tyan Silver	Registered an interest in the consultation process for the Project.
12/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Email	Michael Long	White Cockatoo	Provided updated contact details.
13/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Patricia Reynolds	Patricia Reynolds	Provided updated contact details.
14/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Cherie Carroll Turrise	Gunjeewong Cultural Heritage Corporation	Provided updated contact details.
14/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Joyce Dorrington	Joyce Dorrington	Provided updated contact details.
15/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Australia Post	Australia Post	Returned mail recieved from Lorrain Robinson. No alternative contact details on file.
15/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Judy Walters	Judy Walters	Provided updated contact details. Registered an interest in the consultation process for the Project on behalf of Kim Mitchell-Robinson, Robert Mitchell-Robinson, Matthew Walters and Stacey Walters.
15/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Dulcie Robinson	Dulcie Robinson	Provided updated contact details.
19/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Yvonne Rodgers	WY Rodgers Consultant	Provided updated contact details.
19/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Natasha Rodgers	Natasha Rodgers	Registered an interest in the consultation process for the Project.
20/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Judith Walters	Judith Walters	Provided updated contact details.
20/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Brian Draper	Brian Draper	Provided updated contact details.
23/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Joan Suey	Joan Suey	Provided updated contact details.
29/10/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Donna Sampson	Cacatua Culture Consultants	Provided updated contact details.
3/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Jane Delaney-John	Red Chief Local Aboriginal Land Council	Response to Step 1 letter received, including registration of Red Chief Local Aboriginal Land Council.
4/11/2015	Phil Purcell	Office of Environment and Heritage	Post	Mark Edmondson	Whitehaven Coal Limited	Provided list of RAPs and copies of relevant correspondnece in accordance with the requirements of the OEH policy <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> .
4/11/2015	Jane Delaney-John	Red Chief Local Aboriginal Land Council	Post	Mark Edmondson	Whitehaven Coal Limited	Provided list of RAPs and copies of relevant correspondnece in accordance with the requirements of the OEH policy <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> .
6/11/2015	Anthony Munro	Anthony Munro	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Called to confirm correct postal address. Left voicemail message.
6/11/2015	Alfred Priestley	Alfred Priestley	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Called to confirm correct postal address. Alfred provided updated contact details.
6/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Bronwyn Spearim	Bronwyn Spearim	Registered an interest in the consultation process for the Project.
6/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Anthony Munro	Anthony Munro	Called to provide correct postal address.
6/11/2015	Paul Houston	Office of Environment and Heritage	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Called to confirm whether OEH had any contact details for Lorraine Robinson. The OEH did not have any records or contact details for Lorraine on file.
6/11/2015	Henry Pepper	Sam Hegney Solicitors	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Returned call from Henry Pepper, the Gomeri Secretariat for the Gomeri Native Title Applicants. Henry confirmed that the Gomeri Native Title Applicants wished to register an interest in the consultation process for the Project. Henry confirmed that Sam Hegney Solicitors would provide written correspondence requesting registration and confirmation of the contact point for all future correspondence.
6/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Email	Henry Pepper	Sam Hegney Solicitors	Provided email correspondence confirming registration of the Gomeri Native Title Applicants and porviding relevant contact details.
6/11/2015	Registered Aboriginal Parties	Registered Aboriginal Parties	Post	Mark Edmondson	Whitehaven Coal Limited	Correspondence provided to all Registered Aboriginal Parties providing a copy of the Proposed Methodology for review and comment, and invitation to attend an information session and the field survey engagement application form.

9/11/2015	Henry Pepper	Sam Hegney Solicitors	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Returned call to Henry Pepper. Henry requested that a copy of the correspondence provided to Sam Hegney Solicitors on behalf of the Gomeri Native Title Applicants is also provided directly to each of the individual applicants.
10/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Loretta Long	Loretta Long	Registered an interest in the consultation process for the Project.
10/11/2015	Loretta Long	Loretta Long	Post	Mark Edmondson	Whitehaven Coal Limited	Correspondence providing a copy of the Proposed Methodology for review and comment, and invitation to attend an information session and the field survey engagement application form.
10/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Ronald Long	Ronald Long	Confirmed attendance at the information session on 19 November 2015.
10/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Elaine Binge	Gomeri Native Title Applicants	Confirmed attendance at the information session on 19 November 2015. Confirmed contact details.
10/11/2015	Norman McGrady, Maureen Sulter, Susan Smith, Michael Anderson, Richard Green, Greg Griffiths, Elaine Binge, Alfred Priestly, Ray Tighe, Alfred Boney, Jason Wilson, Bob Weatherall, Lyall Munro Jnr, Clifford Toomey	Gomeri Native Title Applicants	Post	Mark Edmondson	Whitehaven Coal Limited	Additional copies provided to individual Gomeri Native Title Applicants of correspondence providing a copy of the Proposed Methodology for review and comment, and invitation to attend an information session and the field survey engagement application form.
11/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Email	Darryl Crowley	Darryl Crowley	Registered an interest in the consultation process for the Project.
11/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Yvonne Rodgers	WY Rodgers Consultant	Yvonne called to clarify whether she needed to apply for field work when she was already an existing RAP for Vickery. She indicated that it was her understanding that she did not have to complete the forms given that she was an existing RAP. It was clarified with her that the consultation process and engagement in field surveys are two separate process and although she is registered for the Project as RAP, she will still need to provide completed fieldwork application forms in order to be considered for paid involvement in the surveys. Yvonne indicated that a similar process had been attempted at Maules Creek but that the RAPs had not agreed to it and therefore it wasn't used. It was clarified that the two projects are separate albeit both Whitehaven projects.
11/11/2015	Madeline McGrady	Gomeri Native Title Applicants	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Confirmed attendance at the information session on 19 November 2015 and queried accomodation costs.
11/11/2015	Loretta Long	Loretta Long	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Confirmed attendance at the information session on 19 November 2015.
11/11/2015	Tony Griffiths	T&G Culture Consultants	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Attempted to return missed called. Phone message that the caller was unavailable. Call disconnected.
11/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Cherie Carroll Turrise	Gunjeewong Cultural Heritage Corporation	Confirmed attendance at the information session on 19 November 2015.
12/11/2015	David Horton	Gomery Cultural Consultants	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Confirmed attendance at the information session on 19 November 2015. Requested fax number to send in field survey engagement application form.
12/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Fax	David Horton	Gomery Cultural Consultants	Provided completed fieldwork engagement application form.
12/11/2015	Brian Draper	Brian Draper	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Confirmed attendance at the information session on 19 November 2015.
12/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Tony Griffiths	T&G Culture Consultants	Confirmed attendance at the information session on 19 November 2015. Queried whether the information session on 19 November 2015 would be paid.
12/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Jinbai McGrady	Jinbai McGrady	Registered an interest in the consultation process for the Project.
12/11/2015	Jinbai McGrady	Jinbai McGrady	Post	Mark Edmondson	Whitehaven Coal Limited	Correspondence providing a copy of the Proposed Methodology for review and comment, and invitation to attend an information session and the field survey engagement application form.

13/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Michael Long	White Cockatoo	Confirmed attendance at the information session on 19 November 2015.
13/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Yvonne Rodgers	WY Rodgers Consultant	Yvonne called to again clarify whether she needed to apply for field work when she was already an existing RAP for Vickery. She indicated that it was her understanding that she did not have to complete the forms given that she was an existing RAP. It was clarified with her that the consultation process and engagement in field surveys are two separate process and although she is registered for the Project as RAP, she will still need to provide completed fieldwork application forms in order to be considered for paid involvement in the surveys.
14/11/2015	Jane Delaney-John	Red Chief Local Aboriginal Land Council	Email	Whitehaven Coal Limited	Whitehaven Coal Limited	An additional copy of the correspondence providing a copy of the Proposed Methodology for review and comment, and invitation to attend an information session and the field survey engagement application form was emailed to the Red Chief Local Aboriginal Land Council.
16/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Loretta Long	Loretta Long	Confirmed attendance at the information session on 19 November 2015.
16/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Anthony Munro	Anthony Munro	Confirmed attendance at the information session on 19 November 2015.
16/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Madeline McGrady	Madeline McGrady	Confirmed attendance at the information session on 19 November 2015 and queried accomodation costs.
17/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Donna Sampson	Cacatua Culture Consultants	Confirmed attendance at the information session on 19 November 2015.
19/11/2015	Registered Aboriginal Parties	Registered Aboriginal Parties	Information Session	Whitehaven Coal Limited	White	Information session held to provide information on the Project and to discuss the Proposed Methodology.
23/11/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Veronica Long	Veronica Long	Requested an additional copy of the Field Survey Engagement Application Form be emailed.
23/11/2015	Veronica Long	Veronica Long	Email	Whitehaven Coal Limited	Whitehaven Coal Limited	Emailed an additional copy of the Field Survey Engagement Application Form as requested.
23/11/2015	Veronica Long	Veronica Long	Post	Whitehaven Coal Limited	Whitehaven Coal Limited	Correspondence providing a copy of the Proposed Methodology for review and comment, and invitation to attend an information session and the field survey engagement application form.
23/11/2015	Adam Sampson	AGA Services	Post	Whitehaven Coal Limited	Whitehaven Coal Limited	Correspondence providing a copy of the Proposed Methodology for review and comment, and invitation to attend an information session and the field survey engagement application form.
24/11/2015	Donna Sampson	Cacatua Culture Services	Email	Whitehaven Coal Limited	Whitehaven Coal Limited	Provided a copy of the AHIMS search results as requested at the information session.
24/11/2015	Natasha Rodgers	Natasha Rodgers	Email	Whitehaven Coal Limited	Whitehaven Coal Limited	Emailed an additional copy of the Field Survey Engagement Application Form as requested.
24/11/2015	Veronica Long	Veronica Long	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Advised that an additional copy of the Field Survey Engagement Application Form had been emailed and posted as requested.
26/11/2015	Ronald Long	Ronald Long	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Confirmed correct contact details and email address.
1/12/2015	Ronald Long	Ronald Long	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Confirmed correct contact details and email address.
2/12/2015	Step 1 Government Organisations	Office of Environment and Heritage, Red Chief Local Aboriginal Land Council, Gunnedah Shire Council, Narrabri Shire Council, NTSCORP, North West Local Land Services, National Native Title Tribunal, Registrar of Aboriginal Land Rights Act 1983	Post	Mark Edmondson	Whitehaven Coal Limited	Step 1 letters sent out to relevant organisation requesting details of Aboriginal persons or groups who hold cultural knowledge relevant to, or who have a right or interest in, determining the cultural heritage significance of Aboriginal object(s) and/or place(s) in the Area of Interest for the Vickery Extension Project.
8/12/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Jane Delaney-John	Red Chief Local Aboriginal Land Council	Confirmed correct contact details and email address.
8/12/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Robert Miller	Robert Miller	Confirmed correct contact details.
8/12/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Email	George Sampson	Cacatua Culture Consultants	Provided comments on the Proposed Methodology on behalf of Cacatua Culture Services and AGA Services.

8/12/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Kelly Bashford	Office of the Registrar, Aboriginal Land Rights Act 1983	Response to Step 1 letter received.
8/12/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Dianne Drake	National Native Title Tribunal	Response to Step 1 letter received.
22/12/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Michael Silver	Gunnedah Shire Council	Response to Step 1 letter received.
22/12/2015	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Paul Houston	OEH	Response to Step 1 letter received.
22/12/2015	Existing Registered Aboriginal Parties for the Vickery Coal Project and Vickery South Coal Project	Existing Registered Aboriginal Parties for the Vickery Coal Project and Vickery South Coal Project	Post	Mark Edmondson	Whitehaven Coal Limited	Letters sent out to existing RAPs at the approved Vickery Coal Project to advise them of the new registration process and to notify them that they have been automatically registered as Registered Aboriginal Parties for the Project.
22/12/2015	Aboriginal stakeholders identified by relevant government organisations	Aboriginal stakeholders identified by relevant government organisations	Post	Mark Edmondson	Whitehaven Coal Limited	Step 2 letters sent out to groups/individual identified during Step 1 (who are not already automatically registered for the Project), inviting Aboriginal persons or groups who hold cultural knowledge relevant to, or who have a right or interest in, determining the cultural heritage significance of Aboriginal object(s) and/or place(s) in the Area of Interest to register an interest in the Project.
6/01/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Email	Matthew Walters	Gomeroy Yorta Yorta	Matt emailed to confirm that he would continue to be involved in the Project as a RAP.
7/01/2016	N/A	N/A	Public Notice	Whitehaven Coal Limited	Whitehaven Coal Limited	A public notice was published in the Namoi Valley Independent on 7 January 2016, inviting Aboriginal persons or groups who hold cultural knowledge relevant to, or who have a right or interest in, determining the cultural heritage significance of Aboriginal object(s) and/or place(s) in the Area of Interest to register an interest in the Project.
12/01/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Cindy Foley	Cindy Foley	Cindy advised that although the postal address on file was correct, no correspondence to date had been received. Requested that hard copies of all correspondence provided to date were posted again.
12/01/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	T&G Culture Consultants	Tony Griffiths	Tony advised that no correspondence to date had been received. Tony confirmed that his contact details had changed and provided an updated postal address. Requested that hard copies of all correspondence provided to date were posted again.
13/01/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Greg Griffiths	Greg Griffiths	Greg confirmed that although the postal address on file was correct, no correspondence to date had been received. Requested that hard copies of all correspondence provided to date were posted again.
13/01/2016	Cindy Foley	Cindy Foley	Email	Whitehaven Coal Limited	Whitehaven Coal Limited	Copies of all correspondence provided to date were emailed to Cindy, as requested.
13/01/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Wade Natty	Wade Natty	Registered an interest in the consultation process for the Project.
14/01/2016	Cindy Foley	Cindy Foley	Post	Whitehaven Coal Limited	Whitehaven Coal Limited	Hard copies of all correspondence provided to date were re-posted to Cindy via express registered post, as requested.
14/01/2016	T&G Culture Consultants	Tony Griffiths	Post	Whitehaven Coal Limited	Whitehaven Coal Limited	Hard copies of all correspondence provided to date were re-posted to Tony via express registered post, as requested.
14/01/2016	Greg Griffiths	Greg Griffiths	Post	Whitehaven Coal Limited	Whitehaven Coal Limited	Hard copies of all correspondence provided to date were re-posted to Greg via express registered post, as requested.
14/01/2016	Matthew Walters	Gomeroy Yorta Yorta	Email	Whitehaven Coal Limited	Whitehaven Coal Limited	Emailed to confirm that Gomeroy Yorta Yorta was a RAP for the Project and would continue to be involved in all community consultation for the ACHA.
14/01/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Shirley Talbott	Shirley Talbott	Registered an interest in the consultation process for the Project.
11/01/2016 - 20/01/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Gloria Foley	Gloria Foley	Multiple calls regarding the consultation process and involvement in the field surveys.
11/01/2016 - 20/01/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Cindy Foley	Cindy Foley	Multiple calls regarding the consultation process and involvement in the field surveys.
21/01/2016	Wade Natty	Wade Natty	Post	Mark Edmondson	Whitehaven Coal Limited	Correspondence providing a copy of the Proposed Methodology for review and comment was provided.
21/01/2016	Shirley Talbott	Shirley Talbott	Post	Mark Edmondson	Whitehaven Coal Limited	Correspondence providing a copy of the Proposed Methodology for review and comment was provided.
29/01/2016	Phil Purcell	Office of Environment and Heritage	Post	Mark Edmondson	Whitehaven Coal Limited	Provided list of RAPs and copies of relevant correspondence in accordance with the requirements of the OEH policy <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> .

29/01/2016	Jane Delaney-John	Red Chief Local Aboriginal Land Council	Post	Mark Edmondson	Whitehaven Coal Limited	Provided list of RAPs and copies of relevant correspondence in accordance with the requirements of the OEH policy <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> .
5/02/2016	Gomeri Native Title Applicants	Gomeri Native Title Applicants	Information Session	Whitehaven Coal Limited	Whitehaven Coal Limited	At the request of the Native Title Applicants, an information session was held to provide information on the Project.
23/02/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Australia Post	Australia Post	Returned mail received from Cindy Foley (copy of all previous document provided not signed for or collected).
25/02/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Australia Post	Australia Post	Returned mail received from Red Chief Local Aboriginal Land Council (Proposed Methodology addendum not signed for or collected).
26/02/2016	Jane Delaney-John	Red Chief Local Aboriginal Land Council	Post	Mark Edmondson	Whitehaven Coal Limited	Copy of the Proposed Methodology Addendum re-sent via registered express post.
26/02/2016	Jane Delaney-John	Red Chief Local Aboriginal Land Council	Email	Brian Cole	Whitehaven Coal Limited	Copy of the Proposed Methodology Addendum re-sent via email.
3/03/2016	Brian Cole	Whitehaven Coal Limited	Email	Jane Delaney-John	Red Chief Local Aboriginal Land Council	Emailed to request additional review time for the Proposed Methodology Addendum and to request an update on the survey results.
7/03/2016	Jane Delaney-John	Red Chief Local Aboriginal Land Council	Email	Brian Cole	Whitehaven Coal Limited	Emailed response to additional review time response and provided update on the status of the surveys and draft report.
18/03/2016	Registered Aboriginal Parties	Registered Aboriginal Parties	Post	Mark Edmondson	Whitehaven Coal Limited	A copy of the draft ACHA was posted to each of the Registered Aboriginal Parties for review and comment. An invitation to a site inspection and information session was also provided.
29/03/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Australia Post	Australia Post	Returned mail received from Minnga Consultants (a copy of a draft ACHA). The correspondence was marked "not at this address".
29/03/2016	Clifford Matthews	Minnga Consultants	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Called Clifford to advise of returned mail and to confirm correct postal address. The mobile number was for a different individual and both land line numbers were disconnected.
30/03/2016	Jane Delaney-John	Red Chief Local Aboriginal Land Council	In Person	Brian Cole	Whitehaven Coal Limited	Delivered an additional copy of the draft ACHA and associated covering letter to the Red Chief Local Aboriginal Land Council.
30/03/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Email	Tyan Silver	Tyan Silver	Emailed to confirm whether there was any additional fieldwork proposed for the Project.
31/03/2016	Tyan Silver	Tyan Silver	Email	Whitehaven Coal Limited	Whitehaven Coal Limited	Emailed Tyan to confirm that the field surveys for the Project had concluded and no further field work is proposed at this stage. The emailed also noted the opportunity for RAPs to attend and an information session and site inspection in April 2016.
1/04/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Australia Post	Australia Post	Returned mail received from Richard Green (a copy of a draft ACHA). The correspondence was marked "not at this address". It is noted however that a copy of the correspondence has been provided to Sam Hegney Solicitors who act on behalf of the Native Title Applicants.
1/04/2016	Mark Edmondson	Whitehaven Coal Limited	Post	Cherie Carroll Turrise	Gunjeewong Cultural Heritage Corporation	Letter received confirming attendance at the information session and site inspection.
1/04/2016	Brian Cole	Whitehaven Coal Limited	Telephone	Yvonne Rodgers	WY Rodgers Consultant	Called to advise that unable to attend information session. Reminded of the closing date for comments on the draft ACHA and encouraged submission of any comments in writing where possible. Provided verbal comments on draft ACHA.
4/04/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Telephone	Judith Walters	Judith Walters	Called to confirm attendance at Wednesday's information session and site inspection for both herself and David.
6/04/2016	Registered Aboriginal Parties	Registered Aboriginal Parties	Information Session	Whitehaven Coal Limited	Whitehaven Coal Limited	Information session held to provide information on the Project and to discuss the draft ACHA. Site inspection offered to all RAPs to view a selection of the recorded Aboriginal heritage sites within the Study Area.
6/04/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Information Session	Judith Walters	Judith Walters	Provided verbal comments on the draft ACHA at the information session: <i>"Whitehaven should consider employment opportunities for the Aboriginal community, including more community-based sponsorships."</i> <i>"Whitehaven should consider implementation of a regional cultural heritage signage program, to help provide more community awareness of cultural heritage sites in the broader region."</i>
7/04/2016	Registered Aboriginal Parties	Registered Aboriginal Parties	Information Session	Whitehaven Coal Limited	Whitehaven Coal Limited	Information session held to provide information on the Project and to discuss the draft ACHA. Site inspection offered to all RAPs to view a selection of the recorded Aboriginal heritage sites within the Study Area.
11/04/2016	Greg Griffiths	Gomeri People Native Title Applicants	Information Session	Whitehaven Coal Limited	Whitehaven Coal Limited	Site inspection held upon request, to view a selection of the recorded Aboriginal heritage sites within the Study Area.
27/04/2016	Judith Walters	Judith Walters	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Called to follow up on written comments on draft ACHA. Judith advised that she would send through an email with her comments.

27/04/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Text Message	Judith Walters	Judith Walters	Provided written comments on the draft ACHA information session: <i>"Just a few lines to say how much we appreciated the Whitehaven presentation at the Boggabri Golf Club [sic] It was a most informative session and answered many previously uninformed, speculative questions. We have been travelling since the meeting and apologise for not acknowledging our appreciation earlier. Regards Judy and Dave Walters"</i>
17/11/2016	Registered Aboriginal Parties	Registered Aboriginal Parties	Post	Whitehaven Coal Limited	Whitehaven Coal Limited	Project status update provided to all Registered Aboriginal Parties.
29/11/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Australia Post	Australia Post	Returned mail recieved from Patricia Reynolds (copy of status update letter). The correspondence was marked "not at this address".
29/11/2016	Patricia Reynolds	Patricia Reynolds	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Called to confirm correct postal address. Patricia provided updated contact details.
29/11/2016	Patricia Reynolds	Patricia Reynolds	Post	Whitehaven Coal Limited	Whitehaven Coal Limited	Copy of Project status update correspondence re-posted to updated postal address.
13/12/2016	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Australia Post	Australia Post	Returned mail recieved from Bigundi Biame Traditional People (copy of status update letter). The correspondence was marked "not at this box".
14/12/2016	Wayne Griffiths	Bigundi Biame Traditional People	Post	Whitehaven Coal Limited	Whitehaven Coal Limited	Copy of Project status update correspondence re-posted to updated postal address.
23/12/2016	Registered Aboriginal Parties	Registered Aboriginal Parties	Post	Whitehaven Coal Limited	Whitehaven Coal Limited	Copy of the revised draft ACHA was provided to all Registered Aboriginal Parties for review and comment.
20/01/2017	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Australia Post	Australia Post	Returned mail recieved from Bob Weatherall (copy of draft ACHA). The correspondence was marked "not at this address".
20/01/2017	Bob Weatherall	Bob Weatherall	Telephone	Whitehaven Coal Limited	Whitehaven Coal Limited	Called to confirm correct contact details. Bob advised that he would prefer all correspondence to be emailed through to him. He confirmed the correct email address.
20/01/2017	Bob Weatherall	Bob Weatherall	Email	Whitehaven Coal Limited	Whitehaven Coal Limited	Additional copy of the draft ACHA was emailed to Bob.
5/12/2017	Registered Aboriginal Parties	Registered Aboriginal Parties	Post	Whitehaven Coal Limited	Whitehaven Coal Limited	Project status update provided to all Registered Aboriginal Parties.
29/06/2018	Registered Aboriginal Parties	Registered Aboriginal Parties	Post	Whitehaven Coal Limited	Whitehaven Coal Limited	Revised draft ACHA provided to all RAPs.
2/07/2018	Whitehaven Coal Limited	Whitehaven Coal Limited	Post	Cherie Carroll Turrise (Gunjeewong Cultural Heritage Corporation)	Cherie Carroll Turrise (Gunjeewong Cultural Heritage Corporation)	Written correspondence received regarding the draft ACHA: <i>"I believe it is most important that any artefacts regardless of how small we find of our ancestors Aboriginal need to be found and kept for future generations to learn from."</i>
3/07/2018	Bob Sutherland	Whitehaven Coal Limited	Telephone	Wade Natty	Self	Wade raised issues with the proximity of the Project to the Burbagate property and burials. Wade was informed that the Project would have no impact on the burials, as Burbagate is located well outside the Project area.
6/07/2018	Registered Aboriginal Parties	Registered Aboriginal Parties	Post	Whitehaven Coal Limited	Whitehaven Coal Limited	Additional copy of revised draft ACHA provided to Raymond Welsh Junior, Roger Matthews, Marvonia Welsh and Cindy Foley due to incorrect postal addresses.

APPENDIX 3: CORRESPONDENCE RECORDS

STEP 1 CORRESPONDENCE



9 September 2015

Office of Environment and Heritage
PO Box 2111
DUBBO NSW 2830

Dear Sir/Madam,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

The Vickery Coal Project, owned by Whitehaven Coal Limited (Whitehaven) is an approved, but yet to be developed, open cut coal mining operation situated in the Gunnedah Coalfield approximately 25 kilometres (km) north of Gunnedah, New South Wales (NSW).

Whitehaven plans to seek approval for the extension of the currently approved Vickery Coal Project to increase the open cut and waste rock emplacement areas, increase the mining rate and construct additional coal handling and preparation infrastructure and a rail spur to connect to the Werris Creek Mungindi Railway (herein referred to as the Vickery Extension Project). Construction and augmentation (where required) of currently approved infrastructure such as road diversions, water management infrastructure and temporary topsoil stockpiles would also be conducted as part of the Vickery Extension Project.

Approval for the Vickery Extension Project would be sought from the NSW Minister for Planning under the State Significant Development provisions (Division 4.1) of Part 4 of the NSW *Environmental Planning and Assessment Act, 1979* and the NSW *Environmental Planning and Assessment Regulation, 2000*.

As part of the application process, Whitehaven will be preparing an Aboriginal Cultural Heritage Assessment, and therefore may seek an Aboriginal Heritage Impact Permit (AHIP) under section 90 of the NSW *National Parks and Wildlife Act, 1974*.

The subject area of the Vickery Extension Project and any such application is depicted as the "Area of Interest" as shown on the enclosed plan.

For the purposes of meeting its consultation requirements as set out in the *Aboriginal cultural heritage consultation requirements for proponents 2010* (NSW Department of Environment, Climate Change and Water, 2010) (Consultation Guidelines) issued by the NSW Office of Environment and Heritage, Whitehaven hereby notifies you that it would like to consult with any Aboriginal persons or groups who may hold cultural knowledge relevant to, or who have a right or interest in, determining the cultural heritage significance of Aboriginal objects and/or places in the "Area of Interest".

Should you know of any Aboriginal person or group who may wish to be consulted in relation to the process described above, could you please provide their details before **5.00 pm on Monday 28 September 2015** to Whitehaven via the following contact details:

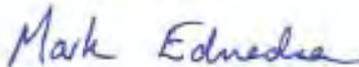
Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 1842, MILTON QLD 4064
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Whitehaven will then write to each Aboriginal person or group whose details are provided by you to notify them of the process and invite them to register an interest in the process of community consultation to be carried out in accordance with the Consultation Guidelines.

Whitehaven advises that the details of any Aboriginal person or group who registers an interest in the Vickery Extension Project will be forwarded to the NSW Office of Environment and Heritage and the Red Chief Local Aboriginal Land Council in accordance with Section 4.1.5 of the Consultation Guidelines, unless they specify that they do not want their details released.

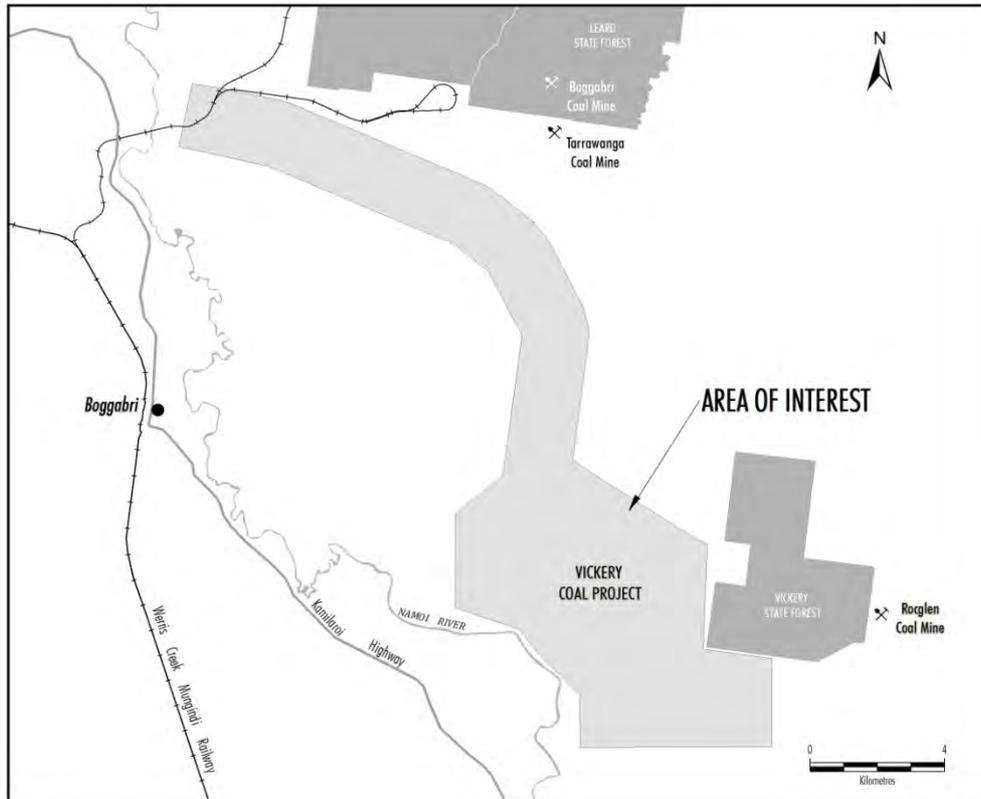
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



9 September 2015

Gunnedah Shire Council
63 Elgin Street
GUNNEDAH NSW 2380

Dear Sir/Madam,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

The Vickery Coal Project, owned by Whitehaven Coal Limited (Whitehaven) is an approved, but yet to be developed, open cut coal mining operation situated in the Gunnedah Coalfield approximately 25 kilometres (km) north of Gunnedah, New South Wales (NSW).

Whitehaven plans to seek approval for the extension of the currently approved Vickery Coal Project to increase the open cut and waste rock emplacement areas, increase the mining rate and construct additional coal handling and preparation infrastructure and a rail spur to connect to the Werris Creek Mungindi Railway (herein referred to as the Vickery Extension Project). Construction and augmentation (where required) of currently approved infrastructure such as road diversions, water management infrastructure and temporary topsoil stockpiles would also be conducted as part of the Vickery Extension Project.

Approval for the Vickery Extension Project would be sought from the NSW Minister for Planning under the State Significant Development provisions (Division 4.1) of Part 4 of the NSW *Environmental Planning and Assessment Act, 1979* and the NSW *Environmental Planning and Assessment Regulation, 2000*.

As part of the application process, Whitehaven will be preparing an Aboriginal Cultural Heritage Assessment, and therefore may seek an Aboriginal Heritage Impact Permit (AHIP) under section 90 of the NSW *National Parks and Wildlife Act, 1974*.

The subject area of the Vickery Extension Project and any such application is depicted as the "Area of Interest" as shown on the enclosed plan.

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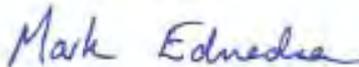
Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 1842, MILTON QLD 4064
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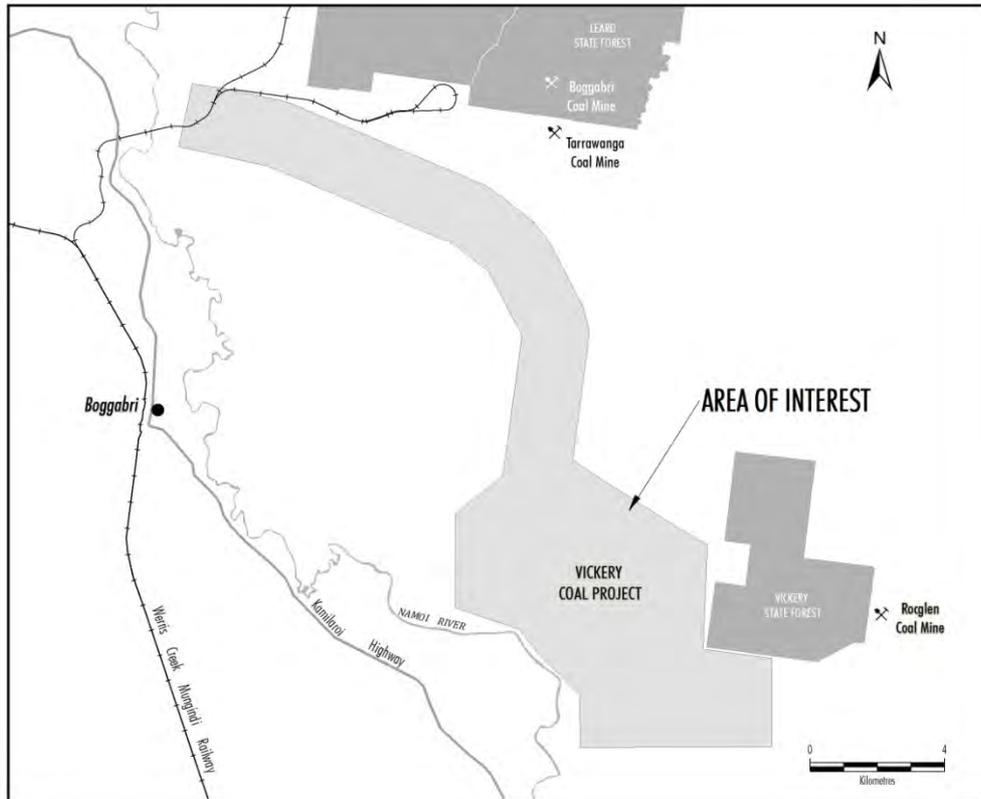
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



9 September 2015

Narrabri Shire Council
PO Box 261
NARRABRI NSW 2390

Dear Sir/Madam,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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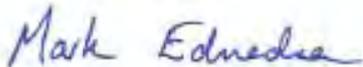
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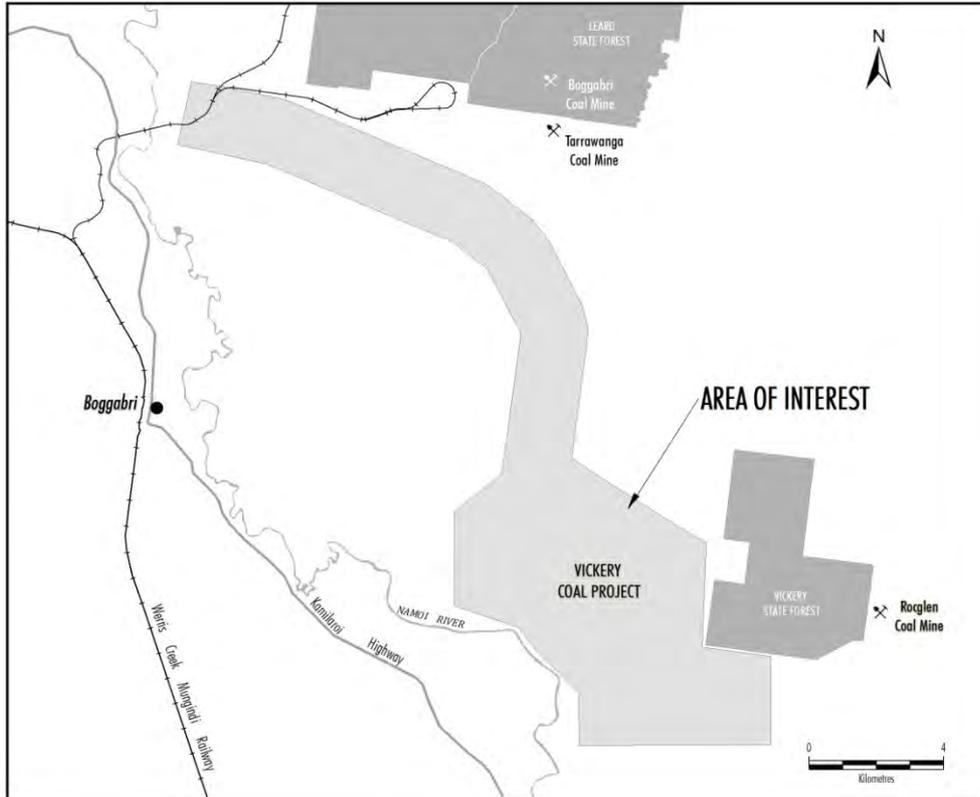
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"





9 September 2015

North West Local Land Services
PO Box 546
GUNNEDAH NSW 2380

Dear Sir/Madam,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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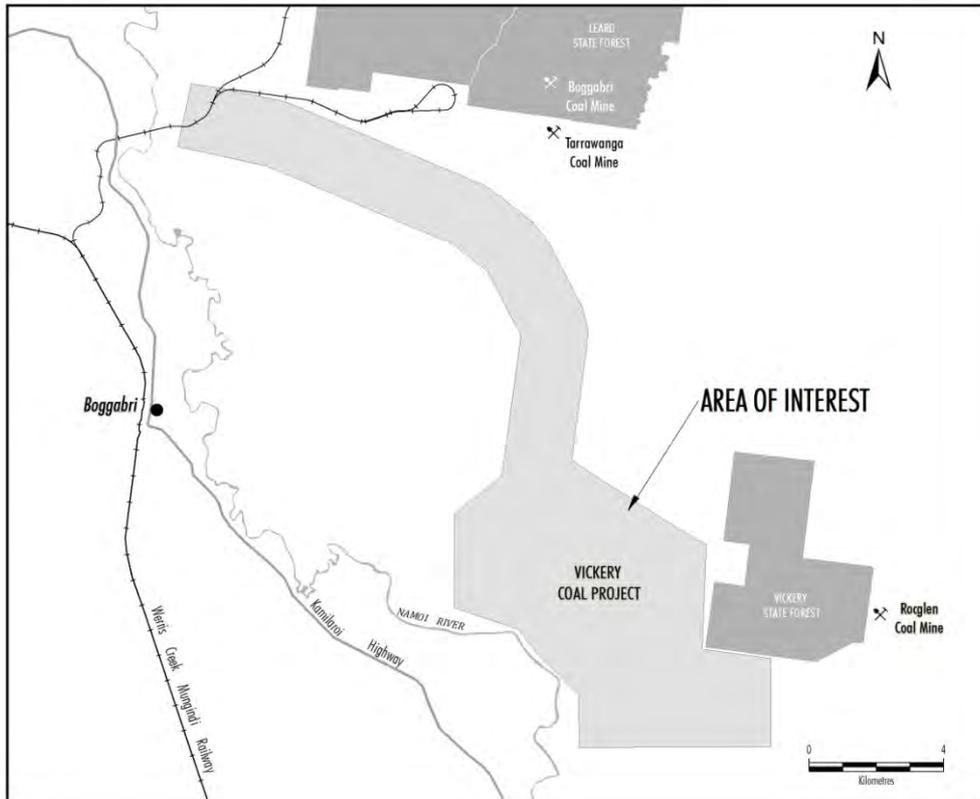
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"





9 September 2015

Red Chief Local Aboriginal Land Council
PO Box 745
GUNNEDAH NSW 2380

Dear Toni Comber,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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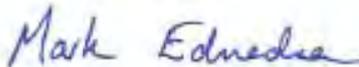
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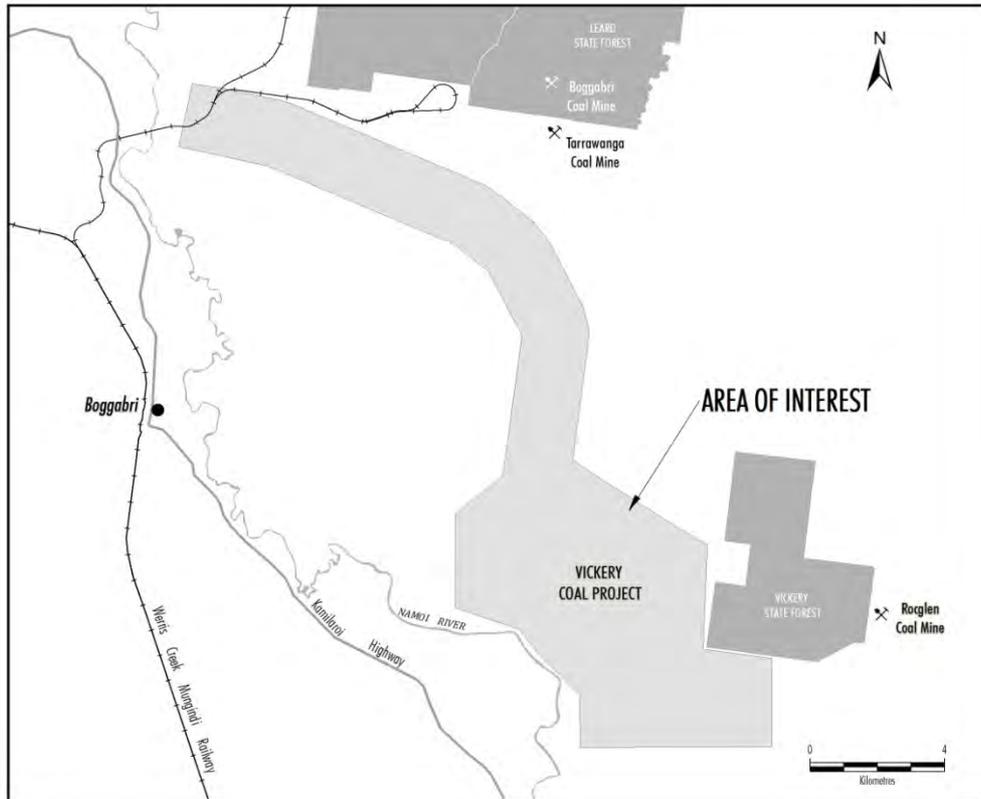
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



9 September 2015

Native Title Services Corporation Limited
PO Box 2105
STRAWBERRY HILLS NSW 2012

Dear Sir/Madam,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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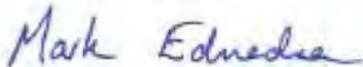
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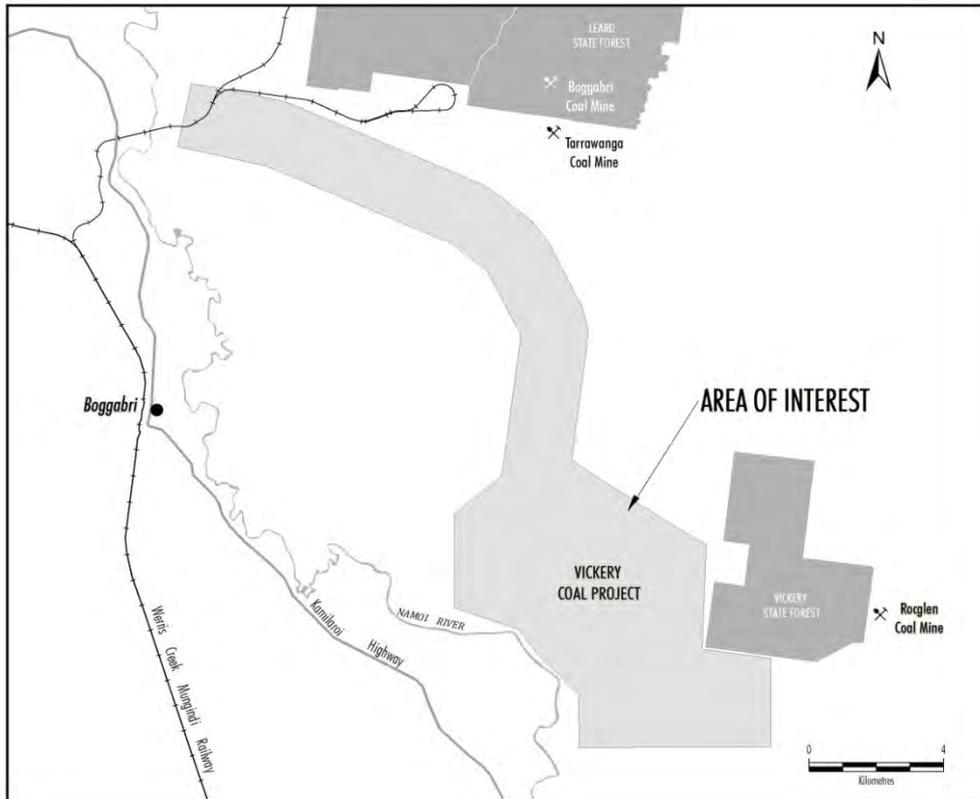
Yours sincerely,

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Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



9 September 2015

National Native Title Tribunal
NSW & ACT Registry
GPO Box 9973
SYDNEY NSW 2001

Dear Sir/Madam,

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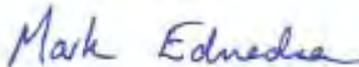
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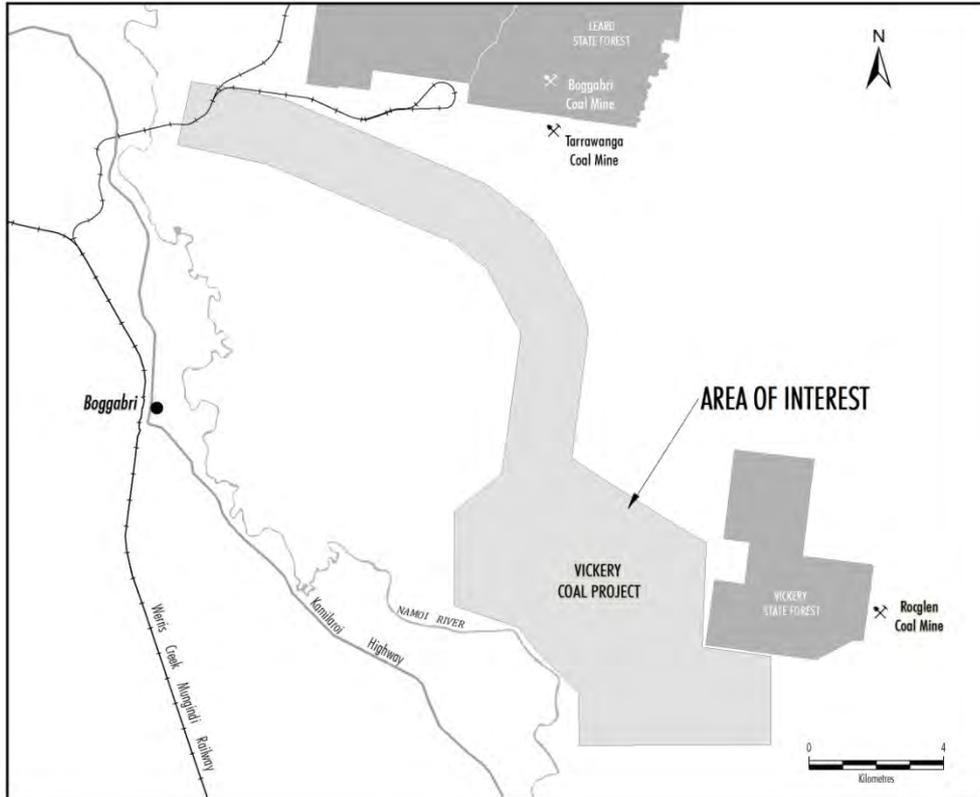
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



9 September 2015

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

Dear Sir/Madam,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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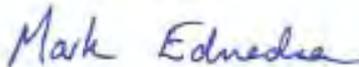
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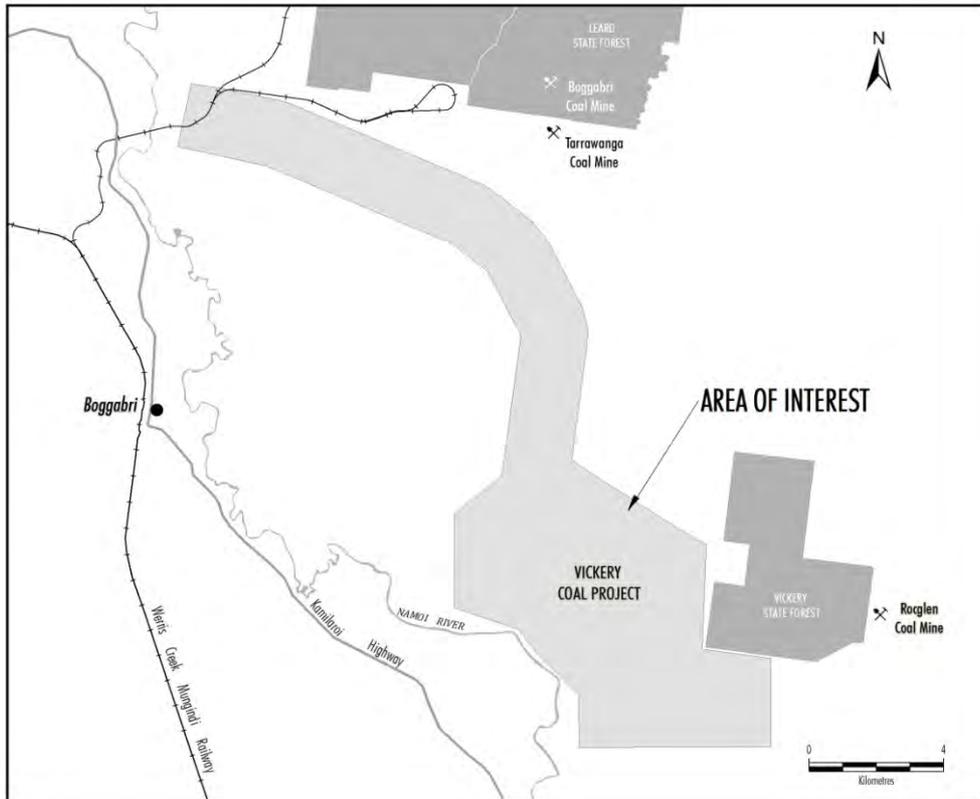
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WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



14 September 2015 ref: OE&H : 14-9-2015/1

Whitehaven Coal
c/o Danielle Wallace
PO BOX 1842
Milton Qld 4064

Dear Sir or Madam

Aboriginal Cultural Heritage Assessment

Extension of the currently approved Vickery Coal project

I refer to your letter of 9 September 2015 regarding the above matter.

We acknowledge that section 4.1.2 of the Office of Environment & Heritage's *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* require you to contact us in order to compile a list of Aboriginal people who may have an interest in the proposed project area and hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or places.

However, we advise that NTSCORP's privacy guidelines restrict us from providing proponents with contact details of traditional owners who may have such an interest or hold such knowledge.

Please be advised that, in response to your notification, we will forward your correspondence to any individuals, groups and organisations whom NTSCORP is aware assert traditional interests within or hold cultural knowledge about the relevant area. Recipients of our correspondence will be invited to register their interest in the project directly with you by 28 September 2015

Please be aware that NTSCORP cannot make a guarantee or undertaking that the recipients of our correspondence represent the entirety of traditional owners for the relevant area.

Yours faithfully,



George Tonna
Land & Notifications Officer
NTSCORP Limited



National
Native Title
Tribunal

15 September 2015

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 1842
MILTON QLD 4064

Operations East, Sydney Office

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

Our Ref: 0317/SJ

Dear Ms Wallace

Native Title Search Results for Gunnedah Shire Council Local Government Area

Thank you for your search request received on 14 September 2015 in relation to the above area.

Search Results

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

Register Type	NNTT Reference Numbers
Schedule of Applications (unregistered claimant applications)	Nil.
Register of Native Title Claims	NC2011/006
National Native Title Register	Nil.
Register of Indigenous Land Use Agreements	Nil.
Notified Indigenous Land Use Agreements	Nil.

I have included a register extract, map attachment and NNTT Registers fact sheet to help guide your understanding of the search result.

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.

Yours sincerely,



Sylvia Jagtman | SENIOR CASE MANAGEMENT ASSISTANT

National Native Title Tribunal | Sydney Office

Level 16, Federal Law Courts Building, Queens Square, Sydney, New South Wales 2000

Telephone (02) 9227 4013 | Facsimile (02) 9227 4030 | Email Sylvia.Jagtman@nntt.gov.au

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

Shared country, shared future.



Searching the NNTT Registers in New South Wales

Search service

On request the National Native Title Tribunal may search its public registers for you. A search may assist you in finding out whether any native title applications (claims), determinations or agreements exist over a particular area of land or water.

In New South Wales native title cannot exist on privately owned land including family homes or farms.

What information can a search provide?

A search can confirm whether any applications, agreements or determinations are registered in a local government area. Relevant information, including register extracts and application summaries, will be provided.

In NSW because we cannot search the registers in relation to individual parcels of land we search by local government area.

Most native title applications do not identify each parcel of land claimed. They have an external boundary and then identify the areas not claimed within the boundary by reference to types of land tenure e.g., freehold, agricultural leasehold, public works.

What if the search shows no current applications?

If there is no application covering the local government area this only indicates that at the time of the search either the Federal Court had not received any claims in relation to the local government area or the Tribunal had not yet been notified of any new native title claims.

It does not mean that native title does not exist in the area.

Native title may exist over an area of land or waters whether or not a claim for native title has been made.

Where the information is found

The information you are seeking is held in three registers and on an applications database.

National Native Title Register

The National Native Title Register contains determinations of native title by the High Court, Federal Court and other courts.

Register of Native Title Claims

The Register of Native Title Claims contains applications for native title that have passed a registration test.

Registered claims attract rights, including the right to negotiate about some types of proposed developments.

Register of Indigenous Land Use Agreements

The Register of Indigenous Land Use Agreements contains agreements made with people who hold or assert native title in an area.

The register identifies development activities that have been agreed by the parties.

Schedule of Native Title Applications

The Schedule of Native Title Applications contains a description of the location, content and status of a native title claim.

This information may be different to the information on the Register of Native Title Claims, e.g., because an amendment has not yet been tested.

How do I request a native title search?

Download the Search Request Form from the Tribunal's website at -

<http://www.nntt.gov.au/assistance/Pages/Search-es-and-providing-Register-information.aspx>

Email to: NSWEnquiries@nntt.gov.au

Post to: GPO Box 9973 Sydney NSW 2001

For additional enquiries: 02 9227 4000

Extract from the Register of Native Title Claims

Application Information

Application Reference: Federal Court number: NSD2308/2011
NNTT number: NC2011/006

Application name: Gomeroi People v Attorney General of New South Wales (Gomeroi People)

Registration History: Registered from 20/01/2012

Register Extract (pursuant to s. 186 of the *Native Title Act 1993*)

Application filed with: Federal Court of Australia

Date application filed: 20/12/2011

Date claim entered on Register: 20/01/2012

Applicants: Alfred Boney, Maureen Sulter, Clifford Toomey, Lyall Munro Junior, Norman McGrady, Madeline McGrady, Leslie Woodbridge, Jason Wilson, Michael Anderson, Alfred Priestly, Ray Tighe, Greg Griffiths, Burrul Galigabali, Susan Smith, Richard Green, Raymond Welsh Senior, Elaine Binge, Bob Weatherall, Anthony Munro

Address for service: Sam Hegney Solicitors
53 Fox Street
Walgett NSW 2832
Phone: 02 6828 1649

Additional Information:

Not Applicable

DESCRIPTION OF THE AREA COVERED BY THE CLAIM:

The area covered by the application ('the Application Area') comprises all the land and waters within the external boundaries described in Attachment B and depicted in the map at Attachment C.

The Application Area description and map have been prepared with the assistance of the Geo-Spatial Unit of the National Native Title Tribunal. The area covered by this application does not include the areas described at point B below.

(B) Areas within the external boundaries not covered by the application

1. The area covered by the application excludes any land and waters covered by past or present freehold title or by previous valid exclusive possession acts as defined by section 23B of the Native Title Act 1993 (Cth)

2. The area covered by the application excludes any land and waters which are:

- a) a Scheduled interest;
- b) a freehold estate;
- c) a commercial lease that is neither an agricultural lease nor a pastoral lease;
- d) an exclusive agricultural lease or an exclusive pastoral lease;
- e) a residential lease;
- f) a community purpose lease;
- g) a lease dissected from a mining lease and referred to in s 23B(2)(c)(vii) of the Native Title Act (1993) (Cth); and
- h) any lease (other than a mining lease) that confers a right of exclusive possession over particular land or waters.

3. Subject to paragraphs 5 and 6, the area covered by the application excludes any land or waters covered by the valid construction or establishment of any public work, where the construction or establishment of the public work commenced on or before 23 December 1996.

4. Subject to paragraphs 5 and 6, exclusive possession is not claimed over areas which are subject to valid previous non-exclusive possession acts done by the Commonwealth, State or Territory.

5. Subject to paragraph 7 below, where the act specified in paragraphs 2, 3 and 4 falls within the provisions of:

- a) s 23B(9) Exclusion of acts benefiting Aboriginal Peoples or Torres Strait Islanders;
- b) s 23B(9A) Establishment of a national park or state park;
- c) s 23B(9B) Acts where legislation provides for non-extinguishment;
- d) s 23B(9C) Exclusion of Crown to Crown grants; and
- e) s 23B(10) Exclusion by regulation;

the area covered by the act is not excluded from the application.

6. Where an act specified in paragraphs 2, 3 and 4 affects or affected land or waters referred to in:

- f) s 47 Pastoral leases etc covered by claimant application;
- g) s 47A Reserves covered by claimant application;
- h) s 47B Vacant Crown land covered by claimant application;

the area covered by the act is not excluded from the application.

7. The area covered by the application excludes land or waters where the native title rights and interests claimed have been otherwise extinguished.

PERSONS CLAIMING TO HOLD NATIVE TITLE:

The Gomeroi People are the native title claim group on whose behalf the Applicant makes this application. The native title claim group comprises all the descendants of the following apical ancestors:

Thomas Pitt (who was born in 1838).

Billy Barlow (who was born in Tycannah in 1835)

Peter James Cutmore (who was born in Tycannah in 1849)

James Swan (who was born in Combadello in 1825)

Harriett Wyndham (who was born in Mungie Bundie in 1863)

William Levy (who was born in Terry Hie Hie in 1867)

Sally Nerang (who was born in Terry Hie Hie circa 1840)
Eliza Barlow (who was born in Terry Hie Hie circa 1860)
Kitty Dangar (who was born in Walgett in 1837)
William Clark (who was born in Collarenebri in 1845)
Murray Ippai (who was born in Collarenebri)
Mary Ann Ippai (who was born on the Barwon River)
Edward Morgan (who was born in Dungalear in 1855)
Nancy Morgan (who was born in Dungalear in 1861)
Robert Nicholls (who was born in Collarenebri in 1842)
Frank Mundy (who was born in Collymongle in 1872)
Lena Combo (who was born in Mogil Mogil in 1876)
Jack Thunderbolt (who was born in Walgett in 1847)
Betsy Yates (also known as Polly Yates and Polly Burras) (who was born on the Barwon River circa 1860)
Jenny (who was born in Walgett circa 1840)
Dick Silk (who was born in Walgett)
Fred Parker (who was born in Gingie in 1864)
Murray Rook (who was born in Collarenebri in 1865)
Ethel Tinker (who was born in Mercadool circa 1878)
Emily McPherson (who was born in Collarenebri in 1892)
Billy Whitford (who was born in 1828)
King Robert Cobbler (who was born in Mogil Mogil in 1855)
Billy Wightman (who was born in Kunopia in 1813)
John McGrady (who was born in Moree in 1853)
William Dennison (who was born in Kunopia in 1843)
Charlie Dennison (who was born circa 1846-1866)
Alice Dennison (who was born in Moree circa 1863 -1873)
Lucy Long (who was born in Boomi circa 1850)
Minnie Lance (who was born in Boomi circa 1868), Harry Denham
Charles Cubby (who was born on the Boomi River)
Sarah Wilson (also known as Sarah Murphy and Sarah Witman) (who was born in Kunopia in 1868)
Reuben Bartman (who was born in Boomi in 1876)
Billy Dunn (who was born in Mungindi)
William Edwards (who was born in Thallon)
Queen Susan (who was born in Welltown)
Phoebe Munday-Williams (who was born in Mungindi in 1864)

George Bennett (who was born in Mungindi in 1873)

Amelia Bell (also known as Amelia Brown) (who was born in Bingara in 1862)

William Snow (who was born in Tamworth or Moonbi in 1855)

Francis Snow (who was born in Tamworth in 1858)

Matilda Wyndham (who was born in Bingara in 1842)

Thomas Duke (who was born in Bingara in 1847)

Teasie Griffen (also known as Jessie Griffen and Ellen Griffen) (who was born in Barraba in 1859)

Mary Anne Hammond (who was born in Tamworth in 1836)

Elizabeth Guest (also known as Eliza Gillan) (who was born in Liverpool Plains in 1840)

Jane Maloney (who was born in Walhallow in 1838)

Mary Ann Healy (who was born in Murrurundi in 1829)

Thomas Taylor (who was born in Coolah in 1836)

Elizabeth Loder (also known as Elizabeth Bates) (who was born in Murrurundi in 1843)

Sarah Gatehouse (who was born in Aberdeen in 1835)

William Duncomb (who was born in Muswellbrook circa 1830)

John Morris Tighe (who was born in 1852)

Susan Bishop-Young (also known as Susan Dangar) (who was born in Warialda)

Sarah Murphy (who was born in 1846)

Thomas French (who was born in Scone in 1825)

John Thomas Bates (who was born on the Mooki River in 1840)

Alexander Nean (who was born in Liverpool Plains in 1843)

David Johnson (who was born in Cassilis circa 1838-1844)

Mary Orr (also known as Nellie Orr) (who was born in Garrawilla in 1853)

Julia Campbell (who was born on the Castlereagh River circa 1833-1834)

Annie Jendis (who was born in Burbagate in 1845)

Harriet Munro (who was born in Gunnedah in 1867), Alice Eliza Natty (who was born on the Namoi River near Boggabri in 1857)

James Tighe (who was born in Coonabarabran in 1842)

William Tighe (who was born in Toorawandi in 1844)

Patrick Tighe (who was born in Coonabarabran in 1852)

Jane Tighe (who was born in 1864)

Mary Jane Griffin (also known as 'Old Ibadah')

Susan Slater (who was born in Coonabarabran in 1839)

Thomas Leslie (who was born in Kirban circa 1850-1854)

James Leslie (who was born in born Armatree in 1853)

Ellen Fuller (who was born in Rockgidgiel in 1854)

Sarah Hughes (who was born in Coonabarabran circa 1834-1859)

James Cole (who was born in NSW in 1845)

Mary Ann Hall (who was born on the Castlereagh River in 1840)

Samuel Bruce Smith (who was born in Tambar Springs circa 1860 ' 1863)

Elizabeth Ann Smith (who was born in Mullaley in 1866)

William Green (also known as William Edwards) (who was born in Kings Plains near Inverell in 1853)

Angus Landsborough (who was born in Newstead in 1867)

Patrick Landsborough (who was born in Newstead in 1872)

Alec Brown (who was born in Bundarra in 1873)

Margaret King (who was born in Gummin Gummin near Gulargambone circa 1854-1858)

William James King (who was born in Coonabarabran circa 1851-1853)

Florence May Blackman (also known as Louisa Florima Blackman) (who was born in Coonamble in 1846)

Euphemia Blackman (who was born on the Castlereagh River in 1851)

Henry Arthur Yates (who was born in Coonamble in 1860)

Betsy Yates (who was born in Wingadee in 1854)

Annie Day (who was born in Bullarora Station near Coonamble circa 1871-1876)

Army Toomey (who was born in Wingadee near Coonamble in 1886)

Maria Clare Hall (who was born in Gulargambone circa 1830-1833)

Thomas Carney (who was born in Tonderburine in 1852)

Jim Duncan (who was born in Coonamble in 1854)

Thomas Reid (who was born in Cuttabri in 1840)

Thomas John Blacklock (who was born in Terembone in 1851)

Thomas Dangar (who was born in Drilldool in 1857), Harry Doolan (who was born in Pilliga in 1855)

George Green (who was born in 1851)

Lucy Barr (who was born in Boggabri in 1851)

Peggy Reid (who was born in Cuttabri in 1836)

Julia Jane Saunders (who was born in Wee Waa in 1845)

William Newman (who was born in Cuttabri in 1807)

Emma Dingwell (who was born in Bograh Station near Narrabri in 1864)

Kate Purser (who was born in Narrabri in 1863)

Mary Ann Lucas (who was born in Millie in 1840)

Frank Maybury (who was born in Killarney Station near Narrabri circa 1840)

Charlotte Hagan (also known as Charlotte Keegan) (who was born in Narrabri circa 1850-1870)

Nellie Combo (who was born in Wallah Station near Narrabri in 1850)

Mary Peake (who was born in Narrabri in 1848)

Descendants include persons who are descendants by adoption according to traditional law and custom.

