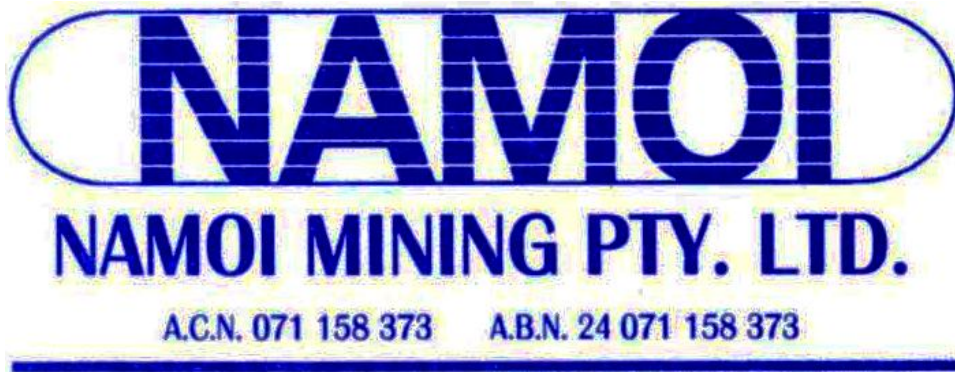


***Aboriginal Cultural
Heritage Management Plan
for the
Sunnyside Coal Mine***



***Aboriginal Cultural Heritage
Management Plan
for the
Sunnyside Coal Mine***

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

Tel: [02] 6749 7700
Fax: [02] 6749 7770
Email: dyoung@whitehaven.net.au

Document Control*					
Edition	Revision	Comment	Author	Date	Authorised by:
1	Rev 0	Initial Document	D Young	10/07/2008	

*To be revised at least every 2 years.

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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
NMPL	-	Namoi Mining Pty Ltd

1 INTRODUCTION

1.1 Scope and Objectives

This Archaeology and Cultural Heritage Management Plan (ACHMP) has been prepared by Namoi Mining Pty Ltd in satisfaction of *Schedule 3, Condition 33* of Project Approval (PA) 06_0308 for the Sunnyside Coal Project, signed by the Minister for Planning on 24th September 2008. The Sunnyside Coal Mine is operated by Namoi Mining Pty Ltd (NMPL), a subsidiary company of Whitehaven Coal Limited. This document considers the area of land corresponding to the mining lease issued for the Sunnyside 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 local Aboriginal Community through the Red Chief Local Aboriginal Land Council (LALC), Gunida Gunyah Aboriginal Corporation, Min Min Aboriginal Corporation and Bigundi Biame Gunnedarr Traditional People. Consultation has also taken place with the Department of Environment and Climate Change (DECC) with the objectives 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;
- Provide management strategies for those parts of the mine site not affected by mining or mining-related activities;
- 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*.
- Establish a consultation protocol with the 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 Sunnyside Coal Mine is located approximately 15km west of Gunnedah. The mine is located within a 231ha site within the “Sunnyside” property, which is owned by Namoi Mining Pty Ltd. 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_0308.

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 representatives from Red Chief Local Aboriginal Land Council and Bigundi Biame Gunnedarr Traditional People.

Following preparations of required management plans for the Rocglen Coal Project in April 2008, it became apparent that other Aboriginal groups within the Gunnedah community should be included in the consultation process. As a consequence, this management plan has also been referred to the Min Min Aboriginal Corporation and Gunida Gunyah Aboriginal Corporation for their review and comment, as well as the Department of Environment and Climate Change. The plan is also subject to the satisfaction of the Director-General of the Department of Planning (DoP)

