

Our Ref: 1731B/PJ/PJ/AR/011210b

1 December 2010

Cherie Caroll Turrise
Gunjeewong Cultural Heritage Aboriginal Corporation
Lot 9 Sunny Corner Road
PORTLAND NSW 2847

Dear Cherie

Re: Tinda Creek Quarry Expansion - Environmental Assessment

1. Introduction

Hy-Tec Concrete & Aggregates (Hy-Tec) operate Tinda Creek, a sand quarry located 70 kilometres north from Windsor along Putty Rd, NSW. Hy-Tec would like to increase production levels from Tinda Creek Quarry from approximately 125,000 tonnes per year to approximately 300,000 tonnes per year and to increase the sand extraction area to possibly include two neighbouring lots (lots 1 and 3 in DP 628806). The final extraction area would be subject to geotechnical and environment assessment and constraints.

The proposed expansion of Tinda Creek Quarry will be a significant change to the existing development and will require a new development application to be lodged. As the proposed changes to the quarry will increase production to over 250,000 tonnes per year and may provide access to a resource of over 5 million tonnes, the development application is likely to be assessed under Part 3A of the *Environmental Planning and Assessment Act 1979*. Under these circumstances the Minister for Planning will be the determining authority for this development application.

2. Notification

As part of the EA process Hy-Tec is required to have a detailed Aboriginal Cultural Heritage and an Archaeological Assessment prepared. As part of the notification process required by the Department of Environment Climate Change and Water (DECCW), Hy-Tec placed advertisements in the Hawkesbury Gazette, Hawkesbury Courier and National Indigenous Times during October 2010. Also in compliance with the DECCW notification process, on 23 October 2010 Umwelt, on behalf of Hy-Tec, corresponded with Metropolitan Local Aboriginal Land Council (MLALC), DECCW, Office of the Registrar, New South Wales and Australian Capital Territory Registry, Native Title Services Corp, Hawkesbury Council and Hawkesbury-Nepean Catchment Management Authority (HNCMA). The letters sent requested information in relation to identifying known Aboriginal parties that may have an interest in being involved in consultation relevant to the Aboriginal cultural values of the area proposed for impact by the quarry expansion.

A total of eight Aboriginal parties were identified by DECCW, MLALC Hawkesbury Council and HNCMA during the notification process as possibly having an interest in involvement in the consultation process. **Table 1** lists all Aboriginal Parties identified during the DECCW notification process.

Table 1 - Aboriginal Parties Identified Through the Notification Process as Potentially Having an Interest in Consultation for the Project

Darug Custodial Aboriginal Corporation	Darug Aboriginal Land Care Inc	Deerubbin LALC**
Darug Tribal Aboriginal Corporation	Yarrowalk/Tocomwall	Hawkesbury-Nepean Catchment Management Authority
Darug Aboriginal Cultural Heritage Assessments	Gunjeewong Cultural Heritage Aboriginal Corporation	
Darug Land Observations	Metropolitan LALC	

**DECCW has identified Deerubbin LALC as potentially having an interest in the project area, however the project area is located in the MLALC boundary and thus outside Deerubbin LALC's boundary and area of interest.

As noted in **Table 1** Gunjeewong Cultural Heritage Aboriginal Corporation was identified as potentially having an interest in being consulted with for the Hy Tec project through the DECCW notification process. If Gunjeewong Cultural Heritage Aboriginal Corporation would like to be involved in the consultation for this project, please return **Attachment A** to:

Darryl Thiedeke
 Hy-Tec Industries T/A Hy-Tec Concrete & Aggregates
 PO Box 6770
 Silverwater NSW 1811
 email to: darryl.thiedeke@hy-tec.com.au

Closing date for registration in the project is **15 December 2010**. Hy-Tec is currently making contact with other groups/associations/corporations listed in **Table 1** to ascertain if they have an interest in consultation for the project.

3. Registration of Interest

As noted above, Hy-Tec is currently finalising the identification of Registered Aboriginal Parties. If no response is received from Gunjeewong Cultural Heritage Aboriginal Corporation by **15 December 2010** Hy-Tec will take that to mean that Gunjeewong Cultural Heritage Aboriginal Corporation does not wish to be consulted for this project.

4. Background Information

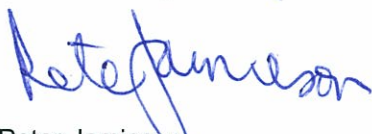
Included with this letter as **Attachment B** is an information package and proposed survey strategy regarding the Tinda Creek Expansion project. Total pedestrian survey is proposed for the new impact areas. Hy-Tec is proposing to hold an on-site meeting the morning of the survey to undertake a tour of the proposed quarry expansion areas and to discuss the proposed impacts with the participating registered Aboriginal parties. Throughout the tour a Hy-Tec quarry representative will be available to answer questions raised about the project. An Umwelt archaeologist will also be present to discuss the survey strategy to ensure that all participants are comfortable with the level of survey proposed (i.e. 100 per cent pedestrian survey).

It is estimated that the survey will only take half a day. Once the survey has been completed a brief post survey meeting is also proposed to discuss the results of the survey, the Aboriginal cultural significance of any sites identified (if any) and any site management/mitigation required. The outcomes of this meeting will then be incorporated into the draft assessment report which will be provided to all Registered Aboriginal Parties for broader group consideration and comment.

If Gunjeewong Cultural Heritage Aboriginal Corporation has any comments to make on the survey strategy, the closing date for these comments is **14 January 2011**. Hy-Tec is currently proposing to undertake the survey in early February 2011, and D will be contacted in mid to late January 2011 about a survey date and start time.

Hy-Tec is looking forward to building an excellent working relationship with the Registered Aboriginal Parties for this project and hope that through the proposed consultation program we can have meaningful discussions based on honesty, trust and mutual understanding.

Yours faithfully

A handwritten signature in blue ink that reads "Peter Jamieson". The signature is written in a cursive style with a large, sweeping initial 'P'.

Peter Jamieson
Director



Attachment A
Tinda Creek – Environmental Assessment
Registration of Interest

..... [insert the name of your group/association/corporation] would like to register an interest in consultation for the Aboriginal Cultural Heritage Assessment component of the Tinda Creek – Environmental Assessment.

We would like to register to participate in (please tick the appropriate box/boxes):

- meetings for the Aboriginal Cultural Heritage Assessment
- fieldwork for the Aboriginal Cultural Heritage Assessment
- reviewing the draft Aboriginal Cultural Heritage Assessment Report

Please note that meetings are proposed to occur during fieldwork - for groups who would like to participate in meetings and not fieldwork, alternate arrangements can be made.