See further information attached and marked 'A'.

REGISTERED NATIVE TITLE RIGHTS AND INTERESTS:

The following Native Title Rights & Interests were entered on the Register on 20/01/2012

1. Where exclusive native title can be recognised (such as areas where there has been no prior extinguishment of native title or where s.238 and/or ss.47, 47A and 47B apply), the Gomeroi People as defined in Schedule A of this application, claim the right to possession, occupation, use and enjoyment of the lands and waters of the application area to the exclusion of all others subject to the valid laws of the Commonwealth and the State of New South Wales.

2. Where exclusive native title cannot be recognised, the Gomeroi People as defined in Schedule A of this application, claim the following non-exclusive rights and interests including the right to conduct activities necessary to give effect to them

- (a) the right to access the application area;
 - (b) the right to use and enjoy the application area;
 - (c) the right to move about the application area;
 - (d) the right to camp on the application area;
 - (e) the right to erect shelters and other structures on the application area;
 - (f) the right to live being to enter and remain on the application area;
 - (g) the right to hold meetings on the application area;
 - (h) the right to hunt on the application area;
 - (i) the right to fish in the application area;
 - (j) the right to have access to and use the natural water resources of the application area;
 - (k) the right to gather and use the natural resources of the application area (including food, medicinal plants, timber, tubers, charcoal, wax, stone, ochre and resin as well as materials for fabricating tools, hunting implements, making artwork and musical instruments);
 - (m) the right to share and exchange resources derived from the land and waters within the application area;
 - (n) the right to participate in cultural and spiritual activities on the application area;
 - (o) the right to maintain and protect places of importance under traditional laws, customs and practices in the application area;
 - (p) the right to conduct ceremonies and rituals on the application area;
 - (q) the right to transmit traditional knowledge to members of the native title claim group including knowledge of particular sites on the application area;
3. The native title rights and interests referred to in paragraph 2 do not confer possession, occupation, use or enjoyment of the lands and waters of the application area to the exclusion of all others.
4. The native title rights and interests are subject to and exercisable in accordance with:
- (a) the laws of the State of New South Wales and the Commonwealth of Australia including the common law;
 - (b) the rights (past or present) conferred upon persons pursuant to the laws of the Commonwealth and the laws of the State of New South Wales; and
 - (c) the traditional laws and customs of the Gomeroi People for personal, domestic and communal purposes (including social, cultural, religious, spiritual and ceremonial purposes).

REGISTER ATTACHMENTS:

1. 1. Map of the area covered by the application , Attachment C of the Application, 1 page - A3, 20/12/2011

2. 2. Description of area covered by the application, Attachment B of the Application, 5 pages - A4, 20/12/2011

Note: The Register of Native Title Claims may, in accordance with s. 188 of the Native Title Act 1993, contain confidential information that will not appear on the Extract.

Gomeri People

 Gomeri People

RNTC Attachment:
NSD2308/2011 (NC2011/006)
Map of the area covered by the application
Attachment C of the Application
Page 1 of 1, A3, 20/12/2011



NORTH

0 25

KILOMETRES

Latitude and Longitude based on Geocentric Datum of Australia 1994
Non Projection

© Commonwealth of Australia 2011

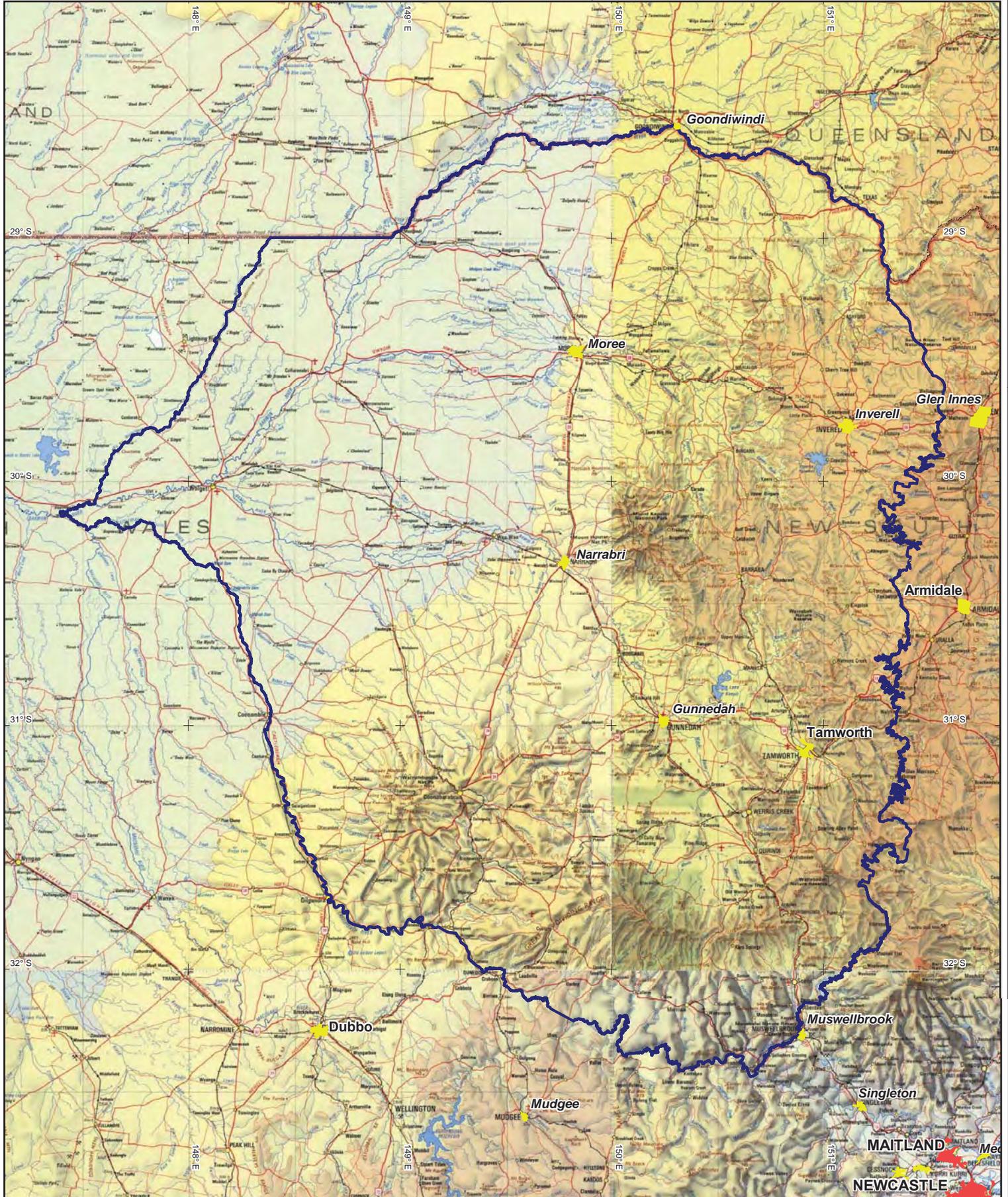
NOTE: To determine areas subject to claim within the external boundary, reference to the application description is necessary.
Application boundary data compiled by the NNTT from data sourced from DOL (NSW).

Topographic image data is © Commonwealth of Australia and is used under licence from Geoscience Australia 2008

NOTE: Topographic images should be used as a guide only.

Map created by: Geospatial Services, National Native Title Tribunal (09/12/2011)

The Registrar, the National Native Title Tribunal and its staff, members and agents and the Commonwealth (collectively the Commonwealth) accept no liability and give no undertakings, guarantees or warranties concerning the accuracy, completeness or fitness for purpose of the information provided. In return for you receiving this information you agree to release and indemnify the Commonwealth and third party data suppliers in respect of all claims, expenses, losses, damages and costs arising directly or indirectly from your use of the information and the use of the information you obtained by any third party.





Your reference
Our reference
Contact

Vickery Extension Project
DOC15/375882
Paul Houston (02) 6883 5361

Whitehaven Coal Limited
PO Box 1842
MILTON QLD 4064
Att: Danielle Wallace

23th September 2015

Dear Danielle,

**WRITTEN NOTIFICATION AS REQUIRED UNDER OFFICE OF ENVIRONMENT AND
HERITAGE (OEH) ABORIGINAL CULTURAL HERITAGE REQUIREMENT FOR
PROPONENTS 2010 – For the proposed Vickery Extension project near Gunnedah, NSW**

I refer to your letter dated 9th September 2015 to the Office of Environment and Heritage (OEH) regarding the above matter.

A list of known Aboriginal parties that OEH feels is likely to have an interest in this development is attached as Attachment 1 (overleaf). Please note this list is not necessarily an exhaustive list of all interested Aboriginal parties and receipt of this list does not remove the requirement of a proponent/consultant to advertise in local print media and contact other bodies seeking interested Aboriginal parties, in accordance with the requirements.

If you wish to discuss any of the above matters further please contact me, at your earliest convenience, on (02) 6883 5361.

Yours sincerely

Paul Houston
Aboriginal Heritage Planning Officer
OEH

The Department of Environment Climate Change and Water is now known as
The Office of Environment and Heritage.

PO Box 2111, Dubbo NSW 2830
48-52 Wingewarra St Dubbo NSW
Tel: (02) 6883 5330 Fax: (02) 6884 9382
www.environment.nsw.gov.au

ATTACHMENT 1

OEH'S LIST OF ABORIGINAL STAKEHOLDER GROUPS WITHIN THE NARRABRI LGA- THAT MAY HAVE AN INTEREST IN THE PROJECT; PROVIDED AS PER THE "OEH ABORIGINAL CULTURAL HERITAGE REQUIREMENT FOR PROPONENTS 2010".

Organisation/Affiliation	Name/Title	Address
Alison Sampson		36 Hill Street, Caroona NSW 2343
AT Gomilaroi Cultural Consultancy	Aaron Talbott	6 Bando Street, Gunnedah NSW 2380
Bigundi Biame Gunnedarr Traditional People	CEO	16 South Street, Gunnedah NSW 2380
BJC Cultural Management	Ben Cameron	11 Stanley Street, Gunnedah NSW 2380
Brent Mathews		21 Bando Street, Gunnedah NSW 2380
Brian Draper		7 Sovereign St, Dubbo NSW 2830
Bunda Consultants	Tammy Knox	23 Cunningham Street, Tamworth NSW 2380
Christine Archbold		40 Humphies St, Muswellbrook NSW 2333
Clifford Matthews		16/A Mahogany Ave Muswellbrook NSW 2333
Darrell Mathews		14 Edinglassie Dr Muswellbrook NSW 2333
Donna Moodie		PO Box 356 Darling Heights QLD 4350
Elli Lewis	Patrica Jean Hands	20 Acacia Circuit Singleton NSW
Esther Tighe		1/86 Edward Street, Gunnedah NSW 2380
George Sampson (C/- Cucatua Culture Consultants)		49 Ibis Pde Woodberry NSW 2322
Gomeroi Murri Ganuurr Yuurray Wadi Palinka	Greg Griffith	4 Wattle Street, Gunnedah NSW 2380
Gomeroi Narrabri	Chairperson (Craig	29 Doyle Street, Narrabri

The Department of Environment Climate Change and Water is now known as
The Office of Environment and Heritage.

Natasha Rodgers		7 Toy Court, Wodonga VIC 3690
Paul Moodie		15 Schwager St Gunnedah NSW 2380
Red Chief LALC	Chairperson	P O Box 745 GUNNEDAH NSW 2357
Robert Miller		34 Baxter Street Gunnedah NSW 2380
Rodney Mathews		8 Fitzgerald Ave Muswellbrook NSW 2333
Ron Smith		Flat 8, 6 Hasting River Drive, Port Macquire
Ronald Long		32 High Street, Gunnedah, NSW 2380
Roslyn Smith		Unit 4 122 Upper St Tamworth NSW 2340
Scott Smith		Unit 4 122 Upper St Tamworth NSW 2340
Sonny Fitzroy		17 Albion Street Gunnedah NSW 2380
Steve Saunders		35 Walhallow Village, Caroona NSW 2343
T&G Culture Consultants	Tony Griffiths	4 Wattle Street, Gunnedah NSW 2380
Tania Mathews		23 Reid street, Narrabri NSW 2390
TOOMELAH LALC	Chairperson	PO Box 261 BOGABILLA NSW 2409
Tracy Woltley		75 High Street Gunnedah NSW 2380
Troy Silver		57 Hopedale Ave Gunnedah NSW,2380

The Department of Environment Climate Change and Water is now known as
The Office of Environment and Heritage.

Aboriginal corporation	Trindall 0430295911)	NSW 2390
Gunida Gunyah	CEO	PO Box 439, Gunnedah NSW 2380
Hazel Collins		3 Carroll Street, Gunnedah NSW 2380
Heilamon Cultural Consultants	Clifford Johnson	77 Tobruk Ave, Muswellbrook NSW 2333
Jason Wilson		23 Clews St, Dubbo NSW 2830
Jodie Mckinnon		100 Stock Rd, Gunnedah NSW 2380
John Matthews		16/A Mahogany Ave Muswellbrook NSW 2333
Joshua Matthews		21 Bando Street , Gunnedah NSW 2380
Justin Matthews		16/B Mahogany Ave Muswellbrook NSW 2333
KL.KG Saunders Trading Service		6 Bowfield Place, Muswellbrook NSW 2333
Lorraine Towney		32 Dewhurst Street Quirindi, NSW 2343
Luke Cameron Cultural Management		28 Herbert St, Gunnedah NSW 2380
Mavonia Welsh		1 Yabsley Ave, Marrickville NSW, 2204
ME Griffiths Cultural Management	Marie- Ellen Griffiths	10 herbert Street, Gunnedah NSW 2380
Michael Long		17 Albion Street Gunnedah NSW 2380
Michelle Saunders		24 Walhallow Village, Walhallow NSW 2340
Michelle Saunders		24 Walhallow Village, Walhallow NSW 2340
Min Min Aboriginal Corporation	CEO	Po Box 877, Gunnedah NSW 2380
NARRABRI LALC	Chairperson	PO Box 37 NARRABRI NSW 2390

The Department of Environment Climate Change and Water is now known as
The Office of Environment and Heritage.



Shire of
Gunnedah
Land of Opportunity

Whitehaven Coal Pty Ltd
PO Box 1842
MILTON QLD 4064

E: vickeryacha@gmail.com

Attention: Danielle Wallace

24 September 2015

Dear Ms Wallace

Re: Vickery Extension Project – Aboriginal Cultural Heritage Assessment

I refer to your correspondence dated 9 September 2015 in relation to the above matter.

From the contents of your correspondence it is noted that Whitehaven plans to seek approval for the extension of the currently approved Vickery Coal Project to increase the open cut and waste rock emplacement areas, increase the mining rate, construct additional coal handling/preparation infrastructure and a rail spur to connect to the Werris Creek Mungindi Railway. It is understood that the project will also entail construction and augmentation of currently approved infrastructure including road diversions, water management infrastructure and temporary topsoil stockpiles.

In relation to the request for information to assist in consultation processes pertaining to the preparation of the requisite Aboriginal Cultural Heritage Assessment, the following stakeholder contacts are provided. It should be noted that this list is not exhaustive and Whitehaven should pursue its own robust line of enquiries in line with applicable consultation guidelines to ensure that all relevant potentially affected parties are identified.

- Min Min Aboriginal Corporation – Ms Gwen Griffin; Ph: 02 6742 5152.
- Red Chief Local Aboriginal Land Council; Ph: 02 6742 3602.
- Gunidah Gunyah Aboriginal Corporation – Ms Jane Bender; Ph: 02 6742 7038.
- Gunnedah Shire Council Manager of Community and Cultural Development – Ms Debra Hilton; Ph: 02 6740 2162, e: debrahilton@infogunnedah.com.au.
- Winanga-Li Aboriginal Child and Family Centre; Ph: (02)6743 0999.

Other Matters for Consideration

Whitehaven is encouraged to enter into early dialogue with Council in respect to Voluntary Planning Agreement (VPA) considerations arising from this particular project. Representatives of Council's Executive team would be pleased to meet with relevant Whitehaven staff at a mutually convenient time to further discuss this matter. You are invited to contact Ms Vicki Grover on (02) 67402120 or by emailing vickigrover@infogunnedah.com.au.

Gunnedah Shire Council

63 Elgin Street, PO Box 63 GUNNEDAH NSW 2380

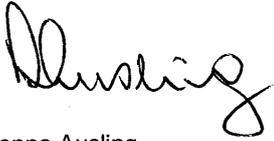
Tel: (02) 6740 2100 Fax: (02) 6740 2119

Email: council@infogunnedah.com.au

Web: www.gunnedah.nsw.gov.au

Should you require any further information in relation to this matter you are invited to contact the undersigned at the details below.

Yours faithfully



Donna Ausling
ACTING DIRECTOR PLANNING & ENVIRONMENTAL SERVICES

Contact: 67402100
Reference: 894715
da:vg



RED CHIEF LOCAL ABORIGINAL LAND COUNCIL

PO Box 745
GUNNEDAH NSW 2380
Phone: (02) 6742 3602 Fax: (02) 6742 3815
Mobile: 0403 041 957
Email: ceo@redchiefalc.com.au

Friday, 23 October 2015

Whitehaven coal
Extension to the currently approved Vickery Project
c/- Danielle Wallace
PO Box 1842
Milton Qld 4064

Dear Danielle

I refer to correspondence sent to our office on the 14 September 2015 ref OE&H 14-9-15/1 Requesting persons with an interest in the Vickory Coal Project to please register an interest. At the time of this correspondence the LALC was without a CEO and therefore the relevant documentation was not responded to as would be the norm.

The Redchief Local Aboriginal land council is not just registering as a Registered Aboriginal Party but also as the statue authority for the cultural heritage for the area under the Land Rights Act 1983, please record our interest in this project. We have a broad membership of over 400 members of the LALC including Elders traditional owners and other Aboriginal parties with an interest and ongoing connection and responsibility for the area. Please confirm in writing our registration of interest and provide details of the proposed consultation and methodology so that we are able to inform our members

We would welcome a meeting to discuss this proposed project in more detail

Yours Sincerely

Jane Delaney-John
CEO RCLALC

Mark Edmondson
Whitehaven Coal
C/- Danielle Wallace
PO Box 1842
MILTON QLD 4064

Dear Mark

Re: Request - Search for Registered Aboriginal Owners

I refer to your letter dated 9 September 2015 regarding Aboriginal Cultural Heritage Assessment within Gunnedah 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 Red Chief Local Aboriginal Land Council. They will be able to assist you in identifying other Aboriginal stakeholders for this project. (02) 6742 3602.

Yours sincerely



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

STEP 2 CORRESPONDENCE



6 October 2015

Dear _____

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

The Vickery Coal Project, owned by Whitehaven Coal Limited (Whitehaven) is an approved, but yet to be developed, open cut coal mining operation situated in the Gunnedah Coalfield approximately 25 kilometres (km) north of Gunnedah, New South Wales (NSW).

Whitehaven plans to seek approval for the extension of the currently approved Vickery Coal Project to increase the open cut and waste rock emplacement areas, increase the mining rate and construct additional coal handling and preparation infrastructure and a rail spur to connect to the Werris Creek Mungindi Railway (herein referred to as the Vickery Extension Project). Construction and augmentation (where required) of currently approved infrastructure such as road diversions, water management infrastructure and temporary topsoil stockpiles would also be conducted as part of the Vickery Extension Project.

Approval for the Vickery Extension Project would be sought from the NSW Minister for Planning under the State Significant Development provisions (Division 4.1) of Part 4 of the NSW *Environmental Planning and Assessment Act, 1979* and the NSW *Environmental Planning and Assessment Regulation, 2000*.

As part of the application process, Whitehaven will be preparing an Aboriginal Cultural Heritage Assessment, and therefore may seek an Aboriginal Heritage Impact Permit (AHIP) under section 90 of the NSW *National Parks and Wildlife Act, 1974*.

The subject area of the Vickery Extension Project and any such application is depicted as the "Area of Interest" as shown on the enclosed plan.

In accordance with the requirements as set out in the *Aboriginal cultural heritage consultation requirements for proponents 2010* (NSW Department of Environment, Climate Change and Water, 2010) (Consultation Guidelines) issued by the NSW Office of Environment and Heritage, Whitehaven is required to conduct a community consultation process with relevant Aboriginal people to assist in the preparation of the Aboriginal Cultural Heritage Assessment. This includes:

- Contacting various government organisations and requesting a list of any Aboriginal persons or groups who may hold cultural knowledge relevant to, or who have a right or interest in, determining the cultural heritage significance of Aboriginal objects and/or places in the "Area of Interest".

- Writing to the Aboriginal persons or groups identified by the above process to notify them of the Modification and invite them to register an interest in the community consultation process.
- Placing a notice in a local newspaper explaining the Modification and inviting Aboriginal persons or groups to register an interest in the community consultation process.

Due to your previous involvement in the Aboriginal Cultural Heritage Assessment for the Vickery Coal Project, you have been automatically registered for the consultation process associated with the Vickery Extension Project. You do NOT need to contact Whitehaven to re-register for the Vickery Extension Project.

However, Whitehaven would appreciate if you could please provide updated contact details for the Vickery Extension Project. Could you please complete the attached form and return to Whitehaven via the contact details provided below.

Whitehaven advises that the details of any Aboriginal person or group who registers an interest in the Vickery Extension Project will be forwarded to the NSW Office of Environment and Heritage and the Red Chief Local Aboriginal Land Council in accordance with Section 4.1.5 of the Consultation Guidelines, unless you specify you do not want your details released.

Should you have any queries regarding your registration, please do not hesitate to contact Whitehaven via the following contact details:

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

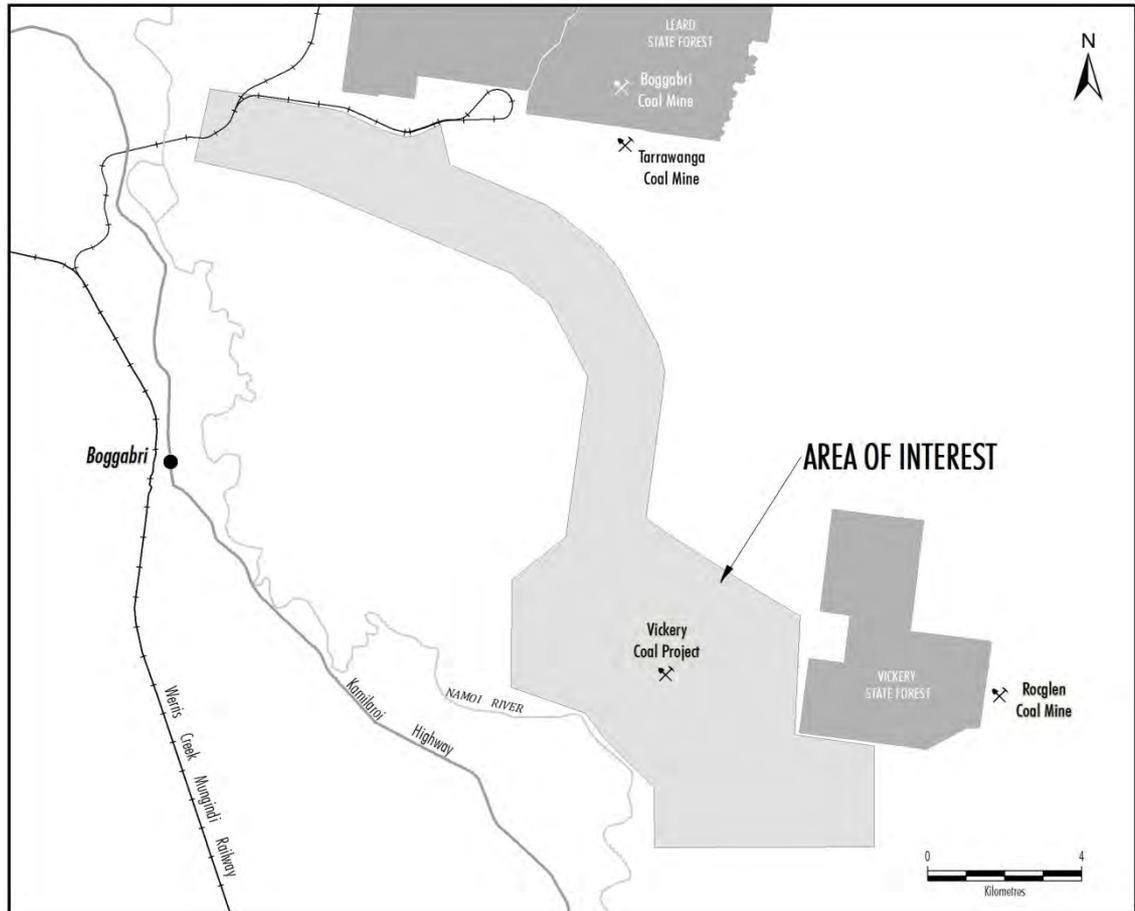
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION
PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	
Registered Aboriginal Party (if different from above)	
Address	
Postal Address (if different from above)	
Telephone Number	
Email Address	

Signed: _____

Date: _____



6 October 2015

Gunnedah Shire Council, Manager of Community and Cultural Development
Debra Hilton
PO Box 63
GUNNEDAH NSW 2380

Dear Debra

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

The Vickery Coal Project, owned by Whitehaven Coal Limited (Whitehaven) is an approved, but yet to be developed, open cut coal mining operation situated in the Gunnedah Coalfield approximately 25 kilometres (km) north of Gunnedah, New South Wales (NSW).

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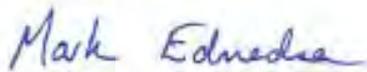
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C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

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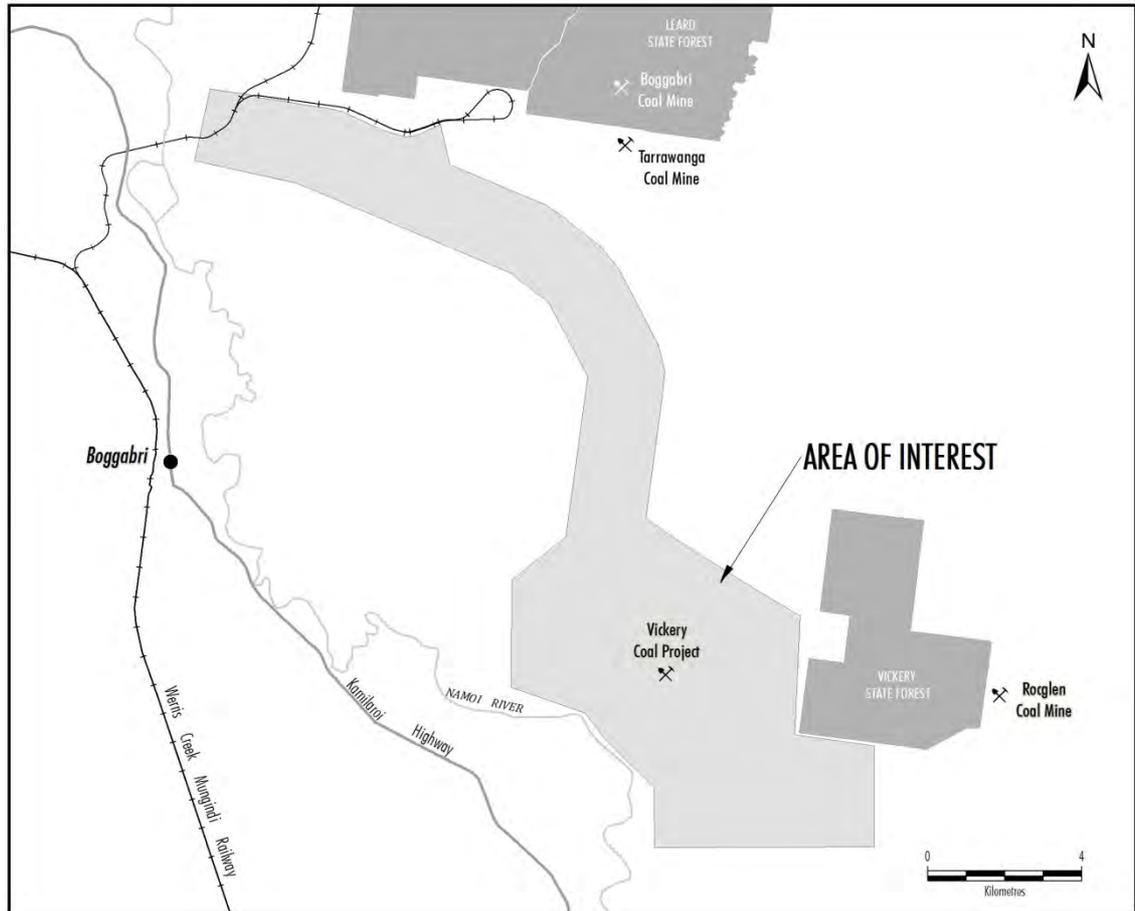
Yours sincerely,

WHITEHAVEN COAL LIMITED

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Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION
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Name	
Registered Aboriginal Party (if different from above)	
Address	
Postal Address (if different from above)	
Telephone Number	
Email Address	

Signed: _____

Date: _____

6 October 2015

Winanga-Li Aboriginal Community and Family Centre
12 Hunter Street
GUNNEDAH NSW 2380

Dear Sir/Madam

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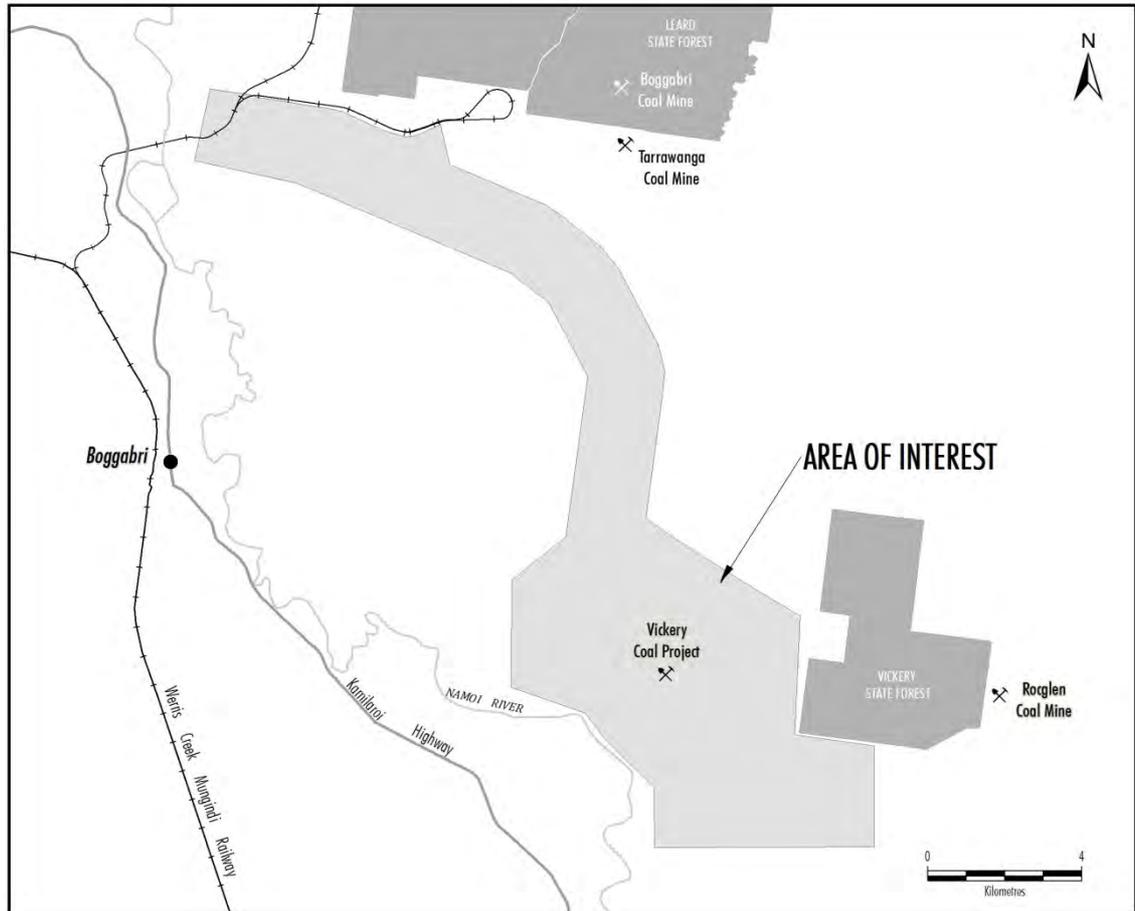
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WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



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Signed: _____

Date: _____

6 October 2015

Alison Sampson
36 Hill Street
CAROONA NSW 2343

Dear Alison

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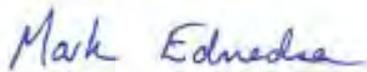
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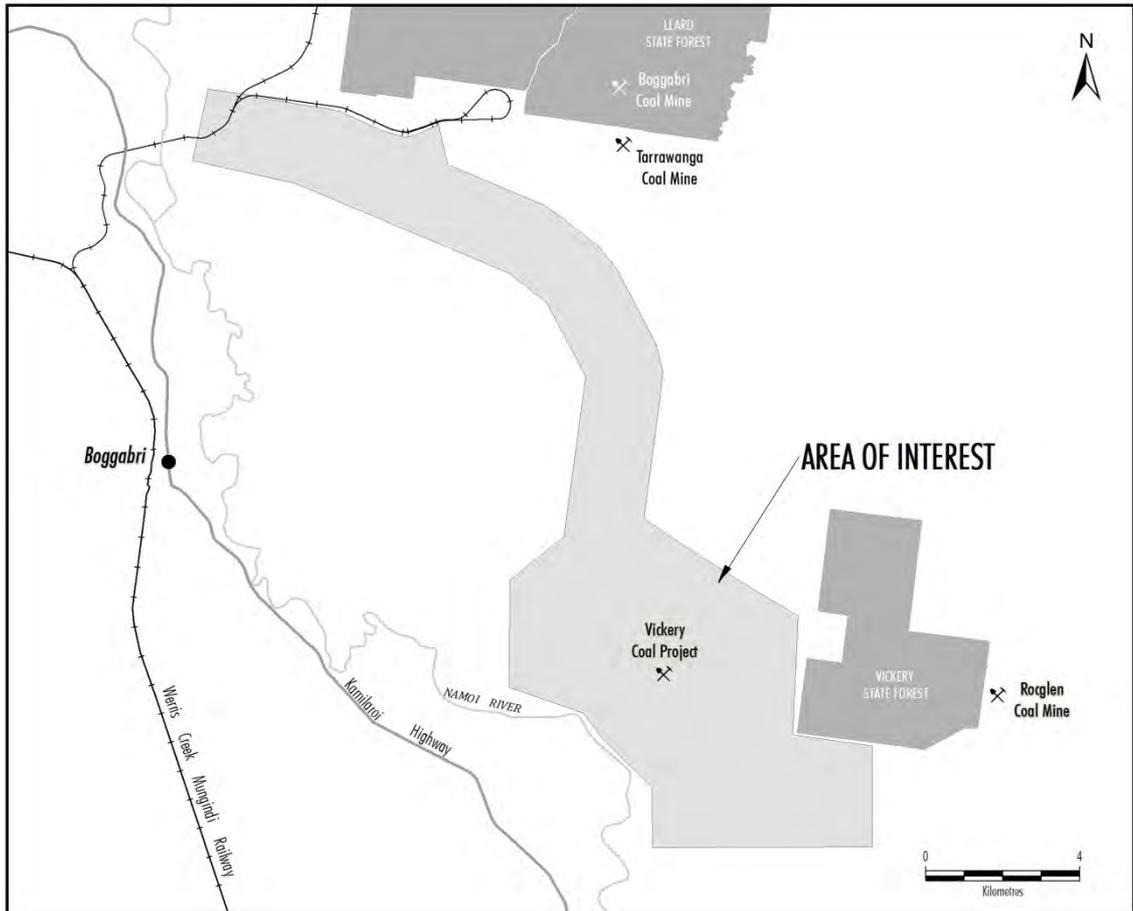
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WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
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6 October 2015

BJC Cultural Management
Ben Cameron
11 Stanley Street
GUNNEDAH NSW 2380

Dear Ben

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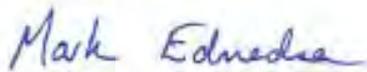
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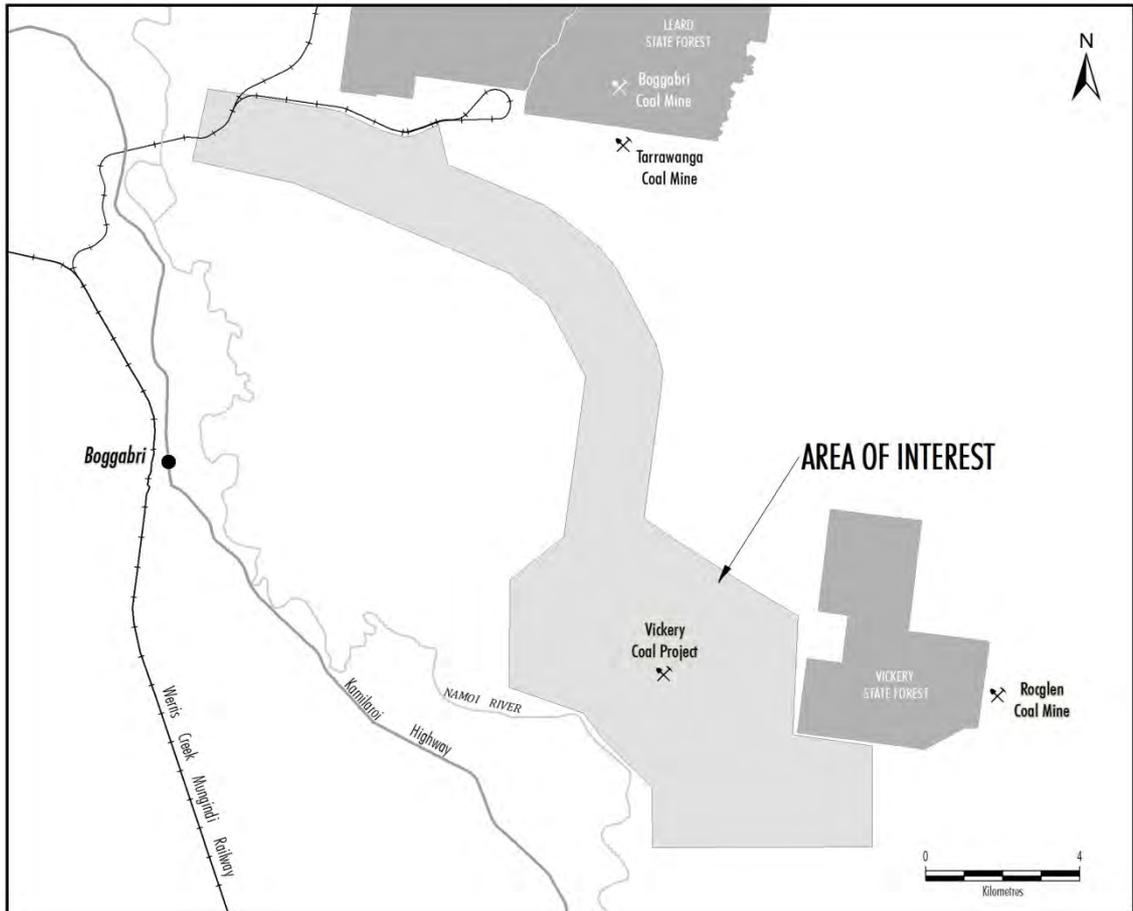
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Mark Edmondson
General Manager – Technical Services
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Plan Showing "Area of Interest"



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Signed: _____

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6 October 2015

Brent Matthews
21 Bando Street
GUNNEDAH NSW 2380

Dear Brent

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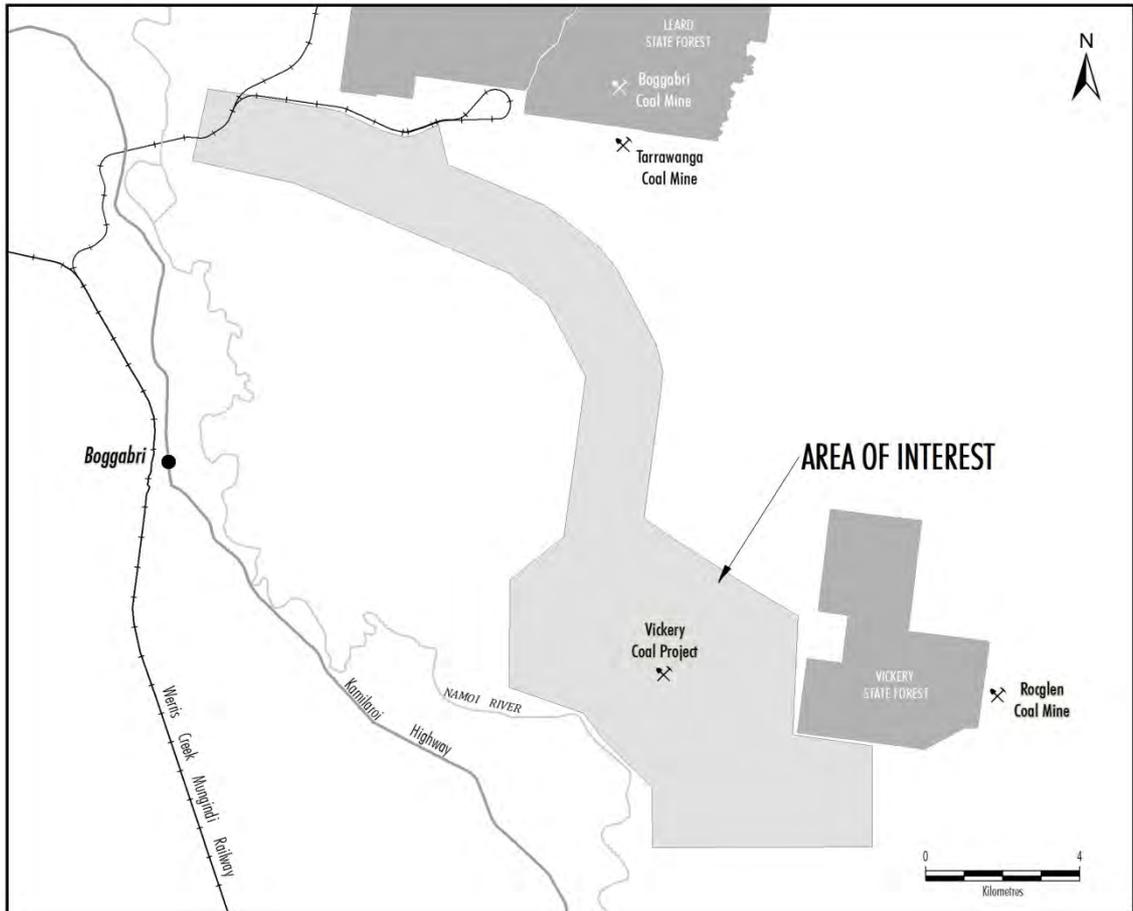
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General Manager – Technical Services
Whitehaven Coal

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6 October 2015

Bunda Consultants
Tammy Knox
23 Cunningham Street
TAMWORTH NSW 2380

Dear Tammy

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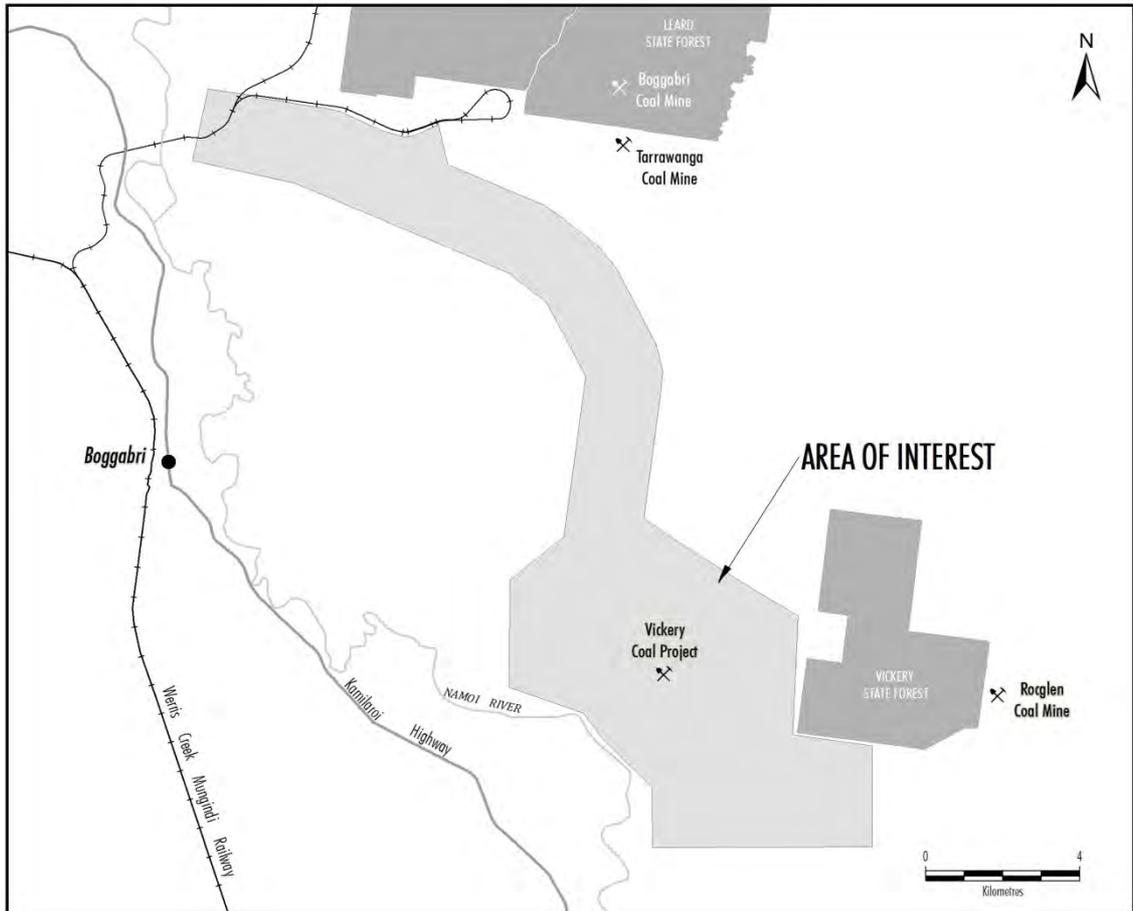
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Signed: _____

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6 October 2015

Donna Moodie
PO Box 356
DARLING HEIGHTS QLD 4350

Dear Donna

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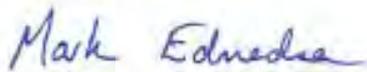
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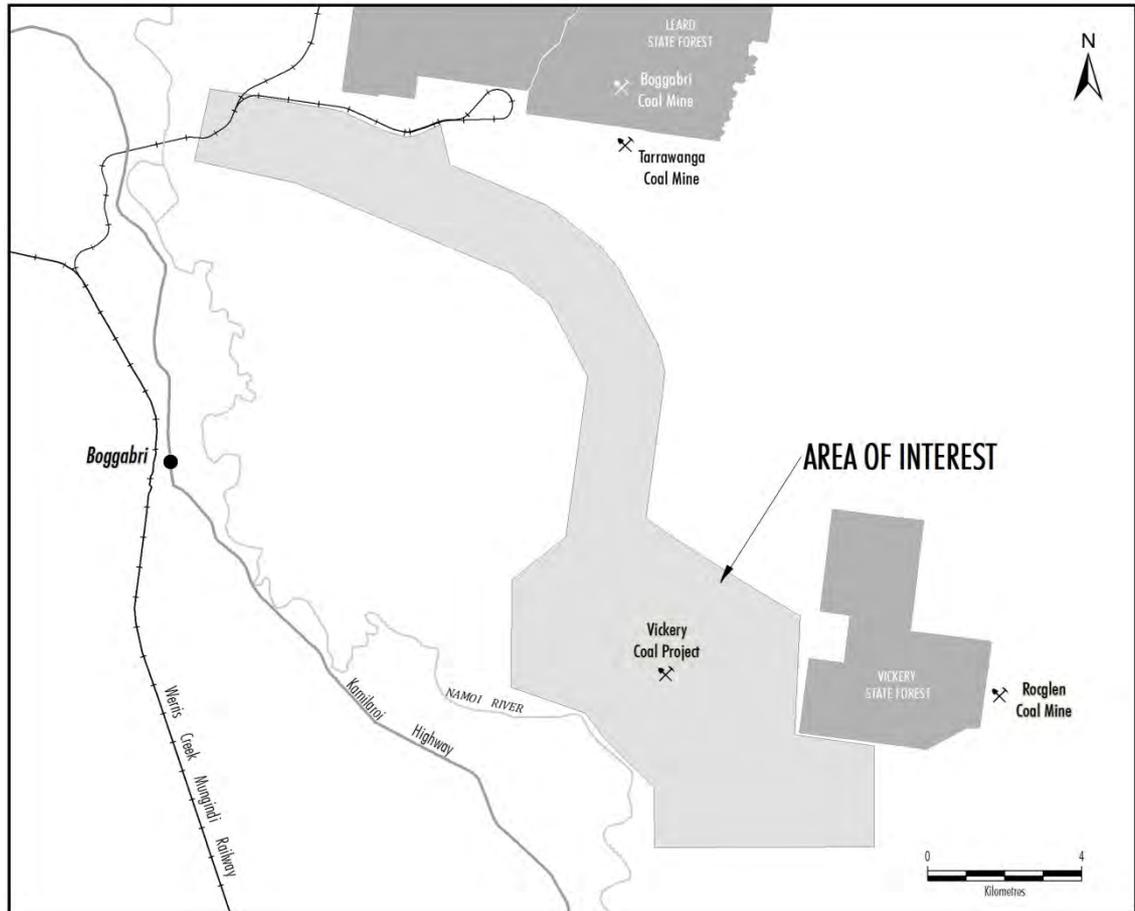
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6 October 2015

Elli Lewis & Patricia Jean Hands
20 Acacia Circuit
SINGLETON NSW 2330

Dear Elli and Patricia

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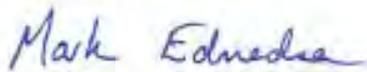
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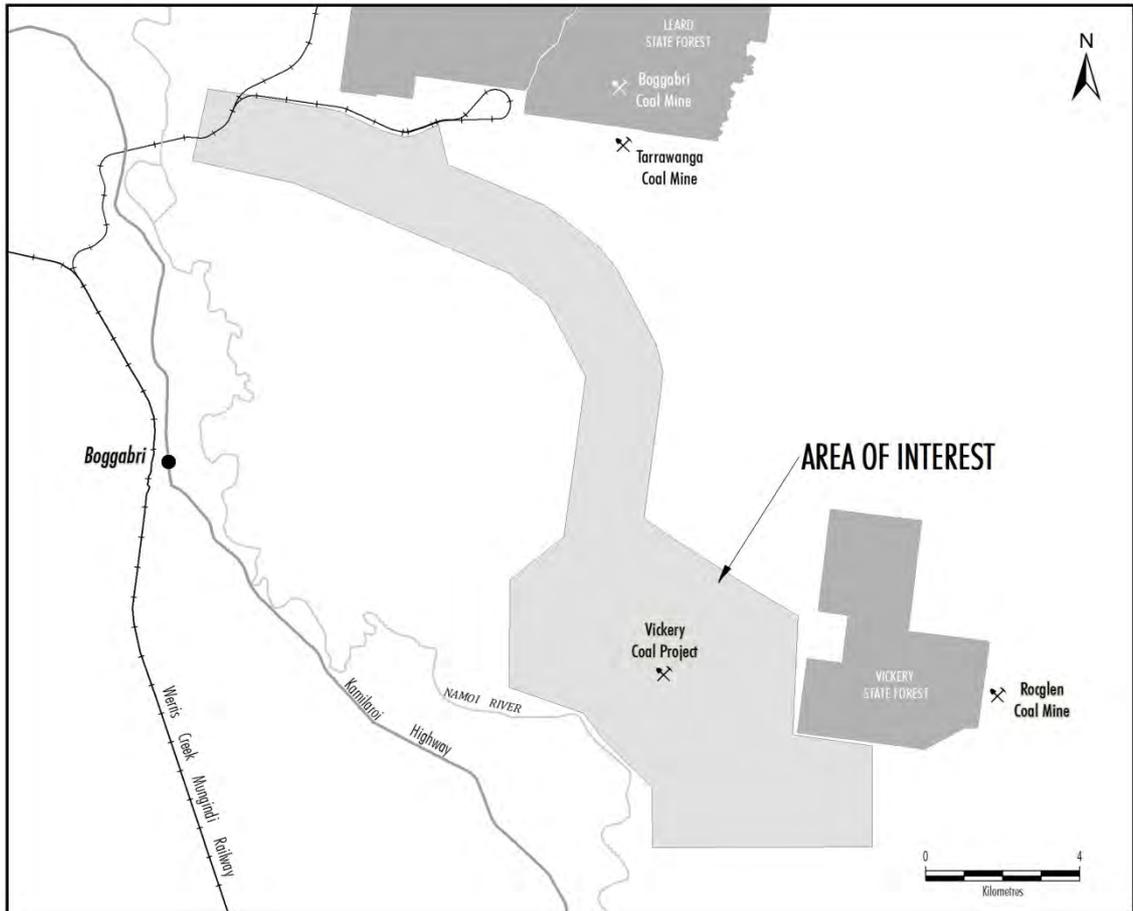
Yours sincerely,

WHITEHAVEN COAL LIMITED

A handwritten signature in black ink that reads "Mark Edmondson". The signature is written in a cursive style.

Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION
PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	
Registered Aboriginal Party (if different from above)	
Address	
Postal Address (if different from above)	
Telephone Number	
Email Address	

Signed: _____

Date: _____

6 October 2015

Esther Tighe
1/86 Edward Street
GUNNEDAH NSW 2380

Dear Esther

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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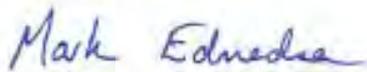
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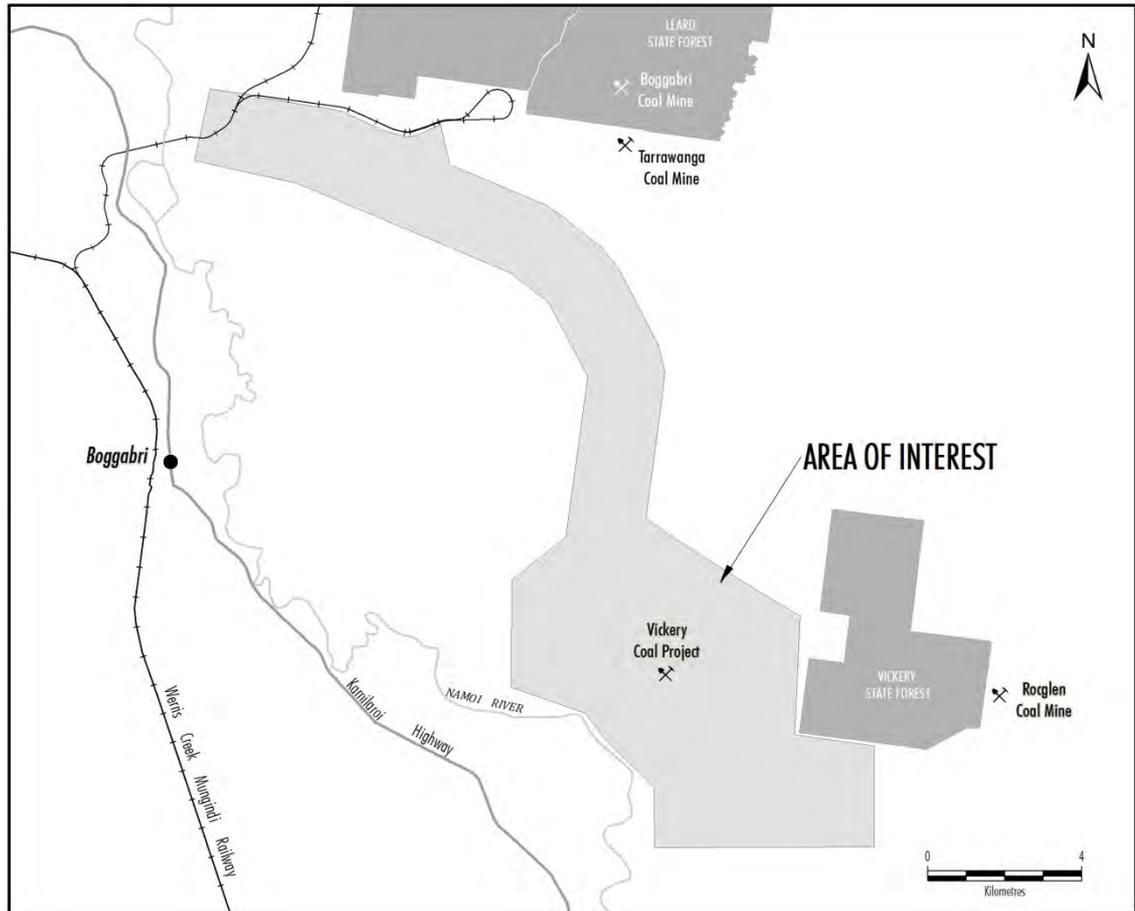
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Mark Edmondson
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Date: _____

6 October 2015

Gomeri Murri Ganuurr Yuuray Wadi Palinka
Greg Griffith
4 Wattle Street
GUNNEDAH NSW 2380

Dear Greg

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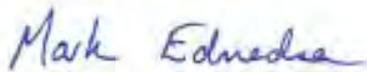
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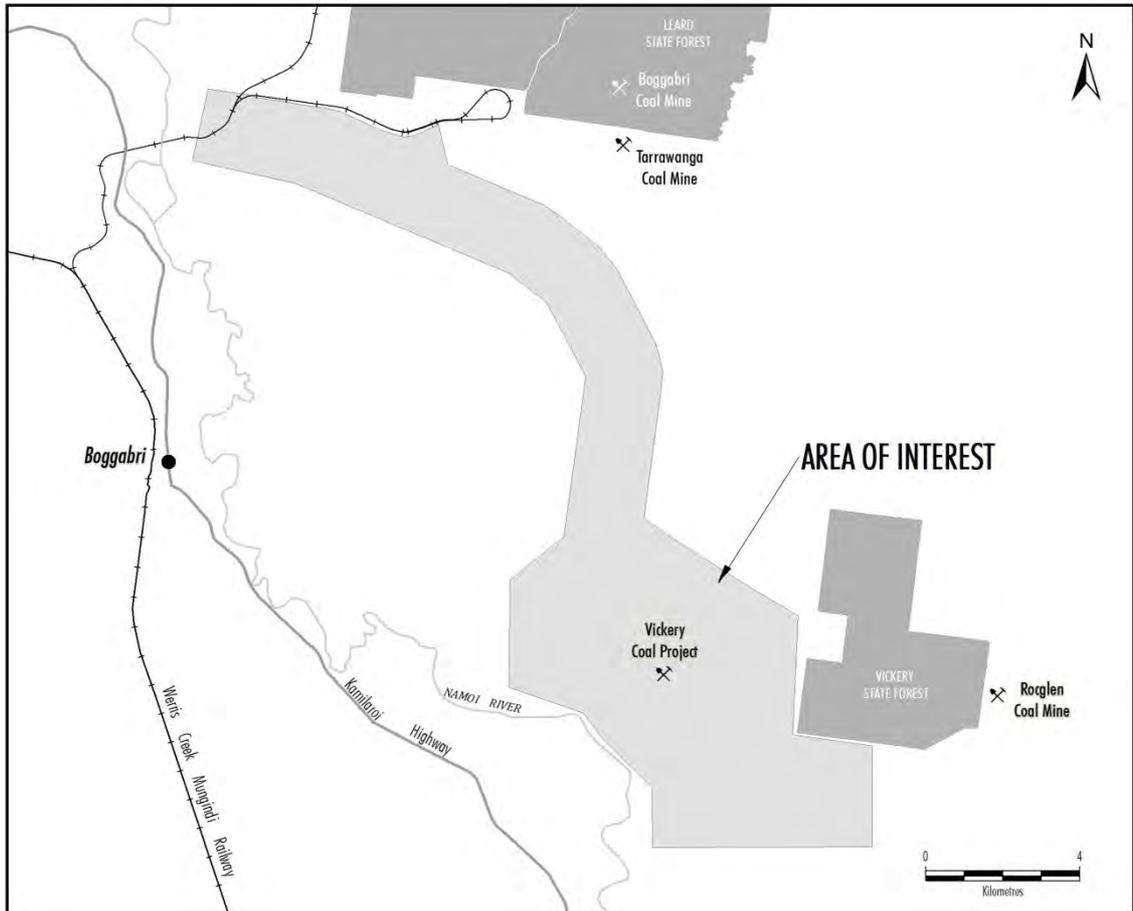
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Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

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6 October 2015

Gomeri Narrabri Aboriginal Corporation
Craig Trindall
29 Doyle Street
NARRABRI NSW 2390

Dear Craig

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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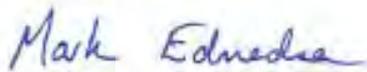
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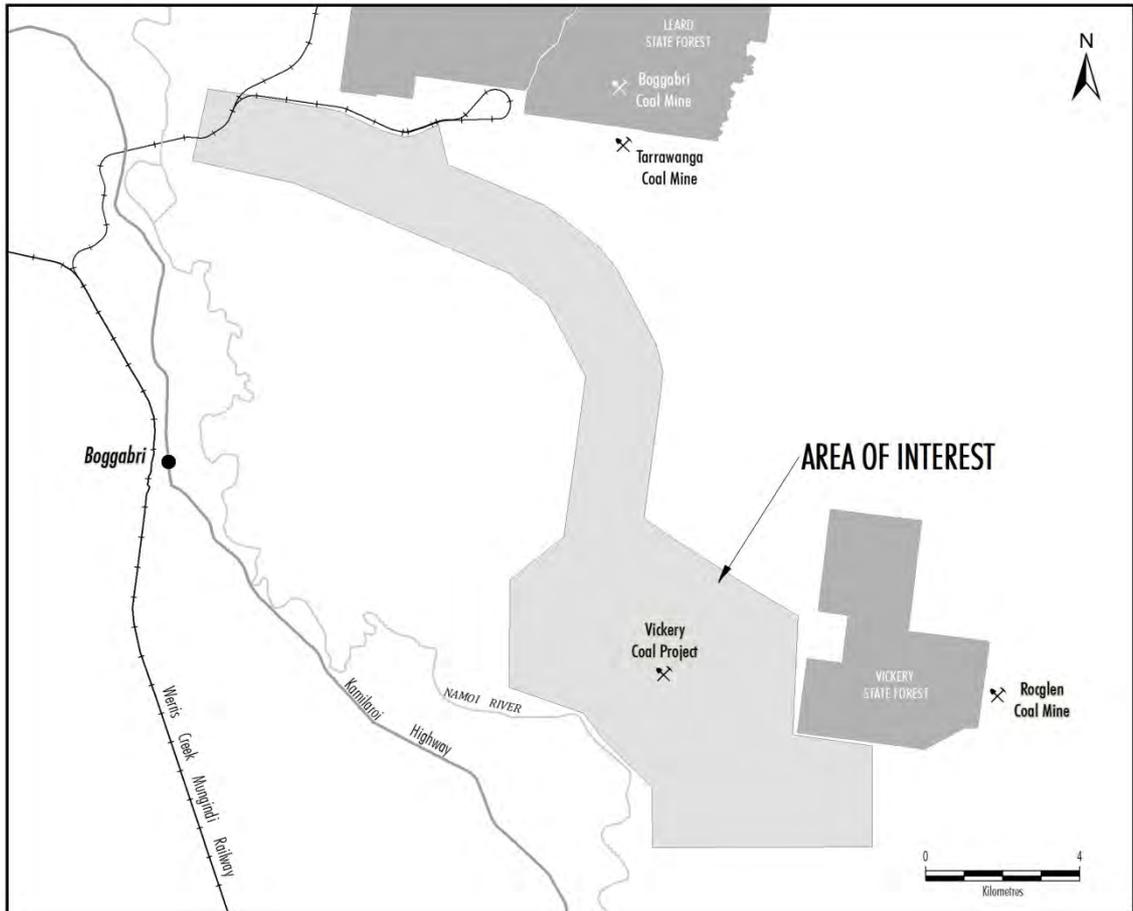
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Mark Edmondson
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Signed: _____