1.4 Format of the Plan

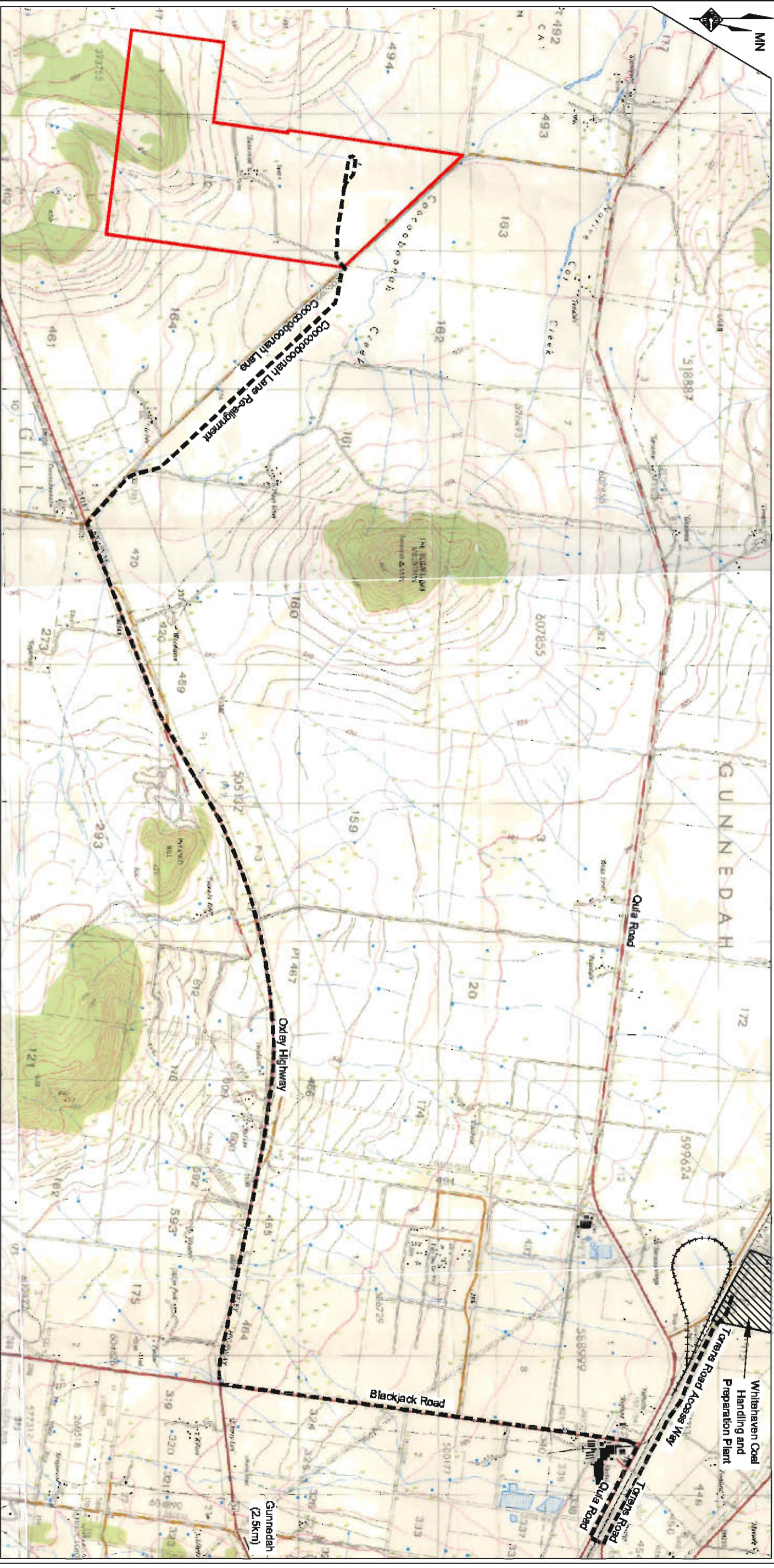
This ACHMP has been prepared in four sections as follows.

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 Sunnyside 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.