This form should be signed by an authorised member of your group/association/corporation.

Signed by:..... [please insert name].

Position:..... [please insert position description eg. CEO, Manager].

Contact Details (please insert current contact details):

Address.

Phone:

Fax:

Mobile:

Email:

Please fax your registration form to Darryl Thiedeke on 9647 2924 or post your registration form to the address below

Darryl Thiedeke
Hy-Tec Industries T/A Hy-Tec Concrete & Aggregates
PO Box 6770
Silverwater NSW 1811

Or

Email your registration of interest to darryl.thiedeke@hy-tec.com.au

**Registrations of Interest to be returned to Hy-Tec by 5 pm 15 December 2010 -
Hy-Tec will contact registrants to discuss details for engagement**

Attachment B

Tinda Creek Quarry Expansion Project Description

Project Description

Hy-Tec Concrete & Aggregates (Hy-Tec) operate Tinda Creek, a sand quarry located 70km north from Windsor along Putty Rd, NSW. Hy-Tec would like to increase production levels from Tinda Creek Quarry from approximately 125,000 tonnes per year to approximately 300,000 tonnes per year and to increase the sand extraction area to possibly include two neighbouring lots (lots 1 and 3 in DP 628806). The final extraction area would be subject to geotechnical and environment assessment and constraints.

It is estimated that there is approximately 5.19 million tonnes of sand accessible. The two domains that contain this sand, the northwest extraction domain and the southeast extraction domain, are shown on **Figure 1**. The northwest domain and southeast domain cover areas of 12.14 hectares and 17.54 hectares respectively, with a combined area of approximately 29.68 hectares. Umwelt (Australia) Pty Limited (Umwelt) will be undertaking the necessary environmental assessments and assisting in attaining the approval for the proposal.

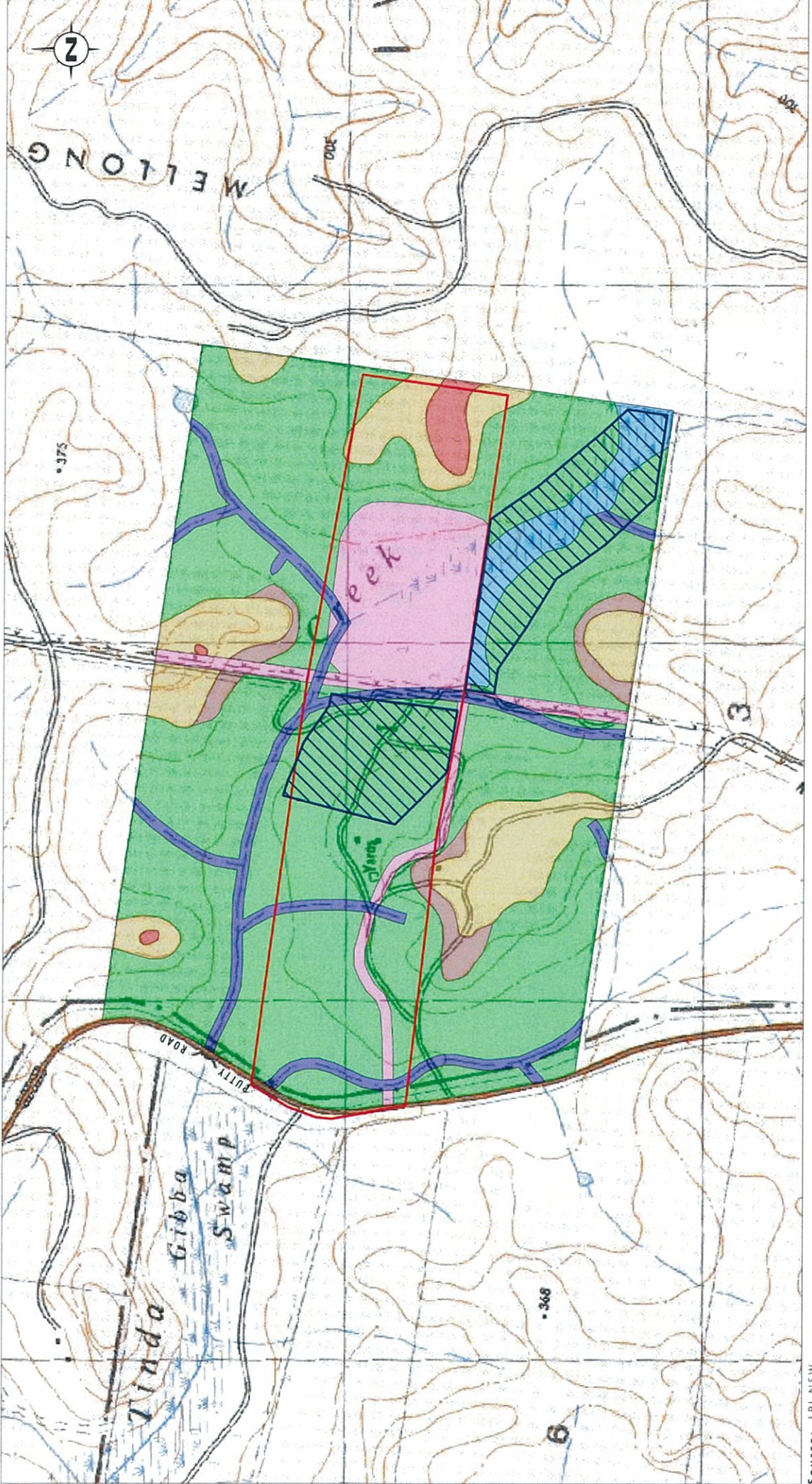
The proposed expansion of Tinda Creek Quarry will be a significant change to the existing development and will require a new development application to be lodged. As the proposed changes to the quarry will increase production to over 200,000 tonnes per year and may provide access to a resource of over 5 million tonnes, the development application is likely to be assessed under Part 3A of the *Environmental Planning and Assessment Act 1979*. Under these circumstances the Minister for Planning will be the determining authority for this development application.

Sand extraction in the proposed extensions would be a continuation of current operations. Sand extraction at the site currently involves dredging using a cutter suction dredge. Extracted sand is pumped to a screening and washing plant, then excess silt and tailings are removed from the dredged sand and returned to the dredge pond as slurry. Clay is stockpiled and used in ongoing in site rehabilitation works. The sand is passed through a cyclone to remove excess water before being stockpiled on site. It is then loaded into trucks using a front end loader and transported approximately one kilometre along a sand and gravel surfaced road to Putty Road.