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6 October 2015

Natasha Rodgers
7 Toy Court
WODONGA VIC 3690

Dear Natasha

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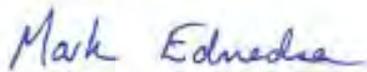
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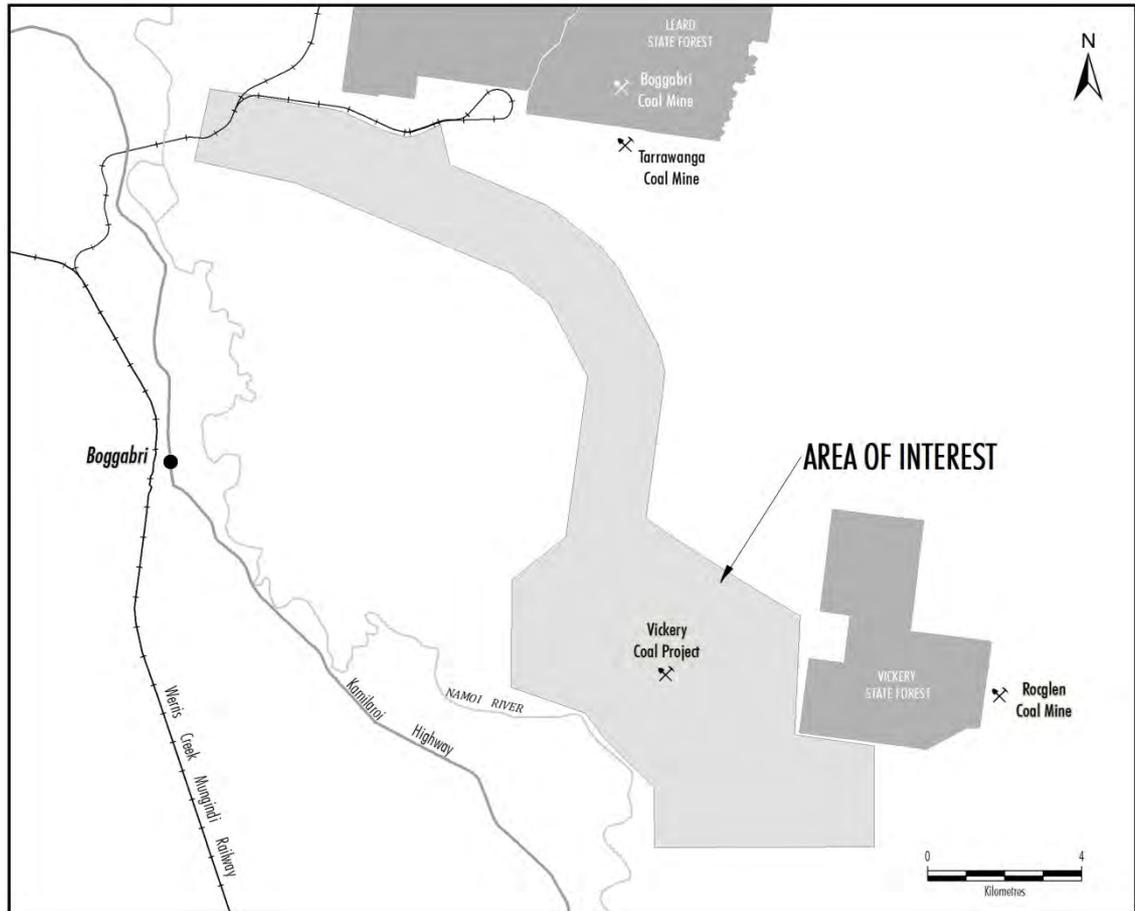
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Mark Edmondson
General Manager – Technical Services
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Plan Showing "Area of Interest"



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Signed: _____

Date: _____

6 October 2015

Paul Moodie
15 Schwager Street
GUNNEDAH NSW 2380

Dear Paul

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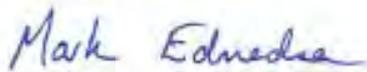
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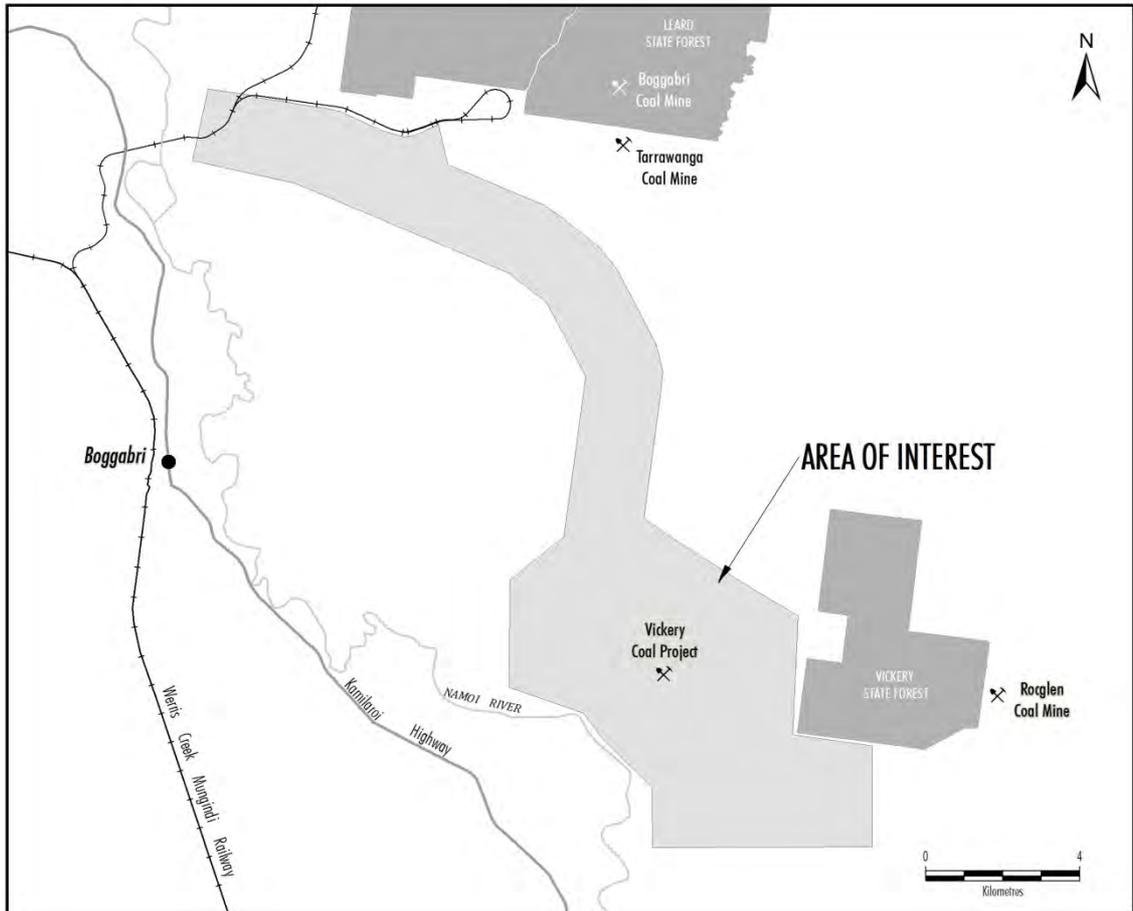
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Mark Edmondson
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Date: _____

6 October 2015

Ron Smith
Flat 8, 6 Hasting River Drive
PORT MACQUARIE NSW 2444

Dear Ron

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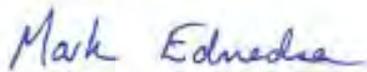
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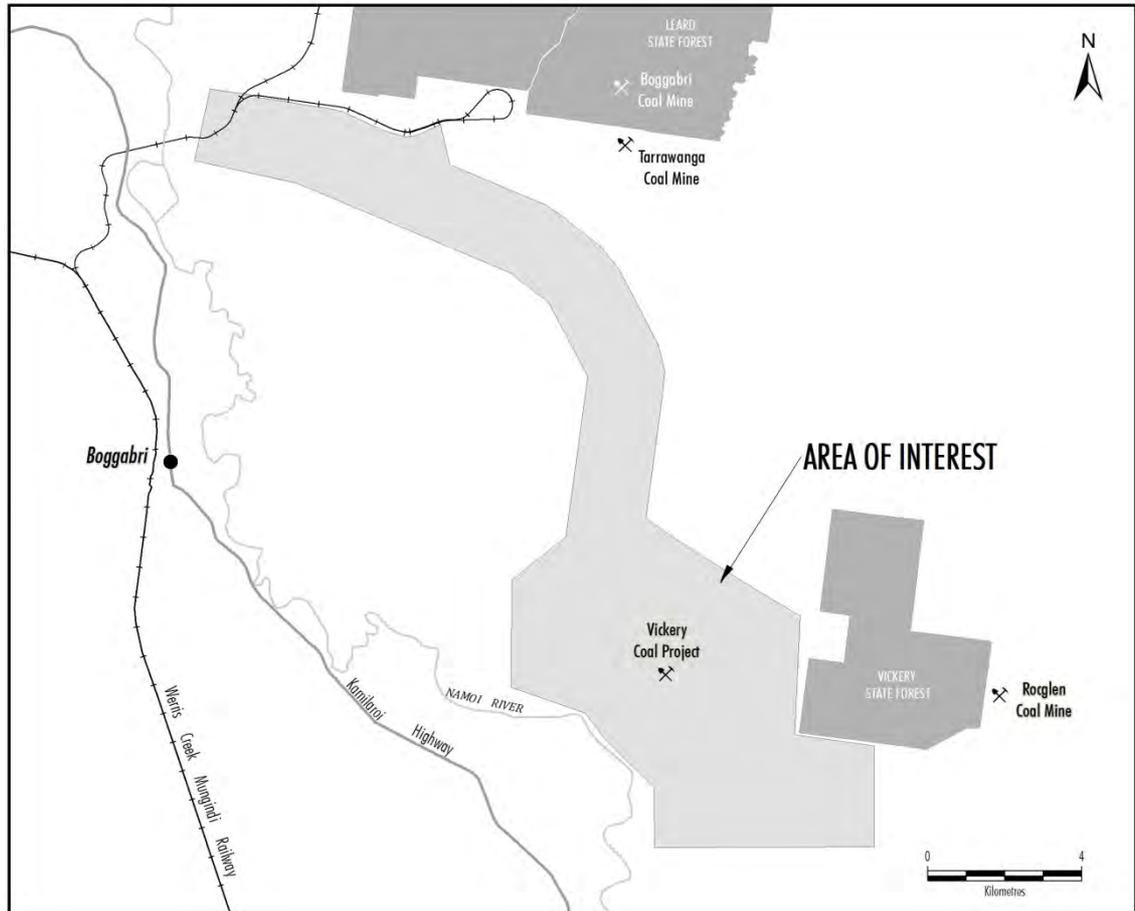
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6 October 2015

Roslyn Smith
Unit 4, 122 Upper Street
TAMWORTH NSW 2380

Dear Roslyn

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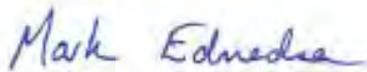
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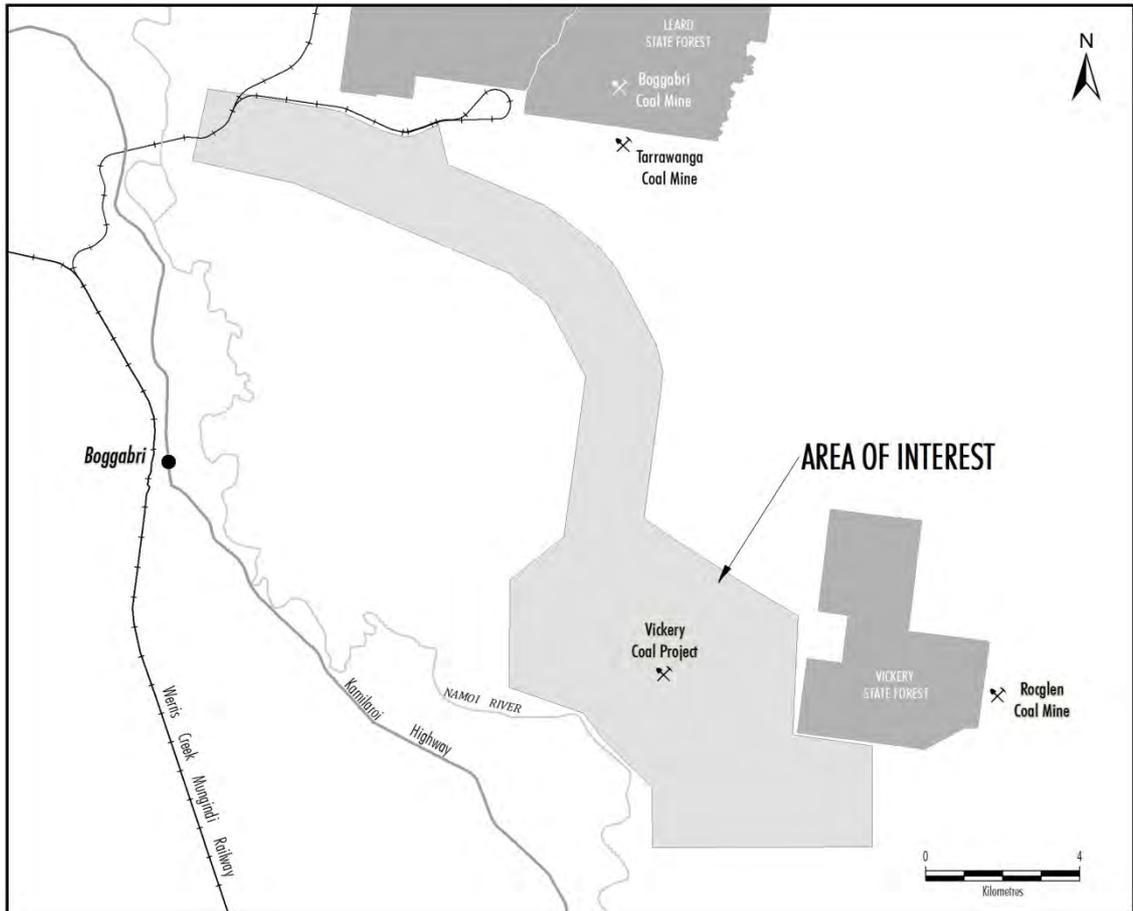
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Signed: _____

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6 October 2015

Scott Smith
Unit 4, 122 Upper Street
TAMWORTH NSW 2380

Dear Scott

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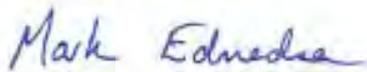
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C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

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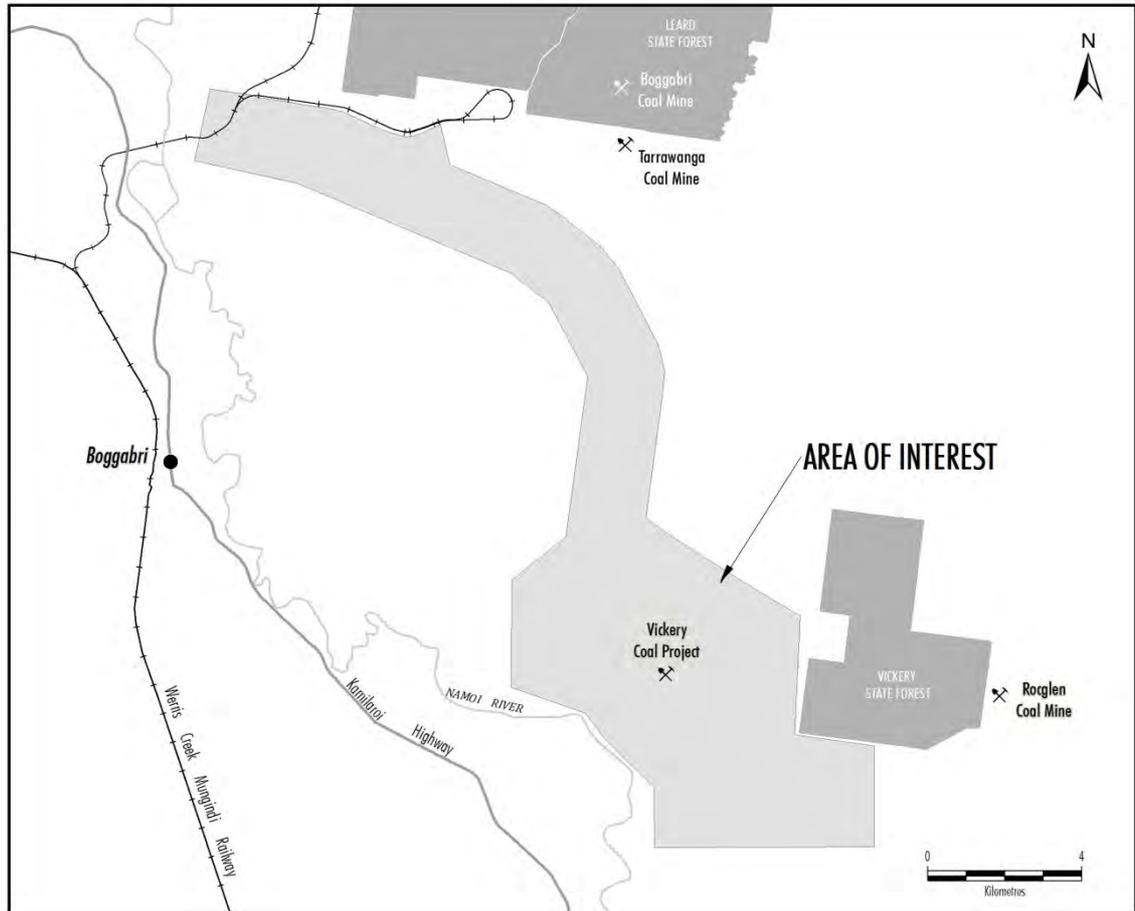
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WHITEHAVEN COAL LIMITED

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Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION
PROCESS**

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C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
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Email: vickeryacha@gmail.com

Name	
Registered Aboriginal Party (if different from above)	
Address	
Postal Address (if different from above)	
Telephone Number	
Email Address	

Signed: _____

Date: _____

6 October 2015

Steve Saunders
35 Walhallow Village
CAROONA NSW 2343

Dear Steve

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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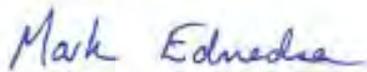
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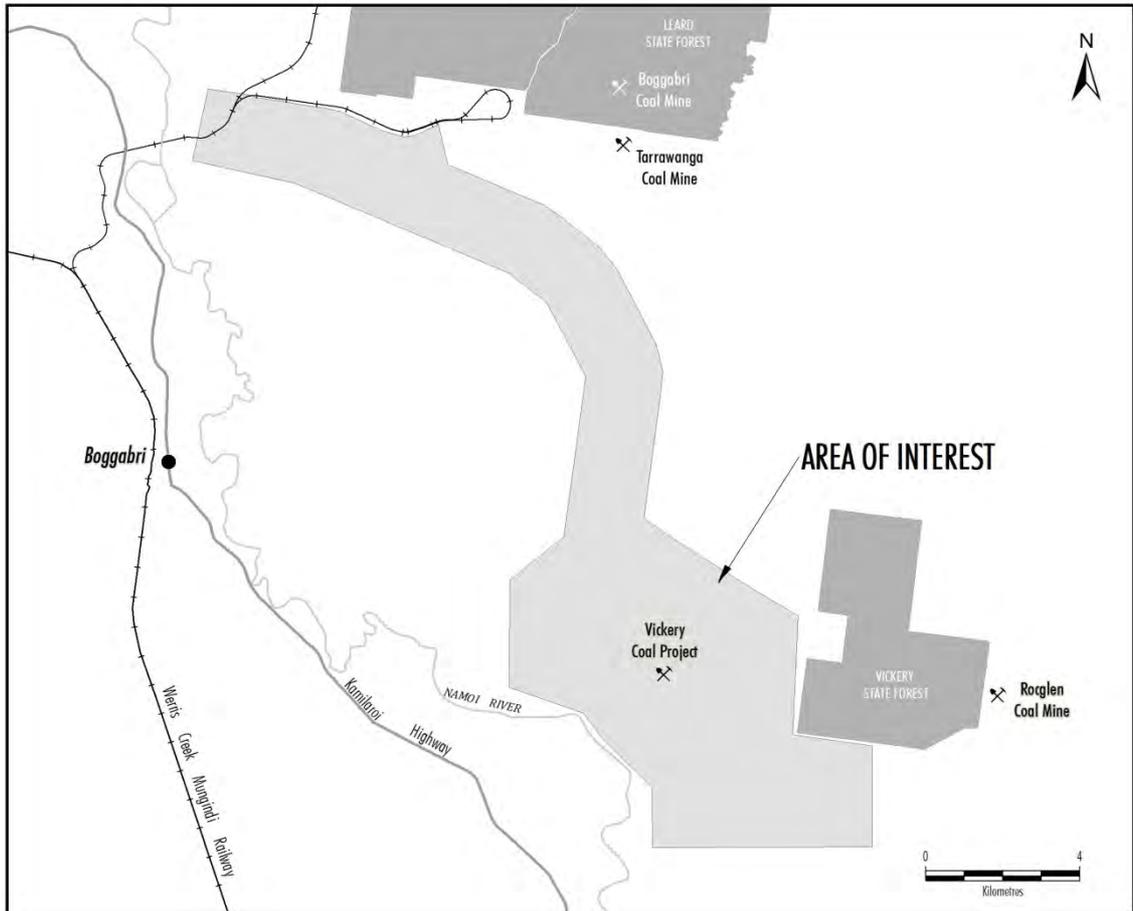
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WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



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Name	
Registered Aboriginal Party (if different from above)	
Address	
Postal Address (if different from above)	
Telephone Number	
Email Address	

Signed: _____

Date: _____

6 October 2015

Tania Matthews
23 Reid Street
NARRABRI NSW 2390

Dear Tania

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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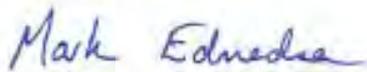
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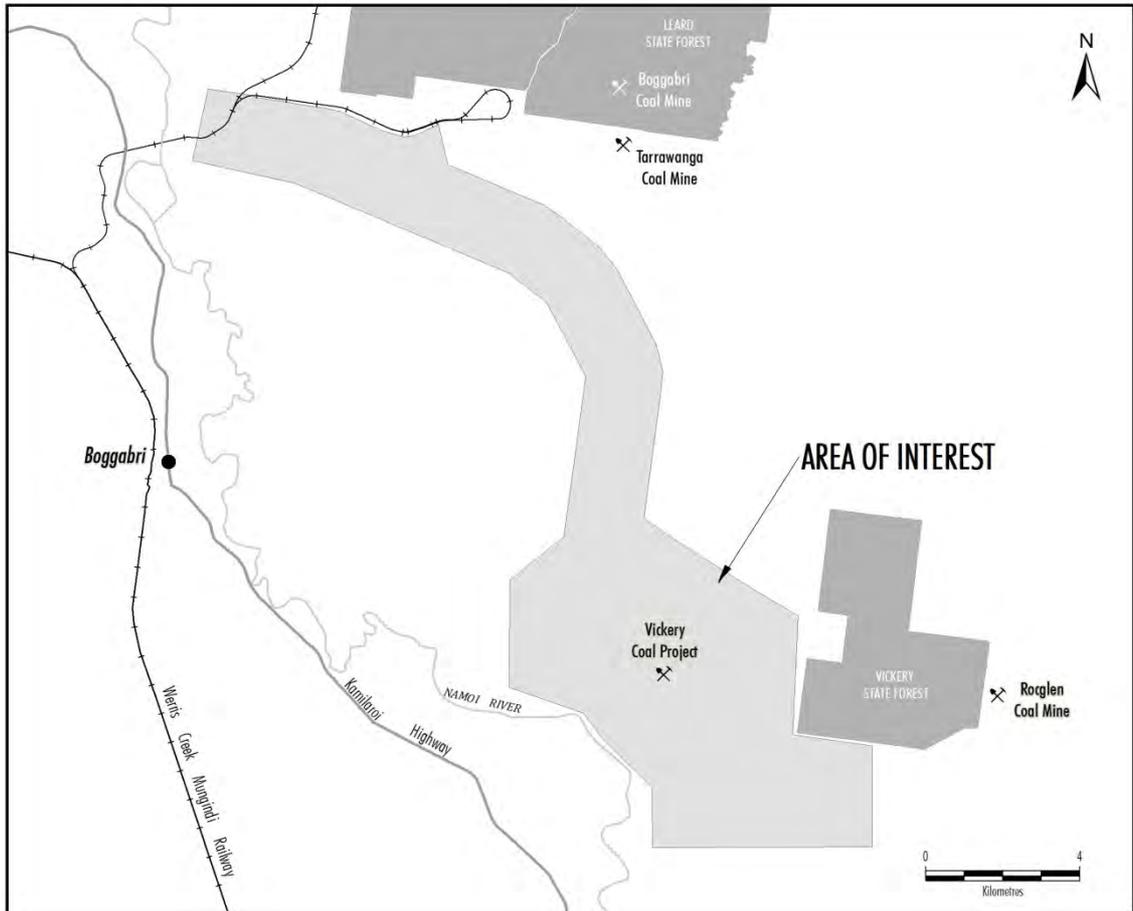
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WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



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Signed: _____

Date: _____

6 October 2015

Toomelah Local Aboriginal Land Council
PO Box 261
BOGABILLA NSW 2409

Dear Sir/Madam

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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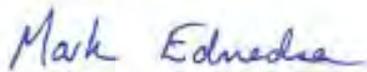
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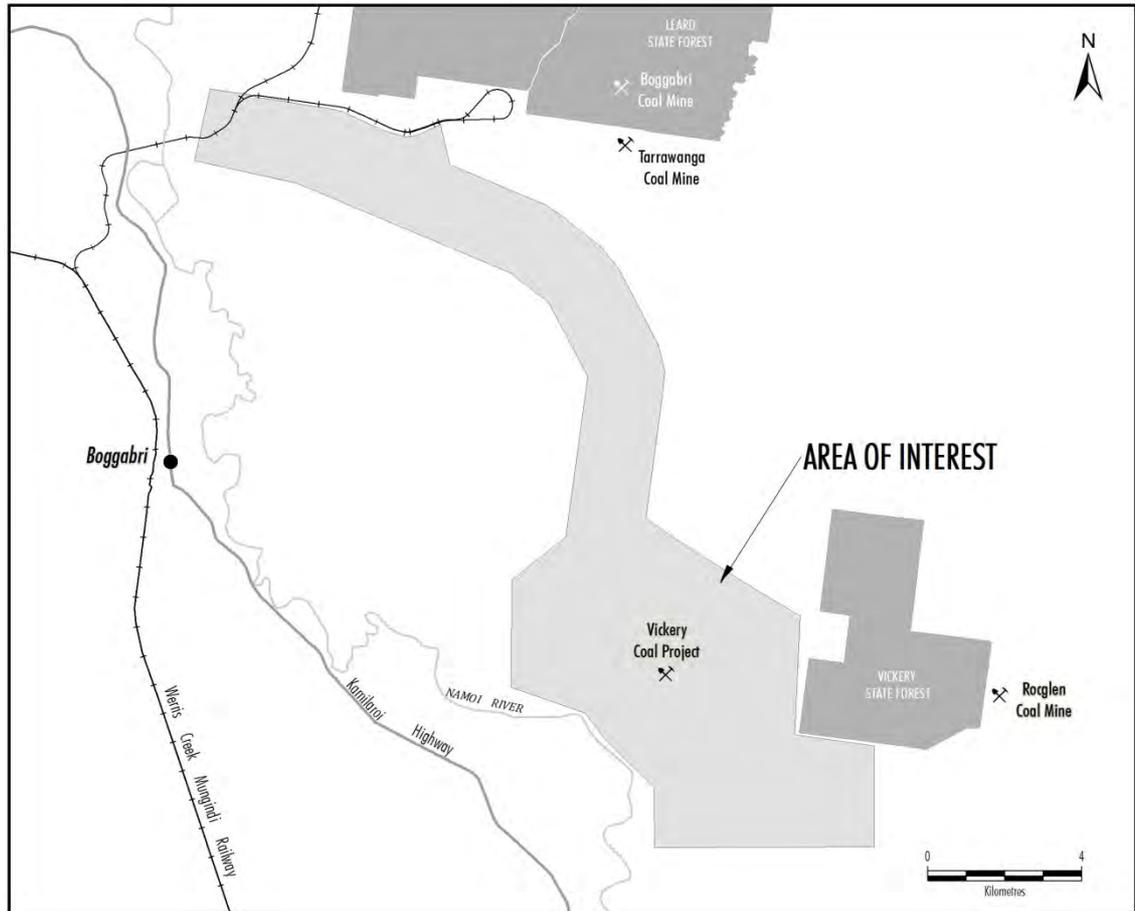
Yours sincerely,

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Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



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Signed: _____

Date: _____

6 October 2015

Tracey Woltley
75 High Street
GUNNEDAH NSW 2380

Dear Tracey

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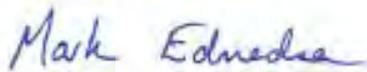
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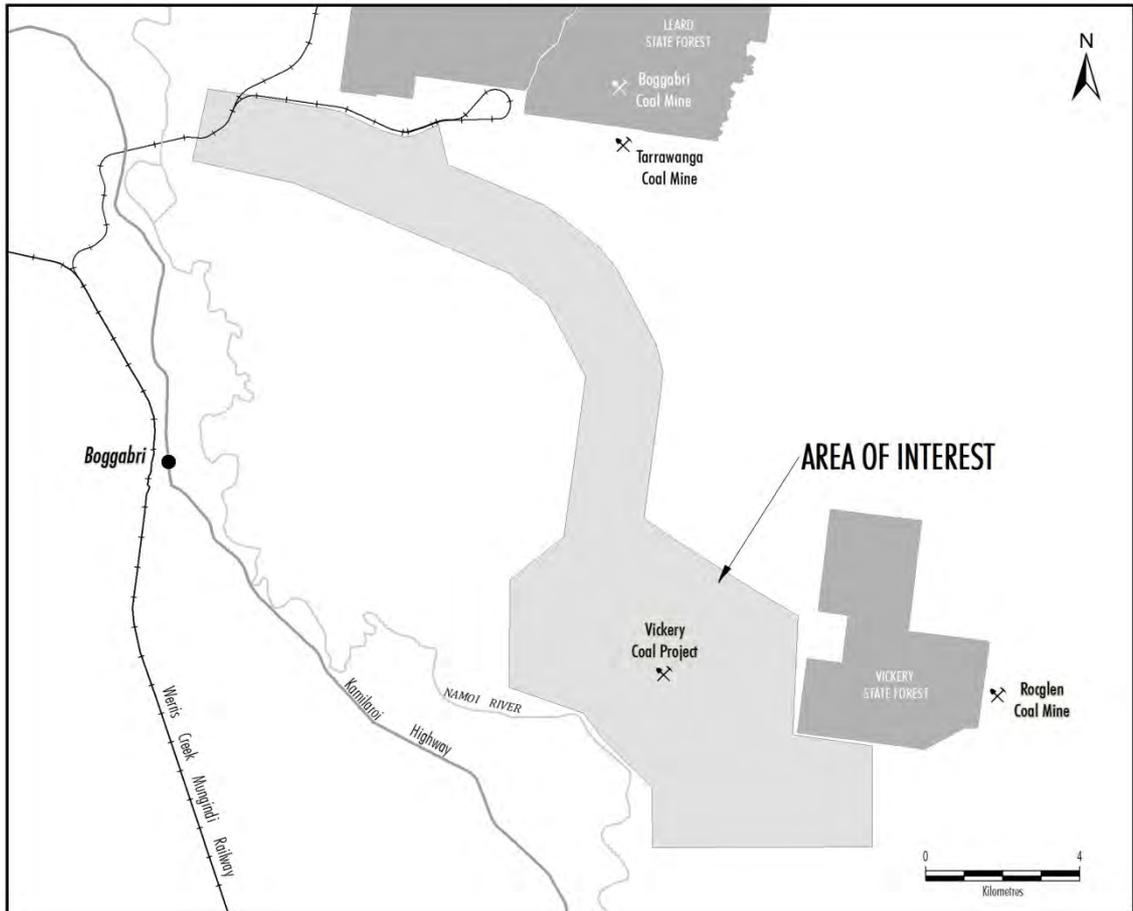
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Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



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Name	
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Address	
Postal Address (if different from above)	
Telephone Number	
Email Address	

Signed: _____

Date: _____

6 October 2015

Hazel Collins
3 Carroll Street
GUNNEDAH NSW 2380

Dear Hazel

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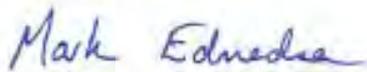
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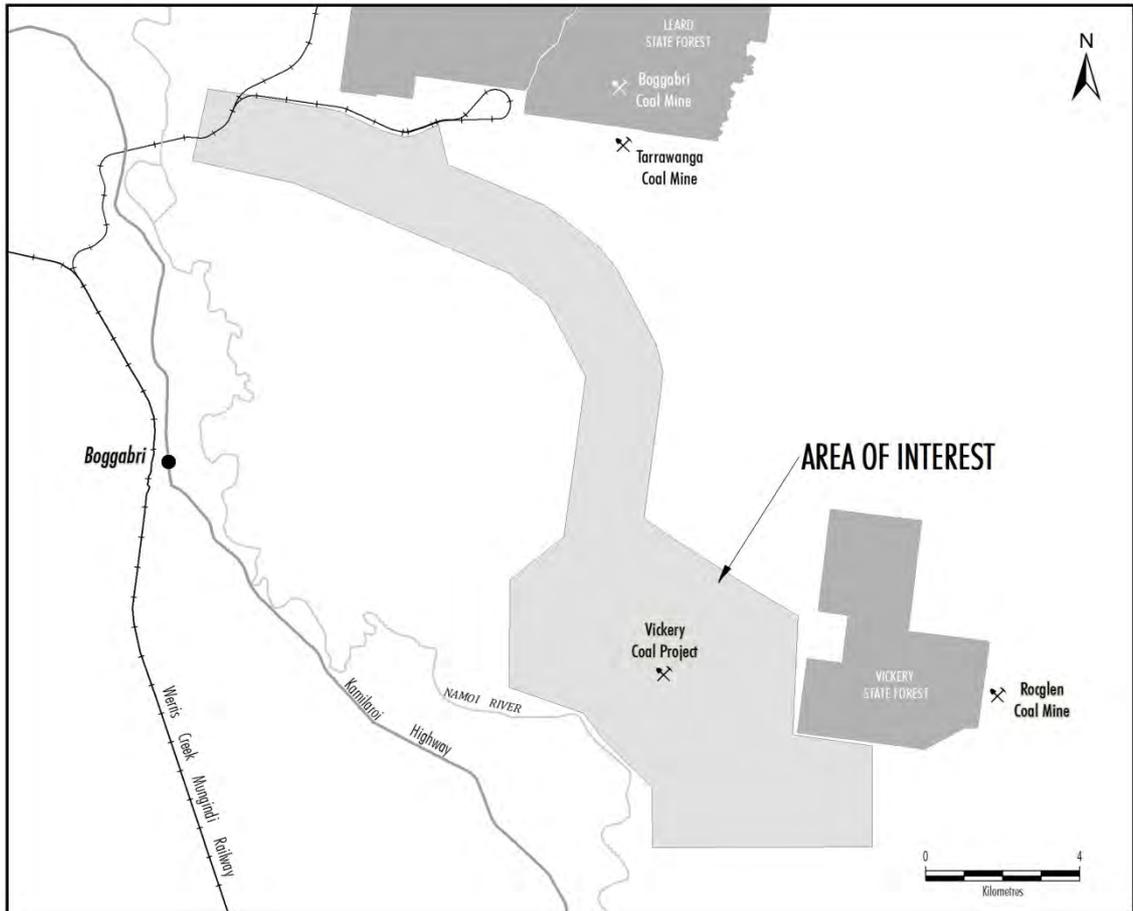
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Mark Edmondson
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Telephone Number	
Email Address	

Signed: _____

Date: _____



6 October 2015

Heilamon Cultural Consultants
Clifford Johnson
77 Tobruk Avenue
MUSWELLBROOK NSW 2333

Dear Clifford

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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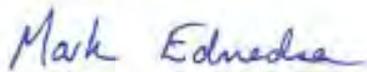
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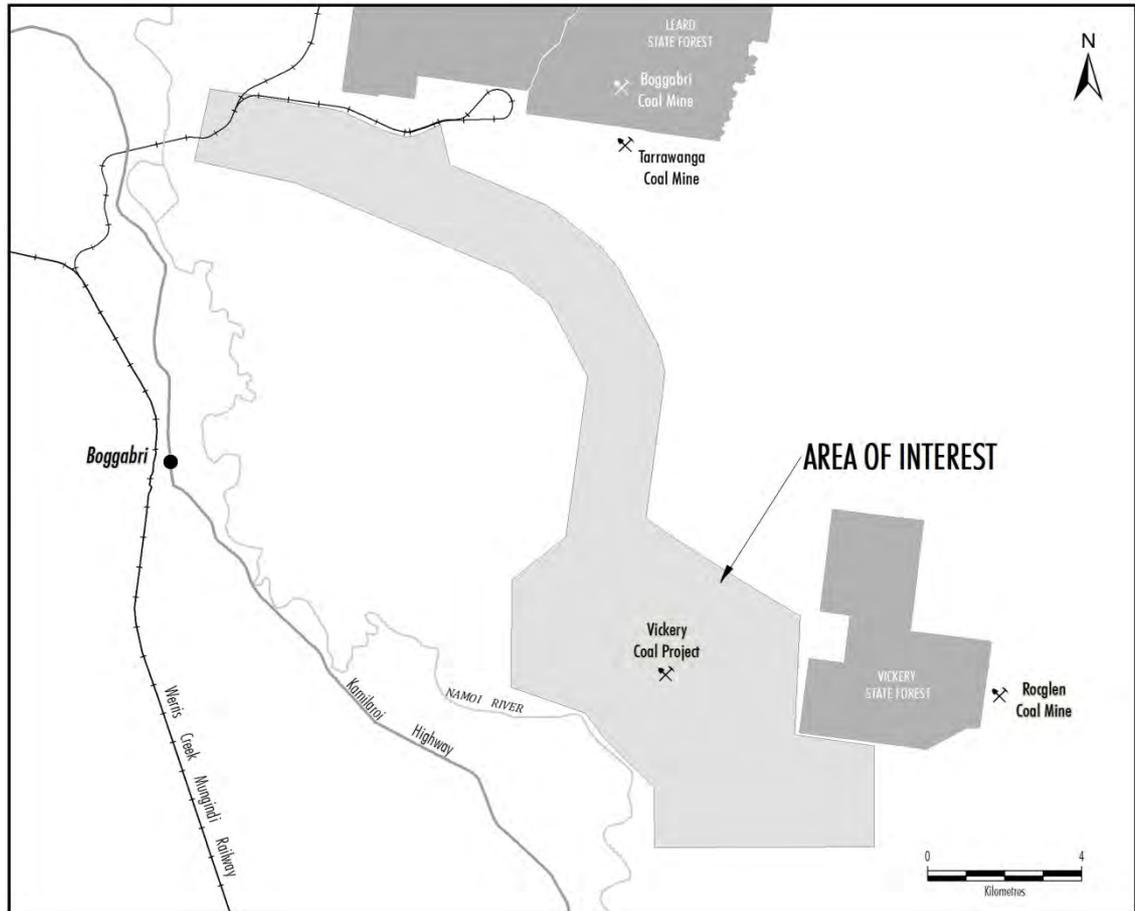
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Mark Edmondson
General Manager – Technical Services
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Plan Showing "Area of Interest"



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Name	
Registered Aboriginal Party (if different from above)	
Address	
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Signed: _____

Date: _____

6 October 2015

Jason Wilson
23 Clews Street
DUBBO NSW 2830

Dear Jason

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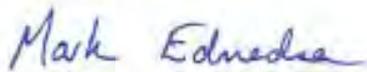
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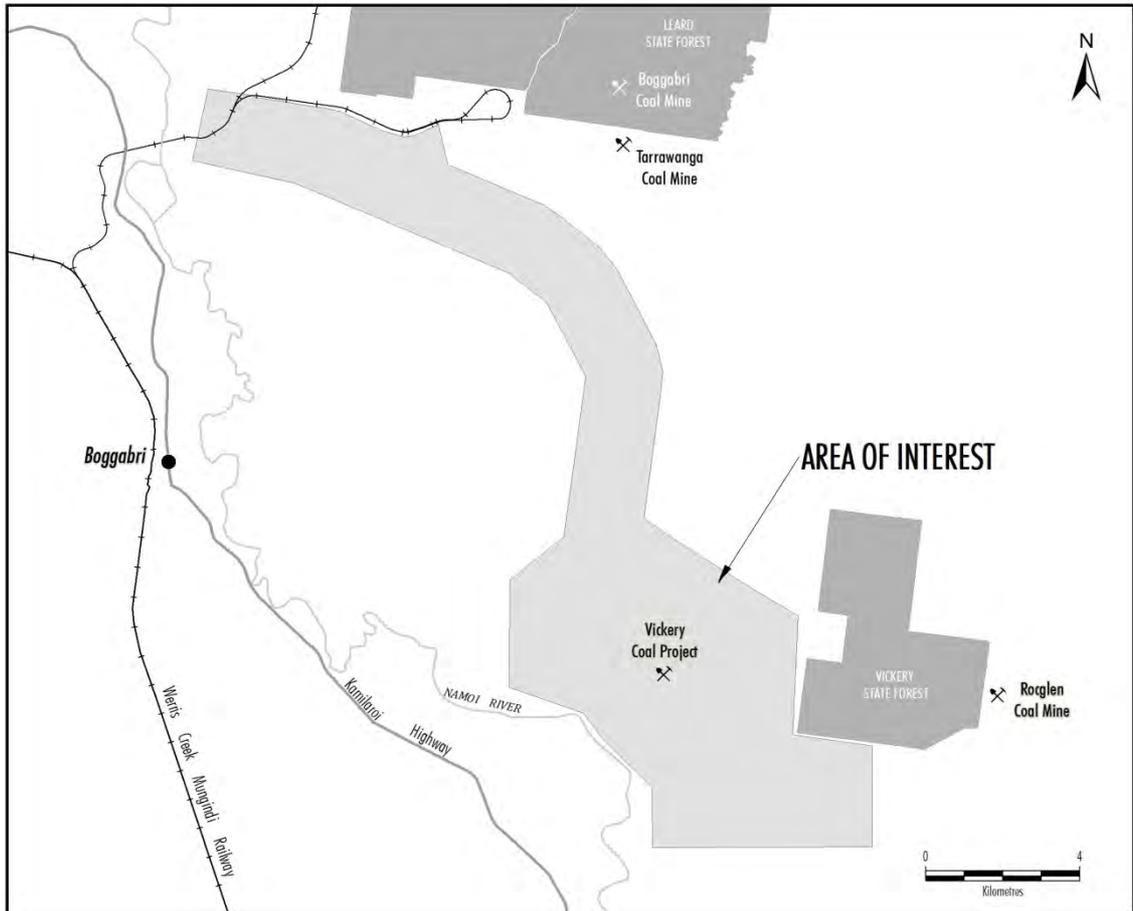
Yours sincerely,

WHITEHAVEN COAL LIMITED

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Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION
PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	
Registered Aboriginal Party (if different from above)	
Address	
Postal Address (if different from above)	
Telephone Number	
Email Address	

Signed: _____

Date: _____

6 October 2015

Jodie Mckinnon
100 Stock Road
GUNNEDAH NSW 2380

Dear Jodie

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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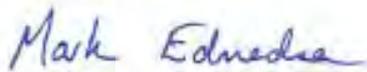
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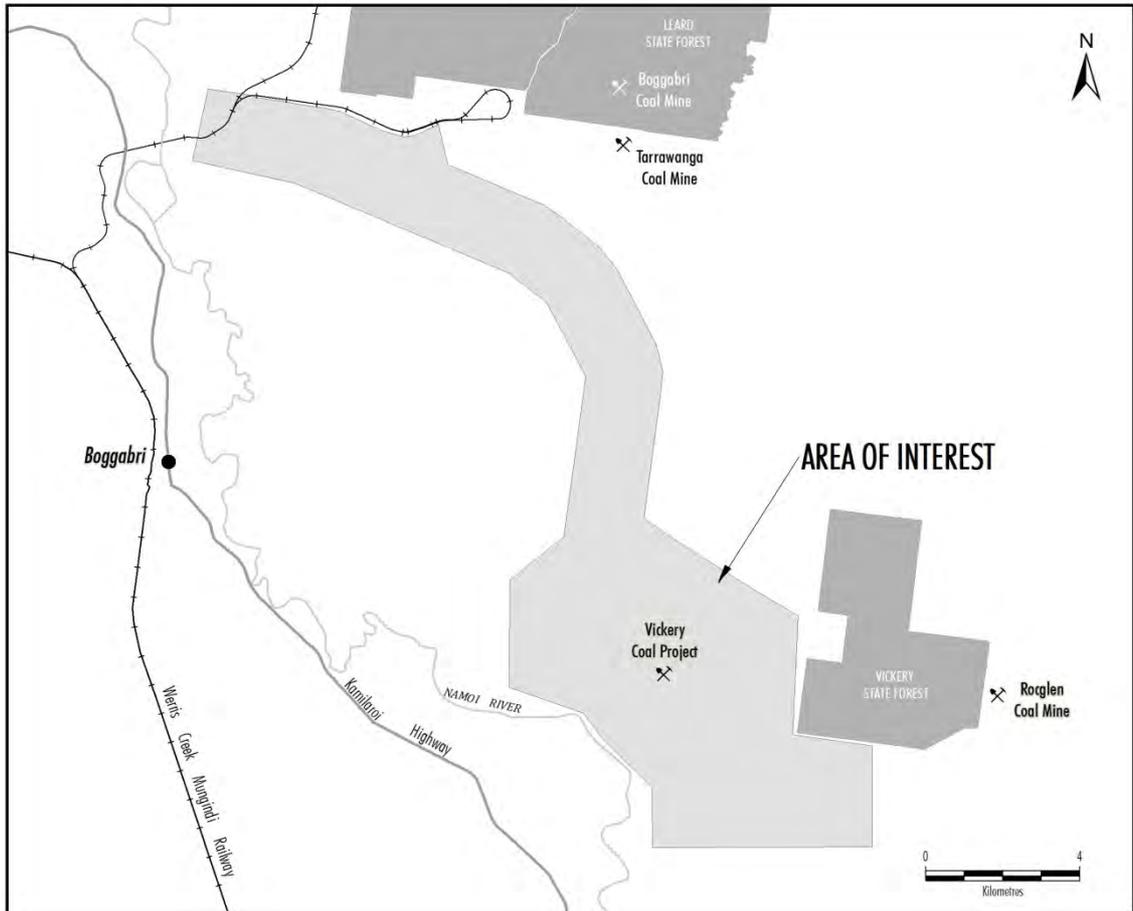
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Mark Edmondson
General Manager – Technical Services
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Date: _____

6 October 2015

Joshua Matthews
21 Bando Street
GUNNEDAH NSW 2380

Dear Joshua

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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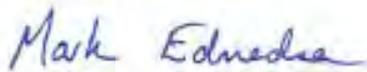
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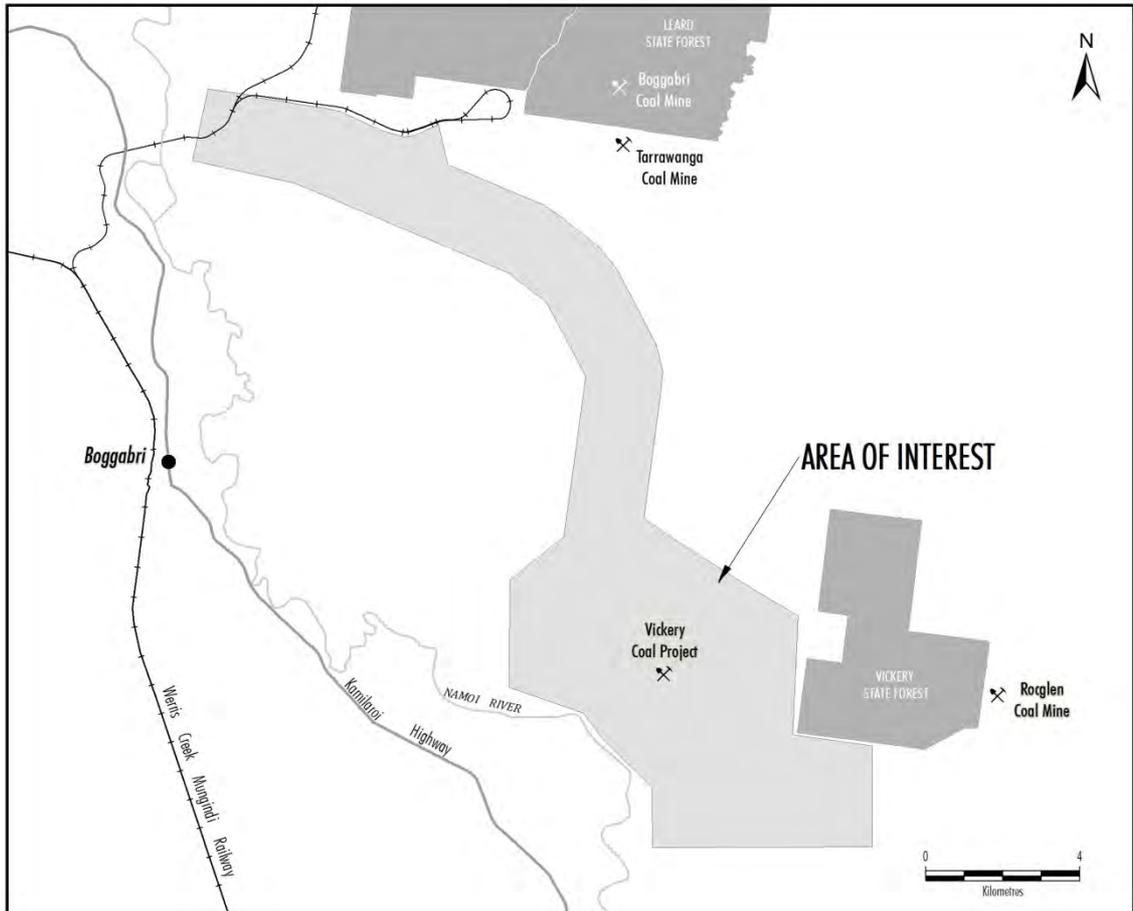
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WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
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Signed: _____

Date: _____

6 October 2015

Justin Matthews
Unit 3/39 Woollybutt Way
MUSWELLBROOK NSW 2333

Dear Justin

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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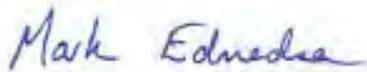
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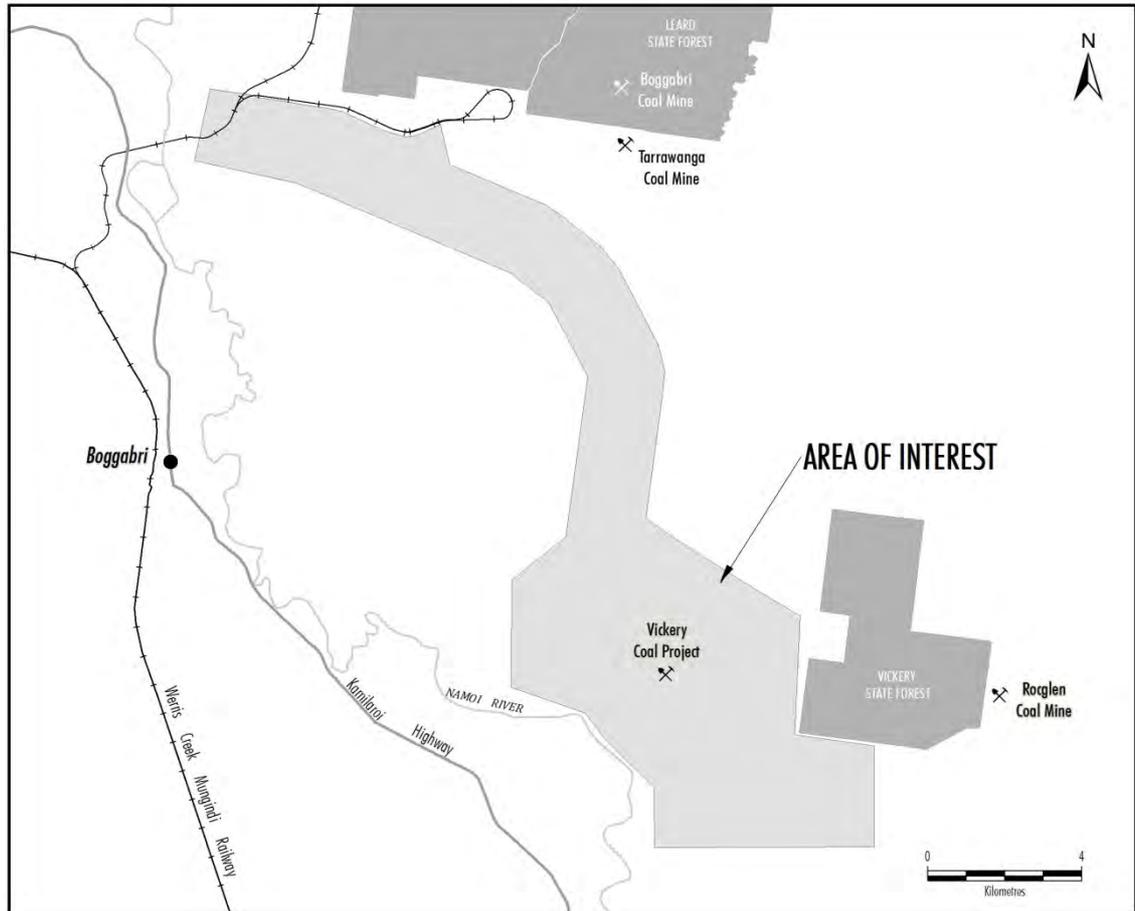
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WHITEHAVEN COAL LIMITED

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Mark Edmondson
General Manager – Technical Services
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Signed: _____

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6 October 2015

KL.KG Saunders Trading
Krystal Saunders
7 Boronia Drive
MUSWELLBROOK NSW 2333

Dear Krystal

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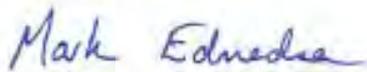
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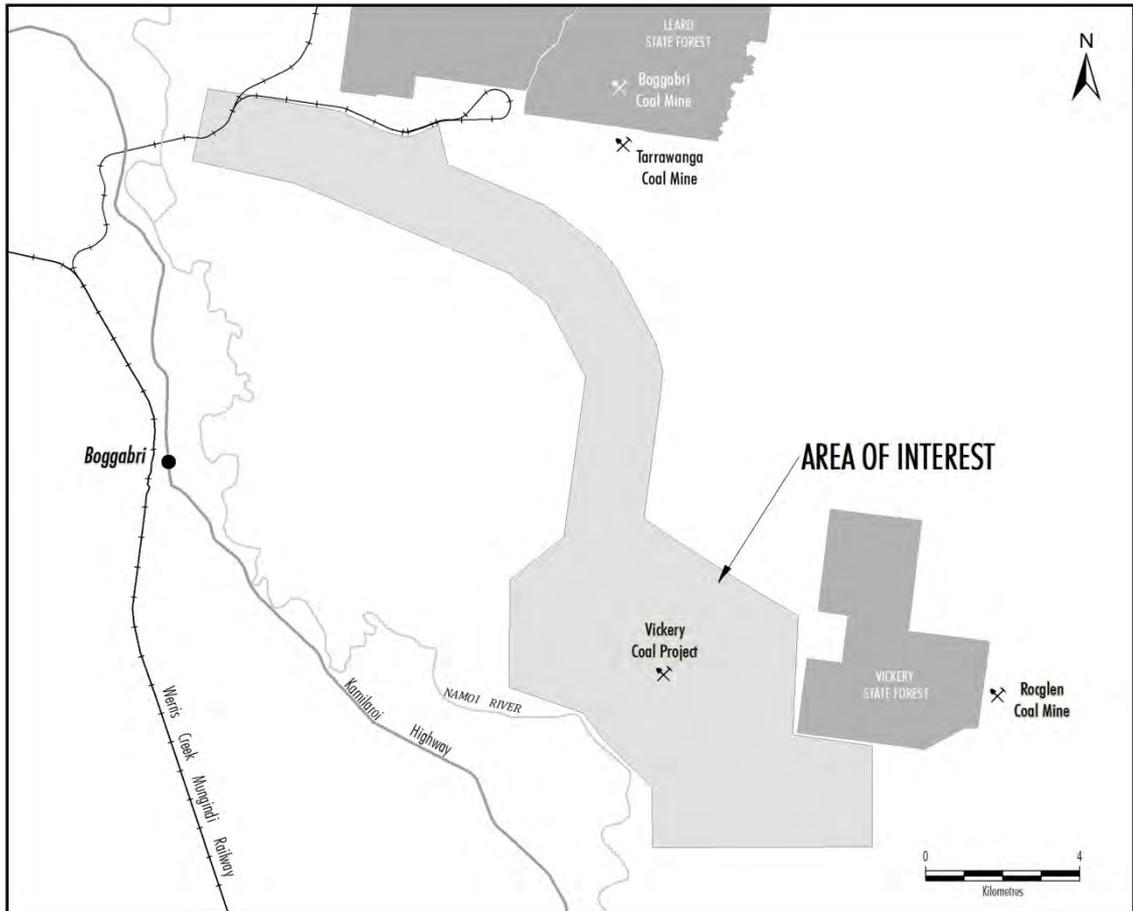
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General Manager – Technical Services
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Signed: _____

Date: _____

6 October 2015

Lorraine Towney
32 Dewhurst Street
QUIRINDI NSW 2343

Dear Lorraine

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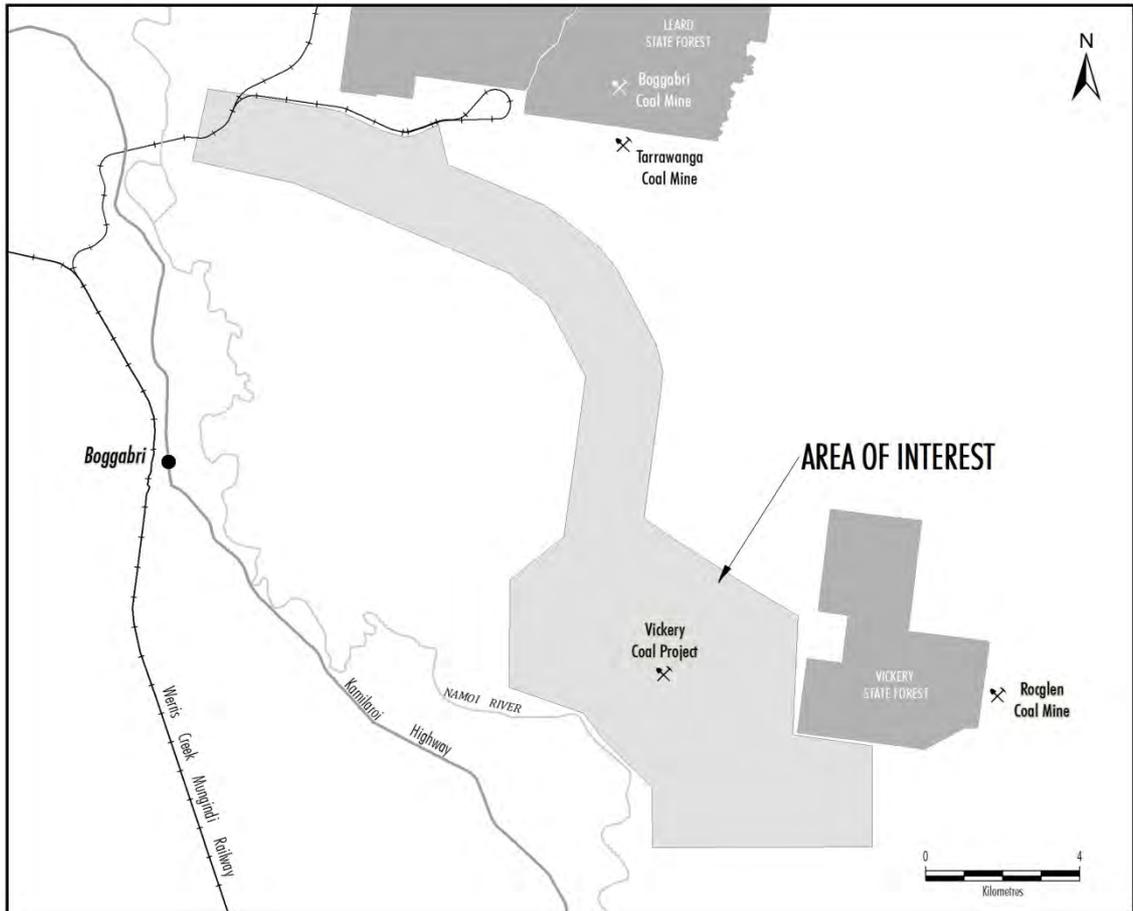
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Signed: _____

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6 October 2015

Luke Cameron Cultural Management
Luke Cameron
28 Herbert Street
GUNNEDAH NSW 2380

Dear Luke

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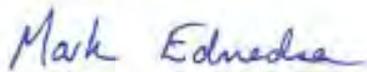
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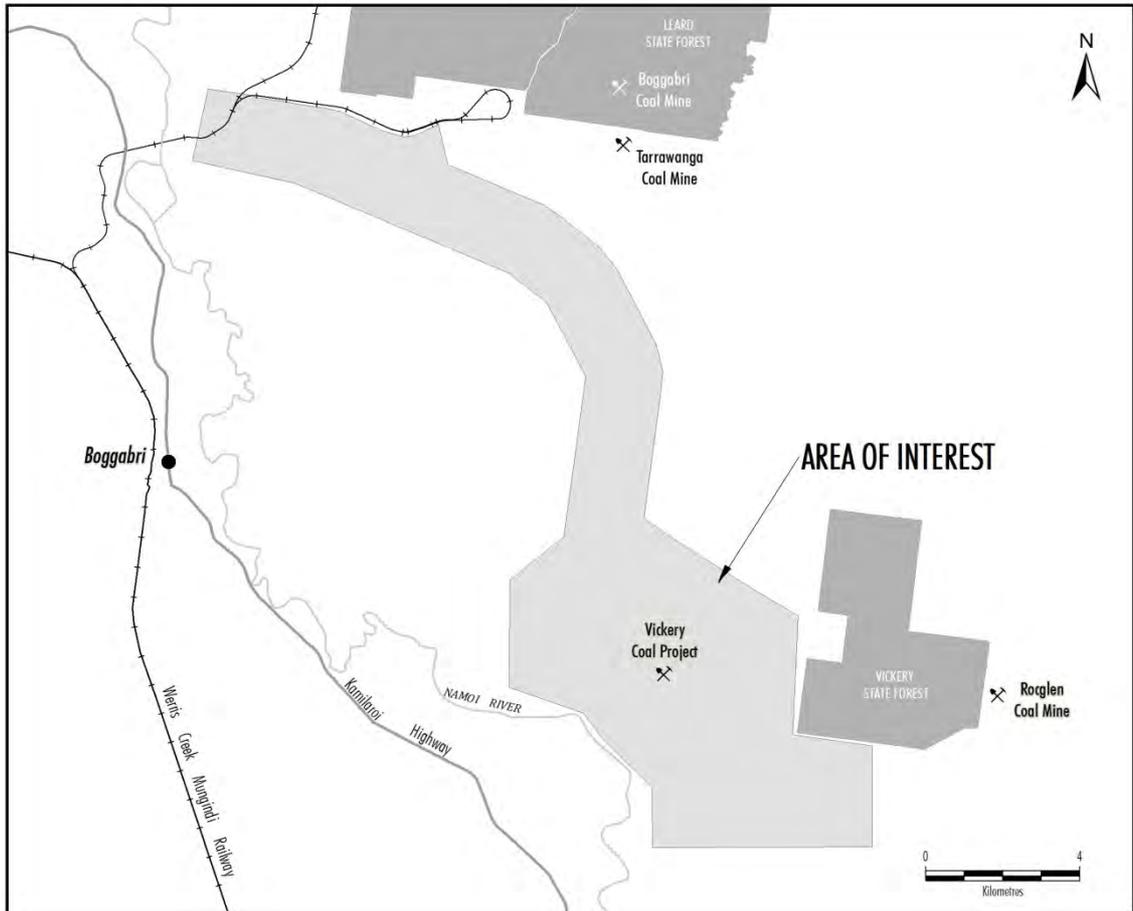
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6 October 2015

ME Griffiths Cultural Management
Marie-Ellen Griffiths
10 Herbert Street
GUNNEDAH NSW 2380

Dear Marie-Ellen

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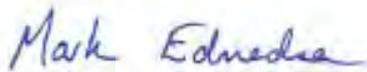
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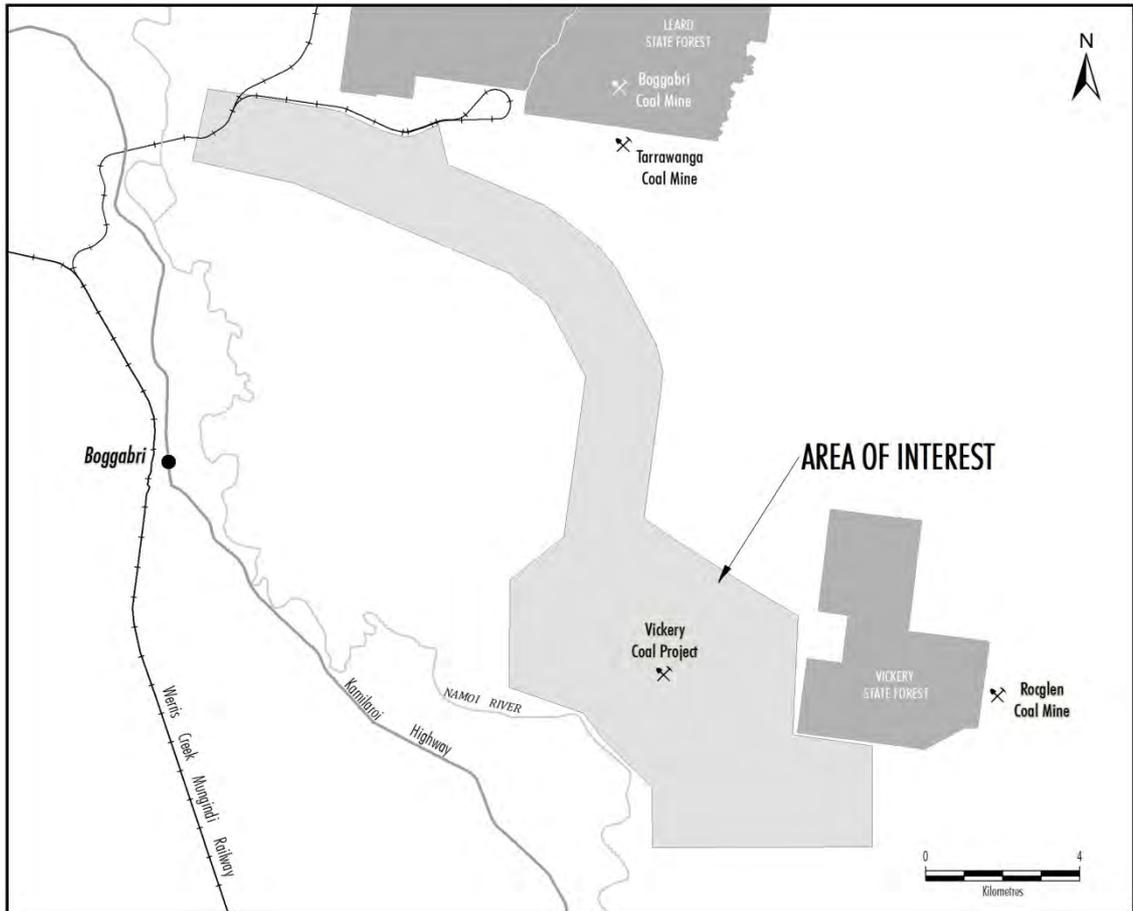
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6 October 2015

Michelle Saunders
24 Walhallow Village
WALHALLOW NSW 2340

Dear Michelle

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Approval for the Vickery Extension Project would be sought from the NSW Minister for Planning under the State Significant Development provisions (Division 4.1) of Part 4 of the NSW *Environmental Planning and Assessment Act, 1979* and the NSW *Environmental Planning and Assessment Regulation, 2000*.

