

ATTACHMENT C

**ADDITIONAL DOCUMENTS REFERENCED
IN ASSESSMENT REPORT**

ITEM 1

**Development Consent 2021/LD-00009
(Demolition of Grandstand)**

As Per Plan Construction
29 Railway Parade North
Cobar NSW 2835

Attention: Heath Prendergast

09 February 2022
Reference: RAA10466-1

Clearance Certificate – Ward Oval Grandstand, Maidens Avenue, Cobar NSW 2835

1. Removal work details

Background:	The Ward Oval Grandstand is proposed to be demolished to allow redevelopment. Previous investigations by WSP (report Grandstand-Ward Oval-HAZMAT Report_Rev0) identified non-friable asbestos containing materials (ACM) were used in construction of the grandstand. Identified ACM requires removal prior to demolition works. A visual clearance inspection is required upon completion of non-friable asbestos removal works.
Site address:	Ward Oval Grandstand Maidens Avenue Cobar NSW 2835
Licensed asbestos removalist:	As Per Plan Construction Pty Ltd Class B/ASB 213755
Date(s) of removal works:	7th and 8th February 2022
Details of specific removal work area(s) (RWA):	ACM's were removed from the specific RWA's below: • External, eaves, • Internal, main room ceiling lining, • Internal, male toilet wall lining, • Internal, female toilet, wall lining, • Internal, subfloor debris, • Internal, kitchen, walls and ceiling linings; and • Internal, kitchen floor.
Details of RWA clean-up:	Clean-up by hand-pick, disposal and wet-down. Vinyl floor tiles in kitchen removed by hand-pick. Adhesive glue associated with vinyl floor tiles removed by application of solvent and collection into asbestos waste bags.
SafeWork NSW notification:	940R-00330645-02
Other:	This clearance certificate is only in relation to the RWA's outlined above. All known ACM's have been removed from the grandstand.

2. Clearance inspection details

Inspection date:	8 th February 2022
Inspection time:	17:30
Inspector:	Jeremy King (LAA001195)
Other:	This clearance certificate is only in relation to the RWA's outlined above. If previously unidentified ACM's are discovered works should cease immediately and a SafeWork NSW Licenced Asbestos Assessor inspect the materials.

3. Asbestos removal work area

Inspection of the specific work area detailed in Section 1 found no visible asbestos resulting from asbestos removal work in the removal area?	Yes
Inspection of the specific work area detailed in Section 1 found no visible asbestos resulting from asbestos removal work in the vicinity of the area?	Yes
Can the area be reoccupied?	Yes
Has additional information been attached?	Yes (Appendix 1)
Other: If previously unidentified ACM's are discovered works should cease immediately and a SafeWork NSW Licenced Asbestos Assessor inspect the materials.	

4. Limitations

Limitations of the investigation are presented in Appendix 2.

5. Clearance inspection declaration

I declare that:
• The former specific RWA's are free from any visible asbestos, • The area in the vicinity of the former specific RWA's are free from any visible asbestos, pursuant to comments, and • All asbestos in the scope of the removal work has been removed.

Regards,
Regional Asbestos Assessors Pty Ltd



Jeremy King BSc
Environmental Scientist
Licenced Asbestos Assessor (LAA001195)

Appendices: (1) Photographs
(2) Report Limitations

Appendix 1a: Photographs



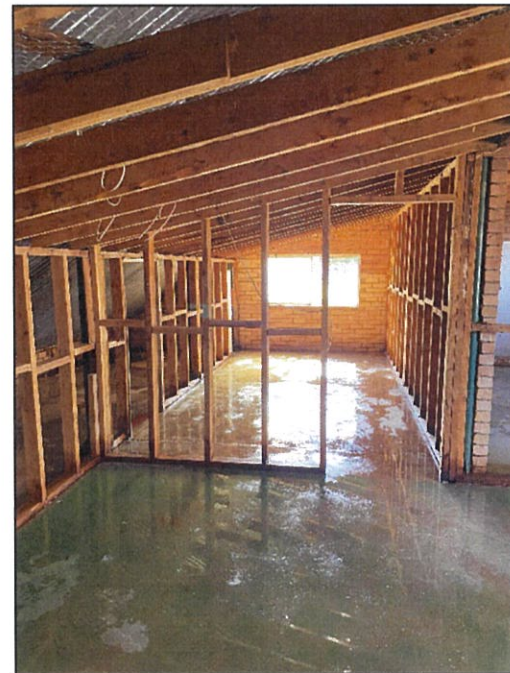
External eaves upon completion of visual clearance inspection.



Internal main room walls and ceiling upon completion of visual clearance inspection.



Internal main room walls and ceiling upon completion of visual clearance inspection.



Internal kitchen walls, ceiling and floor upon completion of visual clearance inspection.

Appendix 1b: Photographs



Internal kitchen walls, ceiling and floor upon completion of visual clearance inspection.



Internal female bathroom walls and ceiling upon completion of visual clearance inspection.



Internal male bathroom walls and ceiling upon completion of visual clearance inspection.

Appendix 2: Report Limitations

Use of this report is provided for the client for this project and only for the purposes as described in the report. It should not be used by or relied upon for other projects or purposes on the same or other site or by a third party. The report should not be separated or reproduced. Where information has been provided by other parties to Regional Asbestos Assessors Pty Ltd (RAA) as part of works, RAA cannot guarantee the accuracy of the information. Any party so relying upon this report beyond its exclusive use and purpose as stated above, and without the express written consent of RAA, does so at its own risk and without repercussion to RAA for any business losses, including without limitation loss of or damage to profits, income, revenue or misinterpretation.

The investigation is limited to a visual investigation with no sampling or analysis of materials. Visual clearance inspections are limited to safe areas accessible at the time of the inspection and exclude hidden and inaccessible locations such as, but not limited to, within wall spaces, subfloor spaces, between existing materials and beneath soil or vegetation. Renovation work, demolition work, weather damage and weather erosion may expose previously unidentified asbestos containing materials. The visual clearance provided in the report is only for the specific materials and locations described above. The investigation may be limited by factors such as cost constraints or accessibility of site.

RAA personnel and staff are not licenced quantity surveyors. A licenced quantity surveyor should be engaged if reliable quantities are required. Any quantities provided in this report are a guide only and should not be relied upon for quoting purposes.

The inspection was undertaken in accordance with *Work Health & Safety Regulation, 2017*, *SafeWork NSW Code of Practice: How to Manage and Control Asbestos in the Workplace, 2020* and *SafeWork NSW Code of Practice: How to Safely Remove Asbestos, 2019*. While work is undertaken in a professional manner the nature of the contaminant and limitations of the method(s) used mean that we cannot guarantee that all asbestos or ACM has been identified. Testing and assessment of site suitability for current or proposed land use under the National Environment Protection Measure (NEPM) was not undertaken as part of the investigation. The investigation does not constitute an environmental site investigation under the Contaminated Land Management Act (CLM). Assessment of any contaminated soil is not included in the scope of the investigation.

**As Per Plan Construction
29 Railway Parade North
Cobar NSW 2835**

6 March 2022
Reference: RAA10466-12

Attention: Heath Prendergast

Soil Validation (Lead Paint) – Ward Oval Grandstand, Maidens Avenue, Cobar NSW 2835

1 Background

Demolition works are proposed for the Ward Oval Grandstand, Maidens Avenue, Cobar NSW. Previous investigation by WSP Australia Pty Ltd (report Grandstand-Ward Oval-HAZMAT Report_Rev0) identified lead paint was used in the construction of the grandstand. Lead paint was identified on external painted surfaces of the grandstand including the external door and doorframe, fascia and guttering.

Waste classification undertaken by Regional Asbestos Assessors Pty Ltd (report RAA10454-11) confirmed the presence of lead in paint. A soil validation program was recommended upon completion of lead paint removal and demolition works as part of due diligence.

This validation report outlines the removal method as well as soil validation sampling undertaken upon completion of demolition works.

