

Drayton Management System Standard

Aboriginal Cultural Heritage Management Plan

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Document Information

1 PURPOSE AND PROJECT DESCRIPTION

The Drayton Mine Extension Project area is located in the Hunter Valley of NSW, 10 kilometres (km) South-east of Muswellbrook, NSW. The project involves the extension of existing open cut mining operations with associated infrastructure producing approximately 8 million tons of product coal per year.

The Drayton Mine Extension Project was granted Project Approval on 1st of February 2008 by the Minister of Planning pursuant to the provisions of the Environmental Planning and Assessment Act 1979. There are 60 individual consent conditions which apply to this Project Approval MP 06-0202.

Archaeological Risk Assessment Services Pty Ltd (ARAS Pty Ltd) was engaged by Anglo Coal (Drayton Management) Pty Ltd to undertake an Aboriginal cultural heritage impact assessment of the Drayton Mine Extension project area. 480 Aboriginal objects were recorded within the Project area. This Aboriginal cultural record is made up of 39 sites consisting of which 22 are open stone artefact scatters of varying densities and 17 individual stone artefact isolated finds. A majority of this record (70%) is made up of exposed stone artefactual material eroding from areas of bare soil exposure with less than five artefacts in density. This assessment work was completed in 2005.

The proposed extension is likely to impact on a total of 26 Aboriginal sites. Twenty two of these sites are associated with the Delpah area (D1-D22) and four are associated with the Ramrod Creek area (R1-R4).

To assist Anglo Coal (Drayton Management) Pty Ltd in managing the identified Aboriginal heritage resources within the Drayton Mine Extension Project Approval area, it has given a commitment to implement an Aboriginal Cultural Heritage Management Plan (ACHMP or Aboriginal Heritage Plan). This plan will be developed in partnership with the ten Aboriginal community stakeholder groups involved in the Aboriginal cultural heritage assessment and consultation process (ie. Upper Hunter Wonnarua Council Inc; Wanaruah Local Aboriginal Land Council; Ungooroo Aboriginal Corporation; Lower Wonnarua Tribal Consultancy; Hunter Valley Aboriginal Corporation; Yarrawalk; Giwiirr Consultancy; Hunter Valley Heritage Consultants; Hunter Valley Culture Consultants; and Aboriginal Native Title Elder Consultants (formerly Combined Council Hunter Valley Aboriginal Corporation).

2 SCOPE

The objectives of this document are:

- To meet the conditions of Project Approval for the implementation of an ACHMP as determined by the Minister of Planning on 1st of February 2008 Condition 43: Aboriginal Heritage Plan. This includes specific programs that deal with the retrieval and salvage of cultural resources before they are impacted by the mine development;
- To provide a risk management process for staff and contractors to follow in managing Aboriginal heritage whilst carrying out day-to-day mine operational duties. It is to be used when cultural heritage risk controls are required above standard work practices;
- To make all relevant Anglo Coal staff and contractors aware of Aboriginal cultural heritage risk management issues within the approve mining and infrastructure areas;
- To minimise disturbance to existing Aboriginal cultural resources for the approved project and provide suitable conservation measures to ensure on-going protection to those existing Aboriginal sites and objects over the life of the mine;
- To consult and actively involve relevant Aboriginal community stakeholders in the above mitigation and conservation process over the life of the mine; and

- To maintain the mine's operational status, thus reducing any likely time delay risks or impacts on costs.

3 DEFINITIONS

3.1 Abbreviations

ACHMP	Aboriginal Cultural Heritage Management Plan
ARAS	Archaeological Risk Assessment Services Pty Ltd
DA	Development Application
DCP	Development Control Plans
DECC	Department of Environment and Climate Change
DEW	Department of Energy and Water
DNR	Department of Natural Resources
DoP	Department of Planning – formerly DIPNR
DPI	Department of Primary Industries- Minerals
EA	Environmental Assessment Report
EMP	Environmental Management Plans
EPA	Environment Protection Authority – now part of DECC
MOP	Mining Operations Plan
NPWS	National Parks & Wildlife Service now DECC (Parks)

3.2 Glossary

Aboriginal Consultation:	The process of dialogue and discussion with the relevant Aboriginal community groups to determine cultural significance of Aboriginal Objects and obtain advice in making decisions or plans about the management of those sites or objects.
Aboriginal object:	Means 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, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.
Artefact:	Any portable object made or modified by human agency.
Artefact Scatter:	An area containing a surface scatter of stone artefacts, usually two or more stone artefacts located within 50 metres of each other.
DR/R:	Drayton Extension Project Aboriginal site numbers.

Camp Site/Open Site	A site, which contains evidence of intensive occupation, demonstrating a variety of stone artefacts and use of landscape in one area. These sites may show potential for sub-surface cultural deposits.
Conservation:	Means the preservation of existing Aboriginal sites and objects without any risk of on-going impact and destruction from mining activities. Conservation can mean the physical protection of sites through fencing and modification of operational impacts. Conservation can also mean the control of erosion and soil degradation for open sites through rehabilitation works.
Cultural Resource	The cultural record which may be made up of material objects, beliefs, values and knowledge that is protected by relevant Heritage legislation. In the case of New South Wales, Aboriginal Heritage and its contents are defined by Part 6 of NPWS Act 1974 No 80 (as amended).
Curation:	The physical storage and management of artefacts collected as a result of archaeological salvage work
Grader Scrape:	Excavation technique where by earthmoving equipment is used to uncover large areas quickly; offers an economic means of testing a potential archaeological deposit.
Haul Road:	An approved coal transportation corridor defined by plan which is to be constructed as part of the proposed Drayton Extension mine development.
Infrastructure Area:	An approved coal loading and mine service facility area have previously been constructed as part of previous Drayton developments.
Isolated Find:	A single stone artefact located in an isolated area.
Mine Foot Print Area:	The approved mining activity area lying within the Drayton Mine Extension area.
Monitoring:	The process of assessing the potential for Aboriginal Objects whilst construction works are taking place.
Rail Loop Area	An area within the Drayton Rail Loop.
Risk Identification	The process of identifying Aboriginal cultural heritage issues within a mine lease area (EA phase). This usually involves archaeological feasibility and survey assessment work.
Risk Analysis:	Determining the significance of Aboriginal cultural heritage resources based on local, regional and national cultural heritage significance criteria. This may include extensive consultation, recording and assessment to determine scientific and cultural values.
Risk Controls:	Management actions put in place to minimise impacts and disturbance to Aboriginal cultural heritage resources. These may include, staff training,

physical barriers, audit, emergency response actions or archaeological salvage.

Salvage:

Collection and removal of Aboriginal objects from an area, where if left there would suffer damage or destruction.

Site:

A location/place where evidence of Aboriginal occupation has been uncovered/recorded.

Test Excavation:

Excavation method used to sample an area and to assess the validity of surface archaeological evidence. Usually small square excavations based on a predetermined sampling method. Where appropriate, however mechanical test excavation can be used depending on the nature of the site contents and soil deposits.

4 PROCEDURAL REQUIREMENT

4.1 Responsibilities

4.1.1 General Manager

The site is managed by Anglo Coal's General Manager, who has overall responsibility for ensuring that contractors, employees and service providers comply with all laws, regulations, licences, approvals and conditions of consent. The responsibilities of the General Manager include the following:

- Ensure that plans and strategies are in place to fulfil all requirements of the development consent and regulatory licenses and approvals; and
- Ensure that appropriate reviews and audits are undertaken and appropriate actions implemented with respect to findings.

4.1.2 Safety & Sustainable Development Manager

The Safety & Sustainable Development Manager has specific responsibility (and commensurate authority) to ensure that all personnel on site conform to the requirements of the relevant environmental laws, regulations, consents, approvals, systems and plans.

The responsibilities of the Safety & Sustainable Development Manager include the following:

- Implementation of the requirements of the Development Consent, relevant leases and licences and the EMPs;
- Undertake regular inspections and audits to validate the implementation of the approved EMPs, licenses and approvals;
- Advising and considering matters as specified in the conditions of consent;
- Prepare and undertake an environmental induction and training program for all employees and contractors undertaking activities on the site;
- Provide representation on the Community Consultative Committee (CCC);
- The management of an effective environmental monitoring program, including periodic and real time monitoring stations to ensure continual compliance with the conditions of the development consent and applicable licences and approvals;
- Environmental reporting, including the Annual Environmental Management Report (AEMR);

- Communications with statutory authorities and the community in respect to environmental matters, including the timely investigation of any complaints or conflicts;
- Control of the Site Water Management System such as to ensure compliance with all licences and approvals;
- Keeping abreast of new developments in environmental research and technology as it applies to coal mining operations; and
- Providing advice on environmental matters.

4.1.3 Departmental Managers

The responsibilities of the departmental Managers include the following:

- Ensure that all operations are undertaken in accordance with relevant legislation;
- Ensure that the requirements of the approved EMPs, licenses and approvals are implemented; and
- Ensure that all contractors and service personnel are appropriately qualified to undertake the site works and have a good environmental record.

4.1.4 Contract Managers

- Anglo Coal's selection of contractors will have regard to and consideration of their environmental performance.
- Contractors will be required to undertake a risk assessment to identify the key risks and hazard mitigation measures and to provide an ECP for review prior to the commencement of work on site.

4.2 Audit/Review Schedule

Auditing is to be carried out where disturbance risks are likely to be highest within the mine development area. Records of on-site audits are to be kept up to date for yearly reviews and become part of the Annual Environmental Management Report.

4.3 Records Management

Anglo Coal should maintain all cultural heritage site records within a central on-site register. These site records should be used during internal audits. Construction plans and work instructions should identify sites and how they are to be avoided during mine operational work. Incident reports should be kept up to date and should be auditable. All newly recorded sites and objects should be registered under Section 91 of the NPW Act with the DECC.

4.4 Revision Status

4.5 References

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4.6 Review of Aboriginal Cultural Heritage Issues Identified in the Drayton Mine Extension Project Area Assessment

The Aboriginal heritage assessment process for the Drayton Mine Extension Project was carried out by (ARAS) in consultation with: Upper Hunter Wonnarua Council Inc; Wanaruah Local Aboriginal Land Council; Ungooroo Aboriginal Corporation; Lower Wonnarua Tribal Consultancy; Hunter Valley Aboriginal Corporation; Yarrowalk; Giwiirr Consultancy; Hunter Valley Heritage Consultants; Hunter Valley Culture Consultants; and Aboriginal Native Title Elder Consultants (formerly Combined Council Hunter Valley Aboriginal Corporation).

This work was carried out in 2005 with the involvement of the above Aboriginal community stakeholders. The Drayton Mine Extension project approvals assessment identified a number of Aboriginal sites and objects that were recorded, assessed and reported to the satisfaction of the DECC (see Hamm 2006).

Figure 1 details an overall view of the extent of cultural heritage assessment process and the location of each identified site. Figures 2 and 3 illustrate each sub area in more detail than can be shown on Figure 1.

4.6.1 Identification of Aboriginal Sites & Objects in Drayton Mine Extension Area & Their Significance

Aboriginal cultural heritage objects have been identified within the approved Drayton Mine Extension area using archaeological consultants and Aboriginal community representatives. An archaeological survey assessment was carried out over 15 days in 2005. A total of 480 Aboriginal Objects were identified in the assessment. This Aboriginal cultural record is made up of 39 sites consisting of: 22 open stone artefact scatters of varying densities and 17 individual stone artefact isolated finds. A majority of this record (70%) is made up of exposed stone artefactual material eroding from areas of bare soil exposure with less than five artefacts in density. Figure 1 shows the location of each site.

All of the Aboriginal sites identified have been described as either open sites being scatters or isolated finds of stone artefacts. Sites D11, R3 & R4 have some potential for sub-surface deposits.

Of a total of 39 sites recorded for the project approval area, several Aboriginal sites recorded within the study area (ie. Sites D1, D5 – Figure 2 and R3, R4 - Figure 3) are considered to be of medium or high archaeological significance due to their undisturbed nature, contents and location.