Proposed Survey Strategy

The proposed extraction domains are the only areas proposed for new impacts. As the proposed impact area is only 30 hectares it is proposed that total (100 percent) pedestrian survey is undertaken of the proposed impact area (survey area). The objective for undertaking total survey on foot is to ensure that participants have the opportunity to inspect all areas proposed for impact and to assess the likelihood that the project has to impact on Aboriginal cultural heritage sites and values.

The survey area is located in the south eastern corner of the project area. As shown on **Figure 1**, the survey area is predominantly composed of low gradient slopes bordering a swamp which is the main topographic feature of the proposed impact area and the low gradient slopes west of the existing Tinda Creek Quarry. This area has been substantially cleared and impacted by historic land-use practices. Sandstone bedrock in this area is also reported to be highly weathered and in a state of decomposition.



0 250 500 750m
1:15 000

Source: LPI NSW

- Legend**
- Project Area
 - Modified Land
 - Spur Crest
 - Disturbance Area
 - Closed Depression (swamp land)
 - Open Depression (creek line)
 - High Point on Spur
 - Maximal Slope
 - Waning Upper Slope

FIGURE 1
Landform Elements

The project area is within a small parcel of privately owned land bounded to the north, east and south by Yengo National Park (NP) and to the west by the Wollemi NP (both NPs form part of the extensive Greater Blue Mountains World Heritage Area). The topography of the project area, as well as previous regional models for Aboriginal landscape use within the area suggest that the spur and ridge crests would have provided access to, and an easier means of moving through this steeply dissected landscape and to travel from the resource rich swamp country in the valleys to the steeper country the east and west. This is particularly relevant given the Aboriginal cultural importance of Mount Yengo (a declared Aboriginal Place) and other known art (painting and engraving sites), ceremonial sites and grinding groove sites within the adjacent NPs. These sites/places have been recorded as being highly significant to Aboriginal Peoples.

Unusually there is a paucity of artefact scatters (open camp sites) and isolated finds identified within the adjacent Yengo-Wollemi NPs as these are generally one of the more common site types found in NSW. However it is likely that existing information regarding site distribution within the NPs has been biased by the nature and focus of prior investigations which have targeted areas most likely to contain sandstone exposures suitable for engravings and grinding grooves and clifflines likely to have rockshelters with art (painting and engraving). Thus the registered sites in the broader landscape surrounding the project area are dominated by these, usually rarer, site types.

The generally undeveloped nature of the NPs and the known importance of the broader area for ceremonial gatherings indicate that sites such as camp sites (artefact scatters) scarred trees, carved trees, ceremonial sites, stone arrangements and burials may also exist in the broader area. Of these, carved trees, ceremonial sites, stone arrangements and burials are relatively uncommon within the archaeological record generally due to issues of preservation.

Based on the environmental context of the proposed project impact area it is considered that Aboriginal people may have utilised the area periodically for the purposes of hunting and gathering whilst moving through the landscape. Thus, artefact scatters and isolated finds are the most likely site type to occur in this area and are most likely to be located in association with the watercourses and swamp. It is considered that any artefact scatters are likely to be relatively limited in extent when compared with artefact scatters that maybe located in association with more permanent watercourses and the larger swamplands in the vicinity. Grinding groove sites if they occurred in the vicinity would most likely have been associated with the creeklines, however, grinding grooves are unlikely to have survived due to the highly weathered nature of the sandstone bedrock. Scarred trees are unlikely due to the high levels of prior vegetation clearance in the project area. Other site types such as art sites and rockshelters will not be present due to the lack of suitable geology and carved, trees, stone arrangements and burials if ever present are unlikely to have survived disturbance caused from land clearance and other historic use of the area.

Based on the predictive model and on the limited size of the proposed impact area, survey will encompass the whole area proposed for impact with a special focus on the banks of the creek lines, swamp, and vehicle tracks as these are the most likely areas to have exposures that may have visible artefacts. All sandstone outcrops will be inspected for grinding grooves and engravings and all remnant mature trees will be inspected for scars/carving. No impacts are proposed for any steep terrain or high country.

If you have any comments regarding the survey strategy, please provide them on **Attachment C** survey strategy faxback. Comments on the survey strategy are required by close of business on **Friday 14 January 2011**. If comment is not received we will take it that Gunjeewong Cultural Heritage Aboriginal Corporation agrees with the proposed survey strategy.

It is estimated that the survey itself will take half a day, with the remainder of the day used for on site meetings.

Proposed Project Timeframe

Table 1 shows a proposed timetable for the project. If Gunjeewong Cultural Heritage Aboriginal Corporation has any questions or concerns regarding this timeframe, please include them in your comments on **Attachment C**, or if you would like to discuss any matters within the documentation you have been provided please call Amanda Reynolds or Jan Wilson (Umwelt) or email on (02) 4950 5322 or areynolds@umwelt.com.au or jwilson@umwelt.com.au.

Date	Milestone	Aboriginal Party Requirements
30 November	Survey strategy sent out	Comment/response by 14 January 2011
30 November	Invitation to DECCW identified Aboriginal parties to register	Response 15 December 2010
14 January 2011	Response to survey strategy	Comment/response required
2 February 2011	Survey and onsite meetings	Field survey and meetings
March 2011*	Draft report for comment	Comment on report during April 2011*

* These are currently proposed timeframes, and will depend on results of the survey

At the end of the registration period Hy-Tec will contact registrants to discuss details for engagement.

Survey Method:.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

General Comment:.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

Submission Form Completed By (please print):.....
Position within Organisation:
Signed:
Dated:

Comment on the draft survey strategy is requested by:
close of business Friday 14 January 2011

Our Ref: 1731B/PJ/PJ/AR/011210a

1 December 2010

John Lennis
Catchment Officer (Aboriginal Communities)
Hawkesbury-Napean CMA
PO Box 4515
PENRITH WESTFIELDS NSW 2750

Dear John

Re: Tinda Creek Quarry Expansion - Environmental Assessment

1. Introduction

Hy-Tec Concrete & Aggregates (Hy-Tec) operate Tinda Creek, a sand quarry located 70 kilometres north from Windsor along Putty Rd, NSW. Hy-Tec would like to increase production levels from Tinda Creek Quarry from approximately 125,000 tonnes per year to approximately 300,000 tonnes per year and to increase the sand extraction area to possibly include two neighbouring lots (Lots 1 and 3 in DP 628806). The final extraction area would be subject to geotechnical and environment assessment and constraints.

