

Aboriginal Cultural Heritage Management Plan

Camden Gas Project Joint Venture

Razorback Property, Menangle, NSW

Report to:

**AGL Gas Production (Camden) Pty Ltd
Sydney Gas (Camden) Operations Pty Ltd**

**Dominic Steele Consulting Archaeology
February 2007**

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Background

1.1 Introduction to this Aboriginal Heritage Management Plan

AGL Gas Production (Camden) Pty Limited and *Sydney Gas (Camden) Operations Pty Limited* propose in a *Joint Venture Project* to extract coal-bed methane gas from the Illawarra Coal Measures that underlie a group of properties collectively referred to as the Razorback property which is situated approximately 4km to the west of the Township of Menangle, in the Camden region of New South Wales.

Located approximately 60km to the south west of Sydney, the general location of the study area is illustrated in **Figure 1**. The Razorback property is bounded to the north and east by Finn's Road, to the west by Remembrance Driveway, and to the south by the BHP Mining Lease Area as indicated in **Figure 2**.

The proposal seeks to establish a series of gas production well sites, associated gas gathering lines for the delivery of gas from the well-heads to the Rosalind Park Gas Plant, and necessary access options on the Razorback property in the locations illustrated in **Figure 3** and described below.

An initial *Aboriginal Cultural Heritage Survey and Assessment Study* of the Razorback property was completed at the preliminary planning stages of the proposal over the period spanning March to June 2005 by *Dominic Steele Consulting Archaeology* (DSCA) in partnership with the *Tharawal Local Aboriginal Land Council* (TLALC) and the *Cubbitch Barta Native Title Claimants Aboriginal Corporation* (CBNTCAC). The preferred well site locations, potential gathering line routes, and possible access options for the proposal considered and assessed at that time are illustrated in **Figure 4**.

The results of these preliminary Aboriginal cultural heritage investigations were reported in the following document prepared by DSCA that comprised one of a wide range of due diligence studies undertaken during 2005 to inform an *Environmental Assessment* completed by the Proponents for the Razorback gas extraction proposal.

- *Aboriginal Archaeological Survey and Assessment Report for Twelve Proposed Gas Production Well Sites, Gathering Systems & Access Routes. The Razorback Property. Menangle, Camden, NSW. Report to Sydney Gas Limited. July 2005.*

As outlined in the following section of this report, a number of design modifications (see **Figure 3**) were subsequently made to the originally proposed 2005 Razorback gas field layout (as illustrated in **Figure 4**). A number of these changes were in part developed in response to the findings, conclusions and recommendations presented in the July 2005 Aboriginal heritage assessment. The final *Environmental Assessment* for the Razorback proposal was duly exhibited by the *Department of Planning* (DoP) between August and September 2006.

This *Aboriginal Cultural Heritage Management Plan* (ACHMP) has as a result been prepared in collaboration with the TLALC, the CBNTCAC and the *Department of Environment and Conservation* (DEC) to guide the Razorback proposal to ensure that future works on the

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property do not have an adverse impact upon the Aboriginal cultural heritage values of the land concerned.

1.2 Need for this Aboriginal Cultural Heritage Management Plan

Under *State Environmental Planning Policy 2005*, the Razorback property gas extraction proposal is classified as a Major Project according to Part 3A of the *Environmental Planning and Assessment Act* (1979), and consequently the Minister for Planning is the approval authority for the project.

The *Department of Planning* (DoP) exhibited the *Environmental Assessment* (EA) of the Razorback project between the 16th of August and the 20th of September 2006 in accordance with the requirements of section 75H of the *Environmental Planning and Assessment Act* (1979). Four submissions from Public Authorities were subsequently received including considerations and requirements provided by the *Department of Environment and Conservation* (DEC). No further submissions were received from the general public.

Amongst the key issues identified during the DoP's assessment of the project were the potential impacts to Aboriginal cultural heritage values on the Razorback property. The Department as a result determined that the Razorback EA satisfied the requirements for impacts of the project to be managed and/or mitigated in the future to ensure an acceptable level of environmental performance. The DEC provided the following comments in this regard:

'The Dec considers an adequate level of assessment has been undertaken and it is able to support the project, subject to the proponent making commitments [to] minimising disturbance to vegetation, and implementing recommendations of the [July 2005] Aboriginal cultural heritage investigation'.

The Minister for Planning, under Section 75J of the *Environmental Planning and Assessment Act* (1979), has approved the Razorback property gas extraction proposal (Project Application 06_0137) subject to the implementation of the conditions outlined below (as per the Schedules dated 9th of December 2006). The reasons for these conditions are to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- Provide for the on-going environmental management of the project.

Development Consent Condition No 13 for the Razorback property requires the Proponent to prepare and implement an *Aboriginal Cultural Heritage Management Plan* (ACHMP) for the project, in consultation with the DEC and relevant Aboriginal communities, and to the satisfaction of the Director-General of the *NSW Department of Planning*.

The plan is to be submitted to the Director-General prior to commencing construction (or as otherwise agreed by the Director-General) and shall include:

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- a) a description of the measures that would be implemented for the test excavation, mapping and salvage or relocation of the archaeological relics on RB5 IF1, RB5 Site1, and RB11 IF2;
- b) a description of the measures that would be implemented if any new Aboriginal objects are discovered during the project; and
- c) a protocol for the ongoing consultation and involvement of the Aboriginal communities in the conservation and management of Aboriginal cultural heritage on the site.

This *Aboriginal Cultural Heritage Management Plan* (ACHMP) addresses these *Aboriginal Heritage Consent Conditions* as detailed below.

1.3 The Nature and Scope of the Razorback Gas Field Proposal

1.3.1 Background

The proposed gas recovery process at the Razorback property will require a variety of activities to be completed over a series of consecutive construction stages. Each of these phases will result in varying levels of disturbance on the land that have the potential to impact upon previously documented and/or as yet undetected Aboriginal archaeological sites, objects and areas of possible Aboriginal cultural heritage sensitivity.

The nature and scope of future works proposed to be implemented on the Razorback property are described below.

1.3.2 Gas Production Well Sites

The proposed Razorback property well sites are to be located in cleared paddocks that have long histories of pasture improvement, and ongoing use for a range of agricultural activities including animal grazing and soil tilling. The preferred well site locations (see **Figure 3**) have been selected considering a range of environmental factors that include landform, topography, and subsurface geology. Where available, the preferred gas well sites on the Razorback property have targeted previously disturbed locations (as a result of past land-use practices) in order to reduce future disturbance to existing landforms.

The proposed construction footprints of the well sites illustrated in **Figure 3** will each occupy an area measuring approximately 70m by 100m, and will each include a drill pit measuring up to 25m by 25m in maximum dimension (that would be excavated to a depth of approximately 2m) for the purposes of retaining drill cuttings and associated water required for the fracking/drilling process.

The well sites would initially be fenced to define the precise area of operations, and would be subsequently reduced in size when the required construction works at the well-head are completed at a time where there remained only the need to secure the operational components of the well head.

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At the completion of drilling, necessary surface infrastructure at the well-head would be installed, after which time the site would be rehabilitated and the area of the fenced enclosure would be subsequently reduced.

1.3.3 Gas Gathering Systems

The proposed gas gathering systems will consist of a low pressure network of polyethylene pipes connecting the production wells to the Rosalind Park Gas Plant. Excavation for the installation of the pipes will generally extend to a depth of between 0.75m to 1.0m, and where possible the preferred alignments will follow existing (and disturbed) road surfaces, road verges and/or property boundaries (along fence lines etc) that retain limited subsurface integrity as a result of past grading works and ongoing impacts from vehicle traffic.

1.3.4 Access Roads

The access routes to the proposed well sites (as illustrated in **Figure 3**) will generally follow pre-existing unsealed vehicle access tracks and sealed roads, and their future use during the construction phases will therefore result in limited impacts.

1.3.5 Revisions to the Original 2005 Development Concept Design

As illustrated in **Figure 3**, a number of design changes to the Razorback gas field are now confirmed (as per the December 2006 DoP Consent Approval Conditions) that supersede a range of preliminary options previously assessed during the original March to June 2005 Aboriginal heritage investigation program (see **Figure 4**).

Principal amongst these changes include the removal of well sites RB1 and RB2 from the project.

These design modifications have therefore resulted in a significant reduction to possible future impacts to the documented and potential Razorback Aboriginal archaeological resource as reported in the original July 2005 *Aboriginal Archaeological Survey and Assessment Report*. These issues are reviewed below.

1.4 Statutory Context and Controls

1.4.1 Statutory Protection for Aboriginal Heritage

Two principal pieces of legislation provide automatic statutory protection for Aboriginal heritage and the requirements for its management in New South Wales. These are the *National Parks and Wildlife Act* (1974) and the *Environmental Planning and Assessment Act* (1979). The *National Parks & Wildlife Service* (NPWS) now comprises an administration branch of the *Department of Environment and Conservation* (DEC).

Potential implications of these statutory requirements for the Razorback Project within the context of the current Consent Conditions provided by the Minister for Planning (Project Approval 06_0137) are outlined and discussed below.

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1.4.2 National Parks & Wildlife Act (1974)

The *National Parks & Wildlife Act* (1974) provides statutory protection for all Aboriginal 'objects' (consisting of any material evidence of the Aboriginal occupation of NSW) under Section 90 of the Act, and for 'Aboriginal Places' (areas of cultural significance to the Aboriginal community) under Section 84. Aboriginal objects are afforded automatic statutory protection in NSW whereby it is an offence to:

'damage, deface or destroy Aboriginal sites without the prior consent of the Director-General of the National Parks and Wildlife Service' (now the DEC).

