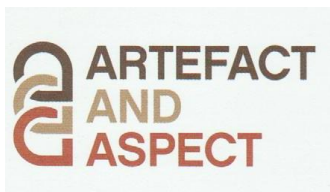


Due Diligence Assessment.

Aboriginal and non-Aboriginal cultural
heritage –
part of “Springfield” 2513 Getta Getta Rd.
North Star.



Report compiled by Tony Sonter
December, 2023.

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Scales

- Ranging pole is in red and white sections each 20cm.
- Coloured IFRAO scale has black and white 1cm² cubes

Abbreviations:

AHIMS – Aboriginal Heritage Information Management System

ASL – Above Sea Level (elevation)

EIS – Environmental Impact Statement

GDA94 – Geocentric Datum of Australia 1994

LALC – Local Aboriginal Land Council

LEP – Gwydir Shire Local Environment Plan.

SEARs – Secretary’s Environmental Assessment Requirements

Author statement.

I am an archaeologist of indigenous Australian Darkinyung heritage, being a direct descendent, on my mother’s side, of Elizabeth Smith (1799-1846) who was the daughter of 2nd Fleet convict Joseph Smith and his Darkinyung Aboriginal wife from the Macdonald / Hawkesbury river area.

I began working as a professional archaeologist in 2009 registering as such through the trading name of “Artefact and Aspect”.

Academic qualifications for the undertaking of archaeological investigations in Australia is outlined in the document “By Degrees – Benchmarking Archaeology Degrees in Australian Universities – April 2008”, which focuses on the benchmarks that all Honors students should meet.

- Bachelor of Arts – (U.N.E. Armidale – 1984) Major in Physical Geography.
- Postgraduate Diploma in Social Science – (U.N.E. Armidale – 1986) Major in Prehistoric / Australian archaeology.
- Master of Letters (Honors equivalent U.N.E. Armidale – 1990) Coursework and dissertation “Aboriginal Art on the North West Slopes of New South Wales”.
- Unspecified units of study - Australian Aboriginal History (155; 253 and 254 – U.N.E. Armidale 1991 / 1992)
- Graduate Certificate of Education (Edith Cowan University – Gwelup W.A. – 2003) Major in Vocational Education.
- Heritage Advisor Training (Heritage Council of New South Wales Heritage Branch, Department of Planning – 2010) Major in historical / industrial archaeology.

The above qualifications comply with the “Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales” (Part 6 *National Parks and Wildlife Act 1974*) where to undertake archaeological investigations “an appropriately skilled and experienced person has a minimum of a bachelor’s degree with honors in archaeology” (September, 2010. p. 4)

1. Executive Summary

Doolin Farming Pty. Ltd. (Angus Doolin) currently operate an existing cattle feedlot of 999 head on the property “Springfield” at 2513 Getta Getta Rd. North Star. The company wish to expand their feedlot operation to accommodate 3,500 head of cattle.

To facilitate this expansion the NSW Department of Planning and Environment have deemed the proposed expansion a Designated Development and issued SEAR Number 1687 for the company to respond to.

Regarding the matter of Aboriginal and non-Aboriginal cultural heritage as listed in the SEAR request, an investigation was undertaken based on the Due Diligence Code of Practice, between 12th July and 17th October, 2023.

The following is a summary of the Due Diligence investigation.

- No items of Aboriginal and or non-Aboriginal cultural heritage are recorded on any available data base.
- No items of Aboriginal and or non-Aboriginal cultural heritage were observed on the site.
- All proposed developments associated with the feedlot expansion are sited on disturbed land. (Due Diligence (4) pp. 7/8)
- Several of the activities necessary for the proposed development to proceed are deemed low impact activities. (Due Diligence (1 a;b;c) p.6)

Under the Due Diligence practice it would be prudent before any development is undertaken that all employees and contractors are aware of potential and familiar in identifying objects of Aboriginal cultural heritage.

All development activities should proceed with caution.

Should any objects of Aboriginal and non-Aboriginal cultural heritage be observed or uncovered then work should stop and appropriate organisations contacted for advice vis-à-vis this report author and Toomelah Local Aboriginal Land Council (LALC) or in the case of skeletal material the nearest police station Boggabilla vis-à-vis Yetman.

2. Background

Doolin Farming Pty. Ltd. (Angus Doolin) currently operate an existing cattle feedlot of 999 head on the property “Springfield” at 2513 Getta Getta Rd. North Star. The company wish to expand their feedlot operation to accommodate 3,500 head of cattle.

To help facilitate this expansion development Doolin Farming Pty. Ltd. have engaged the services of agricultural environmental project management company RDC Engineers Pty. Ltd., Toowoomba (Rod Davis).

The proposed feedlot expansion development is defined as a Designated Development by the NSW Department of Planning and Environment and under Section 4. 12(8) of the *Environmental Planning and Assessment Act 1979* and requires a specific Environmental Impact Statement (EIS) as specified by the Planning Secretary’s Environmental Assessment Requirements. (SEARs). This Due Diligence report addresses two areas specified within the proposed feedlot expansion as noted in SEAR 1687.

These two areas are:

- 1) An assessment of any potential impact on heritage of both Aboriginal and non-Aboriginal cultural heritage.
and
- 2) Consultation with Toomelah Local Aboriginal Land Council (LALC)

The proposed development essentially comprises the construction of:

- two new rows of feedlot pens (one north and one south of existing feedlot pens) and associated service road for each
and
- associated farm infrastructure e.g solid waste stockpile and sediment capture.

All proposed infrastructure associated with the feedlot expansion are sited on “disturbed land” i.e. land that has been subject of farming / grazing activity with associated infrastructure that has significantly “changed the land’s surface”. (Due Diligence, 2010. p.18)

3. Proposed Development Location

The property “Springfield” is located on the Getta Getta Rd., 14.6km. east of North Star and 23.6km south west of Yetman (Figure 1) with a central GDA94 reference for the feedlot development being -