The proposed expansion of Tinda Creek Quarry will be a significant change to the existing development and will require a new development application to be lodged. As the proposed changes to the quarry will increase production to over 250,000 tonnes per year and may provide access to a resource of over 5 million tonnes, the development application is likely to be assessed under Part 3A of the *Environmental Planning and Assessment Act 1979*. Under these circumstances the Minister for Planning will be the determining authority for this development application.

2. Notification

As part of the EA process Hy-Tec is required to have a detailed Aboriginal Cultural Heritage and an Archaeological Assessment prepared. As part of the notification process required by the Department of Environment Climate Change and Water (DECCW), Hy-Tec placed advertisements in the Hawkesbury Gazette, Hawkesbury Courier and National Indigenous Times in October 2010. Also in compliance with the DECCW notification process, on 23 October 2010 Umwelt on behalf of Hy-Tec, corresponded with Metropolitan Local Aboriginal Land Council (MLALC), DECCW, Office of the Registrar, New South Wales and Australian Capital Territory Registry, Native Title Services Corp, Hawkesbury Council and Hawkesbury-Nepean Catchment Management Authority (HNCMA). The letters sent requested information in relation to identifying known Aboriginal parties that may have an interest in being involved in consultation relevant to the Aboriginal cultural values of the area proposed for impact by the quarry expansion.

A total of eight Aboriginal parties were identified by DECCW, MLALC Hawkesbury Council and HNCMA during the notification process as possibly having an interest in involvement in the consultation process. **Table 1** lists all Aboriginal Parties identified during the DECCW notification process.

Table 1 - Aboriginal parties identified through the notification process as potentially having an interest in consultation for the project

Darug Custodial Aboriginal Corporation	Darug Aboriginal Land Care Inc	Deerubbin LALC**
Darug Tribal Aboriginal Corporation	Yarrowalk/Tocomwall	Hawkesbury-Nepean Catchment Management Authority
Darug Aboriginal Cultural Heritage Assessments	Gunjeewong Cultural Heritage Aboriginal Corporation	
Darug Land Observations	Metropolitan LALC	

**DECCW has identified Deerubbin LALC as potentially having an interest in the project area, however the project area is located in the MLALC boundary and thus outside Deerubbin LALC's boundary and area of interest.

Catchment Officer (Aboriginal Communities) Hawkesbury-Napean CMA has been placed on the Hy-Tec Register of Aboriginal Parties based on your response to the notification process. Hy-Tec is currently making contact with other groups/associations/corporations listed in **Table 1** to ascertain if they do have an interest in consultation for the project.

3. Registration of Interest

As noted above, Hy-Tec is currently finalising the identification of Registered Aboriginal Parties. Closing date for registration is **15 December 2010**. As Catchment Officer (Aboriginal Communities) Hawkesbury-Napean CMA has already registered there is no need for you to respond again by this date.

4. Background Information

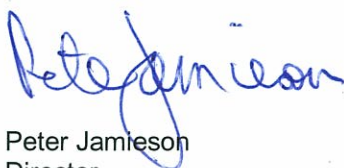
Included with this letter as **Attachment A** is an information package and proposed survey strategy regarding the Tinda Creek Expansion project. Total pedestrian survey is proposed for the new impact areas. Hy-Tec is proposing to hold an on-site meeting the morning of the survey to undertake a tour of the proposed quarry expansion areas and to discuss the proposed impacts with the participating registered Aboriginal parties. Throughout the tour a Hy-Tec quarry representative will be available to answer questions raised about the project. An Umwelt archaeologist will also be present to discuss the survey strategy to ensure that all participants are comfortable with the level of survey proposed (i.e. 100 per cent pedestrian survey).

It is estimated that the survey will only take half a day. Once the survey has been completed a brief post survey meeting is also proposed to discuss the results of the survey, the Aboriginal cultural significance of any sites identified (if any) and any site management/mitigation required. The outcomes of this meeting will then be incorporated into the draft assessment report which will be provided to all Registered Aboriginal Parties for broader group consideration and comment.

If Catchment Officer (Aboriginal Communities) Hawkesbury-Napean CMA has any comments to make on the survey strategy, the closing date for these comments is **14 January 2011**. Hy-Tec is currently proposing to undertake the survey in early February 2011, and Catchment Officer (Aboriginal Communities) Hawkesbury-Napean CMA will be contacted in mid to late January 2011 about a survey date and start time.

Hy-Tec is looking forward to building an excellent working relationship with the Registered Aboriginal Parties for this project and hope that through the proposed consultation program we can have meaningful discussions based on honesty, trust and mutual understanding.

Yours faithfully



Peter Jamieson
Director

Attachment A

Tinda Creek Quarry Expansion Project Description

Project Description

Hy-Tec Concrete & Aggregates (Hy-Tec) operate Tinda Creek, a sand quarry located 70 kilometres north from Windsor along Putty Rd, NSW. Hy-Tec would like to increase production levels from Tinda Creek Quarry from approximately 125,000 tonnes per year to approximately 300,000 tonnes per year and to increase the sand extraction area to possibly include two neighbouring lots (lots 1 and 3 in DP 628806). The final extraction area would be subject to geotechnical and environment assessment and constraints.

It is estimated that there is approximately 5.19 million tonnes of sand accessible. The two domains that contain this sand, the northwest extraction domain and the southeast extraction domain, are shown on **Figure 1**. The northwest domain and southeast domain cover areas of 12.14 hectares and 17.54 hectares respectively, with a combined area of approximately 29.68 hectares. Umwelt (Australia) Pty Limited (Umwelt) will be undertaking the necessary environmental assessments and assisting in attaining the approval for the proposal.