As part of the application process, Whitehaven will be preparing an Aboriginal Cultural Heritage Assessment, and therefore may seek an Aboriginal Heritage Impact Permit (AHIP) under section 90 of the NSW *National Parks and Wildlife Act, 1974*.

The subject area of the Vickery Extension Project and any such application is depicted as the "Area of Interest" as shown on the enclosed plan.

In accordance with the requirements as set out in the *Aboriginal cultural heritage consultation requirements for proponents 2010* (NSW Department of Environment, Climate Change and Water, 2010) (Consultation Guidelines) issued by the NSW Office of Environment and Heritage, Whitehaven is required to conduct a community consultation process with relevant Aboriginal people to assist in the preparation of the Aboriginal Cultural Heritage Assessment.

Also in accordance with the requirements of the Consultation Guidelines, Aboriginal persons or groups who may hold cultural knowledge relevant to, or who have a right or interest in, determining the cultural heritage significance of Aboriginal objects and/or places in the "Area of Interest" are invited to register an interest in a process of community consultation with Whitehaven regarding the Vickery Extension Project.

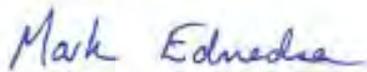
Should you wish to register an interest in the community consultation process described above, could you please provide your details (via the registration form below) before **5.00 pm on Friday 23 October 2015** to Whitehaven via the following contact details:

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Whitehaven advises that the details of any Aboriginal person or group who registers an interest in the Vickery Extension Project will be forwarded to the NSW Office of Environment and Heritage and the Red Chief Local Aboriginal Land Council in accordance with Section 4.1.5 of the Consultation Guidelines, unless they specify that they do not want their details released.

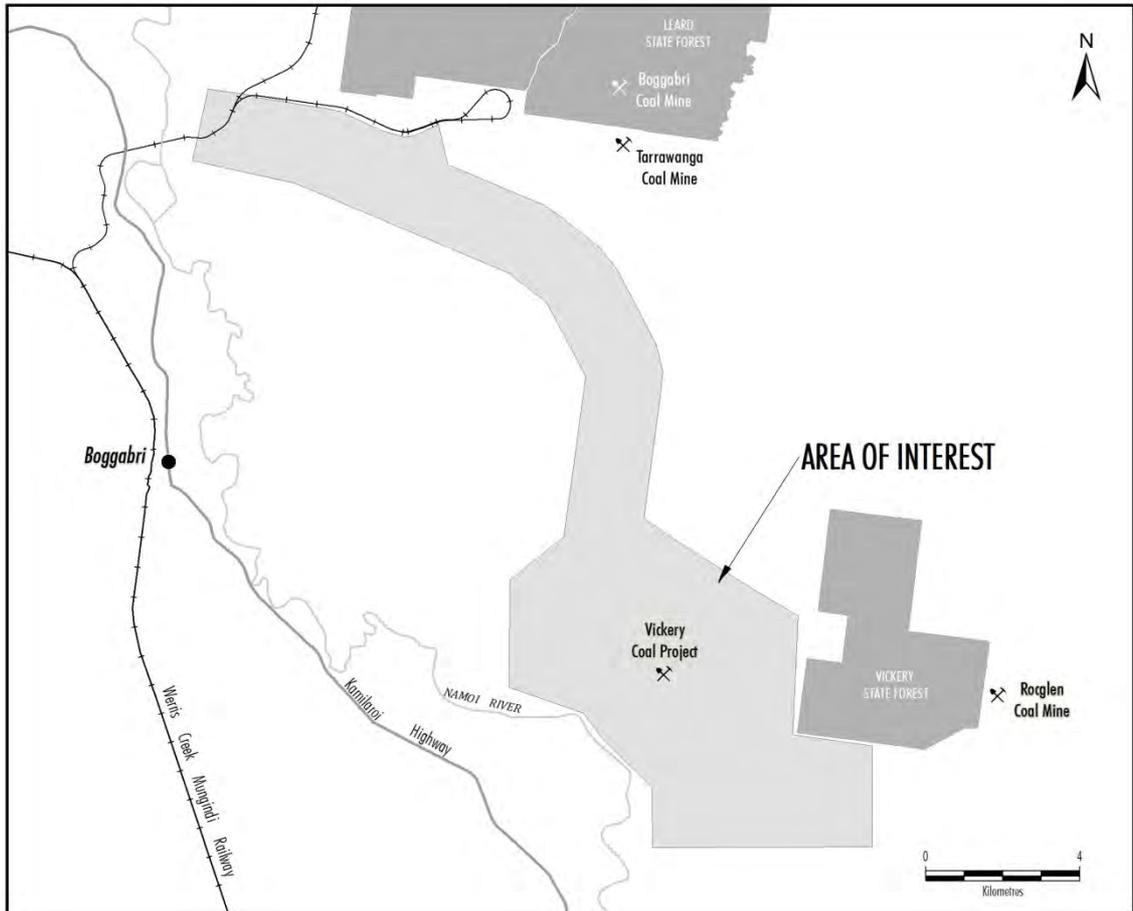
Yours sincerely,

WHITEHAVEN COAL LIMITED

A handwritten signature in black ink that reads "Mark Edmondson". The signature is written in a cursive style.

Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION
PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	
Registered Aboriginal Party (if different from above)	
Address	
Postal Address (if different from above)	
Telephone Number	
Email Address	

Signed: _____

Date: _____

6 October 2015

Narrabri Local Aboriginal Land Council
96 Barwan Street
NARRABRI NSW 2390

Dear Sir/Madam

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

The Vickery Coal Project, owned by Whitehaven Coal Limited (Whitehaven) is an approved, but yet to be developed, open cut coal mining operation situated in the Gunnedah Coalfield approximately 25 kilometres (km) north of Gunnedah, New South Wales (NSW).

Whitehaven plans to seek approval for the extension of the currently approved Vickery Coal Project to increase the open cut and waste rock emplacement areas, increase the mining rate and construct additional coal handling and preparation infrastructure and a rail spur to connect to the Werris Creek Mungindi Railway (herein referred to as the Vickery Extension Project). Construction and augmentation (where required) of currently approved infrastructure such as road diversions, water management infrastructure and temporary topsoil stockpiles would also be conducted as part of the Vickery Extension Project.

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PO Box 379, WEST RYDE NSW 2114
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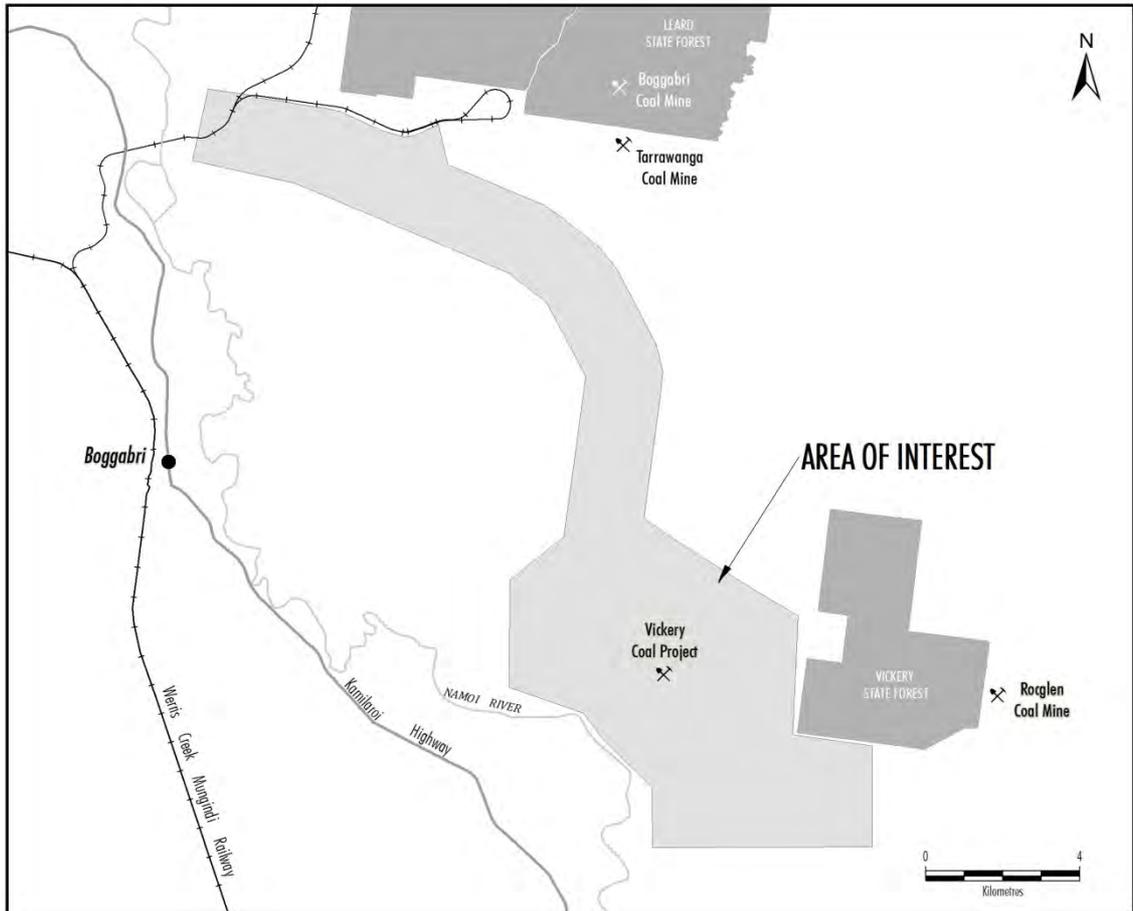
Yours sincerely,

WHITEHAVEN COAL LIMITED

A handwritten signature in black ink that reads "Mark Edmondson". The signature is written in a cursive style.

Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION
PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	
Registered Aboriginal Party (if different from above)	
Address	
Postal Address (if different from above)	
Telephone Number	
Email Address	

Signed: _____

Date: _____

Public Notices

GUNNEDAH WATER TOWER MUSEUM
 Opening hours
 10am til 2pm
 Saturdays

Public Notices

PHOTOCOPYING
 25c a copy (same size)
 30c a copy (reduction and enlargement)
 NAMOI VALLEY INDEPENDENT OFFICE

Public Notices


FIDDLER ON THE ROOF
 Weekend tour
 April 2016
 helloworld Tamworth
 6766 1277

Public Notices

CHARLIE & KATE
 Upcycled furniture and pre-loved homewares
Open every Saturday or by appointment 9am-12pm
 12 Reading Road
 Gunnedah
0429 434 507
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Public Notices

SPANLINE REP IN AREA NEXT WEEK
 Patios, rooms, cladding, carports.
 BL83737C. As on TV.
Phone 6742 6544
 www.spanline.com.au

Wanted to Buy

FURNITURE THE SALVATION ARMY FAMILY STORE
 Is seeking donations of furniture in good repair. If you have furniture you no longer require, please phone 6742 6380 or call in at 29-31 Chandos Street, Gunnedah. Pick-up can be arranged.

Adult Services

KERRIANNE, 26yo curvey and beautiful. Phone 0406 264 844.

Personal Notices

ALONE???
 Stop searching for someone we already know! You deserve love and happiness so call today and our matchmakers will put you in touch with a perfect person for you, as soon as tonight!
 Ph 1300 856 640
 Or txt 'meetup' 0431 109 481
 All Ages - Seniors Welcome
 In town or on the Land
 www.lovesuccess.com.au
 Matchmaker since 1989

Positions Vacant

INDEPENDENT TYRE STORE
 A major independent tyre store is looking to fill the following positions:
 • Store Manager
 • Service Fitter
 • Mechanic/Wheel Aligner
 • Junior Tyre Fitter
 Please send cover letter and full resume to:
 indtyresjobs@gmail.com

Positions Vacant

SHEET METAL WORKERS AND WELDERS
 HE Silos is looking for sheet metal workers and welders to keep up with high demand in sales for immediate start. Position requires:
 • Experience in welding or sheet metal work.
 • Ability to work in a team environment.
 • Demonstrate motivation and listen to instructions.
 • Flexible working hours is available.
 • Long term employment and great wage available for the right persons.
If you wish to apply please email your resumes to andrew@hesilos.com.au

HANDYMAN SERVICES

• Repairs
 • Painting and general maintenance In and around the home
 • Gutters • Fences
 • Gardens • Lawns
 • Edges and pruning
Phone 0428 425 270

ATTENTION

From September 1, 2015 there shall be NO access to the property
KIBAH, Oxley Highway, Carroll
 for the purposes of fishing, firewood or shooting. Anyone found trespassing will be prosecuted, regardless of person, regardless of reason.
No warnings will be issued
 We apologise to the honest people this decision affects.
 The owner

GUNNEDAH WORKSHOP ENTERPRISES LIMITED

Annual General Meeting
 Notice is hereby given that the annual general meeting of Gunnedah Workshop Enterprises Limited will be held at Gunnedah Workshop Enterprises Limited, 71 Conadilly Street, Gunnedah on Tuesday, October 20, 2015 at 5.30pm.

M. Hull
 Honorary Secretary

Painter and Decorator

A. Bakhuis & Son

 56 Bridge St
 Gunnedah
6742 1911
 mobile
0427 421 911
FREE QUOTES
Town and Rural Work
 Lic. No. R53322

PAUL DAVIDSON AND SONS PAINTING SERVICES

For your commercial and domestic painting requirements including roofs and special effects
Phone 6742 4795
0402 377 812
 Lic No. 82044C

PHOTOGRAPHS

Proofs of all photographs taken by Independent photographers can be viewed at this office. Prints are available in 6x4, 5x7, 6x8 and 10x8 sizes.

Andrew Muddle PLUMBING

PLUMBING DRAINING GASFITTING ROOFING
 PH. 6742 6880 ah
 mob 0428 481578

REQUIRE SOMETHING COPIED?

Take advantage of the photocopying service at the Namoi Valley Independent Office. Only 25c a copy.

Vickery Extension Project Aboriginal Cultural Heritage Assessment

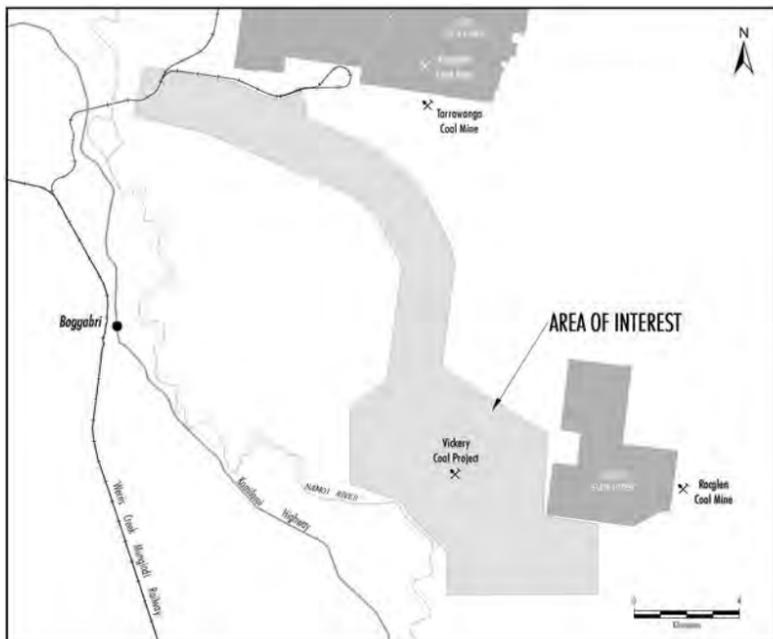
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Also in accordance with the requirements of the Consultation Guidelines, Aboriginal persons or groups who may hold cultural knowledge relevant to, or who have a right or interest in, determining the cultural heritage significance of Aboriginal objects and/or places in the "Area of Interest" are invited to register an interest in a process of community consultation with Whitehaven regarding the Vickery Extension Project by 5pm on Friday, October 23, 2015.

Whitehaven advises that the details of any Aboriginal person or group who registers an interest in the Vickery Extension Project will be forwarded to the NSW Office of Environment and Heritage and the Red Chief Local Aboriginal Land Council in accordance with Section 4.1.5 of the Consultation Guidelines, unless they specify that they do not want their details released.

Please note that any opportunities for engagement during the Aboriginal Cultural Heritage Assessment process would be separate to the consultation process.

Contact details for registration are as follows:

Whitehaven Coal Limited
 C/- Danielle Wallace
 PO Box 379, WEST RYDE NSW 2114
 Mobile: 0414 833 397
 Email: vickeryacha@gmail.com

Shire of Gunnedah Land of Opportunity

DEVELOPMENT APPLICATION DETERMINATIONS September 2015

Section 101 of the Environmental Planning and Assessment Act 1979 (as amended).

Application No.	Address	Development
2015/063	37 Quia Road, Gunnedah	Shed
2015/064	84 Braymont Road, Blue Vale	Work Bay Cover
2015/072	17-21 Borthistle Road, Gunnedah	Silos and Tower
2015/074	72 Bushs Lane, Gunnedah	Outbuilding - Residential
2015/075	194 Bloomfield Street, Gunnedah	Installation of New Secondary Dwelling
2015/077	73 Edward Street, Gunnedah	Carport and Verandah
2015/078	44 Pine Street, Curlewis	Additions/Alterations - Residential
2015/080	7 Wattle Street, Gunnedah	Shed
2015/082	27 Bellevue Close, Gunnedah	Additions - Residential
2015/1030	48 Baxter Street, Gunnedah	Deck
2015/1031	9 Harrie Rowland Place, Gunnedah	Carport
2015/1032	46 Kerry Elizabeth Drive, Gunnedah	Shed and carport

The above applications are available for public inspection, free of charge at Council's Administration Office during ordinary office hours.

From: alfred pitt [murrialfred@gmail.com]
Sent: Wednesday, 23 September 2015 7:30 PM
To: Danielle Wallace

Hi Danielle my name is Alfred Priestley and I am a Gomeri Native Title Applicant and I would like to be involved participate in ACHA at Vickery Coal thank you Danielle

From: alfred pitt [murrialfred@gmail.com]
Sent: Wednesday, 23 September 2015 7:24 PM
To: vickeryacha@gmail.com
Subject: Participantion of culture & heritage

Hi Danielle ,my name is Alfred Priestley and I am a Gomeroi Native Title Applicant and want to be involved and participate in the ACHA for Vickery Coal ,my phone number is 0457 555 894

From: marvonias welsh [mwelshgyc@hotmail.com]
Sent: Friday, 25 September 2015 5:12 PM
To: Danielle Wallace
Subject: Aboriginal culture heritage

Hi Danielle

RAYMOND WELSH SNR
GOMEROI APPLICANT

I wish to notify that I'm interested to participate in the A.C.H

Raymond welsh Snr
Rayboy welsh Jnr
Marvonias welsh
Matthew green Snr
Jordan green

We are all Gomeroi and we will wait for your reply. We are experienced in this area

Raymond welsh Snr

Marvonias welsh
0448260717

Thank you :)

Hi Danielle,

re Boggabri Aboriginal
Cultural Heritage Assessment,
please add my name to the
interested party's list.

Jacko Woodbridge
14 Balarang St Weemelah via
Mungindi NSW 2406
0455 177 706

Madeline McGrady,
5-11-13 Crossingham St
Canton Beach, NSW
2263

23-9-2015

Dear Danielle,

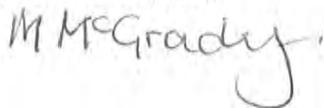
I wish to apply to become engaged in the Aboriginal Cultural Heritage Assessment at the vickery mine at white haven.

I am an applicant on the Gomeroi Nation.

I have experience in Cultural and Knowledge.

Regards,

Madeline Mcgrady

A handwritten signature in black ink that reads "M McGrady". The signature is written in a cursive style with a large, looping 'M' and a trailing flourish.

From: Stephen Matthews [stevie_1997@hotmail.com]
Sent: Sunday, 11 October 2015 2:01 PM
To: vickeryacha@gmail.com
Subject: To be a rap for the vickery extension project

Nakita silver
107 Maitland street Gunnedah NSW 2380
0455439437
Nakitasilver@icloud.com

Sent from my iPhone

From: Stephen Matthews [stevie_1997@hotmail.com]
Sent: Sunday, 11 October 2015 1:58 PM
To: vickeryacha@gmail.com
Subject: Registered to be a rap for the upcoming vickery extension project

Stephen Matthews
3 jarmain close Gunnedah NSW 2380
0413737583

Sent from my iPhone

From: Tyan Silver [tyansilver@hotmail.com]
Sent: Monday, 12 October 2015 5:19 PM
To: vickeryacha@gmail.com
Subject: Tyan silver registered to become a rap for vickery extension project

Tyan silver
3 newell ave
0431329373
Tyansilver@hotmail.com

VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION
PROCESS

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	Michael Long
Registered Aboriginal Party (if different from above)	Whitecockatoo
Address	17 Albion St Gunnedah N.S.W
Postal Address (if different from above)	
Telephone Number	0447867745
Email Address	whitecockatoo1@hotmail. com

Signed: _____

Date: _____

**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION
PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	<i>Joyce Eileen Dorrington</i>
Registered Aboriginal Party (if different from above)	
Address	<i>unit one/57 Barber Street Gunnedah 2380</i>
Postal Address (if different from above)	
Telephone Number	<i>0267423146</i>
Email Address	

Signed: *Joyce Dorrington*

Date: *9-10-2015*

**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION
PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	CHERIE CARROLL TURRISE
Registered Aboriginal Party (if different from above)	Cunjee Wong Cultural Heritage Corporation
Address	1 Bellevue Place Portland NSW 2847
Postal Address (if different from above)	AS A Bowe
Telephone Number	0429341488
Email Address	Cunjee Wong @ yahoo. com. au

Signed: Cherie Carroll Turrise

Date: 8/16/2015

**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION
PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	Dulcie Robinson DULCIE ROBINSON
Registered Aboriginal Party (if different from above)	
Address	27 Walsh St. Manalba Q 4880
Postal Address (if different from above)	
Telephone Number	074092005
Email Address	N/A

Signed: D. Robinson

Date: 12/10/2015

VICKERY EXTENSION PROJECT - ABORIGINAL CULTURAL HERITAGE ASSESSMENT

To whom it may concern,

I wish to be involved in the aboriginal culture heritage assessment on the Vickery project, enclosed are the necessary documents that you have requested from me.

You can forward my details to the NSW office of environment and heritage but not the Red chief land council.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Natasha Rodgers', with a long horizontal flourish extending to the left.

Natasha Rodgers

**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION
PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	Natasha Rodgers
Registered Aboriginal Party (if different from above)	
Address	7 Toy Court, Wodonga VIC 3690
Postal Address (if different from above)	
Telephone Number	0411 293 311
Email Address	natchels@outlook.com

Signed: _____

Date: _____

10/10/2015

VICKERY EXTENSION PROJECT - ABORIGINAL CULTURAL HERITAGE ASSESSMENT

To whom it may concern,

I wish to be involved in the aboriginal culture heritage assessment on the Vickery project, enclosed are the necessary documents that you have requested from me.

You can forward my details to the NSW office of environment and heritage but not the Red chief land council.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Yvonne Rodgers', with a horizontal line underneath.

Yvonne Rodgers

**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION
PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	Yvonne Rodgers
Registered Aboriginal Party (if different from above)	WY RODGERS CONSULTANT
Address	7 Toy Court Wodonga VIC 3690
Postal Address (if different from above)	
Telephone Number	0432 565 997
Email Address	wyrodger@bigpond.com

Signed:  _____

Date: 10/10/2015 _____

VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION
PROCESS

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	Brian Draper
Registered Aboriginal Party (if different from above)	
Address	2/135 Bloomfield St Gunnedah NSW 2380
Postal Address (if different from above)	
Telephone Number	0438 75 7562
Email Address	briandraper0013@gmail.com

Signed: B. Draper

Date: 20/10/15

**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION
PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	(MITCHELL) JUDITH ANN WALTERS.
Registered Aboriginal Party (if different from above)	
Address	16 PALMER ST KARUMBA 4891
Postal Address (if different from above)	P.O. Box 186 KARUMBA 4891
Telephone Number	0427459205
Email Address	(LOWERCASE) jwalters6@bigpond.com

Signed: _____ 

Date: _____ 13/10/15

Subject: Vickery Coal Aboriginal Culture and Heritage Assessment process
Attachments: Gomeroid Applicants Contacts PUBLIC.pdf

From: Henry Pepper [<mailto:henrypepper@gmail.com>]
Sent: Friday, 6 November 2015 2:42 PM
To: Danielle Wallace
Subject: Vickery Coal Aboriginal Culture and Heritage Assessment process

Dear Danielle,

Thank you for your time this afternoon.

The Gomeroid Native Title Applicants would like to be registered as a group for the Vickery Coal Aboriginal Culture & Heritage Assessment process. The Gomeroid Native Title Applicants are happy for you to contact them directly about the Vickery Coal Aboriginal Culture & Heritage Assessment process and related matters.

The contact details for the Gomeroid Native Title Applicants are attached. The listed staff do not need to receive correspondence. Please note the Gomeroid Native Title Applicant contact information is private and confidential and for your use only.

Forward written correspondence about the Vickery Coal Aboriginal Culture and Heritage assessment process to:

Mr Sam Hegney
Sam Hegney Solicitors

PO Box 312 Armidale
NSW 2350

Please feel free to let me know if there are other ways I can assist you to advance the Vickery Coal Aboriginal Culture and Heritage assessment process.

Regards,

Henry Pepper
CEO
Gomeroid Secretariat
0424 237 626

Gomeri Native Title Applicant names, addresses,

PUBLIC CONTACT LIST

Updated November 5 2015

Norman McGrady

House 15, Toomelah Village

Boggabilla NSW 2409

Ph: (M) 0413 319 144

Maureen Sulter

133 Cassilis Road

Coonabarabran NSW 2357

Ph: 6842 3220 (M) 0473 652 714

Email: maureensultergomeri@outlook.com

Susan Smith

6 Hill Street

Caroona NSW 2343

Ph: 67474868/(M) 0439 166 112

Email: susansmithgomeri@gmail.com

Michael Anderson

PO Box 55

Goodooga NSW 2831

Ph: 6829 6355/(M) 0427 292 492

Email: ghillar29@gmail.com

Raymond Welsh (Snr)

Cottage 7, Box Ridge

C/- PO Box 273

Coraki NSW 2471

Ph: (M) 0434 610 997

Richard Green

2/18 Marsden Street

Shortland NSW 2307

Ph: (M) 0431 258 374

Email: tribesunited@y7mail.com

Greg Griffiths

4 Wattle Street

Gunnedah NSW 2380

Ph: (M) 0499 653 878

Email: Kyliematt@live.com.au

Elaine Binge (2nd chance prog)

Flat 5, 19 Stirling Street

Inverell NSW 2360

Ph: (M) 0478 098 226

Email: elaine1949@yahoo.com

Alfred Priestly

6 Jamida Place

Moree NSW 2400

Ph: (M) 0497 533 431

Email: noyang53@gmail.com

Leslie 'Jacko' Woodbridge

14 Balarang Street

Weemelah via Mungindi NSW 2406

Ph: 67537311/(M): 0455 177 706

Ray Tighe

48 Mehi Crescent

Moree NSW 2400

Ph: (M) 0439 503 492

Alfred Boney

Unit 2, 1 Hawker Street

Toowoomba QLD 4340

Ph: (H) 07 4697 3900 (M) 0487 419 921

Anthony Munro

122 Emperor Drive

Mackay QLD 4740

Ph: (M) 0421 241 668

Email: anthonymunro@yahoo.com.au

Madeline McGrady

5/11-13 Crossingham Street

Canton Beach NSW 2263

Ph: 4392 5765/(M) 0402 497 191

Email: madelinemcgradygomeri@gmail.com

Jason Wilson

23 Clews Street

Dubbo NSW 2830

Ph: 6881 4611/(M) 0427 926 295

Email: jason.wilson@environment.nsw.gov.au

jason_wilson_1970@hotmail.com

jason@nban.com.org

Bob Weatherall

26 Alexis Street

Aspley QLD 4034

Ph: (07) 3312 4050/(M) 0429 091 452

Email: bobweatherall@outlook.com

Lyall Munro Jnr

108 Gwydir Street

Moree NSW 2400

Ph: (M) 0437 168 247

Email gomeroiman1@gmail.com

Clifford Toomey

82 Boundary Street

Wee Waa NSW 2388

Ph: (W) 6795 4284, (M) 0429 978 172

Email: clifford.toomey@det.nsw.edu.au

STAFF

Phil Teitzel

TEITZEL & PARTNERS

PO Box 1151,

MANLY NSW 1655

Mob: 0431-443-304

Email: teitzel@bigpond.net.au

Mark Walsh

PO Box 1683 QVB Sydney NSW 1230

Leisa Gilham

85 Swans Lane Amiens, Queensland, 4380

Sam Hegney

Henry Pepper

From: Tyan Silver [tyansilver@hotmail.com]
Sent: Wednesday, 11 November 2015 2:53 PM
To: vickeryacha@gmail.com
Subject: Re: Darryl Crowley registered to become a rap for vickery extension project

Darryl Crowley
0428157387
3 newell ave Gunnedah nsw 2380
Look to hearing from yous
Sent from my iPhone

> On 9 Nov 2015, at 12:22 PM, Tyan Silver <tyansilver@hotmail.com> wrote:

>

> Just wondering how it's going due to haven't heard back from yous?

>

> Sent from my iPhone

>

>> On 12 Oct 2015, at 6:19 PM, Tyan Silver <tyansilver@hotmail.com> wrote:

>>

>> Tyan silver

>> 3 newell ave

>> 0431329373

>> Tyansilver@hotmail.com

>> Look forward to hearing from yous

>> Thanks Tyan

>>

>>

>> Sent from my iPhone

OEH AND LALC LETTERS



WHITEHAVEN COAL

3 November 2015

Phil Purcell
Office of Environment and Heritage
PO Box 2111
DUBBO NSW 2830

Dear Phil,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

In accordance with the New South Wales (NSW) Office of Environment and Heritage (OEH) policy *Aboriginal cultural heritage consultation requirements for proponents 2010* (NSW Department of Environment, Climate Change and Water [DECCW], 2010), a list of the Registered Aboriginal Parties that registered an interest in the community consultation process with Whitehaven Coal Limited for the Vickery Extension project is provided in Enclosure A.

Copies of the notification letters sent to the Aboriginal stakeholders and the public notice published in accordance with Section 4.1.6 of the OEH policy *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010) are provided in Enclosures B and C respectively.

Yours sincerely

WHITEHAVEN COAL LIMITED

Mark Edmondson

General Manager – Technical Services
Whitehaven Coal

Enclosure A: Registered Aboriginal Parties for the Vickery Extension Project
Enclosure B: Correspondence sent to Aboriginal Stakeholders
Enclosure C: Public Notice



WHITEHAVEN COAL

3 November 2015

Red Chief Local Aboriginal Land Council
Attention: Jane Delaney-John
PO Box 745
GUNNEDAH NSW 2380

Dear Jane,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

In accordance with the New South Wales (NSW) Office of Environment and Heritage (OEH) policy *Aboriginal cultural heritage consultation requirements for proponents 2010* (NSW Department of Environment, Climate Change and Water [DECCW], 2010), a list of the Registered Aboriginal Parties that registered an interest in the community consultation process with Whitehaven Coal Limited for the Vickery Extension project is provided in Enclosure A.

Please note that two Registered Aboriginal parties indicated that they did not want their details released, and therefore are not included in the list presented in Table A-1.

Copies of the notification letters sent to the Aboriginal stakeholders and the public notice published in accordance with Section 4.1.6 of the OEH policy *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010) are provided in Enclosures B and C respectively.

Yours sincerely

WHITEHAVEN COAL LIMITED

Mark Edmondson

General Manager – Technical Services
Whitehaven Coal

Enclosure A: Registered Aboriginal Parties for the Vickery Extension Project
Enclosure B: Correspondence sent to Aboriginal Stakeholders
Enclosure C: Public Notice

PROPOSED METHODOLOGY AND INFORMATION SESSION



6 November 2015

Dear

**RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT
PROPOSED METHODOLOGY**

Thank you for registering an interest in the Aboriginal consultation process for the Vickery Extension Project (the Project).

This letter provides information on the following:

- Proposed Methodology for review and comment.
- Information session regarding the Project.
- Fieldwork selection criteria.
- Ongoing consultation.

Proposed Methodology

Please find enclosed for your review, a copy of the Proposed Methodology for the Aboriginal Cultural Heritage Assessment.

In accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (New South Wales [NSW] Department of Environment, Climate Change and Water, 2010) issued by the NSW Office of Environment and Heritage, we have provided the Proposed Methodology for your review and feedback. Your feedback may include the identification of issues or areas of cultural significance that may be used to affect, inform or refine the Proposed Methodology.

If you wish to provide input on the following, please make a submission to Whitehaven Coal Limited (Whitehaven) (via the contact details provided at the end of this letter) by **5.00 pm Wednesday 9 December 2015**:

- The nature of the Proposed Methodology.
- Any Aboriginal objects or places of cultural value within the investigation area, or issues of cultural significance, that you are aware of.
- Any restrictions or protocols you may consider necessary in relation to any information of sensitivity that you may provide.
- Any other factors you consider to be relevant to the heritage assessment.

All comments received will be taken into consideration as the Methodology is finalised.

Information Session

An information session with all Registered Aboriginal Parties, the consulting archaeologist and Whitehaven representatives will be held on **Thursday 19 November 2015** to discuss the methodology. The information session will be held at the Boggabri Golf Club (Gunnedah Road, Boggabri), and will commence at 10.00 am and conclude at approximately 12.00 pm.

At this information session Whitehaven will provide a presentation on the nature and scale of the Project, an overview of the impact assessment process and discuss the roles, functions and responsibilities of participants and protocols for the management of any sensitive cultural heritage information.

This information session will also provide Registered Aboriginal Parties with an opportunity to raise any cultural issues or comments/perspectives regarding the Project or the Proposed Methodology. Note that issues can also be raised at any point during the consultation process.

Can you please indicate whether you are interested in attending the information session by Monday 16 November 2015 via the contact details provided at the end of this letter.

Fieldwork Selection Criteria

As part of the Aboriginal Cultural Heritage Assessment for the Project, Whitehaven will be facilitating a field survey of the investigation area, to allow representatives of the Registered Aboriginal Parties to inspect the survey area and any Aboriginal heritage sites which may be located within the investigation area.

Regardless of participation in the surveys, all Registered Aboriginal Parties will be invited by Whitehaven to attend a site inspection of the investigation area and a selection of the recorded sites following completion of the field surveys.

Please find enclosed the selection criteria for completion and return by **5.00 pm Wednesday 9 December 2015**, for those Registered Aboriginal Parties who are seeking consideration for paid involvement in the field investigation associated with the Project.

In order to be considered for formal engagement in the field surveys, Registered Aboriginal Parties will need to complete the attached Field Survey Engagement Application Form (Attachment 1) and provide it to Whitehaven by the closing date.

Aboriginal representatives will be selected by Whitehaven based upon the merits of the application with respect to the selection criteria. Applications will be assessed against all criteria including cultural knowledge of the investigation area, the representation of others within the community and experience in providing cultural heritage advice.

Where a response is not received by 5.00 pm Wednesday 9 December 2015, it will be assumed that you do not wish to participate on a paid basis in the field investigation. Incomplete applications may not be accepted by Whitehaven. Please note that Whitehaven reserves the right to request any further information/clarification or supporting documentation from you in relation to substantiation of any claims made in your application.

Assistance in the completion of responses to the selection criteria can be provided to you upon request. Please use the contact details provided below.

Dates for the field investigation are still being finalised, although it is expected to commence in late January/February 2016. Further details will be provided to you as soon as possible.

Additional Requirements

Representatives of Registered Aboriginal Parties who are selected for participation in the field survey will be required to be 'fit for duty', being physically fit, in good health and capable of working all day in rugged terrain. Participants will also be required to have the necessary insurance in place.

In accordance with Whitehaven's Work Health and Safety requirements, the following safety equipment will generally be required for field inspections (participants without the appropriate safety equipment may not be permitted on-site):

- Steel capped boots.
- Long sleeved shirts and long pants.
- Appropriate sun protection.
- High visibility safety vest.
- Hard hat.

Please note that representatives may be subject to random Drug and Alcohol testing during the course of the field surveys.

Ongoing Consultation

It is noted that regardless of participation in the field investigation, Registered Aboriginal Parties will still be consulted in accordance with the NSW Office of Environment and Heritage policy entitled *Aboriginal cultural heritage consultation requirements for proponents 2010* for the remainder of the investigation, which will include the provision of a copy of the draft Aboriginal Cultural Heritage Assessment report for review and comment.

Notwithstanding, all Registered Aboriginal Parties will be invited by Whitehaven to attend a site inspection of the investigation area and a selection of the recorded sites following completion of the field surveys. During this inspection, attending Registered Aboriginal Parties can provide further details in relation to any submission that they have made as to the cultural significance of the study area and/or identified sites.

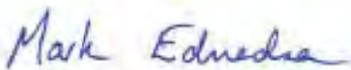
Contact Details

Any feedback with respect to the Proposed Methodology and/or to indicate your attendance at the information session and/or responses to the fieldwork selection criteria, can be provided to Whitehaven via the following contact details:

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379 WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Yours sincerely

WHITEHAVEN COAL LIMITED



Mark Edmondson

General Manager – Technical Services
Whitehaven Coal

**ATTACHMENT 1
FIELD SURVEY ENGAGEMENT APPLICATION FORM**

If you wish to be considered for paid participation in any field surveys, please address the following criteria which will be used to determine field survey engagement.

1. Are you a member of the Gomeroi Native Title Claim Applicants group?

Yes No

2. Are you a member of any of the following Local Aboriginal Land Councils?

Red Chief Narrabri

3. Do you have any specific cultural knowledge of the Vickery Extension Project area or of any Aboriginal place(s) or object(s) within it?

Yes No

If yes, please provide further details:

4. How many adult members does your Registered Aboriginal Party represent?

5. Please provide documented verification of your response to Question 6 (above) (e.g. please list all adult members).

6. How many years of experience does each of your proposed fieldworker(s) have in Aboriginal cultural heritage surveys? Please provide the corresponding name and projects previously involved in.

7. Does your proposed fieldworker(s) have any specialist skills or knowledge which might assist in the investigation?

Yes No

If yes, please specify:

8. Is your proposed fieldworker(s) 'fit for duty', including the ability to survey rugged terrain, all day in various weather conditions?

Yes No

(Please note that Whitehaven may require a medical certificate if Whitehaven considers that an individual may not be fit for work).

9. Are your proposed fieldworker(s) willing to undertake random Drug and Alcohol testing (including the provision of mouth swabs and urine samples) at their induction and/or at any time during the field survey?

Yes No

10. Do you hold the following Certificates of Currency (if yes, please attach them to your application):

Public Liability Workers Compensation

(Please note that registered groups will need to provide Certificates of Currency for both public liability and workers compensation. Registered individuals will only need to provide a Certificate of Currency for public liability).

Please provide any further details below that you think may be relevant to your selection to participate in the field surveys:

Subject: Vickery Extension Project
Attachments: ltr - Red Chief Local Aboriginal Land Council.pdf

From: Dani Wallace [<mailto:vickeryacha@gmail.com>]
Sent: Saturday, 14 November 2015 4:38 PM
To: ceo@redchiefalc.com.au; officeadmin@redchiefalc.com.au
Subject: Vickery Extension Project

Hi Jane,

Please find attached correspondence from Whitehaven Coal Limited regarding the Vickery Extension Project.

Please note that a hard copy of the attached correspondence has been previously posted to you.

Please don't hesitate to call should you have any queries.

Regards,

Danielle Wallace

0414 833 397



6 November 2015

Red Chief Local Aboriginal Land Council
Jane Delaney-John
PO Box 745
GUNNEDAH NSW 2380

Dear Jane

**RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT
PROPOSED METHODOLOGY**

Thank you for registering an interest in the Aboriginal consultation process for the Vickery Extension Project (the Project).

This letter provides information on the following:

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- Information session regarding the Project.
- Fieldwork selection criteria.
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If you wish to provide input on the following, please make a submission to Whitehaven Coal Limited (Whitehaven) (via the contact details provided at the end of this letter) by **5.00 pm Wednesday 9 December 2015**:

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- Any Aboriginal objects or places of cultural value within the investigation area, or issues of cultural significance, that you are aware of.
- Any restrictions or protocols you may consider necessary in relation to any information of sensitivity that you may provide.
- Any other factors you consider to be relevant to the heritage assessment.

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Assistance in the completion of responses to the selection criteria can be provided to you upon request. Please use the contact details provided below.

Dates for the field investigation are still being finalised, although it is expected to commence in late January/February 2016. Further details will be provided to you as soon as possible.

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Representatives of Registered Aboriginal Parties who are selected for participation in the field survey will be required to be 'fit for duty', being physically fit, in good health and capable of working all day in rugged terrain. Participants will also be required to have the necessary insurance in place.

In accordance with Whitehaven's Work Health and Safety requirements, the following safety equipment will generally be required for field inspections (participants without the appropriate safety equipment may not be permitted on-site):

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- Appropriate sun protection.
- High visibility safety vest.
- Hard hat.

Please note that representatives may be subject to random Drug and Alcohol testing during the course of the field surveys.

Ongoing Consultation

It is noted that regardless of participation in the field investigation, Registered Aboriginal Parties will still be consulted in accordance with the NSW Office of Environment and Heritage policy entitled *Aboriginal cultural heritage consultation requirements for proponents 2010* for the remainder of the investigation, which will include the provision of a copy of the draft Aboriginal Cultural Heritage Assessment report for review and comment.

Notwithstanding, all Registered Aboriginal Parties will be invited by Whitehaven to attend a site inspection of the investigation area and a selection of the recorded sites following completion of the field surveys. During this inspection, attending Registered Aboriginal Parties can provide further details in relation to any submission that they have made as to the cultural significance of the study area and/or identified sites.

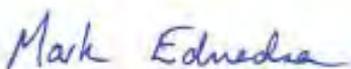
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Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379 WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Yours sincerely

WHITEHAVEN COAL LIMITED



Mark Edmondson

General Manager – Technical Services
Whitehaven Coal

**ATTACHMENT 1
FIELD SURVEY ENGAGEMENT APPLICATION FORM**

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1. Are you a member of the Gomeroi Native Title Claim Applicants group?

Yes No

2. Are you a member of any of the following Local Aboriginal Land Councils?

Red Chief Narrabri

3. Do you have any specific cultural knowledge of the Vickery Extension Project area or of any Aboriginal place(s) or object(s) within it?

Yes No

If yes, please provide further details:

4. How many adult members does your Registered Aboriginal Party represent?

5. Please provide documented verification of your response to Question 6 (above) (e.g. please list all adult members).

6. How many years of experience does each of your proposed fieldworker(s) have in Aboriginal cultural heritage surveys? Please provide the corresponding name and projects previously involved in.

7. Does your proposed fieldworker(s) have any specialist skills or knowledge which might assist in the investigation?

Yes No

If yes, please specify:

8. Is your proposed fieldworker(s) 'fit for duty', including the ability to survey rugged terrain, all day in various weather conditions?

Yes No

(Please note that Whitehaven may require a medical certificate if Whitehaven considers that an individual may not be fit for work).

9. Are your proposed fieldworker(s) willing to undertake random Drug and Alcohol testing (including the provision of mouth swabs and urine samples) at their induction and/or at any time during the field survey?

Yes No

10. Do you hold the following Certificates of Currency (if yes, please attach them to your application):

Public Liability Workers Compensation

(Please note that registered groups will need to provide Certificates of Currency for both public liability and workers compensation. Registered individuals will only need to provide a Certificate of Currency for public liability).

Please provide any further details below that you think may be relevant to your selection to participate in the field surveys:

PROPOSED METHODOLOGY FOR THE VICKERY EXTENSION PROJECT ABORIGINAL CULTURAL HERITAGE ASSESSMENT

6 November 2015

INTRODUCTION

The Vickery Coal Project is an approved, but yet to be developed open cut coal mining operation situated in the Gunnedah Coalfield approximately 25 kilometres north of Gunnedah, New South Wales (NSW) (Figure 1).

Whitehaven Coal Limited (Whitehaven) is seeking Development Consent to expand the open cut mining operations at the Vickery Coal Project. This would include a physical extension to the mine footprint to gain access to additional run-of-mine (ROM) coal reserves, an increase in the footprint of waste rock emplacement areas, an increase in the approved ROM coal mining rate, construction and operation of an on-site coal handling and preparation plant, train load-out facility and rail spur. The proposal is herein referred to as the Vickery Extension Project (the Project).

Construction and augmentation (where required) of currently approved infrastructure such as road diversions, water management infrastructure and temporary topsoil stockpiles would also be conducted as part of the Project.

Whitehaven is seeking approval for the Project from the NSW Minister for Planning under the State Significant Development provisions (Division 4.1) of Part 4 of the NSW *Environmental Planning and Assessment Act, 1979* (EP&A Act) and the NSW *Environmental Planning and Assessment Regulation, 2000*.

The areas of land that the Aboriginal Cultural Heritage Assessment (ACHA) relates to are shown on Figures 1, 2 and 3. Of note is that a large portion of the Project area has previously been the subject of an Environmental Impact Statement and corresponding ACHA (Whitehaven, 2013).

Areas within the historic Canyon Mine, approved areas at the Vickery Coal Project, areas subject to previous representative survey and those areas within the indicative study area which would not be subject to disturbance associated with the Project, would not be surveyed as part of the ACHA. However, these areas would be considered during preparation of the ACHA and all known Aboriginal heritage sites would continue to be managed consistent with the existing Development Consent (SSD-5000).

The representative field surveys for the Project would therefore be focused on indicative survey areas presented on Figure 2.

The Proposed Methodology for the ACHA is outlined below. Whitehaven will invite Registered Aboriginal Parties (RAPs) to provide comments (either verbally or in writing) on the Proposed Methodology.

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Queensland 4067

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F +61 7 3365 1544

E a.sneddon@uq.edu.au

www.socialscience.uq.edu.au

ABN 19 010 529 898

PREVIOUS ARCHAEOLOGICAL INVESTIGATIONS

With an increase in extractive activities in the Gunnedah Basin in recent years, the region has been subject to an increasing number of Aboriginal cultural heritage surveys, assessments and management plans. Much of the previous archaeological investigations undertaken in the surrounding area have been associated with existing nearby mines at Tarrawonga, Boggabri and Maules Creek.

Previous investigations undertaken for the Vickery Coal Project area and immediate surrounds include (but are not limited to):

- *Amax Proposed Coal Mining Operation at Boggabri* (Kammaing, 1978).
- *Environmental Impact Statement for the Proposed Vickery Coal Mine* (Thompson, 1981).
- *Archaeological investigations at Top and Bottom Rocks, Namoi River, N.S.W.* (Haglund, 1982).
- *Archaeological investigations of Areas that May be Affected by Proposed Mining for Coal in the Gunnedah area, NSW* (Haglund, 1985).
- *Vickery Coal Project Environmental Impact Statement: Appendix I Aboriginal Cultural Heritage Assessment* (Landskape, 2012).

Previous investigations within the broader region include (but are not limited to) (Landskape, 2012):

- *Archaeological Investigation for Sites of Indigenous Cultural Significance for the Proposed East Boggabri Coal Mine* (Archaeological Surveys & Reports Pty Ltd, 2005).
- *Aboriginal Cultural Heritage Assessment Report, Boggabri Coal Project* (Hamm, 2005).
- *Tarrawonga Coal Mine Modification Cultural Heritage Assessment* (Landskape, 2010).
- *Aboriginal Cultural Heritage Impact Assessment Report for the Continuation of Boggabri Coal Mine* (Insite Heritage, 2010).
- *Aboriginal Archaeology and Cultural Heritage Impact Assessment for the Maules Creek Coal Project*. (AECOM Australia, 2010).
- *Appraisal of Scar Trees on the Rail – Infrastructure Footprint for the Maules Creek Mine Project* (Burns, 2013).
- *Tarrawonga Coal Project Aboriginal Cultural Heritage Assessment* (Kayandel Archaeological Services, 2011).

The previously identified Aboriginal cultural heritage sites located within the indicative study area for the Project are presented on Figure 3.

PRELIMINARY PREDICTIVE MODEL

Consideration of the results of previous archaeological investigations indicates that previously unidentified Aboriginal cultural heritage sites may occur in and around the Project area:

- Aboriginal cultural heritage sites are known to exist within and around the Project area.
- Previous archaeological investigations have demonstrated a pattern of archaeological site distribution associated with the Namoi River and associated drainage lines, and raised landforms overlooking permanent water sources.

- The archaeology of the surrounding area is characterised by artefact scatters or isolated occurrences that often occur in higher densities along the Namoi River. It is noted that these densities decrease with distance from this main water source.
- Other site types, such as scarred trees or grinding grooves, have also been reported to occur within the region, but to a much lesser degree. Both of these site types are largely associated with the Namoi River.
- The Project area has been subjected to intensive agricultural practices over the past century which will have variously impacted upon the survival of Aboriginal cultural heritage sites (e.g. sites located along the Namoi River potentially destroyed by erosion). Agricultural activities have included vegetation clearance, crop production, animal pasture, road construction, and mining exploration and localised mining activity. These processes have generally not occurred uniformly, and there remains only limited potential for the survival of *in situ* Aboriginal cultural heritage sites within the Project boundary. In scientific terms, disturbed sites are generally considered to be of lower significance and to require less rigorous management responses.
- On the basis of the nature of the known archaeological record in the wider region and the landforms present in the Project area, it has been determined that the Project area retains potential to contain some Aboriginal cultural heritage sites (e.g. artefact scatters).
- If unidentified Aboriginal cultural material is present in the Project area this will most likely be represented by stone artefacts.

PROPOSED METHODOLOGY

The Proposed Methodology for the Aboriginal Cultural Heritage Assessment of the Project is as follows:

- Provision of existing information on Aboriginal cultural heritage sites within the Project area and immediate surrounds.
- Representative archaeological survey of the Project area using a combined approach of vehicular and pedestrian transects, and informed by an archaeological predictive model based on the results of previous archaeological investigations.
- Conduct an archaeological assessment (including an archaeological significance assessment) of any known or potential Aboriginal heritage sites identified within the Project area (which may include the use of existing information).
- A request by Whitehaven to RAPs for comments regarding the cultural significance of Aboriginal heritage sites and/or areas within the Project area.
- In consultation with the RAPs, identification of recommended management and mitigation measures for Aboriginal heritage sites/areas within the Project area.
- Provide a copy of the draft ACHA to the RAPs for their review and feedback.
- Documentation of feedback received as part of the cultural assessment from RAPs for presentation in the final ACHA report (subject to the sensitivity of the information provided).

In accordance with the NSW Office of Environment and Heritage (OEH) policy *Aboriginal cultural heritage consultation requirements for proponents 2010* (NSW Department of Environment, Climate Change and Water [DECCW], 2010), Whitehaven will request that RAPs provide, where relevant, during the conduct of the ACHA, cultural information regarding:

- whether there are any Aboriginal objects of cultural value to Aboriginal people in the area of the proposed Project; and
- whether there are any places of cultural value to Aboriginal people in the area of the proposed Project.

This will include places of social, spiritual and cultural value, historic places with cultural significance, and potential places/areas of historic, social, spiritual and/or cultural significance.

SENSITIVE CULTURAL INFORMATION – MANAGEMENT PROTOCOL

In the event that a RAP has sensitive or restricted public access information, it is proposed that Whitehaven would manage this information (if provided by the Aboriginal community) in accordance with a sensitive cultural information management protocol. It is anticipated that the protocol would include making note of and managing the material in accordance with the following key limitations/requirements as advised by the relevant RAP at the time of the information being provided:

- any restrictions on access to the material;
- any restrictions on communication of the material;
- any restrictions on the location/storage of the material;
- any cultural recommendations on handling the material;
- any contextual information;
- any names and contact details of persons authorised by the relevant RAP to make decisions concerning the Aboriginal material and the degree of authorisation;
- any details of any consent given in accordance with customary law;
- the level of confidentiality to be accorded to the material; and
- any access and use by the RAPs of the cultural information in the material.

All RAPs should be aware of the mandatory OEH requirement that all feedback provided must be documented in the final ACHA report, including copies of any submissions received and the proponents response to the issues raised.

ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT

Following consultation on the Proposed Methodology and the undertaking of any required field components, a draft ACHA report will be prepared. The draft ACHA will be provided to all RAPs for review and comment and will include:

- details of the sites/objects and/or places and their precise locations within the Project area and an assessment of potential impacts from the Project;
- detailed records of the consultation conducted with RAPs and how any comments received throughout the assessment process were considered; and

- management and mitigation recommendations drawing on information provided by RAPs and the results of the ACHA.

CRITICAL TIMELINES

Critical timelines for the Project ACHA are outlined below:

1. Collation of culturally significant information – ongoing throughout process until the end of the draft ACHA review period.
2. Information Session – November 2015.
3. Provision of comments on the Proposed Methodology to Whitehaven – December 2015.
4. Field survey – January/February 2016.
5. Provision of a draft ACHA (including proposed management and mitigation measures) to RAPs for review and comment – February/March 2016 (following field survey).
6. Provision of comments from RAPs on draft ACHA to Whitehaven – March/April 2016.
7. Finalise ACHA report taking into consideration comments received – April 2016.

REFERENCES

- AECOM Australia. 2010. *Aboriginal Archaeology and Cultural Heritage Impact Assessment for the Maules Creek Coal Project*.
- Archaeological Surveys & Reports Pty Ltd. 2005. *Archaeological Investigation for Sites of Indigenous Cultural Significance for the Proposed East Boggabri Coal Mine*. Report to R.W. Corkery and Company Limited.
- Burns, M. 2013. *Appraisal of Scar Trees on the Rail – Infrastructure Footprint for the Maules Creek Mine Project*.
- Department of Environment, Climate Change and Water. 2010. *Aboriginal cultural heritage consultation requirements for proponents 2010*.
- Haglund, L. 1982. *Archaeological investigations at Top and Bottom Rocks, Namoi River, N.S.W.*
- Haglund, L. 1985. *Archaeological investigations of Areas that May be Affected by Proposed Mining for Coal in the Gunnedah area, NSW*. Unpublished report to the Vickery Joint Venture.
- Hamm, G. 2005. *Aboriginal Cultural Heritage Assessment Report, Boggabri Coal Project*. Report to Idemitsu Boggabri Coal Pty Ltd.
- Insite Heritage. 2010. *Aboriginal Cultural Heritage Impact Assessment Report for the Continuation of Boggabri Coal Mine*. Report to Hansen Bailey Pty Ltd.
- Kammaing, J. 1978. *Amax Proposed Coal Mining Operation at Boggabri*.
- Kayandel Archaeological Services. 2011. *Tarrowonga Coal Project Aboriginal Cultural Heritage Assessment*. Report prepared for Tarrowonga Coal Pty Ltd.

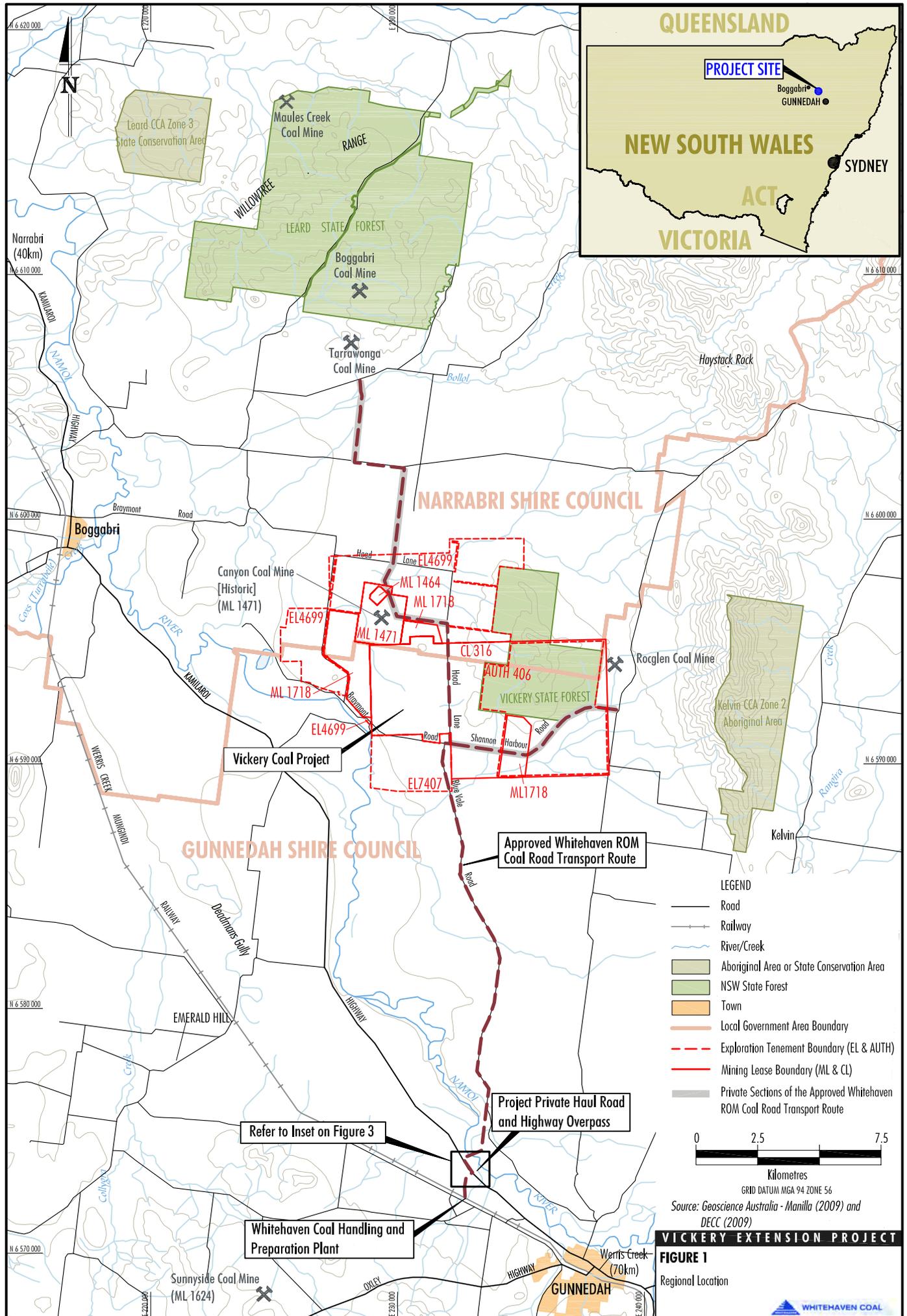
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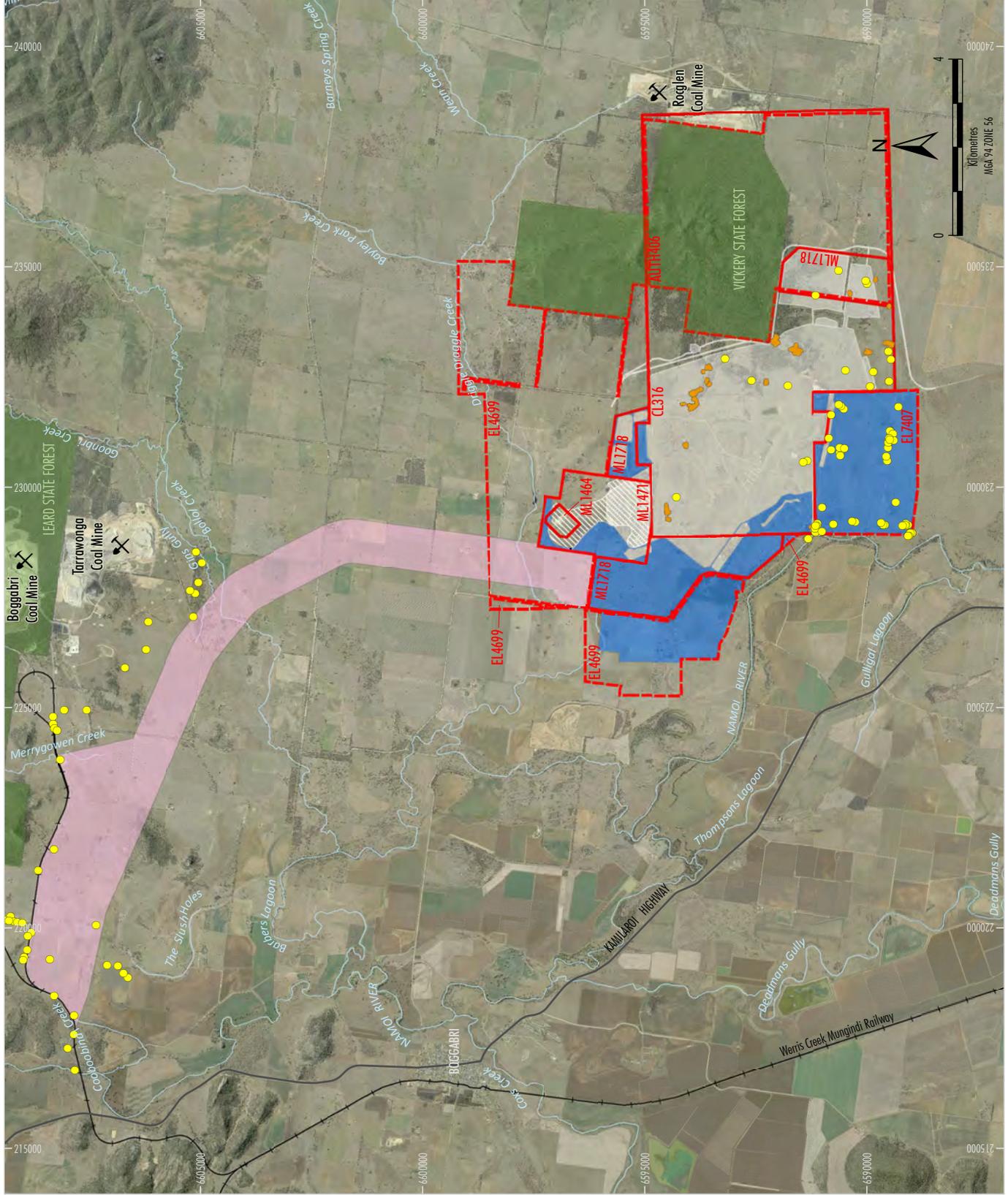
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Whitehaven Coal Limited. 2013. *Vickery Coal Project – Environmental Impact Statement*.

