



Whitehaven Coal Mining Pty Ltd

ABN: 65 086 426 253

***Aboriginal and Cultural
Heritage Management Plan
for the
Rocglen Coal Mine***



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Management Plan
for the
Rocglen Coal Mine**

Prepared By: Whitehaven Coal Mining Pty Ltd
PO Box 600
Gunnedah NSW 2380

Tel: [02] 6742 4337
Fax: [02] 6742 3607
Email: CBurgess@whitehaven.net.au

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ACRONYMS USED THROUGHOUT THIS REPORT

ACHMP	-	Aboriginal and Cultural Heritage Management Plan
AEMR	-	Annual Environmental Management Report
ASR	-	Archaeological Surveys and Reports Pty Ltd
CCC	-	Community Consultative Committee
CHPP	-	Coal Handling and Preparation Plant
DECC	-	Department of Environment and Climate Change
DoP	-	Department of Planning
DPI-MR	-	Department of Primary Industries - Mineral Resources
EA	-	Environmental Assessment
EMS	-	Environmental Management Strategy
GSC	-	Gunnedah Shire Council
ISO	-	International Standards Organisation
LALC	-	Local Aboriginal Land Council
NMP	-	Noise Management Program
NSC	-	Narrabri Shire Council
PA	-	Project Approval
ROM	-	Run of Mine
WC MPL	-	Whitehaven Coal Mining Pty Ltd

1 INTRODUCTION

1.1 Scope and Objectives

This Archaeology and Cultural Heritage Management Plan (ACHMP) has been prepared by Whitehaven Coal Mining Pty Ltd in satisfaction of *Schedule 3, Condition 36* of Project Approval (PA) 06_0198 for the Belmont Coal Project, now known as the Rocglen Coal Mine, signed by the Minister for Planning on 15th April 2008. The Rocglen Coal Mine is operated by Whitehaven Coal Mining Pty Ltd (WCMPL), a subsidiary company of Whitehaven Coal Limited. This document considers the area of land corresponding to the mining lease issued for the Rocglen Coal Mine, and is referred to throughout this document as the “mine site”.

All relevant consent conditions are included in **Appendix 1**.

The Plan has been prepared in consultation with the Red Chief Local Aboriginal Land Council (LALC), Gunida Gunyah Aboriginal Corporation, Min Min Aboriginal Corporation and Bigundi Biame Gunnedarr Traditional People and the Department of Environment and Climate Change (DECC) with the objectives to:

- To provide a precise set of procedures to enable the identification and conservation of physical and cultural heritage sites and artefacts within the mine site;
- To provide management strategies for those parts of the mine site not affected by mining or mining-related activities;
- To ensure all personnel are aware of their obligations, responsibilities and the procedures under the *National Parks and Wildlife Act 1974* and *NSW Heritage Act 1977*.
- To establish a consultation protocol with Red Chief Local Aboriginal Land Council, Bigundi Biame Gunnedarr Traditional People, Gunida Gunyah Aboriginal Corporation and Min Min Aboriginal Corporation, who are in this project, representatives of the Local Aboriginal Community.

As illustrated in **Figure 1**, the Rocglen Coal Mine is located approximately 25km north of Gunnedah and 23km south east of Boggabri. The mine is located within a 366ha site bordering the eastern edge of Vickery State Forest. The areas of disturbance will be associated with open cut mining, the construction of out-of-pit overburden emplacements, a coal processing and stockpiling area, an office and amenities area, internal roads and various water management structures as shown on **Figure 2**.

1.2 Area of Applicability

This ACHMP applies to all land within the limits of the mine site, i.e. the area referred to in Schedule 1 of the Development Consent which, in turn, incorporates all works on the proposed mining lease approved by Project Approval 06_0198.

1.3 Consultation

An initial draft of this ACHMP was prepared based on the recommendations and findings of an Aboriginal Heritage Assessment completed by Archaeological Surveys and Reports Pty Ltd (ASR 2007) which was included in the EA. The initial recommendations and findings are based on

discussions and site inspections that were held with Les Field, Wayne Martin and Gary Griffiths of the Red Chief LALC in 2002. In 2006, representatives from Red Chief LALC were consulted to confirm their previous recommendations. Representatives of the Bigundi Biame Gunnedarr Traditional People were also consulted in relation to the previous field surveys undertaken.

In January 2007 the coordinator of the Gunida Gunyah Aboriginal Corporation replied to an advertised invitation requesting consultation prior to the disturbance of the identified sites.

A copy of the draft ACHMP was then referred to the Red Chief LALC, Min Min Aboriginal Corporation, Bigundi Biame Gunnedarr Traditional People, Gunida Gunyah Aboriginal Corporation and the Department of Environment and Climate Change (DECC) for further consideration and ratification (see **Appendix 2**). This plan is subject to the satisfaction of the Director-General of the Department of Planning (DoP).

1.4 Format of the Plan

This ACHMP has been prepared in four sections as follows.

Section 1 - discusses the purposes and objectives of the ACHMP, the document format and the consultation undertaken.

Section 2 - describes the results of the archaeological and cultural assessment undertaken over the mine site during the preparation of the Environmental Assessment for the Belmont Coal Project. Each of the sites identified are described.

Section 3 - describes the management strategies for the known sites, any future sites which may be identified and areas not affected by mining activities.

Section 4 - discusses ongoing consultation, monitoring and reporting.