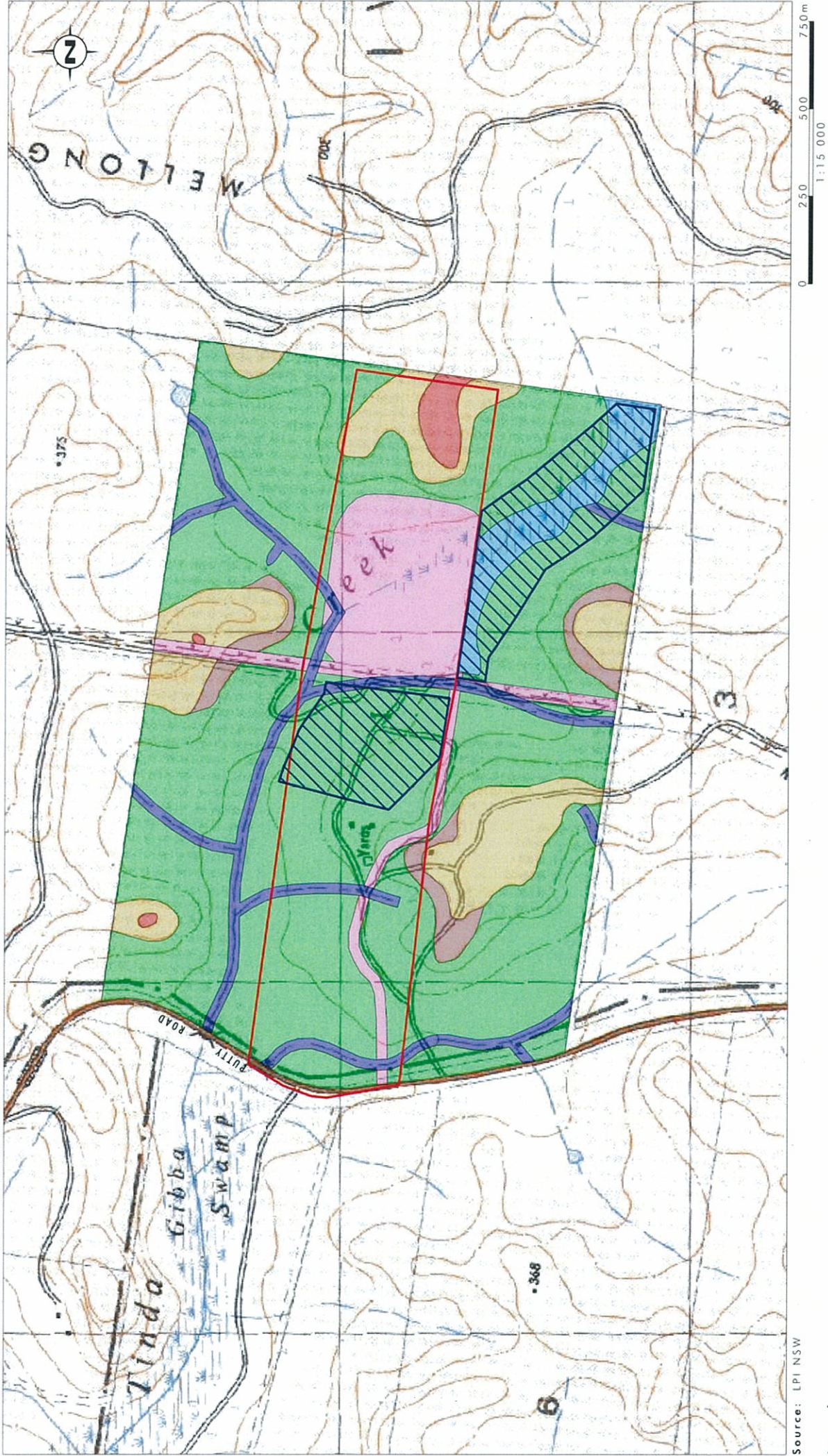
The proposed expansion of Tinda Creek Quarry will be a significant change to the existing development and will require a new development application to be lodged. As the proposed changes to the quarry will increase production to over 250,000 tonnes per year and may provide access to a resource of over 5 million tonnes, the development application is likely to be assessed under Part 3A of the *Environmental Planning and Assessment Act 1979*. Under these circumstances the Minister for Planning will be the determining authority for this development application.

Sand extraction in the proposed extensions would be a continuation of current operations. Sand extraction at the site currently involves dredging using a cutter suction dredge. Extracted sand is pumped to a screening and washing plant, then excess silt and tailings are removed from the dredged sand and returned to the dredge pond as slurry. Clay is stockpiled and used in ongoing in site rehabilitation works. The sand is passed through a cyclone to remove excess water before being stockpiled on site. It is then loaded into trucks using a front end loader and transported approximately one kilometre along a sand and gravel surfaced road to Putty Road.

Proposed Survey Strategy

The proposed extraction area is the only area proposed for new impacts. As the proposed impact area is only 30 hectares it is proposed that total (100 per cent) pedestrian survey is undertaken of the proposed impact area (survey area). The objective for undertaking total survey on foot is to ensure that participants have the opportunity to inspect all areas proposed for impact and to assess the likelihood that the project has to impact on Aboriginal cultural heritage sites and values.

The survey area is located in the south eastern corner of the project area. As shown on **Figure 1**, the survey area is predominantly composed of low gradient slopes bordering a swamp which is the main topographic feature of the proposed impact area and the low gradient slopes west of the existing Tinda Creek Quarry. This area has been substantially cleared and impacted by historic land-use practices. Sandstone bedrock in this area is also reported to be highly weathered and in a state of decomposition.



Source: LPI NSW

- Legend**
- Project Area
 - Modified Land
 - Disturbance Area
 - Spur Crest
 - Closed Depression (swamp land)
 - Open Depression (creek line)
 - High Point on Spur
 - Maximal Slope
 - Waning Upper Slope

FIGURE 1
Landform Elements

The project area is within a small parcel of privately owned land bounded to the north, east and south by Yengo National Park (NP) and to the west by the Wollemi NP (both NPs form part of the extensive Greater Blue Mountains World Heritage Area). The topography of the project area, as well as previous regional models for Aboriginal landscape use within the area suggest that the spur and ridge crests would have provided access to, and an easier means of moving through this steeply dissected landscape and to travel from the resource rich swamp country in the valleys to the steeper country the east and west. This is particularly relevant given the Aboriginal cultural importance of Mount Yengo (a declared Aboriginal Place) and other known art (painting and engraving sites), ceremonial sites and grinding groove sites within the adjacent NPs. These sites/places have been recorded as being highly significant to Aboriginal Peoples.

Unusually there is a paucity of artefact scatters (open camp sites) and isolated finds identified within the adjacent Yengo-Wollemi NPs as these are generally one of the more common site types found in NSW. It is likely, however, that existing information regarding site distribution within the NPs has been biased by the nature and focus of prior investigations which have targeted areas most likely to contain sandstone exposures suitable for engravings and grinding grooves and clifflines likely to have rockshelters with art (painting and engraving). Thus the registered sites in the broader landscape surrounding the project area are dominated by these, usually rarer, site types.