The Act defines an Aboriginal 'object' as:

'any deposit, object or material evidence (not being a handicraft for sale) relating to indigenous and non-European habitation of the area that comprises New South Wales, being habitation before or concurrent with the occupation of that area by persons of non-Aboriginal European extraction, and includes Aboriginal remains'.

The protection provided to Aboriginal objects applies irrespective of the level of their significance or issues of land tenure. However, areas are only gazetted as Aboriginal Places if the Minister is satisfied that sufficient evidence exists to demonstrate that the location was and/or is, of special significance to Aboriginal culture.

1.4.3 Implications for the Razorback Gas Extraction Project

In development circumstances where Part 3A of the *Environmental Planning and Assessment Act* (1979) does not apply, damage, destruction or removal of any Aboriginal 'places' or 'objects' is only permitted where a Permit or Consent has been issued by the Director-General of the DEC according to Sections 87 and 90 of the *NSW National Parks & Wildlife Act 1974* (as amended).

In these development circumstances, NPWS Permits and Consents are only granted where sufficient information is supplied in written form to the Director-General of the DEC from Aboriginal stakeholders, archaeologists and development proponents that demonstrate accuracy and transparency in the site assessment process and the good faith intended by each of these parties in applying for consent to either move, disturb and/or destroy statutorily protected objects.

Best practice advocates that development impacts to documented and/or potential sites of Aboriginal cultural heritage sensitivity be avoided where practicable and/or mitigated at the minimum, and that all decisions made for either course of action is to be made as a result of direct guidance provided by Aboriginal stakeholders.

This *Aboriginal Heritage Management Plan* for the Razorback Project has therefore been prepared to satisfy the requirements of the Director-General of the DEC and in accordance with the *Project Approval 06_0137 Conditions 13 (a) to (c)*.

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1.5 Scope and Objectives of this Management Plan

The scope and objectives of this *Aboriginal Heritage Management Plan* for the Razorback Project are as follows.

- To maintain active consultation throughout the course of the project with the *Tharawal Local Aboriginal Land Council (TLALC)* and *Cubbitch Barta Native Title Claimants Aboriginal Corporation (CBNTCAC)*.
- To incorporate into this *Aboriginal Heritage Management Plan* the advice and recommendations provided by the TLALC and the CBNTCAC for the project that augment the original findings, conclusions and recommendations previously reported in the July 2005 Aboriginal assessment documentation.
- To detail the measures to be implemented for the test excavation, salvage and/or relocation of the archaeological relics on RB5 IF1, RB5 Site1, and RB11 IF2 as per the Minister of Planning's *Development Consent Condition 13a*.
- To outline the measures to be implemented if any new Aboriginal objects are discovered during the project beyond those previously documented in the July 2005 Archaeological Assessment report (*Development Consent Condition 13b*).
- To outline a protocol for the ongoing consultation and involvement of the Aboriginal communities in the conservation and management of cultural heritage on the site (*Development Consent Condition 13c*).

1.6 Aboriginal Consultation Completed for the Project to Date

Aboriginal community liaison for the Razorback proposal was initiated by *Sydney Gas Operations Pty Limited* at an early stage of the planning process (February 2005). The initial Aboriginal community consultation program included a process of public notification and liaison that was completed according to the requirements of the DEC *Interim Community Consultation Requirements for Applicants* guidelines introduced in January 2005. A copy of the *Public Notification* issued in the print media for the project in February 2005 is appended to this document (**Appendix 4**).

Following the Public Notification and Registration process for the Razorback Project initiated by *Sydney Gas Operations Pty Limited* in February 2005, Dominic Steele of *Dominic Steele Consulting Archaeology (DSCA)* contacted in March 2005 the *Tharawal Local Aboriginal Land Council (TLALC)* and the *Cubbitch Barta Native Title Claimants Aboriginal Corporation (CBNTCAC)* and the nature and scope of the proposed Razorback Project was discussed prior to the inspection of the subject land.

No additional Aboriginal community groups beyond the TLALC and the CBNTCAC registered an interest in being involved in the consultation/assessment process of the subject land at that time, and no additional response from any other Aboriginal community organisation have been received to the present by the Development Proponents.

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Representatives of DSCA subsequently undertook a series of field surveys of different portions of the subject land over five separate days (spanning 14 March and 15 June 2005) in association with the TLALC (variously represented by Mrs Robyn Williams, Mr Cliff Foley and Mr Lance Syme) and the CBNTCAC (represented by Mrs Glenda Chalker).

These site inspections were progressively undertaken as design components of the overall development proposal were confirmed and/or amended during this period, and as land-access to the different locations across the Razorback property became available.

The field inspections were also attended on each occasion by representatives of *Sydney Gas Limited* who assisted in providing on-the-ground advice about the precise location of the proposed well site locations, gas line alignments, preferred access routes, and alternative options that were being considered.

The results of the combined archaeological surveys of the property, along with the conclusions and recommendations as documented in the July 2005 Assessment Report were duly discussed with the TLALC and the CBNTCAC. A draft copy of the document was also forwarded at that time to both organisations for review and comment.

The *Cultural Heritage Statements* prepared for the proposal by the TLALC and CBNTAC detailing their respective advice and recommendations concerning the Razorback gas field project were subsequently incorporated into the final July 2005 *Aboriginal Cultural Heritage Survey and Assessment Report* prepared for *Sydney Gas (Camden) Operations Pty Limited*.

The updated Aboriginal cultural heritage management protocols and measures for the Razorback property detailed in this *Aboriginal Heritage Management Plan* have been discussed with the TLALC and CBNTAC, and have as a result been developed in direct response to the advice and recommendations these organisations have provided for the project (see **Appendices 1, 2 and 5**).

The appended correspondence provided by these Aboriginal groups indicates their support of the Aboriginal cultural heritage management strategies that have been developed for the project as outlined in the following sections of this report.

1.7 Aboriginal Heritage Management Plan Structure

This *Aboriginal Heritage Management Plan* for the Razorback property gas extraction proposal presents the following:

- An introduction and background to the project (**Section 1.0**).
- A description of the environmental setting of the study area and the existing condition of the place relative to the project as previously reported in the July 2005 Assessment report (**Section 2.0**).
- A review of the findings, conclusions and recommendations previously documented for the 2005 Razorback property investigations that focuses on the specific sites/locations that are the subject of this *Aboriginal Heritage Management Plan* (**Section 3.0**).

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- The Aboriginal cultural heritage management protocols and measures proposed to be implemented in accordance with *Development Consent Conditions 13 (a) to (c)* for the project (**Section 4.0**).
- Supporting documentation (**Appendices 1 to 4**) including the *Cultural Heritage Statements* that have been prepared by the *Tharawal Local Aboriginal Land Council* and the *Cubbitch Barta Native Title Claimants Aboriginal Corporation* for the Razorback Project.

1.8 Authorship & Acknowledgements

This *Aboriginal Cultural Heritage Management Plan* (ACHMP) has been prepared by Dominic Steele of *Dominic Steele Consulting Archaeology* (DSCA) with valuable assistance provided by the following individuals and organisations. DSCA would like to acknowledge the advice and assistance that has been provided in the course of preparing this ACHMP.

Mrs Robyn Williams	<i>Tharawal Local Aboriginal Land Council</i>
Mrs Donna Whillock	<i>Tharawal Local Aboriginal Land Council</i>
Mrs Glenda Chalker	<i>Cubbitch Barta Native Title Claimants Aboriginal Corporation</i>
Mr Aaron Clifton	<i>AGL Gas Production (Camden) Pty Limited</i>
Mr Andrew Dudgeon	<i>AGL Gas Production (Camden) Pty Limited</i>
Mr Gavin Martin	<i>Department of Environment and Conservation</i>
Mrs Tanya Koeneman	<i>Department of Environment and Conservation</i>