FIGURES





LEGEND

- State Forest
- Exploration Tenement Boundary (EL & AUTH)
- Mining Tenement Boundary (ML & CL)
- Canyon Coal Mine
- Approximate Extent of Approved Vickers Coal Project
- Indicative Representative Survey Area
- Mine Site
- Rail Corridor
- Aboriginal Heritage Sites
- Individual Record
- Mapped Extent

Source: Orthophoto - Department of Land and Property Information, Aerial Photography Flight (July 2011); AHIMS (2015); Cadworks (Vickers South Pty Ltd) (2012); Landscape (2012)

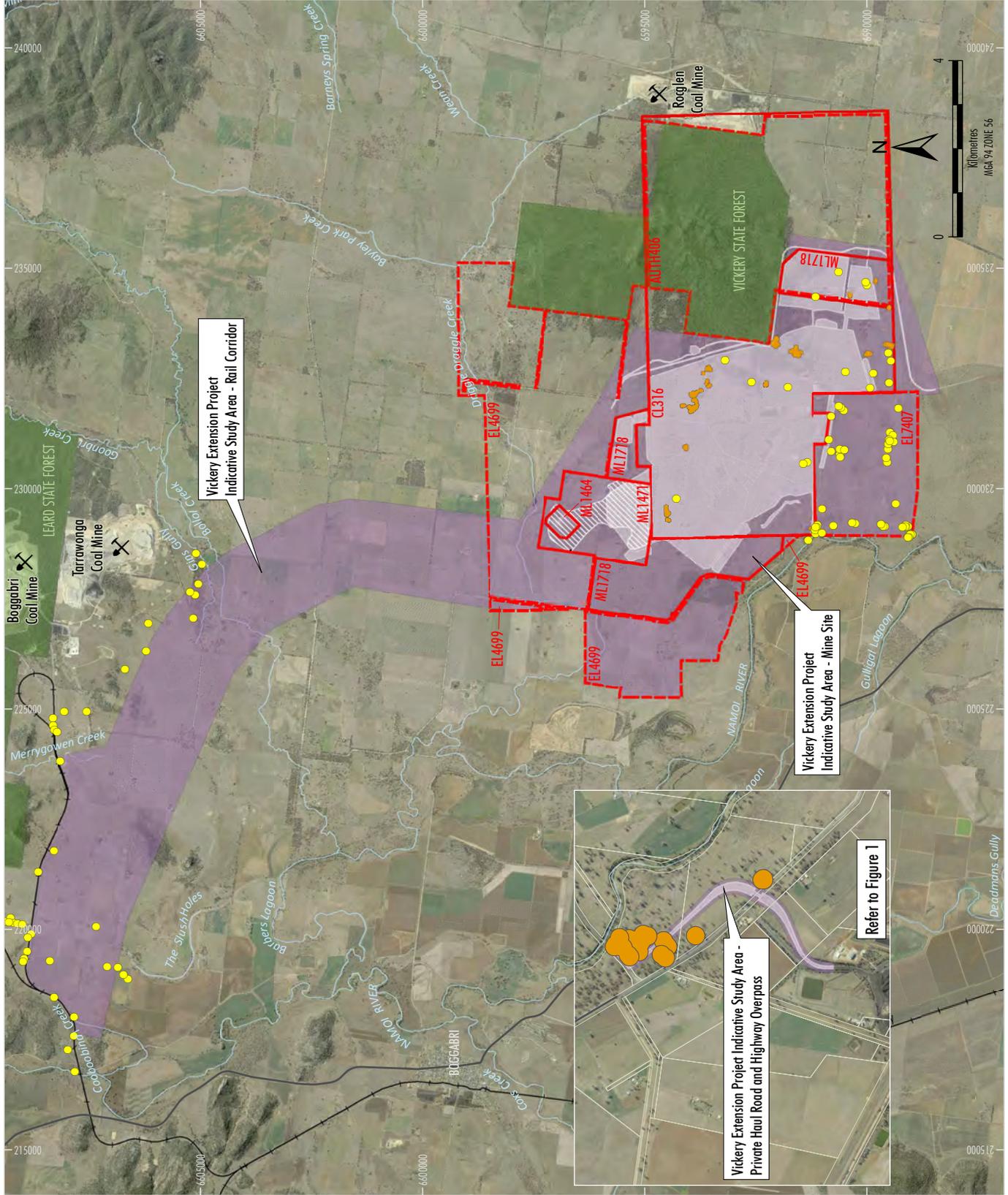


VICKERY EXTENSION PROJECT
Vickers Extension Project
Preliminary Survey Area

Figure 2



Sources: Orthophoto - Department of Land and Property Information, Aerial Photography Flown (July 2011); AHIMS (2015); Coalworks (Vickery South Pty Ltd) (2012); Landscape (2012)



WHITEHAVEN COAL

VICKERY EXTENSION PROJECT

Vickery Extension Project Indicative Study Area and Known Aboriginal Heritage Sites

Figure 3

From: Dani Wallace [vickeryacha@gmail.com]
Sent: Tuesday, 24 November 2015 11:40 AM
To: cacatua4service@tpg.com.au; cacatua@resetdls.net.au
Subject: Vickery Extension Project - AHIMS Search Results
Attachments: ExtensiveSearchReport_231015.pdf

Hi Donna,

As discussed at the Vickery Extension Project Aboriginal Cultural Heritage Assessment Information Session, please find attached a copy of the AHIMS search results for the Project area.

The Aboriginal heritage sites previously identified during the Vickery South Project surveys do not appear on the AHIMS register. Notwithstanding, the Vickery South Project area will be assessed as a component of the Vickery Extension Project Aboriginal Cultural Heritage Assessment.

Please don't hesitate to call should you have any queries.

Regards,

Dani Wallace

0414 833 397

AGA Services and Cacatua reply to the proposed methodology for the Vickery extension project.

Danielle,

With regards to the Methodology that was included in the paperwork supplied. AGA Services and Cacatua have had a meeting and discussed the methodology and would like to add the following as comment.

* We feel that there should be an opportunity for the persons that are undertaking the survey to be able to survey other areas outside the predictive model. We are not requesting to check every inch of the area. It has been found that once a person is on site that they can look at the area and feel or know of significance areas, so that should be given the chance to do so.

* Also we would like to see that NO Artefact once salvaged go off country, we believe that a shipping container can be supplied and all be deposited in the shipping container on site at a location to be discussed.

* Another point we would also like to put forward is that when the breakdown of the Artefacts is undertaken (washing, bagging, tagging and analysing (including some of the paperwork)) that the RAP's are involved. We have seen this undertaken in other areas and believe that it assists with the training of the younger group, while working with the more knowledgeable and they get a better understanding that all Artefacts are not uniformed like you find in books.

Thank you
George Sampson
Donna Sampson
Cacatua

Thank you
Adam Sampson
Ashley Sampson
Greg Sampson
AGA Services

Other meeting attendees: Stephen Sampson, Jodie Williams, Amanda Sanson, Paul Sanson, Patricia Kennedy, Gloria Johnson.

Date: 7/12/2015

WESTERN RAIL CORRIDOR
STEP 1 CORRESPONDENCE



2 December 2015

Office of Environment and Heritage
PO Box 2111
DUBBO NSW 2830

Dear Sir/Madam,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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You may recall that Whitehaven provided correspondence to you on 9 September 2015 regarding the registration process for the Vickery Extension Project Aboriginal Cultural Heritage Assessment (**Enclosure 1**).

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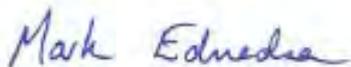
Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

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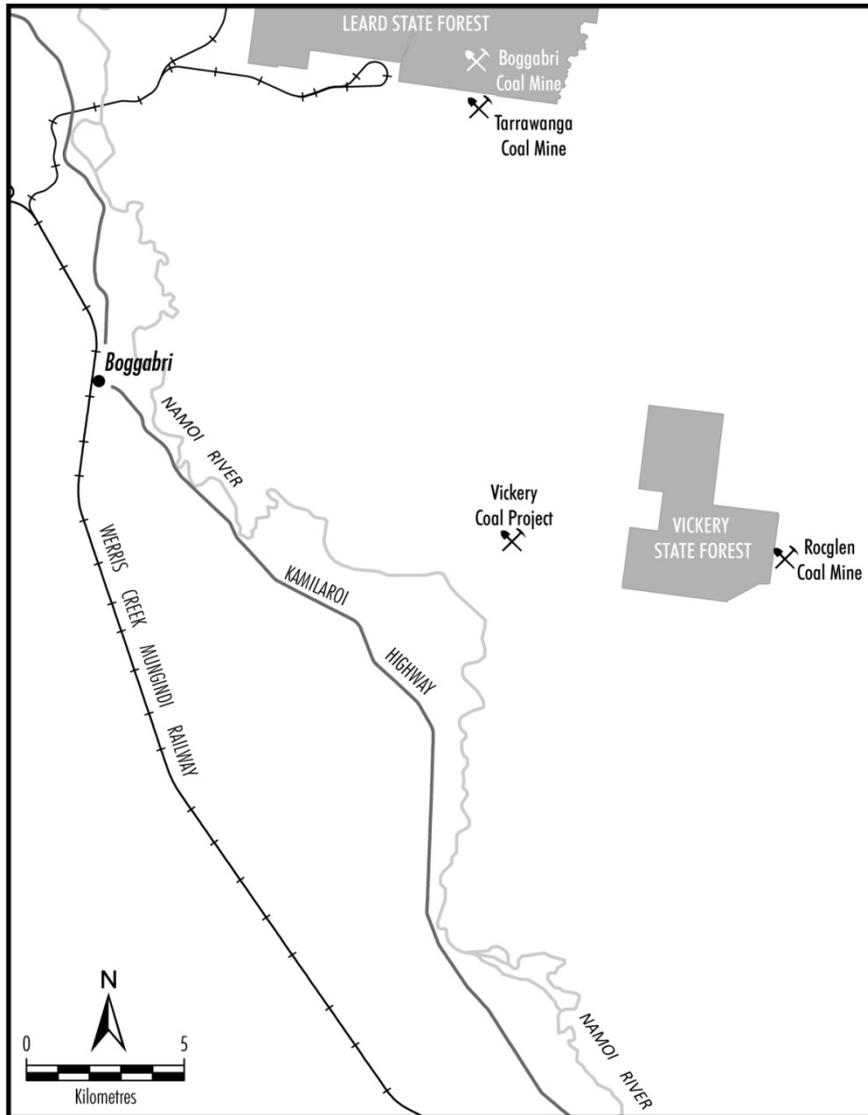
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"





2 December 2015

Gunnedah Shire Council
63 Elgin Street
GUNNEDAH NSW 2380

Dear Sir/Madam,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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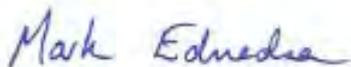
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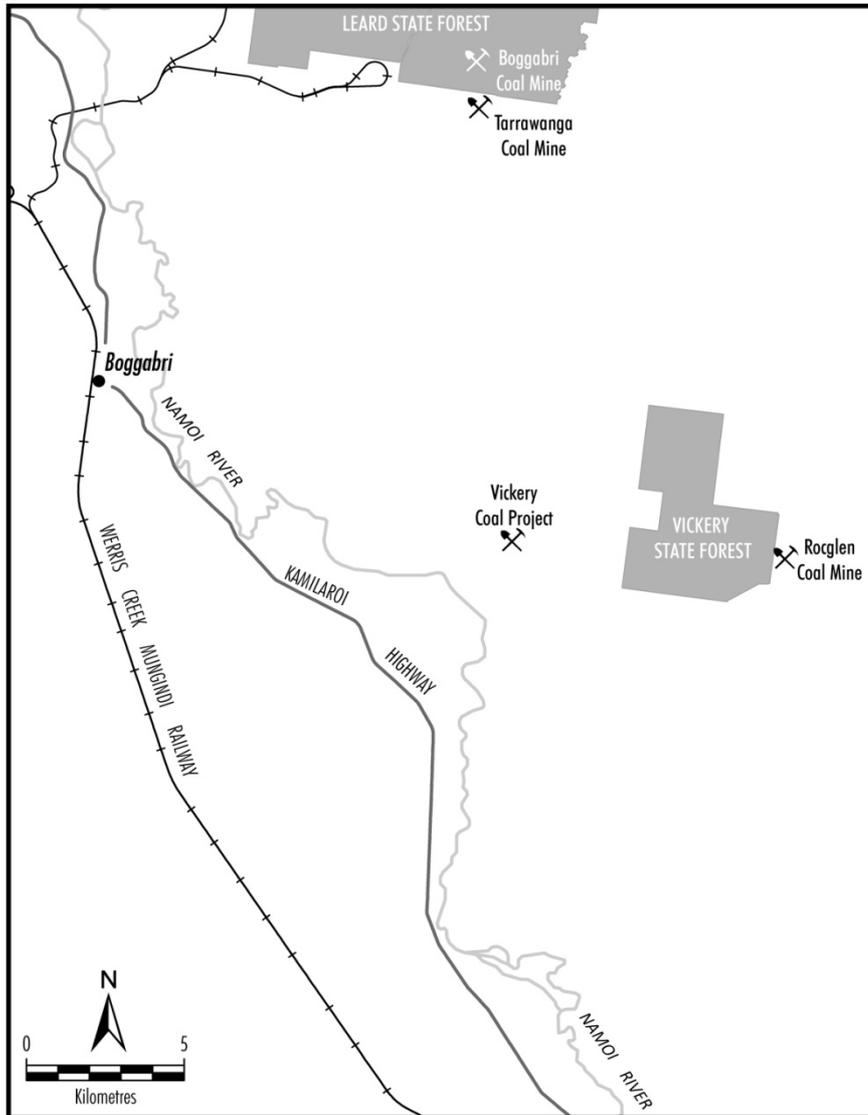
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"





2 December 2015

Narrabri Shire Council
PO Box 261
NARRABRI NSW 2390

Dear Sir/Madam,

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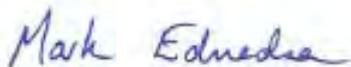
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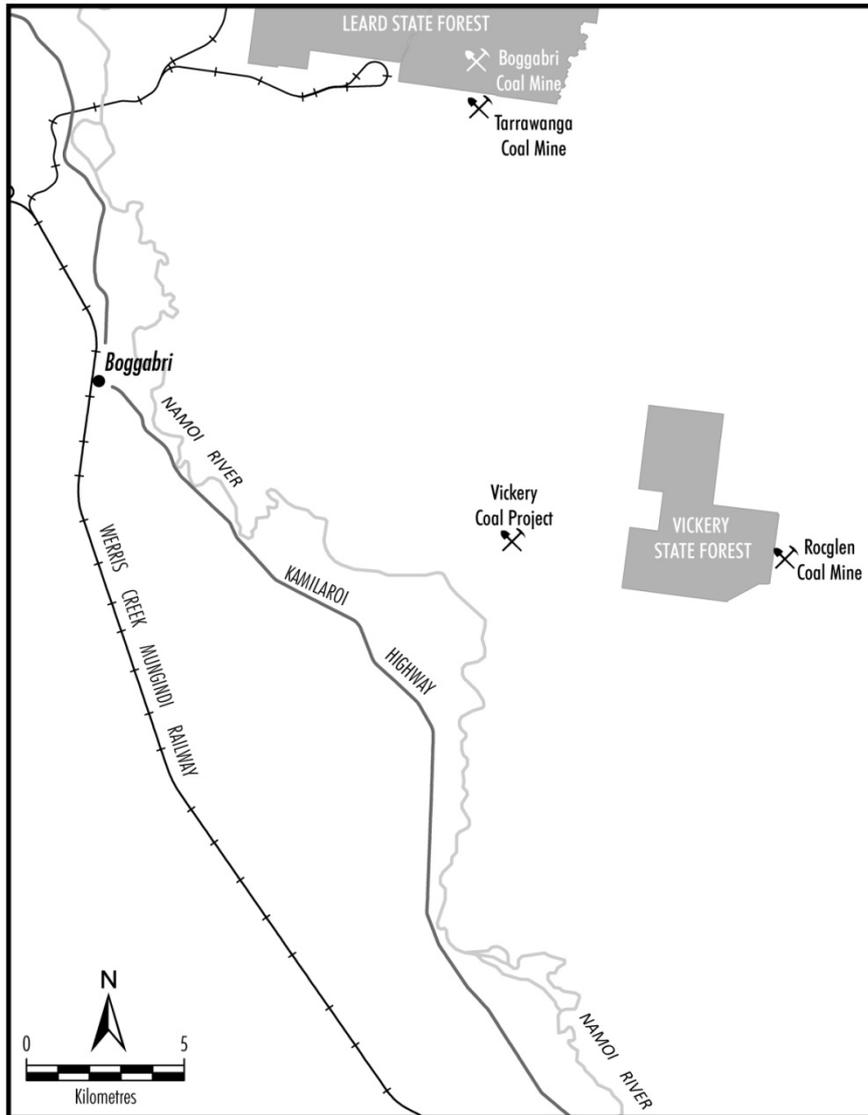
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"





2 December 2015

North West Local Land Services
PO Box 546
GUNNEDAH NSW 2380

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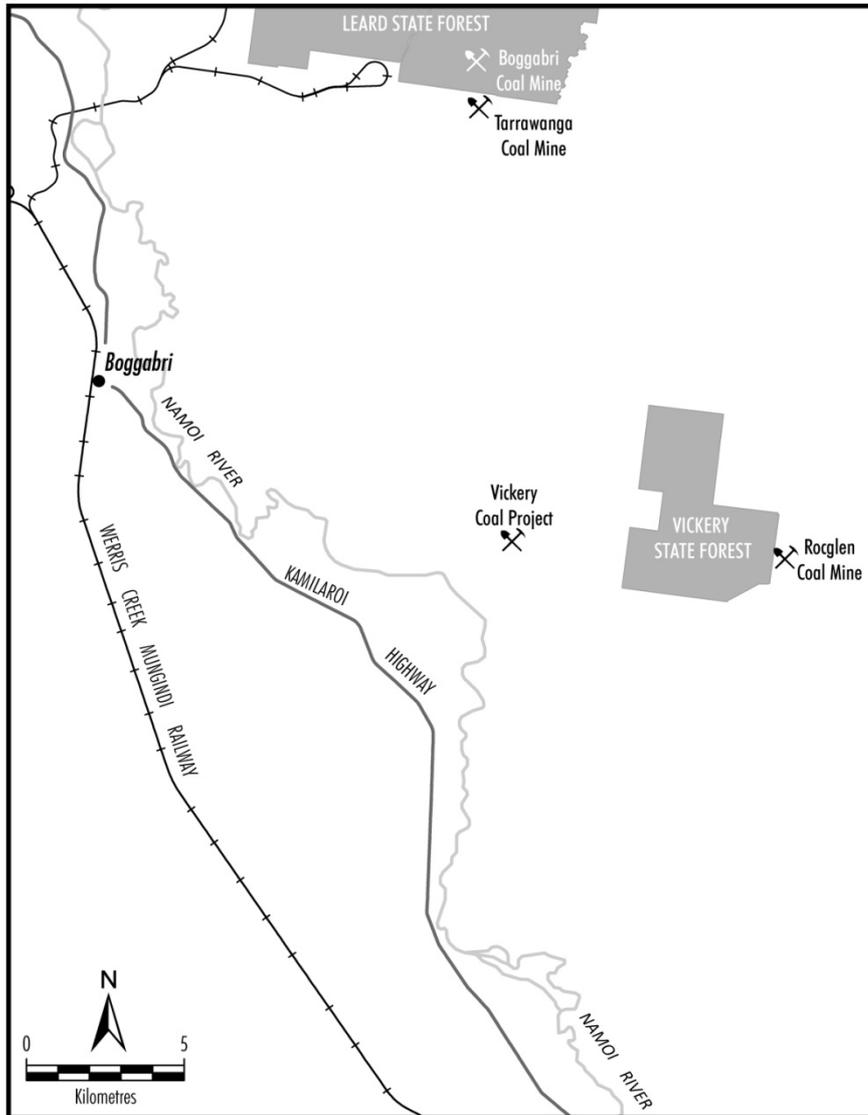
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"





2 December 2015

Native Title Services Corporation Limited
PO Box 2105
STRAWBERRY HILLS NSW 2012

Dear Sir/Madam,

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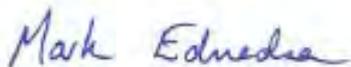
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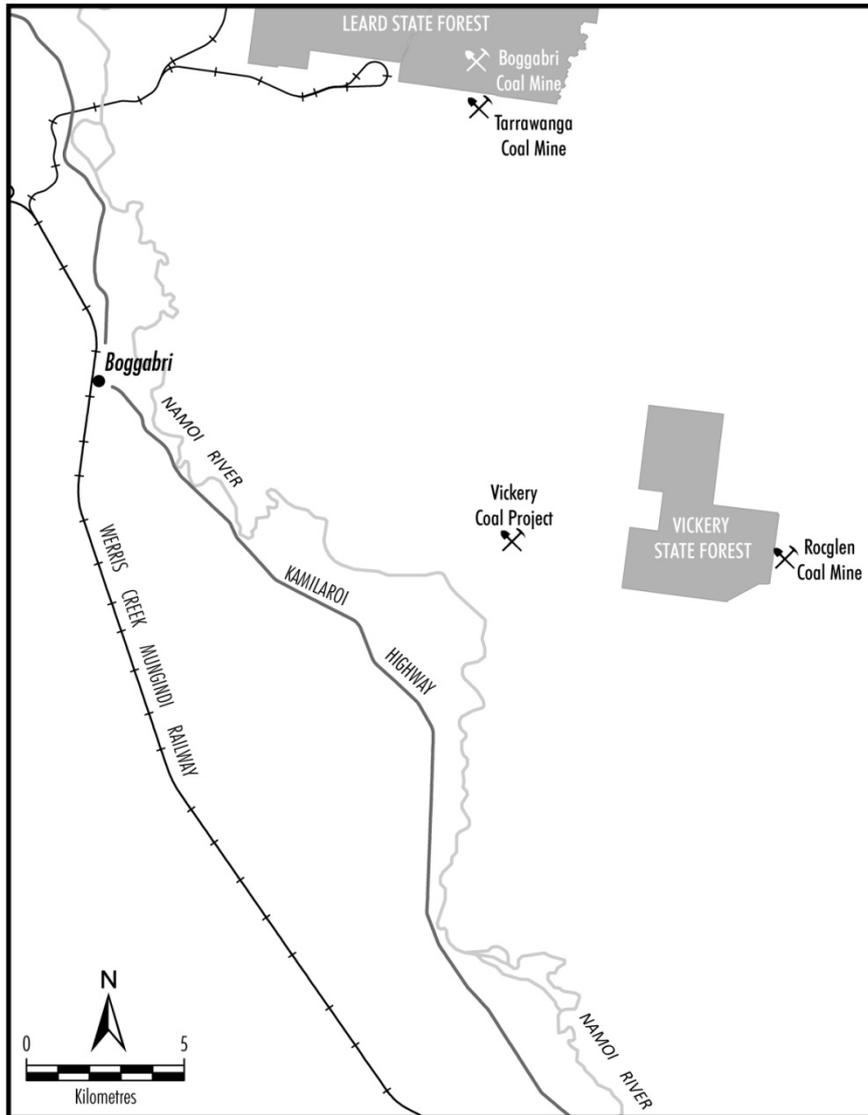
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Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"





2 December 2015

National Native Title Tribunal
NSW & ACT Registry
GPO Box 9973
SYDNEY NSW 2001

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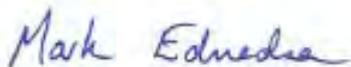
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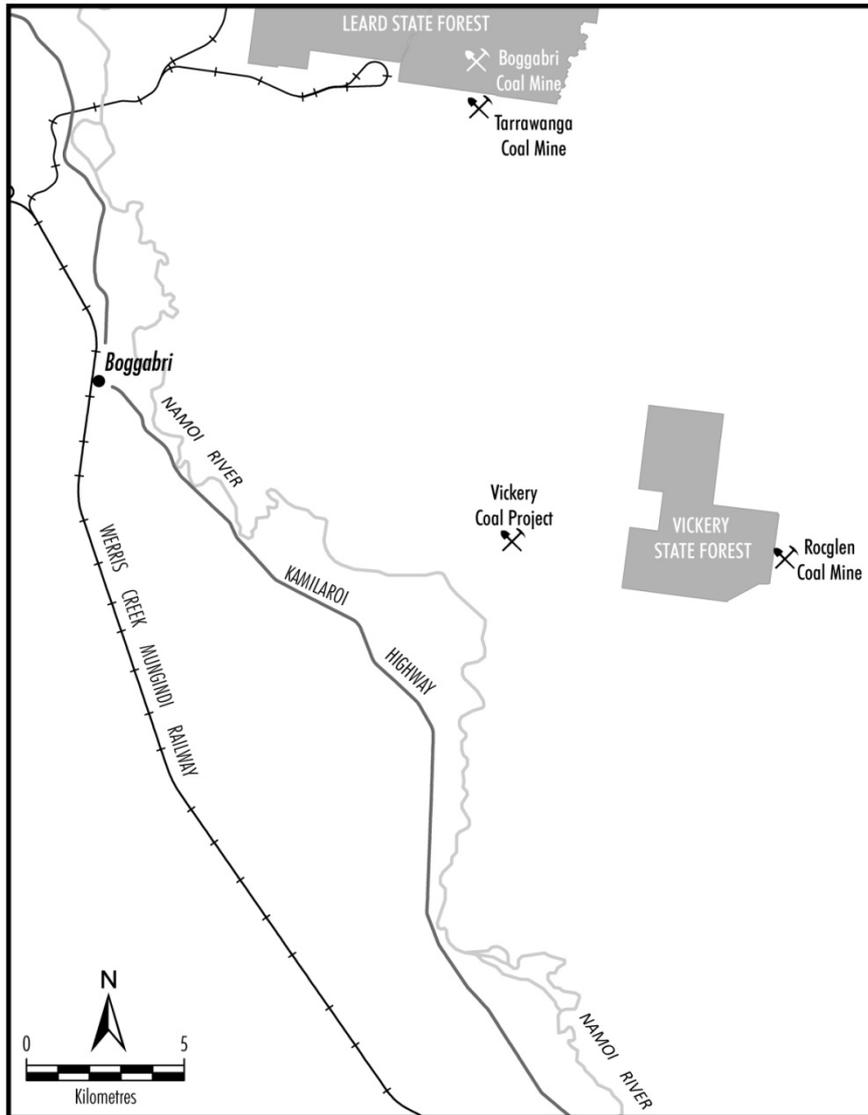
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Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"





2 December 2015

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

Dear Sir/Madam,

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You may recall that Whitehaven provided correspondence to you on 9 September 2015 regarding the registration process for the Vickery Extension Project Aboriginal Cultural Heritage Assessment (**Enclosure 1**).

Subsequent to previous correspondence and following further detailed mine planning, Whitehaven has identified additional potential alignments for the proposed rail spur. In this regard, the revised "Area of Interest" for the Vickery Extension Project (and any such application) includes the entire extent shown on the enclosed plan. The revised "Area of Interest" extends beyond the previously identified "Area of Interest" and hence Whitehaven is proposing to commence an additional registration process for any Aboriginal persons or groups who may hold cultural knowledge relevant to, or who have a right or interest in, determining the cultural heritage significance of Aboriginal objects and/or places in these additional areas.

For the purpose of meeting its consultation requirements as set out in the *Aboriginal cultural heritage consultation requirements for proponents 2010* (NSW Department of Environment, Climate Change and Water, 2010) (Consultation Guidelines) issued by the NSW Office of Environment and Heritage, Whitehaven hereby notifies you that it would like to consult with any Aboriginal persons or groups who may hold cultural knowledge relevant to, or who have a right or interest in, determining the cultural heritage significance of Aboriginal objects and/or places in the "Area of Interest".

Should you know of any Aboriginal person or group who may wish to be consulted in relation to the process described above, could you please provide their details before **5.00 pm on Monday 21 December 2015** to Whitehaven via the following contact details:

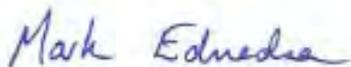
Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Whitehaven will then write to each Aboriginal person or group whose details are provided by you (if they are additional to the existing Registered Aboriginal Parties for the Vickery Extension Project) to notify them of the process and invite them to register an interest in the process of community consultation to be carried out in accordance with the Consultation Guidelines.

Whitehaven advises that the details of any Aboriginal person or group who registers an interest in the Vickery Extension Project will be forwarded to the NSW Office of Environment and Heritage and the Red Chief Local Aboriginal Land Council in accordance with Section 4.1.5 of the Consultation Guidelines, unless they specify that they do not want their details released.

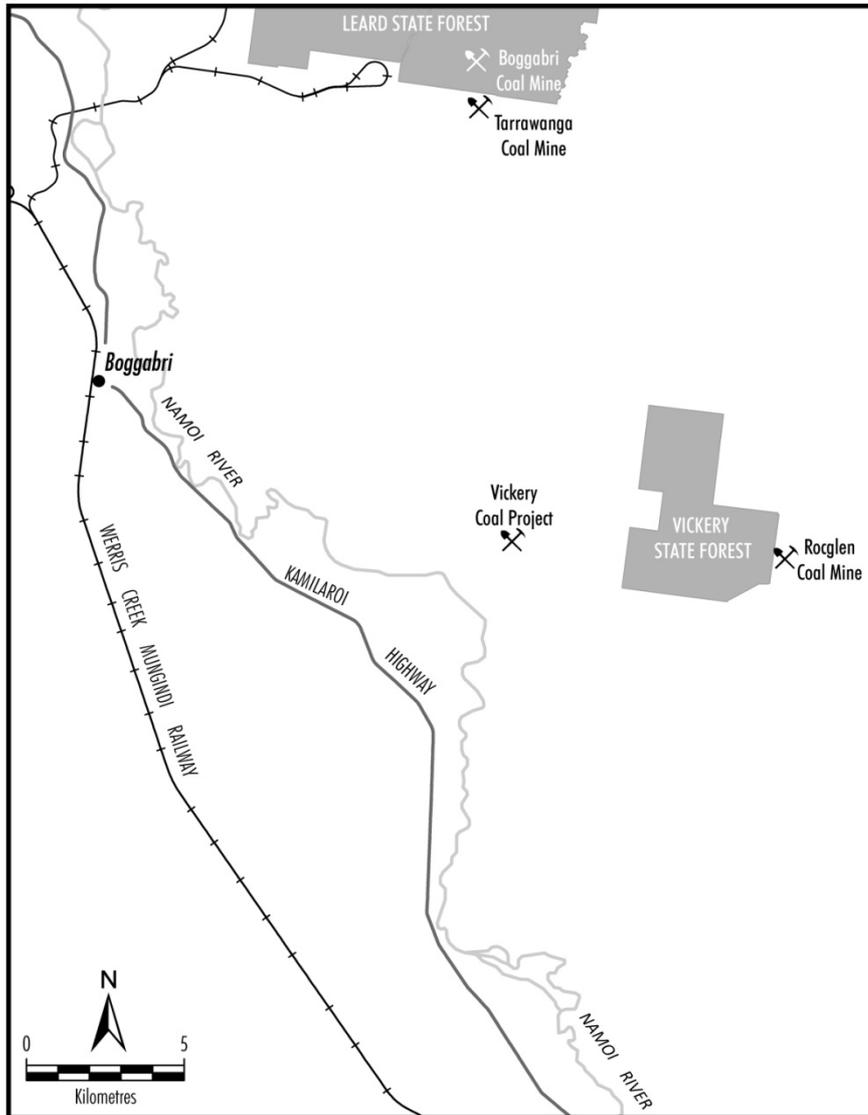
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"





2 December 2015

Red Chief Local Aboriginal Land Council
Attention: Jane Delaney-John
PO Box 745
GUNNEDAH NSW 2380

Dear Jane,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

You may recall that Whitehaven provided correspondence to the Red Chief Local Aboriginal Land Council on 9 September 2015 regarding the registration process for the Vickery Extension Project Aboriginal Cultural Heritage Assessment (**Enclosure 1**). Following completion of the registration process, a total of 68 Registered Aboriginal Parties (including the Red Chief Local Aboriginal Land Council) registered an interest in being consulted for the Vickery Extension Project.

Following further detailed mine planning, Whitehaven has identified additional potential alignments for the proposed rail spur. In this regard, the revised "Area of Interest" for the Vickery Extension Project (and any such application) includes the entire extent shown on the enclosed plan.

All existing Registered Aboriginal Parties for the Vickery Extension Project, including the Red Chief Local Aboriginal Land Council, are automatically registered for consultation associated with the additional registration process.

Notwithstanding, for the purpose of meeting its consultation requirements as set out in the *Aboriginal cultural heritage consultation requirements for proponents 2010* (NSW Department of Environment, Climate Change and Water, 2010) (Consultation Guidelines) issued by the NSW Office of Environment and Heritage, Whitehaven hereby notifies you that it would like to consult with any Aboriginal persons or groups who may hold cultural knowledge relevant to, or who have a right or interest in, determining the cultural heritage significance of Aboriginal objects and/or places in the "Area of Interest".

Should you know of any Aboriginal person or group who may wish to be consulted in relation to the process described above, could you please provide their details before **5.00 pm on Monday 21 December 2015** to Whitehaven via the following contact details:

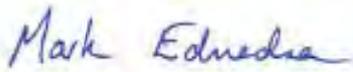
Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Whitehaven will then write to each Aboriginal person or group whose details are provided by you (if they are additional to the existing Registered Aboriginal Parties for the Vickery Extension Project) to notify them of the process and invite them to register an interest in the process of community consultation to be carried out in accordance with the Consultation Guidelines.

Whitehaven advises that the details of any Aboriginal person or group who registers an interest in the Vickery Extension Project will be forwarded to the NSW Office of Environment and Heritage and the Red Chief Local Aboriginal Land Council in accordance with Section 4.1.5 of the Consultation Guidelines, unless they specify that they do not want their details released.

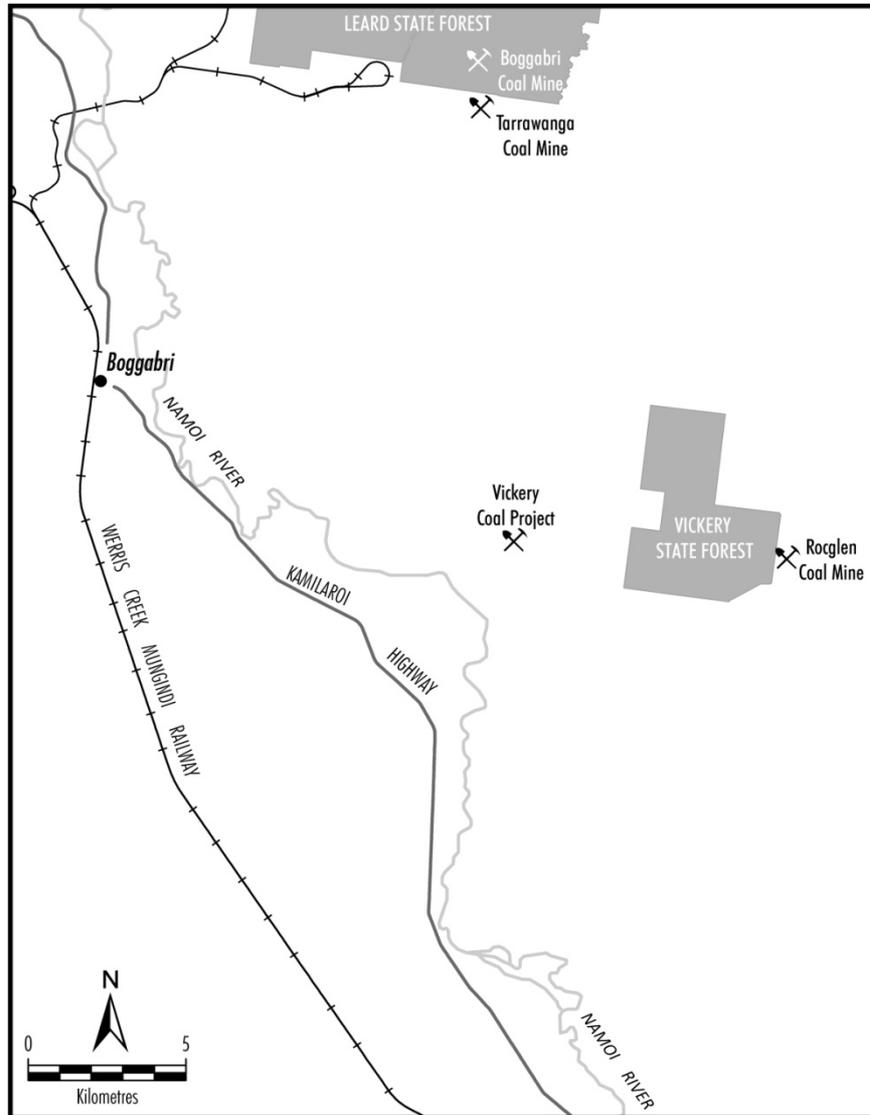
Yours sincerely,

WHITEHAVEN COAL LIMITED

A handwritten signature in blue ink that reads "Mark Edmondson". The signature is written in a cursive style and is positioned above a faint, light blue rectangular stamp.

Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION
PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	Robert Miller
Registered Aboriginal Party (if different from above)	
Address	34 Baxter st Gunnedah
Postal Address (if different from above)	As the adode
Telephone Number	67422004
Email Address	

Signed: R A Miller

Date: 26-10-2015

**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION
PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	Redchief Local Aboriginal Land Council
Registered Aboriginal Party (if different from above)	
Address	26A Chandos Street Gunnedah NSW 2380
Postal Address (if different from above)	PO Box 745 Gunnedah NSW 2380
Telephone Number	6742 3602
Email Address	ceo@redchiefalc.com.au

Signed:  _____
Date: 26-10-2015 _____

7 December 2015

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379
WEST RYDE NSW 2114

Dear Danielle

Re: Request - Search for Registered Aboriginal Owners

I refer to your letter dated 02 December 2015 regarding Aboriginal Cultural Heritage Assessment within Gunnedah 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 Red Chief Local Aboriginal Land Council. They will be able to assist you in identifying other Aboriginal stakeholders for this project. (02) 6742 3602.

Yours sincerely



Kelly Bashford

Directorate Support Officer

Office of the Registrar, *Aboriginal Land Rights Act 1983*



National
Native Title
Tribunal

18 December 2015

Whitehaven coal Ltd
C/- Danielle Wallace
PO BOX 379
WEST RYDE NSW 2114

Operations East, Sydney Office

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

Our Reference:64 5

Dear Danielle

Native Title Search Results Gunnedah LGA

Thank you for your search request received on 9 December 2015 in relation to the above area.

Search Results

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

Register Type	NNTT Reference Numbers
Schedule of Applications (unregistered claimant applications)	Nil
Register of Native Title Claims	NC2011/006 Gomaroi People
National Native Title Register	Nil
Register of Indigenous Land Use Agreements	Nil
Notified Indigenous Land Use Agreements	Nil

I have included a register extract and attachments and a NNTT Registers fact sheet to help guide your understanding of the search result.

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 directly or on freecall 1800 640 501.

Yours sincerely



Dianne Drake | CASE MANAGER

National Native Title Tribunal | Sydney Office, Operations East

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

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

Shared country, shared future.

Encl: Register extract and attachments



Searching the NNTT Registers in New South Wales

Search service

On request the National Native Title Tribunal will search its public registers for you. A search may assist you in finding out whether any native title applications (claims), determinations or agreements exist over a particular area of land or water.

In New South Wales native title cannot exist on privately owned land including family homes or farms.

What information can a search provide?

A search can confirm whether any applications, agreements or determinations are registered in a local government area. Relevant information, including register extracts and application summaries, will be provided.

In NSW because we cannot search the registers in relation to individual parcels of land we search by local government area.

Most native title applications do not identify each parcel of land claimed. They have an external boundary and then identify the areas not claimed within the boundary by reference to types of land tenure e.g., freehold, agricultural leasehold, public works.

What if the search shows no current applications?

If there is no application covering the local government area this only indicates that at the time of the search either the Federal Court had not received any claims in relation to the local government area or the Tribunal had not yet been notified of any new native title claims.

It does not mean that native title does not exist in the area.

Native title may exist over an area of land or waters whether or not a claim for native title has been made.

Where the information is found

The information you are seeking is held in three registers and on an applications database.

National Native Title Register

The National Native Title Register contains determinations of native title by the High Court, Federal Court and other courts.

Register of Native Title Claims

The Register of Native Title Claims contains applications for native title that have passed a registration test.

Registered claims attract rights, including the right to negotiate about some types of proposed developments.

Register of Indigenous Land Use Agreements

The Register of Indigenous Land Use Agreements contains agreements made with people who hold or assert native title in an area.

The register identifies development activities that have been agreed by the parties.

Schedule of Native Title Applications

The Schedule of Native Title Applications contains the description of the location, content and status of a native title claim.

This information may be different to the information on the Register of Native Title Claims, e.g., because an amendment has not yet been tested.

How do I request a native title search?

Download the Search Request Form from the Tribunal's website at -

<http://www.nntt.gov.au/assistance/Pages/Search-es-and-providing-Register-information.aspx>

Email to: NSWEnquiries@nntt.gov.au

Post to: GPO Box 9973 Sydney NSW 2001

For additional enquiries: 02 9227 4000

Gomeri People

 Gomeri People

Application Summary Attachment:
NSD2308/2011 (NC2011/006)
Map of the area covered by the application
Attachment C of the Application
Page 1 of 1, A3, 20/12/2011



NORTH

0 25

KILOMETRES

Latitude and Longitude based on Geocentric Datum of Australia 1994
Non Projection

© Commonwealth of Australia 2011

NOTE: To determine areas subject to claim within the external boundary, reference to the application description is necessary.
Application boundary data compiled by the NNTT from data sourced from DOL (NSW).

Topographic image data is © Commonwealth of Australia and is used under licence from Geoscience Australia 2008

NOTE: Topographic images should be used as a guide only.

Map created by: Geospatial Services, National Native Title Tribunal (09/12/2011)

The Registrar, the National Native Title Tribunal and its staff, members and agents and the Commonwealth (collectively the Commonwealth) accept no liability and give no undertakings, guarantees or warranties concerning the accuracy, completeness or fitness for purpose of the information provided. In return for you receiving this information you agree to release and indemnify the Commonwealth and third party data suppliers in respect of all claims, expenses, losses, damages and costs arising directly or indirectly from your use of the information and the use of the information you obtained by any third party.



Gomeri

External boundary description

The application area covers all the land and waters within the external boundary described as:

Commencing at the intersection of the centreline of an unnamed creek and the Queensland - New South Wales border at Longitude 148.384192° East and extending easterly, generally north easterly, generally south easterly and generally southerly along that State border to the eastern bank of Crooked Creek; then generally southerly along the bank of that creek to the western boundary of Bruxner Highway road reserve; then generally southerly and generally south easterly along the western boundaries of that highway, Rocky Creek Road, Innes Glen, an unnamed road, Strathbogie Road, Maids Valley Road and Waterloo Road reserves to the northern boundary of the Gwydir Highway road reserve; then generally south westerly along the boundary of that Highway road reserve to the prolongation northerly of the eastern boundary of Lot 7001 on DP93978; then southerly along that prolongation and the eastern boundaries of that lot to its south east corner; then south east to a point 1000 metres above the Australian Height Datum (A.H.D.) at Latitude 29.762966° South; then generally southerly along that 1000 metre contour to the eastern boundary of Lot 100 on DP753260; then southerly, generally easterly, again southerly and generally westerly along the eastern boundaries of that lot and northern, eastern and southern boundaries of Lot 91 on DP753292 to again the 1000 metre contour; then generally westerly and generally south easterly along that contour line to the eastern boundary of Lot 132 on DP753300; then southerly, generally westerly and generally southerly along the eastern and southern boundaries of that lot and Lot 199 on DP46377 to again the 1000 metre contour at a point approximately 200 metres north of the Macintyre River; then generally easterly and generally south westerly along that contour line to the northern boundary of the Single National Park; then generally easterly, southerly, generally westerly, generally southerly and again generally westerly along the northern, eastern and southern boundaries of that National Park to its westernmost corner; then westerly, southerly and again westerly along the northern and western boundaries of Lots 110 and 4 on DP753667 to Lot 101 on DP753667; then southerly, generally easterly and again southerly along the eastern and northern boundaries of that lot, Lot 96 on DP753667 and the prolongation southerly of that boundary across Moredun Creek to the northern boundary of Lot 900 on DP1137399; then

generally easterly and generally southerly along the northern and eastern boundaries of the western severance of that Lot and the prolongation southerly of that boundary to the southern bank of Limestone Creek; then generally westerly, southerly, westerly, again southerly, again generally westerly along that bank, eastern and southern boundaries of Lot 82 on DP753667, northern and western boundaries of Lots 57 and 64 on DP753667 and southern boundaries of lots 65 and 63 on DP753667 to the eastern boundary of Lot 2 on DP712834; then northerly, westerly, again northerly, again westerly, again northerly, again westerly and southerly along the eastern and northern boundaries of that lot and Lot 110 on DP753645, eastern and northern boundaries of Lot 33 on DP753667 and eastern, northern and western boundaries of Lot 10 on DP753667 to that lots south west corner; then westerly along the southern boundary of Lot 11 on DP753667 to the eastern boundary of Indwarra National Park; then generally southerly along the boundaries of that National Park to the northern boundary of Lot 66 on DP753645; then easterly, southerly, again easterly and generally south easterly along the northern and eastern boundaries of Lots 66, 67, 83 on DP753645, The Basin Nature Reserve and Lot 85 on DP753645 to the northern bank of Georges Creek; then generally north easterly along the southern and eastern boundaries of Lots 20, 122 and 11 on DP753645 to the western boundary of Lot 30 on DP753645; then northerly, generally easterly, generally southerly and westerly along the western, northern and eastern boundaries of Lot 30 on DP753645 and eastern and southern boundaries of Lots 58 and 62 on DP753676 to its southwest corner; then southerly and westerly along the boundaries of Lot 51 on DP753635 to the 1000 metre contour at approx Longitude 151.282626° East; then generally south easterly and generally westerly along that 1000 meter contour to the eastern boundary of Lot 89 on DP1008694; then southerly, generally south easterly, easterly and generally southerly along the eastern boundary of that lot, north eastern boundary of Lot 49 on DP753672, northern and eastern boundaries of Lots 45, 34 and 41 on DP753672 and onwards to the southern bank of Abington Creek; then generally south easterly along that bank to the south eastern corner of Lot 69 on DP721174; then westerly, southerly and generally westerly along the boundaries of that lot and Lot 68 on DP721174 to the eastern boundary of Lot 55 on DP753671; then southerly, westerly and again southerly along the boundaries of that lot, southern boundary of Lot 79 on DP721148 and eastern boundary of Lot 54 on DP753683 to the northern boundary of Lot 46 on DP753683; then easterly, generally southerly and generally south westerly along the boundaries of that lot and Lot 2 on DP236759 to the north eastern boundary of Lot 58 on DP753683; then generally

south easterly along the boundary of that lot and onwards to the southern bank of Haylocks Creek; then generally westerly along that bank and the southern bank of Cachs Creek to the northern boundary of Thunderbolts Way road reserve; then generally south easterly along that road reserve, and the eastern boundaries of Yarrowyck-Torryburn Road and Yarrowyck Crossing Road reserve boundaries to the centreline of the Gwydir River; then generally easterly and generally southerly along that centreline to Morses Creek; then generally southerly along the centreline of that creek and Long Swamp Creek to the northern boundary of Lot 5 on DP591627; then generally south westerly along that boundary to the 1000 metre contour; then generally southerly along that contour to the western boundary of Lot 117 on DP753849; then northerly, generally easterly and southerly along the western, northern and eastern boundaries of that lot and Lot 45 on DP753849 to again the 1000 metre contour; then generally southerly along that contour to Latitude 30.937829° South; then south westerly to the northern bank of the MacDonald River at 30.953337° South; then generally southerly to the northern boundary of McNamara Street, Woolbrook; then easterly and generally southerly along the boundary of that street and the centrelines of Borthwick Street, Reid Street (Limbri-Woolbrook Road) and Campfire Road to again the 1000 metre contour at approximately Latitude 30.984652° South; then generally southerly along that contour to the northern boundary of Lot 76 on DP753847 at approximately Longitude 151.331784° East; then generally easterly along that boundary and the northern boundaries of Lot 19 on DP753847 and Lots 76, 85, 54 and 4 on DP755345 to that lots eastern boundary; then southerly along that boundary, the eastern boundary of Lot 60 on DP755345 and onwards to again the 1000 metre contour; then generally south westerly along that contour to the northern boundary of Lot 67 on DP755345; then easterly, southerly, generally easterly, generally southerly, westerly, again southerly and again westerly along the boundaries of that lot and Lot 62 on DP755345 to again the 1000 metre contour; then generally southerly along that contour to the northern boundary of Lot 71 on DP755317; then generally easterly and generally southerly along the boundaries of that lot to again the 1000 metre contour; then generally southerly along that contour to the western boundary of Lot 104 on DP755317; then northerly, generally easterly and southerly along the boundaries of that lot to again the 1000 metre contour; then generally south westerly along that contour to the northern boundary of an unnamed road reserve which bisects Lot 2 on DP731952; then generally south westerly along the boundary of that unnamed road reserve (along the Port Stephens Cutting) to the south eastern corner of the northern severance of Lot 11 on

DP755338; then generally southerly and generally easterly along the western and southern boundaries of Lots 39 and 40 on DP881258, Lot 3 on DP815453 and Lot 32 on DP755351 to its south east corner; then northerly along the eastern boundary of that lot to the prolongation westerly of the northern boundary of Lot 22 on DP755351; then generally easterly along that prolongation and that boundary to the western bank of Dungowan Creek; then generally southerly along that bank to the prolongation westerly of the northern boundary of Lot 63 on DP618784; then easterly, southerly, again easterly and generally southerly along the northern and eastern boundaries of that lot and Lots 21, 28 and 23 on DP755339 to the northern boundary of the Nundle State Forest; then generally easterly and generally southerly along the eastern boundaries of that State Forest and Tomalla State Forest to the northern bank of the Barnard River; then generally westerly along that bank to the south eastern corner of Lot 28 on DP753709; then northerly, westerly, generally northerly, again westerly, again northerly and generally westerly along the eastern and northern boundaries of that lot, Lot 26 on DP753717, Lot 28 on DP45607, Lot 7301 on DP1130347 and again Lot 28 on DP45607 to the south western corner of Lot 27 on DP45607; then northerly, generally westerly and southerly along the western boundary of that lot, southern boundaries of Nundle and Hanging Rock State Forests and eastern boundary of Back River Nature Reserve to the northern bank of the Back River; then generally westerly along that bank to the 1000 metre contour; then generally southerly, generally westerly and again generally southerly along that contour to the northern boundary of Lot 49 on DP753722, being Ben Halls Gap National Park; then generally easterly, generally southerly, generally westerly and again generally southerly along the boundaries of that National Park and onwards to the centreline of Pages Creek; then generally south easterly and generally south westerly along that centreline and the centreline of the Hunter River to the Goulburn River; then generally westerly along that centreline to approximately Longitude 149.817504° East, Latitude 32.209916° South; then north westerly to the intersection of the centrelines of two unnamed creeks at approximately Longitude 149.713070° East, Latitude 32.161341° South; then generally north westerly along that centreline and the centreline of Mona Creek to the Talbragar River; then generally north westerly along that centreline to the eastern boundary of the Castlereagh Highway road reserve; then generally north westerly along that road reserve boundary to the southern bank of the Castleragh River and onwards to the centreline of that river; then generally westerly, generally north westerly and again generally westerly along that centreline and the centreline of the Macquarie River to the

Barwon River; then generally easterly and generally north easterly along the centreline of that river and the Big Warrambool to an unnamed creek at approximately Latitude 29.030555° South; then generally north easterly along the centreline of that unnamed creek back to the commencement point.

Note

Data Reference and source

- Application boundary data compiled by National Native Title Tribunal based on data sourced from NTSCORP.
- Cadastre data sourced from the LPM Authority, NSW (September 2010) and Public Sector Mapping Agency (November 2011).
- Rivers / Creeks based on cadastre where available, otherwise, Topographic vector data which is © Commonwealth of Australia (Geoscience Australia) 2003.
- Road names sourced from cadastre and Google map data © 2011 - Whereis (R) Sensis Pty Ltd.
- Contour data supplied by NTSCORP.

Reference datum

Geographical coordinates have been provided by the NNTT Geospatial Services and are referenced to the Geocentric Datum of Australia 1994 (GDA94), in decimal degrees and are based on the spatial reference data acquired from the various custodians at the time

Use of Coordinates

Where coordinates are used within the description to represent cadastral or topographical boundaries or the intersection with such, they are intended as a guide only. As an outcome to the custodians of cadastral and topographic data continuously recalculating the geographic position of their data based on improved survey and data maintenance procedures, it is not possible to accurately define such a position other than by detailed ground survey.

Prepared by Geospatial Services, National Native Title Tribunal (09 December 2011)



Extract from Schedule of Native Title Applications

Application Reference: Federal Court number: NSD2308/2011
NNTT number: NC2011/006

Application Name: Gomeroi People v Attorney General of New South Wales (Gomeroi People)

Application Type: Claimant

Application filed with: Federal Court of Australia

Date application filed: 20/12/2011

Current stage(s): Notification Complete

Registration information: Please refer to the Register of Native Title Claims/National Native Title Register (as appropriate) for registered details of this application.

Date claim entered on Register of Native Title Claims: 20/01/2012

Registration decision status: Accepted for registration

Registration history: Registered from 20/01/2012

Applicants: Alfred Boney, Maureen Sulter, Clifford Toomey, Lyall Munro Junior, Norman McGrady, Madeline McGrady, Leslie Woodbridge, Jason Wilson, Michael Anderson, Alfred Priestly, Ray Tighe, Greg Griffiths, Burrul Galigabali, Susan Smith, Richard Green, Raymond Welsh Senior, Elaine Binge, Bob Weatherall, Anthony Munro

Address(es) for Service: Sam Hegney Solicitors
53 Fox Street
Walgett NSW 2832
Phone: 02 6828 1649
Fax: 02 6828 1649

Additional Information

Not applicable

Persons claiming to hold native title:

The Gomeroi People are the native title claim group on whose behalf the Applicant makes this

application. The native title claim group comprises all the descendants of the following apical ancestors:

Thomas Pitt (who was born in 1838).

Billy Barlow (who was born in Tycannah in 1835)

Peter James Cutmore (who was born in Tycannah in 1849)

James Swan (who was born in Combadello in 1825)

Harriett Wyndham (who was born in Mungie Bundie in 1863)

William Levy (who was born in Terry Hie Hie in 1867)

Sally Nerang (who was born in Terry Hie Hie circa 1840)

Eliza Barlow (who was born in Terry Hie Hie circa 1860)

Kitty Dangar (who was born in Walgett in 1837)

William Clark (who was born in Collarenebri in 1845)

Murray Ippai (who was born in Collarenebri)

Mary Ann Ippai (who was born on the Barwon River)

Edward Morgan (who was born in Dungalear in 1855)

Nancy Morgan (who was born in Dungalear in 1861)

Robert Nicholls (who was born in Collarenebri in 1842)

Frank Mundy (who was born in Collymongle in 1872)

Lena Combo (who was born in Mogil Mogil in 1876)

Jack Thunderbolt (who was born in Walgett in 1847)

Betsy Yates (also known as Polly Yates and Polly Burras) (who was born on the Barwon River circa 1860)

Jenny (who was born in Walgett circa 1840)

Dick Silk (who was born in Walgett)

Fred Parker (who was born in Gingie in 1864)

Murray Rook (who was born in Collarenebri in 1865)

Ethel Tinker (who was born in Mercadool circa 1878)

Emily McPherson (who was born in Collarenebri in 1892)

Billy Whitford (who was born in 1828)

King Robert Cobbler (who was born in Mogil Mogil in 1855)

Billy Wightman (who was born in Kunopia in 1813)

John McGrady (who was born in Moree in 1853)

William Dennison (who was born in Kunopia in 1843)

Charlie Dennison (who was born circa 1846-1866)

Alice Dennison (who was born in Moree circa 1863 -1873)

Lucy Long (who was born in Boomi circa 1850)

Minnie Lance (who was born in Boomi circa 1868)

, Harry Denham

Charles Cubby (who was born on the Boomi River)

Sarah Wilson (also known as Sarah Murphy and Sarah Witman) (who was born in Kunopia in 1868)

Reuben Bartman (who was born in Boomi in 1876)

Billy Dunn (who was born in Mungindi)

William Edwards (who was born in Thallon)

Queen Susan (who was born in Welltown)

Phoebe Munday-Williams (who was born in Mungindi in 1864)

George Bennett (who was born in Mungindi in 1873)

Amelia Bell (also known as Amelia Brown) (who was born in Bingara in 1862)

William Snow (who was born in Tamworth or Moonbi in 1855)

Francis Snow (who was born in Tamworth in 1858)

Matilda Wyndham (who was born in Bingara in 1842)

Thomas Duke (who was born in Bingara in 1847)

Teasie Griffen (also known as Jessie Griffen and Ellen Griffen) (who was born in Barraba in 1859)

Mary Anne Hammond (who was born in Tamworth in 1836)

Elizabeth Guest (also known as Eliza Gillan) (who was born in Liverpool Plains in 1840)

Jane Maloney (who was born in Walhallow in 1838)

Mary Ann Healy (who was born in Murrurundi in 1829)

Thomas Taylor (who was born in Coolah in 1836)

Elizabeth Loder (also known as Elizabeth Bates) (who was born in Murrurundi in 1843)

Sarah Gatehouse (who was born in Aberdeen in 1835)

William Duncomb (who was born in Muswellbrook circa 1830)

John Morris Tighe (who was born in 1852)

Susan Bishop-Young (also known as Susan Dangar) (who was born in Warialda)

Sarah Murphy (who was born in 1846)

Thomas French (who was born in Scone in 1825)

John Thomas Bates (who was born on the Mooki River in 1840)

Alexander Nean (who was born in Liverpool Plains in 1843)

David Johnson (who was born in Cassilis circa 1838-1844),

Mary Orr (also known as Nellie Orr) (who was born in Garrawilla in 1853)

Julia Campbell (who was born on the Castlereagh River circa 1833-1834)

Annie Jendis (who was born in Burbagate in 1845)

Harriet Munro (who was born in Gunnedah in 1867)

Alice Eliza Natty (who was born on the Namoi River near Boggabri in 1857)

James Tighe (who was born in Coonabarabran in 1842)

William Tighe (who was born in Toorawandi in 1844)

Patrick Tighe (who was born in Coonabarabran in 1852)

Jane Tighe (who was born in 1864)

Mary Jane Griffin (also known as 'Old Ibidah')

Susan Slater (who was born in Coonabarabran in 1839)

Thomas Leslie (who was born in Kirban circa 1850-1854),

James Leslie (who was born in born Armatree in 1853)

Ellen Fuller (who was born in Rockgidgiel in 1854)

Sarah Hughes (who was born in Coonabarabran circa 1834-1859)

James Cole (who was born in 1845)

Mary Ann Hall (who was born on the Castlereagh River in 1840)

Samuel Bruce Smith (who was born in Tambar Springs circa 1860 ' 1863)

Elizabeth Ann Smith (who was born in Mullaley in 1866)

William Green (also known as William Edwards) (who was born in Kings Plains near Inverell in 1853)

Angus Landsborough (who was born in Newstead in 1867)

Patrick Landsborough (who was born in Newstead in 1872)

Alec Brown (who was born in Bundarra in 1873)

Margaret King (who was born in Gummin Gummin near Gulargambone circa 1854-1858)

William James King (who was born in Coonabarabran circa 1851-1853)

Florence May Blackman (also known as Louisa Florima Blackman) (who was born in Coonamble in 1846)

Euphemia Blackman (who was born on the Castlereagh River in 1851)

Henry Arthur Yates (who was born in Coonamble in 1860)

Betsy Yates (who was born in Wingadee in 1854),

Annie Day (who was born in Bullarora Station near Coonamble circa 1871-1876)

Army Toomey (who was born in Wingadee near Coonamble in 1886)

Maria Clare Hall (who was born in Gulargambone circa 1830-1833)

Thomas Carney (who was born in Tonderburine in 1852)

Jim Duncan (who was born in Coonamble in 1854)

Thomas Reid (who was born in Cuttabri in 1840)

Thomas John Blacklock (who was born in Terembone in 1851)

Thomas Dangar (who was born in Drilldool in 1857)

Harry Doolan (who was born in Pilliga in 1855)

George Green (who was born in 1851)

Lucy Barr (who was born in Boggabri in 1851)

Peggy Reid (who was born in Cuttabri in 1836)

Julia Jane Saunders (who was born in Wee Waa in 1845)

William Newman (who was born in Cuttabri in 1807)

Emma Dingwell (who was born in Bograh Station near Narrabri in 1864)

Kate Purser (who was born in Narrabri in 1863)

Mary Ann Lucas (who was born in Millie in 1840)

Frank Maybury (who was born in Killarney Station near Narrabri circa 1840)

Charlotte Hagan (also known as Charlotte Keegan) (who was born in Narrabri circa 1850-1870)

Nellie Combo (who was born in Wallah Station near Narrabri in 1850)

Mary Peake (who was born in Narrabri in 1848)

Descendants include persons who are descendants by adoption according to traditional law and custom.

Adoption into the Gomeri People is acknowledged and practiced in accordance with Gomeri traditional laws and customs.

If an objective test for adoption is required, it can be tested for by the following features based upon Gomeri traditional laws and customs:

- Has the adopted individual been raised from childhood by a member of the Gomeri native title claim group?
- Has the adopted individual, since childhood, identified himself or herself as a member of the Gomeri native title claim group?,
- Has the adopted individual, since childhood, been identified by other members of the Gomeri native title claim group as a member of the Gomeri native title claim group?
- Has the adopted individual, since childhood, been attributed the same rights and interests as other members of the Gomeri native title claim group, by members of the Gomeri native title claim group?
- Has the adopted individual demonstrated a consistent and active involvement in the Gomeri native title claim group since childhood, comparable with the consistent and active involvement of non-adopted members of the Gomeri native title claim group?