The generally undeveloped nature of the NPs and the known importance of the broader area for ceremonial gatherings indicate that sites such as camp sites (artefact scatters) scarred trees, carved trees, ceremonial sites, stone arrangements and burials may also exist in the broader area. Of these, carved trees, ceremonial sites, stone arrangements and burials are relatively uncommon within the archaeological record generally due to issues of preservation.

Based on the environmental context of the proposed project impact area it is considered that Aboriginal people may have utilised the area periodically for the purposes of hunting and gathering whilst moving through the landscape. Thus, artefact scatters and isolated finds are the most likely site type to occur in this area and are most likely to be located in association with the watercourses and swamp. It is considered that any artefact scatters are likely to be relatively limited in extent when compared with artefact scatters that maybe located in association with more permanent watercourses and the larger swamplands in the vicinity. Grinding groove sites if they occurred in the vicinity would most likely have been associated with the creeklines, however, grinding grooves are unlikely to have survived due to the highly weathered nature of the sandstone bedrock. Scarred trees are unlikely due to the high levels of prior vegetation clearance in the project area. Other site types such as art sites and rockshelters will not be present due to the lack of suitable geology and carved, trees, stone arrangements and burials if ever present are unlikely to have survived disturbance caused from land clearance and other historic use of the area.

Based on the predictive model and on the limited size of the proposed impact area, survey will encompass the whole area proposed for impact with a special focus on the banks of the creek lines, swamp, and vehicle tracks as these are the most likely areas to have exposures that may have visible artefacts. All sandstone outcrops will be inspected for grinding grooves and engravings and all remnant mature trees will be inspected for scars/carving. No impacts are proposed for any steep terrain or high country.

If you have any comments regarding the survey strategy, please provide them on **Attachment B** survey strategy faxback. Comments on the survey strategy are required by close of business on **Friday 14 January 2011**. If comment is not received we will take it that Catchment Officer (Aboriginal Communities) Hawkesbury-Nepean CMA agrees with the proposed survey strategy.

It is estimated that the survey itself will take half a day, with the remainder of the day used for on site meetings.

Proposed Project Timeframe

Table 1 shows a proposed timetable for the project. If Catchment Officer (Aboriginal Communities) Hawkesbury-Nepean CMA has any questions or concerns regarding this timeframe, please include them in your comments on **Attachment B**, or if you would like to discuss any matters within the documentation you have been provided please call Amanda Reynolds or Jan Wilson (Umwelt) or email on (02) 4950 5322 or areynolds@umwelt.com.au or jwilson@umwelt.com.au.

Date	Milestone	Aboriginal Party Requirements
30 November	Survey strategy sent out	Comment/response by 14 January 2011
30 November	Invitation to DECCW identified Aboriginal parties to register	Response 15 December 2010
14 January 2011	Response to survey strategy	Comment/response required
2 February 2011	Survey and onsite meetings	Field survey and meetings
March 2011*	Draft report for comment	Comment on report during April 2011*

* These are currently proposed timeframes, and will depend on results of the survey

Umwelt (Australia) Pty Limited
2/20 The Boulevard
PO Box 838
Toronto NSW 2283



Ph. 02 4950 5322
Fax. 02 4950 5737

ABN 18 059 519 041

Our Ref: 1731B/PJ/PJ/AR/011210a

1 December 2010

Paul Morris
Metropolitan Local Aboriginal Land Council
PO Box 1103
STRAWBERRY HILLS NSW 2012

Dear Paul

Re: Tinda Creek Quarry Expansion - Environmental Assessment

1. Introduction

Hy-Tec Concrete & Aggregates (Hy-Tec) operate Tinda Creek, a sand quarry located 70 kilometres north from Windsor along Putty Rd, NSW. Hy-Tec would like to increase production levels from Tinda Creek Quarry from approximately 125,000 tonnes per year to approximately 300,000 tonnes per year and to increase the sand extraction area to possibly include two neighbouring lots (lots 1 and 3 in DP 628806). The final extraction area would be subject to geotechnical and environment assessment and constraints.

The proposed expansion of Tinda Creek Quarry will be a significant change to the existing development and will require a new development application to be lodged. As the proposed changes to the quarry will increase production to over 250,000 tonnes per year and may provide access to a resource of over 5 million tonnes, the development application is likely to be assessed under Part 3A of the *Environmental Planning and Assessment Act 1979*. Under these circumstances the Minister for Planning will be the determining authority for this development application.

2. Notification

As part of the EA process Hy-Tec is required to have a detailed Aboriginal Cultural Heritage and an Archaeological Assessment prepared. As part of the notification process required by the Department of Environment Climate Change and Water (DECCW), Hy-Tec placed advertisements in the Hawkesbury Gazette, Hawkesbury Courier and National Indigenous Times in October 2010. Also in compliance with the DECCW notification process, on 23 October 2010 Umwelt on behalf of Hy-Tec, corresponded with Metropolitan Local Aboriginal Land Council (MLALC), DECCW, Office of the Registrar, New South Wales and Australian Capital Territory Registry, Native Title Services Corp, Hawkesbury Council and Hawkesbury-Nepean Catchment Management Authority (HNCMA). The letters sent requested information in relation to identifying known Aboriginal parties that may have an interest in being involved in consultation relevant to the Aboriginal cultural values of the area proposed for impact by the quarry expansion.

A total of eight Aboriginal parties were identified by DECCW, MLALC Hawkesbury Council and HNCMA during the notification process as possibly having an interest in involvement in the consultation process. **Table 1** lists all Aboriginal Parties identified during the DECCW notification process.

Table 1 - Aboriginal parties identified through the notification process as potentially having an interest in consultation for the project

Darug Custodial Aboriginal Corporation	Darug Aboriginal Land Care Inc	Deerubbin LALC**
Darug Tribal Aboriginal Corporation	Yarrowalk/Tocomwall	Hawkesbury-Nepean Catchment Management Authority
Darug Aboriginal Cultural Heritage Assessments	Gunjeewong Cultural Heritage Aboriginal Corporation	
Darug Land Observations	Metropolitan LALC	

**DECCW has identified Deerubbin LALC as potentially having an interest in the project area, however the project area is located in the MLALC boundary and thus outside Deerubbin LALC's boundary and area of interest.

Metropolitan Local Aboriginal Land Council has been placed on the Hy-Tec Register of Aboriginal Parties based on your response to the notification process. Hy-Tec is currently making contact with other groups/associations/corporations listed in **Table 1** to ascertain if they do have an interest in consultation for the project.