2 Scope

Regional Asbestos Assessors Pty Ltd was engaged by Heath Prendergast of As Per Plan Construction to undertake a soil validation program upon completion of lead paint removal and demolition works on the Ward Oval Grandstand, Maidens Avenue, Cobar NSW.

Validation soil samples were collected upon completion of demolition works and compared with soil samples collected prior to any demolition or lead paint removal works. The investigation was undertaken in accordance with *Work Health & Safety Regulation, 2017*. Sample collection, analysis, classification and reporting was undertaken in accordance with NSW EPA *Waste Classification Guidelines Part 1: Classifying Waste 2014* and compared with relevant thresholds presented in the National Environment Protection (Assessment of Site Contamination) Measure 1999 (April 2013), NEPC 2013, Canberra.

Inspection and sample collection was undertaken on 8/02/2022 prior to lead paint removal or demolition works and on 22/02/2022 upon completion of lead paint removal and demolition works by Jeremy King of Regional Asbestos Assessors Pty Ltd.

3 Site Details

Table 1. Site Details

Building:	Ward Oval Grandstand
Address:	Maidens Avenue, Cobar NSW 2835
Property ID:	Lot 65 DP 651098
Local Government Authority:	Cobar Shire Council
Assessment Date:	8 th and 22 nd February 2022
Assessor:	Jeremy King BSc

4 Investigation

Materials containing lead paint were removed by hand and double wrapped in 200um plastic sheeting. 200um plastic sheeting was placed on the ground of the RWA with paint flakes and dust collected and disposed with the lead paint materials.

A visual inspection was undertaken of the grandstand upon completion of lead paint removal works. The grandstand was inspected to ensure all lead paint containing materials had been removed. The ground surface within, and adjacent, the work area were visually inspected to determine the presence of lead paint flakes or debris.

Demolition of the grandstand was then undertaken after visual inspection. Soil samples were collected from the footprint of the former grandstand upon completion of demolition works.

Photographs taken during the inspection are outlined in Appendix 1.

5 Methodology

A total of three (3) soil samples were collected prior to lead paint removal and demolition works as a baseline for lead in soil for the site. Base-line soil samples were compared with three (3) soil samples collected upon completion of lead paint removal and demolition works. Soil samples were collected using a stainless-steel trowel and deposited in 200um sealable sample bags. Samples were couriered under chain of custody to the NATA accredited laboratory of SGS Australia for analysis of lead in soil.

Soil sample results were compared to the Residential¹ A HIL threshold in Table 1A(1) of the NEPM Guideline on investigation Levels for Soil and Groundwater. The adopted threshold for lead was 300mg/kg as this is the most conservative threshold.

Adopted thresholds are presented below in Table 2.

Table 2. Extract from Table 1A(1) Health investigation levels for soil contaminants

Contaminant	Residential¹ A HIL (mg/kg)	Residential¹ B HIL (mg/kg)	Residential¹ C HIL (mg/kg)	Commercial/ industrial¹ D HIL (mg/kg)
Lead	300	1,200	600	1,500

6 Results

Soil samples collected prior to lead paint removal and demolition works (sample identification 101, 102 and 103) were below the adopted threshold of 300mg/kg.

Soil samples collected upon completion of lead paint removal and demolition works (sample identification 201, 202 and 203) were below the adopted threshold of 300mg/kg.

Sample analysis results compared to the adopted threshold are presented below in Table 3.

Table 3. Sample Results and Conversion to mg/kg

Sample ID	Result (mg/kg)	Residential ¹ A health-based investigation level (mg/kg)
101	37	300
102	79	300
103	42	300
201	65	300
202	38	300
203	36	300

SGS Australia analytical report for baseline soil sample results is presented in Appendix 3. SGS Australia analytical report for validation soil sample results is presented in Appendix 4. Investigation and report limitations are presented in Appendix 2.

7 Conclusion

All soil sample collected prior to and upon completion of lead paint removal and demolition works were below the adopted threshold of 300mg/kg for lead in soil.

8 Recommendations

Nil as no soil contamination was identified.

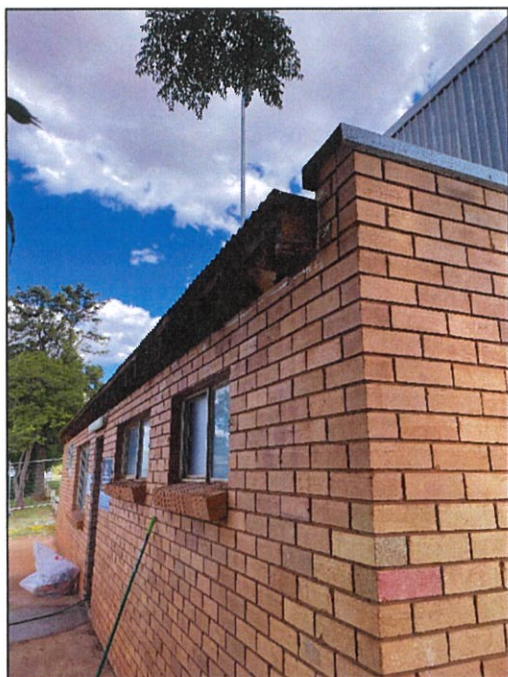
Regards,
Regional Asbestos Assessors Pty Ltd



Jeremy King BSc
Environmental Scientist
Licenced Asbestos Assessor (LAA001195)

- Appendices:**
- (1) Photographs
 - (2) Report Limitations
 - (3) SGS Australia Analytical Report (baseline sample results)
 - (4) SGS Australia Analytical Report (validation sample results)

Appendix 1: Photographs



External fascia and guttering upon completion of lead paint removal works, visual inspection and baseline soil sampling.



External fascia and guttering upon completion of lead paint removal works, visual inspection and baseline soil sampling.



Former grandstand upon completion of lead paint removal and demolition works, visual inspection and soil validation sampling.



Former grandstand upon completion of lead paint removal and demolition works, visual inspection and soil validation sampling.

Appendix 2: Report Limitations

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The investigation is limited to a visual investigation with limited sampling or analysis of materials. Inspections are limited to safe areas accessible at the time of the inspection and may exclude hidden and inaccessible locations such as within wall spaces, areas requiring demolition to access, subfloor spaces, between existing materials and beneath soil or vegetation. The inspection provided in the report is only for the specific materials and locations described above. The investigation may be limited by factors such as cost constraints or accessibility of site.

RAA personnel and staff are not licenced quantity surveyors. A licenced quantity surveyor should be engaged if reliable quantities are required. Any quantities provided in this report are a guide only and should not be relied upon for quoting purposes.

The inspection was undertaken in accordance with *Work Health & Safety Regulation, 2017*, and NSW EPA *Waste Classification Guidelines Part 1: Classifying Waste 2014*. While work is undertaken in a professional manner the nature of the contaminant and limitations of the method(s) used mean that we cannot guarantee that all asbestos or ACM has been identified. Testing and assessment of site suitability for current or proposed land use under the National Environment Protection Measure (NEPM) was not undertaken as part of the investigation. The investigation does not constitute an environmental site investigation under the Contaminated Land Management Act (CLM).

The waste generator is responsible for the transportation and disposal of waste in accordance with all state and regulatory regulations including, but not limited to: NSW EPA *Waste Classification Guidelines Part 1: Classifying Waste 2014*. This investigation and resulting report are advisory in nature and approval is required from state and regulatory authorities prior to disposal of any, and all, waste material removed from any site. RAA accepts no liability whatsoever for the unlawful disposal of any waste from any site.