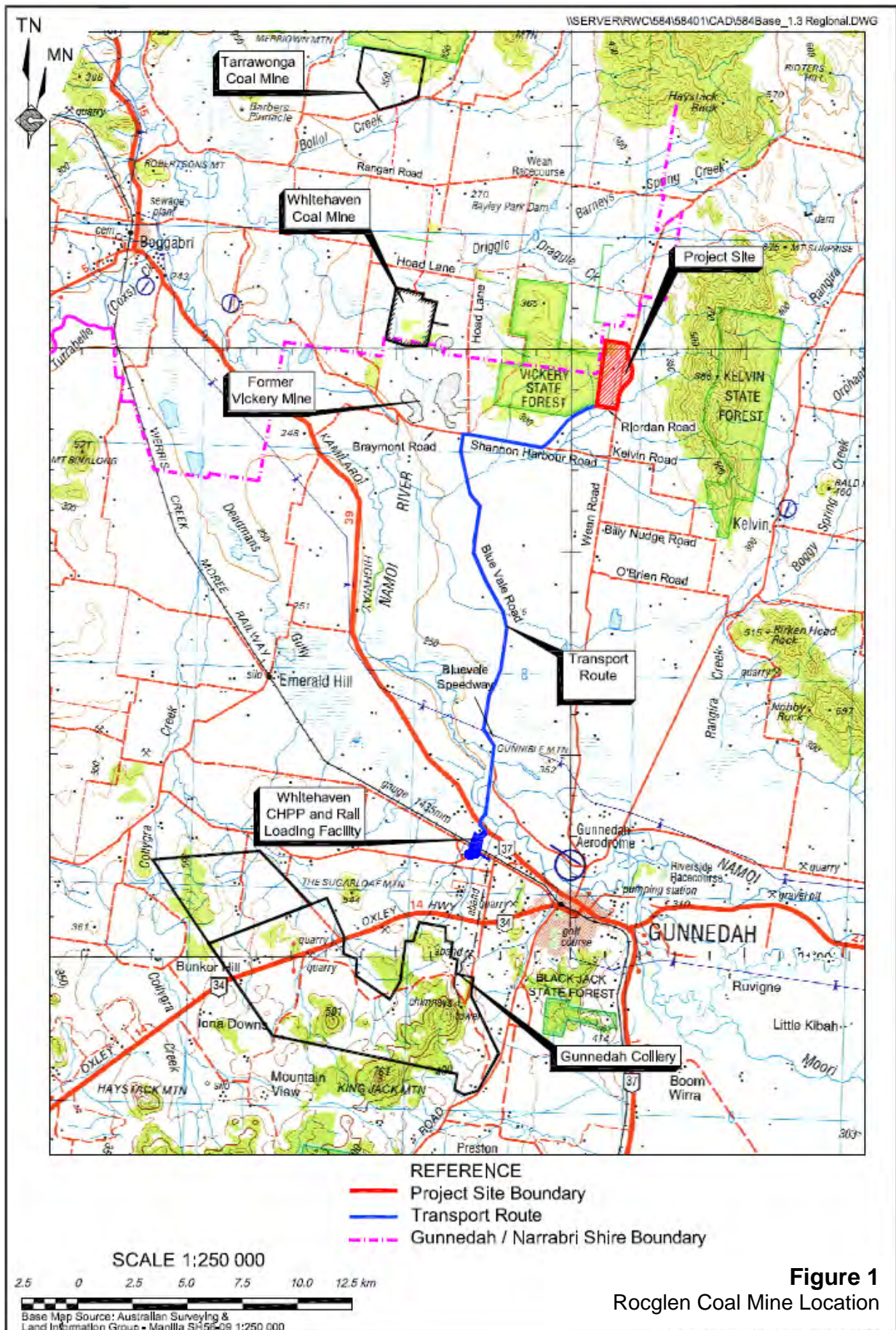


Figure 1
 Rocglen Coal Mine Location

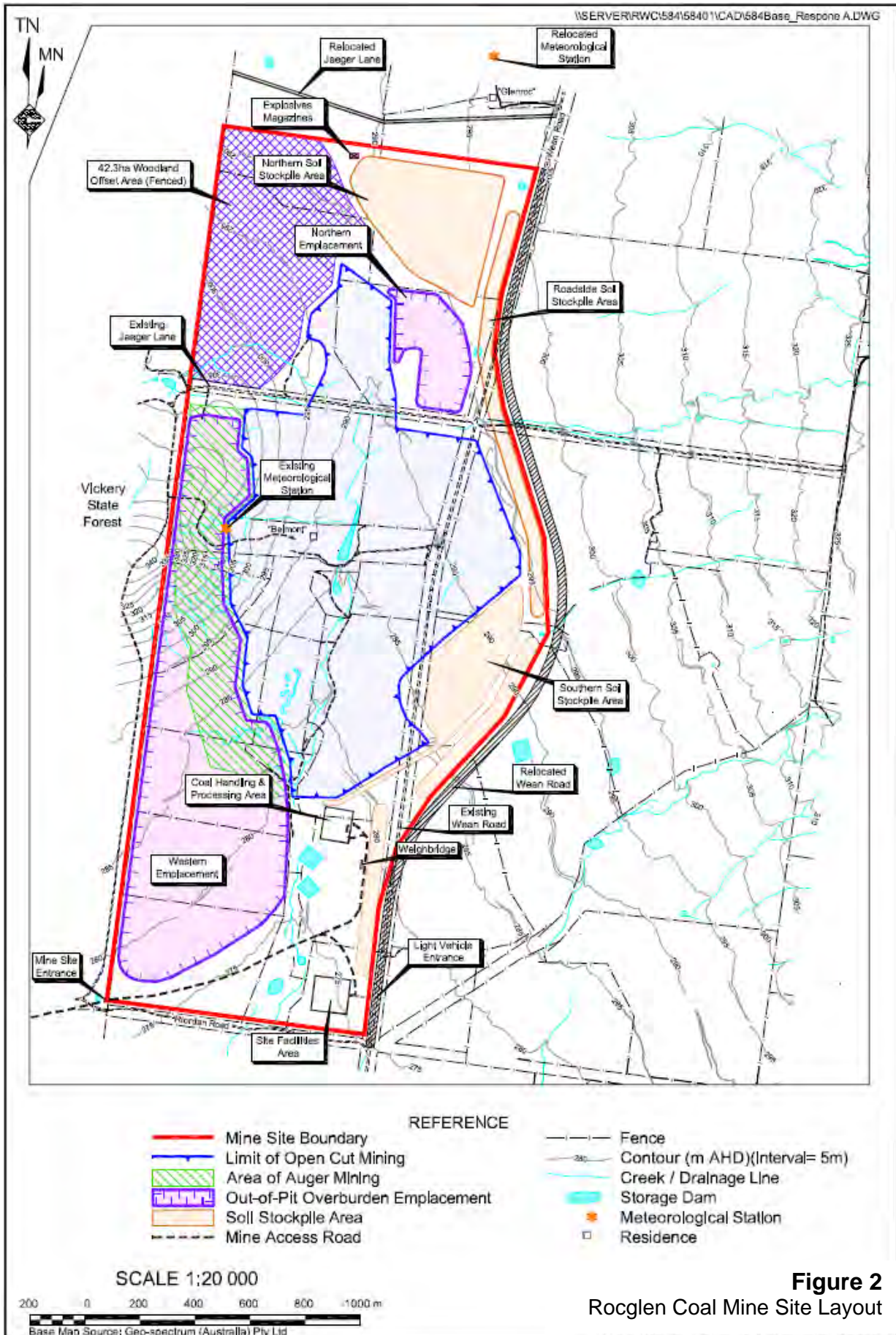


Figure 2
 Rocglen Coal Mine Site Layout

2 ARCHAEOLOGICAL AND CULTURAL HERITAGE OF THE MINE SITE

2.1 Introduction

An assessment of the cultural heritage of the mine site was conducted by Archaeological Surveys and Reports Pty Ltd (ASR). The investigation commenced in 2002 when officers from Red Chief LALC were consulted and assisted in the field work. In 2007 representatives of Red Chief LALC were consulted again along with representatives of the Bigundi Biame Gunnedarr Traditional People to confirm the previous investigations. The assessment was used in the preparation of the Environmental Assessment for the mine, undertaken by R.W. Corkery & Co. Pty Ltd on behalf of Whitehaven Coal Mining Pty Ltd.

The field survey was undertaken by Mr John Appleton (ASR), with the assistance of Les Field, Wayne Martin and Gary Griffiths of the Red Chief LALC.

2.2 Methods of Investigation

The Aboriginal heritage assessment of the mine site comprised the following components.

1. A review of previous archaeological investigations on and surrounding the mine site.
2. Consultation with the Red Chief Local Aboriginal Land Council (LALC) including on-site discussions with group representatives.
3. An assessment of the archaeological potential of the mine site based on the presence or absence of resources such as vegetation, water and stone.