3. Registration of Interest

As noted above, Hy-Tec is currently finalising the identification of Registered Aboriginal Parties. Closing date for registration is **15 December 2010**. As Metropolitan Local Aboriginal Land Council has already registered there is no need for you to respond again by this date.

4. Background Information

Included with this letter as **Attachment A** is an information package and proposed survey strategy regarding the Tinda Creek Expansion project. Total pedestrian survey is proposed for the new impact areas. Hy-Tec is proposing to hold an on-site meeting the morning of the survey to undertake a tour of the proposed quarry expansion areas and to discuss the proposed impacts with the participating registered Aboriginal parties. Throughout the tour a Hy-Tec quarry representative will be available to answer questions raised about the project. An Umwelt archaeologist will also be present to discuss the survey strategy to ensure that all participants are comfortable with the level of survey proposed (i.e. 100 per cent pedestrian survey).

It is estimated that the survey will only take half a day. Once the survey has been completed a brief post survey meeting is also proposed to discuss the results of the survey, the Aboriginal cultural significance of any sites identified (if any) and any site management/mitigation required. The outcomes of this meeting will then be incorporated into the draft assessment report which will be provided to all Registered Aboriginal Parties for broader group consideration and comment.

If Metropolitan Local Aboriginal Land Council has any comments to make on the survey strategy, the closing date for these comments is **14 January 2011**. Hy-Tec is currently proposing to undertake the survey in early February 2011, and Metropolitan Local Aboriginal Land Council will be contacted in mid to late January 2011 about a survey date and start time.

Hy-Tec is looking forward to building an excellent working relationship with the Registered Aboriginal Parties for this project and hope that through the proposed consultation program we can have meaningful discussions based on honesty, trust and mutual understanding.

Yours faithfully



Peter Jamieson
Director

Attachment A

Tinda Creek Quarry Expansion Project Description

Project Description

Hy-Tec Concrete & Aggregates (Hy-Tec) operate Tinda Creek, a sand quarry located 70 kilometres north from Windsor along Putty Rd, NSW. Hy-Tec would like to increase production levels from Tinda Creek Quarry from approximately 125,000 tonnes per year to approximately 300,000 tonnes per year and to increase the sand extraction area to possibly include two neighbouring lots (lots 1 and 3 in DP 628806). The final extraction area would be subject to geotechnical and environment assessment and constraints.

It is estimated that there is approximately 5.19 million tonnes of sand accessible. The two domains that contain this sand, the northwest extraction domain and the southeast extraction domain, are shown on **Figure 1**. The northwest domain and southeast domain cover areas of 12.14 hectares and 17.54 hectares respectively, with a combined area of approximately 29.68 hectares. Umwelt (Australia) Pty Limited (Umwelt) will be undertaking the necessary environmental assessments and assisting in attaining the approval for the proposal.

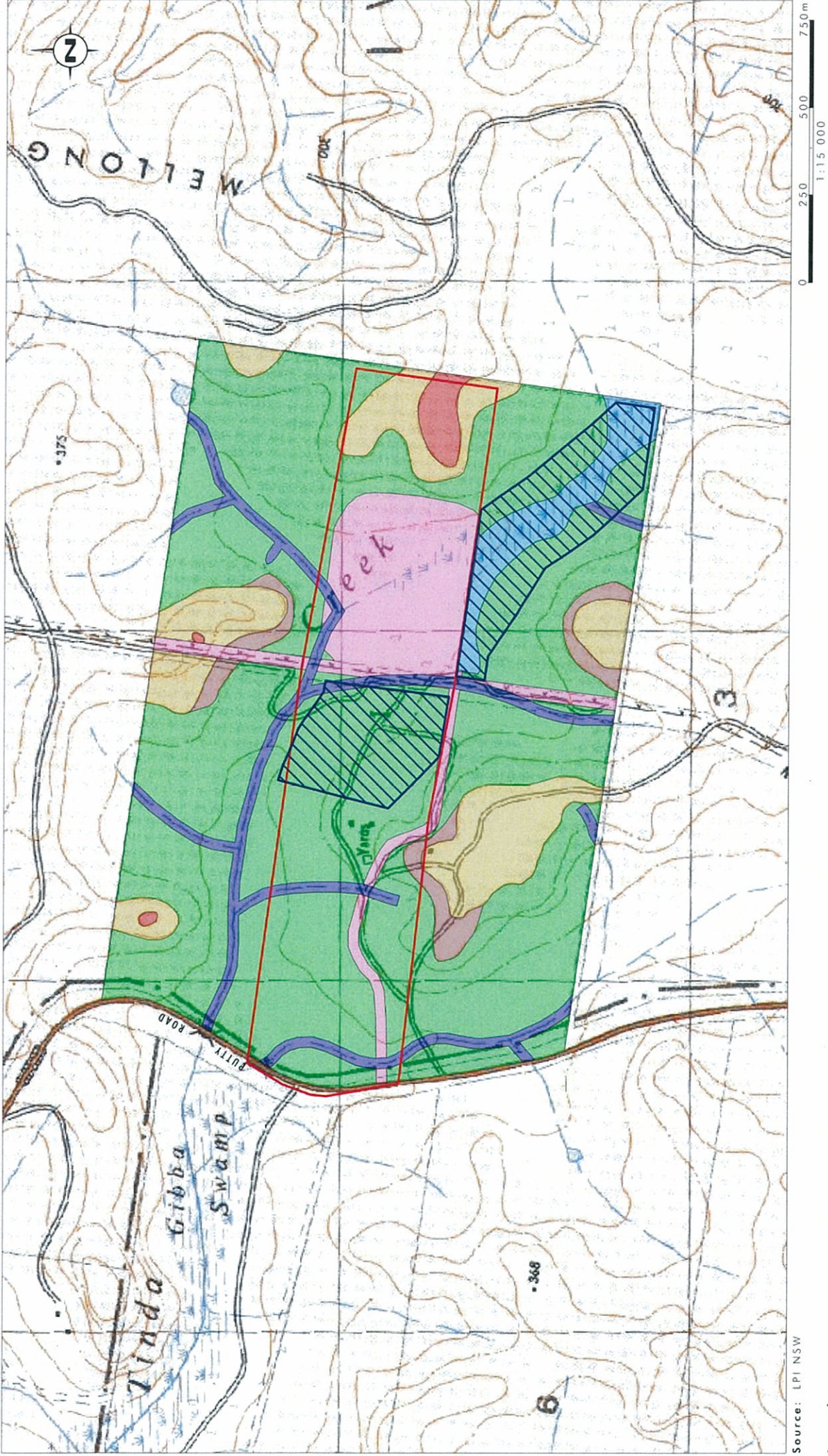
The proposed expansion of Tinda Creek Quarry will be a significant change to the existing development and will require a new development application to be lodged. As the proposed changes to the quarry will increase production to over 250,000 tonnes per year and may provide access to a resource of over 5 million tonnes, the development application is likely to be assessed under Part 3A of the *Environmental Planning and Assessment Act 1979*. Under these circumstances the Minister for Planning will be the determining authority for this development application.