Appendix 3: SGS Australia Analytical Report (baseline sample results)

CLIENT DETAILS

Contact **Jeremy King**
 Client **REGIONAL ASBESTOS ASSESSORS PTY LTD**
 Address **PO BOX 1486
 ORANGE NSW 2800**

Telephone **0413 094 398**
 Facsimile **(Not specified)**
 Email **jeremy@regionalasbestos.com.au**

Project **10466**
 Order Number **10466**
 Samples **3**

LABORATORY DETAILS

Manager **Huong Crawford**
 Laboratory **SGS Alexandria Environmental**
 Address **Unit 16, 33 Maddox St
 Alexandria NSW 2015**

Telephone **+61 2 8594 0400**
 Facsimile **+61 2 8594 0499**
 Email **au.environmental.sydney@sgs.com**

SGS Reference **SE228742 R0**
 Date Received **10 Feb 2022**
 Date Reported **17 Feb 2022**

COMMENTS

Accredited for compliance with ISO/IEC 17025 - Testing. NATA accredited laboratory 2562(4354).

SIGNATORIES



Bennet LO
 Senior Chemist



Shane MCDERMOTT
 Inorganic/Metals Chemist



ANALYTICAL REPORT

SE228742 R0

Sample Number	SE228742.001	SE228742.002	SE228742.003
Sample Matrix	Soil	Soil	Soil
Sample Date	08 Feb 2022	08 Feb 2022	08 Feb 2022
Sample Name	101	102	103

Parameter	Units	LOR
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Total Recoverable Elements in Soil/Waste Solids/Materials by ICPOES Method: AN040/AN320 Tested: 14/2/2022

Lead, Pb	mg/kg	1	37	79	42
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Moisture Content Method: AN002 Tested: 14/2/2022

% Moisture	%w/w	1	9.1	3.8	4.6
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MB blank results are compared to the Limit of Reporting
 LCS and MS spike recoveries are measured as the percentage of analyte recovered from the sample compared the the amount of analyte spiked into the sample.
 DUP and MSD relative percent differences are measured against their original counterpart samples according to the formula : *the absolute difference of the two results divided by the average of the two results as a percentage*. Where the DUP RPD is 'NA' , the results are less than the LOR and thus the RPD is not applicable.

Moisture Content Method: ME-(AU)-[ENV]AN002

Parameter	QC Reference	Units	LOR	DUP %RPD
% Moisture	LB242472	%w/w	1	1%

Total Recoverable Elements in Soil/Waste Solids/Materials by ICPOES Method: ME-(AU)-[ENV]AN040/AN320

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
Lead, Pb	LB242464	mg/kg	1	<1	7 - 11%	109%	88%

METHOD	METHODOLOGY SUMMARY
AN002	The test is carried out by drying (at either 40°C or 105°C) a known mass of sample in a weighed evaporating basin. After fully dry the sample is re-weighed. Samples such as sludge and sediment having high percentages of moisture will take some time in a drying oven for complete removal of water.
AN040	A portion of sample is digested with Nitric acid to decompose organic matter and Hydrochloric acid to complete the digestion of metals and then filtered for analysis by ASS or ICP as per USEPA Method 200.8.
AN040/AN320	A portion of sample is digested with nitric acid to decompose organic matter and hydrochloric acid to complete the digestion of metals. The digest is then analysed by ICP OES with metals results reported on the dried sample basis. Based on USEPA method 200.8 and 6010C.

FOOTNOTES

IS	Insufficient sample for analysis.	LOR	Limit of Reporting
LNR	Sample listed, but not received.	↑↓	Raised or Lowered Limit of Reporting
*	NATA accreditation does not cover the performance of this service.	QFH	QC result is above the upper tolerance
**	Indicative data, theoretical holding time exceeded.	QFL	QC result is below the lower tolerance
***	Indicates that both * and ** apply.	-	The sample was not analysed for this analyte
		NVL	Not Validated

Unless it is reported that sampling has been performed by SGS, the samples have been analysed as received.
Solid samples expressed on a dry weight basis.

Where "Total" analyte groups are reported (for example, Total PAHs, Total OC Pesticides) the total will be calculated as the sum of the individual analytes, with those analytes that are reported as <LOR being assumed to be zero. The summed (Total) limit of reporting is calculated by summing the individual analyte LORs and dividing by two. For example, where 16 individual analytes are being summed and each has an LOR of 0.1 mg/kg, the "Totals" LOR will be 1.6 / 2 (0.8 mg/kg). Where only 2 analytes are being summed, the "Total" LOR will be the sum of those two LORs.

Some totals may not appear to add up because the total is rounded after adding up the raw values.

If reported, measurement uncertainty follow the ± sign after the analytical result and is expressed as the expanded uncertainty calculated using a coverage factor of 2, providing a level of confidence of approximately 95%, unless stated otherwise in the comments section of this report.

Results reported for samples tested under test methods with codes starting with ARS-SOP, radionuclide or gross radioactivity concentrations are expressed in becquerel (Bq) per unit of mass or volume or per wipe as stated on the report. Becquerel is the SI unit for activity and equals one nuclear transformation per second.

Note that in terms of units of radioactivity:

- 1 Bq is equivalent to 27 pCi
- 37 MBq is equivalent to 1 mCi

For results reported for samples tested under test methods with codes starting with ARS-SOP, less than (<) values indicate the detection limit for each radionuclide or parameter for the measurement system used. The respective detection limits have been calculated in accordance with ISO 11929.

The QC and MU criteria are subject to internal review according to the SGS QAQC plan and may be provided on request or alternatively can be found here: www.sgs.com.au/en-gb/environment-health-and-safety.

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Appendix 4: SGS Australia Analytical Report (validation sample results)

CLIENT DETAILS

Contact **Jeremy King**
 Client **REGIONAL ASBESTOS ASSESSORS PTY LTD**
 Address **PO BOX 1486
 ORANGE NSW 2800**

Telephone **0413 094 398**
 Facsimile **(Not specified)**
 Email **jeremy@regionalasbestos.com.au**

Project **10466-2**
 Order Number **10466-2**
 Samples **3**

LABORATORY DETAILS

Manager **Huong Crawford**
 Laboratory **SGS Alexandria Environmental**
 Address **Unit 16, 33 Maddox St
 Alexandria NSW 2015**

Telephone **+61 2 8594 0400**
 Facsimile **+61 2 8594 0499**
 Email **au.environmental.sydney@sgs.com**

SGS Reference **SE229376 R0**
 Date Received **25 Feb 2022**
 Date Reported **01 Mar 2022**

COMMENTS

Accredited for compliance with ISO/IEC 17025 - Testing. NATA accredited laboratory 2562(4354).

SIGNATORIES



Bennet LO
 Senior Chemist



Dong LIANG
 Metals/Inorganics Team Leader



Shane MCDERMOTT
 Inorganic/Metals Chemist

Sample Number	SE229376.001	SE229376.002	SE229376.003
Sample Matrix	Soil	Soil	Soil
Sample Date	22 Feb 2022	22 Feb 2022	22 Feb 2022
Sample Name	201	202	203

Parameter	Units	LOR
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Total Recoverable Elements in Soil/Waste Solids/Materials by ICPOES Method: AN040/AN320 Tested: 28/2/2022

Lead, Pb	mg/kg	1	65	38	36
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Moisture Content Method: AN002 Tested: 25/2/2022

% Moisture	%w/w	1	14.3	9.1	13.3
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MB blank results are compared to the Limit of Reporting

LCS and MS spike recoveries are measured as the percentage of analyte recovered from the sample compared the the amount of analyte spiked into the sample.

DUP and MSD relative percent differences are measured against their original counterpart samples according to the formula : *the absolute difference of the two results divided by the average of the two results as a percentage*. Where the DUP RPD is 'NA' , the results are less than the LOR and thus the RPD is not applicable.

Moisture Content Method: ME-(AU)-[ENV]AN002

Parameter	QC Reference	Units	LOR	DUP %RPD
% Moisture	LB243596	%w/w	1	0 - 25%

Total Recoverable Elements in Soil/Waste Solids/Materials by ICPOES Method: ME-(AU)-[ENV]AN040/AN320

Parameter	QC Reference	Units	LOR	MB	LCS %Recovery
Lead, Pb	LB243703	mg/kg	1	<1	100%

METHOD

METHODOLOGY SUMMARY

AN002

The test is carried out by drying (at either 40°C or 105°C) a known mass of sample in a weighed evaporating basin. After fully dry the sample is re-weighed. Samples such as sludge and sediment having high percentages of moisture will take some time in a drying oven for complete removal of water.