REFERENCE
 ——— Project Site Boundary
 - - - - - Coal Transport Route

SCALE 1:30 000



Base Map Source: Emerald Hill & Woodside 1:25 000 Topographic Maps
 Figure Prepared by R.W. Corbrey & Co. Pty Ltd

oec



Figure 1
SUNNYSIDE COAL MINE LOCATION

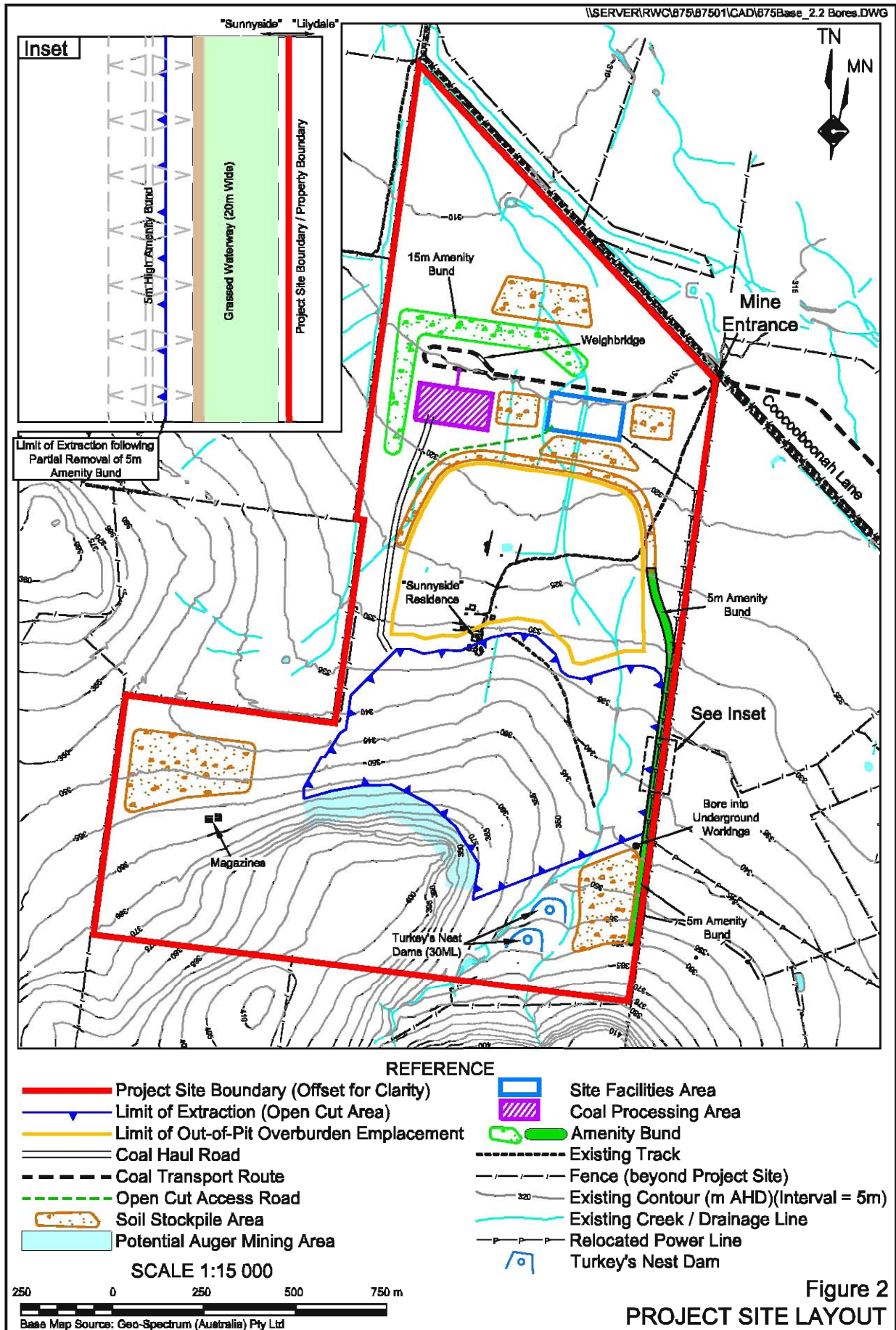


Figure 2
PROJECT SITE LAYOUT

Figure Prepared by R.W. Corkery & Co. Pty Ltd



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 was undertaken on 12th September 2006 when officers from Red Chief LALC and Bigundi Biame were consulted and assisted in the field work. Further survey was undertaken in December 2006 over the proposed coal transport route. The assessment was used in the preparation of the Environmental Assessment for the mine, undertaken by Olsen Environmental Consulting and R.W. Corkery & Co. Pty Ltd on behalf of Namoi Mining Pty Ltd.