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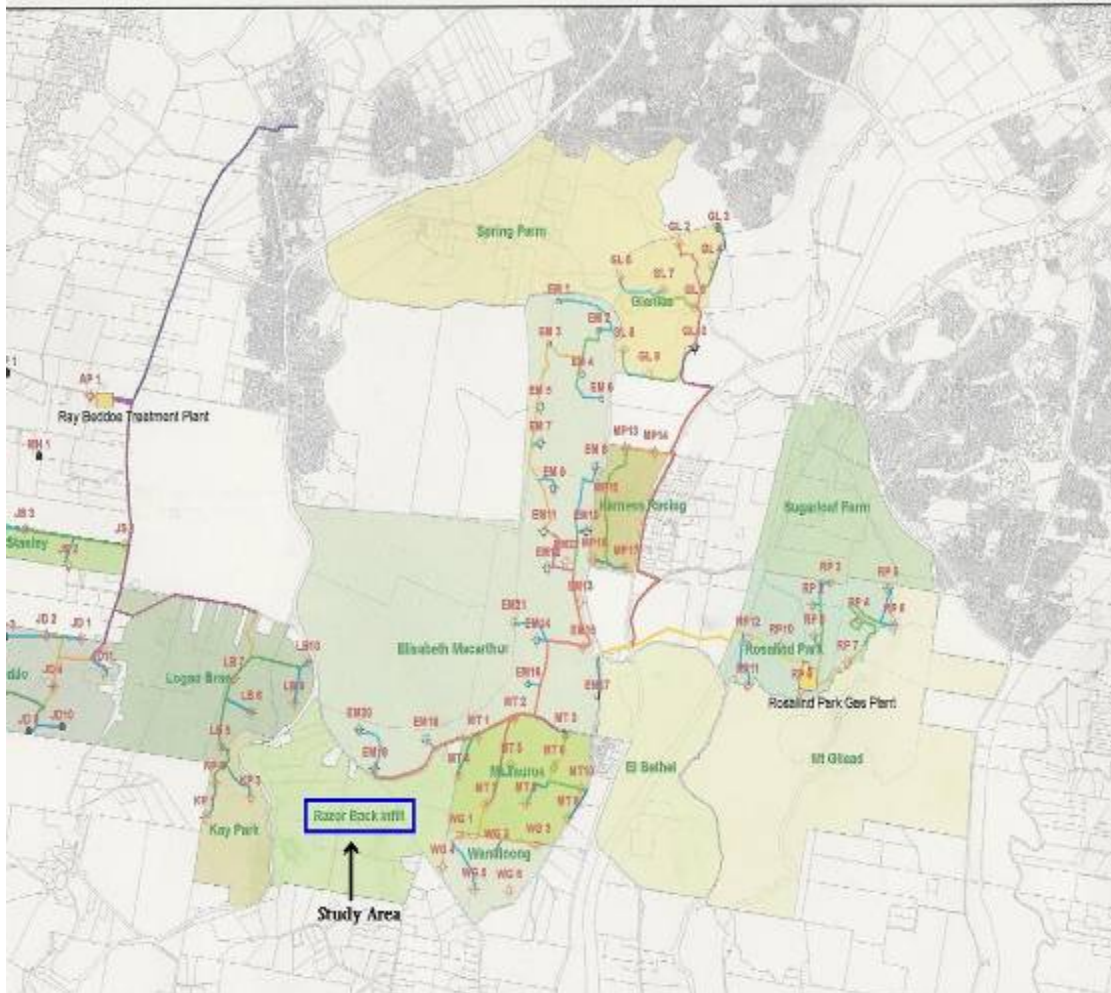
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Figure 1: General Location of the Study Area at Menangle



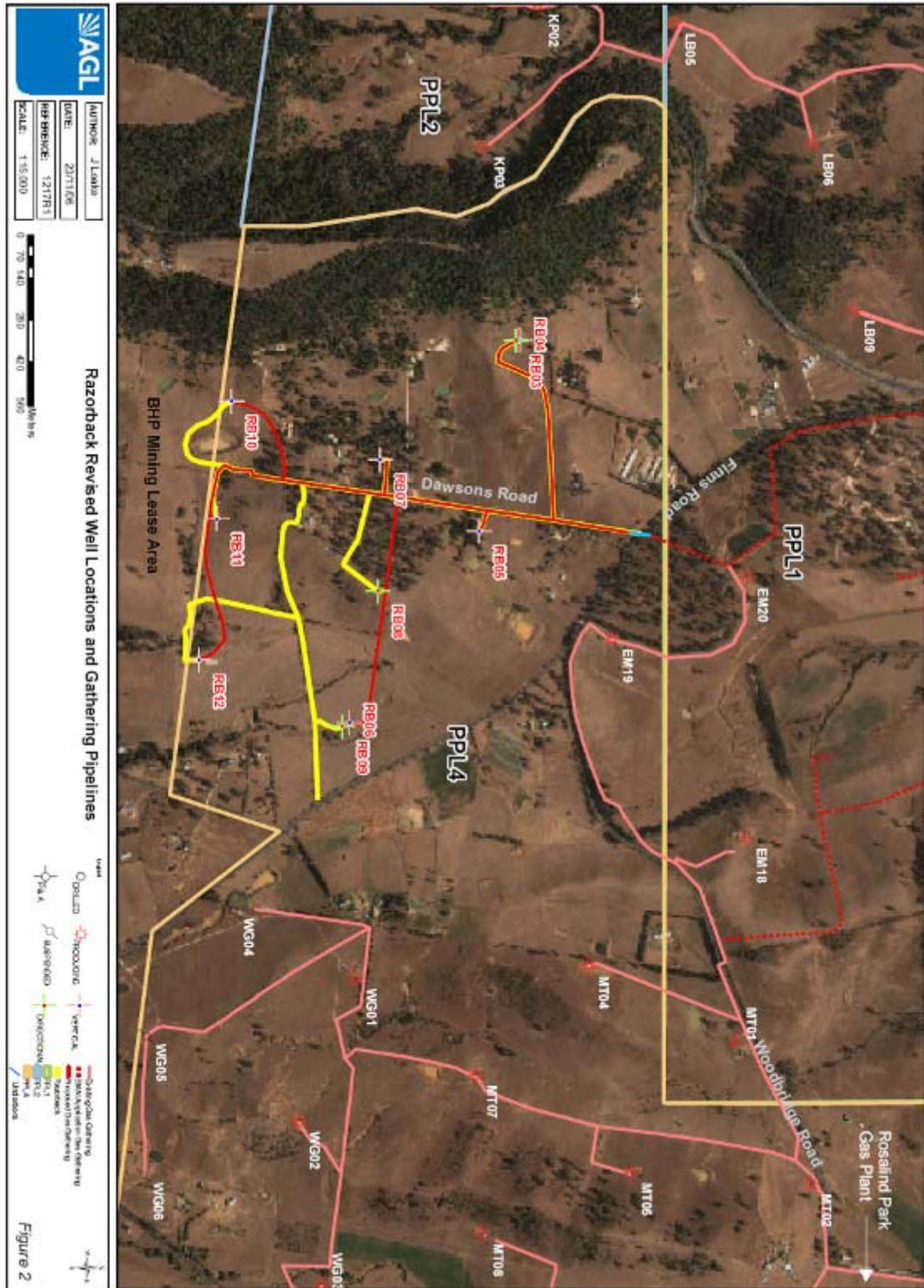
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Figure 2: Layout and Context of the Razorback Property



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Figure 3: Proposed 2007 Well Site, Gathering Line and Access Road Locations



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Figure 4: Original May 2005 Concept Design for the Razorback Property



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2.0 Environmental Context & Site Setting

2.1 Razorback Property Geology, Topography, Vegetation and Soils

The surface geology of the study area (overlying the Illawarra Coal Measures) comprises predominantly of shale units, inclusive of claystone, laminites, and sandstones of the Wianamatta Group. Local soil landscapes in the region include those of the Luddenham, Theresa Park and Blacktown Soil Landscape Groups, although Quaternary Alluvial deposits consisting of sand, silt and clay materials also occur, particularly along the margins of the Nepean River.

Within the Campbelltown/Camden area (inclusive of Menangle), the erosional Luddenham Soil Landscape is most prevalent. Luddenham Group soils are present on the undulating to rolling hills and ridges that occur throughout the Wianamatta Shales and are often associated with occasional outcrops of Minchinbury Sandstone. Soils commonly consist of shallow clay deposits on hill crests, and comprise moderately to deep soils on upper and lower slopes.

Prior to European settlement and occupation, two main vegetation communities would have dominated the Wianamatta Shales and podzolic soils of the study region. These would have consisted of *Grey Box Woodland* and *Grey Box-Ironbark Woodland*.

The majority of the original timber and associated understorey vegetation on the Razorback property has now been cleared. Isolated mature trees survive in places; although small stands of immature timber re-growth is predominant across most of the study area. Ground cover currently consists in the main of low pasture grasses that occur across various cleared agricultural paddocks.

The hydrology of the local landscape surrounding the subject site is dominated by a range of minor tributaries of Navigation Creek that run through (from north to south) the boundaries of the Razorback property. These tributaries may have in the past represented semi-permanent drinking-water points prior to European impacts that have now resulted in their filling and/or alteration of natural flows from damming and other agricultural/residential construction works.

2.2 Existing Condition of the Razorback Property

The majority of the proposed activity areas within the Razorback property are located within relatively disturbed landscapes that have been modified as a result of the accumulated impacts associated with the following types of land use practices:

- Early timber felling and vegetation clearance.
- Long histories of pasture improvement.
- Continual agricultural activities including animal grazing, dam construction, and soil tilling in places.
- Road and farm construction.

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The proposed well sites that are the subject of this *Aboriginal Heritage Management Plan* are to be located in cleared paddocks that have long histories of pasture improvement and use for agricultural activities including grazing, while the proposed gathering lines will largely follow existing road verges and/or established vehicle access tracks traversing cleared agricultural paddocks that display varying levels of disturbance (see **Figure 3**).

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Figures 8 and 9 The following finds, consisting of artefacts of silcrete, indurated mudstone/tuff, and quartz were recorded at this locality at the time:

- 1 indurated mudstone/tuff flake (1.1cm length x 1.5cm width x 0.3cm thickness) with step termination, crushed platform, and up to four dorsal flake scars.
- 1 indurated mudstone/tuff flake (1.8cm length x 1.0cm width x 0.9cm thickness) with flaked platform, and up to two dorsal flake scars.
- 1 quartz flake (1.1cm length x 1.0cm width x 0.2cm thickness) with feather termination and at least 2 dorsal flake scars.
- 1 red silcrete angular fragment (1.7cm maximum dimension).
- 1 red silcrete flake (1cm length x 0.9cm width x 0.2cm thickness) with stepped termination, faceted platform, and at least two dorsal flake scars.
- 1 red silcrete backed blade (1.9cm length x 0.7cm width x 0.5cm thickness).
- 1 white silcrete angular fragment (2.2cm maximum dimension).
- 1 white silcrete angular fragment (1.8cm maximum dimension).
- 1 white silcrete distal flake (0.5cm length x 0.8cm width x 0.2cm thickness) with feather termination and two dorsal scars.