AN040

A portion of sample is digested with Nitric acid to decompose organic matter and Hydrochloric acid to complete the digestion of metals and then filtered for analysis by ASS or ICP as per USEPA Method 200.8.

AN040/AN320

A portion of sample is digested with nitric acid to decompose organic matter and hydrochloric acid to complete the digestion of metals. The digest is then analysed by ICP OES with metals results reported on the dried sample basis. Based on USEPA method 200.8 and 6010C.

FOOTNOTES

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		NVL	Not Validated

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Solid samples expressed on a dry weight basis.

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If reported, measurement uncertainty follow the ± sign after the analytical result and is expressed as the expanded uncertainty calculated using a coverage factor of 2, providing a level of confidence of approximately 95%, unless stated otherwise in the comments section of this report.

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- 1 Bq is equivalent to 27 pCi
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ITEM 2

Crown Land Consent

Cobar Shire Council
Attn: Garry Ryman

Our ref: DOC22/051316
File: 22/01390

Via Email: garry.ryman@cobar.nsw.gov.au

21 March 2022

Dear Sir/Madam

**Consent for
Development
Comprising:**

Ward Oval Upgrades – Car Park on Crown Land

Crown Land

Lot 7317 DP 1170701

Crown reserve

Part R630023 for Public Recreation notified 18
November 1932

Parish

Cobar

County

Robinson

Consent is granted by the Minister for Lands and Water to the lodgement of applications for approval under the *Environmental Planning and Assessment Act 1979*, and other associated applications required under other legislation, for the development proposal described above.

- The Land Owner Consent is granted conditional to the following:
 1. Land Owner Consent will expire after a period of 12 months from the date of this letter if not acted on within that time. Extensions of this consent may be sought
 2. You are required to forward a copy of the DA approval to the NSW Department of Planning and Environment – Crown Lands (“the Department”) after approval and prior to commencing works.
 3. You are required to ensure that the approval provided is consistent with this Land Owner Consent.
 4. The Land Owner Consent is provided for the works detailed on the plans provided by you and retained by the Department in File 22/01390.

Land Owner Consent is granted in accordance with the following:

- Land Owner Consent is given without prejudice so that consideration of the proposed development may proceed under the *Environmental Planning and Assessment Act 1979* and any other relevant legislation;
- The grant of this Land Owner Consent does not guarantee that any subsequent authority to occupy will be granted;

- Land Owner Consent does not imply the concurrence of the Minister for Lands and Water for the proposed development and does not provide authorisation under the Crown Lands Act 1989 for this proposal;
- The issue of Land Owner Consent does not prevent the Department from making any submission commenting on, supporting or opposing an application;
- The Minister reserves the right to issue Land Owner Consent for the lodgement of applications for any other development proposals on the subject land concurrent with this Land Owner Consent;
- Any changes made to the proposal, including those imposed by the consent authority, must be consistent with the Land Owner Consent and therefore if modifications are made to the proposed development details must be provided to the Department for approval;
- Land Owner Consent also allows application to any other approval authority necessary for this development proposal.

This letter should be submitted to the relevant consent or approval authority in conjunction with the development application and/or any other application. You are responsible for identifying and obtaining all other consents, approvals and permits required under NSW and Commonwealth laws from other agencies for the proposed development.

It is important that you understand your obligations relating to Condition 3. If any alterations are made to the application (whether in the course of assessment, by conditions of consent, or otherwise), it is your responsibility to ensure the amended or modified development remains consistent with this Land Owner Consent. If there is any inconsistency or uncertainty you are required to contact the Department before undertaking the development to ensure that the Department consents to the changes. A subsequent LOC application may incur additional application fees.

For further information, please contact Vanessa Woodham via the details given in the letter head.

Yours sincerely



Vanessa Woodham
Property Services Officer
Department of Planning, Industry & Environment
Crown Lands, Far West Area

Attachment A – Location Map



ITEM 3

Due Diligence Report



View southeast through the study area.

ABORIGINAL DUE DILIGENCE ASSESSMENT REPORT

COBAR CHILDCARE CENTRE AND WARD OVAL MASTERPLAN

COBAR, NSW

JUNE 2022

Report prepared by
OzArk Environment & Heritage
for NSW Public Works Advisory

OzArk

**OzArk
Environment & Heritage**

145 Wingewarra St
(PO Box 2069)
Dubbo NSW 2830

Phone: (02) 6882 0118

Fax: (02) 6882 0630

enquiry@ozarkehm.com.au

www.ozarkehm.com.au

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DOCUMENT CONTROLS

Proponent	Cobar Shire Council	
Client	NSW Public Works Advisory	
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Prepared for		Prepared by
Neil Webster Project Manager Public Works, Department of Regional NSW neil.webster@pwa.gov.au		Harrison Rochford Archaeologist OzArk Environment & Heritage 145 Wingewarra Street (PO Box 2069) Dubbo NSW 2830 P: 02 6882 0118 harrison@ozarkehm.com.au
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Enquiries should be addressed to OzArk Environment & Heritage.		

Acknowledgement

OzArk acknowledge the traditional custodians of the area on which this assessment took place and pay respect to their beliefs, cultural heritage, and continuing connection with the land. We also acknowledge and pay respect to the post-contact experiences of Aboriginal people with attachment to the area and to the Elders, past and present, as the next generation of role models and vessels for memories, traditions, culture and hopes of local Aboriginal people.

EXECUTIVE SUMMARY

OzArk Environment & Heritage (OzArk) has been engaged by NSW Public Works Advisory (the client) on behalf of Cobar Shire Council (the proponent) to complete an Aboriginal Due Diligence heritage assessment for the Cobar Childcare Centre and Ward Oval Masterplan project (the project)

Prior to the Due Diligence assessment, a site walkover for Aboriginal heritage was undertaken for the project by the Cobar Local Aboriginal Land Council (Cobar LALC) in April 2022. During the walkover, an isolated artefact was identified in the northern carpark area and removed by the site officer due to concerns that the object would be damaged by vehicles. OzArk understands that Cobar LALC and Cobar office of the National Parks and Wildlife Service are in the process of registering the object on the Aboriginal Heritage Information Management System (AHIMS) and intend to organise a care and control agreement to relocate the artefact to the keeping place at Mount Grenfell National Park.

A visual inspection of the study area was undertaken by OzArk Archaeologist, Harrison Rochford and Tyrone Griffiths of the Cobar LALC on Friday 3 June 2021. The location of the previously identified Aboriginal object was revisited and no further objects or landforms with archaeological sensitivity were recorded.

The undertaking of the due diligence process has resulted in the conclusion that the proposed works will have an impact on the ground surface, however, no Aboriginal objects or intact archaeological deposits will be harmed by the proposal. This moves the proposal to the following outcome:

Aboriginal Heritage Impact Permit (AHIP) application not necessary. Proceed with caution. If any Aboriginal objects are found, stop work, and notify Heritage NSW (02) 9873 8500 (heritagemailbox@environment.nsw.gov.au). If human remains are found, stop work, secure the site, and notify NSW Police and Heritage NSW.

To ensure the greatest possible protection to the area's Aboriginal cultural heritage values, the following recommendations are made:

- 1) The proposed work may proceed at Ward Oval without further archaeological investigation under the following conditions:
 - a) All land and ground disturbance activities must be confined to within the study area, as this will eliminate the risk of harm to Aboriginal objects in adjacent landforms. Should the parameters of the proposal extend beyond the assessed areas, then further archaeological assessment may be required.
 - b) All staff and contractors involved in the proposed work should be made aware of the legislative protection requirements for all Aboriginal sites and objects.