The field survey was undertaken by Mr John Appleton (ASR), with the assistance of Greg Griffiths and Les Field (Red Chief Local Aboriginal Land Council) and Matthew Draper (Bigundi Biame).

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) and Bigundi Biame Gunnedarr Traditional People 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 mine site and the transport route.
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.

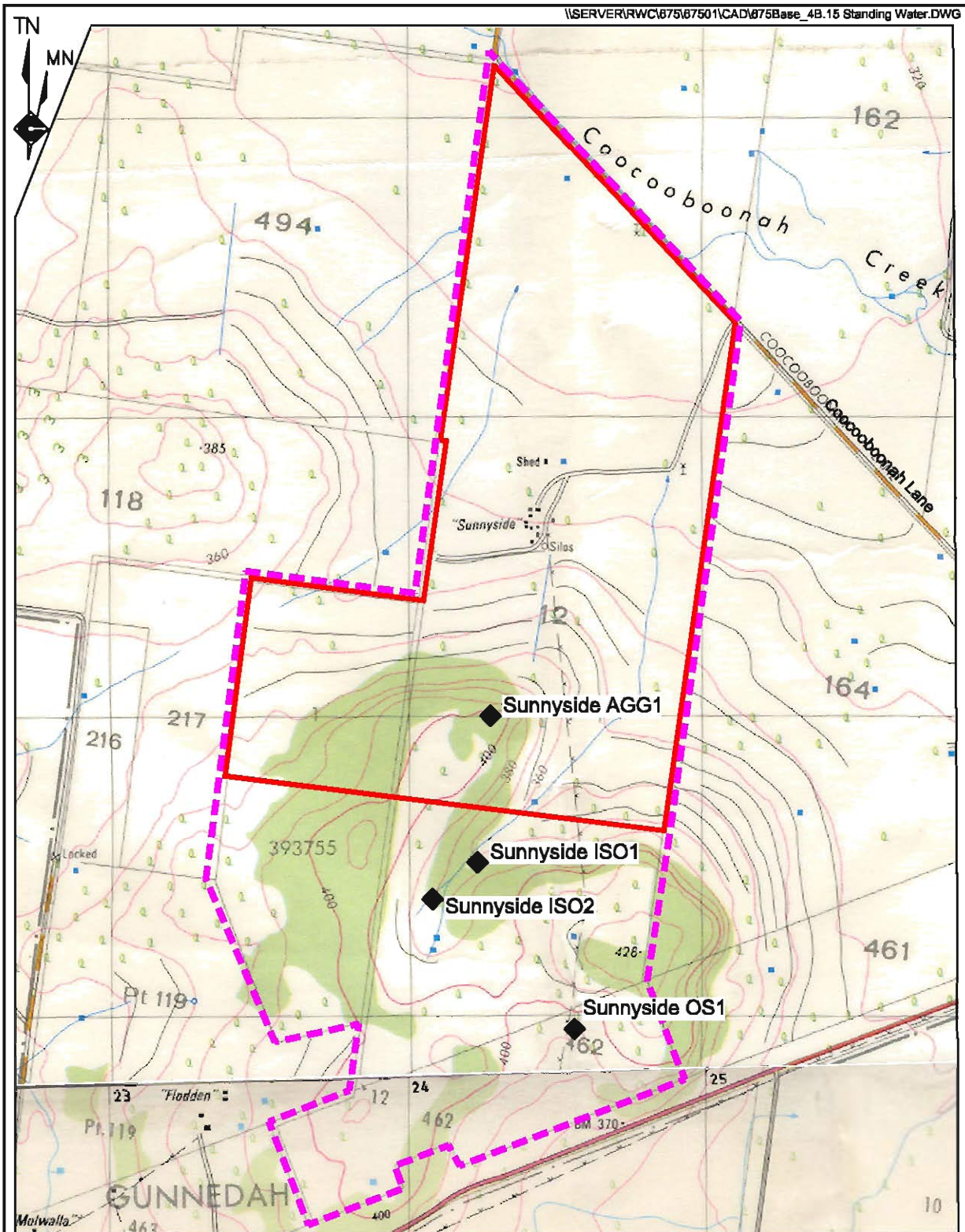
2.3 Results and Interpretation

Four sites were recorded within the survey area, comprising an axe-grinding groove (AGG1), two isolated artefacts (ISO1 and ISO2) and an artefact scatter (OS1). These are summarised in **Table 1** and presented on **Figure 3**.