The Aboriginal archaeological finds (and associated areas of Potential Archaeological Deposit that remained undetected at the time of the 2005 investigations) were coded as follows:

- RB5 Site 1.
- The GPS location (AMG 84) of this site and associated area of PAD is:



It was concluded in the July 2005 Assessment Report that the RB5 locality represented an area possessing moderate Aboriginal heritage sensitivity given the documented surface finds, with the possibility that further undetected evidence relating to past Aboriginal use of a wetland zone (now largely obscured by damming and/or other agricultural works) may also occur.

A number of possible management options were considered at that time for the RB5 locality to mitigate future impacts to the documented and potential Aboriginal archaeological resource. These included:

- The submission of an Application to the DEC for a S87 Permit (under the NPWS Act of 1974) to undertake preliminary testing of the RB5 Site1 in advance of any future works to identify the sensitivity of the place.
- Establishing the possible alignment of the proposed gathering line along the existing fence line (as opposed to through the centre of the property) to avoid impacting upon RB5 IF1.

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The measures now proposed to avoid future impacts to RB5 Site1 and RB5 IF1 are outlined in the following section of this ACHMP.

RB11 Well Site, Gathering Line and Access Options

An indicative view of the generally flat to gently undulating landscape in which the proposed RB11 well site and gathering line are to be sited (as recorded during the 2005 inspections) is illustrated in **Figure 11**. This location was observed to be largely cleared, heavily grassed, and incised by a meandering minor drainage line. The nature of the shallow and stony soils exposed over an area of approximately 50m by 50m across the creek banks in this locality are illustrated in the centre of this photograph.

One small isolated find of yellow mudstone (a broken flake measuring less than 0.5cm x 0.5cm in maximum dimension) was located during the 2005 inspections and was coded as follows:

- RB11 IF1.
- The GPS location (AMG 84) of this isolated find is:



A view of the largely eroded and graded nature of the locality inspected further to the east of the proposed RB11 well site in 2005 is outlined in **Figure 12**. Here, ground exposures were found to extend over an area of approximately 100m by 100m, and again displayed skeletal soil profiles. A second isolated find was located in the foreground of this illustration that occurred approximately 60m from the above artefact. This item consisted of a small quartz flake measuring less than 0.5cm x 0.5cm in maximum dimension and was coded as follows:

- RB11 IF2.
- The GPS location (AMG 84) of this isolated find is:



Detailed inspection of the extensive ground exposures present along the margins of the minor creek line, and in adjacent areas, failed to locate any further Aboriginal archaeological artefacts. It was concluded in the July 2005 report that a low-density background distribution of Aboriginal archaeological objects was most likely to be associated with this drainage line.

It was further assessed and reported in the July 2005 Archaeological Assessment that RB11 IF1 would not be affected by the proposed well site or gathering line proposed to be installed in this locality.

However, it was also concluded that RB11 IF2 appeared to occur within the vicinity of the proposed gathering line route, and to this end a number of options were considered in order to mitigate future impacts to this item. These options included clearly demarcating (through appropriate fencing and briefing of site contractors etc) the areas of potential sensitivity, and duly designing future works so as to avoid the documented items and their areas of PAD.

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Further survey of the proposed gathering line alignment extending to the west from the RB11 well site did not locate any additional finds, despite detailed inspection of extensive ground exposures that were provided by a number of cleared and recently ploughed (and up-cast) paddock deposits. This outcome was considered at the time to confirm the conclusion that this portion of the Razorback property was unlikely to contain as yet undetected significant archaeological deposits.

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Figure 5: General location of proposed RB5 well site (looking west). Note the cleared and grassed paddock with isolated stand of timber in the background.



Figure 6: Location of RB5 IF1 on surface of graded drainage channel in foreground (looking south). Note the stand of timber and creek in the background.

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Figure 7: RB5 IF1 quartz flake exposed on disturbed (up-cast) deposits.



Figure 8: Indicative view of timber stand and creek line (looking south) adjacent to the proposed RB5 well site. RB5 Site1 occurs in this locality.

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Figure 9: Location of RB5 Site1 (looking north east). Note the exposed creek banks and associated timber where the artefacts have been located.



Figure 10: A sample of the RB5 Site1 stone artefacts recorded during the current study (with possible backed blade indicated at the top).

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Figure 11: An indicative view of the proposed RB11 well site/gathering line location (looking west). Note the undulating landscape incised by a meandering creek line.



Figure 12: An indicative view of the proposed RB11 gathering line route (looking east). RB11 IF2 was located on this eroded exposure.

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3.2 Summary of the 2005 Razorback Property Assessment

3.2.1 Site Name, Location and Management Options

The following summary table outlining the potential impacts and possible management options proposed for RB5 IF1, RB5 Site1 and RB11 IF2 as adapted from the original *Aboriginal Archaeological Survey and Assessment Report* prepared for the Razorback Project in July 2005 is provided below. These preliminary management options/actions are outlined and expanded in greater detail in the following section of this *Aboriginal Heritage Management Plan*.

Site Name, Location and Management Options

Location	Archaeological Finds	Potential Impacts	Management Options
RB 5	RB 5 IF1	Gathering line and site access	Relocation of gathering line and access route and/or collection and relocation of find RB 5 IF1
	RB 5 Site1 (9 finds)	Gathering line, well site and access	Relocation of gathering line access and well site and /or collection and relocation of find RB 5 Site1 finds and/or test/salvage excavation
RB 11	RB 11 IF2	Gathering line	Relocation of gathering line and/or collection and relocation of find RB5 IF2

3.2.2 Preliminary 2005 Aboriginal Archaeological Significance Assessment

A preliminary significance assessment of the Aboriginal archaeological finds located and recorded during the 2005 Razorback property investigation program (inclusive of RB5 IF1, RB5 Site1, RB11 IF2, along with other sites and objects that will remain unaffected by the current proposal) was presented in the July 2005 *Archaeological Survey and Assessment Report* prepared by DSCA.

The 2005 significance assessment was based upon the consideration of three broad and generally accepted criteria (as per the *Australia ICOMOS Charter for the Conservation of Places of Cultural Significance* - Burra Charter) that embody the recognition that Aboriginal archaeological sites and places are valuable in a number of ways. These consisted of an evaluation of cultural (Aboriginal), public (educative) and scientific (archaeological) significance values. Namely, that Aboriginal archaeological sites and places are important to:

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- The Aboriginal community (as representing tangible links to their past both in the form of archaeological evidence and natural landscape values).
- The general public (for both their educational and broader heritage value).
- The scientific community (for their potential research value that may ultimately lead to both the clarification and augmentation of the criteria above).

The guidelines outlined in the NSW NPWS publication *Aboriginal Cultural Heritage: Standards and Guidelines Kit* (1997), along with the more recent DEC *Interim Community Consultation Guidelines* (2004), provided the basis for the preliminary significance assessment of the Aboriginal cultural heritage items identified at that time on the Razorback property as reported in the 2005 study. A summary of this assessment (with specific reference to RB5 IF1, RB5 Site1, and RB11 IF2) is provided below.

Cultural Significance

- The 2005 program of Aboriginal community consultation undertaken for the Razorback project with the *Tharawal Local Aboriginal Land Council* (TLALC) and the *Cubbitch Barta Native Title Claimants Aboriginal Corporation* (CBNTCAC) indicated that the subject land originally formed a part of a larger cultural landscape that was highly significant to the traditional Aboriginal owners of the Camden region for thousands of years prior to the arrival of Europeans, and the local landscape continued to be highly valued by the Aboriginal community today.
- The TLALC and CBNTCAC advised that past Aboriginal ownership and present Aboriginal attachment to the land should not be viewed as merely an issue of assessing a collection of individual sites/finds without evaluating their inter-connection and context.
- The TLALC and CBNTCAC advised that available archaeological/oral/documentary evidence in combination embodied the richness of the broader Aboriginal cultural landscape, and that it was important to recognise this issue given the amount of cultural heritage sites that have most likely been either unrecognised and/or destroyed over time as a result of ongoing development.

Public Significance

- The 2005 Razorback Aboriginal heritage investigations recorded in the main a sparse distribution of surface flaked stone artefacts located in largely disturbed contexts. The finds generally consisted of largely unremarkable items in terms of their overall character and composition when compared with other recorded (surface) assemblages in the local region.
- One exception (RB5 Site1) to the above evaluation of the identified Razorback property Aboriginal archaeological resource was assessed in 2005 to have potential educational value for the following (scientific) reasons:

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- The 2005 Razorback study concluded that the number of Aboriginal archaeological sites examined in detail (through subsurface excavation for example) within the Camden region was limited. This study further indicated that most previously recorded sites in the region consisted of isolated finds and/or low-density surface scatters of flaked stone artefacts that had commonly been identified in disturbed contexts. A precise understanding of the nature, content, and possible significance of many Aboriginal sites in the local area was as a result considered to be unclear at present.
- The recorded RB5 surface site (RB5 Site1) was reported in 2005 to contain a relatively diverse range of artefact types, raw materials, and items present in sufficient frequency that suggests the location may retain further subsurface evidence that had the potential to contribute new insights into an understanding of how Aboriginal people lived in the Camden region in the past.
- Finally, it was reported in the 2005 study that given that our understanding of past Aboriginal use of former wetland resource zones (such as may be in evidence at RB5 Site 1) was poorly understood to date in the Camden region, further investigation of this site had the potential to inform us about how people may have exploited such resource zones within a wider landscape context. This conclusion was supported by the fact that current archaeological predictive models suggest that principal river and creek confluence locations were more likely to have been subjected to intensive and repeated occupation and use as opposed to ephemeral water sources, and that the RB5 Site1 evidence would appear to conflict with these past models.