The remaining 20 artefact scatter sites and 17 isolated finds are considered to be of low archaeological significance, due to their physical condition and the low potential for in situ cultural material to be found in association with them.

From an Aboriginal cultural assessment point of view, the most sensitive Aboriginal cultural landscape is located within the project area is Ramrod Creek. However, general Aboriginal community consultation advice has stated that all sites (archaeological or cultural) are of value, but none of the community members interviewed objected to the mining proposal going ahead.

4.6.2 Aboriginal Cultural Heritage Impacts: Drayton Mine Extension Approvals Area.

Table 1 below summarises the number and types of sites that will be affected by the Drayton Mine Extension mine development programme. A total of 26 sites will be impacted as a result of this mine development work (see Table 1 below). It should be noted however that an interim approval was granted by the Department of Planning in October 2008 to salvage site D7. A separate management plan was created for this work to progress; Site D7 has been included in this document however the site has already been addressed.

Table 1: Drayton Mine Extension Archaeological Sites and Management Status

DECC Site Number	Site Name	Site Type	Artefact Density	Eastings	Northings	Management Status
D/R = Drayton Aboriginal Heritage Site Numbers						
	DELPAH					
37-2-2325	D1	Artefact Scatter	55	305074	6416069	Impacted
37-2-2320	D2	Isolated Find	1	305176	6460550	Impacted
37-2-2321	D3	Artefact Scatter	3	305279	6416047	Impacted
37-2-2322	D4	Artefact Scatter	5	305230	6415960	Impacted
37-2-2326	D5	Artefact Scatter	31	305215	6415891	Impacted
37-2-2327	D6	Isolated Find	1	305583	6416460	Impacted
37-2-2328	D7	Isolated Find	1	304469	6416633	Impacted
37-2-2348	D8	Artefact Scatter	6	305350	6415942	Impacted
37-2-2349	D9	Artefact Scatter	4	305504	6415960	Impacted
37-2-2350	D10	Artefact Scatter	28	305660	6415981	Impacted
37-2-2351	D11	Artefact Scatter	26	305421	6416050	Impacted
37-2-2352	D12	Isolated Find	1	305283	6415888	Impacted
37-2-2353	D13	Isolated Find	1	305337	6415875	Impacted
37-2-2354	D14	Artefact Scatter	2	305781	6415786	Impacted
37-2-2355	D15	Artefact Scatter	5	306003	6415415	Impacted
37-2-2356	D16	Artefact Scatter	2	304942	6415925	Impacted
37-2-2357	D17	Isolated Find	1	304809	6415854	Impacted
37-2-2358	D18	Isolated Find	1	304847	6415798	Impacted
37-2-2359	D19	Artefact Scatter	4	304940	6415628	Impacted
37-2-2360	D20	Artefact Scatter	3	305054	6415475	Impacted
37-2-2361	D21	Artefact Scatter	4	304680	6415390	Impacted
37-2-2362	D22	Artefact Scatter	2	304491	6415684	Impacted
	RAMROD					
37-2-2338	R1	Artefact Scatter	33	303622	6420533	Impacted
37-2-2339	R2	Isolated Find	1	303676	6420568	Impacted
37-2-2340	R3	Artefact Scatter	169	303739	6420466	Impacted
37-2-2341	R4	Artefact Scatter	71	303691	6420285	Impacted
37-2-2342	R5	Isolated Find	1	305541	6420814	Conservation
37-2-2343	R6	Artefact Scatter	3	305781	6420794	Conservation

DECC Site Number	Site Name	Site Type	Artefact Density	Eastings	Northings	Management Status
37-2-2344	R7	Isolated Find	1	305043	6420543	Conservation
37-2-2345	R8	Isolated Find	1	305423	6420729	Conservation
37-2-2346	R9	Isolated Find	1	305387	6420827	Conservation
37-2-2347	R10	Isolated Find	1	305655	6420655	Conservation
37-2-2329	R11	Artefact Scatter	4	304886	6420480	Conservation
37-2-2330	R12	Artefact Scatter	2	304779	6420491	Conservation
37-2-2350	R13	Isolated Find	1	304076	6420394	Conservation
37-2-2332	R14	Isolated Find	1	304265	6420669	Conservation
37-2-2333	R15	Isolated Find	1	304350	6420584	Conservation
37-2-2323	R16	Isolated Find	1	304353	6420590	Conservation
37-2-2324	R17	Isolated Find	1	304333	6420486	Conservation

4.6.3 Impacts within Drayton mine Extension: Open Cut & Infrastructure area

A total of 26 sites will be directly impacted by the proposed Drayton Mine Extension mine development. A majority of these sites that are to be impacted are located within the proposed Open Cut and Services Corridor area (i.e. D1-D22 Figure 2) and R1-R4 Figure 3). A services corridor will be built in the southern part of the extension area to provide uniform access to power-line infrastructure and coal transport facilities.

4.6.4 Sites to be conserved within Drayton Mine Extension Project Area.

A total of 13 sites (see Table 2 below) will nominally be preserved as a result of the Drayton Mine Extension Project. A majority of these sites are located outside the disturbance footprint of open cut mining and infrastructure areas. Some sites are located within the existing Rail Loop area will be conserved as shown in Figures 3.

Table 2: Sites to be conserved as part of the Drayton Mine Extension Coal Project

DECC Site Number	SITE NAME	SITE TYPE	Artefact Density	X centre	Y Centre	MANAGEMENT STATUS
37-2-2342	R5	Isolated Find	1	305541	6420814	Conservation
37-2-2343	R6	Artefact Scatter	3	305781	6420794	Conservation
37-2-2344	R7	Isolated Find	1	305043	6420543	Conservation
37-2-2345	R8	Isolated Find	1	305423	6420729	Conservation
37-2-2346	R9	Isolated Find	1	305387	6420827	Conservation
37-2-2347	R10	Isolated Find	1	305655	6420655	Conservation
37-2-2329	R11	Artefact Scatter	4	304886	6420480	Conservation
37-2-2330	R12	Artefact Scatter	2	304779	6420491	Conservation
37-2-2350	R13	Isolated Find	1	304076	6420394	Conservation
37-2-2332	R14	Isolated Find	1	304265	6420669	Conservation
37-2-2333	R15	Isolated Find	1	304350	6420584	Conservation
37-2-2323	R16	Isolated Find	1	304353	6420590	Conservation
37-2-2324	R17	Isolated Find	1	304333	6420486	Conservation

4.6.5 Drayton Mine Extension Project Approval Condition 43: Aboriginal Cultural Heritage Management Actions & Mitigation Measures.

Subsequent to its Approval for the Drayton Mine Extension Project, Anglo Coal Drayton Management has agreed to implement the following mitigation measures and management actions to offset the lost of Aboriginal cultural heritage. Specifically Anglo Coal (Drayton Management) has agreed to:

- Implement a programme of test excavations intensive recording, salvage, and surface collection of the sites identified in Table 2, which includes a suitable lithic analysis, of all material collected as part of the salvage operations;

- Provide a plan of management for each site salvaged and report on the results of that scientific salvage work in a form acceptable to the participating Aboriginal communities, DECC and NSW DOP;
- Implement a programme for the conservation of the existing sites outside the surface disturbance area;
- Implement measures that would be taken if any Aboriginal skeletal remains are discovered during the project.
- Develop a protocol for the on-going consultation and involvement of Aboriginal community stakeholder groups in the conservation and management of the Aboriginal heritage on the site.

4.7 Implementation of Aboriginal Heritage Plan Programmes

Anglo Coal Drayton Management intends to undertake the following cultural heritage management actions to comply with the specific conditions of the Project Approval MP 06-0202 for Aboriginal Heritage (i.e. Condition 43).

4.7.1 Cultural Heritage Management Report

Anglo Coal (Drayton Management) will develop Cultural Heritage Management Report (CHMR) for specific reporting of cultural heritage and salvage works either impacted by construction activities or preserved as a conservation item of Aboriginal heritage. The CHMR will not replace the Aboriginal Heritage Plan but will function as additional reporting document to be made available for auditing and compliance purposes. The CHMR will be prepared after the management measures outlined in this AHP have been implemented and a copy provided to DoP and DECC. The purpose of the CHMR will be to:

- Describe the specific mitigation measures (including conservation measures, salvage and analysis of archaeological material and its reporting to DoP, DECC/Aboriginal Stakeholder groups) undertaken to manage a site or group of sites within Drayton Extension Project and services corridor over the life of the mine;
- Ensure that the recovery and salvage works and archaeological analysis of a site or group of sites is carried out by a qualified archaeologist using best practice methodologies, with evidence of Aboriginal community involvement in all facets of the archaeological assessment;
- Describe and identify any new Aboriginal sites or objects located as a result of the archaeological salvage process in accordance with the principals of Section 91 of the NPW Act (1974) as amended; and
- Provide a timetable and means of communication on how the site or group of sites is being managed/conserved using Drayton Coal's environmental management systems process.

Two areas with groups of sites and objects have been identified in the Open Cut and services corridor development area for the preparation of specific CHMR's and these are:

- Ramrod Creek catchment; and
- Delpah Open Cut and Services Corridor area.

As part of the CHMR reporting requirements, Anglo Coal (Drayton Management) will ensure that all archaeological material recovered as a result of archaeological excavation and salvage activities including post excavation laboratory analysis is reported to DoP, DECC North-West Branch, Environment Protection and Regulation and Aboriginal Stakeholder groups within 12 months of the salvage work being undertaken.

The reporting of the results of the site specific salvage and post excavation analysis will include:

- Aims of the archaeological investigation including research design;
- Scientific methods used in the salvage recovery works and post excavation analysis (includes lithic analysis, dating results and geomorphology);
- Results and discussion of the investigation with a comparative analysis of the significance of the site specific investigation; and

- Data records (Lithic Analysis, Artefact Attributes, Residues Analysis, Use wear characteristics, etc.) showing excavated or surface artefactual information and any data that can be of benefit to the curation of the recovered archaeological materials.

4.7.2 Programme of Salvage & Retrieval of Aboriginal Sites & Objects

Anglo Coal (Drayton Management) seeks to implement mitigation measures to offset the loss of cultural resources within the Drayton Mine Extension Project development area. These measures include allowing sites to be collected and salvaged or tested through archaeological excavation to determine if more sub-surface material can be recovered before total destruction. Specific salvage methods for each Aboriginal site or object are identified in Appendix 4. This work will be carried out in the following areas:

- **Ramrod Creek:** A total of 4 sites would be affected by the proposed Open Cut Pit at Ramrod Creek these are: R1, R2, R3 & R4. All of these sites represent varying density scatters of artefacts fringing the margins of Ramrod Creek (Figure 3).
- **Delpah Dam** and surrounding areas. A total of 22 sites will be affected by the proposed Open Cut Pit including, access roads and services corridor these are: D1-D22. All of these sites represent low density scatters of artefacts located within an eroding context (Figure 2).

Table 3 below summarise the proposed Anglo Coal (Drayton Management) mitigation procedures for identified Aboriginal heritage in the Open Cut and Infrastructure areas.