Table 1: Identified Aboriginal Heritage Sites on and surrounding the Sunnyside Coal Mine Survey Area

Site Name	Easting	Northing	Site Type	Site Description/Comments
"Sunnyside AGG1"	224359	6568031	Axe Grinding Groove	Located at the rim of a cliff-like scarp. Groove approximately 28cm long, 6cm wide and 2cm deep.
"Sunnyside ISO1"	224208	6567492	Isolated Artefact	Located on the bank beside the upper reaches of a dry creek, comprising a single flake with possible retouch to one margin.
"Sunnyside ISO2"	224120	6567364	Isolated Artefact	Located on the bank beside the upper reaches of a dry creek, comprising proximal fragment of a flake.
"Sunnyside OS1"	224553	6569222	Artefact Scatter	At least 10 artefacts in area 30m * 8m on the upper slopes downslope of a contour bank downslope of a saddle. Scatter comprised flakes and flake pieces, including a backed blade
Source: Modified after ASR (2007)				

More detailed descriptions of the four 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.



- REFERENCE
- Project Site Boundary (Offset for Clarity)
 - - - Survey Area Boundary
 - ◆ Aboriginal Heritage Site

SCALE 1:20 000



Source: Archeological Surveys & Reports Pty Ltd (2007) - Figure 2
 Base Map Source: Emerald Hill & Wondoba 1:25 000 Topographic Maps

Figure Prepared by R.W. Corkary & Co. Pty Ltd

Figure 3
ABORIGINAL HERITAGE SITES



3 CONSERVATION PROGRAM

3.1 Introduction

NMPL recognises the importance of Aboriginal relics and sites to the local Aboriginal community, 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 NMPL 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.

None of the identified sites would be directly impacted on by mining activity. Neither the isolated artefacts, nor the artefact scatter are within 500 metres of the nearest impact from mining activity, and as such, no specific protective measures are considered necessary.

The “axe grinding groove” is approximately 150 metres away from the open cut area of the mine, with some potential remaining for it to be damaged by fly rock during blasting activities. In order to address this potential impact, a “straw bale” blanket will be maintained over the site to minimise the potential for impacts on the artefact. The coverage of the straw bale will be monitored on a regular basis to ensure adequate cover is maintained over the site.

NMPL understands its obligations under s91 of the *NP&W Act* to ensure that the DECC is notified about the location of any 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.

3.2 Site Protection

3.2.1 Introduction

Of the four Aboriginal Sites identified, none of the sites are located within the limit of open cut mining or within the area of the proposed transport route. Site AGG1 is located within the project boundary but will not be impacted upon by mining or mining related activity.

Site AGG1 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 describes the conservation methods recommended by ASR (2007), and from consultation with the local Aboriginal community groups.

3.2.2 Site AGG1

Site AGG1 is an “axe grinding groove” located at the top of a crest within the project site. It will be approximately 150 metres from open cut mining activity, as shown on **Figure 3**.

In consultation with the relevant Aboriginal groups site AGG1 will require measures to ensure that “fly-rock” from blast related activity does not cause damage to the artefact. The most appropriate measure to provide protection is considered to be in the form of a straw blanket which will be permanently maintained across the artefact at sufficient thickness to provide cushioning in the event of fly-rock distribution across the area.

NMPL will ensure the site is regularly monitored and a straw blanket adequately maintained across the site at all times.

3.2.3 Sites ISO1, ISO2 and OS1

Each of these artefact sites, as shown on **Figure 3** are located outside the project site boundary and more than 500 metres from any mining related activity. On this basis no specific protection mechanisms are considered necessary.