Scientific Significance

- A consideration of the condition and integrity of the Razorback Aboriginal archaeological finds located and reported during the 2005 investigations concluded that the gross topography of the property had been modified from ongoing land use activities, and that the majority of the original soil profiles observed had therefore been disturbed and/or truncated as a result of past agricultural/residential uses.
- Likewise, the 2005 study indicated that with the exception of RB5 Site1, most of the artefacts identified during the 2005 investigations were found to be located upon the surface of existing roads/tracks or on erosion scours present within cleared paddocks that continued to be used for a range of agricultural purposes. The majority of the Aboriginal find locations therefore displayed considerable levels of disturbance and the condition and integrity of the sites was assessed to be in the main poor.
- A consideration of the structure and contents of the finds recorded during the 2005 investigations concluded that the majority of the finds located were largely unremarkable in terms of their frequency, contents and composition. They were further considered to consist in the main of a low-density distribution of small quartz and silcrete flakes and flaked pieces that were likely to date to the Middle or Late

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Bondaian period that in most respects appears to be broadly comparable with other Aboriginal archaeological sites previously reported for the region.

- The RB5 Site1 surface finds however were found to display a greater range of raw material types and artefact numbers that suggested this location retained potential significance according to this category.
- A consideration of the representativeness of the finds recorded during the 2005 investigations concluded that with the exception of the RB5 surface finds, the flaked stone artefacts identified within the remainder of the Razorback property appeared to broadly reflect the archaeological patterning previously observed at other sites in the local landscape. Namely, the presence of disturbed soil profiles that have revealed (from surface survey only) only a limited indication of what was likely to have been a far more complex and diverse archaeological resource that would have existed across the land up until 1788.

3.2.3 Preliminary 2005 Heritage Impact Assessment for the Property

The background Aboriginal archaeological research, site inspection, analysis and preliminary assessment of the Razorback property undertaken in partnership in 2005 with the *Tharawal Local Aboriginal Land Council* and the *Cubbitch Barta Native Title Claimants Aboriginal Corporation* as reported by DSCA in July 2005 indicated the following:

- No *previously documented* Aboriginal archaeological sites or 'objects' had been identified to occur on the subject land at that time that would be affected by the proposed site works as conceived during the preliminary 2005 stages of the proposal.
- The originally proposed gas gathering line at RB1 had the potential to impact upon sites coded as RB1 IF1 and RB1 Site1 in the July Assessment Report. The removal of these well site and gas gathering lines options from the current project will therefore not now result on any impacts to these sites.
- The relocation of the RB4 well site would avoid impacting upon RB4 IF1. These design changes have now been confirmed (see **Figure 3**), and no foreseeable Aboriginal cultural heritage impacts will occur in this locality.
- The previously proposed RB5 well site, gathering line and access road had the potential to impact upon RB5 IF1, RB5 Site1, and associated area of PAD as reported by DSCA in July 2005.
- Management strategies to ensure the long-term conservation/preservation of the identified Aboriginal archaeological resource at this locality (RB5 Site1) are presented in the following section of this document,
- The proposed RB11 gathering line had the potential to impact upon RB11 IF2. RB11 IF1 would however remain unaffected by the proposal. Actions proposed to avoid impacts to RB11 IF2 are provided below.

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Research completed during the 2005 investigation program indicated that the likelihood of finding Aboriginal archaeological evidence in other locations on the property outside of the potential areas of sensitivity outlined above (that is *substantial* and *intact*) was minimal, given the accumulated impacts of past land use history.

It was expected that any (as yet *undetected*) evidence for past Aboriginal visitation and use that may be exposed by the proposed site works as conceived in 2005 would consist of isolated items of flaked stone and/or low-density distributions of artefacts that may be identified in relatively disturbed contexts.

3.2.4 2005 Preliminary Aboriginal Heritage Mitigation Options

A range of possible future Aboriginal cultural heritage mitigation actions and options were recommended for implementation in order to minimise/avoid disturbance to the documented and potential Aboriginal archaeological resource identified at the Razorback property as recorded in July 2005.

These actions/options, and their likely outcomes, were detailed in the *Aboriginal Cultural Heritage Survey and Assessment Study* completed for the place by DSCA at the preliminary planning stages of the proposal in partnership with the *Tharawal Local Aboriginal Land Council* (TLALC) and the *Cubbitch Barta Native Title Claimants Aboriginal Corporation* (CBNTCAC). These included the following:

- Undertaking a preliminary program of archaeological test excavation at RB5 Site1 in advance of the commencement of any future site works at the place to adequately evaluate the heritage sensitivity of the locality and to guide the future development that may be planned for the site.
- At the implementation phases of the Razorback Project (as and when approved), to brief site contractors about the nature of the archaeological sites on the property and issues of potential Aboriginal heritage sensitivity as works proceeded.
- Where any Aboriginal archaeological evidence may be exposed during construction phases, works should temporarily cease within the immediate vicinity of the find locality, be relocated to other areas of the site (allowing for an appropriate curtilage/buffer zone), and the DEC should be contacted and permission sought for the *Tharawal Local Aboriginal Land Council* and the *Cubbitch Barta Native Title Claimants Aboriginal Corporation* to record/salvage the items.

3.2.5 2005 Evaluation of the Aboriginal Sensitivity of the Property

On the basis of the above observations recorded during the 2005 investigations of the Razorback property, it was concluded that the Razorback Project (as initially conceived) was unlikely to have an adverse impact upon the Aboriginal cultural heritage values of the land concerned and should proceed as proposed, contingent upon the implementation of the actions and advice recommended at that time (as summarised below).

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3.2.6 2005 Recommendations of Advice for the Razorback Proposal

The recommendations for the Razorback property (with specific reference to RB5 IF1, RB5 Site1 and RB11 IF2) presented in the July 2005 Survey and Assessment report included the following:

- The liaison that had been established between the Development Proponents and the *Tharawal Local Aboriginal Land Council* and the *Cubbitch Barta Native Title Claimants Aboriginal Corporation* should be maintained in the future within the context of implementing the Aboriginal cultural heritage requirements for the RB5 and RB11 localities.
- Should it not be possible to design site works so as to avoid impacts to RB5 IF1 and RB11 IF2, an application for a S90 Heritage Impact Permit should be submitted to the Director-General of the *Department of Environment and Conservation* (DEC) to allow these items to be salvaged.
- An application for a S87 Permit should be submitted to the DEC for RB5 Site1 to allow a program of test excavation to be completed prior to the commencement of site works at the locality by a qualified archaeologist in conjunction with the *Tharawal Local Aboriginal Land Council* and the *Cubbitch Barta Native Title Claimants Aboriginal Corporation*.
- The testing program would aim to investigate the nature of the subsurface soil profiles across the site and determine whether significant evidence of past Aboriginal use and occupation survives on the land.
- Under Section 86 of the National Parks & Wildlife Act (1974), it is an offence to disturb or excavate land for the purpose of discovering an Aboriginal object, or disturb or move an Aboriginal object on any land, without first obtaining a permission from the Director-General of the *Department of Environment and Conservation* (DEC).
- The S87 application would need to be accompanied by all relevant documents, including a detailed research design prepared by a qualified archaeologist, as well as site register forms, technical reports and documentation of consultation with the relevant Aboriginal communities.
- The results of the test excavation and consultation process would determine the most effective way to manage the archaeological resource in conjunction with specific proposed development activities.
- Should any Aboriginal sites or objects be unearthed during future development works at other locations on the Razorback property, these activities should temporarily cease within the immediate vicinity of the find locality, be relocated to other areas of the site (allowing for a curtilage of at least 50m), and the *Department of Environment and Conservation* should be contacted and permission sought for the *Tharawal Local Aboriginal Land Council* and the *Cubbitch Barta Native Title Claimants Aboriginal Corporation* to record/salvage these items.

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A number of the original Aboriginal cultural heritage management recommendations for the Razorback Project presented in the 2005 study have since been modified as detailed in the following sections of this *Aboriginal Heritage Management Plan*. The Aboriginal cultural heritage management protocols and measures outlined below have been developed in accordance with *Project Approval Conditions 13 a to c* as required by the Minister of Planning, and in response to the following:

- The outcomes of ongoing consultation and advice that has been provided by the *Tharawal Local Aboriginal Land Council* and the *Cubbitch Barta Native Title Claimants Aboriginal Corporation* in the course of preparing this ACHMP.
- A consideration of the design changes to the Razorback gas field that have been confirmed by the Development Proponents that supersede a range of preliminary options previously assessed during the March to June 2005 investigation program of the property.

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4.0 Management Measures & Protocols

4.1 Future Razorback Aboriginal Cultural Heritage Management

In accordance with *Development Consent Condition No 13* (a to c) of the Razorback Project Approval, the following Aboriginal cultural heritage management protocols and mitigation strategies are proposed to be implemented to the satisfaction of the Director-General of the *NSW Department of Planning*.

The measures outlined below have been developed in response to advice that has been provided by Aboriginal community stakeholder groups for the Razorback Project and through consultation undertaken with the DEC. The management actions outlined below provide:

- a) a description of the measures that would be implemented for the test excavation, mapping and salvage or relocation of the archaeological relics on RB5 IF1, RB5 Site1, and RB11 IF2;
- b) a description of the measures that would be implemented if any new Aboriginal objects are discovered during the project; and
- c) a protocol for the ongoing consultation and involvement of the Aboriginal communities in the conservation and management of Aboriginal cultural heritage on the site.