Table 3 Anglo Coal (Drayton Management) ACHMP Mitigation Open Cut & Services Corridor: Cultural Heritage Work Programme

DECC Site Number	Site Name	Site Type	X Centre	Y Centre	Artefact Density	Mitigation Measure
37-2-2325	D1	Artefact Scatter	305074	6416069	55	Surface Collection
37-2-2320	D2	Isolated Find	305176	6460550	1	Surface Collection
37-2-2321	D3	Artefact Scatter	305279	6416047	3	Surface Collection
37-2-2322	D4	Artefact Scatter	305230	6415960	5	Surface Collection
37-2-2326	D5	Artefact Scatter	305215	6415891	31	Surface Collection
37-2-2327	D6	Isolated Find	305583	6416460	1	Surface Collection & Grader Scrapes
37-2-2328	D7	Isolated Find	304469	6416633	1	Surface Collection
37-2-2348	D8	Artefact Scatter	305350	6415942	6	Surface Collection
37-2-2349	D9	Artefact Scatter	305504	6415960	4	Surface Collection
37-2-2350	D10	Artefact Scatter	305660	6415981	28	Surface Collection
37-2-2351	D11	Artefact Scatter	305421	6416050	26	Shovel Testing & Grader Scrapes
37-2-2352	D12	Isolated Find	305283	6415888	1	Surface Collection
37-2-2353	D13	Isolated Find	305337	6415875	1	Surface Collection
37-2-2354	D14	Artefact Scatter	305781	6415786	2	Surface Collection
37-2-2355	D15	Artefact Scatter	306003	6415415	5	Surface Collection
37-2-2356	D16	Artefact Scatter	304942	6415925	2	Surface Collection
37-2-2357	D17	Isolated Find	304809	6415854	1	Surface Collection
37-2-2358	D18	Isolated Find	304847	6415798	1	Surface Collection
37-2-2359	D19	Artefact Scatter	304940	6415628	4	Surface Collection
37-2-2360	D20	Artefact	305054	6415475	3	Surface Collection

DECC Site Number	Site Name	Site Type	X Centre	Y Centre	Artefact Density	Mitigation Measure
		Scatter				
37-2-2361	D21	Artefact Scatter	304680	6415390	4	Surface Collection
37-2-2362	D22	Artefact Scatter	304491	6415684	2	Surface Collection
37-2-2338	R1	Artefact Scatter	303622	6420533	33	Surface Collection
37-2-2339	R2	Isolated Find	303676	6420568	1	Surface Collection
37-2-2340	R3	Artefact Scatter	303739	6420466	169	Test Excavation and Grader Scrapes
37-2-2341	R4	Artefact Scatter	303691	6420285	71	Test Excavation and Grader Scrapes
37-2-2342	R5	Isolated Find	305541	6420814	1	Fenced Off
37-2-2343	R6	Artefact Scatter	305781	6420794	3	Fenced Off
37-2-2344	R7	Isolated Find	305043	6420543	1	Fenced Off
37-2-2345	R8	Isolated Find	305423	6420729	1	Fenced Off
37-2-2346	R9	Isolated Find	305387	6420827	1	Fenced Off
37-2-2347	R10	Isolated Find	305655	6420655	1	Fenced Off
37-2-2329	R11	Artefact Scatter	304886	6420480	4	Fenced Off
37-2-2330	R12	Artefact Scatter	304779	6420491	2	Fenced Off
37-2-2350	R13	Isolated Find	304076	6420394	1	Fenced Off
37-2-2332	R14	Isolated Find	304265	6420669	1	Fenced Off
37-2-2333	R15	Isolated Find	304350	6420584	1	Fenced Off
37-2-2323	R16	Isolated Find	304353	6420590	1	Fenced Off
37-2-2324	R17	Isolated Find	304333	6420486	1	Fenced Off

4.7.3 Research Issues Identified for Salvage & Retrieval of Archaeological Data

A majority of sites located in the Drayton Mine Extension areas at Ramrod Creek and Delpah are discrete low density artefact scatters. The prospect for Pleistocene sites in the development area is considered to be very low, confirmed independently by Dr Peter Mitchell and the condition of the archaeological landscape were considered to be generally poor (Mitchell, 2003). However, it should be acknowledged, at the most general level, that archaeological landscapes usually only survive in disconnected pockets, usually in sediment traps.

Some of these sites have disturbed archaeological deposits (due to clearing and ploughing etc); some of them have intact deposit. It would be the aim of the surface collections and test excavation process to investigate:

- Whether occupation existed in the elevated southern ridge system (Delpah) of Drayton Extension area away from second or third order streams (see Kamminga 1978, Dean Jones & Mitchell 1993, Hamm 2002, Hamm 2005);
- Were Aboriginal people exploiting wetland microhabitats within the extension area (see Russel & Hardy 2001, Hamm 2002, and Hamm 2005)?
- What is the main function of the Drayton sites? Why are these sites located where they are? Is slope or distance to water an important site location factor?
- Are there any distinct activities or behaviours that can be identified at each site through the assessment of stone artefacts or cultural features (ie. fireplaces, heat treatment areas, ground cleared of rock). Investigate rocky versus cleared ground.
- Are sites isolated in their landscape context or connected through sub surface archaeological deposits?

- Was Ramrod Creek important in the exploitation of the Bayswater Creek Valley by local Aboriginal people?
- Artefact Distributions within sites and between sites;
- Site Structures;
- Artefact Variability and Stone Tool Reduction processes (with a special emphasis on backed tool use and manufacturing; and
- Intactness and Integrity of Cultural Deposits

Additional questions to be considered are:

1. Are surface artefacts a real reflection of what is left at the site?
2. What are the main types of stone artefacts discarded on these sites?
3. Can the deposit be dated by OSL?
4. Can we locate any evidence of long term use at these sites (i.e. Hearths, major tool types)?

4.7.4 Research Methodology to be used in the Salvage & Retrieval Programme

Proposed Recovery & Test Excavation Methods (refer Appendix 4).

Due to the shallow nature of the sediments within these soil landscapes, three sub surface testing methods would be used. One would be hand excavation initially using 1m by 1m test pits or if this proved unsuccessful then applying systematic shovel testing over a grid network (i.e. shovel test pit= 1m x .5m x.3m) depending on stratigraphic parameters. The third method to apply would be to use mechanical testing using grader scrapes.

It is anticipated that grader scraping will be undertaken using the following approach:

- Straight line transects (approx, 50-100m in length) will be set out along a measured base line with a pre-determined grader blade width set between 2-3 metres wide;
- Only areas containing boulder free ground will be selected. This is to avoid damaging potential sub surface features and larger implements that may be exposed;
- The objective of each scrap is to remove a relatively uniform spit of soil (5-10cm in depth) depending on soil depth; and
- As the soil is pushed into a windrow, this will be sampled at a pre-determined length with a consistent volume of soil examined for the presence of artefactual material. Material will be further wet sieved as required.

If artefact densities increase during grading scraping, it will be necessary to move to a finer scale of test pitting. Some targeted test pitting (1m x 1m hand excavation) may assist to help determine the site's true spatial extent and allow the recovery of more artefactual material for analysis. Wet sieving may be used if it is likely that archaeological material has been affected by vertical movement in the soil profile.

Surface Collection

It is proposed to collect all archaeological material from the surface using a systematic method. Large open sites will be grided and artefacts will be collected according to an identified square. A 20m x 20m sample grid collection square would be used to retrieve most artefactual material.

Locating New Evidence of Occupation Following Grader Scraping (Mechanical Testing to Hand Excavation)

If artefact densities increase during grading scraping, it will be necessary to move to a finer scale of test pitting. Some targeted test pitting (1mx1m hand excavation) may assist to help determine the site's true spatial extent and allow the recovery of more artefactual material for analysis.

Ramrod Creek R3 and R4 Hand Excavations

Open area hand excavation is proposed for R3 & R4, with at least two 10m x 10m units to be investigated. Excavation would be controlled using a 1m-grid system. This 1m excavation grid would be further subdivided into 50cm square units to provide for greater recording precision if required.

One 10m x 10m unit would be located within the area of main exposure of artefacts and another in an area without artefacts or exposure. The excavation will be undertaken using 5cm spits, by trowel and hand shovel and sieved through nested sieves (8-5-2mm).

All features will be mapped at the appropriate scale. Bulk samples will be extracted from appropriate locations for the analysis of finer microdebitage. Charcoal and soil samples will be collected for dating and soil analysis. A single soil-testing trench will be excavated within the creek bank area to help define depositional history.

Extension test pits would also be dug between the 10m x 10m units to provide greater coverage and assess occupation extent. These test pits would be 1m x 1m in size.

Analysis of Stone Artefactual Material

The central aim of the stone artefact analysis will be to provide data to test the model proposed. Assemblage character (type and function), raw material distribution and use, implement types and function are the main stone tool issues that need to be considered. Artefact analysis shall consist of:

- Identification of artefact types through attribute analysis, (measuring attributes to define artefact types), size, cortex distribution, platform characteristics, edge angles, and breakage patterns on debitage;
- Identification of artefact types through the analysis of residues and use wear will be undertaken. Particular emphasis will be placed on assessing a balanced sample that includes items retouched and items not retouched or unmodified;
- Identification of different technological reduction processes will be investigated including the importance of raw material use, curation and discard strategies. These will be assessed using refitting or conjoining techniques and the analysis of shatter patterns, and lustre colour (heat treatment effects);
- Identification of activity areas or knapping floors (workshop areas) using the above methods as well as analysing the results of mapping of features and artefact density patterns; and
- Consideration of the effects of bioturbation and movement through soil creep on stone artefact distribution.

Analysis of Organic Materials

It is not expected that organic remains such as bone or shell will be found in sites tested or excavated. However, soil materials and possible seeds (ie. Acacia, native grasses (Kangaroo)) will be investigated. Bulk samples will be extracted from excavated deposits for this purpose.

Dating Cultural Material

Submitting dating samples for OSL and Radio-carbon will be attempted if the right geo-archaeological conditions are present.

Curation of Artefacts

All artefacts recovered from archaeological monitoring or salvage are to be placed in a secured site for relocation until mine site rehabilitation takes place. The location of the salvage material will be dealt by a separate Native Title agreement. This process will be undertaken using a Care Agreement for Aboriginal Objects with the local Aboriginal Land Council.

4.7.5 Conflict Resolution Procedure: Drayton Coal Internal Procedure Protocol

To resolve potential conflicts between Aboriginal stakeholders and the Approved Project in relation to any issue (including the assessment of cultural values) Drayton Coal has implemented a Conflict Resolution Procedure which is detailed in Appendix 7. This procedure is managed by the General Manager Anglo Coal (Drayton Management).

4.7.6 Conservation Programme

Implement a programme for the conservation of the site outside the surface disturbance area (Figure 3) including measures that would be implemented to secure, analyse and record any new sites found during the salvage process.

A total of 13 sites (Table 4) will nominally be preserved as a result of the Drayton Extension Project. A majority of these sites are located outside the disturbance footprint of open cut mining and infrastructure areas.

Table 4: Sites to be conserved as part of the Drayton Mine Extension Project

DECC SITE NUMBER	SITE NAME	SITE TYPE	X CENTRE	Y CENTRE	ARTEFACT DENSITY	MANAGEMENT STATUS
37-2-2342	R5	Isolated Find	305541	6420814	1	Conservation
37-2-2343	R6	Artefact Scatter	305781	6420794	3	Conservation
37-2-2344	R7	Isolated Find	305043	6420543	1	Conservation
37-2-2345	R8	Isolated Find	305423	6420729	1	Conservation
37-2-2346	R9	Isolated Find	305387	6420827	1	Conservation
37-2-2347	R10	Isolated Find	305655	6420655	1	Conservation
37-2-2329	R11	Artefact Scatter	304886	6420480	4	Conservation
37-2-2330	R12	Artefact Scatter	304779	6420491	2	Conservation
37-2-2350	R13	Isolated Find	304076	6420394	1	Conservation
37-2-2332	R14	Isolated Find	304265	6420669	1	Conservation
37-2-2333	R15	Isolated Find	304350	6420584	1	Conservation
37-2-2323	R16	Isolated Find	304353	6420590	1	Conservation
37-2-2324	R17	Isolated Find	304333	6420486	1	Conservation

Conservation Methods

Anglo Coal (Drayton Management) will use the approval conservation methods and techniques to ensure sites are conserved outside the mine footprint:

- Deciding on how big an area (area of buffer zone) should be used to protect the perimeter of the Aboriginal site object;
- Using appropriate fencing to ensure machinery and vehicles do not disturb the land surrounding the Aboriginal site or object;
- Using accurate identification of sites using appropriate signage so that contractors and Anglo Coal staff know what the area is and why it is being protected;
- Providing accurate up to date maps and plans with sites located on them so that all Anglo Coal staff and contractors know where sensitive "no go" areas are located within the mine operations area;
- Controlling soil erosion impacts by implementing complimentary soil erosion control works around the site; and
- Re-directing roads or vehicle tracks which may pass close to the site and could cause indirect impacts.