Native title rights and interests claimed:

1. Where exclusive native title can be recognised (such as areas where there has been no prior extinguishment of native title or where s.238 and/or ss.47, 47A and 47B apply), the Gomeri People as defined in Schedule A of this application, claim the right to possession, occupation, use and enjoyment of the lands and waters of the application area to the exclusion of all others subject to the valid laws of the Commonwealth and the State of New South Wales.

2. Where exclusive native title cannot be recognised, the Gomeri People as defined in Schedule A of this application, claim the following non-exclusive rights and interests including the right to conduct activities necessary

to give effect to them

- (a) the right to access the application area;
- (b) the right to use and enjoy the application area;
- (c) the right to move about the application area;
- (d) the right to camp on the application area;
- (e) the right to erect shelters and other structures on the application area;
- (f) the right to live being to enter and remain on the application area;
- (g) the right to hold meetings on the application area;
- (h) the right to hunt on the application area;
- (i) the right to fish in the application area;
- (j) the right to have access to and use the natural water resources of the application area;
- (k) the right to gather and use the natural resources of the application area (including food, medicinal plants, timber, tubers, charcoal, wax, stone, ochre and resin as well as materials for fabricating tools, hunting implements, making artwork and musical instruments);
- (l) the right to manage natural resources including the right to carbon;
- (m) the right to share and exchange resources derived from the land and waters within the application area;
- (n) the right to participate in cultural and spiritual activities on the application area;
- (o) the right to maintain and protect places of importance under traditional laws, customs and practices in the application area;
- (p) the right to conduct ceremonies and rituals on the application area;
- (q) the right to transmit traditional knowledge to members of the native title claim group including knowledge of particular sites on the application area;
- (r) the right to speak for and make non-exclusive decisions about the application area in accordance with traditional laws and customs;
- (s) the right to speak authoritatively about the application area among other Aboriginal People in accordance with traditional laws and customs; and
- (t) the right to control access to or use of the lands and waters within the application area by other Aboriginal People in accordance with traditional laws and customs.

3. The native title rights and interests referred to in paragraph 2 do not confer possession, occupation, use or enjoyment of the lands and waters of the application area to the exclusion of all others.

4. The native title rights and interests are subject to and exercisable in accordance with:

- (a) the laws of the State of New South Wales and the Commonwealth of Australia including the common law;
- (b) the rights (past or present) conferred upon persons pursuant to the laws of the Commonwealth and the laws of the State of New South Wales; and
- (c) the traditional laws and customs of the Gomeroi People for personal, domestic and communal purposes (including social, cultural, religious, spiritual and ceremonial purposes).

Application Area: **State/Territory:** New South Wales
Brief Location: Northwest NSW
Primary RATSIB Area: New South Wales
Approximate size: 111319.2488 sq km
(Note: There may be areas within the external boundary of the application that are not claimed.)
Does Area Include Sea: No

Area covered by the claim (as detailed in the application):

A) Area covered by application

The area covered by the application ('the Application Area') comprises all the land and waters within the external boundaries described in Attachment B and depicted in the map at Attachment C.

The Application Area description and map have been prepared with the assistance of the Geo-Spatial Unit of the National Native Title Tribunal. The area covered by this application does not include the areas described at point B below.

(B) Areas within the external boundaries not covered by the application

1. The area covered by the application excludes any land and waters covered by past or present freehold title or by previous valid exclusive possession acts as defined by section 23B of the Native Title Act 1993 (Cth)
2. The area covered by the application excludes any land and waters which are:
 - a) a Scheduled interest;
 - b) a freehold estate;
 - c) a commercial lease that is neither an agricultural lease nor a pastoral lease;
 - d) an exclusive agricultural lease or an exclusive pastoral lease;
 - e) a residential lease;
 - f) a community purpose lease;
 - g) a lease dissected from a mining lease and referred to in s 23B(2)(c)(vii) of the Native Title Act (1993) (Cth); and
 - h) any lease (other than a mining lease) that confers a right of exclusive possession over particular land or waters.
3. Subject to paragraphs 5 and 6, the area covered by the application excludes any land or waters covered by the valid construction or establishment of any public work, where the construction or establishment of the public work commenced on or before 23 December 1996.
4. Subject to paragraphs 5 and 6, exclusive possession is not claimed over areas which are subject to valid previous non-exclusive possession acts done by the Commonwealth, State or Territory.
5. Subject to paragraph 7 below, where the act specified in paragraphs 2, 3 and 4 falls within the provisions of:
 - a) s 23B(9) Exclusion of acts benefiting Aboriginal Peoples or Torres Strait Islanders;
 - b) s 23B(9A) Establishment of a national park or state park;
 - c) s 23B(9B) Acts where legislation provides for non-extinguishment;
 - d) s 23B(9C) Exclusion of Crown to Crown grants; and
 - e) s 23B(10) Exclusion by regulation;the area covered by the act is not excluded from the application.
6. Where an act specified in paragraphs 2, 3 and 4 affects or affected land or waters referred to in:
 - f) s 47 Pastoral leases etc covered by claimant application;

g) s 47A Reserves covered by claimant application;

h) s 47B Vacant Crown land covered by claimant application;

the area covered by the act is not excluded from the application.

7. The area covered by the application excludes land or waters where the native title rights and interests claimed have been otherwise extinguished.

Attachments:

1. Map of the area covered by the application , Attachment C of the Application, 1 page - A3, 20/12/2011

2. Description of area covered by the application, Attachment B of the Application, 5 pages - A4, 20/12/2011

NNTT Contact Details

Address: National Native Title Tribunal
Sydney Office
Level 16, Law Courts Building
Queens Square
SYDNEY NSW 2000

GPO Box 9973
SYDNEY NSW 2001

Telephone: (02) 9227 4000
Freecall: 1800 640 501
Fax: (02) 9227 4030
Web Page: www.nntt.gov.au

End of Extract



Your reference
Our reference
Contact

Vickery Extension Project
DOC15/511882
Paul Houston (02) 6883 5361

Whitehaven Coal Limited
PO Box 379
WEST RYDE NSW2114
Att: Danielle Wallace

14th December 2015

Dear Danielle,

WRITTEN NOTIFICATION AS REQUIRED UNDER OFFICE OF ENVIRONMENT AND HERITAGE (OEH) ABORIGINAL CULTURAL HERITAGE REQUIREMENT FOR PROPONENTS 2010 – For the proposed Vickery Extension project near Gunnedah, NSW

I refer to your letter dated 2nd December 2015 to the Office of Environment and Heritage (OEH) regarding the above matter.

A list of known Aboriginal parties that OEH feels is likely to have an interest in this development is attached as Attachment 1 (overleaf). Please note this list is not necessarily an exhaustive list of all interested Aboriginal parties and receipt of this list does not remove the requirement of a proponent/consultant to advertise in local print media and contact other bodies seeking interested Aboriginal parties, in accordance with the requirements.

If you wish to discuss any of the above matters further please contact me, at your earliest convenience, on (02) 6883 5361.

Yours sincerely

Paul Houston
Aboriginal Heritage Planning Officer
OEH

The Department of Environment Climate Change and Water is now known as
The Office of Environment and Heritage.

PO Box 2111, Dubbo NSW 2830
48-52 Wingewarra St Dubbo NSW
Tel: (02) 6883 5330 Fax: (02) 6884 9382
www.environment.nsw.gov.au

ATTACHMENT 1

OEHS LIST OF ABORIGINAL STAKEHOLDER GROUPS WITHIN THE NARRABRI LGA- THAT MAY HAVE AN INTEREST IN THE PROJECT; PROVIDED AS PER THE "OEHS ABORIGINAL CULTURAL HERITAGE REQUIREMENT FOR PROPONENTS 2010".

Organisation/Affiliation	Name/Title	Address
Alison Sampson		36 Hill Street, Caroona NSW 2343
AT Gomilaroi Cultural Consultancy	Aaron Talbott	6 Bando Street, Gunnedah NSW 2380
Bigundi Biame Gunnedarr Traditional People	CEO	16 South Street, Gunnedah NSW 2380
BJC Cultural Management	Ben Cameron	11 Stanley Street, Gunnedah NSW 2380
Brent Mathews		21 Bando Street, Gunnedah NSW 2380
Brian Draper		7 Sovereign St, Dubbo NSW 2830
Bunda Consultants	Tammy Knox	23 Cunningham Street, Tamworth NSW 2380
Christine Archbold		40 Humphies St, Muswellbrook NSW 2333
Clifford Matthews		16/A Mahogany Ave Muswellbrook NSW 2333
Darrell Mathews		14 Edinglassie Dr Muswellbrook NSW 2333
Donna Moodie		PO Box 356 Darling Heights QLD 4350
Elli Lewis	Patrica Jean Hands	20 Acacia Circuit Singleton NSW
Esther Tighe		1/86 Edward Street, Gunnedah NSW 2380
George Sampson (C/-Cucatus Culture Consultants)		49 Ibis Pde Woodberry NSW 2322
Gomeroi Murri Ganuurr Yuurray Wadi Palinka	Greg Griffith	4 Wattle Street, Gunnedah NSW 2380
Gomeroi Narrabri	Chairperson (Craig	29 Doyle Street, Narrabri

The Department of Environment Climate Change and Water is now known as
The Office of Environment and Heritage.

Aboriginal corporation	Trindall 0430295911)	NSW 2390
Gunida Gunyah	CEO	PO Box 439, Gunnedah NSW 2380
Hazel Collins		3 Carroll Street, Gunnedah NSW 2380
Heilamon Cultural Consultants	Clifford Johnson	77 Tobruk Ave, Muswellbrook NSW 2333
Jason Wilson		23 Clews St, Dubbo NSW 2830
Jodie Mckinnon		100 Stock Rd, Gunnedah NSW 2380
John Matthews		16/A Mahogany Ave Muswellbrook NSW 2333
Joshua Matthews		21 Bando Street, Gunnedah NSW 2380
Justin Matthews		16/B Mahogany Ave Muswellbrook NSW 2333
KL.KG Saunders Trading Service		6 Bowfield Place, Muswellbrook NSW 2333
Lorraine Towney		32 Dewhurst Street Quirindi, NSW 2343
Luke Cameron Cultural Management		28 Herbert St, Gunnedah NSW 2380
Mavonia Welsh		1 Yabsley Ave, Marrickville NSW, 2204
ME Griffiths Cultural Management	Marie- Ellen Griffiths	10 herbert Street, Gunnedah NSW 2380
Michael Long		17 Albion Street Gunnedah NSW 2380
Michelle Saunders		24 Walhallow Village, Walhallow NSW 2340
Michelle Saunders		24 Walhallow Village, Walhallow NSW 2340
Min Min Aboriginal Corporation	CEO	Po Box 877, Gunnedah NSW 2380
NARRABRI LALC	Chairperson	PO Box 37 NARRABRI NSW 2390

The Department of Environment Climate Change and Water is now known as
The Office of Environment and Heritage.

Natasha Rodgers		7 Toy Court, Wodonga VIC 3690
Paul Moodie		15 Schwager St Gunnedah NSW 2380
Red Chief LALC	Chairperson	P O Box 745 GUNNEDAH NSW 2357
Robert Miller		34 Baxter Street Gunnedah NSW 2380
Rodney Mathews		8 Fitzgerald Ave Muswellbrook NSW 2333
Ron Smith		Flat 8, 6 Hasting River Drive, Port Macquire
Ronald Long		32 High Street, Gunnedah, NSW 2380
Roslyn Smith		Unit 4 122 Upper St Tamworth NSW 2340
Scott Smith		Unit 4 122 Upper St Tamworth NSW 2340
Sonny Fitzroy		17 Albion Street Gunnedah NSW 2380
Steve Saunders		35 Walhallow Village, Caroona NSW 2343
T&G Culture Consultants	Tony Griffiths	4 Wattle Street, Gunnedah NSW 2380
Tania Mathews		23 Reid street, Narrabri NSW 2390
TOOMELAH LALC	Chairperson	PO Box 261 BOGABILLA NSW 2409
Tracy Woltley		75 High Street Gunnedah NSW 2380
Troy Silver		57 Hopedale Ave Gunnedah NSW,2380

The Department of Environment Climate Change and Water is now known as
The Office of Environment and Heritage.



Shire of
Gunnedah
Land of Opportunity

Whitehaven Coal
C/ PO Box 379
WEST RYDE NSW 2114

ATTENTION: Danielle Wallace

11 December 2015

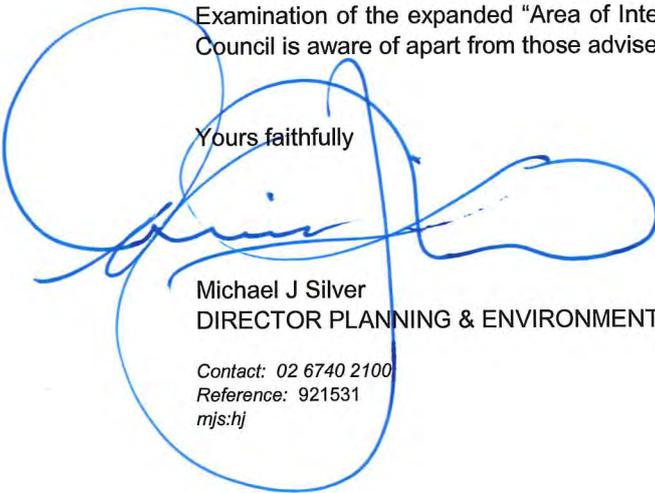
Dear Madam

**Vickery Extension Project
Aboriginal Cultural Heritage Assessment**

I refer to correspondence of 4 December 2015 advising that Whitehaven Coal Limited (Whitehaven) has identified additional potential alignments for the proposed rail spur for the Vickery Extension Project and has expanded the "Area of Interest" having particular regard to the Aboriginal Cultural Heritage Assessment for the project.

Examination of the expanded "Area of Interest" has not identified any additional parties or groups that Council is aware of apart from those advised to you in Council's communication of 24 September 2015.

Yours faithfully



Michael J Silver
DIRECTOR PLANNING & ENVIRONMENTAL SERVICES

Contact: 02 6740 2100
Reference: 921531
mjs:hj

WESTERN RAIL CORRIDOR
STEP 2 CORRESPONDENCE



22 December 2015

Dear

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT AND ADDENDUM TO THE NOVEMBER 2015 PROPOSED METHODOLOGY

As you would be aware, you registered an interest in the Vickery Extension Project following correspondence from Whitehaven Coal Limited to you in September and October 2015.

Following further detailed mine planning, Whitehaven has identified an additional potential alignment for the proposed rail spur. In this regard, the revised "Area of Interest" for the Vickery Extension Project (and any such application) includes the entire extent shown on the enclosed plan.

All existing Registered Aboriginal Parties for the Vickery Extension Project, including [redacted], are automatically registered for consultation associated with the additional registration process. You do NOT need to contact Whitehaven to re-register for the Vickery Extension Project.

In regard to the additional potential rail alignment for the Project, please find enclosed an addendum to the *Proposed Methodology for the Vickery Extension Project Aboriginal Cultural Heritage Assessment* (which was provided to you on 6 November 2015). The addendum describes the change to the survey area. A figure showing the revised indicative survey area is also provided.

Should you have any queries, please do not hesitate to contact Whitehaven via the following contact details:

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

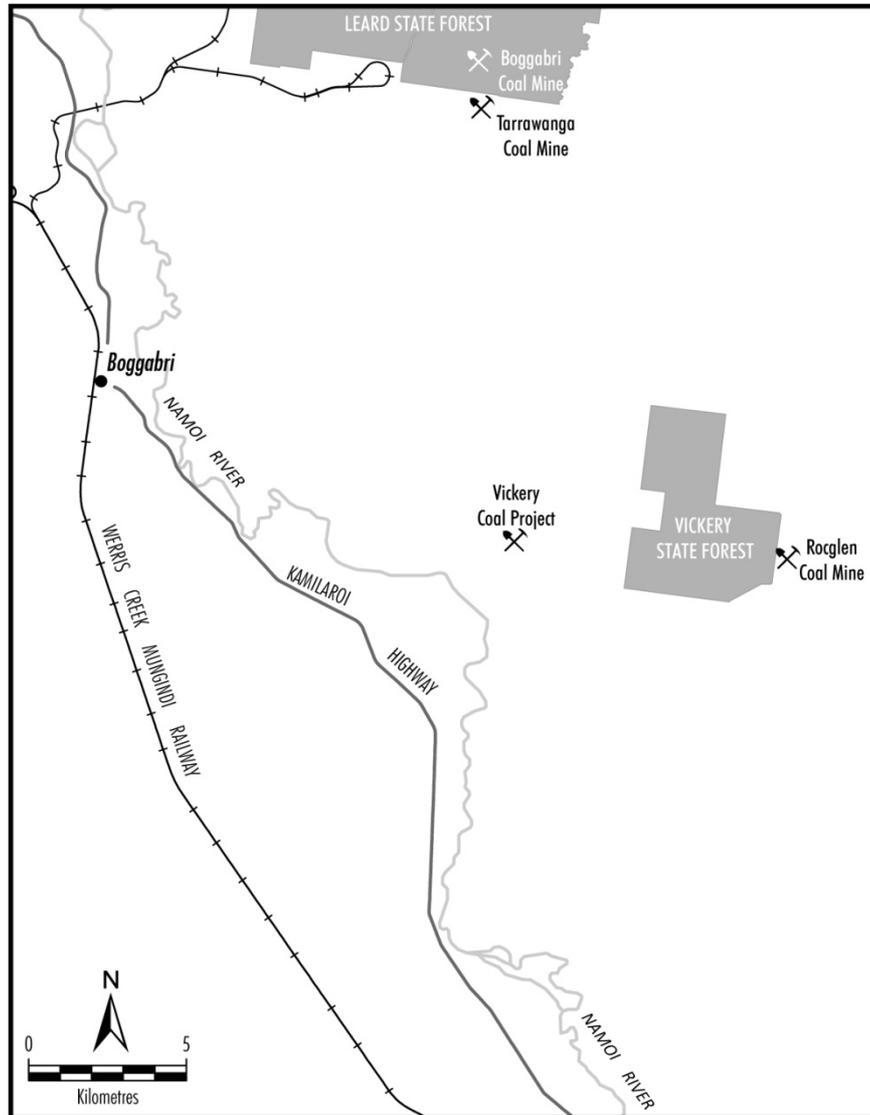
Yours sincerely,

WHITEHAVEN COAL LIMITED

Mark Edmondson

Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



17 December 2015

**ADDENDUM TO THE PROPOSED METHODOLOGY FOR THE VICKERY EXTENSION PROJECT
ABORIGINAL CULTURAL HERITAGE ASSESSMENT**

Since the finalisation of the *Proposed Methodology for the Vickery Extension Project Aboriginal Cultural Heritage Assessment* (dated 6 November 2015), and following further detailed mine planning, Whitehaven Coal Limited has identified an additional potential alignment for the proposed rail spur.

As a result, the study area and survey area for the Project have been slightly modified.

The representative field surveys for the Project, which were described in the original Proposed Methodology, would therefore be focused on the indicative survey areas presented on Figure 1.

There are no other proposed amendments to the Methodology document, including no change to:

- Preliminary predictive model.
- Proposed assessment methodology.
- Sensitive cultural information management protocol.
- Content of the Aboriginal Cultural Heritage Assessment.
- Critical timelines for the Aboriginal Cultural Heritage Assessment.

Attachments:

Figure 1 – Vickery Extension Project Revised Indicative Survey Area

PO Box 6069
St. Lucia, Brisbane
Queensland 4067

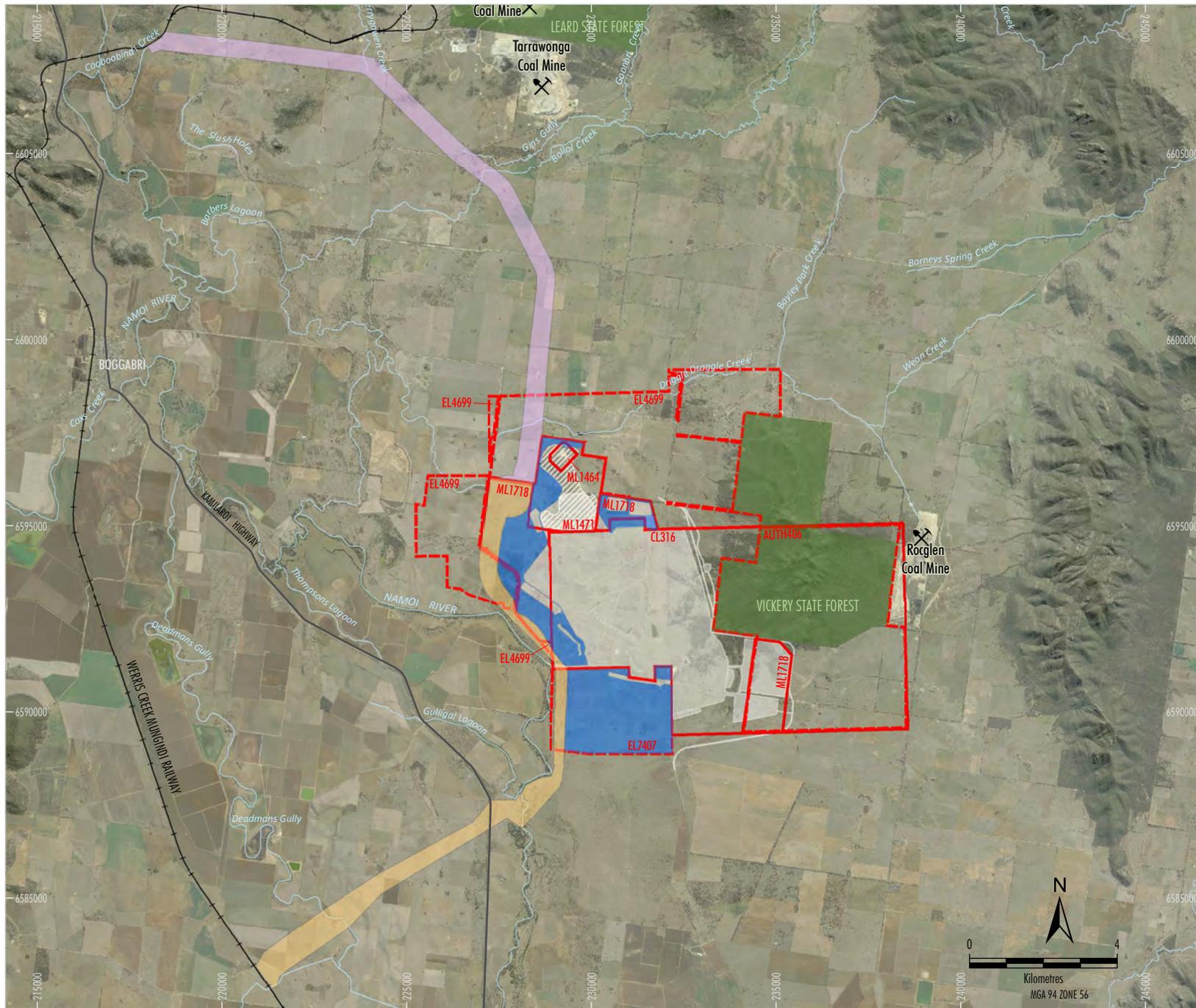
T +61 7 3365 3309

F +61 7 3365 1544

E a.sneddon@uq.edu.au

www.socialscience.uq.edu.au

ABN 19 010 529 898



- LEGEND**
- Exploration Tenement Boundary (EL & AUTH)
 - Mining Tenement Boundary (ML & CL)
 - State Forest
 - Canyon Coal Mine
 - Approximate Extent of Approved Vicky Coal Project
- Indicative Representative Survey Area**
- Mine Site
 - Northern Rail Corridor
 - Western Rail Corridor

Source: Orthophoto - Department of Land and Property Information, Aerial Photography Flown (July 2011); AHIMS (2015); Coalworks (Vicky South Pty Ltd) (2012); Landsape (2012)



VICKERY EXTENSION PROJECT
Vicky Extension Project
Revised Indicative Survey Area

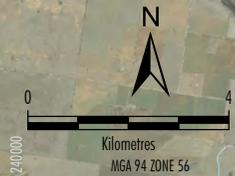


Figure 1



WHITEHAVEN COAL

22 December 2015

Alison Sampson
36 Hill Street
CAROONA NSW 2343

Dear Alison,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

The Vickery Coal Project, owned by Whitehaven Coal Limited (Whitehaven) is an approved, but yet to be developed, open cut coal mining operation situated in the Gunnedah Coalfield approximately 25 kilometres (km) north of Gunnedah, New South Wales (NSW).

Whitehaven plans to seek approval for the extension of the currently approved Vickery Coal Project to increase the open cut and waste rock emplacement areas, increase the mining rate and construct additional coal handling and preparation infrastructure and a rail spur to connect to the Werris Creek Mungindi Railway (herein referred to as the Vickery Extension Project). Construction and augmentation (where required) of currently approved infrastructure such as road diversions, water management infrastructure and temporary topsoil stockpiles would also be conducted as part of the Vickery Extension Project.

Approval for the Vickery Extension Project would be sought from the NSW Minister for Planning under the State Significant Development provisions (Division 4.1) of Part 4 of the NSW *Environmental Planning and Assessment Act, 1979* and the NSW *Environmental Planning and Assessment Regulation, 2000*.

As part of the application process, Whitehaven will be preparing an Aboriginal Cultural Heritage Assessment, and therefore may seek an Aboriginal Heritage Impact Permit (AHIP) under section 90 of the NSW *National Parks and Wildlife Act, 1974*.

The "Area of Interest" for the Vickery Extension Project (and any such application) includes the entire extent shown on the enclosed plan.

In accordance with the requirements as set out in the Aboriginal cultural heritage consultation requirements for proponents 2010 (NSW Department of Environment, Climate Change and Water, 2010) (Consultation Guidelines) issued by the NSW Office of Environment and Heritage, Whitehaven is required to conduct a community consultation process with relevant Aboriginal people to assist in the preparation of the Aboriginal Cultural Heritage Assessment and to assist OEH in the consideration and determination of any relevant application.

Also in accordance with the requirements of the Consultation Guidelines, Aboriginal persons or groups who may hold cultural knowledge relevant to, or who have a right or interest in, determining the cultural heritage significance of Aboriginal objects and/or places in the "Area of Interest" are invited to register an interest in a process of community consultation with Whitehaven regarding the Vickery Extension Project.

Should you wish to register an interest in the community consultation process described above, could you please provide your details (via the registration form below) before **5.00 pm on Thursday 21 January 2016** to Whitehaven via the following contact details:

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Whitehaven advises that the details of any Aboriginal person or group who registers an interest in the Vickery Extension Project will be forwarded to the NSW Office of Environment and Heritage and the Red Chief Local Aboriginal Land Council in accordance with Section 4.1.5 of the Consultation Guidelines, unless they specify that they do not want their details released.

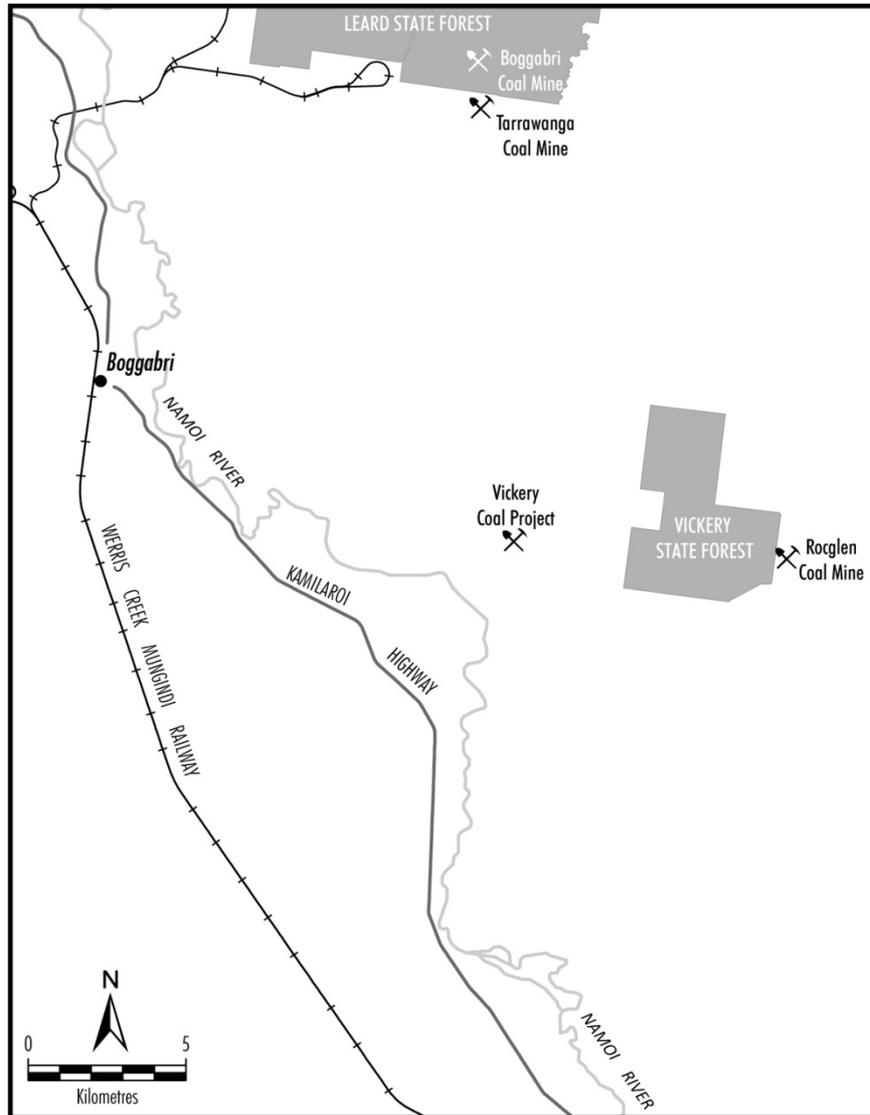
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	
Registered Aboriginal Party (if different from above)	
Address	
Postal Address (if different from above)	
Telephone Number	
Email Address	

Signed: _____

Date: _____



WHITEHAVEN COAL

22 December 2015

BJC Cultural Management
Ben Cameron
11 Stanley Street
GUNNEDAH NSW 2380

Dear Ben,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

The Vickery Coal Project, owned by Whitehaven Coal Limited (Whitehaven) is an approved, but yet to be developed, open cut coal mining operation situated in the Gunnedah Coalfield approximately 25 kilometres (km) north of Gunnedah, New South Wales (NSW).

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As part of the application process, Whitehaven will be preparing an Aboriginal Cultural Heritage Assessment, and therefore may seek an Aboriginal Heritage Impact Permit (AHIP) under section 90 of the *NSW National Parks and Wildlife Act, 1974*.

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Also in accordance with the requirements of the Consultation Guidelines, Aboriginal persons or groups who may hold cultural knowledge relevant to, or who have a right or interest in, determining the cultural heritage significance of Aboriginal objects and/or places in the "Area of Interest" are invited to register an interest in a process of community consultation with Whitehaven regarding the Vickery Extension Project.

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C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

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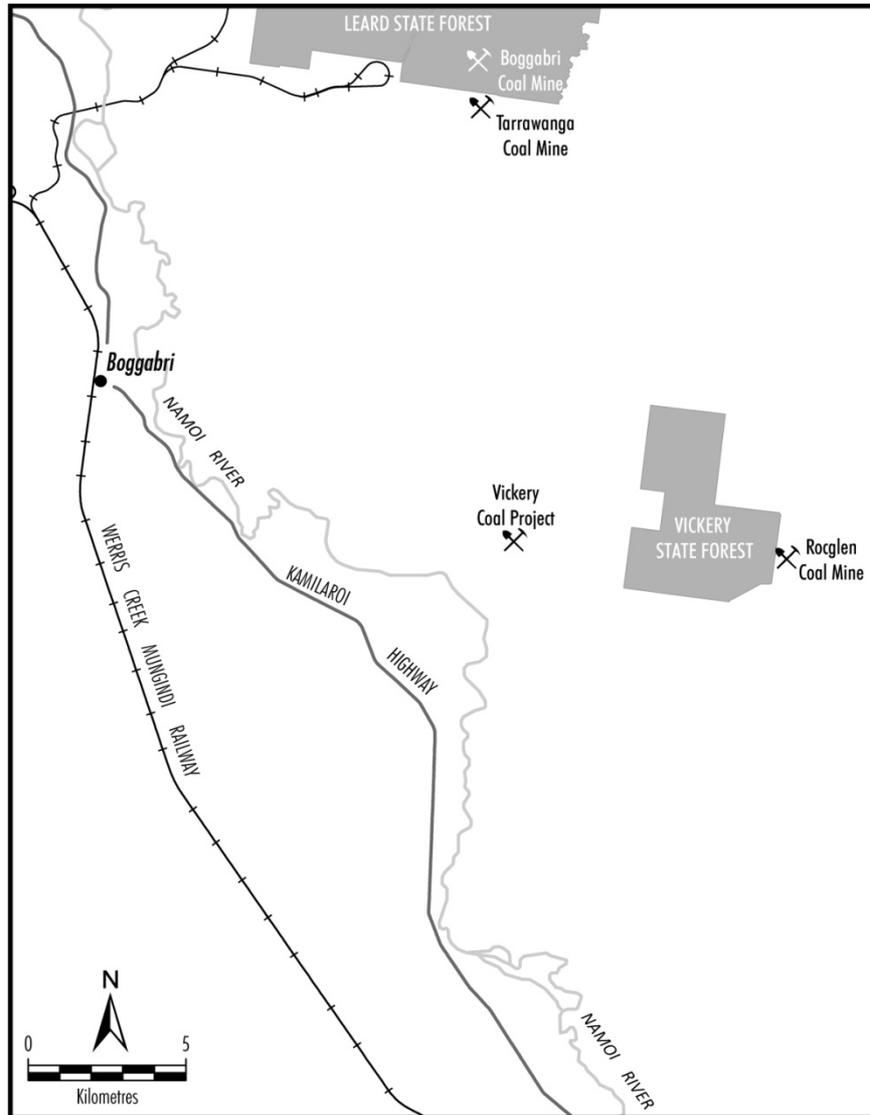
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	
Registered Aboriginal Party (if different from above)	
Address	
Postal Address (if different from above)	
Telephone Number	
Email Address	

Signed: _____

Date: _____



WHITEHAVEN COAL

22 December 2015

Brent Matthews
21 Bando Street
GUNNEDAH NSW 2380

Dear Brent,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

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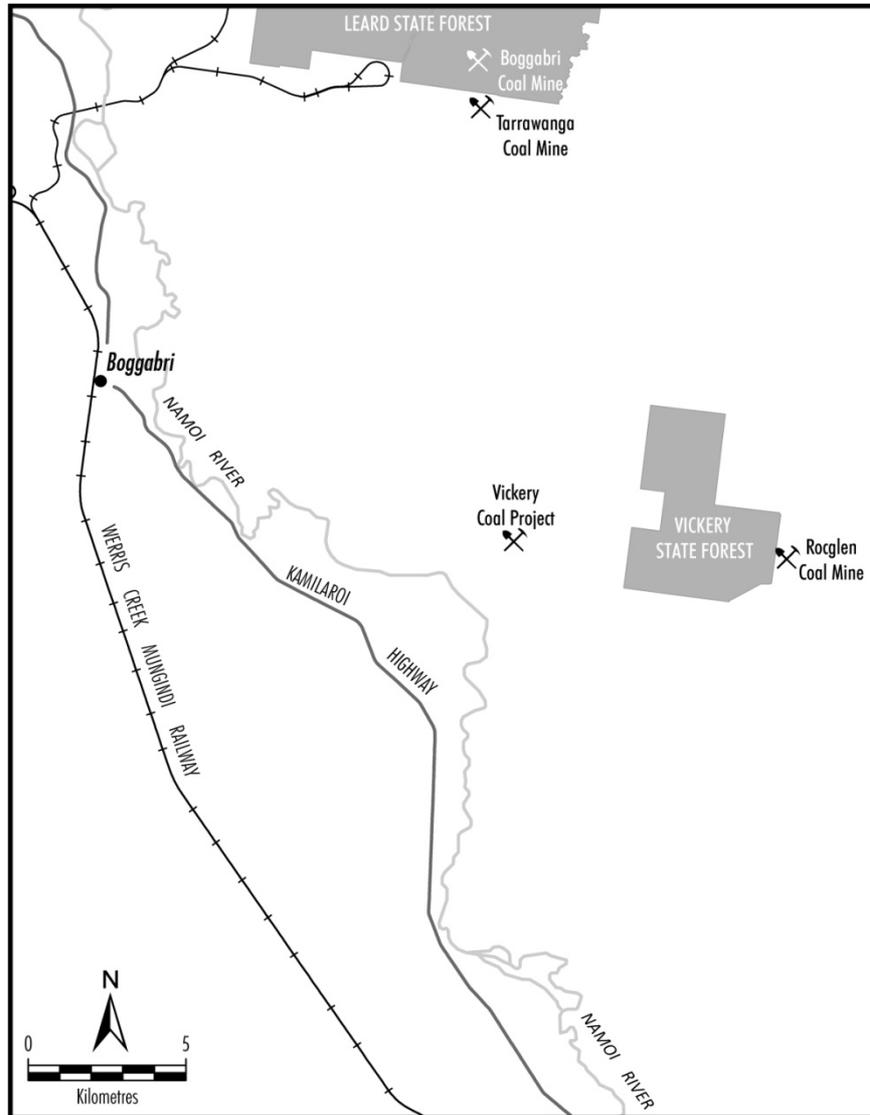
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION PROCESS**

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Registered Aboriginal Party (if different from above)	
Address	
Postal Address (if different from above)	
Telephone Number	
Email Address	

Signed: _____

Date: _____



WHITEHAVEN COAL

22 December 2015

Bunda Consultants
Tammy Knox
23 Cunningham Street
TAMWORTH NSW 2380

Dear Tammy,

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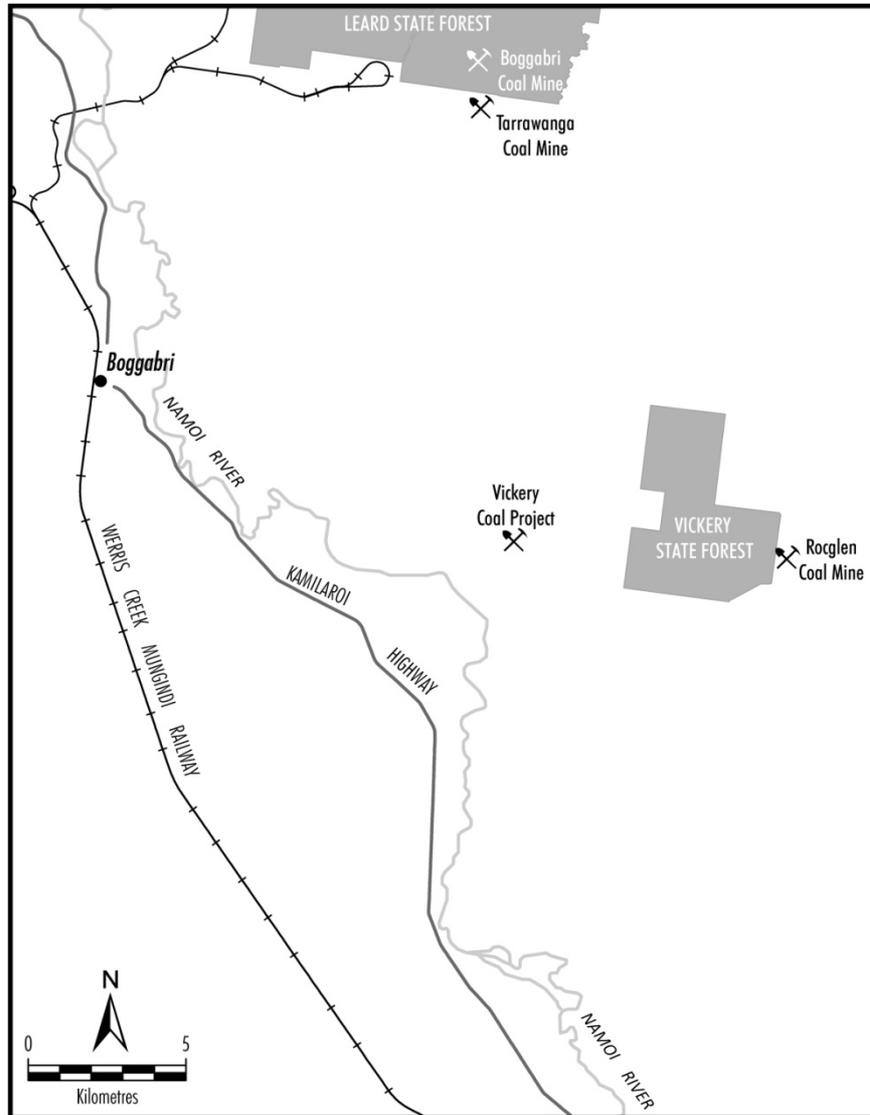
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Mark Edmondson
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Signed: _____

Date: _____



WHITEHAVEN COAL

22 December 2015

Donna Moodie
PO Box 356
DARLING HEIGHTS QLD 4350

Dear Donna,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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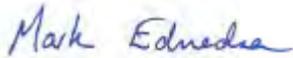
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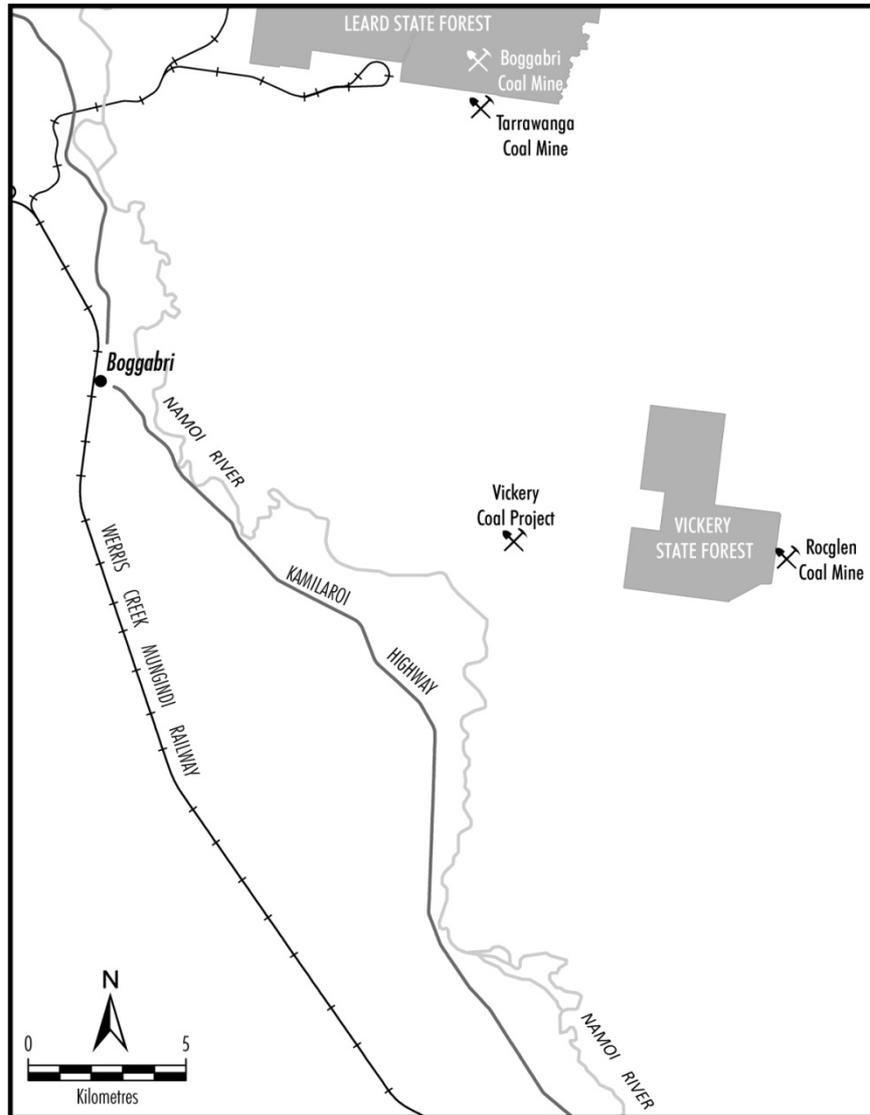
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Mark Edmondson
General Manager – Technical Services
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WHITEHAVEN COAL

22 December 2015

Elli Lewis & Patricia Jean Hands
20 Acacia Circuit
SINGLETON NSW 2330

Dear Elli and Patricia,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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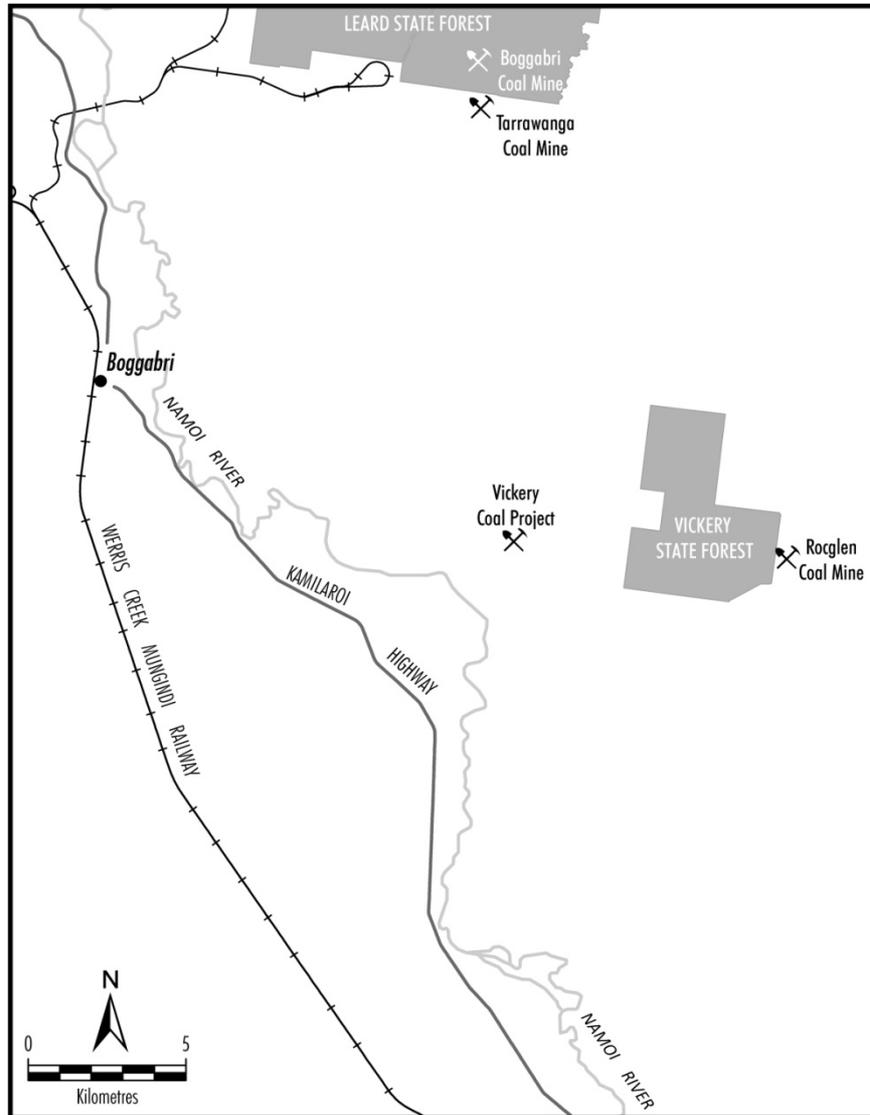
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Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



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Signed: _____

Date: _____



WHITEHAVEN COAL

22 December 2015

Esther Tighe
1/86 Edward Street
GUNNEDAH NSW 2380

Dear Esther,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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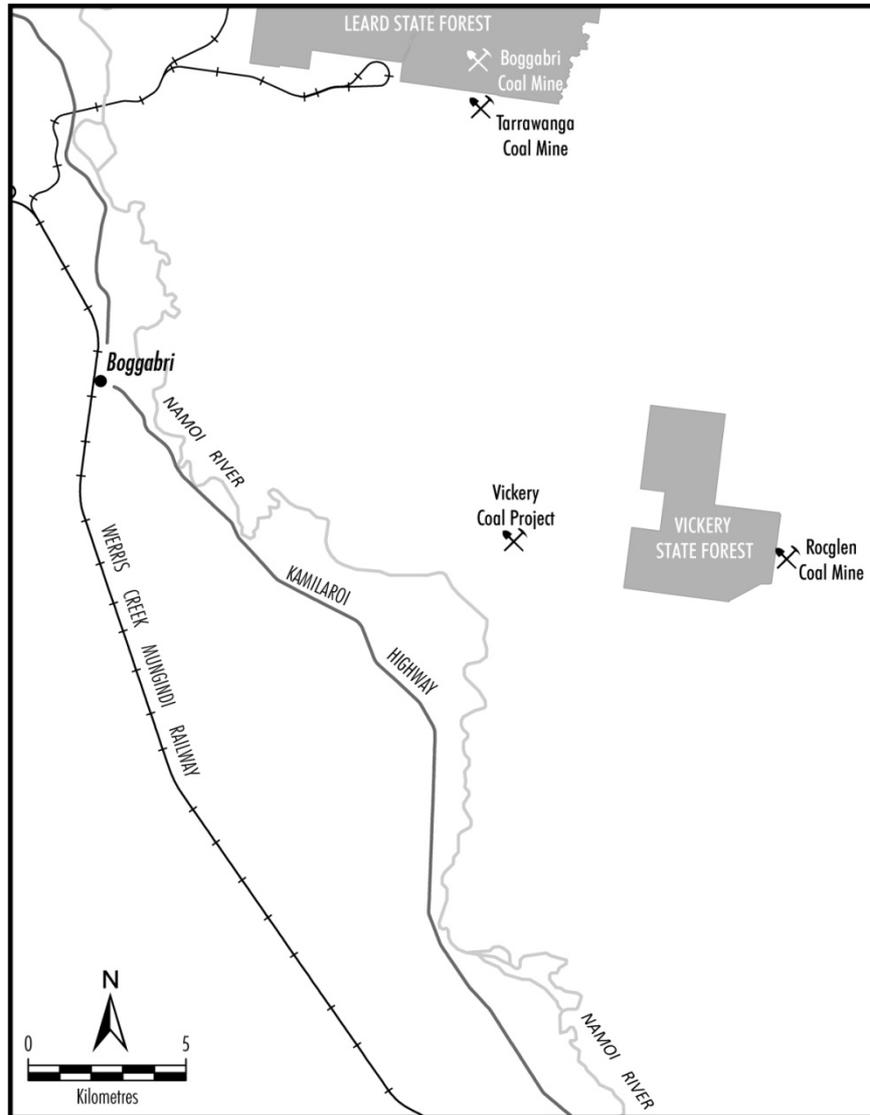
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Signed: _____

Date: _____



WHITEHAVEN COAL

22 December 2015

Gomeri Murri Ganuurr Yuuray Wadi Palinka
Greg Griffith
4 Wattle Street
GUNNEDAH NSW 2380

Dear Greg,

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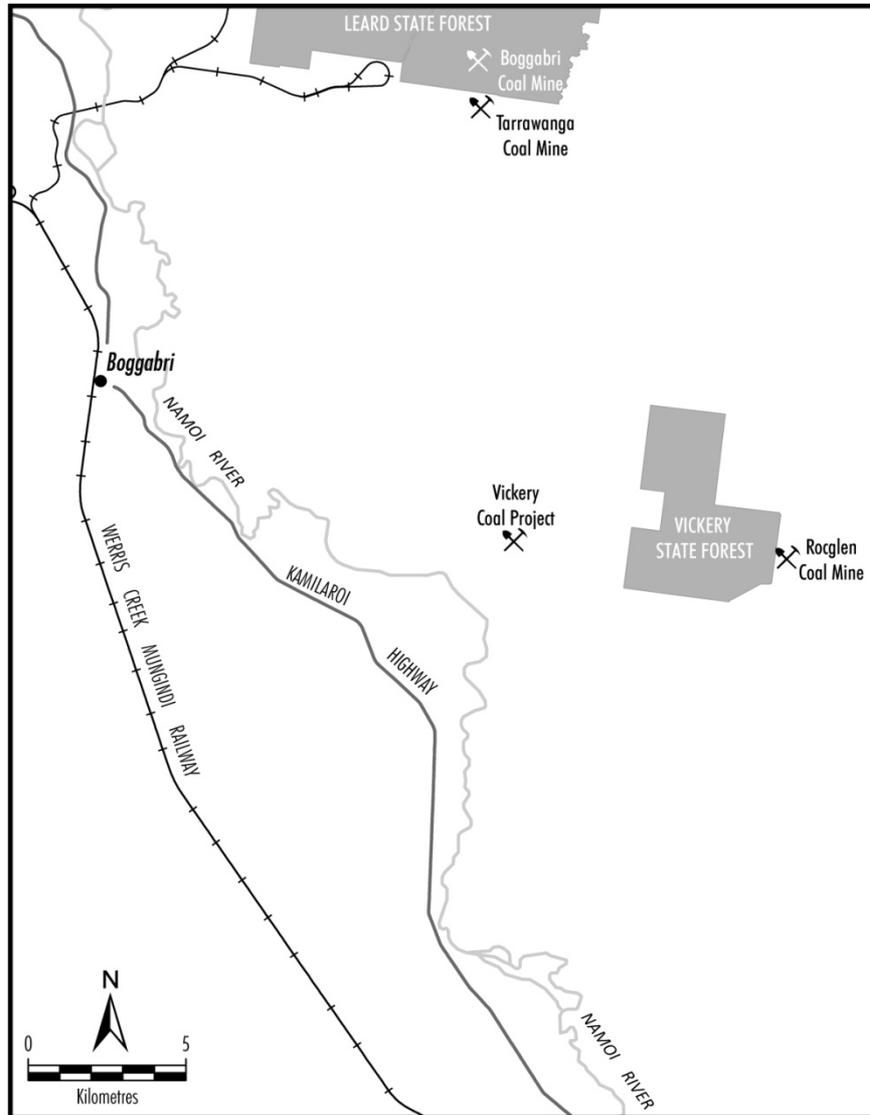
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WHITEHAVEN COAL

22 December 2015

Gomeri Narrabri Aboriginal Corporation
Craig Trindall
29 Doyle Street
NARRABRI NSW 2390

Dear Craig,

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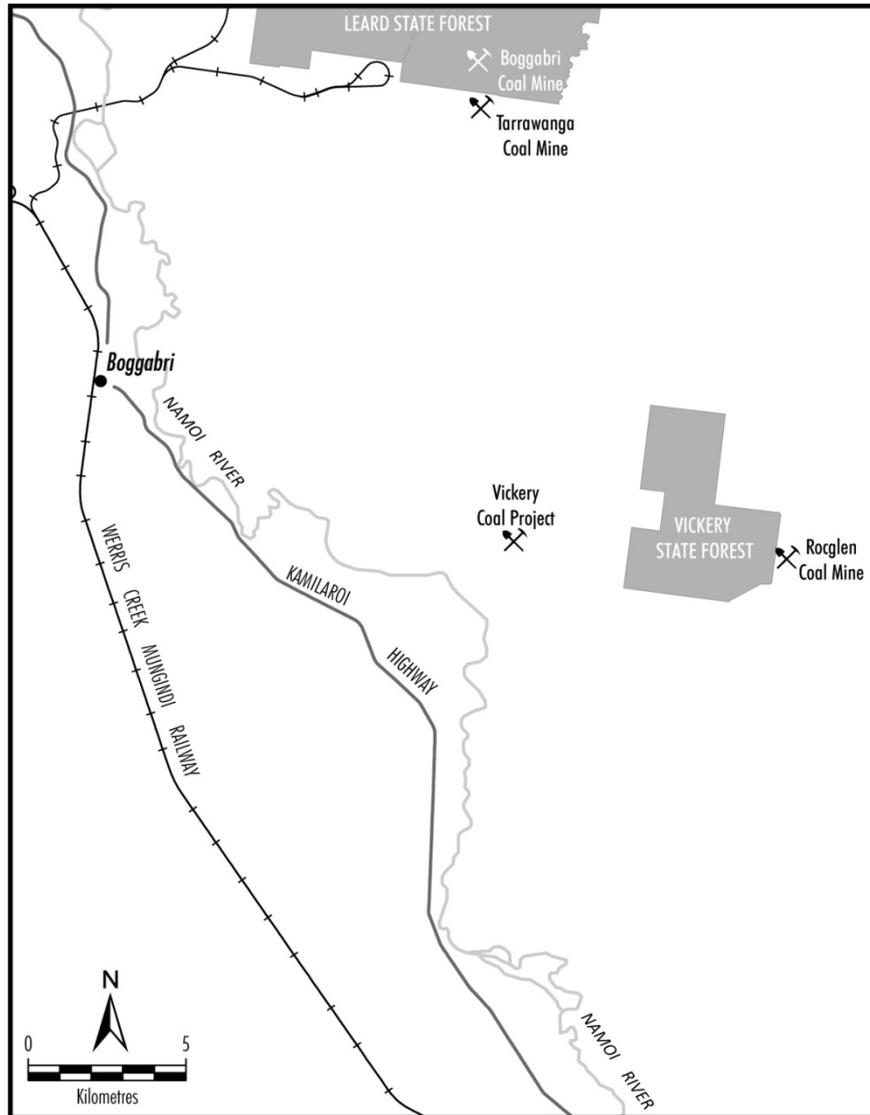
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WHITEHAVEN COAL

22 December 2015

Paul Moodie
15 Schwager Street
GUNNEDAH NSW 2380

Dear Paul,

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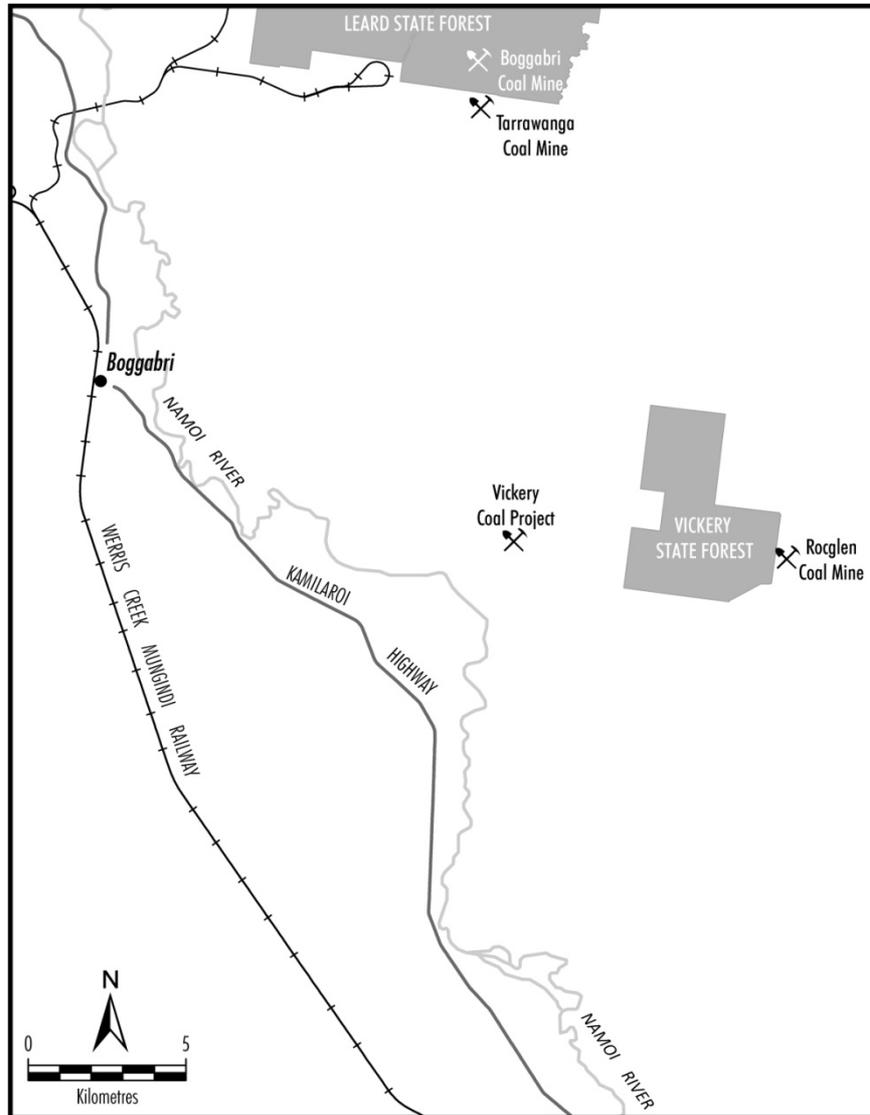
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WHITEHAVEN COAL

22 December 2015

Ron Smith
Flat 8, 6 Hasting River Drive
PORT MACQUARIE NSW 2444

Dear Ron,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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Mobile: 0414 833 397
Email: vickeryacha@gmail.com

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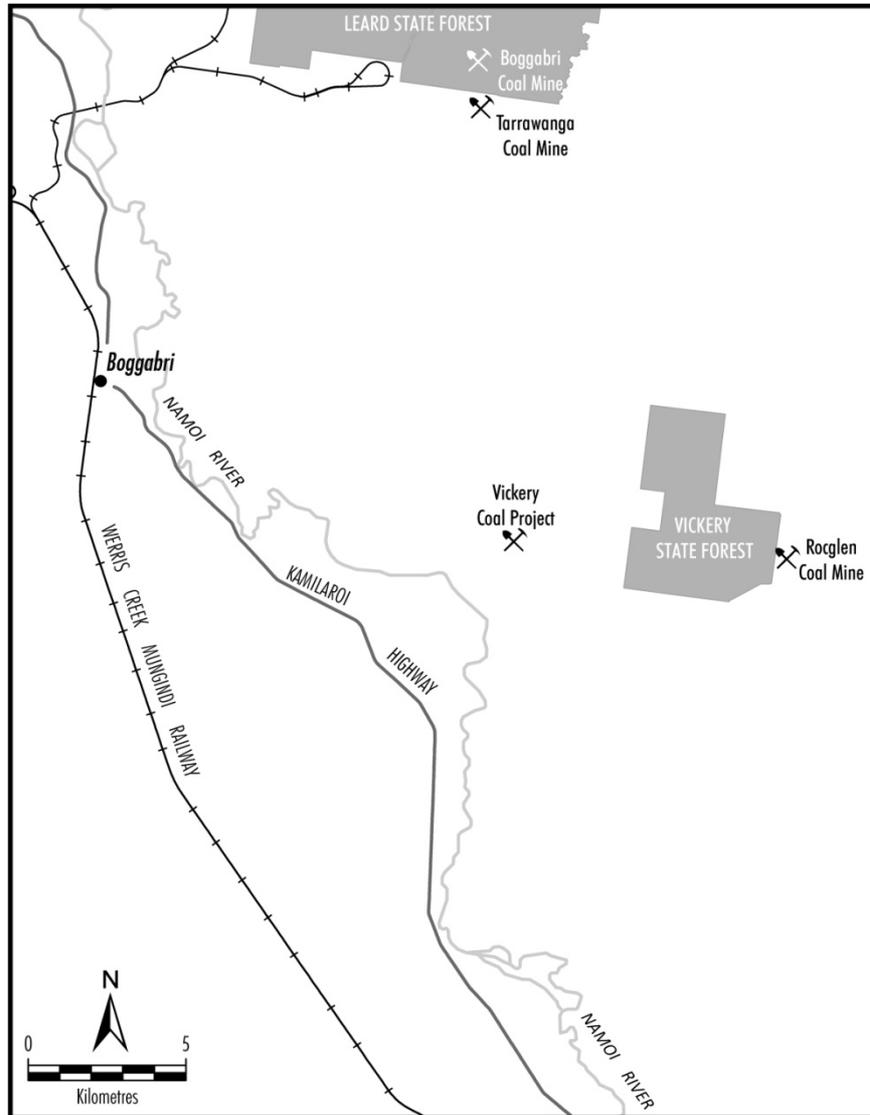
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION PROCESS**