28.946806102 S Lat.

150.539813623 E Long.

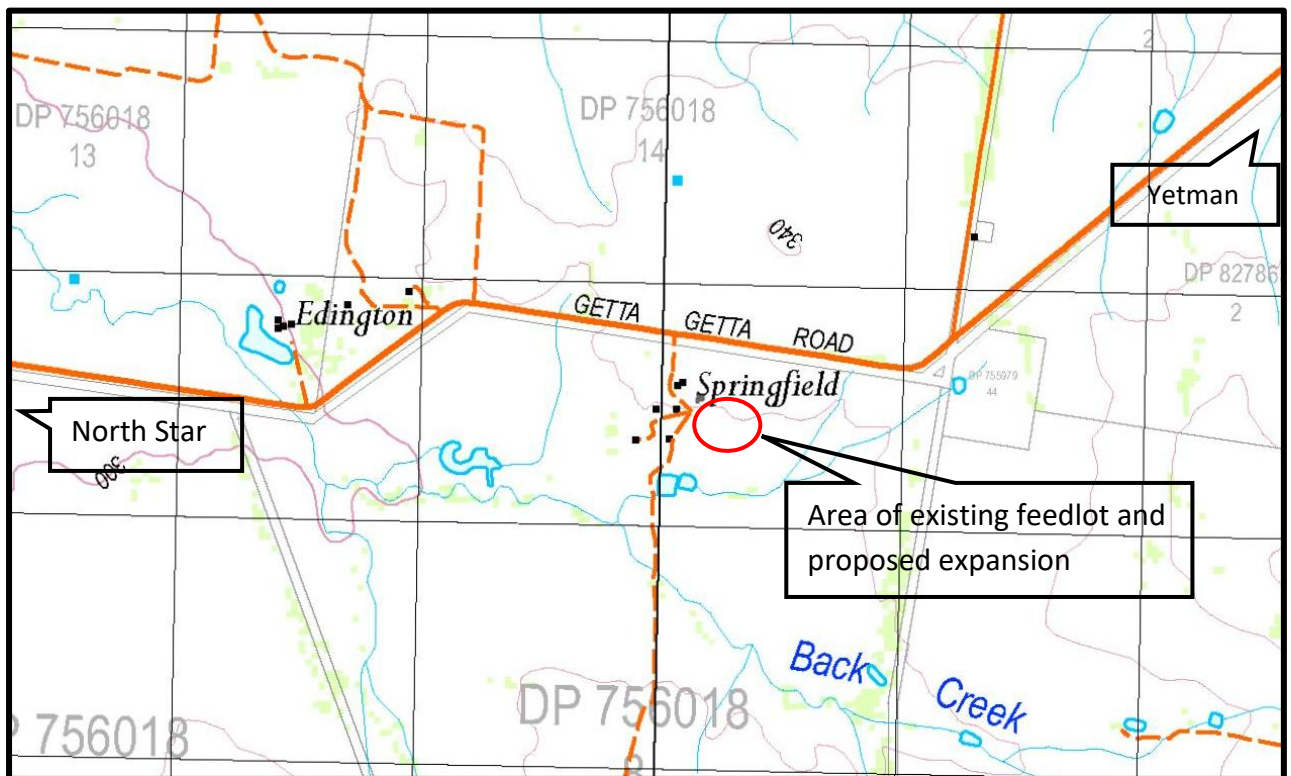


Figure 1. Location of existing feedlot and proposed expansion on “Springfield”.

(Indicative only not to scale.)

(Source: Central Mapping Authority of NSW. Topographic Map Sheet YETMAN 9040-II & III)

4. The Site

The site of the proposed feedlot expansion consists largely of two distinct units; one being the actual feedlot pens while the other is the associated surrounding area that is best described as the potential “field of works”. (Figure 2)

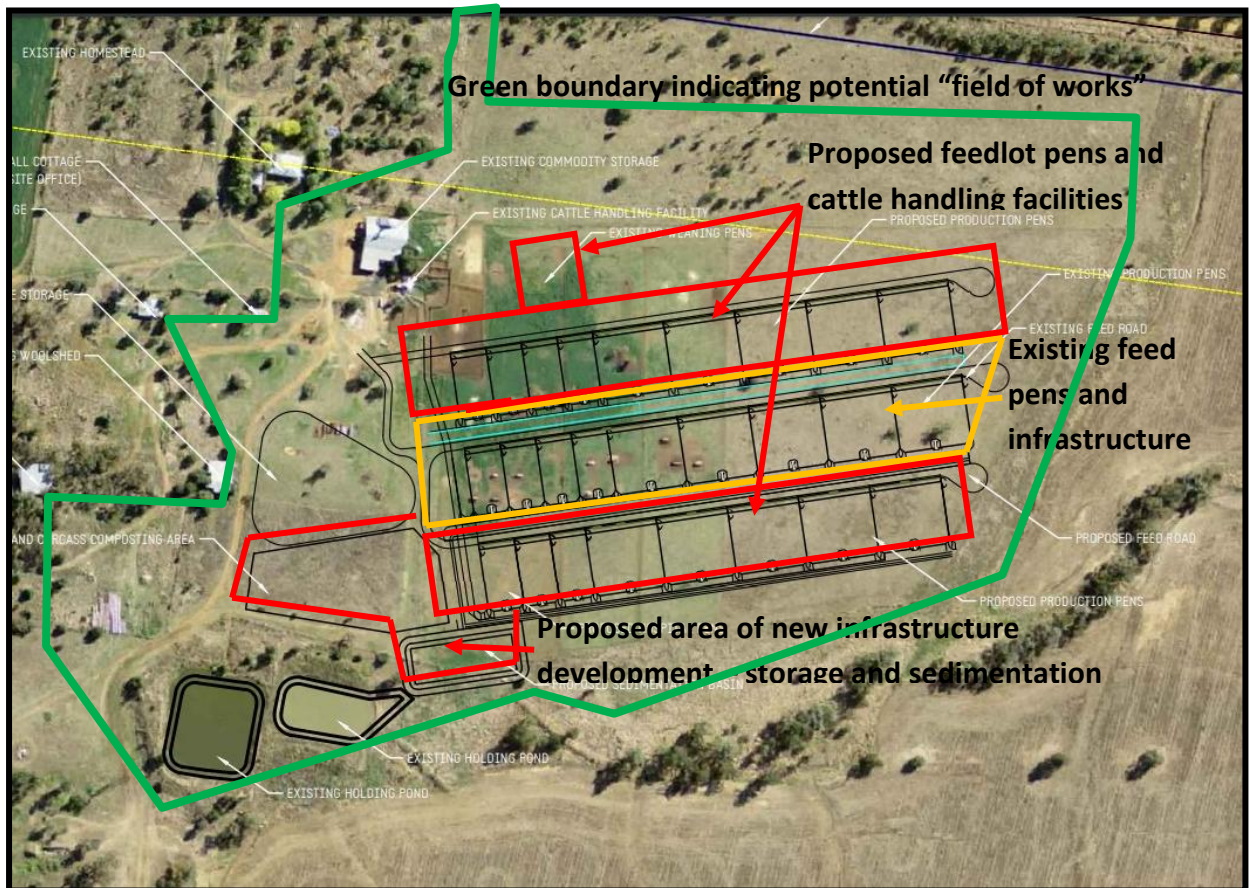


Figure 2 – Proposed extension of existing “Springfield” feedlot to increase capacity to 3,500 head – generalised schematic indicating “field of works” and planned developments.
(Source – adapted from Draft schematic Figure 1 by RDC Engineers 27/1/2022)

Generally the site is a south facing gentle slope ranging from 327m. asl on the northern edge to 316m. asl on the southern edge. Given that the area within the “field of works” has a long history of intensive agricultural use there are very few remnant trees remaining with the area being extensively cleared. (Figure 3). There is a ribbon of riverine vegetation that exists outside the southern boundary of the field of works that is associated with an ephemeral drainage line tributary of Back Creek.