NMPL will liaise with the local Aboriginal groups in relation to these sites over the life of the Sunnyside project, and in the event that additional protective mechanisms are required, will initiate such actions in consultation with those groups and the DECC.

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 NMPL 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 four 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, NMPL 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 NMPL 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.

As NMPL 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, NMPL 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 Sunnyside 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.

NMPL 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 Sunnyside Coal Project*, Prepared on behalf of Namoi Mining Pty Ltd – Part 7 of the Specialist Consultant Studies Compendium.

R.W. Corkery & Co. Pty Ltd (2008). *Environmental Assessment for the Sunnyside Coal Project* – Prepared for Namoi Mining Pty Ltd

6 APPENDICES

6.1 Appendix 1: Relevant Project Approval Conditions

SCHEDULE 3 SPECIFIC ENVIRONMENTAL CONDITIONS

HERITAGE

Note: These conditions must be read in conjunction with Section 12 of the Statement of Commitments.

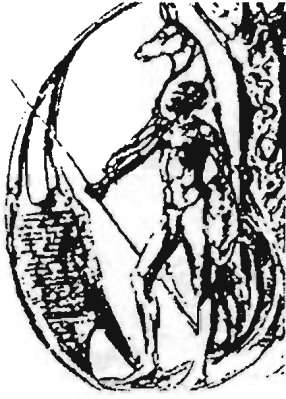
Aboriginal Cultural Heritage Management Plan

- 32 The Proponent shall not destroy any known Aboriginal objects (as defined in the *National Parks and Wildlife Act 1974*) without the written approval of the Director-General.
- 33 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 off site road works);
 - (b) be prepared in consultation with the DECC and the local Aboriginal community;
 - (c) include a protocol for the ongoing consultation and involvement of Aboriginal communities in the conservation and management of Aboriginal heritage on site; and
 - (d) describe the measures that would be implemented to protect Aboriginal sites on site, or if any new Aboriginal objects or skeletal remains are discovered during the project.

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

Mr Trevor Thomson
Environmental Officer
Namoi Mining Pty Ltd

29 August 2008

**RE: Draft Aboriginal Cultural Heritage Management Plan
Sunnyside Coal Mine**

Dear Trevor

Thank you for the Draft Copy of Namoi Mining Pty Ltd Aboriginal Cultural Heritage Management Plan that I have perused over. I am happy to inform you that Red Chief LALC have considered and are satisfied with its accuracy so long as.

- Your assurance of continued consultation conservation and/or mitigation methods mentioned in the report are stringently adhered to in regards to Sites: AGG1, 1SO1, 1SO2 & 0S1.
- That a vigilant eye is kept on all future mining activities through your cultural/heritage awareness training.
- That our Culture & Heritage is respected at all costs.

Further more I would like to encourage your Company to consider training & employing local Aboriginal people in your industry.

Looking forward to an ongoing commitment between our Organisations.

Wishing you well in this venture

Robert Horne
CEO



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: 4/09/2008

Dear Danny Young

RE: Belmont Coal Project
Aboriginal Cultural Heritage Management Plan.

Min Min Aboriginal Corporation received and accessed the preliminary draft Aboriginal Cultural Management Plan.

Min Min Aboriginal Corporation agree with Gunida Gunyah Aboriginal Corporation that we as members are extremely concerned by the original Archaeological and Cultural assessment of the mines being conducted by Red Chief Local Aboriginal Lands Council and Bigundi Biame supposed Traditional Owners.

We as members are disappointed that Gunyah and Min Min were not involved in the Archaeological & cultural assessment and it is also fairly difficult for Min Min to determine the reliability of those assessments that were done, without consultation and no Min Min representative present.

Wayne Griffiths the SOLE TRADER of Bigundi Biame I believe, his business was registered through the department of fair trading and that business was then removed on the 29/01/08.