Cultural Awareness Training Programme

To reduce the risk of Aboriginal site impacts and improve the general awareness of Anglo Coal staff and employees to Aboriginal cultural heritage issues, Anglo Coal will provide cultural awareness training to its staff and contractors as part of its Induction process. The will introduce contractors and staff to the fundamentals of why and how Aboriginal heritage and culture is protected in NSW and what their role is in protecting Aboriginal sites and object within the Drayton Mine lease.

This training should also explain the procedure to be implemented if an existing or new Aboriginal site or object is uncovered or disturbed during mine operations work.

4.7.7 Discovery of Skeletal Remains

In the event that mining activity reveals possible human skeletal material (remains) within the Drayton Extension area, the following procedure is to be followed, also refer to Appendix 8:

1. As soon as remains are exposed, all work is to halt at that location immediately and the Safety & Sustainable Development Manager on site is to be immediately notified to allow assessment and management;
2. Safety & Sustainable Development Manager on site to notify Drayton Coal Mine Manager and/or General Manager;
3. Contact police by ringing 000;
4. Contact DECC's Environment line on 131 555 and the Heritage branch on (02) 9873 8500;
5. A physical or forensic anthropologist should inspect the remains in situ (organised by the police unless otherwise directed by the police), and make a determination of ancestry (Aboriginal or non-Aboriginal) and antiquity (precontact, historic or forensic);
 - i. If the remains are identified as forensic the area is deemed as crime scene; or
 - ii. If the remains are identified as Aboriginal, the site is to be secured and DoP, DECC and all Aboriginal stakeholders are to be notified in writing; or
 - iii. If the remains are as non-Aboriginal (historical) remains, the site is to be secured and the Heritage Branch (DoP) is to be contacted.

The above process functions only to appropriately identify the remains and secure the site. From this time, the management of the area and remains is to be determined through one of the following means:

- A. If the remains are identified as a forensic matter liaise with the police;
- B. If the remains are identified as Aboriginal; liaise with the DoP, the DECC and Aboriginal stakeholders;
- C. If the remains are identified as non-Aboriginal (historical) liaise with the DoP and the Heritage Branch; or
- D. If the remains are identified as not being human then work can recommence once the appropriate clearances have been given.

4.7.8 Aboriginal Consultation Protocol

Anglo Coal (Drayton Management) has undertaken extensive Aboriginal community consultation for the Drayton Mine Extension Project since 2005. This specific consultation history is outlined in Appendix 3. The basis of this consultation has been the central philosophy that Anglo Coal will consult with all relevant Aboriginal community stakeholders and seeks to include local Aboriginal corporations, Local Aboriginal Land Councils and Native Title bodies who have expressed an interest in the Drayton Mine Extension Project.

This consultation covers a wide range of issues and topics and includes meetings, briefings, presentations, involvement with cultural heritage assessment work and documentation. Much of this consultation has been by representation of a range of groups by select individuals. Anglo Coal understands that it is the responsibility of the Aboriginal stakeholder organisation representative to inform and provide a detailed briefing about what takes place at these Aboriginal stakeholder meetings to all its members.

Anglo Coal (Drayton Management) will continue to work with all Aboriginal community stakeholders in the development and implementation of this plan and provide mutually beneficial opportunities to all for the benefit of the entire local Aboriginal community.

4.7.9 Native Title

There are no Native Title claims associated with this proposal.

4.7.10 Care Agreement for Aboriginal Objects: Section 85A of the NPW Act 1974

As part of the curation of salvage artefacts and Aboriginal objects, DECC require all developers whether working under Aboriginal Heritage Impact Permit or a Part 3A Approval, to comply with the provisions of a Section 85A Transfer of Aboriginal Objects under the NPW Act 1974. This agreement allows DECC to transfer ownership:

- a) by returning the Aboriginal objects to an Aboriginal owner or Aboriginal owners entitled to, and willing to accept possession, custody or control of the Aboriginal objects in accordance with Aboriginal tradition; or
- b) otherwise dealing with the Aboriginal objects in accordance with any reasonable directions of an Aboriginal owner or Aboriginal owners referred to in paragraph (a); or
- c) If there is or are no such Aboriginal owner or Aboriginal owners by transferring the Aboriginal objects to a person, or a person of a class, prescribed by the regulations for safekeeping.
- d) Nothing in this section is taken to limit the right of an Aboriginal owner or Aboriginal owners accepting possession, custody or control of any Aboriginal object pursuant to this section to deal with the Aboriginal object in accordance with Aboriginal tradition.
- e) The regulations may make provision as to the manner in which any dispute concerning the entitlement of an Aboriginal owner or Aboriginal owners to possession, custody or control of Aboriginal objects for the purposes of this section is to be resolved (NPW Act 1974 No 80).

This agreement can be sought by any party but DECC requires Aboriginal community support for the agreement.

4.8 Aboriginal Heritage Risk Management Procedure

Anglo Coal (Drayton Management) has an implemented risk management procedure. This will be utilised when dealing with Aboriginal heritage incident and reporting. This procedure is described below and further explained in Flowchart form (see Appendix 5).

The aim of this is to preserve and protect Aboriginal cultural heritage for the approved Drayton Mine Extension Project by minimising disturbance to items of existing Aboriginal cultural heritage and to report unintended disturbances of unknown items of Aboriginal cultural heritage during mine operational works.

This shall ensure no items of Aboriginal cultural heritage are disturbed or destroyed and that ongoing protection of Aboriginal cultural heritage within the Drayton Mine Lease through regular auditing and assessment of Drayton's risk management procedure and ACHMP can be undertaken.

4.8.1 NPW Act Notification & Incident Reporting Process

The *NSW National Parks and Wildlife Act 1974 (amended)* requires that in the event that unanticipated Aboriginal cultural deposits are encountered, work must cease immediately in the vicinity of the find. It is recommended that consultation with the relevant DECC Officer occur by telephone within 24-72 hours of the discovery or incident.

When an unanticipated Aboriginal site disturbance occurs, the following internal notification procedure and incident reporting should be undertaken;

- All work must stop and the onsite Mining Manager and Safety & Sustainable Development Manager be notified immediately;
- Where the area or site can be assessed to contain existing or unknown Aboriginal objects etc this area must be fenced or barricaded off and no further work is to take place in that area;
- A qualified archaeologist will need to make an assessment of the discovery and relevant Aboriginal stakeholders, where possible, must be invited to inspect the find;
- An incident report providing DECC with the results of this assessment will need to be provided within 5 business days;

- Under Section 91 of the NPW Act 1974, this reporting must include a completed AHIMS Aboriginal Site Card if a new Aboriginal site or Object is identified;
- In the event that bones which may be human are located during any subsequent works on the site, the NSW Police and/or the State Coroners Office must be contacted. They will determine whether the remains are associated with heritage (Aboriginal or historic) or a crime. The NSW Police and/or the State Coroners Office will then recommend an appropriate course of action that requires further involvement by an archaeologist and Aboriginal stakeholder groups; and
- Stop work provisions should be in place for all works, regardless of what stage they are at in the development and consent process.

4.8.2 On Site Auditing & Monitoring

To reduce the risk of accidental disturbances to Aboriginal objects and sites, the Safety & Sustainable Development Manager should regularly conduct internal audits to ensure management and employees are aware of the need to identify and protect Aboriginal objects and artefacts.

These audits should include:

- Continuous appraisal of site activity to ensure prevention and/or control of disturbance to sites and objects of Aboriginal significance;
- Assessment of compliance with this Aboriginal heritage risk management procedures and documents (ie. ACHMP);
- Assessment of management and employee awareness of the need to identify and preserve Aboriginal objects and artefacts; and
- Assessment of employee and contractor awareness and ability to identify Aboriginal heritage issues within their operational area of responsibility.

4.9 General Standard Work Practices for Risk Control

Anglo Coal's on-going risk management approach for its Aboriginal heritage cultural resources should involve the following management performance objectives.

- Aboriginal sites and objects must be kept intact and preserved until they are ready to be salvaged, (eg. collected, excavated etc);
- Aboriginal sites and objects must be actively managed to avoid accidental impacts;
- Staff (including contractors) must be trained and made aware of their responsibilities concerning sites and operational activities;
- Work practices should spell out clearly the roles and responsibilities of all staff in managing Aboriginal cultural heritage resources on the mine site;
- Aboriginal sites and objects must be clearly identified in the field. Areas need to be fenced and appropriate signage used;
- Supervisors and plant operators should be aware of the location of Aboriginal sites and the boundaries; and
- All plans and operation notes must clearly show the location of known sites.

4.9.1 Measuring Success of Risk Control

The above performance objectives should be measured using regular internal audits and monitoring and details shall be included in the Annual Environmental Management Report section on the cultural management.

4.9.2 Emergency Response Procedure

If a site is accidentally damaged, work should stop immediately and the incident be reported to the Environmental Co-ordinator. It is the responsibility of Anglo Coal to report the incident to the DECC; and relevant Aboriginal community groups should also be contacted as part of community consultation (see Appendix 9).

4.10 Training

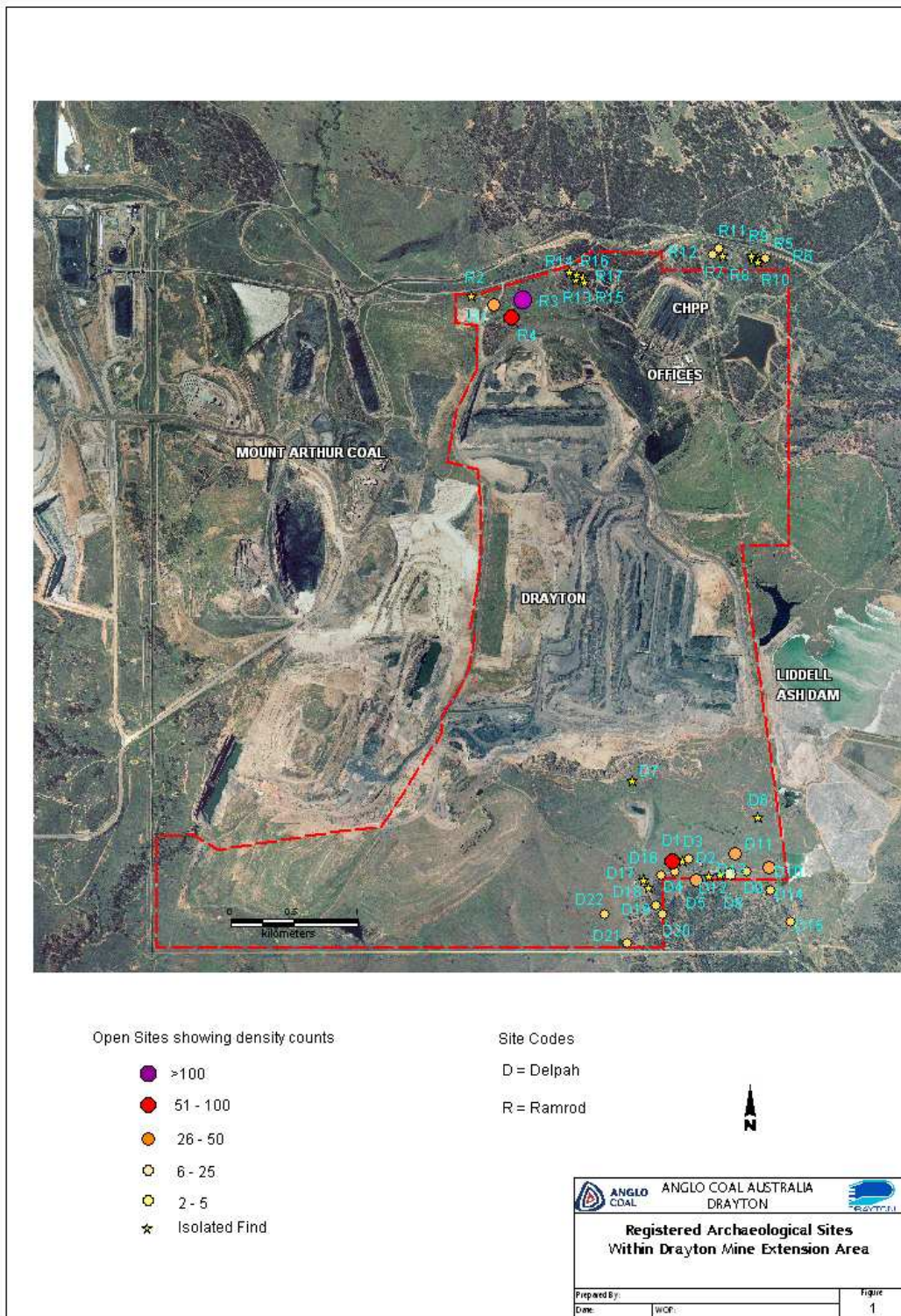
Anglo Coal will develop a site-orientated induction program for all staff and contractors who will require training in cultural heritage risk management. Training and induction sessions will aim to make staff and contractors aware of their obligations regarding the preservation of items that are of Aboriginal Cultural Heritage significance.