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Signed: _____

Date: _____



WHITEHAVEN COAL

22 December 2015

Roslyn Smith
Unit 4, 122 Upper Street
TAMWORTH NSW 2380

Dear Roslyn,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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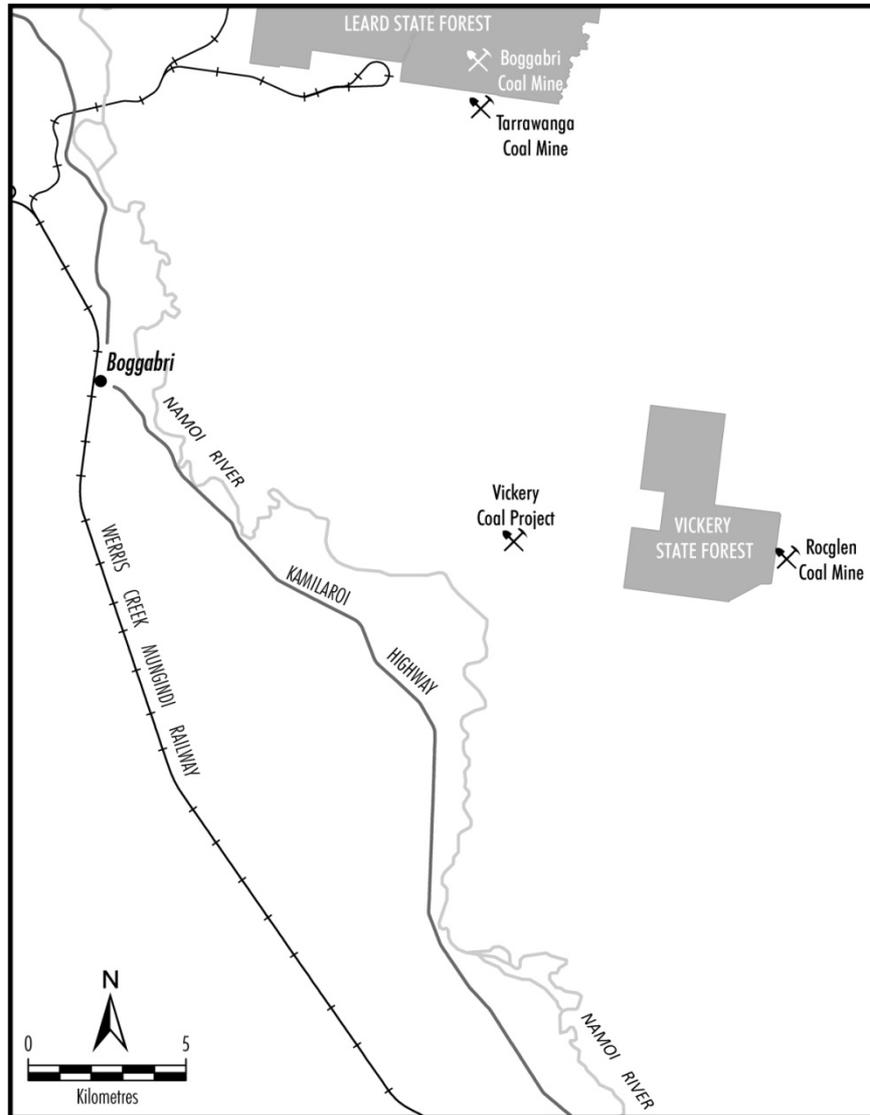
Yours sincerely,

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Mark Edmondson
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WHITEHAVEN COAL

22 December 2015

Scott Smith
Unit 4, 122 Upper Street
TAMWORTH NSW 2380

Dear Scott,

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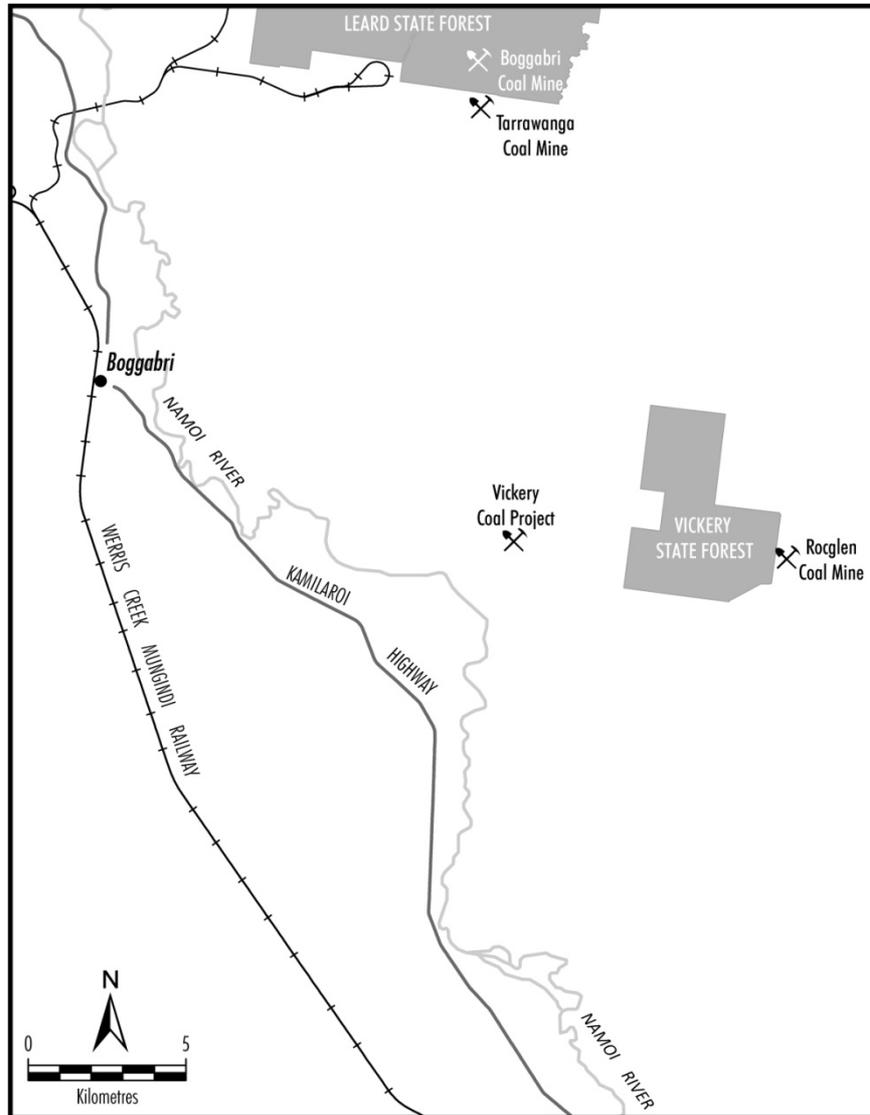
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Mark Edmondson
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Whitehaven Coal

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WHITEHAVEN COAL

22 December 2015

Steve Saunders
35 Walhallow Village
CAROONA NSW 2343

Dear Steve,

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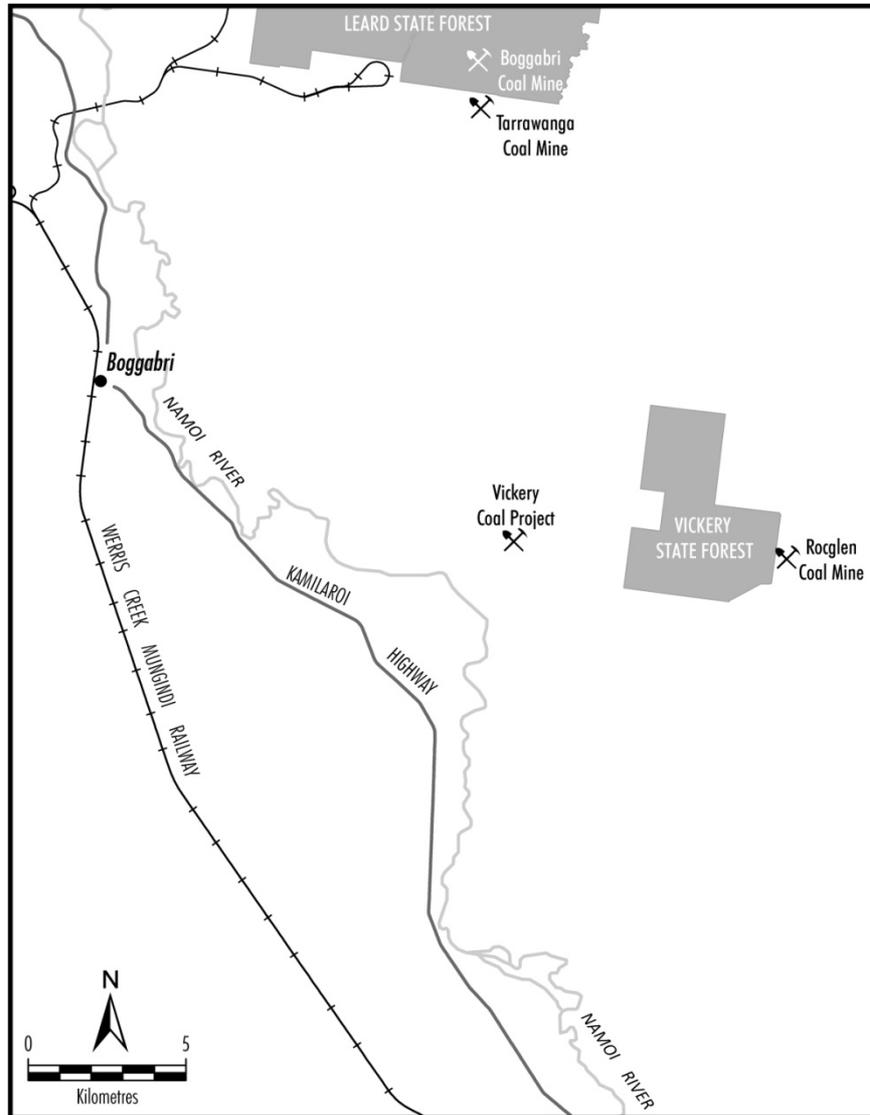
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Mark Edmondson
General Manager – Technical Services
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WHITEHAVEN COAL

22 December 2015

Tania Matthews
23 Reid Street
NARRABRI NSW 2390

Dear Tania,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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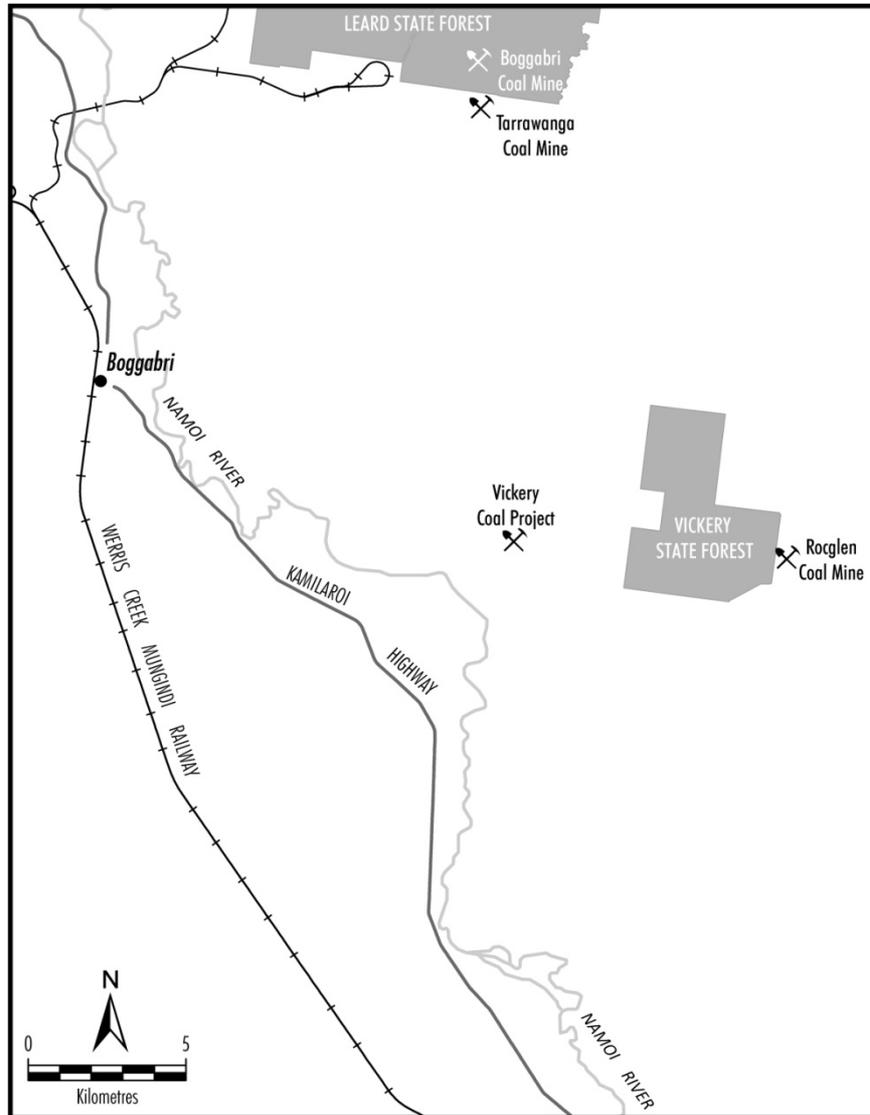
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WHITEHAVEN COAL

22 December 2015

Toomelah Local Aboriginal Land Council
PO Box 261
BOGABILLA NSW 2409

Dear Sir/Madam,

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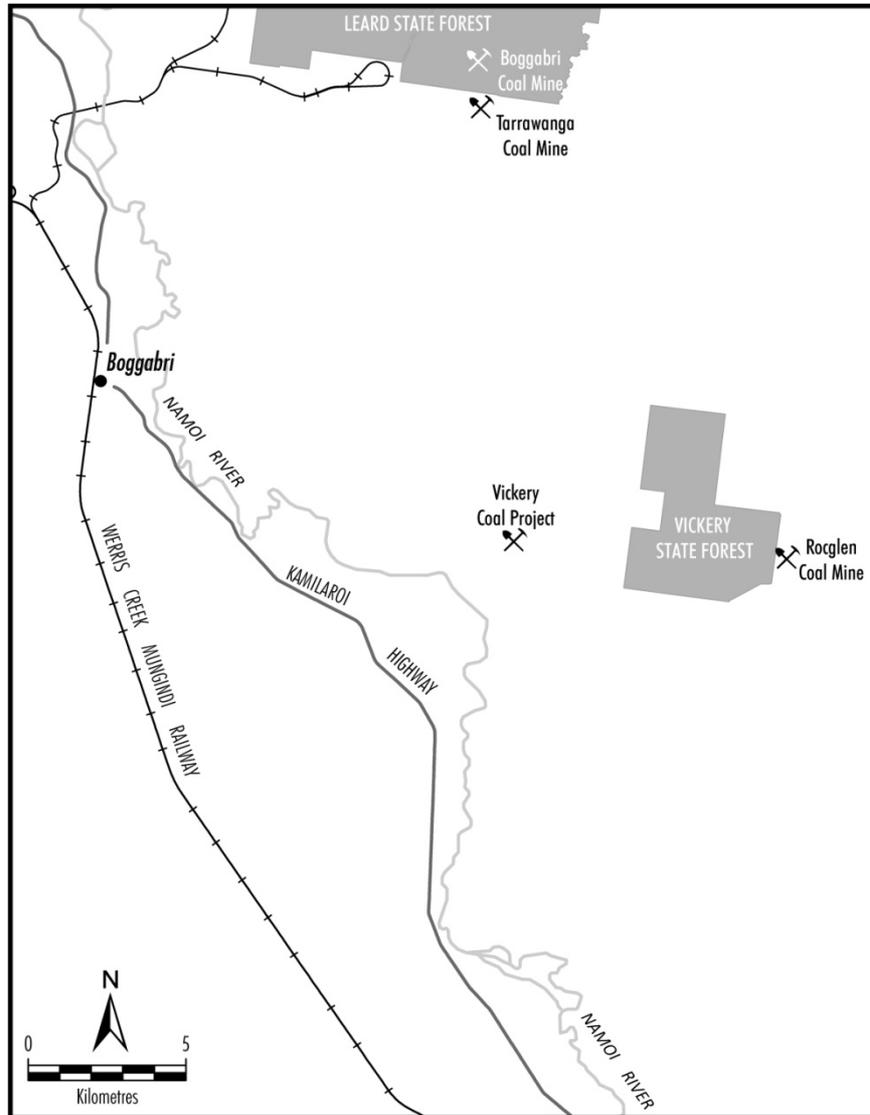
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Signed: _____

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WHITEHAVEN COAL

22 December 2015

Tracey Woltley
75 High Street
GUNNEDAH NSW 2380

Dear Tracey,

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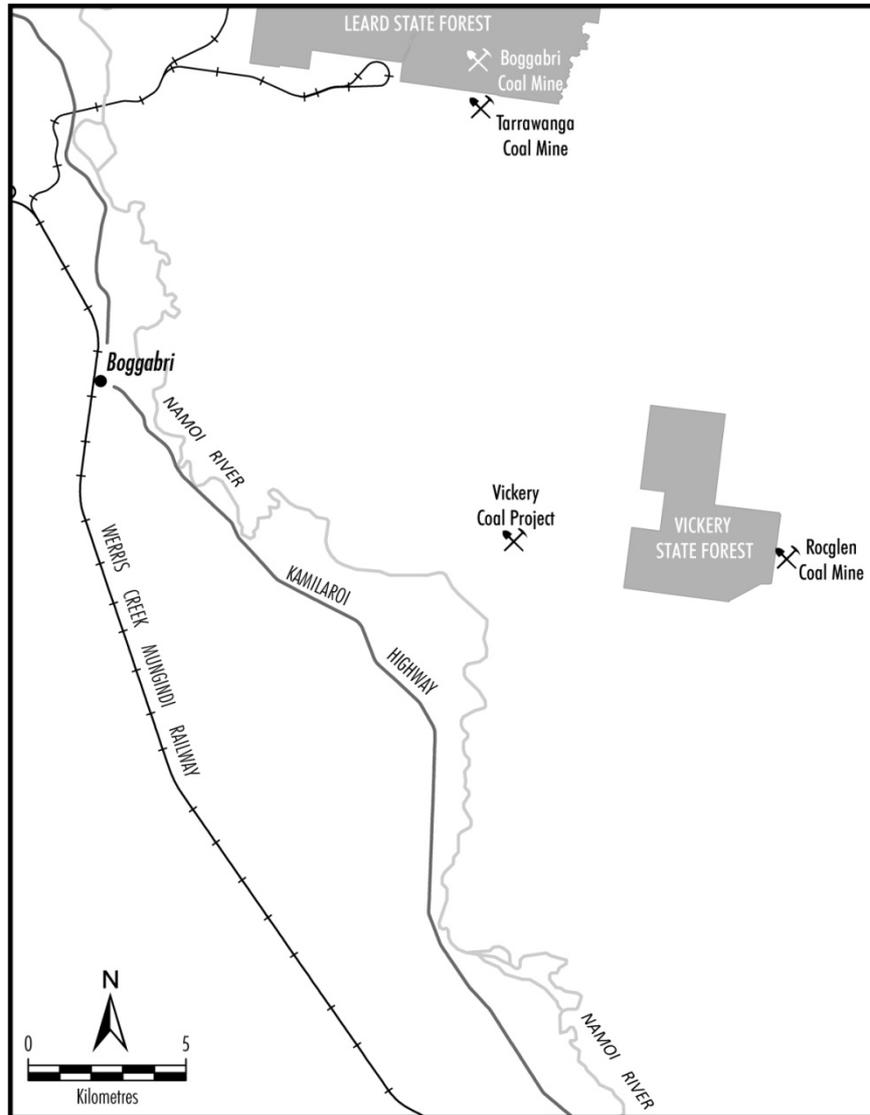
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WHITEHAVEN COAL

22 December 2015

Hazel Collins
3 Carroll Street
GUNNEDAH NSW 2380

Dear Hazel,

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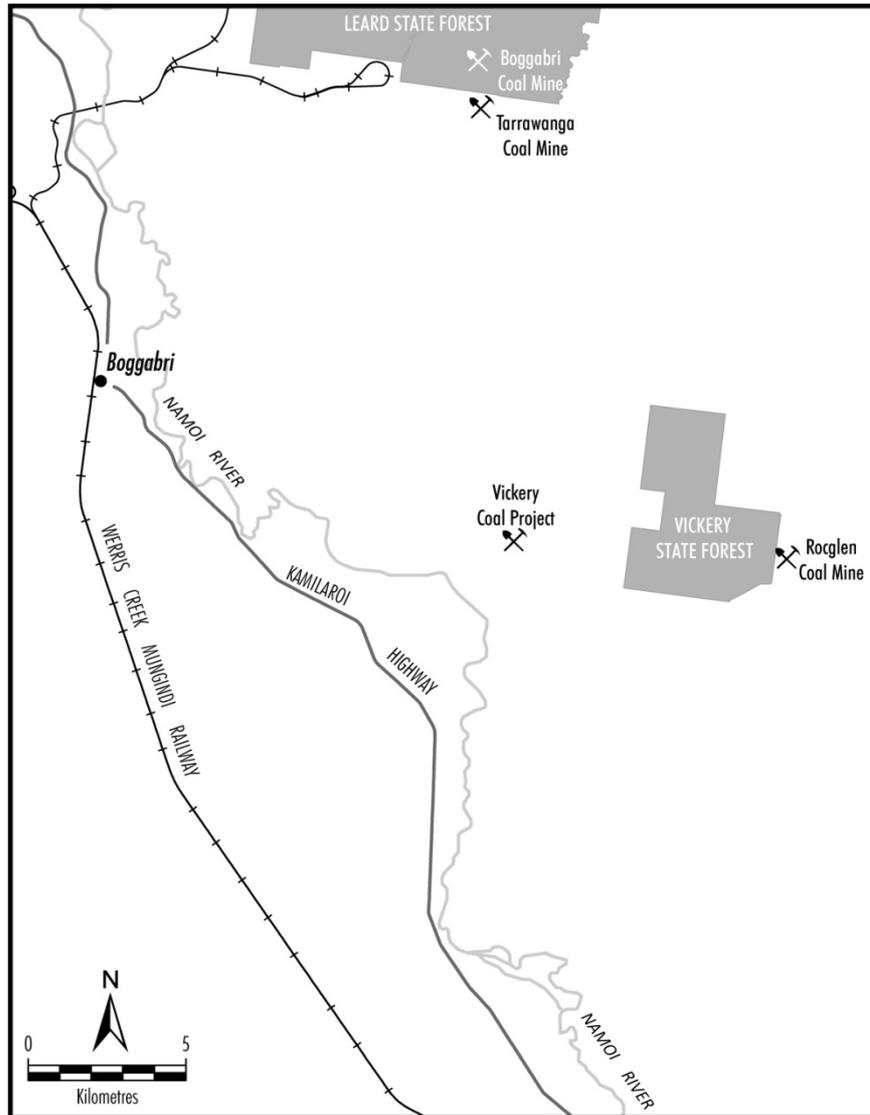
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22 December 2015

Heilamon Cultural Consultants
Clifford Johnson
77 Tobruk Avenue
MUSWELLBROOK NSW 2333

Dear Clifford,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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Mobile: 0414 833 397
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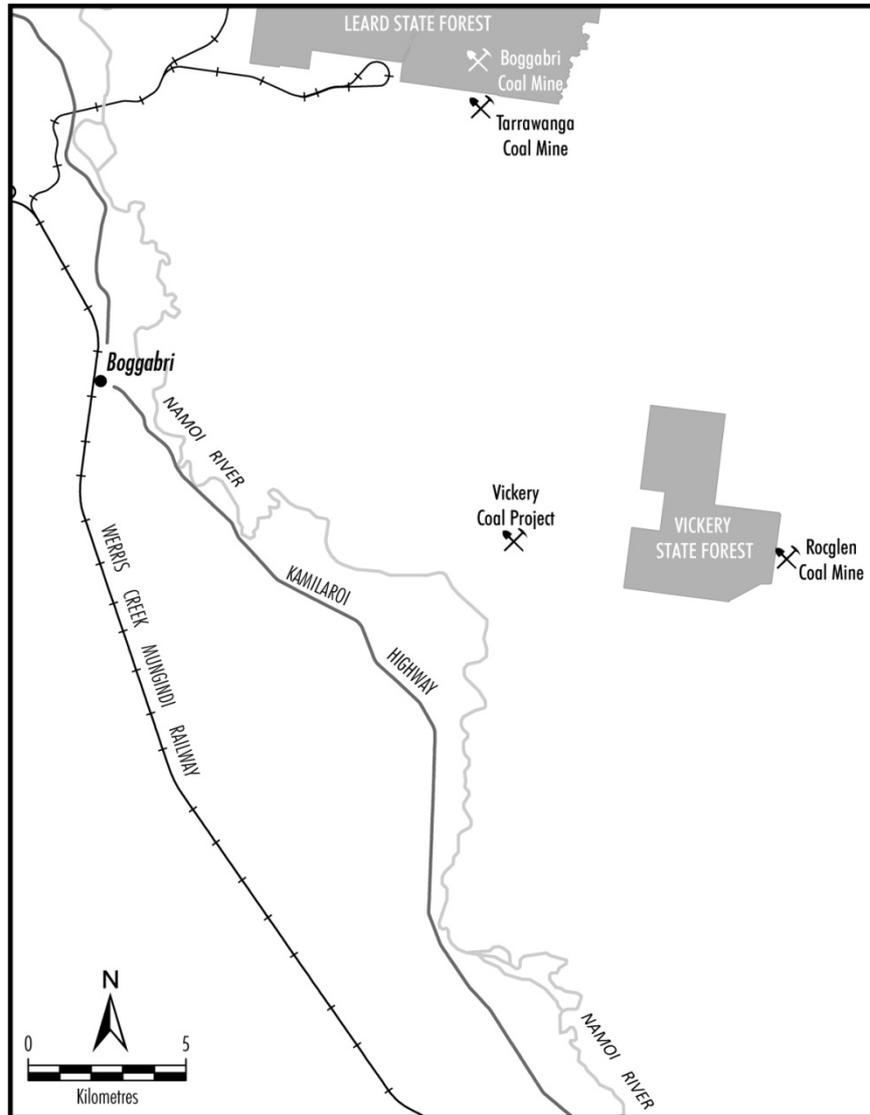
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION PROCESS**

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Email: vickeryacha@gmail.com

Name	
Registered Aboriginal Party (if different from above)	
Address	
Postal Address (if different from above)	
Telephone Number	
Email Address	

Signed: _____

Date: _____



WHITEHAVEN COAL

22 December 2015

Jason Wilson
23 Clews Street
DUBBO NSW 2830

Dear Jason,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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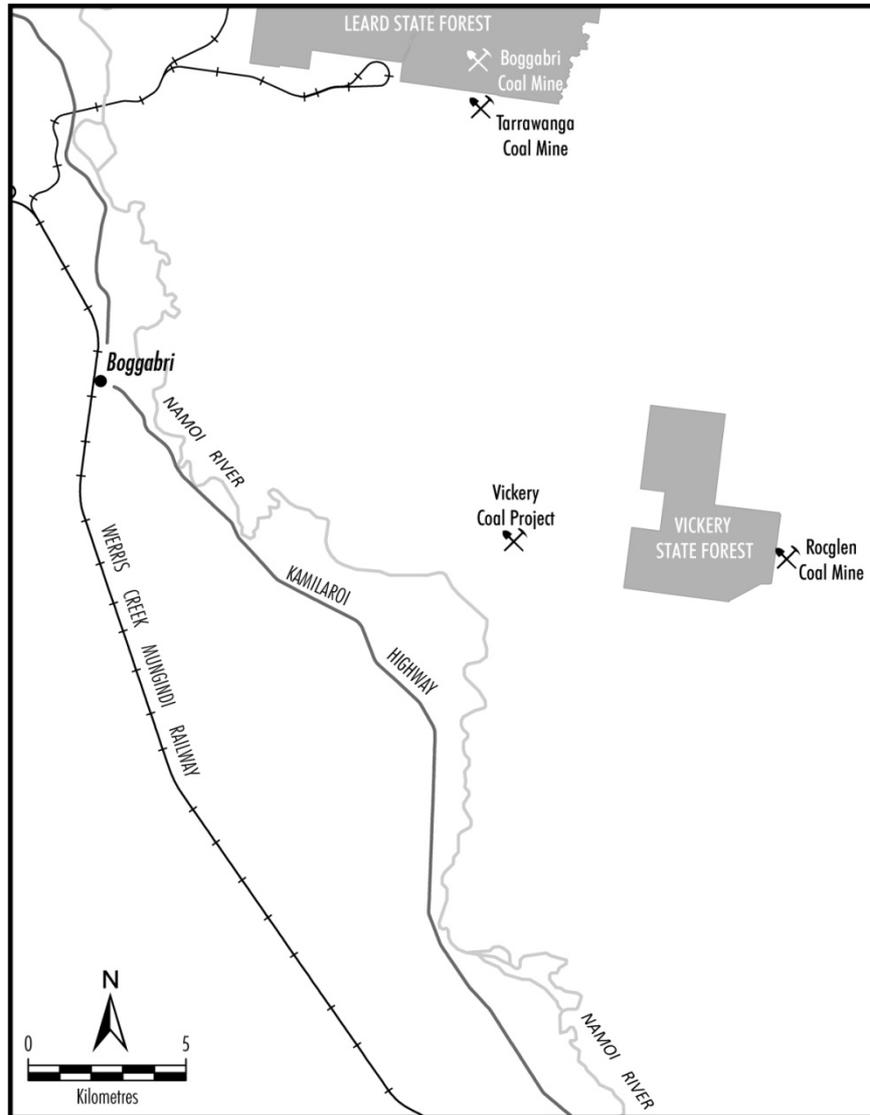
Yours sincerely,

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Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



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REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION PROCESS**

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Signed: _____

Date: _____



WHITEHAVEN COAL

22 December 2015

Jodie Mckinnon
100 Stock Road
GUNNEDAH NSW 2380

Dear Jodie,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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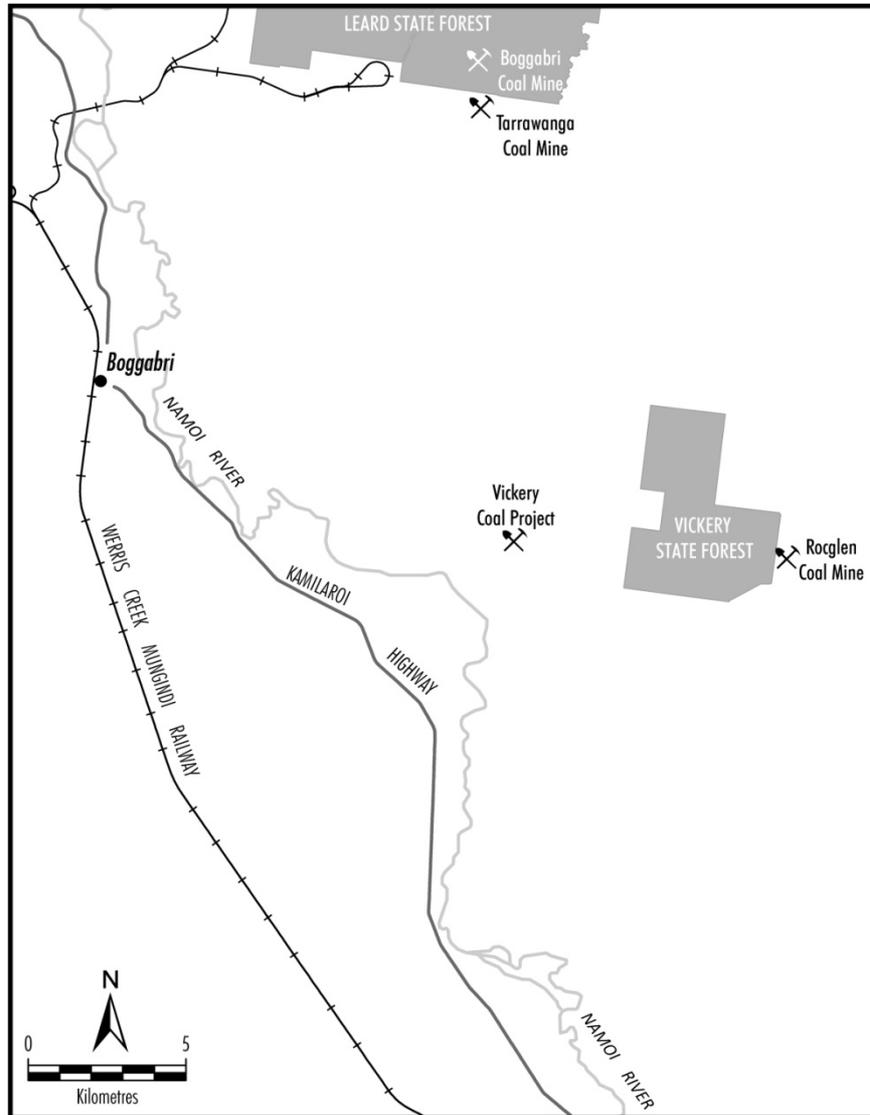
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WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



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Signed: _____

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WHITEHAVEN COAL

22 December 2015

Joshua Matthews
21 Bando Street
GUNNEDAH NSW 2380

Dear Joshua,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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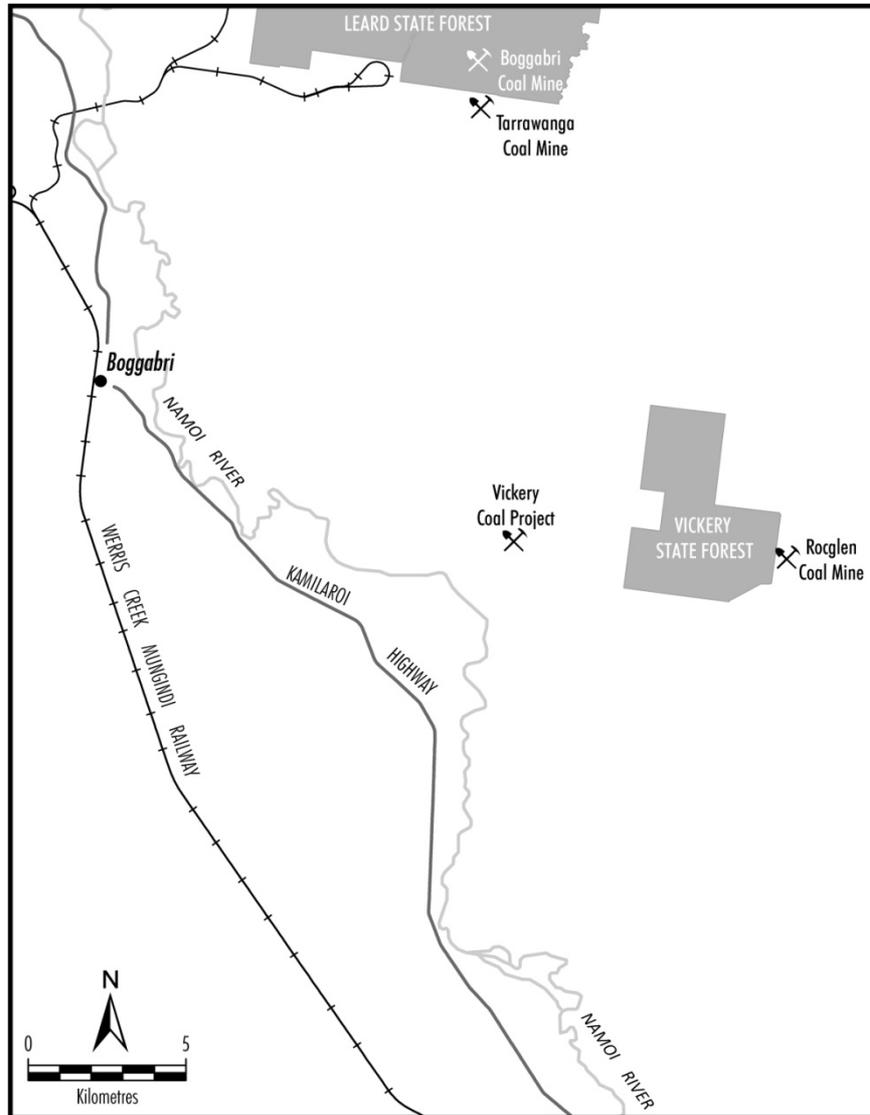
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WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



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WHITEHAVEN COAL

22 December 2015

Justin Matthews
Unit 3/39 Woollybutt Way
MUSWELLBROOK NSW 2333

Dear Justin,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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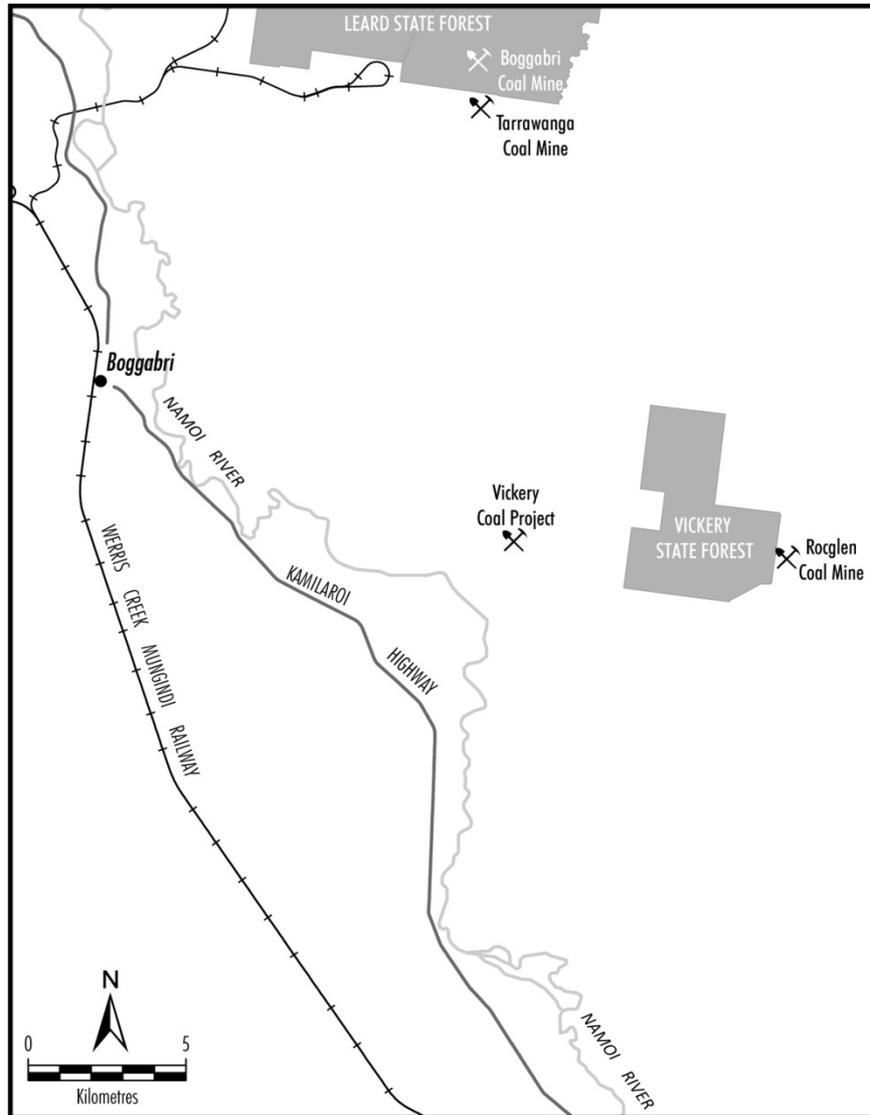
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WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



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Signed: _____

Date: _____

22 December 2015

KL.KG Saunders Trading
Krystal Saunders
7 Boronia Drive
MUSWELLBROOK NSW 2333

Dear Krystal,

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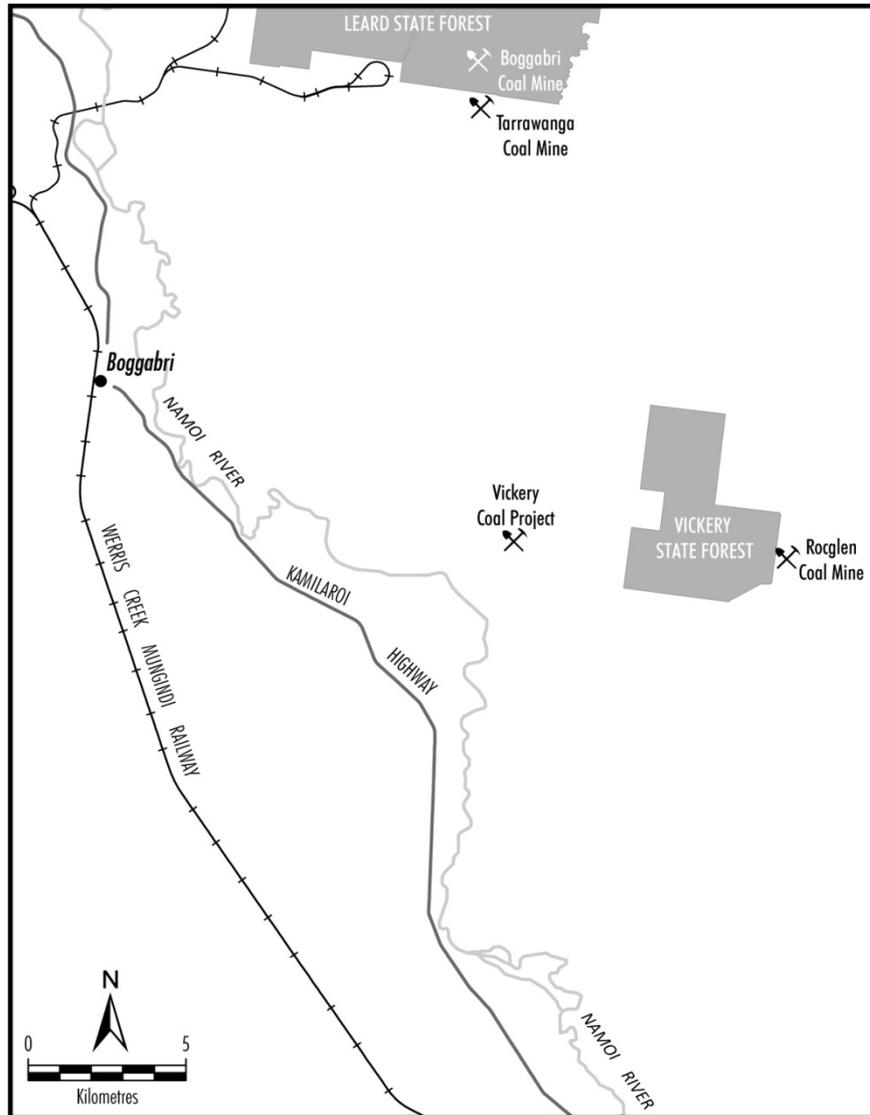
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Mark Edmondson
General Manager – Technical Services
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Plan Showing "Area of Interest"



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WHITEHAVEN COAL

22 December 2015

Lorraine Towney
32 Dewhurst Street
QUIRINDI NSW 2343

Dear Lorraine,

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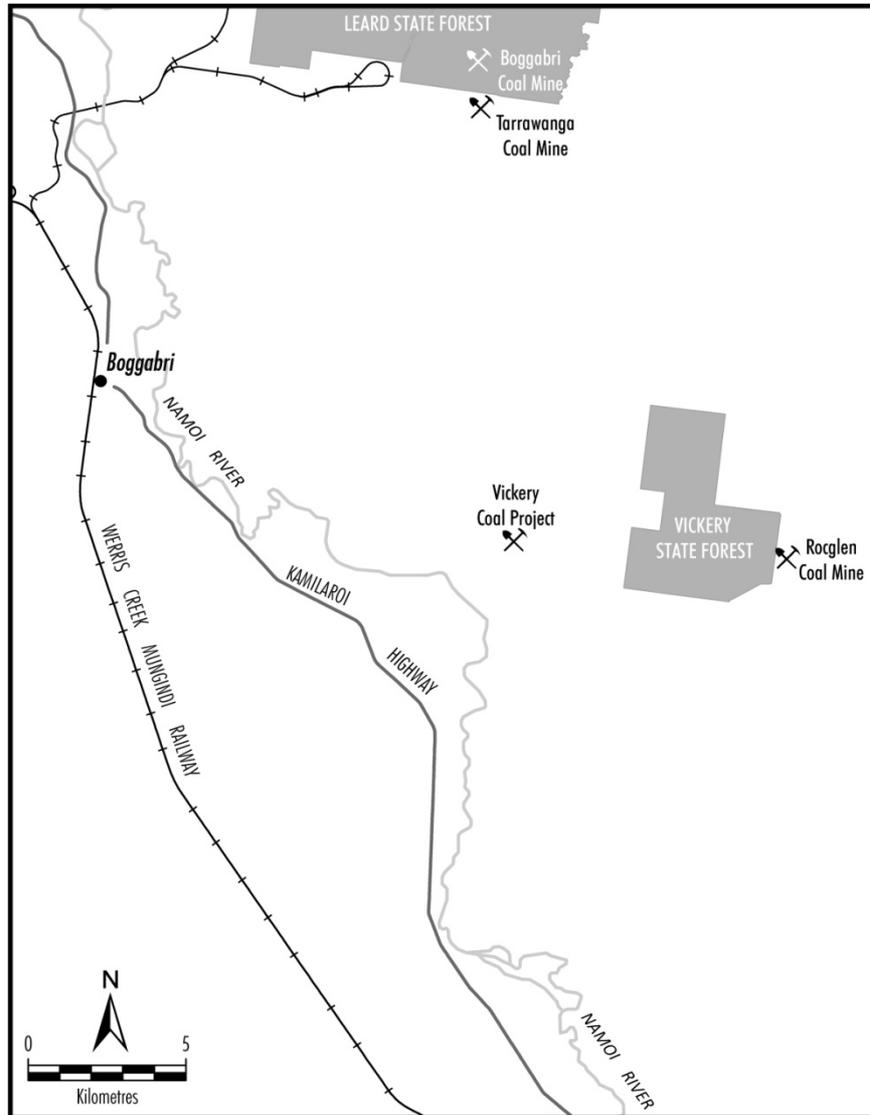
Yours sincerely,

WHITEHAVEN COAL LIMITED

A handwritten signature in blue ink that reads "Mark Edmondson".

Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



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REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION PROCESS**

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Signed: _____

Date: _____



WHITEHAVEN COAL

22 December 2015

Luke Cameron Cultural Management
Luke Cameron
28 Herbert Street
GUNNEDAH NSW 2380

Dear Luke,

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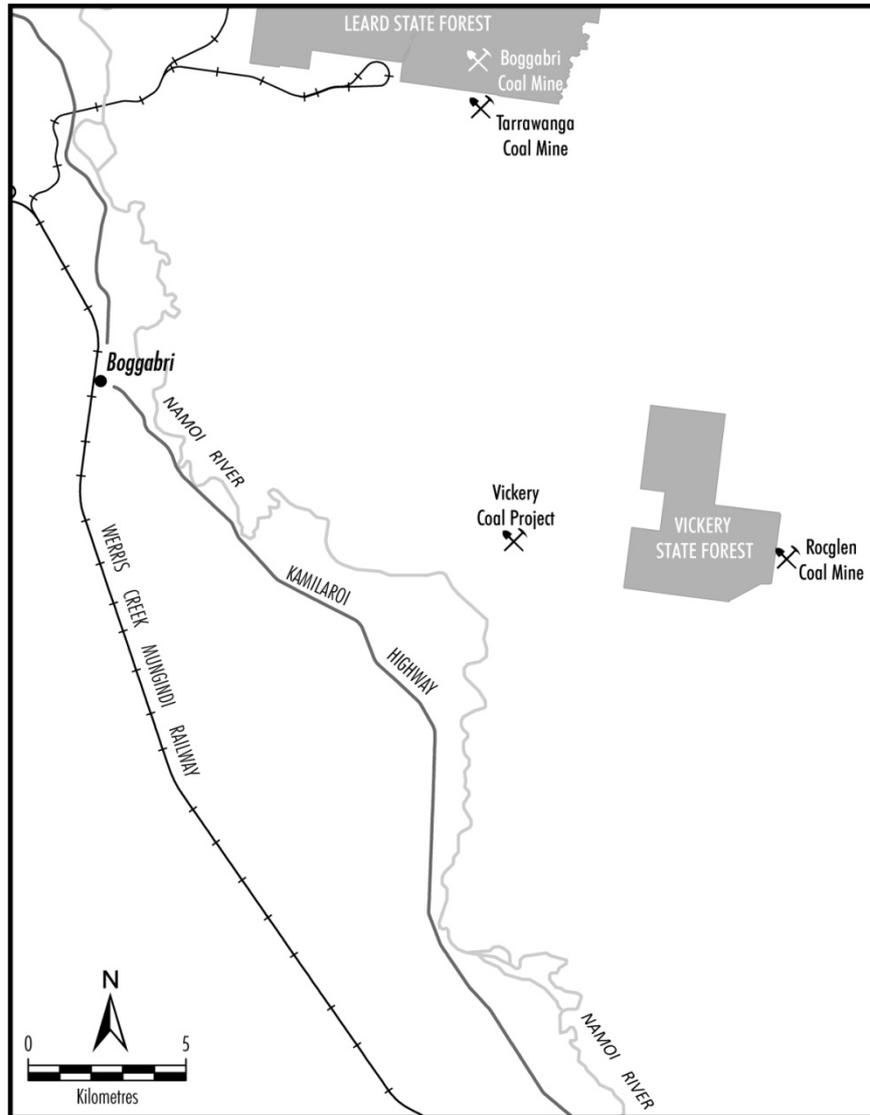
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22 December 2015

ME Griffiths Cultural Management
Marie-Ellen Griffiths
10 Herbert Street
GUNNEDAH NSW 2380

Dear Marie-Ellen,

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Should you wish to register an interest in the community consultation process described above, could you please provide your details (via the registration form below) before **5.00 pm on Thursday 21 January 2016** to Whitehaven via the following contact details:

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Whitehaven advises that the details of any Aboriginal person or group who registers an interest in the Vickery Extension Project will be forwarded to the NSW Office of Environment and Heritage and the Red Chief Local Aboriginal Land Council in accordance with Section 4.1.5 of the Consultation Guidelines, unless they specify that they do not want their details released.

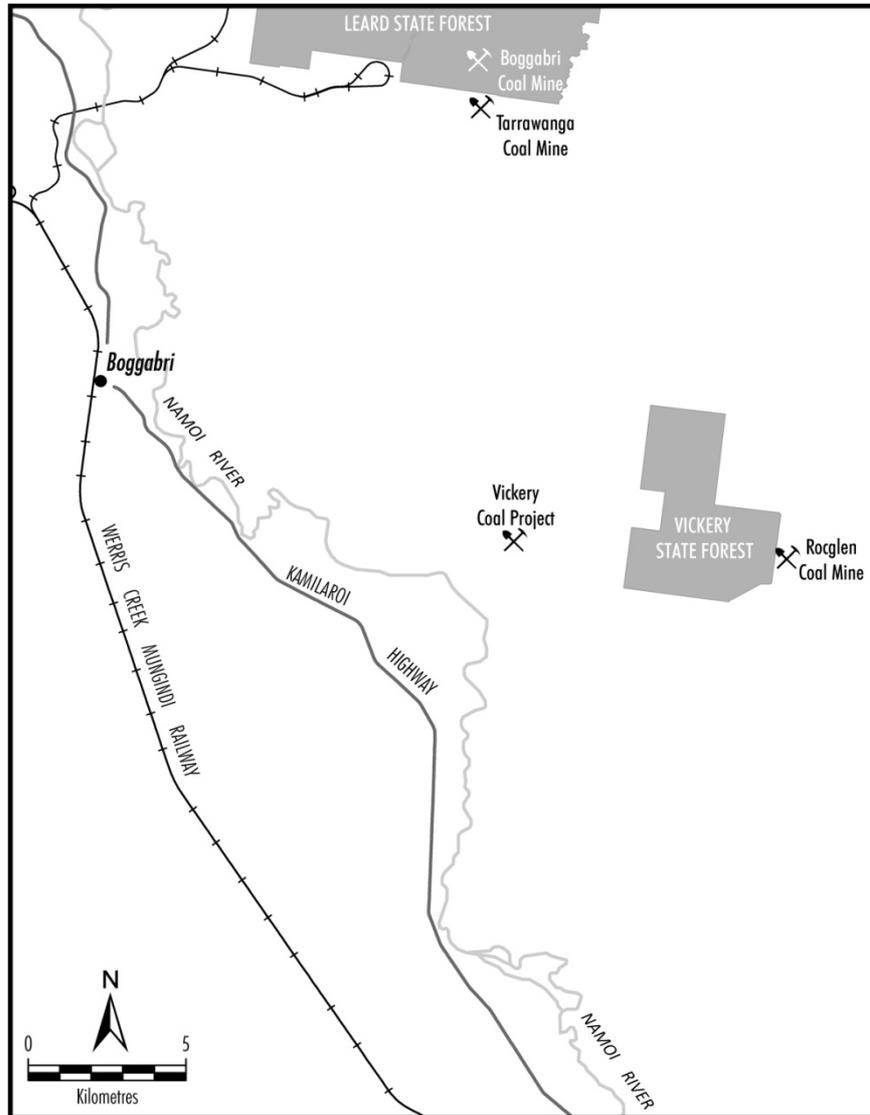
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	
Registered Aboriginal Party (if different from above)	
Address	
Postal Address (if different from above)	
Telephone Number	
Email Address	

Signed: _____

Date: _____



WHITEHAVEN COAL

22 December 2015

Michelle Saunders
24 Walhallow Village
WALHALLOW NSW 2340

Dear Michelle,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

The Vickery Coal Project, owned by Whitehaven Coal Limited (Whitehaven) is an approved, but yet to be developed, open cut coal mining operation situated in the Gunnedah Coalfield approximately 25 kilometres (km) north of Gunnedah, New South Wales (NSW).

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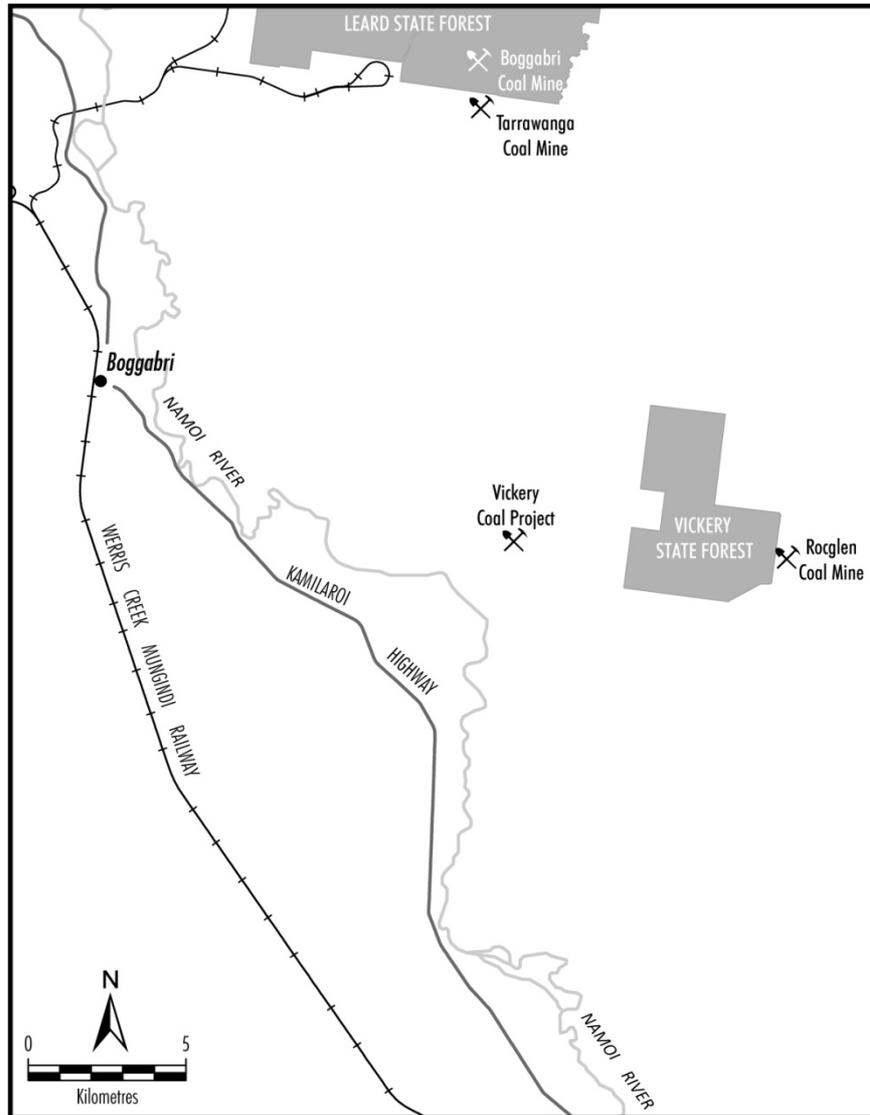
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	
Registered Aboriginal Party (if different from above)	
Address	
Postal Address (if different from above)	
Telephone Number	
Email Address	

Signed: _____

Date: _____



WHITEHAVEN COAL

22 December 2015

Narrabri Local Aboriginal Land Council
96 Barwan Street
NARRABRI NSW 2390

Dear Sir/Madam,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

The Vickery Coal Project, owned by Whitehaven Coal Limited (Whitehaven) is an approved, but yet to be developed, open cut coal mining operation situated in the Gunnedah Coalfield approximately 25 kilometres (km) north of Gunnedah, New South Wales (NSW).

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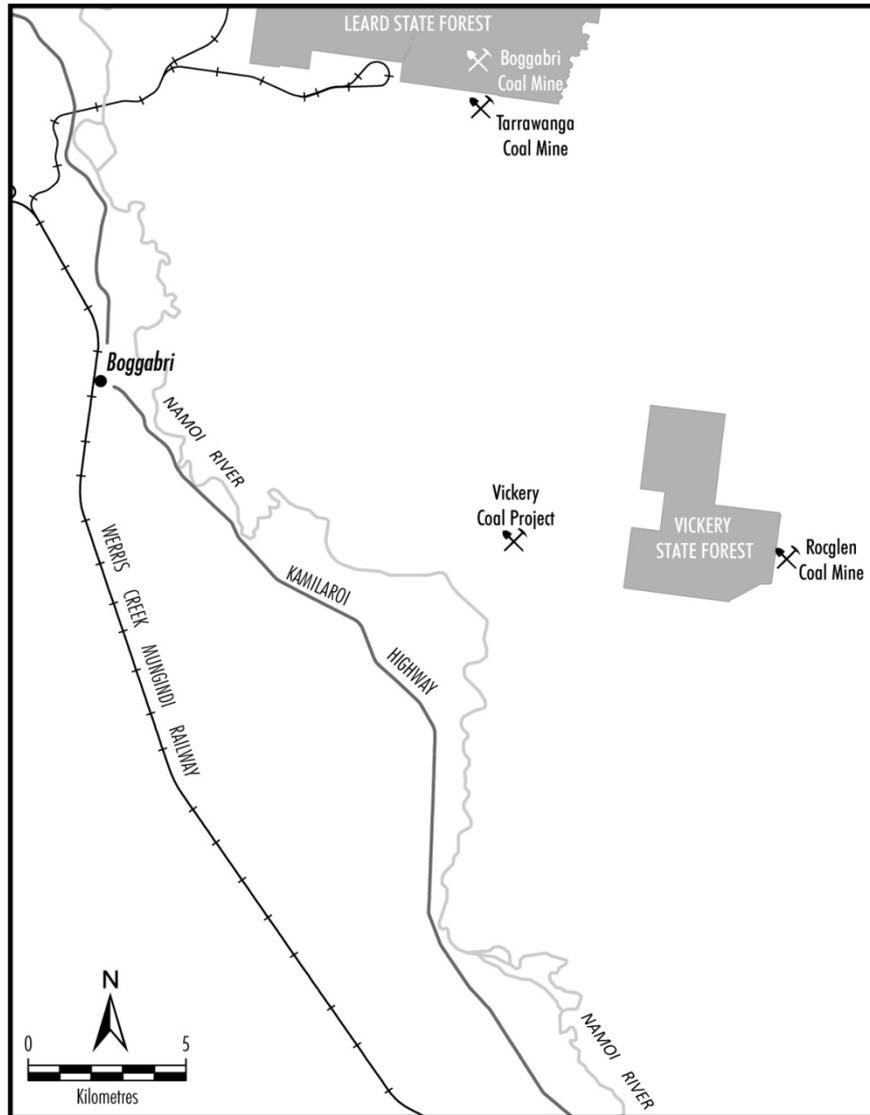
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	
Registered Aboriginal Party (if different from above)	
Address	
Postal Address (if different from above)	
Telephone Number	
Email Address	

Signed: _____

Date: _____



WHITEHAVEN COAL

22 December 2015

Bigundi Biame Gunnedarr Traditional People
16 South Street
GUNNEDAH NSW 2380

Dear Sir/Madam,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

The Vickery Coal Project, owned by Whitehaven Coal Limited (Whitehaven) is an approved, but yet to be developed, open cut coal mining operation situated in the Gunnedah Coalfield approximately 25 kilometres (km) north of Gunnedah, New South Wales (NSW).

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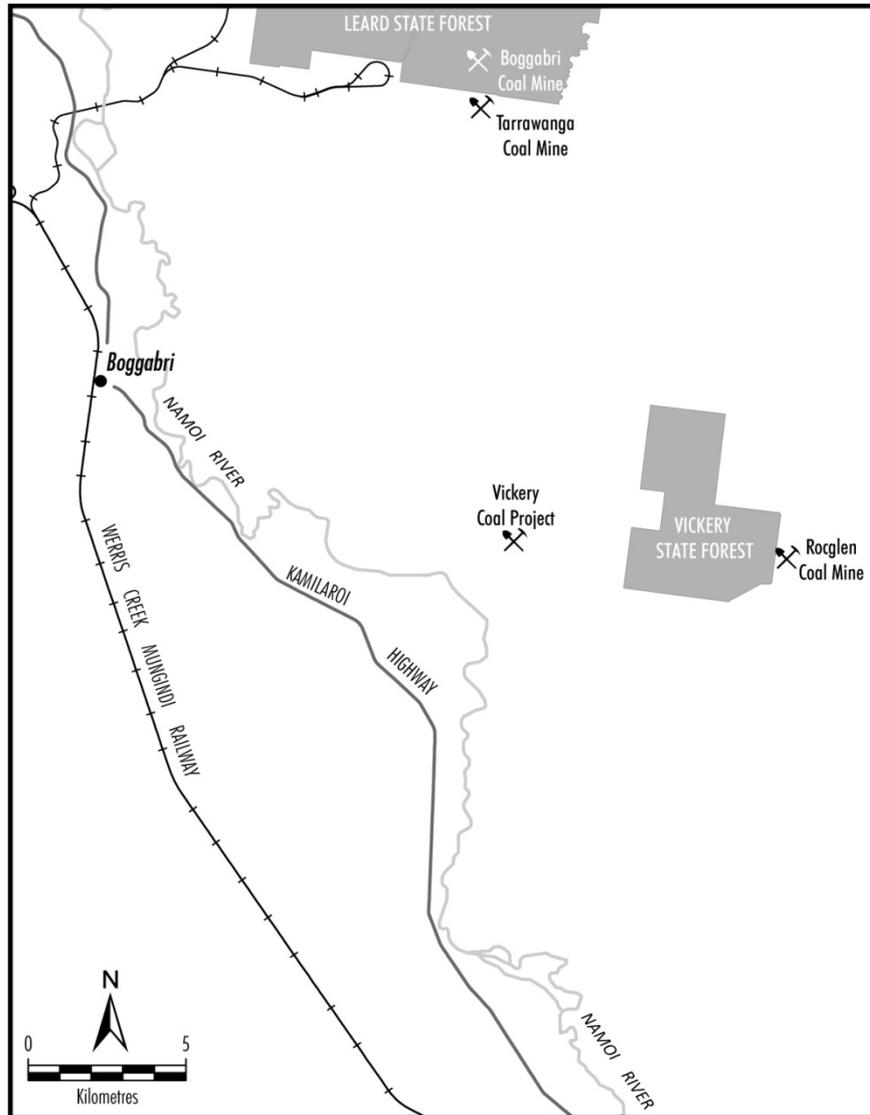
Yours sincerely,

WHITEHAVEN COAL LIMITED



Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



**VICKERY EXTENSION PROJECT
REGISTRATION FOR ABORIGINAL CULTURAL HERITAGE ASSESSMENT CONSULTATION PROCESS**

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Name	
Registered Aboriginal Party (if different from above)	
Address	
Postal Address (if different from above)	
Telephone Number	
Email Address	

Signed: _____

Date: _____

buyandsell



phone > (02) 6742 0455

phone > (02) 6742 3603

email > joan.barber@fairfaxmedia.com.au

Death Notices

LEARY, Eleanora
Phyllis Izetta.
Formally of Derwentville, Gunnedah, Killarney Vale and late of Brisbane Island, Queensland.