Soils progress in a catena down slope from lighter reds to a heavier grey loam on the southern down slope edge. Some scalding occurs with exposed areas of sedimentary bedrock and a number of quite large sedimentary “slabs” were evident on the eastern edge of the field of works, none showed evidence of being utilised for Aboriginal “grinding” purposes.



Figure 3 – Historical aerial photo of site pre current feedlot illustrating historical intensive agricultural use of site.

(Source: Google maps 16th June, 2018 – accessed 16th October, 2023)

The external field of works was included as a precautionary matter and to all intent and purpose with the exception of the area noted in Figure 3 “Area of intensive infrastructure development” (Area 1 – Figure 4) it is unlikely to be impacted on during the proposed feedlot expansion works.

5. The Generic Due Diligence Process.

This process outlines the reasonable and practical procedural steps to be undertaken by individuals and organisations to “identify whether or not Aboriginal objects are, or are likely to be present in an area”. (Due Diligence. 2010 p. 2).

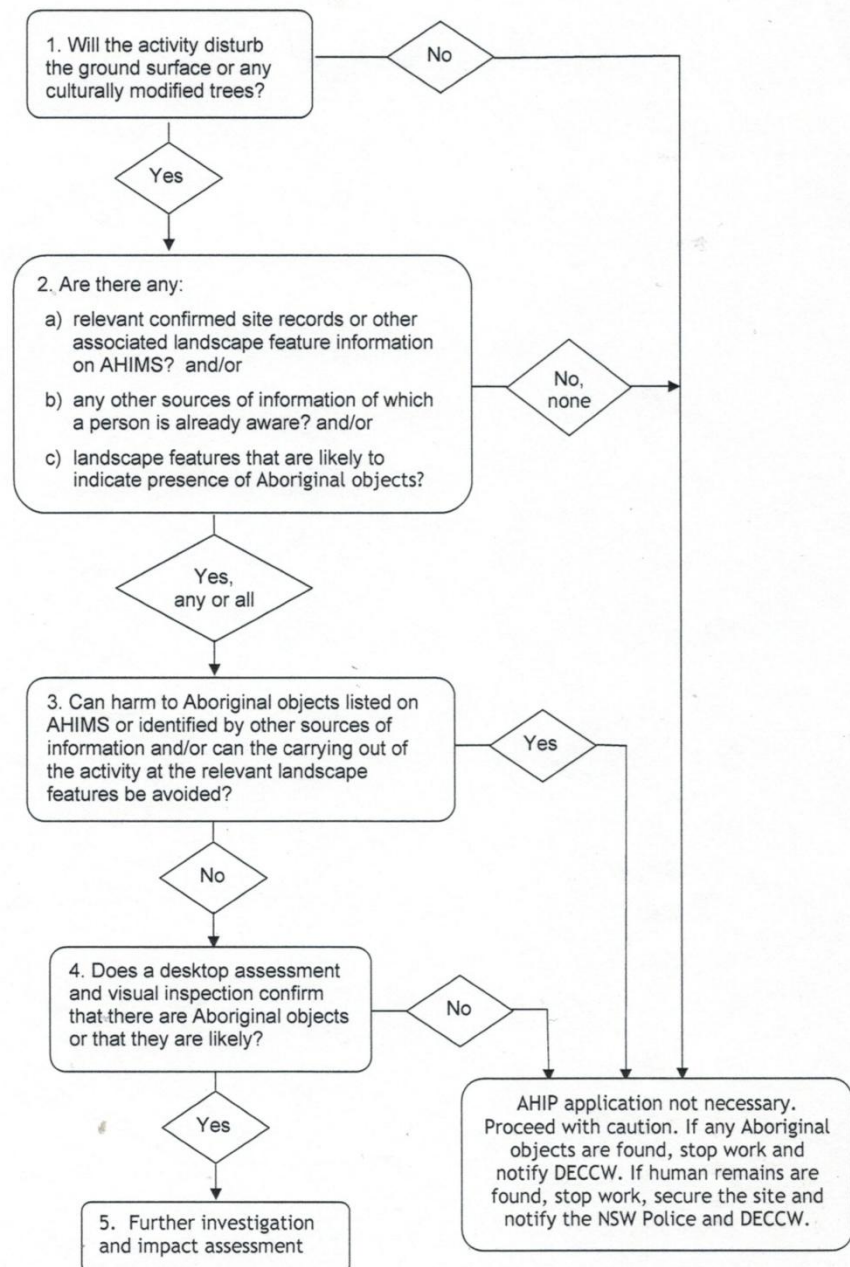


Figure 4. The generic Due Diligence process flow chart
(Source: Due Diligence Code of Practice. 2010. p.10)

Much of the development area in this proposed feedlot expansion project can be defined as disturbed land under Part (4) of the due diligence process (Due Diligence. 2010. pp 7-8)

Examples of activities that have occurred onsite previously that fall within the definition of “disturbed land” include but are not limited to:

- Construction of rural infrastructure – e.g. dams, fences etc.
- Construction of roads and tracks
- Clearing of vegetation
- Construction of buildings and other structure
- Installation of utilities such as electricity, water supply and storm water drainage
- Substantial grazing
- Construction of earthworks in association with any of the items above or erosion control contours
- Maintenance of any of the above items once installed and existing

The due diligence process lists several intrinsic landscape features that Aboriginal objects are more likely to occur in, due to a preference for traditional cultural use of those areas. (Due Diligence. 2010. p. 12) Relative to this proposed development is the southern section being “within 200m of waters”. An un-named ephemeral tributary of Back Creek occurs outside the field of works but runs basically parallel to the southern boundary of the proposed development and falls within this 200m “limit” and therefore becomes an area of greater interest. (See Section – 8)

6. AHIMS (Aboriginal Heritage Information Management System)

An essential component of the Due Diligence process is consulting the AHIMS data base to see if any Aboriginal sites have previously been recorded in the area where the proposed activity is planned. Such an enquiry was made on 12th July, 2023 using the proposed development location “central” to the searched area. This enquiry returned nil Aboriginal sites recorded in or near the location. (Appendix A).