4.2 Razorback Project Approval Condition No 13 (a)

The measures proposed for the future test excavation, mapping, salvage and/or relocation of the archaeological relics on RB5 IF1, RB5 Site1, and RB11 IF2 are as follows:

- It is proposed to collect and relocate isolated artefacts RB5 IF1 (if future works are confirmed that will disturb this item) and RB11 IF2 from their current positions on the subject land to ensure future development activities do not impact upon these items should it not prove possible to relocate future works in these localities. These issues are discussed in further detail below.
- Appropriate relocation sites on the Razorback property for these items would be determined in direct consultation with the *Tharawal Local Aboriginal Land Council* (TLALC) and the *Cubbitch Barta Native Title Claimants Aboriginal Corporation* (CBNTCAC).
- The precise details of where and when these items would be relocated by representatives of the TLALC and the CBNTCAC (prior to the commencement of site works on the property) would be accurately recorded and mapped by a suitably qualified archaeologist in partnership with these Aboriginal community organisations.
- Updated DEC Site Registration Cards/Reports for these isolated finds would consequently be submitted for accession onto the DEC *Aboriginal Heritage Information Systems* (AHIMS) *Site Register* to augment the records previously

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forwarded to the DEC for these finds during the 2005 *Aboriginal Archaeological Survey and Assessment Project* as reported by DSCA in July 2005.

- These records would be prepared by a suitably qualified archaeologist in conjunction with advice and input provided by the TLALC and CBNTCAC.
- There are currently no confirmed plans to drill at the RB5 well site locality as previously inspected, assessed and reported during the 2005 Razorback property Aboriginal heritage investigation program.
- The artefacts comprising RB5 Site1 recorded during the preliminary planning stage of the proposal in this locality in 2005 will therefore remain unaffected by the Razorback gas extraction project at this time.
- Should plans be confirmed in the future to undertake works in this portion of the Razorback property (with the potential to impact upon RB5 Site1), the TLALC and the CBNTCAC would be afforded an opportunity to review the design options and provide comment and advice prior to the confirmation of a preferred construction layout.
- Where practicable, all efforts would be made to avoid impacting upon RB5 Site1 and its associated areas of Potential Archaeological Deposit (PAD) as previously recorded and reported during the 2005 survey and assessment program. The advice provided by the TLALC and the CBNTCAC in this regard would serve to guide any future proposals for the RB5 locality.
- Should an evaluation of future design options for the RB5 locality indicate works had the potential to impact upon RB5 Site1, approval would be sought to undertake a preliminary program of test excavation prior to the commencement of construction activities.
- Preliminary test excavations at the RB5 locality would be directed by a *Research Design and Excavation Methodology* prepared by a suitably qualified archaeologist according to standard Aboriginal cultural heritage procedures and protocols as endorsed by the NPWS publication *Aboriginal Cultural Heritage Standards and Guidelines Kit* (1997).
- The *Research Design and Excavation Methodology* application would be developed in direct partnership with pertinent Aboriginal community stakeholder groups.
- The objectives of the testing program would be to determine whether significant evidence of past Aboriginal use and occupation was present at RB5 Site1 beyond the surface finds located, recorded and reported during the 2005 investigations.
- The results of the preliminary test excavation program and associated Aboriginal community consultation process would determine the most effective way to manage the RB5 Site1 Aboriginal archaeological resource relative to the works proposed for the RB5 locality.

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- Possible outcomes of the initial archaeological testing program would potentially include the need to redesign the proposal if significant archaeological deposits were encountered and/or further salvage archaeological excavation subject to the views and advice provided by Aboriginal stakeholder groups and the Director's-General of the DEC and DoP.

4.3 Razorback Project Approval Condition No 13 (b)

AGL Gas Production (Camden) Pty Limited propose to commence work on only those components of the Razorback infrastructure that will not impact upon any previously recorded Aboriginal cultural heritage sites, objects or areas of potential Aboriginal cultural heritage sensitivity as identified and reported in the 2005 Assessment Report (as summarised in the above sections of this *Aboriginal Heritage Management Plan*).

The measures proposed to be implemented if any new Aboriginal objects or sites are discovered during future construction phases of the Razorback gas extraction project are outlined below:

- Should any Aboriginal sites or objects be unearthed during future development works at locations on the Razorback property where no previously identified areas of potential cultural heritage sensitivity have been reported, these activities would temporarily cease within the immediate vicinity of the find locality and would be duly relocated to other areas of the subject land (allowing for an appropriate buffer zone of at least 50m).
- The Director's-General of the *Department of Environment and Conservation* and the *Department of Planning* would consequently be contacted to advise on the appropriate course(s) of action(s) in consultation with the *Tharawal Local Aboriginal Land Council* and the *Cubbitch Barta Native Title Claimants Aboriginal Corporation* for how best the evaluation, recording, salvage and/or relocation requirements of the item(s) would proceed prior to the recommencement of site works at the find(s) location(s) as deemed necessary by all stakeholder groups.
- The implementation of appropriate management actions (that could include the recording, collection, relocation of items and/or re-design of site works etc) would be undertaken according to standard Aboriginal cultural heritage procedures and protocols as endorsed in the NPWS publication *Aboriginal Cultural Heritage Standards and Guidelines Kit* (1997).

Additional actions are also proposed to be implemented prior to the commencement of each development phase on the Razorback property. These measures will serve to both mitigate adverse impacts to any as yet undetected Aboriginal archaeological features and deposits on the subject land that may be identified in the future, and also guide how sound Aboriginal cultural heritage management outcomes will be achieved in the future. These actions will include the following:

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- Briefing the Development Proponent's site managers and contractors about the nature of the Aboriginal archaeological sites recorded on the property to date, issues of potential Aboriginal heritage sensitivity previously reported during the initial 2005 investigations, and the statutory obligations of all parties with regard to the protection and reporting of Aboriginal cultural heritage sites and objects that may be exposed during future construction phases.
- Briefing the Development Proponent's site managers and contractors about the requirement to strictly adhere to the defined and designated impact zones throughout the course of the project (as per the Minister's Project Approval Conditions) to ensure all disturbances to the existing condition of the property are kept to a minimum.
- Briefing the Development Proponent's site managers and contractors about Aboriginal cultural heritage issues and protocols for the project would be undertaken by a qualified archaeologist in conjunction with the *Tharawal Local Aboriginal Land Council* and the *Cubbitch Barta Native Title Claimants Aboriginal Corporation* prior to the commencement of each construction phase of the project. Briefing would be carried out during the OH&S site induction process.
- The establishment of temporary fencing/signage prior to the commencement of each development phase on the property to clearly demarcate the location of previously identified Aboriginal cultural heritage sites/objects and/or areas of potential sensitivity relative to future construction schedules. These actions will help to avoid unwitting disturbance/destruction of the Razorback property Aboriginal archaeological resource during progressive construction phases on the subject land.
- The TLALC and the CBNTCAC providing the Development Proponents reasonable notice regarding the stages of works they may wish the opportunity to inspect during initial earthworks, at which time the Development Proponents would provide these organisations with reasonable notice of the construction timeframes and when those particular works would occur.
- The early identification of Aboriginal cultural heritage finds during initial site monitoring represents a prudent strategy that will allow appropriate management options/strategies to be developed and implemented while limiting undue time delays to the Razorback project development schedule.

4.4 Razorback Project Approval Condition No 13 (c)

The communication strategy to be implemented by the Development Proponent outlining the protocols for the ongoing consultation and involvement of pertinent Aboriginal community groups in the conservation and management of Aboriginal cultural heritage on the Razorback property (that support the above *Aboriginal Heritage Consent Conditions No 13 (a) and (b)* are provided below.

The Development Proponent recognize that Aboriginal community consultation acknowledges the rights of Aboriginal people to be directly involved and participate in matters that directly

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affect their heritage which is consistent with the policies detailed in the *NSW Government's Aboriginal Affairs Plan (2003-2012)*. The Government Plan promotes the ongoing and increased participation of Aboriginal community stakeholders in projects that may potentially affect Aboriginal cultural heritage values.

The Development Proponents are committed to maintaining an ongoing program of Aboriginal community consultation throughout the duration of the Razorback property gas extraction project and the following actions will be implemented as the development progresses.