Dearly loved wife of Edward Eric (dec), loving mother and mother-in-law of Robyn and Paul Finlay, Len and Bonita Leary, Brian Leary, grandmother and great grandmother.
Privately interred at Memorial Park Lawn Cemetery.
Resting peacefully in God's care.

LIGHTFOOT & CO.
FDA of NSW Accreditation
No 12040-01
Funeral Directors of Gunnedah and the North West
Phone 6742 0154
www.lightfootfunerals.com.au

Funeral Notices

CARROLL, Edna May.
Passed away peacefully on Thursday, December 31, 2015 at Eloura Nursing Home, Quirindi.

Aged 97 years.
Dearly loved wife of the late Harold Carroll, loving mother and mother-in-law of Laurie and Kerry, Arleen and Bill Ison, Marilyn and Owen Green and Wayne, cherished grandmother, great grandmother and great-great grandmother of their families.

The relatives and friends of the late Edna Carroll are respectfully invited to attend her funeral. The service is appointed to commence at 11am on Friday, January 8, 2016 in the Edlen Chapel, Wandabah Road Gunnedah thence for cremation in the Lightfoot and Co. Crematorium.

In lieu of flowers a donation to Multiple Sclerosis Society may be made at the service.

LIGHTFOOT & CO.
FDA of NSW Accreditation
No 12040-01
Funeral Directors of Gunnedah and the North West
Phone 6742 0154
www.lightfootfunerals.com.au

ROWORTH, Leonard
Eli.

Passed away peacefully on Monday, January 4, 2016 at Gunnedah Hospital.

Aged 80 years.
Dearly loved husband of the late Peggy Roworth, loving father and father-in-law of Jennie and Jaime and Chris and Dee, adored gramps of Courtney, Alice, Olivia, Thomas and Oliver.

Len's graveside service was held on Thursday, January 7, 2016 at Memorial Park Lawn Cemetery, Gunnedah.

May He Rest In Peace

LIGHTFOOT & CO.
FDA of NSW Accreditation
No 12040-01
Funeral Directors of Gunnedah and the North West
Phone 6742 0154
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PUBLISHED by Gunnedah Publishing Company Pty Ltd, 287 Conadilly Street, Gunnedah. Printed by Print Leader, 64-66 Armstrong Street, Tamworth. Registered for posting as a publication (Category A). *Recommended and maximum price only.

In Memoriam

MAAS, Marinus. (Max).
26/10/1921-4/1/2009.
Seven years have past and I miss you more today than yesterday.
Marina, Paul and family.

O'YOUNG, Richard (Dick). Passed away January 17, 2006.

THURSTON, Grace (nee O'Young). Passed away January 18, 2012.

LOWE, Marjorie (nee O'Young). Passed away January 8, 2011.

*All sadly missed,
Forever in our hearts.*
Eileen and John T.

For Sale

BAY galloway gelding, 4yo, green broken but ready to go with. \$2000 ono. Phone 0427 625 633.

BAY stock horse gelding, 11yo, safe and steady going beginners horse, 14.3hh, used to road, stock and pony camp. Phone 0428 755 549.

Coffee Shop/ Cafe Business For Sale

Narrabri, NSW
Walk-in, walk-out.
Price negotiable.

0418 1641 29

FOURWAYS HAULAGE

New and Used Container Sales

20ft and 40ft

Contact
**John Martin on
0428 426 555**

LEAD line grey pony, great beginner's or children's pony, 9hh, 8yo, \$3000. Phone 0428 755 549.

NISSAN Patrol, 2002, 220,000kms, in good buckle, regularly serviced, AYL-41P, \$25,000. registered until April. Phone 6744 1286.

RAGS

Flannelette \$25
T-shirts \$20
Towelling \$20
10kg BAGS

Available at
SALVATION ARMY FAMILY STORE
Chandos Street
Phone 6742 6380

Smaller bags available on request
Delivery can be arranged

LOCAL SEASONAL VEGIES

Apple cucumbers
Tomatoes and more

ALMOST HOME
Pickles/relish/sauces

2kms past Saleyards
Dixie, Boggabri Road

0417 193 691

Garage Sales

GARAGE SALE
Moving Sale
Unit 2, 394 Conadilly Street
Saturday, January 9
7.30am
no early birds

Lost & Found

PLEASE HELP!

On December 18, a wooden chival mirror/jewellery box was bought at Gunnedah Salvos store. It was a treasured handmade gift. Willing to pay for its return. Please phone 0415 539 889.

Real Estate

PROPERTY WANTED

Property within 30 minutes of Gunnedah and productive enough to pay the mortgage. Dr Ken Adams, PO Box 719, Gunnedah.

Real Estate

THIS SATURDAY'S OPEN HOUSES



MIKE BRADY

9am 51-53 Silversmith Place
10am 8/135 Barber Street
11am 3/9 Little Hunter Street
Noon 33 Kerry Elizabeth Drive

Clearing Sales

PRELIMINARY NOTICE CLEARING SALE

A/C Sanson Sprayed Coatings
31-33 Bloomfield Street
Gunnedah, NSW
Friday, February 5, 2016
Commencing 9.30am

Extensive range of workshop equipment in excellent order.
Details in later edition.

Pollock and Cummins Pty Ltd
Ross Pollock 0428 421 008
Adam Pollock 0429 045 043
Graham Sanson 6742 5588

Public Notices

Shire of

Gunnedah
Land of Opportunity

NOTICE OF TEMPORARY POOL CLOSURE GUNNEDAH MEMORIAL POOL Wednesday, January 13, 2016

We wish to advise the Gunnedah community of the temporary closure of the Gunnedah Memorial Pool on Wednesday, January 13, 2016. The pool will close on Tuesday, January 12 at 8pm and re-open on Thursday, January 14, at 5.30am.

This closure is in response to maintenance/network upgrade works to be undertaken in the area by Essential Energy resulting in power disruption to the facility.

Should you have any questions relating to the changed conditions please contact council's customer service team on 6740 2100 or email: council@infogunnedah.com.au

We apologise for any inconvenience experienced during this time and thank you for your co-operation.

Colin Formann
ACTING GENERAL MANAGER

Public Notices



1 HOUR PHOTOS
6 DAYS A WEEK

Karen Carter Chemist
We use Kodak paper



HAPPY WEDDING ANNIVERSARY 70 YEARS
RON AND NANCY WHITE
Love Heather, Don and families

Public Notices

NOTICE to any person fishing or trespassing on 'Montana' property, Old Tamworth Road will be prosecuted without respect of person.

Public Notices

WANTED: Silos for cleaning out and removal of old grain. Phone 0427 393 394.

Public Notices

AUSTRALIAN FAXES

Send your faxes at the Independent office, Conadilly Street.
\$2 PER SHEET

BOAT AND PWC LICENCE COURSE

All in one day.
Lake Keepit Dam,
January 16, 2016.

Australian Boating College
Phone 0424 014 560

LIQUID EFFLUENT

Grease traps, septic tanks, cellars, brine pits, all cleaned safely and effectively using the latest vacuum technology from Gunnedah Trade Waste. Phone 6742 5470.

HIC Services – Recruiting January 2016

Due to continued growth, our business is expanding its operations with a newly opened facility in Gunnedah. We will be recruiting in January 2016.

Any qualifications with regard to industrial tiling (including refractory) and industrial painting is highly sought after. Qualifications such as Confined Space, EWP and Working at Heights will be highly regarded, and a current driver's licence is essential.

If interest please forward your resume to the attention of samantha@hicservices.com.au who will respond to your enquiry in the first week of January 2016.

Vickery Extension Project Aboriginal Cultural Heritage Assessment

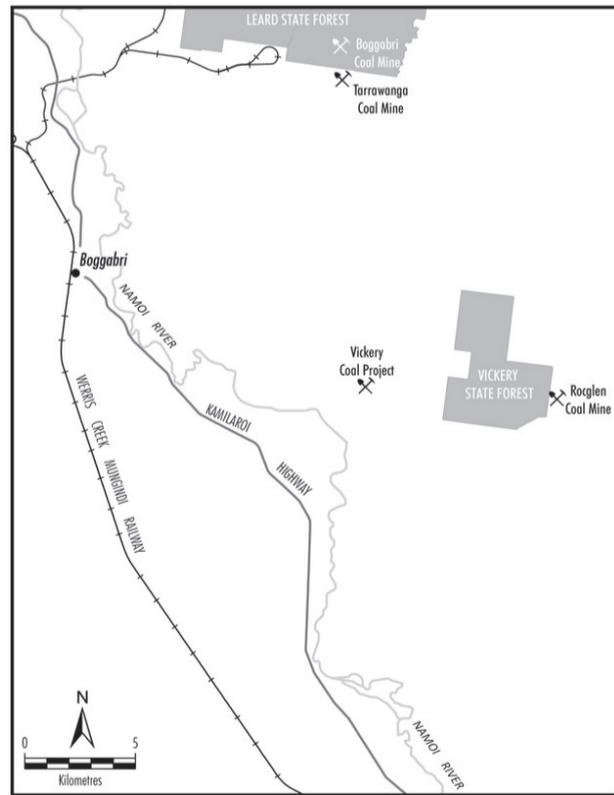
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The details of any Aboriginal person or group who registers an interest in the Vickery Extension Project will be forwarded to the NSW Office of Environment and Heritage and the Red Chief Local Aboriginal Land Council, unless they specify that they do not want their details released.

Please note that any opportunities for engagement during the Aboriginal Cultural Heritage Assessment process would be separate to the consultation process.

Contact details for registration are as follows:

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

WESTERN RAIL CORRIDOR
OEH AND LALC LETTERS



WHITEHAVEN COAL

29 January 2016

Phil Purcell
Office of Environment and Heritage
PO Box 2111
DUBBO NSW 2830

Dear Phil,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

In accordance with the New South Wales (NSW) Office of Environment and Heritage (OEH) policy *Aboriginal cultural heritage consultation requirements for proponents 2010* (NSW Department of Environment, Climate Change and Water [DECCW], 2010), a list of the Registered Aboriginal Parties that registered an interest in the community consultation process with Whitehaven Coal Limited for the Vickery Extension project is provided in Enclosure A.

Copies of the notification letters sent to the Aboriginal stakeholders and the public notice published in accordance with Section 4.1.6 of the OEH policy *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010) are provided in Enclosures B and C respectively.

Yours sincerely

WHITEHAVEN COAL LIMITED

Mark Edmondson

General Manager – Technical Services
Whitehaven Coal

Enclosure A: Registered Aboriginal Parties for the Vickery Extension Project
Enclosure B: Correspondence sent to Aboriginal Stakeholders
Enclosure C: Public Notice



WHITEHAVEN COAL

29 January 2016

Red Chief Local Aboriginal Land Council
Attention: Jane Delaney-John
PO Box 745
GUNNEDAH NSW 2380

Dear Jane,

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

In accordance with the New South Wales (NSW) Office of Environment and Heritage (OEH) policy *Aboriginal cultural heritage consultation requirements for proponents 2010* (NSW Department of Environment, Climate Change and Water [DECCW], 2010), a list of the Registered Aboriginal Parties that registered an interest in the community consultation process with Whitehaven Coal Limited for the Vickery Extension project is provided in Enclosure A.

Please note that two Registered Aboriginal parties indicated that they did not want their details released, and therefore are not included in the list presented in Table A-1.

Copies of the notification letters sent to the Aboriginal stakeholders and the public notice published in accordance with Section 4.1.6 of the OEH policy *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010) are provided in Enclosures B and C respectively.

Yours sincerely

WHITEHAVEN COAL LIMITED

Mark Edmondson

General Manager – Technical Services
Whitehaven Coal

Enclosure A: Registered Aboriginal Parties for the Vickery Extension Project
Enclosure B: Correspondence sent to Aboriginal Stakeholders
Enclosure C: Public Notice

WESTERN RAIL CORRIDOR
PROPOSED METHODOLOGY AND INFORMATION SESSION



21 January 2016

Dear [REDACTED]

**RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT
PROPOSED METHODOLOGY**

Thank you for registering an interest in the Aboriginal consultation process for the Vickery Extension Project (the Project).

Proposed Methodology

Please find enclosed for your review, a copy of the Proposed Methodology for the Aboriginal Cultural Heritage Assessment.

In accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (New South Wales [NSW] Department of Environment, Climate Change and Water, 2010) issued by the NSW Office of Environment and Heritage, we have provided the Proposed Methodology for your review and feedback. Your feedback may include the identification of issues or areas of cultural significance that may be used to affect, inform or refine the Proposed Methodology.

If you wish to provide input on the following, please make a submission to Whitehaven Coal Limited (Whitehaven) (via the contact details provided at the end of this letter) by **5.00 pm Tuesday 23 February 2016**:

- The nature of the Proposed Methodology.
- Any Aboriginal objects or places of cultural value within the investigation area, or issues of cultural significance, that you are aware of.
- Any restrictions or protocols you may consider necessary in relation to any information of sensitivity that you may provide.
- Any other factors you consider to be relevant to the heritage assessment.

All comments received will be taken into consideration as the Methodology is finalised.

Ongoing Consultation

Please note that Registered Aboriginal Parties will be consulted in accordance with the NSW Office of Environment and Heritage policy entitled *Aboriginal cultural heritage consultation requirements for proponents 2010* throughout the investigation, which will include the provision of a copy of the draft Aboriginal Cultural Heritage Assessment report for review and comment.

All Registered Aboriginal Parties will be invited by Whitehaven to attend a site inspection of the investigation area and a selection of the recorded sites following completion of the field surveys. During this inspection, attending Registered Aboriginal Parties can provide further details in relation to any submission that they have made as to the cultural significance of the study area and/or identified sites.

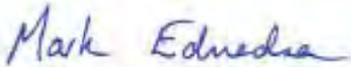
Contact Details

Any feedback with respect to the Proposed Methodology can be provided to Whitehaven via the following contact details:

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379 WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Yours sincerely

WHITEHAVEN COAL LIMITED

A handwritten signature in black ink that reads "Mark Edmondson". The signature is written in a cursive style and is positioned above a faint, light-colored rectangular stamp or watermark.

Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Subject: FW: Vickery Extension Project - Correspondence

From: Brian Cole

Sent: Monday, 7 March 2016 6:45 AM

To: 'jane@redchiefalc.com.au' <jane@redchiefalc.com.au>; 'ceo@redchiefalc.com.au' <ceo@redchiefalc.com.au>

Subject: FW: Vickery Extension Project - Correspondence

Dear Ms Delaney-John

Thank you for your email.

Please note that the Proposed Methodology Addendum was provided for your records only. No comments were requested as the Addendum was consistent with the Proposed Methodology which was posted via registered express post on 6 November 2015 and emailed on 14 November 2015 to the Red Chief Local Aboriginal Land Council. Notwithstanding, we are happy to receive any comments that you may have on these documents.

The field surveys for the Project occurred over a three week period in January and February 2016. Involvement of Registered Aboriginal Parties (RAPs) in the field work was based on the merits of the Field Survey Engagement Applications received. Copies of this application form were posted via registered express post on 6 November 2015 and emailed on 14 November 2015 to the Red Chief Local Aboriginal Land Council. A response from the Red Chief Local Aboriginal Land Council was not received.

Data collected during the field surveys is currently being assessed and analysed. A detailed description of the results of the survey, including relevant mapping and proposed management strategies will be provided in the draft Aboriginal Cultural Heritage Assessment, which will be provided to the Red Chief Local Aboriginal Land Council for review and comment.

During the draft Aboriginal Cultural Heritage Assessment review period, Whitehaven will be providing an opportunity for the Red Chief Local Aboriginal Land Council, other RAPs and community Elders to attend an information session and site inspection, with an opportunity to view a selection of the recorded sites. Further details regarding the information session and site inspection will be provided.

Please don't hesitate to call should you wish to discuss.

Brian Cole
Executive General Manager, Project Delivery
Whitehaven Coal
PO Box 56
BOGGABRI NSW 2382
Tel +61 2 67497821 Mob +61 418116153

From: Jane Delaney-John [<mailto:jane@redchiefalc.com.au>]

Sent: Thursday, 3 March 2016 5:37 AM

To: Brian Cole; Office Admin

Cc: Josh Peters; Danielle Wallace

Subject: RE: Vickery Extension Project - Correspondence

Dear Brian

Thank you for your correspondence email advising of documentation which has not been provided to the Redchief LACL

Given the difficulties with the postage you have sighted the Redchief LALC will require fourteen days from the date of this email in order to provide detailed response

We will forward this to you via electronic form

Should we have any enquiries relating to this matter we will certainly be in touch

Additionally, the Redchief LALC notes with some concern that we appear not to have been included in any survey/salvage programs despite being the Statute authority for culture and heritage and a registered RAP

Please provide a brief update with relevant mapping and data and program implementation details regarding the recent work at hand

The Redchief LALC remains committed to the protection of Aboriginal cultural and heritage and liaison and discussion with relevant companies such as Whitehaven in order that positive demonstrated protection is in place

Yours sincerely

Jane Delaney-John

From: Brian Cole [BCole@whitehavencoal.com.au]

Sent: Friday, 26 February 2016 10:51 AM

To: Toni Comber; Office Admin

Cc: Josh Peters (jpeters@ResourceStrategies.com.au); Danielle Wallace (DWallace@resourcestrategies.com.au)

Subject: FW: Vickery Extension Project - Correspondence

Please find attached correspondence from Whitehaven Coal Limited regarding the Vickery Extension Project.

We note that the hard copy of this correspondence (posted to you on 22 December 2015) was returned to us as it had not been collected from the Post Office. An additional copy of the attached has now been posted to you.

Please don't hesitate to call should you wish to discuss.

Regards

Brian Cole
Executive General Manager, Project Delivery
Whitehaven Coal
PO Box 56
BOGGABRI NSW 2382
Tel +61 2 67497821 Mob +61 418116153



22 December 2015

Red Chief Local Aboriginal Land Council
Jane Delaney-John
PO Box 745
GUNNEDAH NSW 2380

Dear Jane,

**RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE
ASSESSMENT AND ADDENDUM TO THE NOVEMBER 2015 PROPOSED
METHODOLOGY**

As you would be aware, you registered an interest in the Vickery Extension Project following correspondence from Whitehaven Coal Limited to you in September and October 2015.

Following further detailed mine planning, Whitehaven has identified an additional potential alignment for the proposed rail spur. In this regard, the revised "Area of Interest" for the Vickery Extension Project (and any such application) includes the entire extent shown on the enclosed plan.

All existing Registered Aboriginal Parties for the Vickery Extension Project, including Red Chief Local Aboriginal Land Council, are automatically registered for consultation associated with the additional registration process. You do NOT need to contact Whitehaven to re-register for the Vickery Extension Project.

In regard to the additional potential rail alignment for the Project, please find enclosed an addendum to the *Proposed Methodology for the Vickery Extension Project Aboriginal Cultural Heritage Assessment* (which was provided to you on 6 November 2015). The addendum describes the change to the survey area. A figure showing the revised indicative survey area is also provided.

Should you have any queries, please do not hesitate to contact Whitehaven via the following contact details:

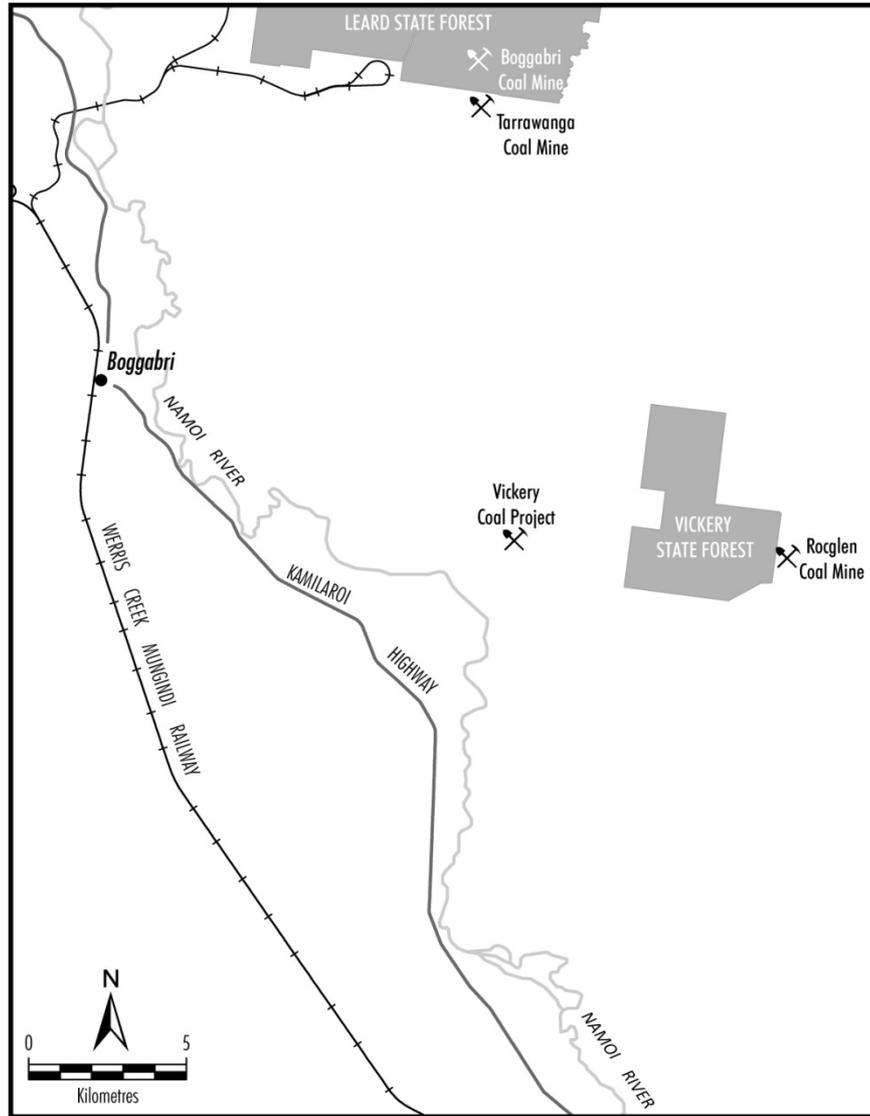
Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Yours sincerely,

WHITEHAVEN COAL LIMITED

Mark Edmondson
General Manager – Technical Services
Whitehaven Coal

Plan Showing "Area of Interest"



DRAFT ACHA CORRESPONDENCE



18 March 2016

Dear

RE: VICKERY EXTENSION PROJECT – DRAFT ABORIGINAL CULTURAL HERITAGE ASSESSMENT AND INVITATION TO INFORMATION SESSION AND SITE INSPECTION

Draft Aboriginal Cultural Heritage Assessment

Please find enclosed for your review, a copy of the draft Aboriginal Cultural Heritage Assessment (ACHA) for the Vickery Extension Project (the Project).

In accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (New South Wales [NSW] Department of Environment, Climate Change and Water, 2010) issued by the NSW Office of Environment and Heritage, we have provided the draft ACHA for your review and feedback. In accordance with these guidelines, your feedback may include the identification of issues or areas of cultural significance that may be used to affect, inform or refine the draft ACHA.

If you wish to provide input on the following, please make a submission to Whitehaven Coal Limited (Whitehaven) by **5.00pm Wednesday 27 April 2016** (via the contact details provided on page 3 of this letter):

- Identification of issues.
- Any Aboriginal objects or places of cultural value within the investigation area, or issues of cultural significance, that you are aware of.
- Any restrictions or protocols you may consider necessary in relation to any information of sensitivity that you may provide.
- Any other factors you consider to be relevant to the ACHA.

All comments received will be taken into consideration as the ACHA is finalised. Any feedback with respect to the draft ACHA is to be provided by **5.00pm Wednesday 27 April 2016** via the contact details provided below.

Information Session and Site Inspection

As part of the draft ACHA review process for the Vickery Extension Project, Whitehaven would like to offer all Registered Aboriginal Parties (RAPs) an opportunity to attend an information session regarding the draft ACHA and an associated site inspection.

The purpose of the information session is to discuss the key findings of the draft ACHA and to provide an opportunity for RAPs to discuss, ask questions and/or provide comment on the draft ACHA, particularly the cultural significance and proposed management measures. Representatives from the University of Queensland Culture and Heritage Unit (the consulting archaeologists) and Whitehaven will be in attendance at the information session.

In addition to the information session, Whitehaven would also like to offer all RAPs the opportunity to attend a site inspection to view the Study Area and a selection of the recorded Aboriginal heritage sites.

To help with availability, Whitehaven will be running two information sessions/site inspections on separate dates. This is to allow people to attend on either day depending on their availability. The venue and date options are listed below:

- **Wednesday 6 April 2016** at the Boggabri Golf Club from 10.00am until late-afternoon.
- **Thursday 7 April 2016** at the Boggabri Golf Club from 10.00am until late-afternoon.

Directions to the site can be provided if required.

The information provided at each information session/site inspection will be the same therefore attendance on both days is not necessary.

Light refreshments, drinks and lunch will be provided. However, please note that Whitehaven will not be paying for travel expenses or attendance at the information session and/or site inspection.

All participants attending the site inspection will need to bring appropriate enclosed footwear, long pants, high visibility long sleeve shirt (or vest) and a hat.

Should you wish to inspect any specific sites and/or areas during the site inspection, please advise Whitehaven (via the contact details provided below) prior to the site inspection and the request will be taken into consideration.

Should anyone require assistance (or know of someone requiring assistance) in relation to boarding buses, mobility or have any specific dietary requirements, please advise Whitehaven via the contact details below prior to attendance at the information sessions and/or site inspections.

Aboriginal Community Elders

Whitehaven welcomes and requests community Elders to attend the information session and/or site inspection. Should anyone know of an Elder who may not be a RAP or who may not be aware of the information session/site inspection, could you please let Whitehaven know (via the contact details below) so that they can be invited/involved.

Transport from the Boggabri Golf Club to the Study Area and around the Study Area (to the sites to be inspected) will be provided by Whitehaven.

Cultural Values

The draft ACHA, which has been provided for your review and comment with this letter, includes a consideration of known cultural values associated with the Study Area and surrounds. Any additional cultural values input provided during the draft ACHA review period will be incorporated and considered as the ACHA is finalised.

In this regard, should you wish to be interviewed with regard to cultural values, please contact Whitehaven regarding the contact details provided below. Alternatively, you may not wish to be interviewed in person and may wish to provide information regarding cultural values via written format or over the phone.

Contact Details

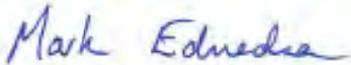
Please submit any feedback regarding the draft ACHA to the following contact details by 5.00pm Wednesday 27 April 2016. Furthermore, should you have any queries regarding the Project, the information session or the site inspection please contact Whitehaven via the contact details below:

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Could you please indicate whether you are interested in attending the information session and site inspection by Monday 4 April 2016, as well as which day you wish to attend (either Wednesday 6 April 2016 or Thursday 7 April 2016).

Yours sincerely

WHITEHAVEN COAL LIMITED



Mark Edmondson

General Manager – Technical Services
Whitehaven Coal



23 December 2016

Dear

RE: VICKERY EXTENSION PROJECT – DRAFT ABORIGINAL CULTURAL HERITAGE ASSESSMENT

As you would be aware, you registered an interest in the Aboriginal community consultation process for the Vickery Extension Project (the Project) in late 2015. As part of this consultation process you were provided with a copy of a draft Aboriginal Cultural Heritage Assessment (ACHA) for your review and comment in March 2016, including an invitation to attend an information session and site inspection in April 2016.

As advised in correspondence dated 27 October 2016, following further detailed mine planning Whitehaven Coal Limited (Whitehaven) has identified an alternative rail corridor for the Project. In this regard, a revised draft ACHA has been prepared for your review and comment.

Draft Aboriginal Cultural Heritage Assessment

Please find enclosed for your review, a copy of the draft ACHA for the Project.

In accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (New South Wales [NSW] Department of Environment, Climate Change and Water, 2010), we have provided the draft ACHA for your review and feedback. In accordance with these guidelines, your feedback may include the identification of issues or areas of cultural significance that may be used to affect, inform or refine the draft ACHA.

If you wish to provide input on the following, please make a submission to Whitehaven by **5.00pm Friday 3 February 2017** (via the contact details provided at the end of this letter):

- Identification of issues.
- Any Aboriginal objects or places of cultural value within the investigation area, or issues of cultural significance, that you are aware of.
- Any restrictions or protocols you may consider necessary in relation to any information of sensitivity that you may provide.
- Any other factors you consider to be relevant to the ACHA.

All comments received will be taken into consideration as the ACHA is finalised. Any feedback with respect to the draft ACHA is to be provided by **5.00pm Friday 3 February 2017** via the contact details provided below.

Cultural Values

The draft ACHA, which has been provided for your review and comment with this letter, includes a consideration of known cultural values associated with the Study Area and surrounds. These values are those that have been previously provided by members of the Aboriginal community. Any additional cultural values input provided during the draft ACHA review period will be incorporated and considered as the ACHA is finalised.

In this regard, should you wish to be interviewed with regard to cultural values, please contact Whitehaven regarding the contact details provided below. Alternatively, you may not wish to be interviewed in person and may wish to provide information regarding cultural values via written format or over the phone.

Contact Details

Please submit any feedback regarding the draft ACHA to the following contact details by **5.00pm Friday 3 February 2017**. Furthermore, should you have any queries regarding the Project, please contact Whitehaven via the contact details below:

Whitehaven Coal Limited
C/- Danielle Wallace
PO Box 379, WEST RYDE NSW 2114
Mobile: 0414 833 397
Email: vickeryacha@gmail.com

Yours sincerely

WHITEHAVEN COAL LIMITED



Brian Cole

Executive General Manager – Projects Delivery
Whitehaven Coal Limited



29 June 2018

Dear

RE: VICKERY EXTENSION PROJECT – REVISED DRAFT ABORIGINAL CULTURAL HERITAGE ASSESSMENT

As you would be aware, you registered an interest in the Aboriginal community consultation process for the Vickery Extension Project (the Project) in late 2015.

As part of this consultation process you were provided with a copy of a draft Aboriginal Cultural Heritage Assessment (ACHA) for your review and comment in March 2016, including an invitation to attend an information session and site inspection in April 2016. Subsequent to this, a further draft ACHA was provided for your review and comment in December 2016, incorporating amendments to the project design.

As advised in correspondence dated 5 December 2017, should any updates to the ACHA be required, all Registered Aboriginal Parties would be notified of any amendments. Following further detailed mine planning Whitehaven Coal Limited (Whitehaven) has identified an alternative rail corridor for the Project.

In this regard, a revised draft ACHA has been prepared for your review and comment.

Revised Draft Aboriginal Cultural Heritage Assessment

Please find enclosed for your review, a copy of the revised draft ACHA for the Project.

In accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (New South Wales [NSW] Department of Environment, Climate Change and Water, 2010), we have provided the revised draft ACHA for your review and feedback. In accordance with these guidelines, your feedback may include the identification of issues or areas of cultural significance that may be used to affect, inform or refine the revised draft ACHA.

If you wish to provide input on the following, please make a submission to Whitehaven by **5.00pm Wednesday 1 August 2018** (via the contact details provided at the end of this letter):

- Identification of issues.
- Any Aboriginal objects or places of cultural value within the investigation area, or issues of cultural significance, that you are aware of.



- Any restrictions or protocols you may consider necessary in relation to any information of sensitivity that you may provide.
- Any other factors you consider to be relevant to the ACHA.

All comments received will be taken into consideration as the ACHA is finalised. Any feedback with respect to the revised draft ACHA is to be provided by **5.00pm Wednesday 1 August 2018** via the contact details provided at the end of this letter.

Cultural Values

The revised draft ACHA, which has been provided for your review and comment with this letter, includes a consideration of known cultural values associated with the Study Area and surrounds. These values are those that have been previously provided by members of the Aboriginal community. Any additional cultural values input provided during the revised draft ACHA review period will be incorporated and considered as the ACHA is finalised.

In this regard, should you wish to be interviewed with regard to cultural values, please contact Whitehaven via the contact details provided below. Alternatively, you may not wish to be interviewed in person and may wish to provide information regarding cultural values via written format or over the phone.

Contact Details

Please submit any feedback regarding the draft ACHA to the following contact details by **5.00pm Wednesday 1 August 2018**. Furthermore, should you have any queries regarding the Project, please contact Whitehaven via the contact details below:

Whitehaven Coal Limited
PO Box 379, WEST RYDE NSW 2114
Phone: 1800 942 625
Email: vickeryfeedback@whitehavencoal.com.au

Yours sincerely

WHITEHAVEN COAL LIMITED

BRIAN COLE

Executive General Manager, Project Delivery

2/7/2018

Dear Brian, I received your letter AND report on **Vickery Extension Project** AS AN GNUNNAWA ELDER ✓ I believe it is most important that any artefacts regardless of how small we find of our ancestors Aboriginal need to be found and kept for future generations to learn from, my own family have been traced back **6 generations** but I know the Carrolls go back a lot more than that my great grand father Edward Carroll was a black tracker and horse breaker as was my grandfather James Carroll, my great grandmother was Queen Lucy Hamilton Hurne I work on many field jobs to retrieve all and any artefacts left by Aboriginal people, my best find on one of our field days was finding an ancient axe made by our ancestors great find, as you know Aboriginal Elders hold a lot of knowledge on our ancestors, AS A Registered Corp with you, Please contact me on details below sincerely **Shue Carroll** Junnie
Queenj Wong Cultural Heritage Aboriginal Corp
1 Bellevue Place POORLAND NSW 2847 NSW

STATUS UPDATE CORRESPONDENCE



WHITEHAVEN COAL

27 October 2016

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À

Dear

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

As you would be aware, you registered an interest in the Aboriginal community consultation process for the Vickery Extension Project in late 2015.

As part of this consultation process you were provided with a copy of a draft Aboriginal Cultural Heritage Assessment (ACHA) for your review and comment in March 2016, including an invitation to attend an information session and site inspection in April 2016.

Following further detailed mine planning, Whitehaven has identified potential project alternatives which are currently being investigated. Pending the outcome of these investigations updates to the draft ACHA may be required.

If required, a revised draft ACHA would be developed, and provided to all Registered Aboriginal Parties for their review and comment prior to finalisation.

Whitehaven Coal Limited expects to be contacting you again in the coming months with a further update on the timing of the revised draft ACHA.

Yours sincerely

WHITEHAVEN COAL LIMITED

Brian Cole

Executive General Manager – Projects Delivery
Whitehaven Coal Limited



WHITEHAVEN COAL

5 December 2017

Dear

RE: VICKERY EXTENSION PROJECT – ABORIGINAL CULTURAL HERITAGE ASSESSMENT

As you would be aware, you registered an interest in the Aboriginal community consultation process for the Vickery Extension Project in late 2015.

As part of this consultation process you were provided with a copy of a draft Aboriginal Cultural Heritage Assessment (ACHA) for your review and comment in March 2016, including an invitation to attend an information session and site inspection in April 2016. Subsequent to this, a further draft ACHA was provided for your review and comment in December 2016, incorporating amendments to the project design.

Whitehaven is currently in the process of finalising the Environmental Impact Statement. As part of this process, should any updates to the ACHA be required, all Registered Aboriginal Parties would be notified of any amendments.

Whitehaven Coal Limited expects to be contacting you again in the coming months with a further update.

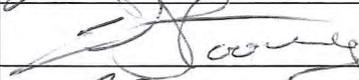
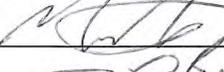
Yours sincerely

WHITEHAVEN COAL LIMITED

Brian Cole

Executive General Manager – Projects Delivery
Whitehaven Coal Limited

APPENDIX 4: INFORMATION SESSION ATTENDANCE RECORDS

Name	Registered Aboriginal Group	Signature
George Sampson	CACATUA CULTURE CONSULTANTS	
Donna Simpson	AGA SERVICES	
Clifford Teatby	Gomeroi	
Brian Draper	BRIAN DRAPER	
MICHAEL LONG	Whitecockatoo	
Michael R Long	Whitecockatoo	
Gloria Foley		
RONALD LONG	RONALD LONG	

VICKERY CONSULTATION

5/3/16

NAME

SIGNATURE

Tim Muldoon WHC

Tim Muldoon

BOB SUTHERLAND WHC

B Sutherland

IAN JOSEPH

I Joseph

CHIFFOED TOOMEY

C Toomey

Liam Munn

L Munn

Madeleine McGrady

M McGrady

Norman McGrady

N McGrady

Susan Smith

S Smith

Eileen Bunge

E Bunge

Maureen Salkin

M Salkin

Loisie J

L J

Alfred Priestley

A Priestley

GREY WIKKINS

G Wiggins

Anthony Munn

A Munn

Bob Weatherall

B Weatherall

ALFRED BONEY

A Boney

APPENDIX 5: PROPOSED METHODOLOGY AND ADDENDUM

PROPOSED METHODOLOGY FOR THE VICKERY EXTENSION PROJECT ABORIGINAL CULTURAL HERITAGE ASSESSMENT

6 November 2015

INTRODUCTION

The Vickery Coal Project is an approved, but yet to be developed open cut coal mining operation situated in the Gunnedah Coalfield approximately 25 kilometres north of Gunnedah, New South Wales (NSW) (Figure 1).

Whitehaven Coal Limited (Whitehaven) is seeking Development Consent to expand the open cut mining operations at the Vickery Coal Project. This would include a physical extension to the mine footprint to gain access to additional run-of-mine (ROM) coal reserves, an increase in the footprint of waste rock emplacement areas, an increase in the approved ROM coal mining rate, construction and operation of an on-site coal handling and preparation plant, train load-out facility and rail spur. The proposal is herein referred to as the Vickery Extension Project (the Project).

Construction and augmentation (where required) of currently approved infrastructure such as road diversions, water management infrastructure and temporary topsoil stockpiles would also be conducted as part of the Project.

Whitehaven is seeking approval for the Project from the NSW Minister for Planning under the State Significant Development provisions (Division 4.1) of Part 4 of the NSW *Environmental Planning and Assessment Act, 1979* (EP&A Act) and the NSW *Environmental Planning and Assessment Regulation, 2000*.

The areas of land that the Aboriginal Cultural Heritage Assessment (ACHA) relates to are shown on Figures 1, 2 and 3. Of note is that a large portion of the Project area has previously been the subject of an Environmental Impact Statement and corresponding ACHA (Whitehaven, 2013).

Areas within the historic Canyon Mine, approved areas at the Vickery Coal Project, areas subject to previous representative survey and those areas within the indicative study area which would not be subject to disturbance associated with the Project, would not be surveyed as part of the ACHA. However, these areas would be considered during preparation of the ACHA and all known Aboriginal heritage sites would continue to be managed consistent with the existing Development Consent (SSD-5000).

The representative field surveys for the Project would therefore be focused on indicative survey areas presented on Figure 2.

The Proposed Methodology for the ACHA is outlined below. Whitehaven will invite Registered Aboriginal Parties (RAPs) to provide comments (either verbally or in writing) on the Proposed Methodology.

PO Box 6069
St. Lucia, Brisbane
Queensland 4067

T +61 7 3365 3309

F +61 7 3365 1544

E a.sneddon@uq.edu.au

www.socialscience.uq.edu.au

ABN 19 010 529 898

PREVIOUS ARCHAEOLOGICAL INVESTIGATIONS

With an increase in extractive activities in the Gunnedah Basin in recent years, the region has been subject to an increasing number of Aboriginal cultural heritage surveys, assessments and management plans. Much of the previous archaeological investigations undertaken in the surrounding area have been associated with existing nearby mines at Tarrawonga, Boggabri and Maules Creek.

Previous investigations undertaken for the Vickery Coal Project area and immediate surrounds include (but are not limited to):

- *Amax Proposed Coal Mining Operation at Boggabri* (Kammaing, 1978).
- *Environmental Impact Statement for the Proposed Vickery Coal Mine* (Thompson, 1981).
- *Archaeological investigations at Top and Bottom Rocks, Namoi River, N.S.W.* (Haglund, 1982).
- *Archaeological investigations of Areas that May be Affected by Proposed Mining for Coal in the Gunnedah area, NSW* (Haglund, 1985).
- *Vickery Coal Project Environmental Impact Statement: Appendix I Aboriginal Cultural Heritage Assessment* (Landskape, 2012).

Previous investigations within the broader region include (but are not limited to) (Landskape, 2012):

- *Archaeological Investigation for Sites of Indigenous Cultural Significance for the Proposed East Boggabri Coal Mine* (Archaeological Surveys & Reports Pty Ltd, 2005).
- *Aboriginal Cultural Heritage Assessment Report, Boggabri Coal Project* (Hamm, 2005).
- *Tarrawonga Coal Mine Modification Cultural Heritage Assessment* (Landskape, 2010).
- *Aboriginal Cultural Heritage Impact Assessment Report for the Continuation of Boggabri Coal Mine* (Insite Heritage, 2010).
- *Aboriginal Archaeology and Cultural Heritage Impact Assessment for the Maules Creek Coal Project*. (AECOM Australia, 2010).
- *Appraisal of Scar Trees on the Rail – Infrastructure Footprint for the Maules Creek Mine Project* (Burns, 2013).
- *Tarrawonga Coal Project Aboriginal Cultural Heritage Assessment* (Kayandel Archaeological Services, 2011).

The previously identified Aboriginal cultural heritage sites located within the indicative study area for the Project are presented on Figure 3.

PRELIMINARY PREDICTIVE MODEL

Consideration of the results of previous archaeological investigations indicates that previously unidentified Aboriginal cultural heritage sites may occur in and around the Project area:

- Aboriginal cultural heritage sites are known to exist within and around the Project area.
- Previous archaeological investigations have demonstrated a pattern of archaeological site distribution associated with the Namoi River and associated drainage lines, and raised landforms overlooking permanent water sources.

- The archaeology of the surrounding area is characterised by artefact scatters or isolated occurrences that often occur in higher densities along the Namoi River. It is noted that these densities decrease with distance from this main water source.
- Other site types, such as scarred trees or grinding grooves, have also been reported to occur within the region, but to a much lesser degree. Both of these site types are largely associated with the Namoi River.
- The Project area has been subjected to intensive agricultural practices over the past century which will have variously impacted upon the survival of Aboriginal cultural heritage sites (e.g. sites located along the Namoi River potentially destroyed by erosion). Agricultural activities have included vegetation clearance, crop production, animal pasture, road construction, and mining exploration and localised mining activity. These processes have generally not occurred uniformly, and there remains only limited potential for the survival of *in situ* Aboriginal cultural heritage sites within the Project boundary. In scientific terms, disturbed sites are generally considered to be of lower significance and to require less rigorous management responses.
- On the basis of the nature of the known archaeological record in the wider region and the landforms present in the Project area, it has been determined that the Project area retains potential to contain some Aboriginal cultural heritage sites (e.g. artefact scatters).
- If unidentified Aboriginal cultural material is present in the Project area this will most likely be represented by stone artefacts.

PROPOSED METHODOLOGY

The Proposed Methodology for the Aboriginal Cultural Heritage Assessment of the Project is as follows:

- Provision of existing information on Aboriginal cultural heritage sites within the Project area and immediate surrounds.
- Representative archaeological survey of the Project area using a combined approach of vehicular and pedestrian transects, and informed by an archaeological predictive model based on the results of previous archaeological investigations.
- Conduct an archaeological assessment (including an archaeological significance assessment) of any known or potential Aboriginal heritage sites identified within the Project area (which may include the use of existing information).
- A request by Whitehaven to RAPs for comments regarding the cultural significance of Aboriginal heritage sites and/or areas within the Project area.
- In consultation with the RAPs, identification of recommended management and mitigation measures for Aboriginal heritage sites/areas within the Project area.
- Provide a copy of the draft ACHA to the RAPs for their review and feedback.
- Documentation of feedback received as part of the cultural assessment from RAPs for presentation in the final ACHA report (subject to the sensitivity of the information provided).

In accordance with the NSW Office of Environment and Heritage (OEH) policy *Aboriginal cultural heritage consultation requirements for proponents 2010* (NSW Department of Environment, Climate Change and Water [DECCW], 2010), Whitehaven will request that RAPs provide, where relevant, during the conduct of the ACHA, cultural information regarding:

- whether there are any Aboriginal objects of cultural value to Aboriginal people in the area of the proposed Project; and
- whether there are any places of cultural value to Aboriginal people in the area of the proposed Project.

This will include places of social, spiritual and cultural value, historic places with cultural significance, and potential places/areas of historic, social, spiritual and/or cultural significance.

SENSITIVE CULTURAL INFORMATION – MANAGEMENT PROTOCOL

In the event that a RAP has sensitive or restricted public access information, it is proposed that Whitehaven would manage this information (if provided by the Aboriginal community) in accordance with a sensitive cultural information management protocol. It is anticipated that the protocol would include making note of and managing the material in accordance with the following key limitations/requirements as advised by the relevant RAP at the time of the information being provided:

- any restrictions on access to the material;
- any restrictions on communication of the material;
- any restrictions on the location/storage of the material;
- any cultural recommendations on handling the material;
- any contextual information;
- any names and contact details of persons authorised by the relevant RAP to make decisions concerning the Aboriginal material and the degree of authorisation;
- any details of any consent given in accordance with customary law;
- the level of confidentiality to be accorded to the material; and
- any access and use by the RAPs of the cultural information in the material.

All RAPs should be aware of the mandatory OEH requirement that all feedback provided must be documented in the final ACHA report, including copies of any submissions received and the proponents response to the issues raised.

ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT

Following consultation on the Proposed Methodology and the undertaking of any required field components, a draft ACHA report will be prepared. The draft ACHA will be provided to all RAPs for review and comment and will include:

- details of the sites/objects and/or places and their precise locations within the Project area and an assessment of potential impacts from the Project;
- detailed records of the consultation conducted with RAPs and how any comments received throughout the assessment process were considered; and

- management and mitigation recommendations drawing on information provided by RAPs and the results of the ACHA.

CRITICAL TIMELINES

Critical timelines for the Project ACHA are outlined below:

1. Collation of culturally significant information – ongoing throughout process until the end of the draft ACHA review period.
2. Information Session – November 2015.
3. Provision of comments on the Proposed Methodology to Whitehaven – December 2015.
4. Field survey – January/February 2016.
5. Provision of a draft ACHA (including proposed management and mitigation measures) to RAPs for review and comment – February/March 2016 (following field survey).
6. Provision of comments from RAPs on draft ACHA to Whitehaven – March/April 2016.
7. Finalise ACHA report taking into consideration comments received – April 2016.

REFERENCES

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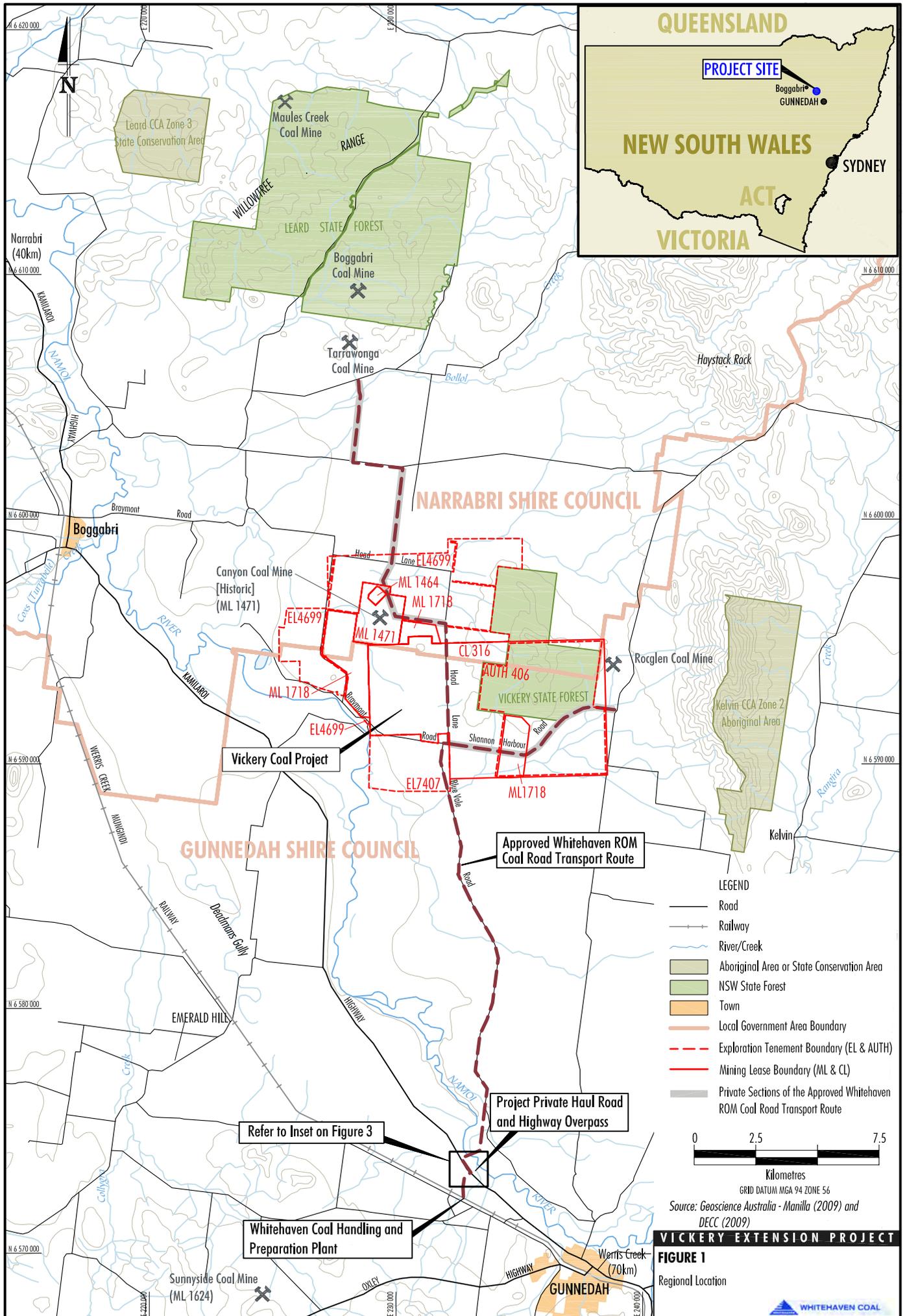
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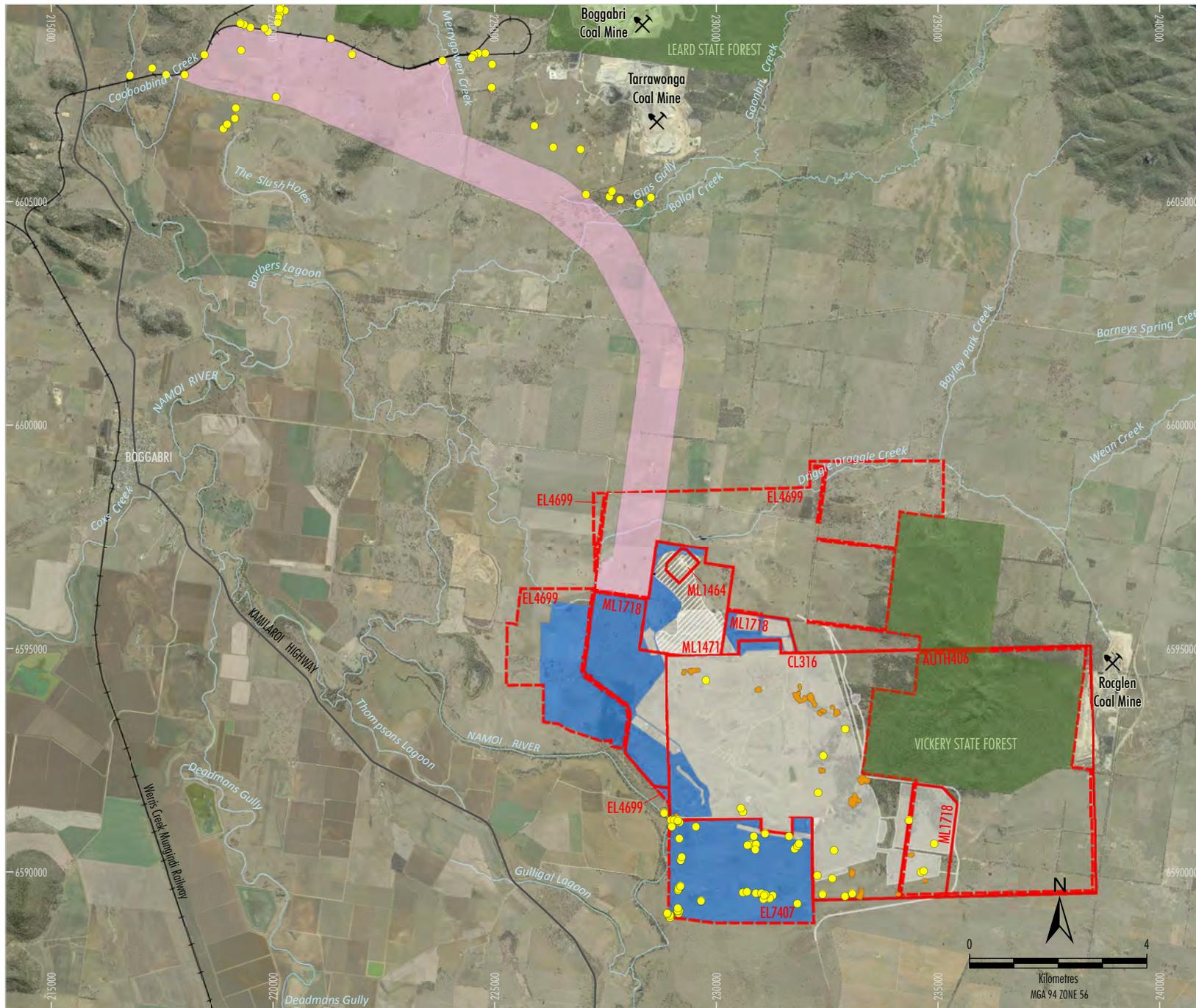
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FIGURES





LEGEND

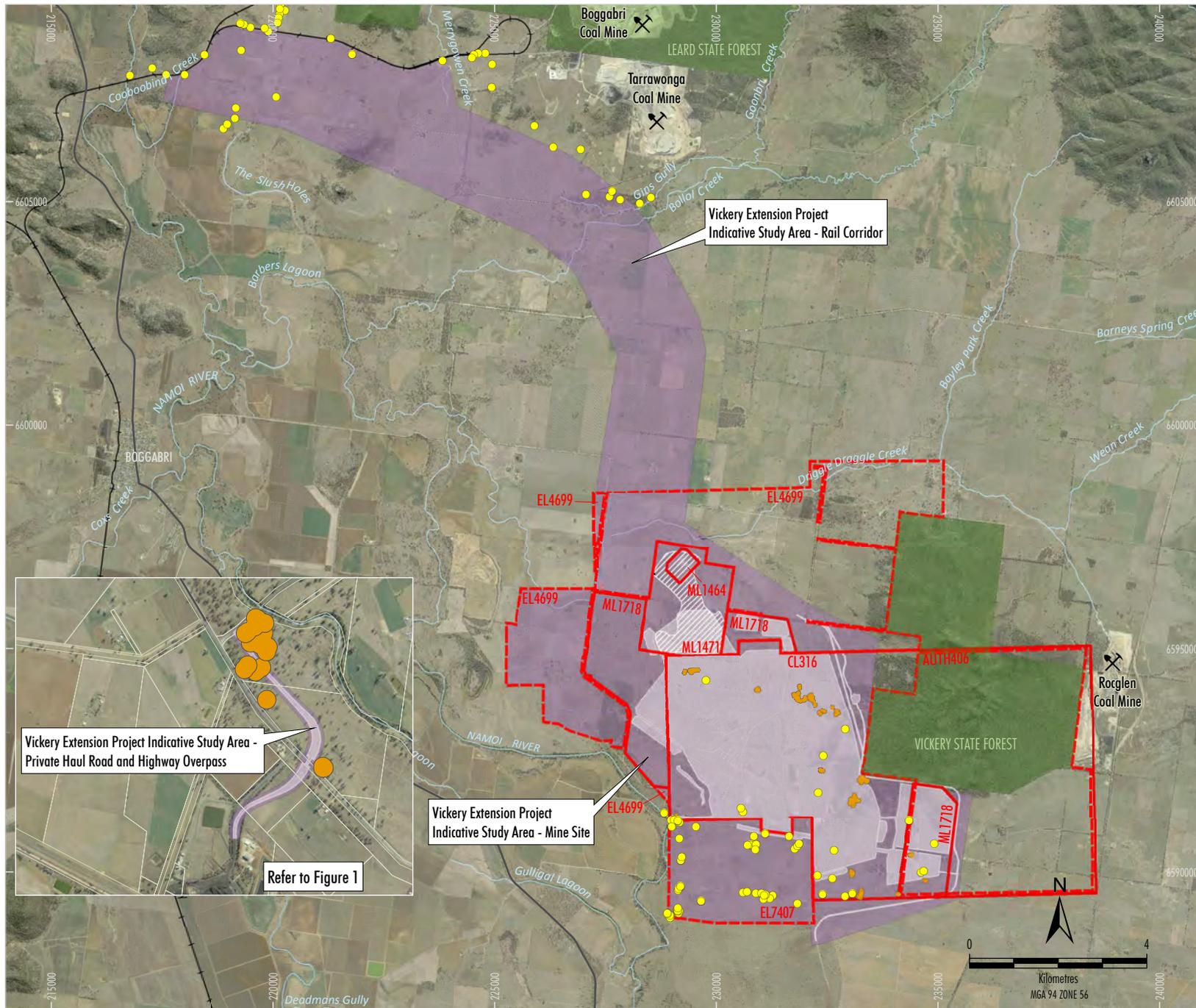
- State Forest
- Exploration Tenement Boundary (EL & AUTH)
- Mining Tenement Boundary (ML & CL)
- Canyon Coal Mine
- Approximate Extent of Approved Vickers Coal Project
- Indicative Representative Survey Area
- Mine Site
- Rail Corridor
- Aboriginal Heritage Sites
- Individual Record
- Mapped Extent

Source: Orthophoto - Department of Land and Property Information, Aerial Photography Flown (July 2011); AHIMS (2015); Coalworks (Vickers South Pty Ltd) (2012); Landscape (2012)



VICKERY EXTENSION PROJECT
Vickers Extension Project
Preliminary Survey Area

Figure 2



- LEGEND**
- State Forest
 - Exploration Tenement Boundary (EL & AUTH)
 - Mining Tenement Boundary (ML & CL)
 - Canyon Coal Mine
 - Approximate Extent of Approved Vickery Coal Project
 - Aboriginal Heritage Sites Individual Record
 - Mapped Extent

Source: Orthophoto - Department of Land and Property Information, Aerial Photography Flown (July 2011); AHIMS (2015); Coalworks (Vickery South Pty Ltd) (2012); Landsape (2012)


WICKERY EXTENSION PROJECT
Vickery Extension Project
Indicative Study Area and
Known Aboriginal Heritage Sites

Figure 3

17 December 2015

**ADDENDUM TO THE PROPOSED METHODOLOGY FOR THE VICKERY EXTENSION PROJECT
ABORIGINAL CULTURAL HERITAGE ASSESSMENT**

Since the finalisation of the *Proposed Methodology for the Vickery Extension Project Aboriginal Cultural Heritage Assessment* (dated 6 November 2015), and following further detailed mine planning, Whitehaven Coal Limited has identified an additional potential alignment for the proposed rail spur.

As a result, the study area and survey area for the Project have been slightly modified.

The representative field surveys for the Project, which were described in the original Proposed Methodology, would therefore be focused on the indicative survey areas presented on Figure 1.

There are no other proposed amendments to the Methodology document, including no change to:

- Preliminary predictive model.
- Proposed assessment methodology.
- Sensitive cultural information management protocol.
- Content of the Aboriginal Cultural Heritage Assessment.
- Critical timelines for the Aboriginal Cultural Heritage Assessment.

Attachments:

Figure 1 – Vickery Extension Project Revised Indicative Survey Area

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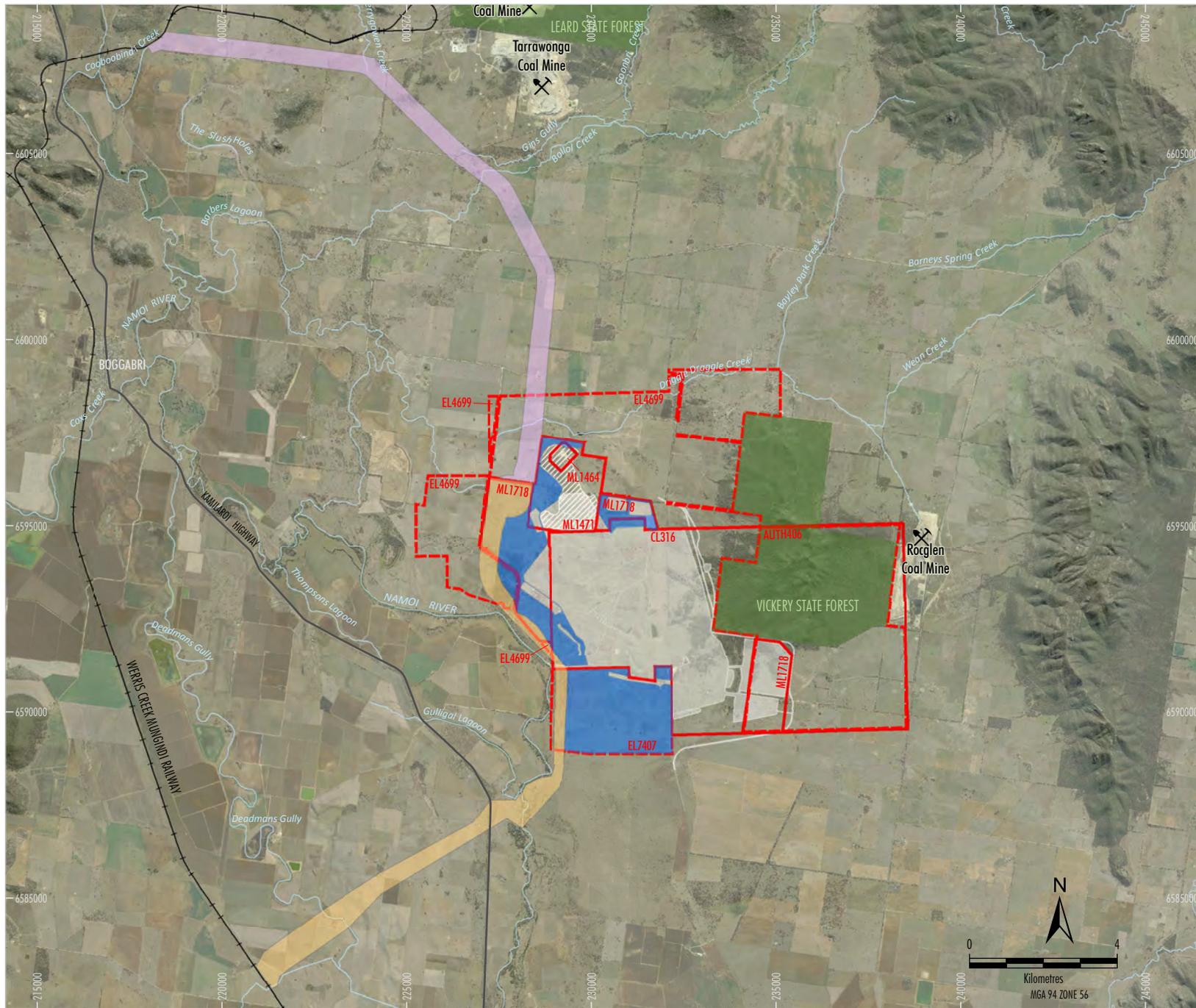
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- LEGEND**
- Exploration Tenement Boundary (EL & AUTH)
 - Mining Tenement Boundary (ML & CL)
 - State Forest
 - Canyon Coal Mine
 - Approximate Extent of Approved Vickers Coal Project
- Indicative Representative Survey Area**
- Mine Site
 - Northern Rail Corridor
 - Western Rail Corridor

Source: Orthophoto - Department of Land and Property Information, Aerial Photography Flown (July 2011); AHIMS (2015); Coalworks (Vickers South Pty Ltd) (2012); Landsape (2012)



VICKERY EXTENSION PROJECT
Vickers Extension Project
Revised Indicative Survey Area

Figure 1