- 2) It is understood that that an AHIMS registration for the Aboriginal object that was identified by the Cobar LALC is pending. Once this listing has been approved by Heritage NSW, the site card should be amended to include the information that the object has been taken into care by the Cobar LALC and is no longer at its recorded location.
- 3) This assessment has concluded that there is a low likelihood that the proposed work will adversely harm Aboriginal cultural heritage items or sites. If during works, however, Aboriginal artefacts or skeletal material are noted, all work should cease and the procedures in the *Unanticipated Finds Protocol* (**Appendix 2**) should be followed.
- 4) Inductions for work crews should include a cultural heritage awareness procedure to ensure they recognise Aboriginal artefacts (see **Appendix 3**) and are aware of the legislative protection of Aboriginal objects under the *National Parks and Wildlife Act 1974* and the contents of the *Unanticipated Finds Protocol*.

The information presented here meets the requirements of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. It should be retained as shelf documentation for five years as it may be used to support a defence against prosecution in the event of unanticipated harm to Aboriginal objects.

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1 INTRODUCTION

1.1 BRIEF DESCRIPTION OF THE PROJECT

OzArk Environment & Heritage (OzArk) has been engaged by NSW Public Works Advisory to complete an Aboriginal due diligence heritage assessment for the Cobar Childcare Centre and Ward Oval Masterplan project (the project). The project is in the Cobar Local Government Area (LGA) (**Figure 1-1**).

1.2 BACKGROUND

A site walkover for Aboriginal heritage was undertaken for the project by the Cobar Local Aboriginal Land Council (Cobar LALC) in April 2022. During the walkover, an isolated artefact was identified in the northern carpark area. The object was identified as a silcrete flake that was not in its original context and had likely been incidentally deposited at the site. The object was removed by the Cobar LALC site officer due to concerns that it would be damaged by vehicles.

OzArk understands that Cobar LALC is in the process of registering the object with the Aboriginal Heritage Information Management System (AHIMS). Cobar LALC and the Cobar office of the National Parks and Wildlife Service intend to organise a care and control agreement to relocate the artefact to the keeping place at Mount Grenfell National Park.

Although the object is no longer within the study area for the project, the proponent elected to undertake a due diligence assessment prior to undertaking works to formally assess the area for Aboriginal heritage.

1.3 STUDY AREA

The study area describes the area in which all impacts associated with the project will be located. The study area is situated within a partially cleared and modified flat landform that comprises the Ward Oval precinct in Cobar, NSW. The study area includes carparks, netball courts, stock yards and storage sheds used during agricultural shows and two landscaped sports ovals.

The northern boundary of the study area is bordered by Brennan Street and the north-western portion is adjacent to intersection of Booroomugga Street and Brennan Street. The study area covers approximately 12.5 hectares (ha) and is shown on **Figure 1-2**.

Two minor drainage lines run from south to north parallel to the eastern and western boundaries of the study area. The drainage lines meet the artificial Newey Reservoir south of Cobar.

1.4 ASSESSMENT APPROACH

Aboriginal cultural heritage

The desktop and visual inspection component for the study area follows the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (due diligence; DECCW

2010). The field inspection followed the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales* (OEH 2011).

Figure 1-1. Map showing the location of the proposal.

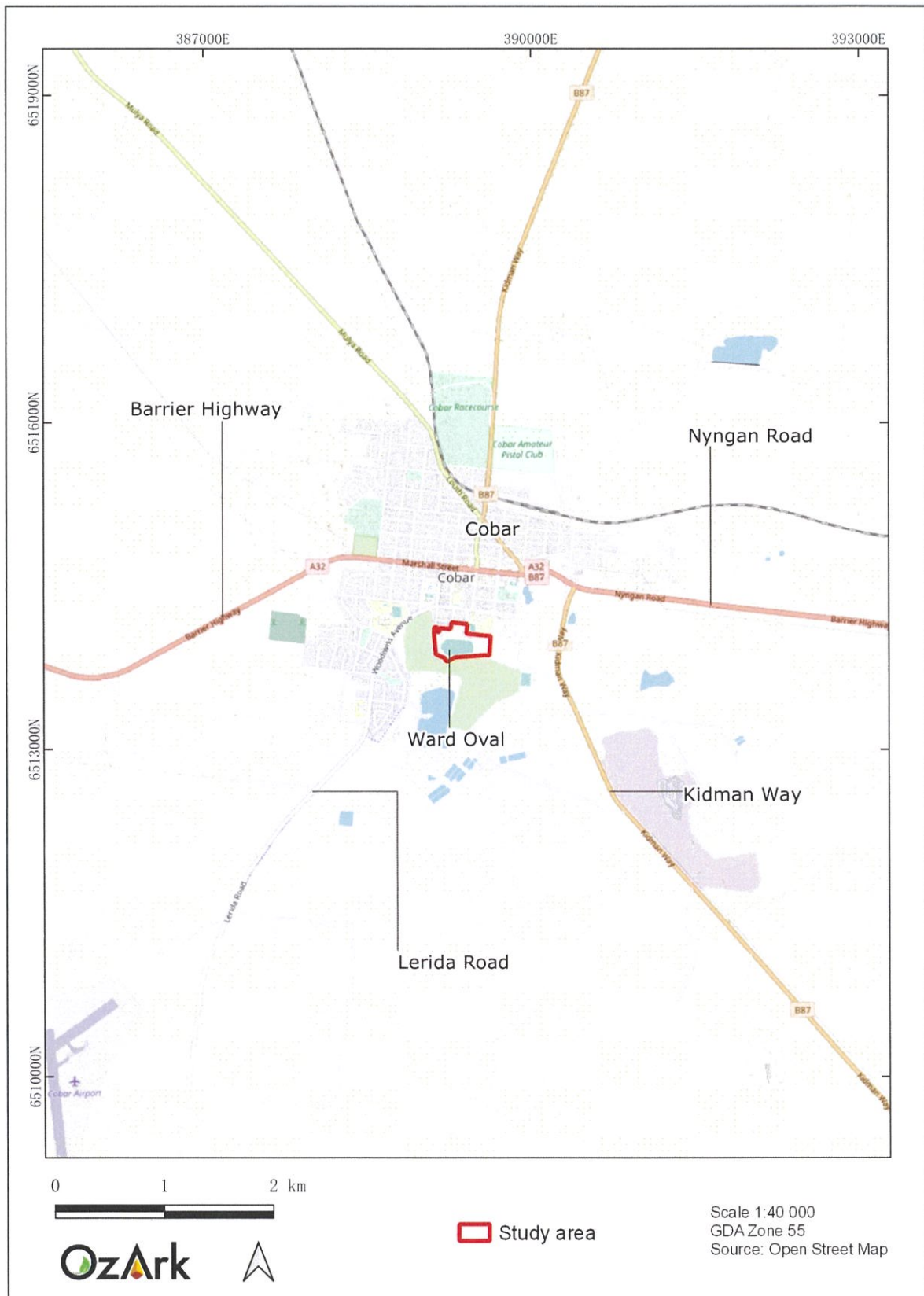


Figure 1-2: Aerial showing the study area.



2 ABORIGINAL DUE DILIGENCE ASSESSMENT

2.1 INTRODUCTION

Section 57 of the National Parks and Wildlife Regulation 2019 (NPW Regulation) made under the *National Parks and Wildlife Act 1974* (NPW Act) advocates a due diligence process to determining likely impacts on Aboriginal objects. Carrying out due diligence provides a defence to the offence of harming Aboriginal objects and is an important step in satisfying Aboriginal heritage obligations in NSW.

2.2 DEFENCES UNDER THE NPW REGULATION 2019

2.2.1 Low impact activities

The first step before application of the due diligence process itself is to determine whether the proposed activity is a “low impact activity” for which there is a defence in the NPW Regulation. The exemptions are listed in Section 58 of the NPW Regulation (DECCW 2010: 6).

The construction of two new buildings (Preschool and Multi-Purpose Facility) at Ward Oval will involve excavation and general ground disturbances that are not considered ‘low impact’ activities. Thus, the due diligence process must be applied.

2.2.2 Disturbed lands

Relevant to this process is the assessed levels of previous land-use disturbance.