Training packages will be developed that clearly locate sites of significance, provide contact details of people to contact if a problem occurs at one these sites, a description of common artefacts, and provide a detailed description of relevant acts and legal responsibilities.

Records of the employees and contractors that have been trained in archaeology and cultural heritage management will be maintained in the Anglo Coal induction database.

5 APPENDICES

- Appendix 1 Figures
- Appendix 2 Conditions of Consent for Archaeology & Cultural Heritage Management
- Appendix 3 Aboriginal Consultation History for the Drayton Mine Extension Project
- Appendix 4 Proposed Salvage and Test Excavation Strategy for Drayton Mine Extension Project Sites D1-D22 & R1-R4
- Appendix 5 Flowchart for Notification and Incident Reporting Drayton Mine Extension Project Aboriginal Heritage issues
- Appendix 6 Written Endorsement of AHP by Aboriginal Stakeholder Groups
- Appendix 7 Conflict Resolution Procedure
- Appendix 8 Discovery of Skeletal Remains
- Appendix 9 Notification and Incident Reporting for Aboriginal Heritage Issues
- Appendix 10 DECC Correspondence





Open Sites showing density counts

- >100
- 51 - 100
- 26 - 50
- 6 - 25
- 2 - 5
- ★ Isolated Find

Site Codes

- D = Delpah
- R = Ramrod



0 500 1,000

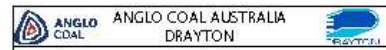
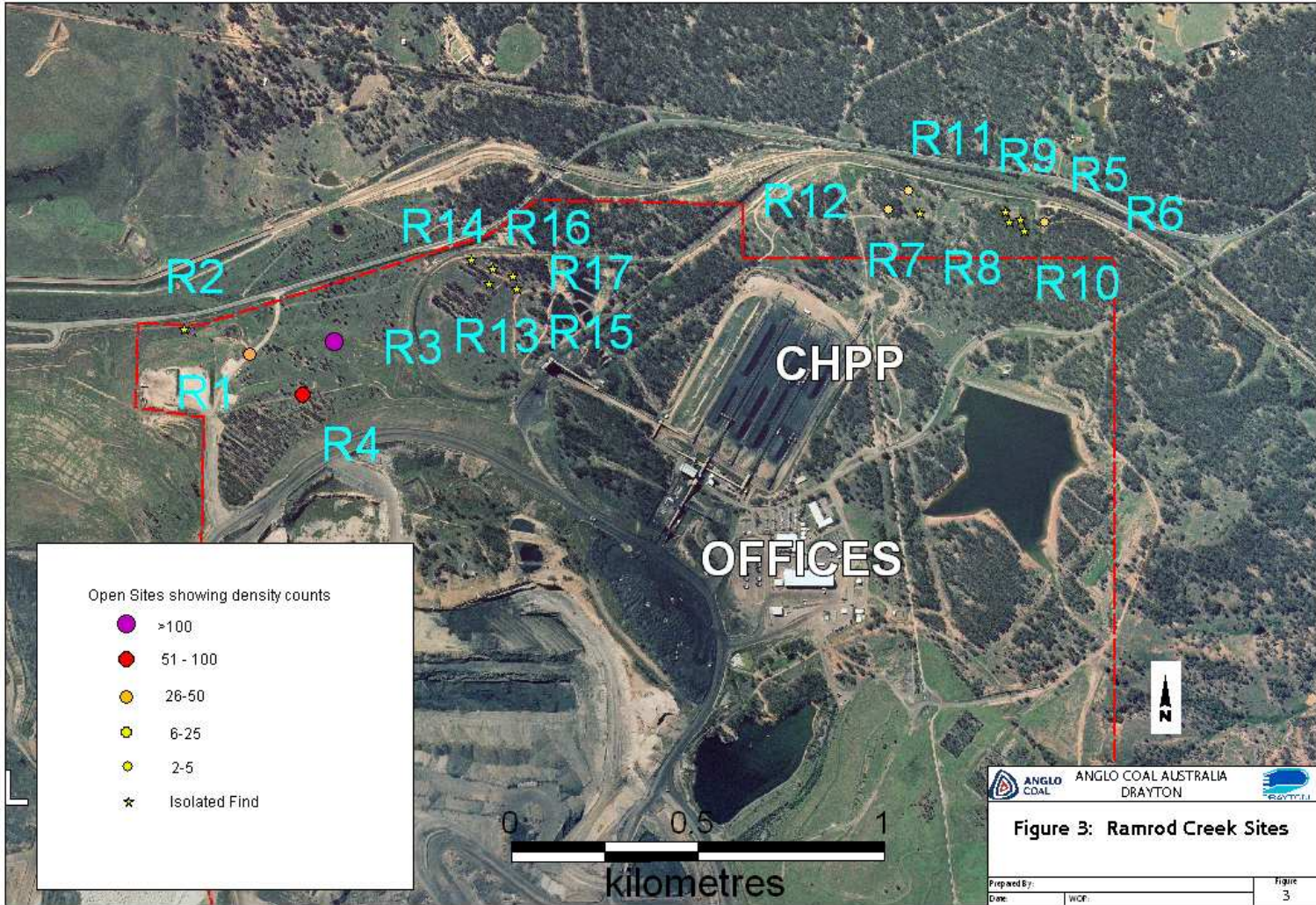
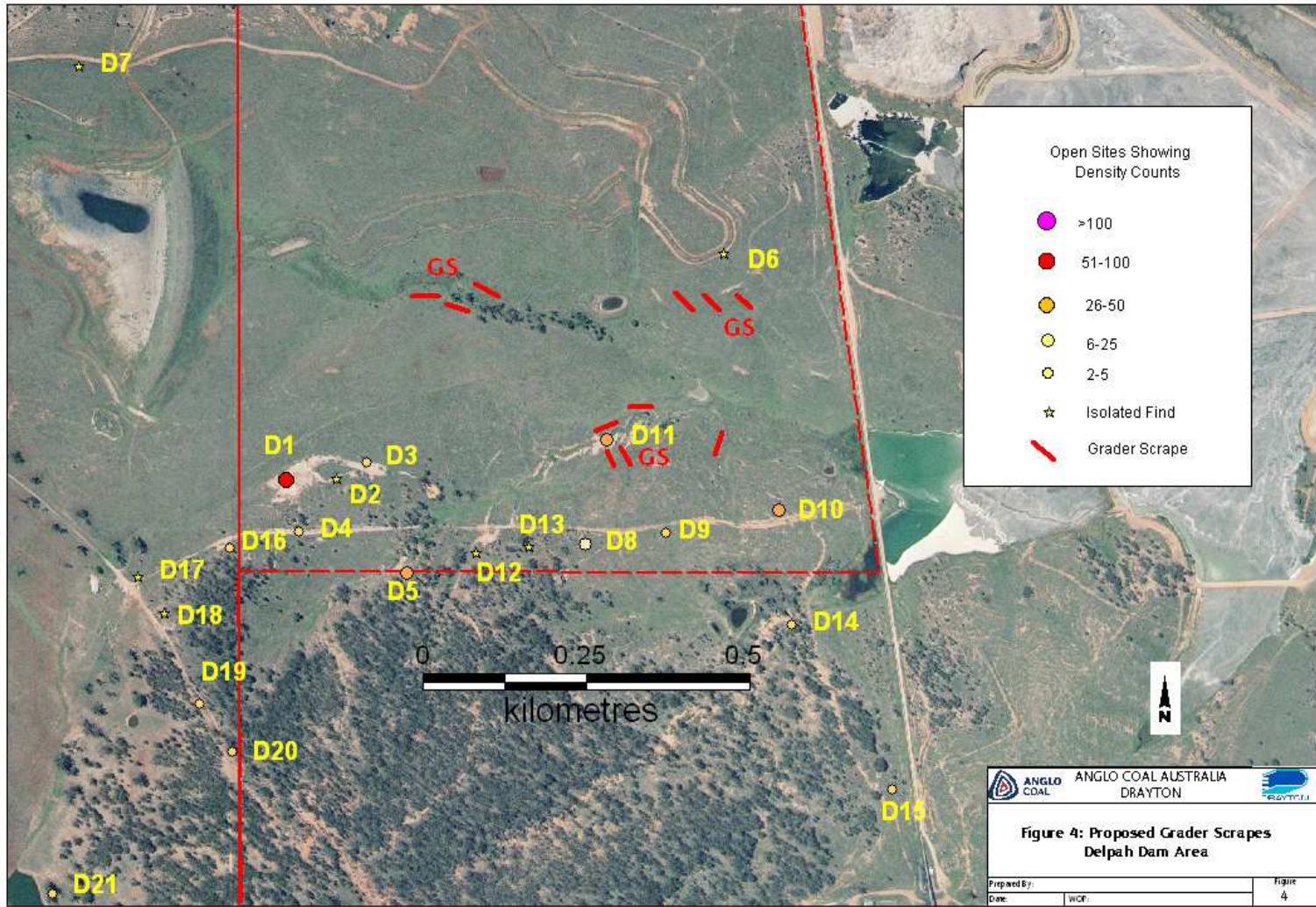
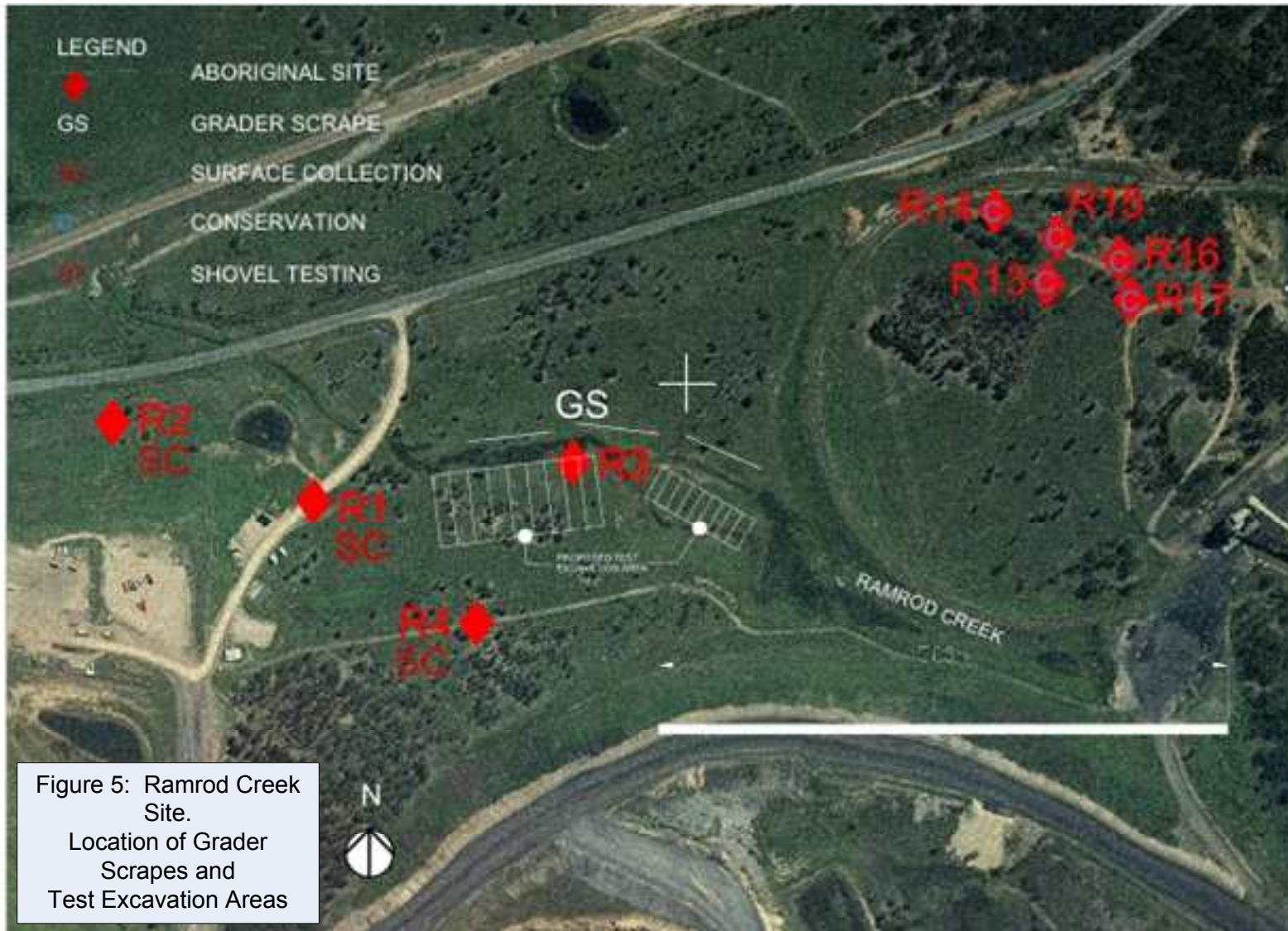