4. A review of the Aboriginal Sites Register (Aboriginal Heritage Information Management System – AHIMS) covering the project site and the surrounding local area and recent archaeological investigations within the local area.
5. The development of a predictive model for archaeological material that might realistically be expected to be present.
6. The completion of comprehensive field surveys over the majority of the mine site and an area sufficiently large to the east to account for the proposed relocation of Wean Road (February 2002) and the transport route and remainder of the mine site (July 2002).
7. An assessment of the cultural significance of the identified sites of Aboriginal heritage.
8. Development of recommendations for the management of identified sites of Aboriginal significance.
9. An assessment of the impact on Aboriginal heritage as a result of the mine as it relates to both identified sites and artefacts and the cumulative impacts on the regional record.

It is noted that the survey of the mine site was undertaken in conjunction with a survey of the corridor for the transport route between the Mine site and the intersection with Hoad Lane.

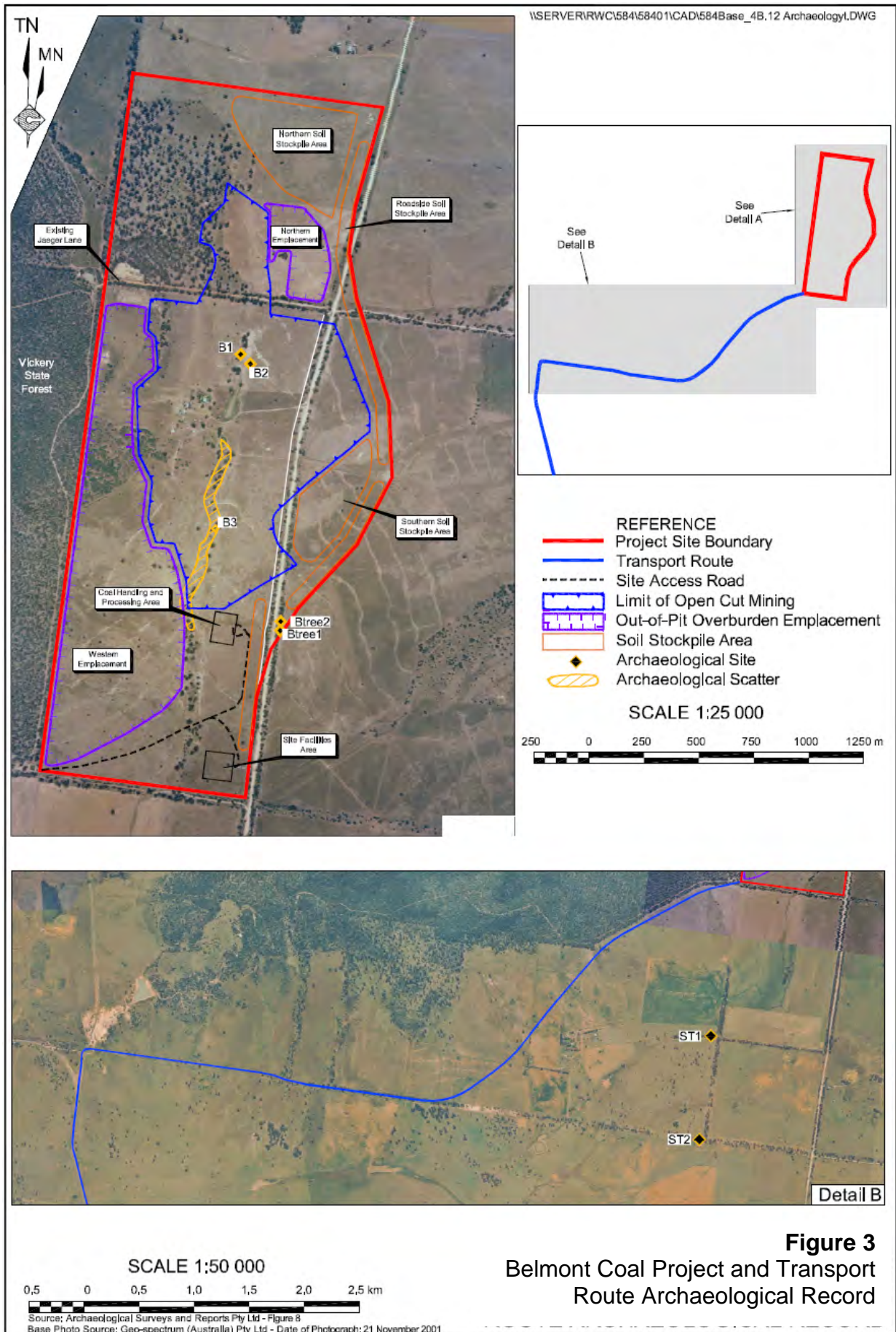
2.3 Results and Interpretation

Three artefact sites were recorded within the survey area, with two scarred trees in the Wean Road easement recorded as sites at the request of the Red Chief LALC Sites Officers. Also, two scarred trees were recorded in the Shannon Harbour Road easement to the east of its proposed junction with Riordan Road. These are summarised in **Table 1** and presented on **Figure 3**.