While the proposed development is specific to 2 Lots (Lot 8 DP 756018 and Lot 1 DP 1212915) the AHIMS search was conducted over a much larger area of approximately 400 km² (24km x 16km) in accordance with Requirement 1b of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (2010. p.7) that requires an AHIMS search to:

- Include an area larger than , and wholly containing, the subject area and
- Include an area large enough to allow adequate landscape interpretation, and if available - sites in large enough numbers to allow adequate understanding of the distribution of the sites within the landscape.

7. Due Diligence Visual Inspection

On Tuesday 17th October, 2023 a field inspection was carried out to examine the area under the due diligence process to confirm the actual presence or likely existence of Aboriginal objects on site. The inspection was carried out by the report author and a field assistant, Sally Kelso who has approximately 15 years field experience in assessing Aboriginal cultural heritage, largely stone artefacts, modified trees and art work. Where circumstances permitted the field inspection was undertaken in a boustrophedon method to allow accurate surface coverage. (Code of Practice 2010, pp.12-13). The weather was warm 24° and sunny with clear visibility. As the preceding weather conditions had been dry coming out of winter, it was predicted that there would be opportune surface exposure. To facilitate field inspection the area was divided into 5 sections. (Figure 5).

In accordance with Due Diligence procedure it was intended to assess all mature trees for evidence of cultural modification against criteria as outlined in the Aboriginal Scarred Tree Manual (Long, 2005). However, once onsite, field inspection revealed no mature trees present capable of bearing Aboriginal scars.



Figure 5. Areas of due diligence field inspection. (Indicative boundaries)

1. Western infrastructure area – nominally 5 hectares.
2. Southern boundary – nominally 2 hectares.
3. Southern pen row – nominally 3.5 hectares.
4. Northern pen row – nominally 10 hectares.
5. Eastern boundary buffer – nominally 1.5 hectares.

(Source: Adapted from Google Earth Pro – photo 23rd September 2023 accessed 16th October, 2023)

8. Field Inspection Results

8.1 Western infrastructure area.

Current use: General storage – various stockpiles, machinery parking, fuel storage, criss-crossed by tracks. (Plate 1) Some “imported” gravel used for road construction.

Proposed use – continuing as same

Topography – north to south gentle slope.

Vegetation – short grass cover, maintained as part of farm management. (Plate 2)

Ground surface visibility – clear on tracks, basically nil on grass covered area, some areas of scalding. (Plate 3)

Estimated surface exposure – 30 to 40%

Rock exposure – some noted on scalds including numerous quartz “marble” size pebbles.

Extensive use of “imported” gravel for road base. (Plate 4)

Field survey process – random survey of road and scald exposures

Field survey result – no items of Aboriginal or non-Aboriginal cultural heritage were observed.



Plate 1. General view of Area 1. Looking north from southern boundary.



Plate 2. 100% short grass ground cover on selected areas of Area 1.
Note the dry and “crisp” nature of the grass cover with the ongoing dry season.



Plate 3. Example of hard baked surface scald road surface within Area 1.



Plate 4. Stockpile of “imported” road base gravel – part of the storage use of Area 1.

8.2 Southern boundary area.

Current use: Buffer zone, casual grazing.

Proposed use - continuing as same but included in field of works.

Topography – west to east lower hill slope. (Plate 5)

Vegetation – longer grass cover as tufted rank clumps, casual grazing shorter of more palatable species, as part of farm management (Plates 6/7)

Ground surface visibility – limited - some clear on cattle tracks, basically nil on grassed areas (Plate 7)

Estimated surface exposure – 10%

Rock exposure – none noted

Field survey process – single boustrophedon sweep west to east concentrating on exposures i.e. cattle pads

Field survey result – no items of Aboriginal or non-Aboriginal cultural heritage were observed. Given the Due Diligence emphasis on landscape units “within 200m of water” it was this survey unit that held the greatest potential for the existence of Aboriginal objects.

Two factors probably largely contributed to this nil result.

- i) Vegetation cover was more extensive in this area with only an estimated 10% surface exposure on cattle tracks that “wandered” through the area.
- ii) The un-named tributary of Back Creek that abuts the area to the south is an ephemeral stream and as such would have provided only limited opportunity for traditional Aboriginal cultural use. Any such use would probably have been transient given the need for a more permanent water source, such as Ottley Creek 8kms. to the east or Back Creek itself which becomes a more substantial creek itself as it flows westward.



Plate 5. General view of Area 2 along lower hill slope looking from eastern edge to west. Note trees on left of photo are riverine along un-named creek and are outside proposed field of works.



Plate 6. Field assistant Sally Kelso recording vegetation details mid Area 2. Note cattle track to foreground, tufted vegetation remains and shorter grazed grass areas. Photo looking south towards un-named creek and riverine vegetation outside the field of works.



Plate 7. Cattle track exposure in foreground, tufted vegetation remains and shorter grazed grass areas. Photo looking south towards east from mid transect Area 2.

8.3 Southern pen run.

Current use: Buffer zone, very heavily grazed .

Proposed use – establishment of feedlot pens and servicing infrastructure.

Topography – west to east lower hill slope, some surface scalding. (Plate 8)

Vegetation – very short grass cover. (Plate 9)

Ground surface visibility – extensive but some “leaf litter” (Plate9)

Estimated surface exposure – 60-70%

Rock exposure – isolated examples - perhaps moved downslope? None modified.

Field survey process – 2 x boustrophedon sweeps west to east.

Field survey result – no items of Aboriginal or non-Aboriginal cultural heritage were observed.



Plate 8. General view of Area 3. Current feedlot pens to right and contact boundary with Area 2 to left. Photo across lower hill slope from east to west.



Plate 9. Specific view of Area 3 illustrating extensive “leaf litter” scalds and short vegetation. Current feedlot pens to right and contact boundary with Area 2 to left. Photo across lower hill slope from east to west.

8.4 Northern pen run.

Current use: Cattle auxiliary feeding, weaning paddocks very heavily grazed. Horse paddock across northern section. (Plate 10)

Proposed use – establishment of feedlot pens and servicing infrastructure, cattle handling and road infrastructure improvements.

Topography – west to east upper hill slope, some surface scalding.

Vegetation – nil grass cover in auxiliary feeding area, very heavily grazed in “horse paddock” (Plates 10/ 11 / 12)

Ground surface visibility – extensive (Plates 10 / 11)

Estimated surface exposure – 90+%

Rock exposure – some noted - perhaps localised bedrock or floater exposure? None modified (Plate 12)

Field survey process – 3 x boustrophedon sweeps west to east.

Field survey result – no items of Aboriginal or non-Aboriginal cultural heritage were observed



Plate 10. General view across Area 4 looking slightly north-west, from eastern edge, to include auxiliary feed bins.