- The liaison established between the Development Proponents and the *Tharawal Local Aboriginal Land Council (TLALC)* and the *Cubbitch Barta Native Title Claimants Aboriginal Corporation (CBNTCAC)* during the original 2005 investigations of the Razorback property will be maintained in the future within the context of implementing the Aboriginal cultural heritage requirements for the project as required by the *Minister for Planning (Aboriginal heritage Consent Conditions 15 a to c)*.
- No additional Aboriginal community groups beyond the TLALC and the CBNTCAC have registered an interest in being involved in the consultation/assessment process of the subject land to date. Should any additional Aboriginal community groups express an interest in the Razorback project in the future, their views would be duly considered by the Development Proponents and advice would be sought from the Director's-General of the *Department of Environment and Conservation* and the *Department of Planning* with regards to implementing the appropriate course(s) of action that may be required.
- Contact information for each of the nominated individuals representing the Development Proponents, the TLALC and the CBNTCAC for the project would be circulated to facilitate the ease of communication as works proceed. These details would also be provided to the Development Proponent's site managers and contractors at the induction phase of each successive construction phase.
- The Development Proponents propose to develop an appropriate schedule of contact between the nominated Communication Panel members (which may include regular meetings and/or the distribution of construction work updates as may be deemed necessary by the panel) to ensure adequate time and transparency is provided for the ongoing evaluation and management of Aboriginal cultural heritage issues as they may arise during the project in the future.
- The Development Proponents further propose to progressively report on, and 'sign-off', on successive construction phases of the Razorback property gas extraction project as they are completed. This reporting procedure would at each stage be endorsed by the Aboriginal stakeholder groups and forwarded to the *Department of Environment and Conservation* as necessary.
- Finally, prior to the commencement of future works on the Razorback property, the Communication Panel would establish a defined process for the lifecycle of the Aboriginal cultural heritage management strategies presented in this *Aboriginal*

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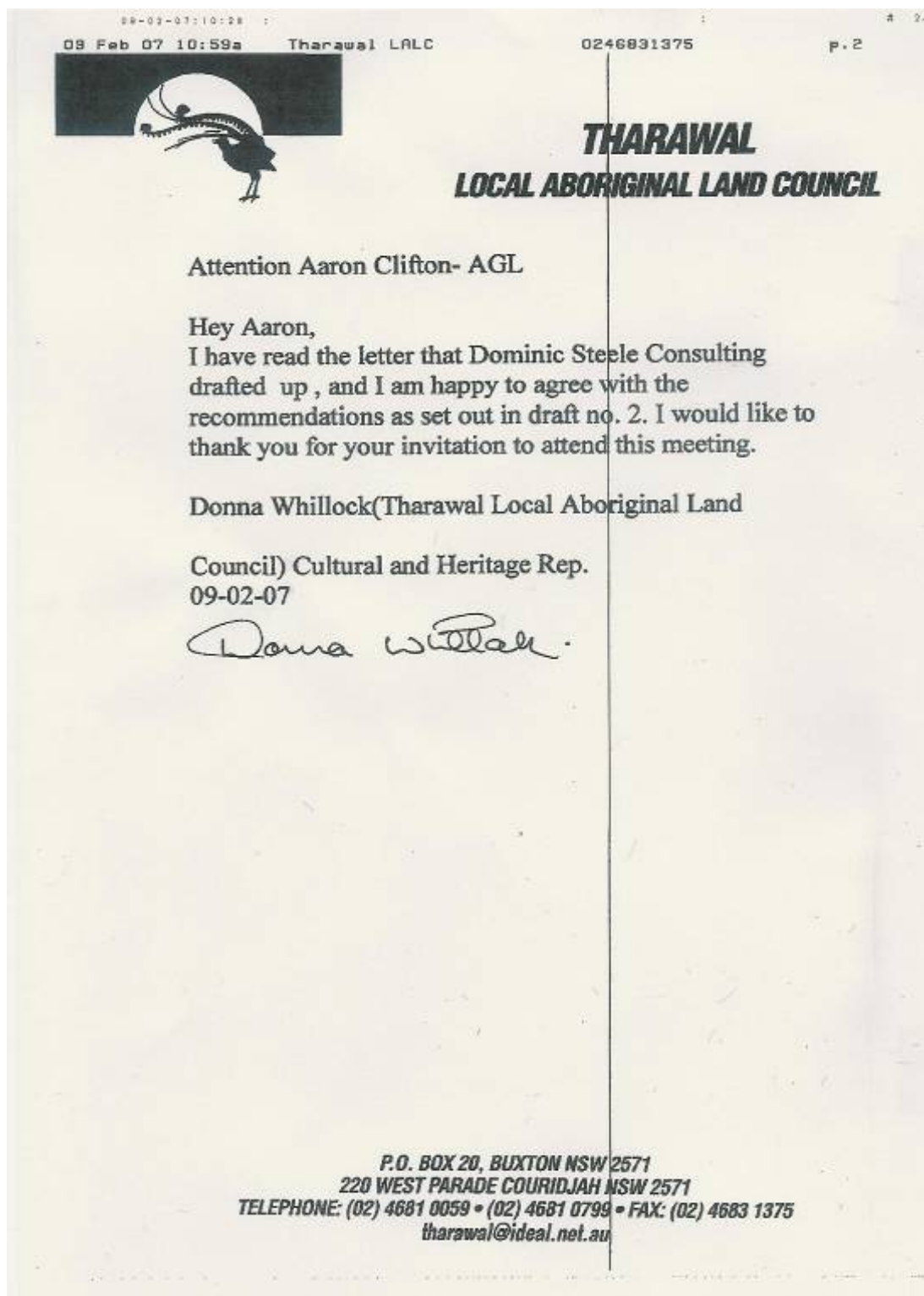
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Cultural Heritage Management Plan that would include the need for a review of this ACHMP should site works (with the potential to impact upon the Aboriginal cultural heritage values of the place) extend beyond one year and/or its extinguishment at such time as the project is completed to the satisfaction of all stakeholder groups.

Appendix 1

Tharawal Local Aboriginal Land Council Correspondence

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Appendix 2

Cubbitch Barta Native Title Claimants Aboriginal Corporation Correspondence

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Cubbitch Barta Native Title Claimants
Aboriginal Corporation
55 Nightingale Road,
PHEASANTS NEST, N.S.W. 2574.
11th February, 2007.

Dominic Steel Consulting Archaeology,
33 England Avenue,
MARRICKVILLE, N.S.W. 2204.

Dear Dominic,

RE; PLANS OF MANAGEMENT OF
EMAI & RAZORBACK.

I have reviewed the DRAFT II documents of both of the above projects by AGL, and are now in agreeance of the proposed plans of management.

I believe that if all of the proposed outcomes in the plans of management are properly acted upon, and with good faith of both parties, positive outcomes can be achieved in conserving and recording of the sites that are present, both those that have the potential to be impacted and those that are not.

Yours faithfully,

G. Chalker

Glenda Chalker
Hon. Chairperson
Phone/ Fax 02 46841129
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Appendix 3

References Reviewed in Support of this Aboriginal Cultural Heritage Management Plan

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Appendix 4

Public Notification – February 2005

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048005

*advertised
Tues 8 Feb.*

sydneygas

Sydney Gas has developed the coal seam methane process in the Shires of Camden, Wollondilly and Campbelltown under the project name, Camden Gas Project, since 2001. This process has involved the construction of well sites, sub-surface gathering lines and methane compression capacity at the Ray Beddoe and Rosalind Park plants.

When Sydney Gas commenced development in the Camden and Wollondilly districts the following organisations representing local Aboriginal people were contacted:

- Tharawal Local Aboriginal Land Council
- Cubbitch Barta Native Title Claimants

These organisations are the only groups who have provided field assistance or provided comment on findings since that time. At no time has any other organisation or person presented a claim to participate or to be consulted.

Works to date have followed the consultation and field work model as detailed:

- Consult with group by telephone as to proposed works and any potentially significant heritage issues;
- Participation in the initial field survey;
- Comment on results;
- Consultation during field work on any s87 or s90 implications, if the well site cannot be moved to a better location;
- Comment on s87 or s90 application;
- Participation in further studies; and
- Comment on results.

It is Sydney Gas' understanding that this model for consultation and field work meets the full requirements of the National Parks and Wildlife Act 1974. It is Sydney Gas' contention that the success of the model is a demonstration of requirements met.

Sydney Gas is continuing the development of the Camden Gas Project with the next drilling program at the Mt Gilead property. Sydney Gas invites registrations from interested groups or individuals other than the current organisations representing local Aboriginal groups. Sydney Gas will allow 10 working days, ie 18 of Feb, 2005, for registration of interest. The process of assessing the cultural heritage will then commence.

Please forward any registrations of interest directly to:
Sydney Gas Operations Pty Ltd
Level 11, 1 O'Connell Street
SYDNEY NSW 2000
Attn: Steve Mackowski, Manager, SEQ Compliance.

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone & Fax (02) 9569 5801 Mobile 0411 88 4232
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Appendix 5

Site Meeting Minutes – 24 January 2007

Draft Aboriginal Cultural Heritage Management Plan Camden Gas Project Joint Venture

Amendments to Draft Aboriginal CHMP resulting from a meeting held between AGL Gas Production (Camden) Pty Ltd, the Tharawal Local Aboriginal Land Council, the Cubbitch Barta Native Title Claimants Aboriginal Corporation, and Dominic Steele Consulting Archaeology on the 24th of January 2007.

Present:

Mr Aaron Clifton (AC) – AGL Gas Production (Camden) Pty Ltd

Mr Andrew Dudgeon (AD) – AGL Gas Production (Camden) Pty Ltd

Mrs Donna Whillock (DW) – Tharawal Local Aboriginal Land Council

Mrs Glenda Chalker (GC) – Cubbitch Barta Native Title Claimants Aboriginal Corporation

Mr Dominic Steele (DS) – Dominic Steele Consulting Archaeology

Ms Caroline Wilby (CW) – Dominic Steele Consulting Archaeology

Elizabeth Macarthur Agricultural Institute (EMAI), Menangle, New South Wales

▪ ***CPOS3 (open camp site located on the eastern side of Navigation Creek)***

The Draft Aboriginal CHMP (Sections 3.2.1, 3.2.3, 3.2.6, 4.1 & 4.2) recommended that the CPOS3 site be recorded in detail and the finds originally identified in 2000 and further evaluated in 2005 be relocated away from the proposed area of impact in the locality (the construction of the well-head). The rationale behind these recommendations was two-fold. The first was the assessed significance of the site and the comparisons that were drawn with EMAI Site 2 that occurs in a similar landscape context adjacent to Navigation Creek. The second was the potential for future site works to impact upon the locality, and the observation that CPOS3 had been disturbed by land-use practices during the period that had elapsed between 2000 and 2005.