Sand extraction in the proposed extensions would be a continuation of current operations. Sand extraction at the site currently involves dredging using a cutter suction dredge. Extracted sand is pumped to a screening and washing plant, then excess silt and tailings are removed from the dredged sand and returned to the dredge pond as slurry. Clay is stockpiled and used in ongoing in site rehabilitation works. The sand is passed through a cyclone to remove excess water before being stockpiled on site. It is then loaded into trucks using a front end loader and transported approximately one kilometre along a sand and gravel surfaced road to Putty Road.

Proposed Survey Strategy

The proposed extraction area is the only area proposed for new impacts. As the proposed impact area is only 30 hectares it is proposed that total (100 per cent) pedestrian survey is undertaken of the proposed impact area (survey area). The objective for undertaking total survey on foot is to ensure that participants have the opportunity to inspect all areas proposed for impact and to assess the likelihood that the project has to impact on Aboriginal cultural heritage sites and values.

The survey area is located in the south eastern corner of the project area. As shown on **Figure 1**, the survey area is predominantly composed of low gradient slopes bordering a swamp which is the main topographic feature of the proposed impact area and the low gradient slopes west of the existing Tinda Creek Quarry. This area has been substantially cleared and impacted by historic land-use practices. Sandstone bedrock in this area is also reported to be highly weathered and in a state of decomposition.



Source: LPI NSW

- Legend**
- Project Area
 - Modified Land
 - Disturbance Area
 - Spur Crest
 - Closed Depression (swamp land)
 - Open Depression (creek line)
 - High Point on Spur
 - Maximal Slope
 - Waning Upper Slope

FIGURE 1
Landform Elements

The project area is within a small parcel of privately owned land bounded to the north, east and south by Yengo National Park (NP) and to the west by the Wollemi NP (both NPs form part of the extensive Greater Blue Mountains World Heritage Area). The topography of the project area, as well as previous regional models for Aboriginal landscape use within the area suggest that the spur and ridge crests would have provided access to, and an easier means of moving through this steeply dissected landscape and to travel from the resource rich swamp country in the valleys to the steeper country the east and west. This is particularly relevant given the Aboriginal cultural importance of Mount Yengo (a declared Aboriginal Place) and other known art (painting and engraving sites), ceremonial sites and grinding groove sites within the adjacent NPs. These sites/places have been recorded as being highly significant to Aboriginal Peoples.

Unusually there is a paucity of artefact scatters (open camp sites) and isolated finds identified within the adjacent Yengo-Wollemi NPs as these are generally one of the more common site types found in NSW. It is likely, however, that existing information regarding site distribution within the NPs has been biased by the nature and focus of prior investigations which have targeted areas most likely to contain sandstone exposures suitable for engravings and grinding grooves and cliffines likely to have rockshelters with art (painting and engraving). Thus the registered sites in the broader landscape surrounding the project area are dominated by these, usually rarer, site types.

The generally undeveloped nature of the NPs and the known importance of the broader area for ceremonial gatherings indicate that sites such as camp sites (artefact scatters) scarred trees, carved trees, ceremonial sites, stone arrangements and burials may also exist in the broader area. Of these, carved trees, ceremonial sites, stone arrangements and burials are relatively uncommon within the archaeological record generally due to issues of preservation.

Based on the environmental context of the proposed project impact area it is considered that Aboriginal people may have utilised the area periodically for the purposes of hunting and gathering whilst moving through the landscape. Thus, artefact scatters and isolated finds are the most likely site type to occur in this area and are most likely to be located in association with the watercourses and swamp. It is considered that any artefact scatters are likely to be relatively limited in extent when compared with artefact scatters that maybe located in association with more permanent watercourses and the larger swamplands in the vicinity. Grinding groove sites if they occurred in the vicinity would most likely have been associated with the creeklines, however, grinding grooves are unlikely to have survived due to the highly weathered nature of the sandstone bedrock. Scarred trees are unlikely due to the high levels of prior vegetation clearance in the project area. Other site types such as art sites and rockshelters will not be present due to the lack of suitable geology and carved, trees, stone arrangements and burials if ever present are unlikely to have survived disturbance caused from land clearance and other historic use of the area.

Based on the predictive model and on the limited size of the proposed impact area, survey will encompass the whole area proposed for impact with a special focus on the banks of the creek lines, swamp, and vehicle tracks as these are the most likely areas to have exposures that may have visible artefacts. All sandstone outcrops will be inspected for grinding grooves and engravings and all remnant mature trees will be inspected for scars/carving. No impacts are proposed for any steep terrain or high country.

If you have any comments regarding the survey strategy, please provide them on **Attachment B** survey strategy faxback. Comments on the survey strategy are required by close of business on **Friday 14 January 2011**. If comment is not received we will take it that Metropolitan Local Aboriginal Land Council agrees with the proposed survey strategy.

It is estimated that the survey itself will take half a day, with the remainder of the day used for on site meetings.

Proposed Project Timeframe

Table 1 shows a proposed timetable for the project. If Metropolitan Local Aboriginal Land Council has any questions or concerns regarding this timeframe, please include them in your comments on **Attachment B**, or if you would like to discuss any matters within the documentation you have been provided please call Amanda Reynolds or Jan Wilson (Umwelt) or email on (02) 4950 5322 or areynolds@umwelt.com.au or jwilson@umwelt.com.au.

Date	Milestone	Aboriginal Party Requirements
30 November	Survey strategy sent out	Comment/response by 14 January 2011
30 November	Invitation to DECCW identified Aboriginal parties to register	Response 15 December 2010
14 January 2011	Response to survey strategy	Comment/response required
2 February 2011	Survey and onsite meetings	Field survey and meetings
March 2011*	Draft report for comment	Comment on report during April 2011*

* These are currently proposed timeframes, and will depend on results of the survey

Survey Method:.....

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

General Comment:.....

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

Submission Form Completed By (please print):
Position within Organisation:
Signed:
Dated:

**Comment on the draft survey strategy is requested by:
close of business Friday 14 January 2011**