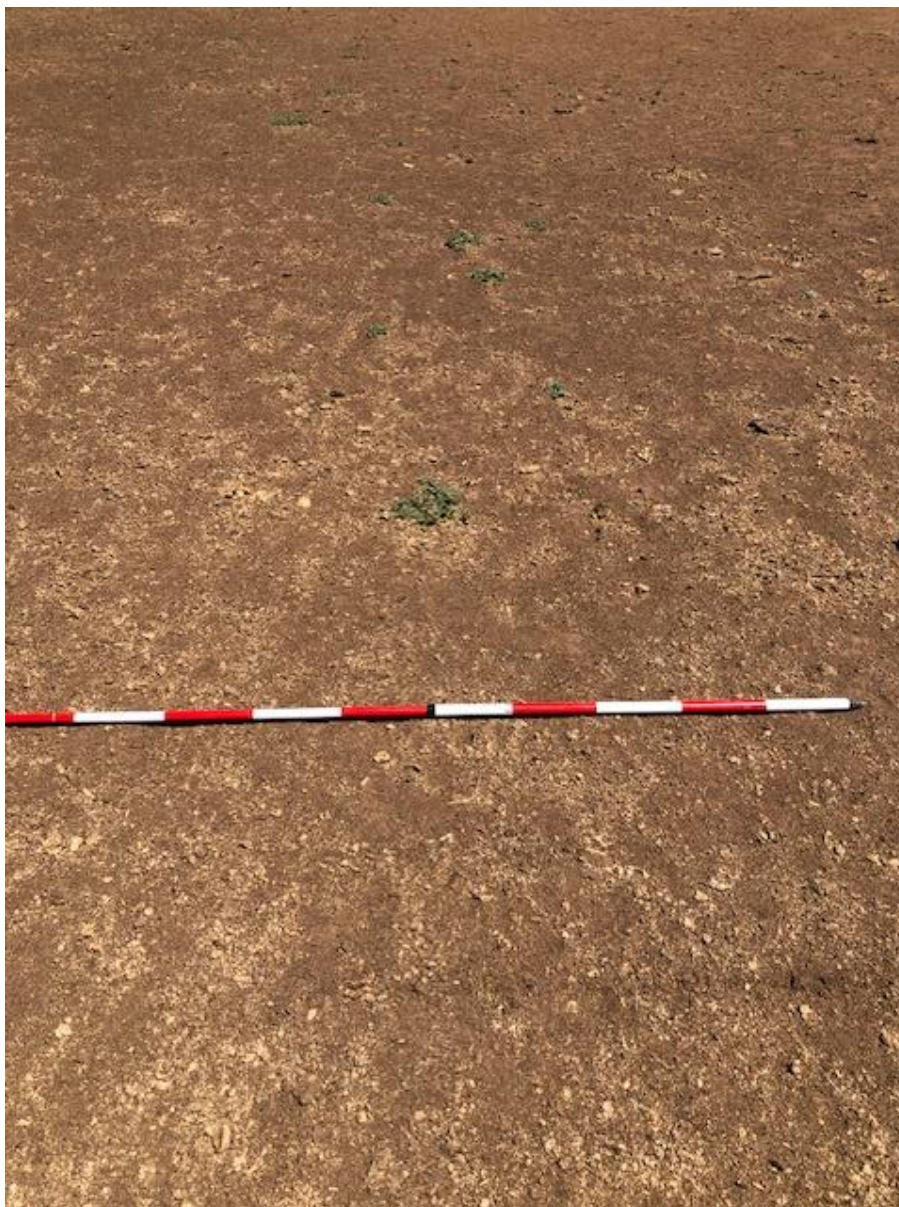


Plate 11. Specific view a) of Area 4 showing basically nil vegetation ground cover



Plate 12. _Specific view b) of Area 4 showing basically nil vegetation ground cover, however, some rock exposure was noted – none displayed any evidence by Aboriginal modification. Isolated examples may have been introduced examples from developing feed pads; road works etc.

8.5 Eastern boundary buffer.

Current use: Buffer zone between proposed feedlot infrastructure and cropping paddock. (Plate 13). Vehicle access track noted.

Proposed use – continuing as same but included in field of works

Topography – north to south basically full hill slope. (Plate 13)

Vegetation – grass cover strip (Plates 13 / 14)

Ground surface visibility – Grass very short, a few larger weed species on fence line (Plates 13 / 14)

Estimated surface exposure – 70-80%

Rock exposure – some noted as a stockpile on upper edge of contour bank - perhaps localised bedrock or floater exposure – appears unnatural accumulation and some probably have been “cleared” from cultivation paddock on eastern side and deposited here or exposed and deposited? None modified (Plate 15)

Field survey process – single boustrophedon sweep from south west to north-east

Field survey result – no items of Aboriginal or non-Aboriginal cultural heritage were observed. The large slabs of sedimentary material offered potential for grinding activity, however given they appeared to be accumulated from paddock clearing and deposited in this position, with no modification being noted, they did not reflect Aboriginal cultural heritage.



Plate 13. General view from southern end of Area 5 looking uphill to north. Crop cultivation on right hand side and feedlot development to left hand side inside existing fence line.



Plate 14 – Mid way uphill of area 5 showing short grass cover strip with past cultivation cropping to right. Rock exposure (Plate 15) is to the north side of contour bank upper centre.



Plate 15. Part of the bedrock exposure and accumulation in Area 5. Photo looking north west from eastern side. Rocks appear to have been accumulated – perhaps as clearing from cultivation paddock? A similar accumulation was noted in the cultivation paddock outside the field of works south of Area 2 which probably indicates past or present farming practice.

9. Field Survey coverage.

Area	Nominal area - hectares	Estimated surface exposure %	Survey actual area exposed
1. Western infrastructure	5	30%	1.5 hectares
2. Southern boundary	2	10%	200m ²
3. Southern pen run	3.5	60%	2.1 hectares
4. Northern pen run	10	90%	9 hectares
5. Eastern boundary buffer	1.5	70%	1.05 hectares
	22		13.85 hectares

Table 1. Summary of field survey coverage by unit area and exposure estimate.

No items of Aboriginal cultural history were observed during the field survey. The 2 areas destined for the actual pen construction had good exposure. Ostensibly the survey was largely examining exposures for Aboriginal stone artefact material.

Given the nature of surface erosion there always remains the possibility that artefacts may be present and exposed, especially after a heavy rain event and employees and contractors should be aware of this possibility.

10. Consultation process

Extensive communication was undertaken with Toomelah LALC informing them of the proposed development and extending an invitation on numerous occasions to visit the site and potentially take part in the Due Diligence field survey process. (See Appendix B).