Table 1: Identified Aboriginal Heritage Sites on and Surrounding the Rocglen Coal Mine Survey Area

Site Name	Easting	Northing	Site Type	Site Description/Comments
B1	238810	6594070	Isolated Artefact	8 negative flake scars partly exposed in a dust/sand erosion feature along a fence line, 10m from the central drainage line.
B2	238850	6594010	Artefact Scatter	8 small trimming flakes were scattered on and around a large ant mound on the crest of a contour bank. Perhaps the remains of a knapping or a tool manufacturing site.
B3	238650	6593300	Extended Artefact Scatter	Artefact scatter extending approximately 800m along the western bank of the central drainage line containing >40 artefacts.
Btree 1	238980	6592830	Scarred Tree	The scar is 160cm long, 40cm wide and 295cm from the ground on a large box gum located on the eastern side of the Wean Road Easement.
Btree 2	238980	6592870	Scarred Tree	The scar is 57cm long, 15cm wide and 146cm from the ground on a large box gum located on the eastern side of the Wean Road Easement
Stratford ST1	237700	6590900	Scarred Tree	The scar is 223cm long, 70cm wide and 18cm from the ground on a large box gum located in a closed road on the "Stratford" property
Stratford ST2	237590	6589890	Scarred Tree	The scar is 140cm long, 42cm wide and 14cm from the ground on a large box gum located north-south oriented closed road easement on the "Stratford" property
Source: Modified after ASR (2007) – Section 7				

More detailed descriptions of the seven sites are provided in **Appendix 3**. It is noted that Aboriginal Site Recording Forms for each identified site have been referred to DECC for recording on the Aboriginal Heritage Information Management System managed by the DECC.



3 CONSERVATION PROGRAM

3.1 Introduction

The Rocglen project has been determined under Part 3A of the *Environmental Planning and Assessment Act, 1979*. As a Part 3A approved project there is no requirement of WCMPL to obtain approvals under Section 87 (to move, disturb or excavate Aboriginal objects) or Section 90 (to damage or destroy Aboriginal objects) of the *National Parks and Wildlife Act 1974* (NP&W Act), in dealing with Aboriginal objects within the approved project area. There does however remain the need to obtain a Care and Control Permit under s85A of the *NP&W Act* for any salvage works that require the transfer of Aboriginal objects to Aboriginal groups. In addition under s91 of the *NP&W Act* it remains a requirement that the DECC is notified about the location of newly discovered Aboriginal objects as soon as practicable upon their discovery. Moreover to facilitate and support the ongoing operation and maintenance of the DECC's Aboriginal Heritage Information System reporting of the change in status (eg damage, destroyed, salvaged) and relocation of any Aboriginal objects from within the approved project area is required. The following conservation program as specified in Section 3.2 is designed to meet these statutory obligations.

WCMPL recognises the importance of Aboriginal relics and sites to the traditional owner members of the Red Chief LALC, Bigundi Biame Gunnedarr Traditional People, Gunida Gunyah Aboriginal Corporation and Min Min Aboriginal Corporation, and will undertake all activities in a manner which conserves the cultural heritage values of the mine site.

Central to the satisfaction of this commitment will be the continuation of the existing open and honest relationship between WCMPL management and these local Aboriginal groups, regular consultation with these groups and an involvement with community members.

The conservation program has been prepared principally based upon the recommendations of ASR (2007) and consultation with the Aboriginal groups identified above.

3.2 Site Protection

3.2.1 Introduction

Of the seven Aboriginal Sites identified, it is noted that three (Sites B1, B2 & B3) are located within the limit of open cut mining. Sites Btree1 and Btree 2 lie within the Project's site boundary, and Sites ST1 and ST2 lie within the "Stratford" property, adjacent to the Mine site, coal transport route and Wean Road, as depicted in **Figure 3**.

All of these sites will be identified on plans maintained within the administrative office of the mine site, as well as in plans for the Annual Environmental Management Reports (AEMR).

The following will describe the conservation methods recommended by ASR (2007), the Red Chief LALC and the Bigundi Biame Gunnedarr Traditional People.

3.2.2 Sites B1, B2 & B3

Site B1 is an isolated artefact located 10m from the central drainage line. Site B2 is a scatter of trimming flakes located on the crest of a contour bank, approximately 70 metres south-east of B1.

Site B3 is an extended artefact scatter approximately 800 metres long, extending along the western bank of the central drainage line. All three sites are shown on **Figure 3**.

In consultation with the relevant Aboriginal groups Aboriginal objects from sites B1, B2 and B3 will be salvaged in accordance with the following protocols.

- Sites B1, B2 and B3 to be fenced off and sign posted to prevent damage to artefactual material until such time as the artefacts can be salvaged;
- Application for a Care Agreement for Aboriginal Artefacts is to be made for the keeping of the Artefacts at the Cumbo Gunerah Keeping Place in accordance with Section 85a of the *NP&W Act*;
- On issue of Agreement, the Archaeological consultant, Mr John Appleton, together with representatives of the Red Chief Local Aboriginal Land Council, Bigundi Biame Traditional People, Gunida Gunya and Min Min Aboriginal Corporation will arrange a date to return to site. Once on site, they will proceed to flag every observable artefact within areas designated as B1, B2 and B3;
- Upon flagging of each artefact, it will be recorded in detail. The artefact location will have its GPS coordinates documented, the artefact will then be bagged and the bag labelled noting the artefact number (as recorded), the site name and the date of collection;
- The archaeologist will take the bagged artefacts and recording forms to his office to examine the artefacts in greater detail;
- Within 21 days of removing the artefacts from the site, the archaeologist will hand the bagged artefacts and copies of the recording forms to the representative of the Cumbo Gunerah Keeping Place;
- The Cumbo Gunerah Keeping Place will ensure the bagged artefacts are kept in a secure place on the premises;
- The archaeologist will prepare a report of the results of the salvage, and provide copies of the report to each of the representative Aboriginal groups and to the DECC.