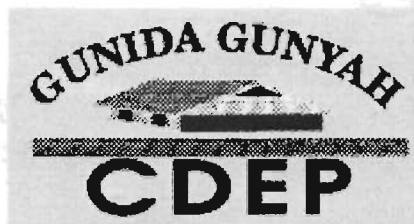
Min Min is disturbed also that mining companies & developers are being involved with an unregistered organisation, who claims to be the representative of the whole traditional Aboriginal community.

As I said in my last letter on the 27/03/08 consultation is vital to the Aboriginal community, and it is disappointing the lack of negotiations in all stages of this cultural plan

Regards

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

Wednesday, 6 August 2008

NAMOI MINING PTY LTD
PO BOX 56
Boggabri NSW 2382

Dear Danny Young

**RE: SUNNYSIDE COAL PROJECT
ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN**

We have received and briefly accessed the preliminary draft of the Aboriginal Cultural Heritage Management Plan.

On behalf of Gunida Gunyah Aboriginal Corporation I must stress that once again we are extremely disturbed by the original Archaeological and Cultural Heritage Assessment of the mine site being conducted by Red Chief Local Aboriginal Land Council and Bigundi Biame Gunnedarr Traditional People only.

Although we are moderately satisfied with the contents of the Archaeological and Cultural Heritage Assessment, It is fairly difficult for our organisation to determine the reliability of the assessment not having had a representative present at the time of the assessment.

As discussed with Danny Young we are fairly disturbed that the mining companies & Developers continually involves them with an unregistered organisation claiming to be the consultant and representative of the whole Aboriginal community. The organisations that are in actual fact consultants and representatives of the whole Gunnedah Aboriginal community are Red Chief Local Aboriginal Land Council, Min Min Aboriginal Corporation and Gunida Gunyah Aboriginal Corporation.

Bigundi Biame Gunnedarr Traditional People is a Sole Trader in the name of Wayne Griffiths, this business was registered through the Department of fair trading and in actual fact registration was removed on the 29/01/08.

Whilst it is the privy of any company to consult with whomever they choose, it is in actual fact a community requirement that the whole of the community be consulted on matter relating to cultural preservation and conservation and in order to do this the three peak Aboriginal bodies must be consulted in all stages of consultation and negotiation.

Please don't hesitate to contact our Organisation if you wish to discuss this or annoy other matter further.
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: ‘Sunnyside AGG1’

GPS (AMG) Ref: 224359 6568031 Emerald Hill 1:25,000 scale Topographic Map
Site type: Axe grinding groove
Location: At the rim of a cliff like scarp (beside a small water filled natural depression in the rock).
Description: Length – Approx 28cm
Width – Approx 6cm
Depth – Approx 2cm

Site name: ‘Sunnyside ISO1’

GPS (AMG) Ref: 224208 6567492 Emerald Hill 1:25,000 scale Topographic Map
Site type: Isolated artefact
Location: On the bank beside the upper reaches of a dry creek (on a vehicle track). Almost level area surrounded by sloping ground.
Description: Flake with possible retouch to one margin. Highly siliceous, Semi-transparent, orange chalcedony or highly siliceous quartzite.

Site name: ‘Sunnyside ISO2’

GPS (AMG) Ref: 224120 6567364 Emerald Hill 1: 25,000 scale Topographic Map
Site type: Isolated artefact
Location: On the bank beside the upper reaches of a dry creek, some 20m upstream of its confluence with a minor tributary.
Description: Proximal fragment of a flake. Highly siliceous, semi-transparent, orange chalcedony or highly siliceous quartzite.

Site name: ‘Sunnyside OS1’

GPS (AMG) Ref: 224553 6569222 Emerald Hill 1: 25,000 scale Topographic Map
Site type: Artefact Scatter of at least ten artefacts in a lozenge shaped area of 30m * 8m.
Location: On the upper slopes downslope of a contour bank downslope of a saddle.
Description: Flakes and flaked pieces, including a backed blade. Predominantly highly siliceous materials observed on an actively eroding surface on a slope.

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 Sunnyside 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 NMPL 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 Sunnyside Coal Mine



Plate 1: Types of rock artefacts that exist at Aboriginal Sites ISO1, ISO2 and OS1



Plate 2: An example of an artefact scatter as exists at Aboriginal Site OS1