Various factors prevented Toomelah LALC from being involved in the field assessment of 17th October, 2023. The invitation however, to visit the site remained open as did the opportunity to comment on a supplied DRAFT of the Due Diligence by Tuesday 12th December, 2023.

11. Non Aboriginal cultural heritage

No items of potential non-Aboriginal cultural heritage were noted during field work. Similarly a search of relative data bases – Gwydir LEP and NSW State Heritage Register, indicated no items of non-Aboriginal cultural heritage were registered within or near the proposed development site.

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Appendix A. AHIMS report 12th July 2023



AHIMS Web Services (AWS)

Search Result

Your Ref/PO Ni

Client S

Artefact and Aspect

D

39 Brae Street

INVERELL New South Wales 2360

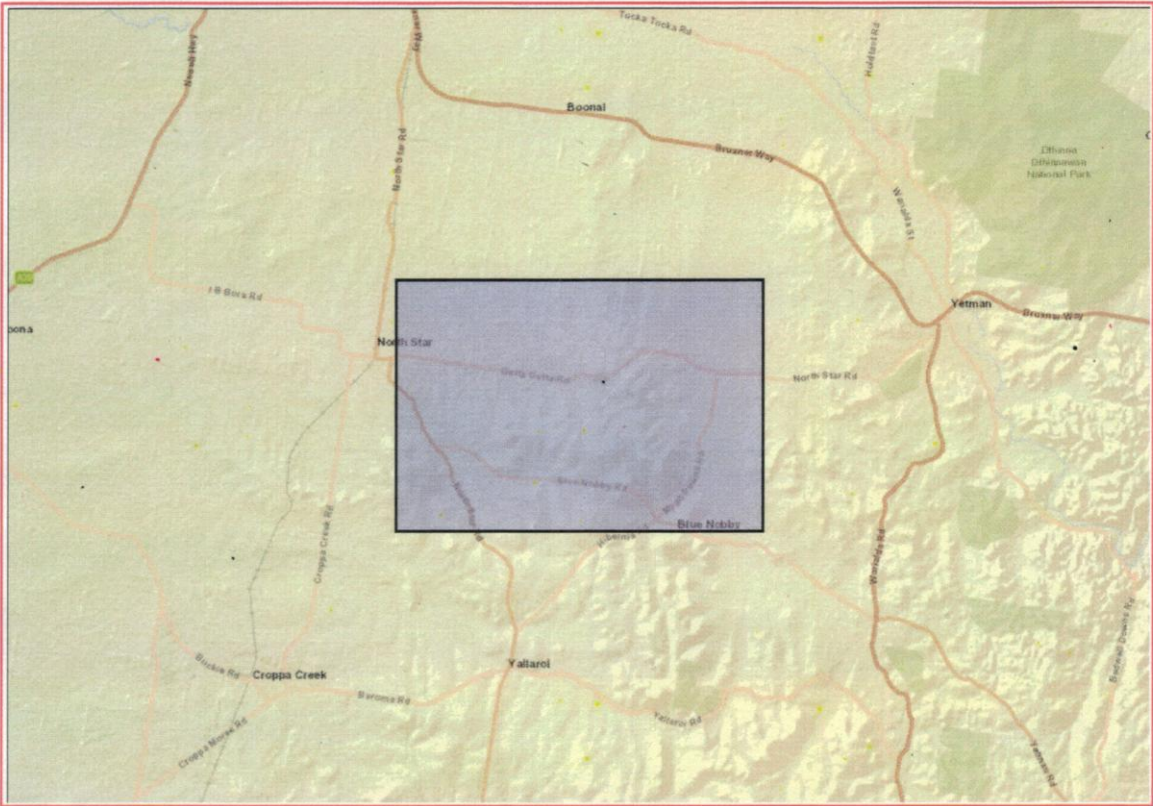
Attention: Tony Sonter

Email: tsonter@bigpond.net.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lat, Long From : -29.0357, 150.4051 - Lat, Long To : -28.8855, 150.6523, conducted by Tony Sonter on 12 July 2023.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Appendix B.

Consultation Record – Summary Table

Date - 2023	Contact	Content / Outcome
12 th July 8.30am.	Toomelah LALC Email via NSW ALC website enquiry form. alc.org.au/land_council/toomelah/ Copy A.	General enquiry – <ul style="list-style-type: none"> • Availability Aboriginal sites officers? • Cost of above? • Provision of report response? Nil response
12 th July 12.00 mid day	Phone Toomelah LALC 0746762348	Spoke with Shantia? At LALC Need to ring Rex (Weribone) “the boss” and provided his mobile phone number 0422095516
12 th July 2.23pm.	Phone Rex Weribone (Acting CEO Toomelah LALC. 0422095516	Left message re general enquiry and details on email. Copy A.
13 th July 3.52pm.	ditto	ditto
14 th July 2.45pm.	Email to LALC– similar to Copy A but with minor variations – Copy B	Response from LALC 17 th July received asking for more details. Copy C
24 th July 11.11am	Email to LALC – response to request Copy C	Email to LALC – <ul style="list-style-type: none"> • Supplied maps • Detailed need to supply quote to project manager RDC Engineers, Toowoomba Copy D
24 th July 11.59am	Email from LALC Copy E – response to Copy D	Will review rates etc. and get back.
4 th August 12.19pm	Email to LALC Copy F	Enquiry as to update on rate review.
4 th August	Email from LALC Copy G	Updated cost sheet from Toomelah LALC
7 th September 10.59am	Email to LALC Copy H	Further reinforced: <ul style="list-style-type: none"> • Project details • Need to supply quote to

		RDC Engineers, Toowoomba. Previously mentioned in email Copy D
30 th Sept for 2 nd Oct. 11.59am	Email to LALC Copy I	<ul style="list-style-type: none"> • Suggested dates • Need to supply quote to RDC Engineers, Toowoomba and have it accepted. <p>Previously mentioned in emails Copy D / H</p>
3 rd Oct. 11.45	Email from LALC Copy J	Will look into details of email Copy I
9 th Oct. 11.18am	Email to LALC Copy K	<p>Follow up:</p> <ul style="list-style-type: none"> • Proposed dates • Need to submit quote to RDC Engineers, Toowoomba and have it accepted. <p>Previously mentioned in emails Copy D / H / I</p>
13 th Oct. 4.03pm	Email to LALC Copy L	Moving forward with project
13 th Oct. 5.12pm	Email from LALC Copy M – response to Copy L	<ul style="list-style-type: none"> • Apologies due to work load • Enquiring what day survey was completed
16 th Oct. 2.23pm	Email to LALC Copy N	<ul style="list-style-type: none"> • Reiterated no quote received by project manager • Informing LALC field survey would be undertaken tomorrow 17th Oct • Informing LALC desktop assessment appears to indicate “disturbed farmland”
16 th Oct.	Email from LALC Copy O	Some confusion as LALC