In addition, nominated representatives from the above mentioned local Aboriginal groups will be invited to monitor topsoil stripping within 40 metres on both sides of the central drainage line where sites B1, B2 and B3 occur. Although the cultural survey indicated no artefacts more than 15m from the central drainage line, the monitoring of a 40 metre strip on each side of the drainage line is considered sufficient to ensure that any significant concentrations of material are recovered.

3.2.3 Sites Btree1 & Btree 2

Btree 1 and Btree 2 are two scarred trees both located on the eastern side of the Wean road easement as depicted on **Figure 3**. They lie just within the eastern border Project boundary. The construction of soil stockpiles within this vicinity have been engineered so that no disturbance to the scarred trees will occur.

On recommendation of representatives of the Red Chief LALC, these scarred trees will not be disturbed in any way and the sites will be recorded on the Aboriginal Sites Register. In addition to these recommendations, further protective measures will be considered to mitigate the potential for damage to occur to either of these two scarred trees. Measures such as fencing and signage will be determined in consultation with the local Aboriginal groups and the DECC.

The locations of the two scarred trees will also be recorded on the Gunnedah Local Environment Plan to avoid any future impacts upon these sites.

3.2.4 Sites ST1 & ST2

ST1 and ST2 are two scarred trees both located on the “Stratford” property on a section of closed road oriented north-south, as shown on **Figure 3**. They lie approximately 1.5km to the south of the Project’s site boundary, approximately 1.25km south-east of the transport route, and approximately 1km west of Wean Road. They both lie within ribbons of remnant vegetation.

Representatives of Red Chief LALC recommended that these scarred trees should not be disturbed in any way and that the sites be recorded on the Aboriginal Sites Register.

There will be no impact to either of these scarred trees, but to avoid any future impact to these sites, both sites will be recorded on the Gunnedah Local Environment Plan.

The tenants of the “Stratford” property, on which the scarred trees occur, will also be notified of their location and of their cultural significance.

3.3 Workforce Education

Prior to any person undertaking work on the mine site, they will undergo a Cultural Awareness induction training program as designed by WHCM in consultation with the identified Aboriginal groups and delivered in the general mine site induction. Any person undertaking soil stripping activities will also undertake additional training in the recognition of Aboriginal artefacts as provided by the nominated Aboriginal monitors during soil stripping campaigns.

A copy of the information that will be included in the Cultural Awareness induction training program is provided in **Appendix 4** and includes the procedures to be adopted in the event of a discovery of a potential site or artefact.

3.4 Management of Other Aboriginal Sites

The surface area within the mine site, which has been significantly altered by clearing and agricultural activity over the last 100 years, was examined by representatives of the Red Chief LALC and Bigundi Biame Gunnedarr Traditional People during the EA process, with seven sites identified. It was considered that there was only a very low potential for the remaining area within the mine site to contain any other archaeological material and, even if present, would likely only constitute very small isolated artefacts.

Notwithstanding the low potential for other archaeological material to be present, WCMPL will invite nominated representatives from the 4 local Aboriginal community groups to monitor all soil stripping and ground disturbance work throughout the life of the mine.

In the event of the discovery of a potential site or artefact, the following procedure will be followed.

1. Work will cease in the area of discovery.
2. If the area of discovery is in deposited material, then work will also cease in the area where the material has come from.
3. The person discovering the artefact will notify their superior who will ensure that work has ceased and area(s) is(are) cordoned off with tape.

4. The supervisor will notify the Mine Manager or senior WCMPL person on site.
5. The Mine Manager will:
 - (a) request a qualified archaeologist to attend the site and advise on its archaeological significance;
 - (b) request the site monitors representing the local Aboriginal Community groups, if not already present to attend and advise on its cultural significance in consultation with the qualified archaeologist; and
 - (c) if the find is determined to be a site, notify the DECC with the advice from the archaeologist and the site monitors representing the local Aboriginal Community groups for determination of further procedures.
6. If the find is confirmed as a site, the archaeologist will complete a Sites Register Card and forward to the DECC for inclusion on the Aboriginal Heritage Information management System (AHIMS) database.
7. Subject to the recommendations of the archaeologist and the site monitors for the local Aboriginal Community groups, the appropriate permit to transfer (under Section 85A of the NPW Act) will be applied for prior to further work being undertaken in the vicinity of the site. Any such action to disturb or transfer Aboriginal items will also require the development of excavation and/or salvage plans in consultation with DECC.
8. The Mine Manager will implement any other procedures or recommendations issued by the DECC.

It is noted in the paragraphs above that discovery of further artefacts is of a very low potential but in recent Aboriginal Archaeological surveys conducted by the Red Chief LALC and Bigundi Biame Gunnedarr Traditional People and further historical research, both oral and written conducted by the Red Chief LALC in the immediate and surrounding areas, a high concentration of artefacts have been discovered and registered, which would indicate a significant volume of activity by Aboriginal people throughout this constituted and traditional area.

The Project Approval also requires the determination of measures to protect other items on site that may be of significance to the Aboriginal community. Specifically, traditional resources such as Wild Orange (*Capparis mitchellii*) will require management methods that enable its protection and ongoing conservation. Wild Orange has been determined to occur on site within those areas designated as Community 2 type vegetation. The main component of Community 2 type vegetation occurs within the proposed Biodiversity offset area (42.3ha) to the North West of the active mine, which will be fenced for permanent conservation. As a consequence, long term protection of areas of Wild Orange will be retained within this offset area. WCMPL will liaise with the relevant local Aboriginal groups in relation to any additional protection mechanisms that may be required both in relation to identified stands of Wild Orange, or any other traditional resources within the project site. WCMPL will also liaise and consult with the local Aboriginal Community groups in relation to the provision of ongoing access to the offset area for traditional and educational opportunities.