Figure 2: Delpah Sites

Prepared By:	WCP:	Figure
Date:		2







Appendix 2 – Conditions of Consent

ABORIGINAL CULTURAL HERITAGE

Aboriginal Heritage Plan

43. The Proponent shall prepare and implement an Aboriginal Heritage Plan to the satisfaction of the Director-General. This plan must:
- (a) be prepared in consultation with DECC and relevant Aboriginal communities;
 - (b) be submitted to the Director-General for approval within 6 months of this approval or prior to the disturbance of any Aboriginal object or site, whichever is the soonest; and
 - (c) include a:
 - detailed salvage program and management plan for all Aboriginal sites within the project disturbance area;
 - detailed description of the measures that would be implemented to protect Aboriginal sites outside the project disturbance area;
 - description of the measures that would be implemented if any new Aboriginal objects or skeletal remains are discovered during the project; and
 - protocol for the ongoing consultation and involvement of the Aboriginal communities in the conservation and management of Aboriginal cultural heritage on the site.

Aboriginal Consultation History for the Drayton Mine Extension Project

In January 2005, the NSW DECC introduced new Aboriginal Community Consultation guidelines in response to changes to legal definitions of what constituted adequate Aboriginal community consultation. In these guidelines DECC explains that:

- Aboriginal heritage has both cultural and scientific/archaeological significance and that both should be the subject of assessment to inform its decision-making
- Aboriginal people are the primary determinants of the significance of their heritage
- Aboriginal community involvement needs to occur early in the assessment process to ensure that their values and concerns are taken fully into account, and so that their own decision-making structures are able to function
- Information arising out of consultation allows the consideration of Aboriginal community views about significance and impact, as well as the merits of management or mitigation measures to be considered in an informed way.

Hence, when administering its approval functions under the NPW Act, DECC requires applicants to consult with the Aboriginal community about the Aboriginal cultural heritage values (cultural significance) of Aboriginal objects and places within the area being considered for development.

However, community consultation is not a sign-off or approval process. The NPW Act establishes the Director General of DECC as the decision-maker. DECC recognises that its decisions will not always be consistent with the views of the Aboriginal community and that there may not always be agreement within the Aboriginal community. However, DECC will take into account all relevant information it receives as part of its decision-making process.

The community consultation process ensures Aboriginal communities have the opportunity to improve assessment outcomes by:

- influencing the design of the assessment of cultural and scientific significance
- providing relevant information regarding the cultural significance values of the objects/places
- contributing to the development of cultural heritage management recommendations
- Providing comment on draft assessment reports prior to their submission.

(DEC Interim Guide-lines 2005).

To comply with the above process, DECC now requires developers to:

“Actively seek to identify stakeholder groups or people wishing to be consulted about the project and invite them to register their interest”.

To this end, it will be sufficient for the proponent to provide written notification to:

- (a) the bodies listed below:
- Local Aboriginal Land Council (s);
 - Registrar of Aboriginal Owners;
 - Native Title Services;

- local council (s); and
- Department of Environment and Conservation¹; and

(b) Via an advertisement in the local print media.

The notification must set out details of the proposal and invite registrations from interested groups or individuals. A closing date for registration of interest must also be included. The time allowed should reflect consideration of the project's size and complexity, but must in all cases allow at least 10 working days to respond.

The proponent must record all registrations received in writing before the closing date. DEC requires the proponent to include all parties that have registered their interest in Step 2 below. Respondents that do not register by the due date may still participate in the consultation process in Step 3" (DEC Interim Community Consultation Requirements for Applicants Guide-lines 2005).

To comply with the above process, Anglo Coal Drayton Management Pty Ltd placed an advertisement in the on the 2005 seeking expressions of interest from Aboriginal community groups who may have an interest in a proposed development project within the current mine lease area.

The Aboriginal groups that originally responded were:

Upper Hunter Wonnarua Council Inc, Giwiirr Consultants, Wanaruah Local Aboriginal Land Council, Ungooroo Aboriginal Corporation, Lower Wonnarua Tribal Consultancy, Combined Council of Hunter Valley (now referred to as ANTEC), Hunter Valley Aboriginal Corporation, Yarrowalk, Hunter Valley Heritage Consultants, Hunter Valley Culture Consultants, Barbara Foote, Wonnarua Nation Aboriginal Corporation.

An initial consultation meeting was held on of June in Muswellbrook with representatives of the above organisations and proponent representatives being invited to attend. The purpose of this meeting was to introduce the project and receive Aboriginal community input about how the Aboriginal cultural assessment was to be conducted (ie. survey design etc).

Subsequent to this meeting, applications were sought for nominations for work. Following DECC guidelines process the following groups were engaged for the initial field work only: It was agreed that a total of six Aboriginal field workers could be accommodated in the survey assessment.

Each community group stated that they would provide a written comment concerning the proposal and the final reports' recommendations.

Pre-Survey Design and Consultation Meetings

The first meeting to discuss the project and cultural heritage work was undertaken in Muswellbrook at the Drayton Mine Offices in 2005. The aim of the meeting was to:

- Explain the project; and
- Provide an opportunity for the local Aboriginal community to have an input into the assessment process.

A second meeting was held in Muswellbrook on the 1st of July 2005 and was also attended by Project Manager. This meeting allowed more in depth discussion of the nature of the likely development impacts and the Aboriginal cultural heritage assessment process.

Aboriginal Cultural Heritage Assessment Process

Following the above consultation meetings, it was agreed that the assessment process would consist of two major components, these being:

¹ Address correspondence to Executive Director Operations, Department of Environment and Climate Change, PO Box A290, Sydney South NSW 1232.

- Archaeological assessment; and
- Aboriginal cultural assessment.

The first component consisted of conducting an archaeological field survey of the main mine footprint site and surrounding land where mining and associated infrastructure was being planned. This survey was carried out with members of three local Muswellbrook Aboriginal groups, in August 2005.

Aboriginal Cultural Heritage Plan of Management Meeting

A meeting to discuss the preparation of Drayton Mine Extension Project Aboriginal Cultural Heritage Management Plan was held on the 1st July 2008 at the Drayton Mine Office. All relevant Aboriginal community groups were represented. Giles Hamm (ARAS Pty Ltd) and Pam Simpson /Peter Forbes of Anglo Coal Pty Ltd made a presentation outlining the plan development process.

The mine development plan was discussed and the likely cultural heritage work that may be required to offset any cultural resources impacts. It is anticipated that cultural heritage recovery and salvage assessment work will begin in the last half of 2008.

Appendix 4 Proposed Salvage and Test Excavation Strategy for Drayton Mine Extension Project Sites D1-D22 & R1-R4

The salvage and test excavation strategy detailed below was developed in consultation with representatives of each group as represented during field inspections. This consultation was undertaken in early August 2008 to organise salvage and collection works scheduled for October 2008.

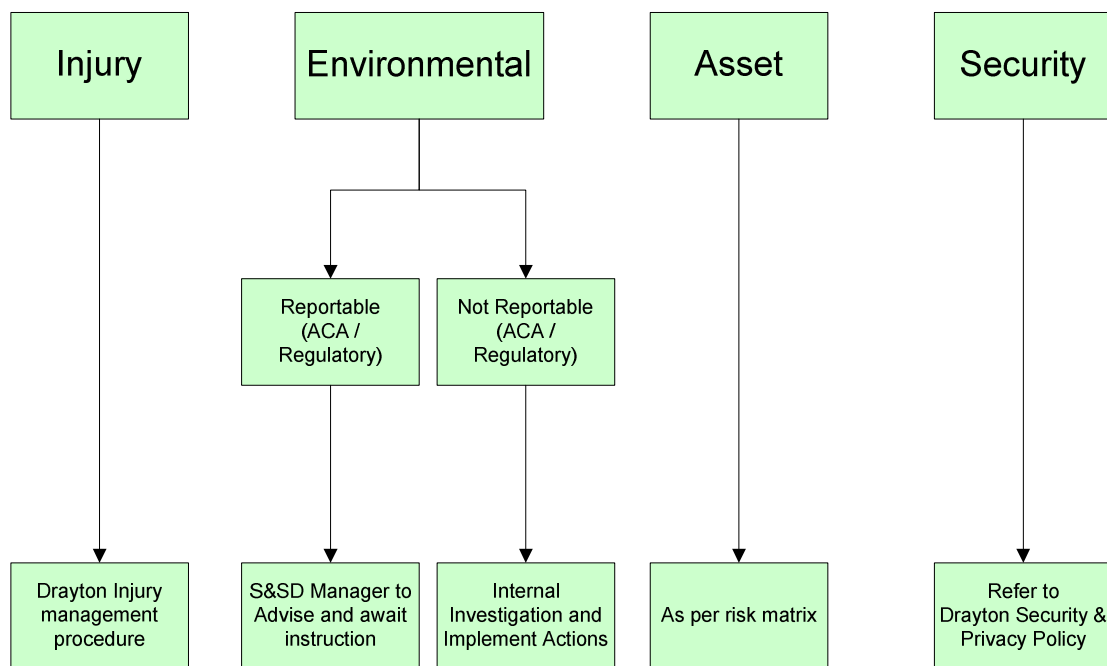
Site Number	Field Code	Salvage/Investigation Method	Feedback & Recovery method	Aboriginal Stakeholder response
37-2-2325	D1	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2320	D2	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2321	D3	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2322	D4	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2326	D5	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2327	D6	2 x Grader scrapes to detect presence/absence of sites or objects on heavily grassed areas. Scrapes will be 50m in length. Grader Scrape	Exploratory process. If artefacts found revised to use more refined methods (i.e. shovel or hand excavations).	Aboriginal stakeholders support the method proposed
37-2-2328	D7	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2348	D8	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2349	D9	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2350	D10	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed

Site Number	Field Code	Salvage/Investigation Method	Feedback & Recovery method	Aboriginal Stakeholder response
37-2-2351	D11	Shovel testing proposed (1m x.5m x30cm) at 5m intervals along a 50m base-line) to be repeated using a checker board pattern depending on recovery results. Grid is placed parallel to creek margin near exposed artefacts. Grader scrapes to detect presence/absence of sites or objects on heavily grassed areas. Scrapes will be 50m in length	Exploratory process. If artefacts or features found in high densities revised to use more refined methods (ie. hand excavations.	Aboriginal stakeholders support the method proposed
37-2-2352	D12	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2353	D13	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2354	D14	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2355	D15	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2356	D16	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2357	D17	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2358	D18	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2359	D19	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2360	D20	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2361	D21	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed

Site Number	Field Code	Salvage/Investigation Method	Feedback & Recovery method	Aboriginal Stakeholder response
37-2-2362	D22	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2338	R1	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2339	R2	Gridded surface collection using 20m grid pattern. Mapped according to scale.	Collect and bag according to standard archaeological practice	Aboriginal stakeholders support the method proposed
37-2-2340	R3	Shovel testing proposed (1m x.5m x30cm) at 5m intervals along a 50m base-line) to be repeated using a checker board pattern depending on recovery results. Grid is placed parallel to creek margin near exposed artefacts. Grader scrapes to detect presence/absence of sites or objects on heavily grassed areas. Scrapes will be 50m in length	Exploratory process. If artefacts or features found in high densities revised to use more refined methods (ie. hand excavations.	Aboriginal stakeholders support the method proposed
37-2-2341	R4	Shovel testing proposed (1m x.5m x30cm) at 5m intervals along a 50m base-line) to be repeated using a checker board pattern depending on recovery results. Grid is placed parallel to creek margin near exposed artefacts. Grader scrapes to detect presence/absence of sites or objects on heavily grassed areas. Scrapes will be 50m in length	Exploratory process. If artefacts or features found in high densities revised to use more refined methods (ie. hand excavations.	Aboriginal stakeholders support the method proposed

Flowchart for Notification and Incident Reporting Drayton Mine Extension Project Aboriginal Heritage Issues

Incident Reporting Flowchart



Anglo American Plc Risk Matrix		Hazard Effect / Consequence				
		(Where an event has more than one 'Loss Type', choose the 'Consequence' with the highest rating)				
Loss Type <small>(Additional 'Loss Types' may exist for an event; identify & rate accordingly)</small>		1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
(S/H) Harm to People (Safety / Health)		First aid case / Exposure to minor health risk	Medical treatment case / Exposure to major health risk	Lost time injury / Reversible impact on health	Single fatality or loss of quality of life / Irreversible impact on health	Multiple fatalities / Impact on health ultimately fatal
(EI) Environmental Impact		Minimal environmental harm – L1 incident	Material environmental harm – L2 incident remediable short term	Serious environmental harm – L2 incident remediable within LOM	Major environmental harm – L2 incident remediable post LOM	Extreme environmental harm – L3 incident irreversible
(BI/MD) Business Interruption / Material Damage & Other Consequential Losses		No disruption to operation / US\$20k to US\$100k	Brief disruption to operation / US\$100k to US\$1.0M	Partial shutdown / US\$1.0M to US\$10.0M	Partial loss of operation /US\$10M to US\$75.0M	Substantial or total loss of operation / >US\$75.0M
(L&R) Legal & Regulatory		Low level legal issue	Minor legal issue; non compliance and breaches of the law	Serious breach of law; investigation/report to authority, prosecution and/or moderate penalty possible	Major breach of the law; considerable prosecution and penalties	Very considerable penalties & prosecutions. Multiple law suits & jail terms
(R/S/C) Impact on Reputation / Social / Community		Slight impact - public awareness may exist but no public concern	Limited impact - local public concern	Considerable impact - regional public concern	National impact - national public concern	International impact - international public attention
Likelihood	Examples <small>(Consider near-hits as well as actual events)</small>	Risk Rating				
5 (Almost Certain)	The unwanted event has occurred frequently; occurs in order of one or more times per year & is likely to reoccur within 1 year	11 (M)	16 (H)	20 (H)	23 (Ex)	25 (Ex)
4 (Likely)	The unwanted event has occurred infrequently; occurs in order of less than once per year & is likely to reoccur within 5 years	7 (M)	12 (M)	17 (H)	21 (Ex)	24 (Ex)
3 (Possible)	The unwanted event has happened in the business at some time; or could happen within 10 years	4 (L)	8 (M)	13 (H)	18 (H)	22 (Ex)
2 (Unlikely)	The unwanted event has happened in the business at some time; or could happen within 20 years	2 (L)	5 (L)	9 (M)	14 (H)	19 (H)
1 (Rare)	The unwanted event has never been known to occur in the business; or it is highly unlikely that it will occur within 20 years	1 (L)	3 (L)	6 (M)	10 (M)	15 (H)

Risk Rating	Risk Level	Guidelines for Risk Matrix
21 to 25	(Ex) – Extreme	Eliminate, avoid, implement specific action plans/procedures to manage & monitor
13 to 20	(H) – High	Proactively manage
6 to 12	(M) – Medium	Actively manage
1 to 5	(L) – Low	Monitor & manage as appropriate

Version 4

Date Approved: 10 May 06

Appendix 6 Written Endorsement of AHP by Aboriginal Stakeholder Groups

24-JUN-2008 10:08:02

ANGLO COAL DRAYTON MINE

FAX NO. 0265420369

P. 01



Barry Anderson
Lower Wonnarua Tribal Consultancy
156 The Inlet Rd
Bulga NSW 2330

Anglo Coal (Drayton Management) Pty Ltd

Direct Fax +61 (0)2 6542 0369
Direct Line +61 (0)2 6542 0298

24 June 2008

Dear Barry

This is just a follow-up from the Cultural Heritage Meeting held on 4th June 2008 at Anglo Coal Drayton Mine. Giles Hamm is currently finalising the first draft of the Aboriginal Heritage Plan from our discussions at the meeting.

If you have any comments regarding these discussions, could you please respond below and return this to me as soon as possible, so they can be incorporated into the management plan. Please return by fax to 6542 0369.

If you have any questions, please feel free to contact me on 6542 0298.

Yours sincerely

Pam Simpson
Pam Simpson
Environment Coordinator

- The Lower Wonnarua Tribal Consultancy have no comments to add in regard to the Aboriginal Heritage Plan and support the completion of the draft in it's current form; or
- The Lower Wonnarua Tribal Consultancy wish to make the following comments ~~to the Aboriginal Heritage Plan~~: (please attach additional pages if you require more space)

*That we the LWTC be involved with the
Salvage & Collection*

Print Name: *Barry Anderson* Signature: *[Signature]*

Anglo Coal (Drayton Management) Pty Ltd
Thomas Mitchell Drive Muswellbrook 2333 Australia
Private Mail Bag No 9 Muswellbrook 2333 Australia
Tel +61 (0)2 6542 0200 Fax +61 (0)2 6542 5009 www.anglocoal.com.au



ABN 67 002 028 257
consultancy to meeting response.doc

with names approved process/with/aboriginal heritage letter to lower wonnarua tribal

A member of the Anglo American plc group



UNGOOROO



CULTURAL AND COMMUNITY SERVICES INCORPORATED

ABN: 84 564 711 323

8 Blaxland Avenue
Singleton NSW 2330
Mobile: 0405 204 722

Dear Pam

ungooroo Cultural + Community Services doesn't have a problem with the Aboriginal cultural Heritage Management plan, but we would like to be involved with anything regarding aboriginal Heritage.

Yours Sincerley

R Ward
Director.



12th August 2008

Att: Pam Simpson

Re: Anglo-Coal Drayton Aboriginal Cultural Heritage Management Plan

Dear Pam,

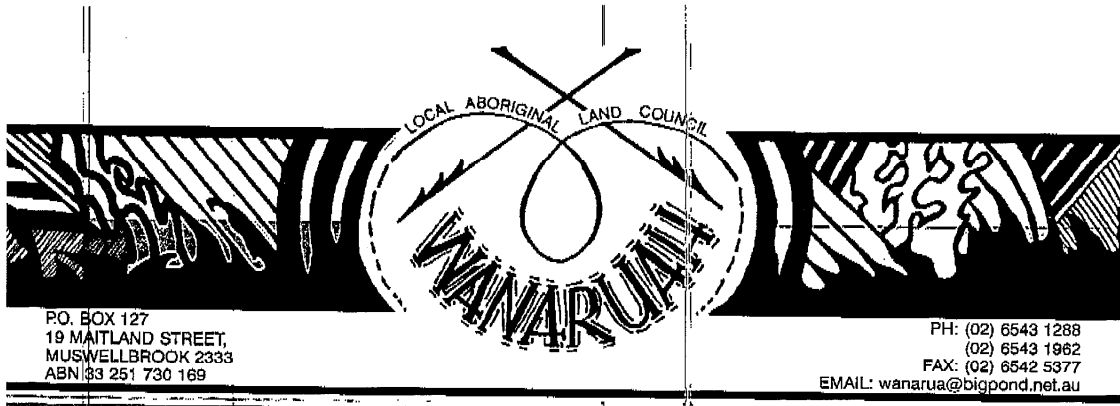
This is a letter from Ungooroo Aboriginal Corporation in support of the Anglo-Coal Management Plan and to show that as Cultural Heritage Site Work undertaken through Ungooroo Consultants, we agree with the survey methodology and would greatly like to be involved in future consultancy and projects that you may be undertaking. Any hassles, please do not hesitate to contact myself, Taasha Layer on 65 71 5111.

Regards,

A handwritten signature in black ink, appearing to read 'Taasha Layer', is written over the word 'Regards,'.

Taasha Layer
Project Manager
Ungooroo Aboriginal Corporation
taasha@ungooroo.com.au

PO Box 3095 Singleton NSW 2330
Phone: 02 6571 5111 Fax: 02 6571 5777
Web: www.ungooroo.com.au Email: ungooroo@bigpond.com
Ungooroo Aboriginal Corporation 26 George Street Singleton NSW 2330



30 September 2008

Ms P Simpson
 Environment Coordinator
 Anglo Coal (Drayton Management) Pty Ltd
 Thomas Mitchell Drive
 MUSWELLBROOK NSW 2333
 (Sent by fax: 6542 5009)

Pg 3/10/08

Dear Pam

RE: RESPONSE TO DRAFT CULTURAL HERITAGE PLAN

In response to your fax dated 30 September 2008, requesting comments on the draft Cultural Heritage Plan.

Generally, the Wanaruah LALC is in agreement with the methodologies for salvage and conservation methods. However, as you may recall, I contacted you on 24 July 2008 to inform you that I had reviewed the draft report and agreed with the recommendations that further consultation would need to be undertaken with regards to the management plan. I apologise that this was not conveyed to you in writing. I also relayed our concern that the initial survey work was now 3 years old (2005) and more sites could be identified, particularly in newly eroded areas. Further consultation was needed to discuss the final 'keeping place' for the artefacts collected either within a heritage management zone or with the Land Council etc. As at this date, no additional consultation has taken place prior to your finalization of the plan. I was informed that commencement of work out at the mine would begin sometime in October 2008.

Should you wish to discuss this matter further, please do not hesitate to contact me on 6543 1288.

Yours sincerely

Suzie Worth
 Cultural Heritage Officer
 Wanaruah Local Aboriginal Land Council



Hunter Valley Aboriginal Corporation

180-182 Bridge Street
P.O. Box 579
Muswellbrook NSW 2333



Phone: 02-65431180
Fax: 02-65431106
E-mail: hvacorp@bigpond.com.au
ABN: 78127059847

30th September 2008

Pam Simpson
Environment Coordinator
Drayton
Thomas Mitchell Drive
Muswellbrook NSW 2333

Pam

Re: Drayton's Coal's Cultural Heritage Management Plan

Thank you for Draft in regards to the above.

The staff have discussed the draft and agrees at this stage with the proposals laid out in the Cultural Heritage Management Plan.

When we finished reading the above report we all agreed to support the draft.

If you require any more information please do not hesitate to call.