3.03pm		thought project was a DA lodged with Moree Plains Shire Council who would insist on cultural heritage assessment by Toomelah
17 th Oct. 8.21pm	Email to LALC Copy P – Response to Copy O	<ul style="list-style-type: none"> • Clarification of DA and Moree Plains S.C. confusion. • Informing Due Diligence field survey undertaken and DRAFT report will be forwarded • Reiterating opportunity to visit site through Rod Davis.
17 th Oct. 8.27pm	Email to Rod Davis Copy Q	Update regarding Due Diligence undertaken and informing Toomelah LALC may still wish to visit site
18 th Oct. 6.42am	Email from Rod Davis Copy R – Response to Copy Q	No problem regarding Toomelah LALC welcome to visit the site
18 th Oct. 7.58am	Email from LALC Copy S – Response to Copy P	Acknowledging update of update information
5 th Dec. 10.16am	Email to LALC – Copy T	Draft Due Diligence Report forwarded for comment. Response asked for by 12 th Dec.
5 th Dec. 12.14pm.	Email from LALC – Copy U	Asking if Cultural Heritage Officers (from LALC) would be funded
5 th Dec. 1.32pm	Email to LALC – Copy V Response to Copy U	Advising LALC that Rod Davis of RDC Engineers was contact for project management / site visit. N.B. This information re site inspection was similar to earlier notifications:

		24 th July 4 th August 7 th and 30 th September 2 nd , 9 th and 17 th October
13 th Dec. 11.35am.	Email to Rod Davis (Project Manager) – Copy W	Asking if Toomelah LALC had been in contact re site visit / inspection
13 th Dec. 12.37pm.	Email from Rod Davis – Copy X Response to Copy W .	No request from Toomelah LALC received
15 th Dec. 3.56pm	Email to Toomelah LALC – Copy Y	Advising report now finalised

Email copies

Copy A – 12th July

I'm making initial contact regarding a proposed development near North Star and engaging some representatives of the Toomelah LALC to assist in Aboriginal cultural heritage field work.

Would you be able to indicate if you have Aboriginal sites officers to undertake this work? Are they trained and perhaps hold a Cert III from TAFE in Aboriginal sites work?

Assuming there would be a "days work" surveying the site could you please give me a cost for engaging your sites officers? Additionally there would be travel compensation. The potential work site is approximately 20kms east of North Star making it a 120km round trip from Boggabilla.

As a finalisation to the survey a statement on behalf of Toomelah would also be necessary - would there be an additional cost for such a letter / report?

Looking forward to your response and working with you in the future,

Regards,

Tony Sonter - I did work in your locality previously with Harry White (now retired) from Local Land Services. 12/7/2023

Copy B – 14th July

On Fri, Jul 14, 2023 at 2:47 PM NSW Aboriginal Land Council <notifications@mg.ngny.com.au> wrote:

Hi Rex, I'm making enquiries about possible involvement by some members of Toomelah LALC in a planned development application near North Star regarding onsite ACH.

If you could let me know if you have members who could assist in an ACH assessment it would be appreciated.

A couple of other questions I have include.

1. Are the sites officers trained? e.g maybe hold a Cert III in Aboriginal sites work? If not trained than experienced?
2. What pay rate would they require?
3. Travel is about 120km from Boggabilla (a bit shorter from Toomelah) - what rate for travel compensation is expected?
4. After field work could a formal letter / summary be supplied and cost of this?

Thanks for your time Rex - must be a busy job you have!

I actually met you a few years ago working with Harry White (now retired from LLS)

Appreciate your response,

Copy C - 17th July

Hi Tony,

Can you provide more details on the project scope of work for the onsite CH work including maps, proposed dates, and approximate location?

regards

Rex

Copy D – 24th July

Hi Rex,

Attached are 2 x maps. One shows the original feedlot development when they constructed a 999 head feedlot in October 2020 which they now propose to increase to a 3,500 enterprise. The total area to be developed for the new pens and associated infrastructure is less than 10 hectares of what is described as “Cleared, grassed cattle paddocks”.

The project is being supervised by RDC Engineers of Toowoomba who would require your quotation for ACH survey of the proposed area.

RDC Engineers Pty Ltd.

PO Box 1223

Toowoomba Qld.

4352

My involvement would be to compile a Due Diligence Report based on the “Code of Practice” (September 2010) of which your input from the site survey would be an integral part – hence my enquiry about the provision and cost of such a letter / report document following ACH survey. Obviously should any ACH material be present the Due Diligence report may have to be promoted to a more in depth ACH report.

At this stage there is no set survey date – obviously this would be dependent on quote acceptance (both from the LALC and myself) and then co-ordination of both our work schedules to facilitate a site visit and inspection.

To allow you to calculate travel expenses the proposed feedlot development is approximately 15kms east of North Star.

Gwydir Shire Council may also have some further “unique” requests re the development given any outcomes from this Friday’s Aboriginal Affairs NSW Community of Practice for Local Council webinar – we will just have to wait and act as necessary given any developments in this regard.

Hope this helps and answers you earlier queries – happy to further clarify any concerns

Copy E – 24th July

Hi Tony,

Thanks for the information, we can engage a couple of our CH Officers to assist with a site visit and inspection of the proposed feedlot near North Star. We are currently in the process of reviewing and upgrading our Daily Rates for CH site inspections and field works.

We will provide the new rates and send a quote/budget for the work in due course. We just need an approve the costs before we take part in the site inspections.

regards

Rex

Copy F – 4th August

Hi Rex,

Have you reviewed your field work rates yet to provide a quote for Rod Davis Toowoomba so we can continue to work towards a survey of the North Star feedlot expansion?

Regards,

Tony Sonter

Copy G – 4th August

Hi Tony,

Due to the increased insurance expenses and additional costs to our business, we have increased our Day Rates to be more reflective and aligned with current market rates for all of our future Cultural Heritage Assessments and Site works.

Please see below Day Rates for All Cultural Heritage Assessments and Site Works as of 01 July 2023:

1 x CH Officer @ \$120 hr for half day - 4 - 5 hrs (minimum of 2 CHO's) including travel

1 x CH Officer @ \$120 hr for full day - 8 - 10 hrs (minimum of 2 CHO's) including travel

New 23/24 ATO Kilometre rate @0.85 cents a klm

Admin Fee @ 22.5%

GST @10%

If you have any questions please let me know.

regards

Rex

Copy H – 7th September

Hi Rex,

Sorry it's been a while since I last contacted you – been busy but got my head above water now.