As WCMPL will have Aboriginal site monitors on site during soil stripping campaigns, due care and diligence will be given to the soil stripping process, particularly in terms of the process in place with regard to any objects discovered during soil stripping events, as already described above. In addition to these procedures, in the event that skeletal remains are uncovered at any stage during the project, the following actions will be undertaken:-

1. Work will cease immediately in the area of discovery;
2. The area of discovery will cordoned off with reflective tape and marked "No Entry";
3. The Mine Manager will notify the local Police of the discovery;
4. The Mine Manager will inform the representatives of the Red Chief Local Aboriginal Land Council, Bigundi Biame Gunnedarr Traditional People, Gunida Gunyah and Min Min Corporations as to the find and request their attendance at the scene, in consultation with the local Police;
5. The Mine Manager will notify the DECC and the consultant archaeologist of the find and request attendance at the scene in consultation with the local Police;
6. No handling of the remains will be permitted without the attendance of the above parties;
7. Where the remains are determined to be Aboriginal, determination of procedures to be followed will be undertaken through consultation between the above groups;
8. No activity will be allowed in the vicinity of the find until such time as the DECC provides formal advice to proceed.

3.5 Contingency Plan

In the event that inadvertent damage occurs to any Aboriginal site or place within the mine site, the activities causing the damage will cease immediately and procedures identified in Section 3.4 followed. Specifically, the following procedure will be followed.

1. Work will cease in the area of the Aboriginal site or place.
2. Work will also cease in the direct vicinity of the artefact or site.
3. The Mine manager or Environmental Officer will be notified who will ensure that work has ceased and area(s) is(are) cordoned off with tape.
4. The Mine Manager or Environmental Officer will:
 - (a) request a qualified archaeologist to attend the site and advise on its archaeological significance;
 - (b) request the site monitors representing the local Aboriginal Community groups, if not already present to attend and advise on its cultural significance in consultation with the qualified archaeologist; and
 - (c) notify the DECC with the advice from the archaeologist and the nominated site monitors representing the local Aboriginal Community groups for determination of further procedures.
5. The Mine Manager will implement any procedures or recommendations issued by the DECC. Subject to the recommendations of the archaeologist, and the nominated site monitors for the local Aboriginal Community groups this may include the development of excavation and/or salvage plans for the Aboriginal items and/or the transfer of any artefacts under s85A of the NPW Act.

3.6 Post-European Sites

Although no features of post-European significance were identified within the Project area and there is little potential for post-European heritage relics to be discovered within the proposed areas of mine-related impact, WCMPL will advise all employees and contractors in writing of their obligations under the *NSW Heritage Act 1977*, i.e. that it is an offence to disturb (destroy or remove) non-indigenous relics without the prior consent of the NSW Heritage Council. Accordingly, in the event that any non-indigenous relics are discovered during mine-related earthworks, work will cease immediately at the specific location and the NSW Heritage Council contacted for further directions.

4 CONSULTATION, MONITORING AND REPORTING

4.1 Consultation Protocol

Subject to any modifications initiated by the Red Chief LALC, Bigundi Biame Gunnedarr Traditional People, Gunida Gunyah Aboriginal Corporation and the Min Min Corporation, the following protocol will be followed with respect to consultation.

- (i) The Mine Manager will advise the Managers of the Red Chief LALC, Bigundi Biame Gunnedarr Traditional People, Gunida Gunyah Aboriginal Corporation and the Min Min Corporation of the date of planned commencement of activities at the Rocglen Coal Mine.
- (ii) The Mine Manager will contact the Manager's of the above Aboriginal groups on a monthly basis to advise of the mine's progress and program for the ensuing period. All consultation will be diarized.
- (iii) Prior to any topsoil stripping campaign, the Mine Manager will notify the Managers of the above Aboriginal groups or, if so directed by the Managers, the nominated Sites Officers advising of the extent, location, timing and expected duration of the planned campaign and invite representative to monitor the topsoil stripping activities.
- (iv) At the request of the Site Monitors or Managers of the above Aboriginal groups, the Mine Manager will avail himself to attend Community meetings of those groups or to arrange site visits for interested Aboriginal group personnel or members.
- (v) In the event that any possible archaeological sites are identified in the absence of the Site Monitor, the Mine Manager will notify the Manager and/or member of staff of the identified Aboriginal groups following the initiation of the procedures identified in **Section 3.4**.

The effectiveness and value of the consultation will be periodically reviewed with the four Aboriginal groups, including rehabilitation and revegetation of the proposed mine area. In the event there is agreement that the approach to consultation needs to change, the changed procedures would be documented and a copy forwarded to the Director-General and recorded in the relevant AEMR.

4.2 Monitoring and Reporting

In the event that an Aboriginal artefact or site is identified, and in accordance with the procedure documented in **Section 3.4**, a site register card will be completed and forwarded to the DECC for entry onto the AHIMS database. Any artefacts to be transferred in accordance with a s85 permit under the *NP&W Act 1979* will also be undertaken in accordance with the procedure identified in Section 3.2.2.

In addition, the results of monitoring undertaken on the mine site will be summarised in each relevant AEMR, with the local Aboriginal community kept informed as to developments by virtue of the ongoing consultation with the four nominated Aboriginal groups.

WC MPL will report annually in the AEMR on the measures implemented to preserve and protect Aboriginal cultural heritage.

5 REFERENCES

Archaeological Surveys and Reports Pty Ltd (2007). *Aboriginal Heritage Assessment of the Belmont Coal Project*, Prepared on behalf of Whitehaven Coal Mining Pty Ltd – Part 4 of the Specialist Consultant Studies Compendium.

R.W. Corkery & Co. Pty Ltd (2007). *Environmental Assessment for the Belmont Coal Project* – Prepared for Whitehaven Coal Mining Pty Ltd

6 APPENDICES

6.1 Appendix 1: Relevant Consent Conditions

SCHEDULE 3 SPECIFIC ENVIRONMENTAL CONDITIONS

HERITAGE

Note: These conditions should be read in conjunction with section 7 of the Statement of Commitments.

Destruction of Aboriginal Sites

34. The Proponent may destroy sites B1, B2 and B3, and undertake salvage of the artefacts contained in these sites, to the satisfaction of DECC. Representatives of the local Aboriginal community may, subject to the conditions of a Care and Control permit, relocate some or all of the artefacts contained in these sites to the Cumbo Gunerah Keeping Place.