The NPW Regulation Section 58 (DECCW 2010: 18) define disturbed land as follows:

Land is disturbed if it has been the subject of a human activity that has changed the land's surface, being changes that remain clear and observable.

Examples include ploughing, construction of rural infrastructure (such as dams and fences), construction of roads, trails and tracks (including fire trails and tracks and walking tracks), clearing vegetation, construction of buildings and the erection of other structures, construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure) and construction of earthworks.

The proposed work will occur on the northern side of Ward Oval. The study area has been levelled and subject to installation of infrastructure such as carparks, access roads, sheds and grandstand buildings (**Figure 1-2**). Therefore, it is considered that the proposed work is mostly occurring in ‘disturbed land’.

However, as the proponent was aware of one previously recorded stone artefact within the study area, they have elected to follow the precautionary principle and undertake an assessment under

the Due Diligence Code of Practice (**Section 1.2**). The reasoning for this determination is set out in **Table 2-1**.

Table 2-1: Determination of whether Due Diligence Code of Practice applies.

Item	Reasoning	Answer
Is the activity to be assessed under Division 4.7 (state significant development) or Division 5.2 (state significant infrastructure) of the EP&A Act?	The proposal will be assessed under Part 5 of the EP&A Act.	No
Is the activity exempt from the NPW Act or NPW Regulation?	The proposal is not exempt under this Act or Regulation.	No
Do either or both apply: Is the activity in an Aboriginal place? Have previous investigations that meet the requirements of this Code identified Aboriginal objects?	The activity will not occur in an Aboriginal place. No Code of Practice investigations have been undertaken for this proposal.	No
Is the activity a low impact one for which there is a defence in the NPW Regulation?	The proposal is not a low impact activity for which there is a defence in the NPW Regulation.	No
Is the activity occurring entirely within areas that are assessed as 'disturbed lands'?	Yes, but the identification of an Aboriginal object at the study area has led to the undertaking of further assessment	Not applicable
Due Diligence Code of Practice will be applied		

2.3 APPLICATION OF THE DUE DILIGENCE CODE OF PRACTICE TO THE PROJECT

To follow the generic due diligence process, a series of steps in a question/answer flowchart format (DECCW 2010: 10) are applied to the proposed impacts and the study area, and the responses documented.

2.3.1 Step 1

Will the activity disturb the ground surface or any culturally modified trees?

Yes, the proposal will impact the ground surface and may impact culturally modified trees.

The proposed work includes earthworks and building construction that will disturb the ground surface. The project has the potential to impact culturally modified trees should mature trees be present in the study area.

2.3.2 Step 2a

Are there any relevant confirmed site records or other associated landscape feature information on AHIMS?

No, there are no previously recorded sites within the study area.

A search of the Aboriginal Heritage Information Management System (AHIMS) database was undertaken on 1 June 2022 that returned 77 results for Aboriginal sites within a 20 x 80 kilometre (km) area centred on the study area (GDA Zone 55 Eastings: 349388–429631; Northings: 6473622–6553722).

The frequently recorded site types in the area include modified trees (36.3%) and artefact scatters (32.5%). Other recorded site types include isolated finds (14.3%), stone quarry and artefact scatters (9.1%), Aboriginal ceremony and Dreaming sites (3.9%) and burial (1.3%). The closest site to the study area is an artefact scatter (#26-4-0011), approximately 770 metres (m) to the east of the study area.

Most sites tend to be near to waterways or in areas where development driven studies have taken place. The AHIMS results suggest that artefacts sites and modified trees are the most likely site types to be recorded at the study area.

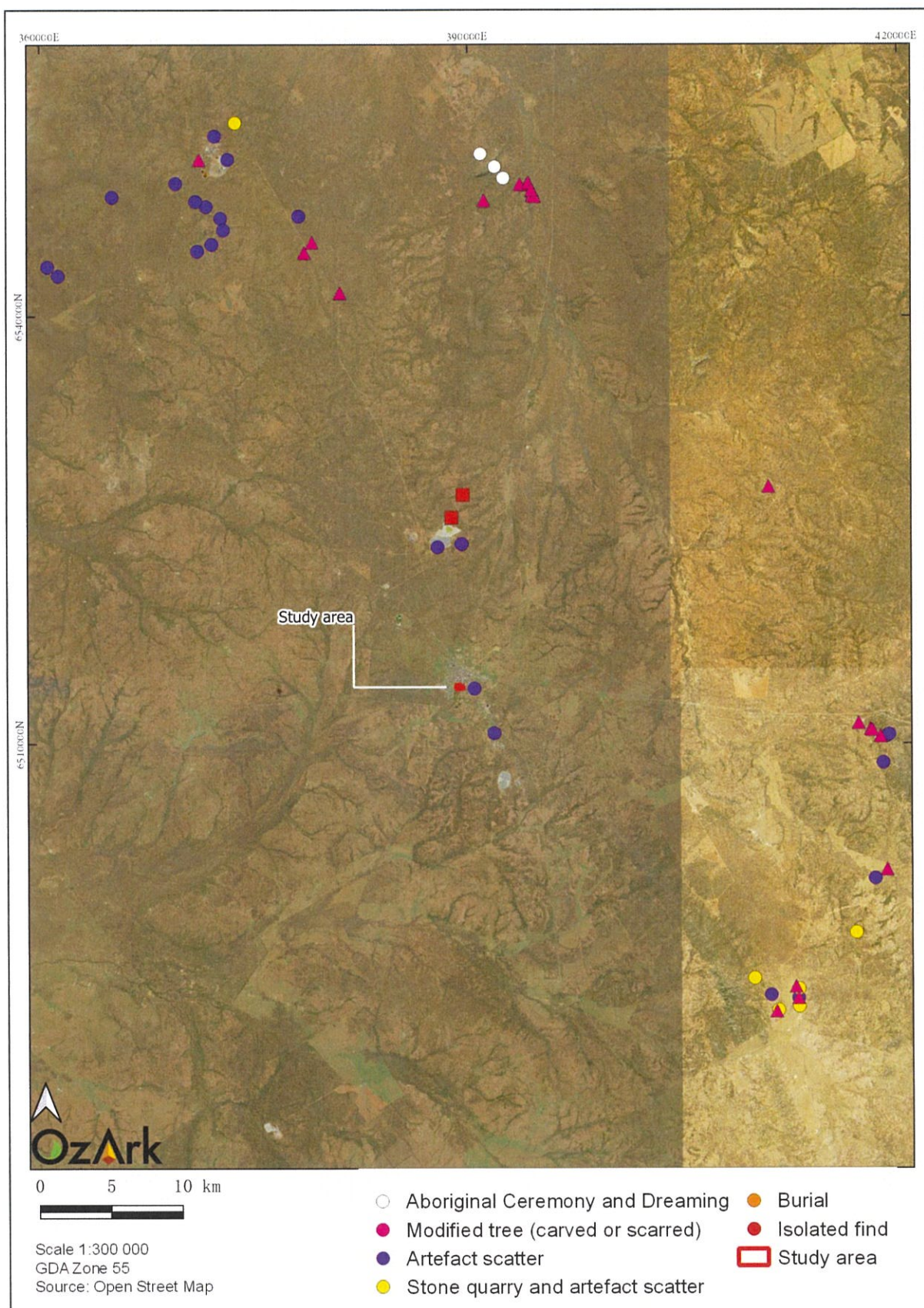
Although there is information indicating that an AHIMS site will be registered at the study area (see **Section 1.2**), as of 24 June 2022, this site registration had not been completed.

Figure 2-1 shows all previously recorded sites in relation to the study area and **Table 2-2** shows the types of sites that are close to the study area.

Table 2-2: Site types and frequencies of AHIMS sites near the study area.

Site Type	Number	% Frequency
Modified tree (carved or scarred)	28	36.3
Artefact scatter	25	32.5
Isolated find	11	14.3
Stone quarry and artefact scatter	7	9.1
Aboriginal ceremony and dreaming	3	3.9
Restricted site	2	2.6
Burial	1	1.3
Total	77	100

Figure 2-1: Previously recorded sites in relation to the study area.