Many thanks for supplying work rates for Cultural Heritage work etc.

The feedlot as I said previously is about 20kms east of North Star – that should allow you to calculate travel costs.

The feedlot owner wants to expand from 999 head to 3,500 head in adjoining paddock area so site inspection would be in an ex grazing paddock.

I would assume 4-5 hours would be enough time to “walk the area”

My initial intention would be to undertake a Due Diligence Report which would satisfy development application requirements, however, should ACH material be observed that would necessitate a report upgrade to a full Aboriginal Cultural Heritage Assessment.

Can you provide a quote please to:

Rod Davis

RDC Engineers Pty Ltd.

PO Box 1223

Toowoomba 4350

Quote should include provision of Cultural Heritage Officer(s) for field inspection, travel to site and short report / letter on field work outcome.

I predict that field work would occur mid to late Oct / early November and will co-ordinate with you should applicant wish to proceed.

Many thanks for your input,

Regards,

Tony Sonter

Copy I – 30th September

Hi Rex,

Writing this on long weekend Saturday realising you won't get it until Tuesday but all good – just catching up on a few things.

1. I've got the “go ahead” from RDC Engineers Pty Ltd (Rod Davis - PO Box 1223, Toowoomba 4350) to undertake a due diligence study of the feedlot we discussed earlier at North Star.

2. Have you been able to supply a quote to Rod Davis for Cultural Heritage Officers for field inspection of the site and if so has he accepted / declined?
3. I'm looking at undertaking the field inspection on a day either Tues – Thursday 10th – 12th or 17-19th Oct.
4. Obviously it will require a bit of co-ordination but do any of these days / dates suit?
5. I'd need to co-ordinate with Rod and / or property owner as well but if we start looking at things we can find a suitable day / date.
6. The ongoing dry makes field survey opportunity quite good – not good for farmers though!

If you can give these points some thought & get back to me asap it would be appreciated.

Regards,

Tony Sonter

Copy J – 3rd October

Tony

I will look into this and get back to you.

regards

Rex

Copy K – 9th October

Hi Rex,

Any updates to planning? Looking at day next week – preferably Tues 17th or Wednesday 18th?

Need to co-ordinate with property owner etc. and have your quote accepted by RDC Engineers.

Regards,

Tony

Copy L – 13th October

Hi Rex,

Just letting you know I need to continue forward with the work at North Star.

It appears you're unable to link up for a survey with the dates previously provided as project manager Rod Davis has not received a quote as required.

The area appears to be "disturbed farmland" under the definitions provided in the 2010 Due Diligence Code. However, if we need to proceed to a cultural heritage assessment I'll be back in touch.

Regards,

Tony Sonter

Copy M – 13th October

Hi Toni,

My apologies was a bit snowed under with my hectic work load.

What date did you do the surveys?

regards

Rex

Copy N – 16th October

Hi Rex,

Snowed under! Sure am – you and me both!

I spoke with the project manager, Rod Davis and when he said he hadn't heard from you I've taken the opportunity tomorrow to have a look at the site.

As time has moved on from the dates I proposed earlier, tomorrow is my best opportunity until mid November! Busy!

So far its all been desktop work and as I said it looks pretty much like disturbed farmland. I'll be back in touch if we need to proceed to a full cultural heritage assessment.

Regards,

Tony Sonter

Copy O – 16th October

Hi Tony,

Unfortunately for the DA, MPSC will insist on having a cultural heritage assessment completed with the involvement of CH reps on site from Toomelah LALC. Let me know if they make exceptions to the rule for this particular project site.

regards

Rex

Copy P – 17th October

Hi Rex,

Just a couple of points that might clear up a bit of confusion.

The feed lot area is in not in Moree Plains S.C. but in Gwydir.

At this stage it is not being considered through a Development Application (D.A.) but a SEARs through the Department of Planning.

We undertook a survey today based on the Due Diligence Code of Practice and will work on a draft report for 2-3 weeks time. I'll forward the DRAFT report to you for information / comment when completed. In the mean time if you wish to visit the site please contact Rod Davis – Project Manager as suggested in previous contacts – take a fly veil with you!

Regards,

Tony

Copy Q – 17th October

Hi Rod,

Just sent Rex an email as follow up to yesterdays query – included you in BCC

Due Diligence today was all good – I'll do a draft & process over next 2-3 weeks.

Can you resend me the SEARs request outline please? My I.T. consultant (me) didn't save it and automatic email clearance has wiped it after 3 months!

Toomelah LALC may still want to visit site but I'll let that evolve through you if / when it happens – keep me updated – if I have to revisit so be it to get the SEARs across the line!

All good,

Regards,

Tony

Copy R – 18th October

Tony,

That will be no problems if Toomelah LAC wish to visit the site.

I attach a copy of the SEARs Applicant Package.

Regards,

Rod Davis

Copy S – 18th October

No worries, thanks for the update.

Rex

Copy T – 5th December

Hi Rex,

Welcome to summer!

Attached is a copy of a Draft Due Diligence Report for the expansion of "Springfield" feedlot North Star. If you would like to have a look at it and make any comments it would be appreciated if they could be provided by 5pm Tuesday next week 12th December 2023.

Rod Davis of RDC Engineers Pty Ltd. (Toowoomba) still extends the invitation for members of the LALC to visit the site.

Regards,

Tony

Copy U – 5th December

Hi Tony,

The site visit from our CH Officers, will this inspection be funded?

regards

Rex

Copy V – 5th December

Hi Rex,

Any enquiries regarding the opportunity for a site visit and funding of such should be raised directly with Rod Davis who is the project manager rod.davis@rdcengineers.com.au

I'm trying to complete the Due Diligence this fortnight as after 18th December I'm basically out of action until first week of March next year hence my request for comments by Tuesday next week.

Regards,

Tony

Copy W – 13th December

Morning Rod,

Just wondering if Toomelah have had any contact with you?

I gave them until yesterday evening to comment on the report and before I let them know I’m finalizing it I just want to see if they had arranged anything.

Regards,

Tony

Copy X – 13th December

Tony,

No – they have not been in contact.

Regards,

Rod Davis

Director

Copy Y – 15th December

Hi Rex,

Hope you’re managing to keep cool with the present heat passing through.

As I have received no comment from Toomelah LALC on the Draft Due Diligence report re “Springfield” proposed feedlot, that I forwarded Tues 5th December, I have therefore finalized the report for RDC Engineers.

I did ask for any comment by Tuesday 12th and allowed a couple of extra days until today (Friday 15th) understanding how busy work can be.

Hope the Christmas period and New Year is good to you,

Regards,

Tony Sonter