Aboriginal Cultural Heritage Management Plan

35. The Proponent shall not destroy any known Aboriginal objects (as defined in the *National Parks and Wildlife Act 1974*), except in accordance with condition 34, without the written approval of the Director-General.
36. The Proponent shall prepare and implement an Aboriginal Cultural Heritage Management Plan for the project to the satisfaction of the Director-General. This plan must:
- (a) be submitted the Director-General prior to the commencement of construction activities (not including the construction of the Kamilaroi Highway and Hoad Lane intersections);
 - (b) be prepared in consultation with the DECC, Red Chief Local Aboriginal Land Council, Gunida Gunyah Aboriginal Corporation, Min Min Aboriginal Corporation and Bigundi Gunnedar Traditional People;
 - (c) include a protocol for the ongoing consultation and involvement of Aboriginal communities in the conservation and management of Aboriginal heritage on site;
 - (d) make provision for the local Aboriginal community to monitor works at the project site that occur in areas considered by the local Aboriginal community to be culturally sensitive;
 - (e) describe the measures that would be implemented to protect Aboriginal objects and traditional resources (such as Wild Orange - *Capparis mitchellii*) on site, or if any new Aboriginal objects or skeletal remains are discovered during the project; and
 - (f) describe the cultural heritage awareness and protection training program to be undertaken by all employees and contractors.

6.2 Appendix 2: Record of Consultation

This section includes the responses from the consultation process, for which copies of the plan were sent to the following groups:

- Red Chief Local Aboriginal Land Council
- Bigundi Biame Gunnedarr Traditional People
- Min Min Aboriginal Corporation
- Gunida Gunyah Aboriginal Corporation
- Department of Environment and Climate Change



RED CHIEF
LOCAL ABORIGINAL
LAND COUNCIL

P.O. Box 745
Gunnedah NSW 2380

Phone: (02) 6742 3602
Fax: (02) 6742 3815
Email: redchief@westnet.com.au

04 May 2008

Attention
Mr Trevor Thompson
Environmental Officer
Whitehaven Coal Mine
PO BOX 600
Gunnedah NSW 2380

Dear Trevor

The following responses are in regards to the Cultural & Heritage Management Plan for Rocglen Mine.

1. That the Aboriginal Community deliver the Cultural Awareness program.
2. Community Members with Site Recording experience be afforded the opportunity to record sites through DECC for AHIM'S Database.
3. That the procedural requirements for consultation and Cultural & Heritage Management be strengthened and adhered to.

Yours in Unity


Greg Griffiths
Chairperson



Min-Min Aboriginal Corporation
1-55 Elgin Street
Gunnedah NSW 2380
Po Box 877,
Gunnedah NSW 2380



Phone No.: (02) 67424121

Fax No.: (02) 67425152

Date: 8/05/2008

Mr Danny Young
Environmental Manager
Boggabri Office
PO BOX 56
Boggabri NSW 2380

RE: Aboriginal Cultural Heritage Management Plan Rocglen Open Cut Coal Mine.

Dear Mr Young

I refer to your letter dated 3rd April 2008. I have been instructed to inform you by The executives of the Min Min Aboriginal Corporation that a number of companies have been previously been misled in regards to Aboriginal community consultation, with Aboriginal Cultural matters, and would appreciate your company rectifying this matter ASAP.

Min Min welcomes your AMENDMENTS to the management plan in selection of site monitors.

Min Min would ask also that your company inform Min Min executives of all the artefacts that are to be removed registered and placed in the Museum.

Min Min requests this information so that we can inform our members what articles are available for viewing.

Min Min is happy to sit and consult with you about the future development and to identify areas and any changes, to the completion of the management plan, and would welcome a meeting with you and Gunida Gunyah at our convience.

Sincerely

Gwen Griffen (Chairperson)

34-36 Farrar Road
PO Box 439
GUNNEDAH NSW 2380



Phone: 02 6742 7038
Fax: 02 6742 6670
Email: cdep@northnet.com.au
ABN: 99561430099

17/04/08

Mr. Danny Young
Environmental Manager
Whitehaven Coal Mining Pty Ltd
Boggabri Office
PO Box 56
Boggabri NSW 2382

**RE: ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN ROCGLLEN OPEN CUT
COAL MINE**

Dear Danny

I refer to your letter dated 3rd April 2008, I am instructed to inform you that the Corporation acknowledges that a number of companies have been previously misled in regards to cross community consultation in relation to Indigenous cultural matters concerning the Gunnedah Indigenous community and appreciates your willingness to rectify this.

The Corporation welcomes your amendments to the management plan which include this Corporation and the Min Min Corporation in the selection of site monitors. We would like to receive a register of Artefacts that are to be removed and placed in the Museum, so that we can inform community members of what articles are available for viewing. As previously stated the Corporation is in the opinion that the draft management was conducted to a high standard.

Please don't hesitate to contact the writer if you require any further clarification or information.

Sincerely

Jane Bender
CEO
Gunida Gunyah

6.3 Appendix 3: Detailed Descriptions of Aboriginal Sites

Detailed descriptions of the Aboriginal Sites located within the survey areas. Source ASR (2007) – Section 7

Site name: 'B1'

GPS (AMG) Ref: 238810 6594070 Kelvin 1:25,000 scale Topographic Map

Site type: An isolated artefact

Location: The artefact was partly exposed in a dust/sand erosion feature along a fence line, 10 metres from the central drainage line.

Description: A core of very fine-grained silcrete.

25 x 25 x 15 mm.

8 negative flake scars

25% cortex.

Site name: 'B2'

GPS (AMG) Ref: 238850 6594010

Map Reference: Kelvin 1: 25,000 scale Topographic Map

Site type: A scatter of micro-debitage or trimming flakes

Location: The artefacts were scattered on and around a large ant mound on the crest of a contour bank. (A single ant was observed carrying a 12 mm long flake away from where it had been replaced after examination. An example of post-depositional processes at work!).

Description: 8 small flakes of highly silicified very fine-grained silcrete.

< 20 mm maximum dimensions of any one piece

0% cortex.