2.3.3 Step 2b

Are there any other sources of information of which a person is already aware?

No, there are no other sources of information that would indicate the presence of Aboriginal objects in the study area.

Ethnographic information and regional archaeological summary

Cobar is traditionally home to the Ngiyampaa or Ngemba people, who to distinguish themselves from other language groups in the area and refer to themselves as the people who speak Ngiyampaa the Wangaaypuwan (or Wongaibon) way (NPWS 2000). As much of the ethnographic evidence for pre-contact Aboriginal society is derived from the accounts of early colonial explorers and settlers, there is comparatively little information available concerning the people of the Cobar Peneplain, which was not extensively colonised until the late 19th century.

The archaeological record of the Aboriginal people of the Cobar area is distinctive and well documented. Early archaeological studies such as McCarthy (1976) tended to focus on the array of rock art sites and features at locations including Mount Grenfell (50 km northwest of the study area) and Gundabooka (106 km north of the study area). Studies focusing on the distribution of all archaeological sites across the region have concluded that most large stone artefact sites tend to be associated with water sources (e.g., Witter 2002: 268-9). However, the absence of rivers and scarcity of reliable streams across the Cobar Peneplain means that these water sources are often springs and waterholes that are harder for broad scope studies to identify. The characteristic features of archaeological assemblages in the Cobar region include a higher proportion of tula adzes (a hafted woodworking tool uncommon further to the southeast), grinding dishes and microblades than most other regions of inland NSW (Witter 2002: 268).

In 2021, OzArk completed a regional modelling study for Lachlan Shire Council, which is adjacent to the Cobar LGA and includes areas of the Cobar Peneplain bioregion (OzArk 2021). The results of the study generally indicated that sites were more likely to be located near water sources, but it was noted that this trend was less observable in the northern Peneplain areas of the LGA than the Lachlan River valley (OzArk 2021: 72-3). As such, it is possible that the correlation between site occurrence and watercourses in the Cobar area is lower than elsewhere in Central West.

Development driven studies near the study area

The high number of mining developments surrounding the town of Cobar has led to a relatively high level of archaeological assessment of the local area. Below is a brief summary of findings relevant to the study area.

Cultural Heritage Connections 2007 — *Archaeology and Cultural Heritage review CSA Mine, Cobar.*

- Assessment for the CSA Mine, 10 km north of the study area, recorded one large artefact scatter (AHIMS Site 26-1-0038, CSA 1 Cobar) despite a very high level of reported disturbance over the area from historic mining activity.
- The identified site spanned both sides of an incised drainage line for an approximate 300-400 m extent.

OzArk 2015 — *Aboriginal Due Diligence Assessment: Cobar Water Treatment Plant.*

- The assessment covered a 3-ha area to be developed for a Water Treatment Plant (WTP). The WTP area is 2.5 km east of the current study area on similar flat landforms distant from major hydrological resources
- No Aboriginal sites were identified during the assessment, which was attributed to overall low archaeological sensitivity of the landforms of the study area. The flat, shaly landscape was not considered to have features that would have attracted Aboriginal inhabitants for prolonged periods of time.

EMM 2020 — *New Cobar Complex Project Aboriginal Cultural Heritage Assessment*

- The field survey investigated approximately 7 ha of flat open plains 800 m east of the study area. It was noted that the landforms had been subject to substantial mining and post-contact habitation disturbance in the past.
- The field investigation overall documented 36 stone artefacts (1 per 1 930 m²) across the investigated areas. No concentrations of artefacts were identified, and it was considered the finds reflected a background scatter that has been heavily disturbed from past agriculture and mining.
- The background scatter site (AHIMS Site 26-4-0011, New Cobar Complex Background Scatter) has an association with two ephemeral waterholes named Big Salty and Little Salty. These waterholes have been substantially modified in the present day, but were likely to have been water resources in the past.

Implications for the study area

There are no ethnographic sources of information that indicate the likely presence of Aboriginal objects within the study area. The regional archaeological data suggests that sites within the study area are most likely to be present adjacent to water resources, if present. However, the characteristics of the Cobar Peneplain indicate that types of water resources may be more variable than elsewhere in NSW.

EMM (2020) identified a low-density background scatter on flat, disturbed landforms near the study area. If sites are identified during the assessment, it is anticipated that they could share similar characteristics to this background scatter.

2.3.4 Step 2c

Are there any landscape features that are likely to indicate presence of Aboriginal objects?

Yes, portions of the study area contain landforms with identified archaeological sensitivity.

Some sections of the study area are within 200 m of the watercourses that run to Newey Reservoir. Under the Due Diligence guidelines, landforms adjacent to watercourses of any kind have identified archaeological sensitivity.

The study area is situated within the Cobar Downs landscape description (Mitchell 2002: 33). The underlying geology of the area is a complex of undulating low ridges of sedimentary and metamorphic rock with occasional plateaux. Soils tend to be shallow and gravelly on slopes, red clay loams on ridges and calcareous red earths on plains. Vegetation at the study area prior to colonial disturbance would have been a mallee ecosystem with scattered larger tree species (white cypress pine, bumble box) and a diverse understorey of bushes (emu bush and hopwood) and grasses.

The study area is on a level landform at the base of a low slope. The closest named waterway is Box Creek, 4 km to the west. However, as noted by EMM (2021), there were likely other waterholes surrounding Cobar that have been since modified into tanks and reservoirs in the modern town and mines. There are two unnamed minor watercourses that run along the eastern and western boundaries of the study area. Although the waterways appear to be ephemeral first-order streams that are unlikely to have held reliable water, the adjacent landforms nevertheless have heightened archaeological sensitivity.

The edges of the minor watercourses are the portions of the study area most likely to contain Aboriginal archaeological sites. In general, the study area is considered to be distant from reliable water sources that can be identified at a desktop level, which indicates an overall low archaeological sensitivity.

As there are landforms with identified archaeological sensitivity at the study area, the assessment proceeded to visual inspection (**Section 2.3.6**) in order to ground-truth the findings of the above desktop level assessment.

2.3.5 Step 3

Can harm to Aboriginal objects or disturbance of archaeologically sensitive landscape features be avoided?

No. Landforms with identified archaeological sensitivity may be impacted by the proposal.

Parts of the proposed work will impact landforms within 200 m of water, as identified above.