Yours truly,

Barry Stair
Sites Officer

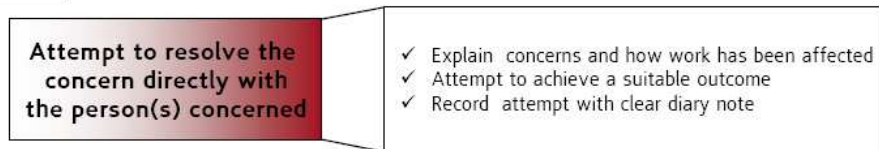


Building a positive future

Appendix 7 Conflict Resolution Procedure

Appendix B: Fair Treatment Flowchart

Preliminary Action



If this is not appropriate or successful

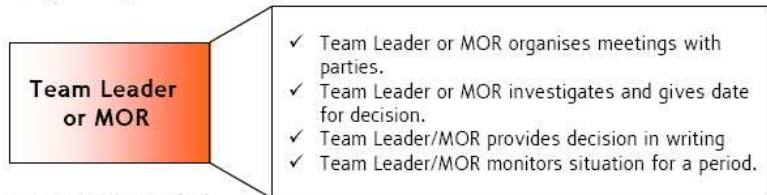


Fair Treatment Procedure commences

Step 1:

Employee completes Form and gives to Team Leader/ MOR

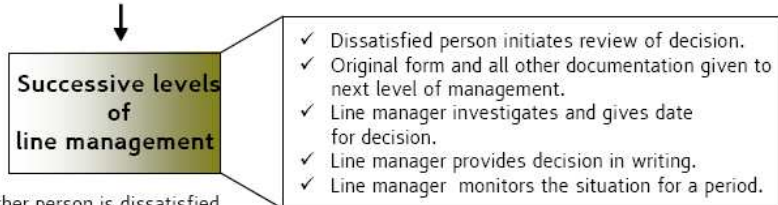
Step 2:



If either person is dissatisfied with decision



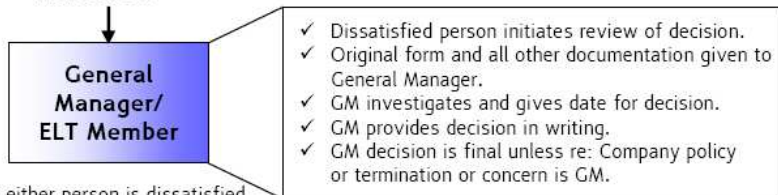
Step 3:



If either person is dissatisfied with decision



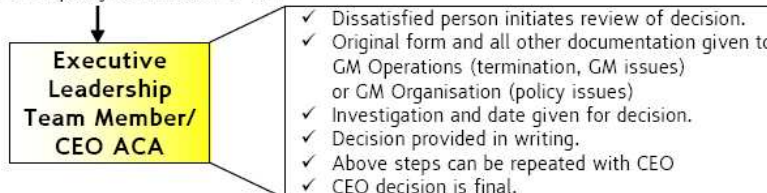
Step 4:



If either person is dissatisfied with decision AND concern is re: policy, termination or GM

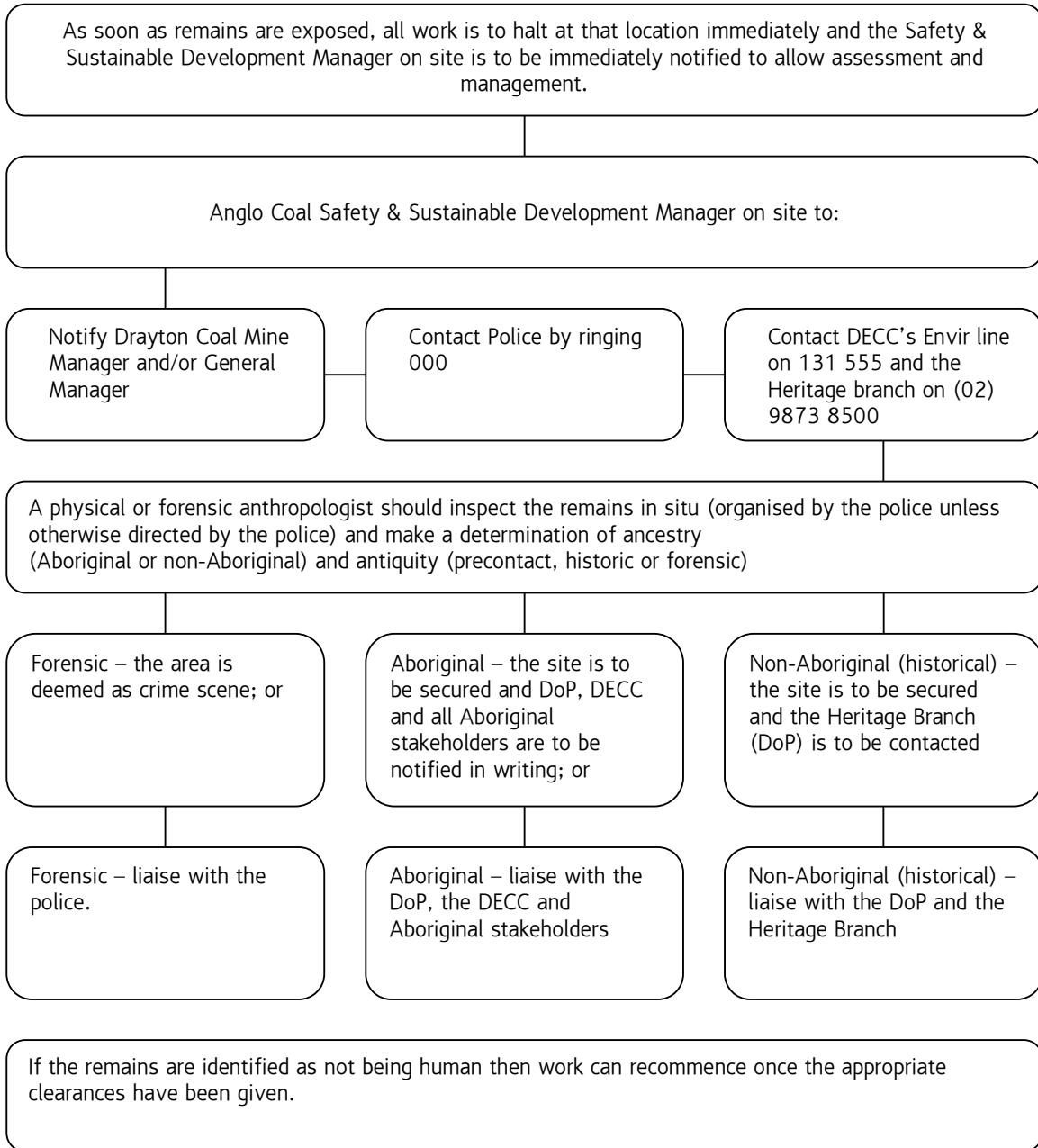


Step 5:



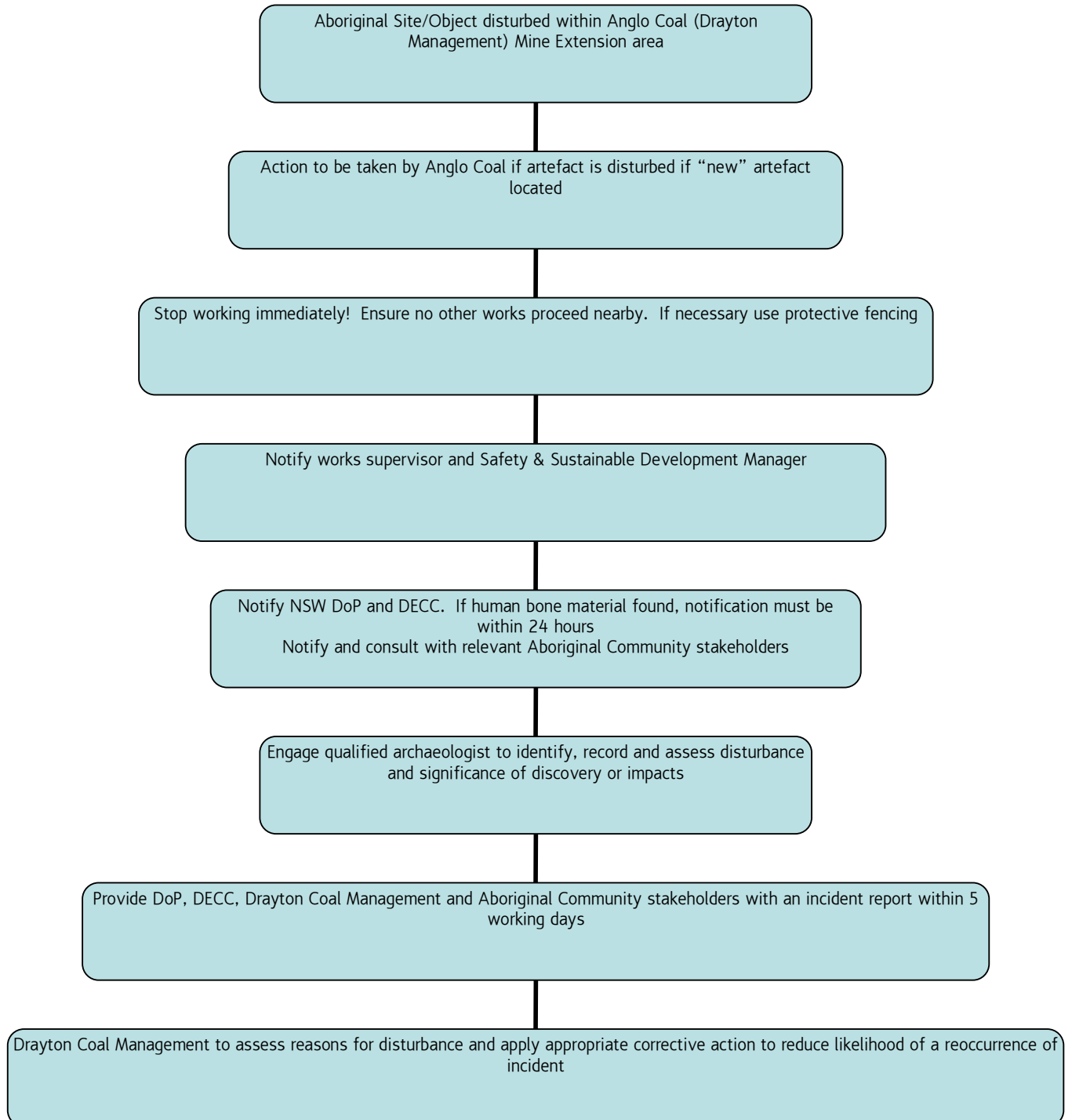
(Source: ACA Policy – Employee Standards)

Discovery of Skeletal Remains



Notification and Incident Reporting for Aboriginal Heritage Issues

Notification and Incident Reporting concerning Aboriginal Sites and Objects within the Drayton Extension Project Flowchart



Your reference :
Our reference : DCC08/56326 PL08/570
Contact : Nick Pulver (02) 6659 8225
Date : 18 December 2008

Pam Simpson – Environment Co-ordinator
Anglo Coal (Drayton Management) Pty. Ltd.
Private Mail Bag No. 9
MUSWELLBROOK NSW 2333

Dear Ms Simpson

Re: Draft Aboriginal Cultural Heritage Management Plan for the Drayton Mine Extension (ref 06_0202).

I refer to your letter to the Department of Environment and Climate Change (DECC), dated 24 November 2008 requesting comments on the Aboriginal Cultural Heritage Management Plan (ACHMP) for the Drayton Mine Extension.

While DECC acknowledges receipt of the ACHMP and appreciates the opportunity to comment, unfortunately we have not been able to complete a review of the document in the time available.

We understand that there is now a time imperative to submit the plan to the Department of Planning for their review and approval.

I do highlight the importance of ensuring that DECC's Aboriginal Heritage Information Management System database is updated, as the ACHMP is implemented, to reflect the current status of the project areas cultural heritage values.

If you have any additional questions regarding any of these matters, please contact Nick Pulver on (02) 6659 8225.

Yours sincerely



BRETT NUDD
A/Manager Planning and Aboriginal Heritage Section
North East Branch
Environment Protection Regulation Group

Locked Bag 914, Coffs Harbour NSW 2450
Federation House Level 7, 24 Moones Street,
Coffs Harbour NSW 2450
Tel: (02) 6651 5946 Fax: (02) 6651 6187
ABN 30 841 387 271
www.environment.nsw.gov.au

Department of **Environment and Conservation** NSW