GC suggested these recommendations should be modified. She agreed that detailed mapping and recording of the site should be undertaken but that the finds comprising CPOS3 should not be relocated and all efforts should be made to ensure future impacts to the site are avoided. GC further suggested that the landowners (Department of Primary Industries) and AGL site contractors working on or near the CPOS3 site in the future should be made aware of the sensitivity of the locality and be provided with a copy of the final Aboriginal CHMP.

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AC suggested it would be appropriate to include a recommendation within the amended Aboriginal CHMP that AGL would provide a copy of this document (and previously prepared supporting studies) to relevant land manager.

DS agreed with the suggested changes to the management recommendations and proposed actions for CPOS3 and these will be incorporated into the amended EMAI Aboriginal CHMP.

- **EMAI Site 4 (open camp site)**

The Draft Aboriginal CHMP (Section 3.2.1, 3.2.3, 3.2.6, 4.1 & 4.2) recommended that EMAI Site 4 be recorded, left *in situ* and surrounded by a temporary fencing during future construction phases and/or the artefacts be collected and relocated should it be concluded that future works had the potential to disturb this site.

GC suggested the EMAI Site 4 artefacts should not be relocated on the basis of the assurance provided by AC and AD that the site will not be impacted by the proposed development works in the locality in the future (the construction of the gathering line etc).

It was therefore decided by all parties to remove the second part of the recommendation for this site included in the Draft Aboriginal CHMP and leave it at fencing & recording as originally outlined.

DS agreed with the suggested changes to the management recommendations and proposed actions for EMAI Site 4 and these will be incorporated into the amended EMAI Aboriginal CHMP.

- **EMAI Site 1 (open camp site)**

The Draft Aboriginal CHMP (Section 3.2.1, 3.2.3, 3.2.6, 4.1 & 4.2) recommended that EMAI Site 1 be recorded in detail and relocated away from the proposed area of impact (the construction of the gathering line & use of the access road), or the proposed gathering line should be relocated. GC maintained that EMAI Site 1 should not be relocated as it is not likely to be significantly impacted by the proposed development.

AC and AD confirmed that the approved design changes to the gathering line route in this locality would avoid disturbance to EMAI Site 1.

DS re-iterated that future vehicle traffic on the existing track upon which the finds are located had the potential to further disperse the documented artefacts, but agreed at the same time that the items were located in an already highly disturbed context and the imperative to collect and relocate the finds was not warranted.

DS therefore agreed with the suggested changes to the management recommendations and proposed actions for EMAI Site 1 and these will be incorporated into the amended EMAI Aboriginal CHMP.

- **EMAI Site 5 (open camp site)**

The Draft Aboriginal CHMP (Section 3.2.1, 3.2.3, 3.2.6, 4.1 & 4.2) recommended that EMAI Site 5 be recorded in detail and relocated away from the area of future impact (construction of the gathering line & use of the access road) or the proposed gathering line

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should be relocated. GC suggested that EMAI Site 5 should not be relocated as it is not likely to be impacted by the proposed development.

It was therefore decided by all parties to modify the wording of the recommendation for this site included in the Draft Aboriginal CHMP and incorporate these changes into the amended EMAI Aboriginal CHMP.

- ***EMAI Site 6 (open camp site)***

The Draft Aboriginal CHMP (Section 3.2.1, 3.2.3, 3.2.6, 4.1 & 4.2) recommended that EMAI Site 6 should be recorded in detail and relocated away from the area of impact (the construction of gathering line & use of the access road) or the proposed gathering line should be relocated.

Both GC and DW stated that they were happy with the recording, collection and relocation of the artefacts at this site and that there was therefore no requirement to relocate the proposed gathering line in this locality.

DS agreed with the suggested changes to the management recommendations and proposed actions for EMAI Site 6 and these will be incorporated into the amended EMAI Aboriginal CHMP.

- ***EMAI Isolated Finds 1 & 2***

The Draft Aboriginal CHMP (Section 3.2.1, 3.2.3, 3.2.6, 4.1 & 4.2) recommended that EMAI IF1 be relocated to the EMAI Site 3 locality and that EMAI IF2 should be relocated away from the area of impact (the construction of the gathering line) or the gathering line be relocated.

Both GC and DW stated that they were happy with the relocation of both these artefacts and there was no requirement to relocate the gathering line in this locality, though the gathering line should preferably pass EMAI IF1 on the west side of the existing track.

DS agreed with the suggested changes to the management recommendations and proposed actions for EMAI IF 1 and EMAI IF 2 and these will be incorporated into the amended EMAI Aboriginal CHMP.

- ***CP IF2 (previously identified IF located near EM 30)***

The Draft Aboriginal CHMP does not provide any specific recommendations regarding this isolated find recorded in 2000 in so far as it did not form a part of the specific Development Approval Conditions requested by the Minister to which the Draft ACHMP was prepared to address.

It is mentioned in Section 3.1 (page 31) of the Draft. However, the item could not be relocated during the site inspections completed in 2005 and the area is not further dealt with in the Draft report.

GC stated that the identified location of CP IF2 is situated on a spur-line which is likely to possess Aboriginal cultural heritage sensitivity. GC further stated that several other sites have previously been identified along this ridge, including one which had been previously destroyed following the issuance of a S90 Consent.

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AC and AD stated that it would be difficult to move the location of the proposed construction works (the gas well and gathering line) on the ridge due to the topography and geology of the area.

AC and AD proposed that it may be possible to move the well 100-200 m to the east and away from the edge of the spur-line, but potential options in this regard would need to be reviewed keeping in mind there may be no acceptable alternative locations for the well site.

DS stated that he would review the original 2000 CP IF2 site card and any other relevant information available for the locality and that a final decision regarding possible management recommendations for this location would need to be reached when all information was collated.

AGL, Tharawal and Cubbitch Barta expressed a need to review these recommendations before the report was finalised.

- **EMAI Site 7 (open camp site)**

The Draft Aboriginal CHMP (Section 3.2.1, 3.2.3, 3.2.6, 4.1 & 4.2) recommended that EMAI Site 7 be recorded in detail and indicated that although it would not be impacted upon by future works, the erection of a temporary fencing around the site during construction phases would be appropriate to avoid unwitting disturbance

Both GC and DW stated that they believed both mapping and fencing should be conducted, and DS confirmed the amended ACHMP would re-affirm these future management actions.

- **Section 4.3 EMAI Project Approval Condition No. 15 (b)**

RE. Briefing/induction of AGL staff and sub-contractors etc (page 45):

Both GC and DW stated that they would like to review the heritage component of the induction/briefing material prior to finalisation. AC and AD confirmed this would occur.

RE. Provision of reasonable notice to Tharawal and Cubbitch Barta to inspect initial earthworks etc (page 45):

AC and AD stated that AGL had a slight problem with this condition/recommendation. AC proposed that it would be better if Tharawal and Cubbitch Barta first gave reasonable notice to AGL regarding the stages of works they wished to inspect, and AGL would then provide them with reasonable notice of the construction timeframe and when those particular works would occur.

All parties agreed that this approach was the most practical and DS confirmed that he would modify this section within the amended ACHMP to reflect this outcome.

- **Section 4.4 EMAI Project Approval Condition No. 15 (c)**

RE. Consultation issues (dot points on page 46):

AC suggested that these dot points be reworded slightly to make the section shorter and clearer. AC further suggested that the third dot point be incorporated into the fourth dot point; that dot point 5 should be taken out (as it is covered in dot point 6); dot point 8 be

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reworded, and dot points 9 and 10 be merged and reworded. DS confirmed these changes would be incorporated into the amended ACHMP.

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▪ **Site RB5 Well Site, Gathering Line and Access – location of Aboriginal sites RB5 Site 1 and RB5 IF1**

AC and AD stated that the proposed construction at Site RB5 had not been approved by the current landowner therefore the Aboriginal sites RB5 Site 1 and RB5 IF1 may not be impacted upon in the future.

However, AC further stated that the recommendations regarding these sites should be kept in the amended ACHMP in case AGL gets permission to construct the gas well on this land in the near future. The prudence of this action was agreed upon by all parties.

GC stated that the recommendations for the RB5 sites included in the Draft ACHMP however also needed slight clarification. Namely:

Section 3.2.6 of the original 2005 Recommendations of Advice prepared for the Razorback Proposal by Dominic Steele Consulting Archaeology was at that time referring to the need for appropriate S87 and S90 Permits and Consents to be in place prior to the commencement of future works at the locality as approved by the Director-General of the DEC.

GC duly agreed with the approach advocating a S87 Test Excavation for the RB5 sites, but argued that it should be specified somewhere in the amended Razorback ACHMP that a S87 Test Excavation would not necessarily lead to a S90 Consent.

DS stated that he would review this issue and attempt to reconcile such recommendations with the current Part 3A requirements format.

▪ **Section 4.4 EMAI Project Approval Condition No. 15 (c)**

RE. Consultation issues (dot points on pages 36-37):

AC and AD suggested that these sections of the Draft Razorback ACHMP be amended in the same manner as those in the Draft EMAI report. All parties agreed to this.

Meeting Minutes prepared by Dominic Steele and Caroline Wilby of *Dominic Steele Consulting Archaeology* on 29 January 2007 in consultation with AGL and forwarded to:

Mr Aaron Clifton	<i>AGL Gas Production (Camden) Pty Ltd</i>
Mr Andrew Dudgeon	<i>AGL Gas Production (Camden) Pty Ltd</i>
Mrs Donna Whillock	<i>Tharawal Local Aboriginal Land Council</i>
Mrs Glenda Chalker	<i>Cubbitch Barta Native Title Claimants Aboriginal Corporation</i>

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