Probably the remains of a knapping, or tool manufacturing site

Site name: 'B3'

GPS (AMG) Ref: 238650 6593300 Kelvin 1: 25,000 scale Topographic Map

Site type: An extended artefact scatter approximately 800m long

Location: The scatter extended along the western bank of the central drainage line. All erosion features were either on ant mounds or in scalds swarming with ants (from 3mm to 20mm long), which discouraged any measuring of artefacts or any other activity requiring a person to stand still.

Description: > 40 artefacts (3 cores, the rest flakes and flaked pieces) of highly silicified very fine-grained silcrete, and at least 3 jasper flakes and one quartzite core.

Site name: 'Btree 1'

GPS (AMG) Ref: 238980 6592830 Kelvin 1: 25,000 scale Topographic Map
Site type: Scarred tree
Location: Large box gum on the eastern side of Wean Road easement.
Description: An irregularly shaped scar
160 cm long x 40 cm wide
Scar depth 4 cm
Base of scar 295 cm above ground level
Girth of tree below the scar 250 cm
Aspect of scar: northerly

The scar occurs on a sloping trunk immediately below a major fork in the tree. Similar scars are frequently associated with galahs, which strip the bark off the trunk to deter goannas from reaching their nests. There were no cut marks or scars that might have indicated that the scar was a consequence of deliberate human activity, but the Red Chief LALC Sites Officers believed the scar had been deliberately made by Aboriginal people removing the bark, and insisted that it should be recorded as an Aboriginal site.

Site name: 'Btree 2'

GPS (AMG) Ref: 238980 6592870 Kelvin 1: 25,000 scale Topographic Map
Site type: Scarred tree
Location: Large box gum on the eastern side of Wean Road easement.
Description: A lozenge-shaped scar
57 cm long x 15 cm wide
Scar depth 3 cm
Base of scar 146 cm above ground level
Girth of tree mid-scar 84 cm.

The scar could have been deliberately made by people removing the bark to make a tool, implement or weapon, but contact from machinery during road construction or the mowing of the easement might also have caused it.

Site name: 'Stratford ST1'.

GPS (AMG) Ref: 237700 6590900 Kelvin: 8936-II-N, 1: 25,000 scale Topographic Map

Site type: Scarred tree.

Location: Large box gum in a closed road.

Description: A lozenge-shaped scar.

223 cm long x 70 cm wide

Scar depth 11 cm

Base of scar 18 cm above ground level

Girth of tree below the scar 215 cm

Aspect of scar: westerly.

The tree is located 116 paced-metres north of the fenceline on the eastern approach road to "Stratford". It was unclear whether it was in the road easement of a closed north-south oriented road or was on the "Stratford" property. There were no cut marks or scars that might have indicated that the scar was the result of deliberate human activity, but the Red Chief LALC Sites Officers believed the scar had been made by Aboriginal people removing the bark, and insisted that it should be recorded as an Aboriginal site. The size and shape is typical of scars elsewhere that have been described by Aboriginal informants as being 'shield scars' (Appleton, 1998).

Site name: 'Stratford ST2'.

GPS (AMG) Ref: 237590 6589890 Kelvin: 8936-II-N, 1: 25,000 scale Topographic Map

Site type: Scarred tree.

Location: Large box gum in a closed road.

Description: A lozenge-shaped scar

140 cm long x 42 cm wide

Scar depth 6 cm

Base of scar 14 cm above ground level

Girth of tree mid-scar 255 cm

Aspect of scar: westerly

The tree is located 21 paced-metres north of the fenceline immediately alongside the closed north-south oriented road. There were no cut marks or scars that might have indicated that the scar was the result of deliberate human activity, but the Red Chief LALC Sites Officers believed the scar had been made by Aboriginal people removing the bark, and insisted that it should be recorded as an Aboriginal site. The size and shape is typical of scars elsewhere that have been described by Aboriginal informants as being 'shield scars' (Appleton, 1998).

6.4 Appendix 4: Cultural Heritage Site Education

Aboriginal Heritage

- *National Parks and Wildlife Act 1974 (NPW Act)*
- *Environmental Planning and Assessment Act 1979(EP&A)*
- *Heritage Act 1977*

The NSW Legislation protects:

- Any place of importance or significance connected with traditional cultural life.
- Any sacred, ritual or ceremonial site.
- Any place associated with Aboriginal people which is of interest.
- Any place where objects are traditionally stored, or have been taken or removed.



Aboriginal Heritage

These may include:

- Burial grounds
- Stone structures
- Symbols
- Arranged stones
- Objects
- Carved or scarred trees
- Paintings / Engravings



If you discover what appears to be something out of context that may be an Aboriginal artefact or site, you must stop work, cordon off the area and report it to your supervisor.

Aboriginal and Cultural Heritage Rocglen Coal Mine

Procedure upon discovering a possible artefact or site

1. Work will cease immediately in the area of discovery.
2. If the area of discovery is in a deposited material (i.e. top-soil stockpile), then work will also cease in the area where the material has come from.
3. The person discovering the artefact will notify their immediate supervisor, who will ensure work has ceased and area(s) is(are) securely cordoned off with tape.
4. The supervisor will notify the Mine Manager or senior WCMPL person on site
5. The Mine Manager will:
 - (a) request a qualified archaeologist to attend the site and advise on its archaeological significance;
 - (b) request the site monitors representing the local Aboriginal community groups, if not already present to attend and advise on its cultural significance in consultation with the qualified archaeologist; and
 - (c) if the find is determined to be a site, notify the DECC with the advice from the archaeologist and the site monitors for the local Aboriginal community for determination of further procedures.
6. The Mine Manager will implement any procedures or recommendations issued by the DECC.

Aboriginal Heritage Rocglen Coal Mine



Plate 1: Types of rock artefacts that exist at Aboriginal Sites B1, B2 and B3



Plate 2: An example of an artefact scatter as exists at Aboriginal Sites B2 and B3



Plate 3: Scarred Tree Btree 1



Plate 4: Scarred Tree Btree 1 from Wean Road



Plate 5: Scarred tree Btree 2 (scale is 25cm)



Plate 6: Scarred Tree ST1, located on the “Stratford” property (scale is 1m)



Plate 7: Scarred Tree ST2, located on the “Stratford” property (scale is 1m)