2.3.6 Step 4

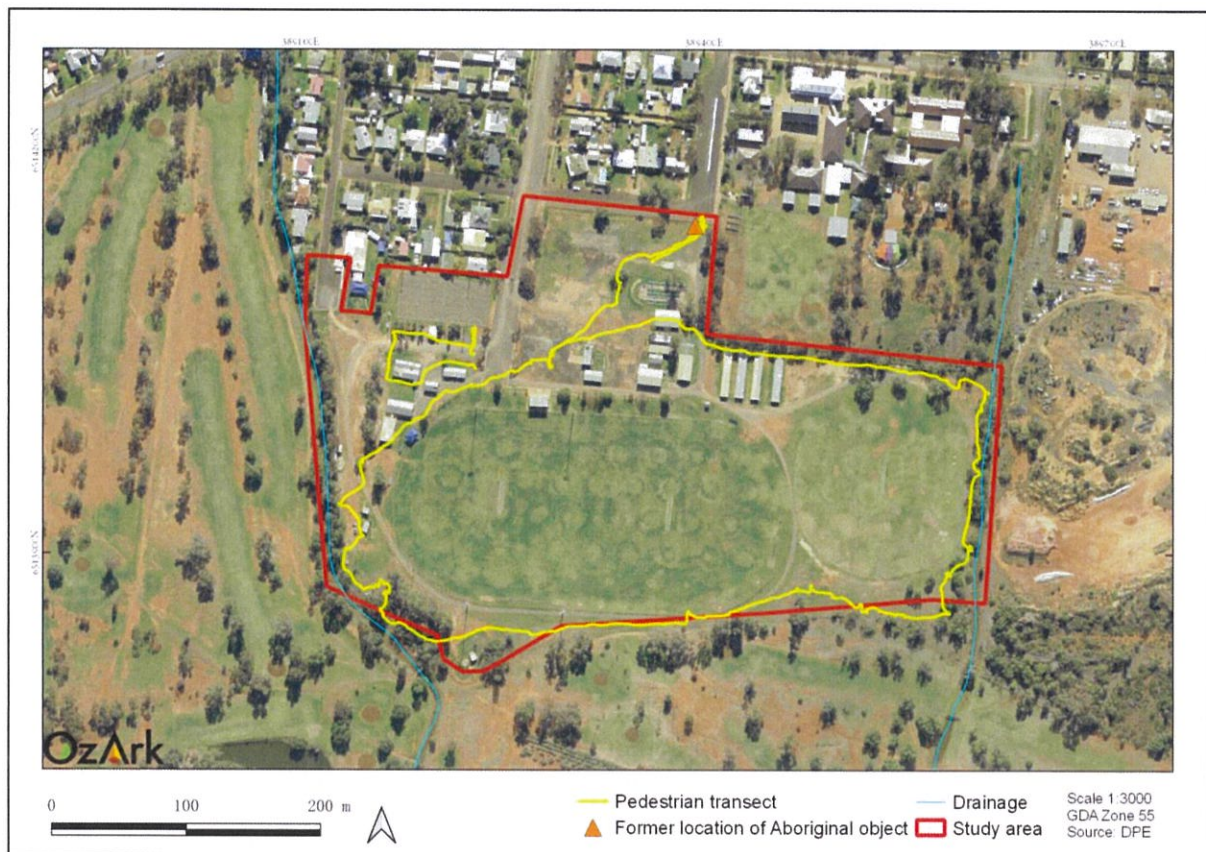
Does a desktop assessment and visual inspection confirm that there are Aboriginal objects or that they are likely?

No, there are no Aboriginal objects or sensitive landforms identified within the study area.

The visual inspection of the study area was undertaken by OzArk Archaeologist, Harrison Rochford, and Tyrone Griffiths of the Cobar LALC on Friday 3 June 2021. The visual inspection was undertaken over areas of low ground surface disturbance and with ground surface visibility (GSV).

The location of the previously identified Aboriginal object (see **Section 1.2**) was revisited and no further objects were recorded (**Plate 1**). **Figure 2-2** shows the pedestrian coverage of the team during the visual inspection.

Figure 2-2: Survey coverage within the study area.



Discussion

The absence of sites recorded at the study area is in line with the predictive model developed for the study area. The study area is distant to reliable water and has been substantially modified over the past 100 years. Disturbance to the ground surface include the modification of the minor drainage lines (**Plate 2**), landscaping for the sports oval (**Plate 3**) and the surrounding oval infrastructure (**Plate 4**). The landforms associated with the two drainage lines have heightened archaeological sensitivity due to their proximity to waters (**Section 2.3.4**). However, during the visual inspection it was noted that the waterways had been channelised and their adjacent

landforms had been subject to landscaping. If areas of archaeological potential were present before the colonial settlement of Cobar, they are no longer discernible.

A 'no' answer for Step 4, results in the following outcome (DECCW 2010):

AHIP (Aboriginal Heritage Impact Permit) application not necessary. Proceed with caution. If any Aboriginal objects are found, stop work and notify Heritage NSW (02) 9873 8500 (heritagemailbox@environment.nsw.gov.au). If human remains are found, stop work, secure the site and notify NSW Police and Heritage NSW.

2.4 CONCLUSION

The due diligence process has resulted in the outcome that an Aboriginal Heritage Impact Permit (AHIP) is not required. The reasoning behind this determination is set out in **Table 2-3**.

Table 2-3: Due Diligence Code of Practice application.

Step	Reasoning	Answer
Step 1 Will the activity disturb the ground surface or any culturally modified trees?	The proposed works will disturb the ground surface through excavation and construction. The proposal will remove vegetation, so culturally modified trees may be harmed, if they are present.	Yes
If the answer to Step 1 is 'yes', proceed to Step 2		
Step 2a Are there any relevant records of Aboriginal heritage on AHIMS to indicate presence of Aboriginal objects?	AHIMS indicated that there are no Aboriginal sites within the study area. It is understood that an AHIMS registration is pending for the object identified at the study area prior to this assessment.	No
Step 2b Are there other sources of information to indicate presence of Aboriginal objects?	There are no other sources of information to indicate that Aboriginal objects are likely in the study area.	No
Step 2c Will the activity impact landforms with archaeological sensitivity as defined by the Due Diligence Code?	Landforms with identified archaeological sensitivity are present as parts of the study area are within 200 m of 'waters'.	Yes
If the answer to any stage of Step 2 is 'yes', proceed to Step 3		
Step 3 Can harm to Aboriginal objects listed on AHIMS or identified by other sources of information and/or can the carrying out of the activity at the relevant landscape features be avoided?	The proposal will impact landforms with archaeological sensitivity as identified in the Due Diligence Code: landforms within 200 m of 'waters'.	No
If the answer to Step 3 is 'no', a visual inspection is required. Proceed to Step 4.		
Step 4 Does the visual inspection confirm that there are Aboriginal objects or that they are likely?	The visual inspection recorded no Aboriginal objects in the study area. Landforms with identified archaeological sensitivity that were identified at a desk-top level were found during the inspection to have low archaeological potential.	No
Conclusion		
AHIP not necessary. Proceed with caution.		

3 MANAGEMENT RECOMMENDATIONS

The undertaking of the due diligence process resulted in the conclusion that the proposed works will have an impact on the ground surface, however, no Aboriginal objects or intact archaeological deposits will be harmed by the proposal. This moves the proposal to the following outcome:

AHIP application not necessary. Proceed with caution. If any Aboriginal objects are found, stop work, and notify Heritage NSW (02) 9873 8500 (heritagemailbox@environment.nsw.gov.au). If human remains are found, stop work, secure the site, and notify NSW Police and Heritage NSW.

To ensure the greatest possible protection to the area's Aboriginal cultural heritage values, the following recommendations are made:

- 1) The proposed work may proceed at Ward Oval without further archaeological investigation under the following conditions:
 - c) All land and ground disturbance activities must be confined to within the study area, as this will eliminate the risk of harm to Aboriginal objects in adjacent landforms. Should the parameters of the proposal extend beyond the assessed areas, then further archaeological assessment may be required.
 - d) All staff and contractors involved in the proposed work should be made aware of the legislative protection requirements for all Aboriginal sites and objects.
- 2) It is understood that that an AHIMS registration for the Aboriginal object that was identified by the Cobar LALC is pending. Once this listing has been approved by Heritage NSW, the site card should be amended to include the information that the object has been taken into care by the Cobar LALC and is no longer at its recorded location.
- 3) This assessment has concluded that there is a low likelihood that the proposed work will adversely harm Aboriginal cultural heritage items or sites. If during works, however, Aboriginal artefacts or skeletal material are noted, all work should cease and the procedures in the *Unanticipated Finds Protocol* (**Appendix 2**) should be followed.
- 4) Inductions for work crews should include a cultural heritage awareness procedure to ensure they recognise Aboriginal artefacts (see **Appendix 3**) and are aware of the legislative protection of Aboriginal objects under the NPW Act and the contents of the *Unanticipated Finds Protocol*.
- 5) The information presented here meets the requirements of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. It should be retained as shelf documentation for five years as it may be used to support a defence against prosecution in the event of unanticipated harm to Aboriginal objects.

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PLATES



Plate 1: View west to the location of the previously recorded and removed Aboriginal object.



Plate 2: View east across the modified drainage line at the eastern boundary of the study area.



Plate 3: View south across the oval and landscaped surrounds showing spoil heaps in the background.



Plate 4: Example of sheds and stock infrastructure at the north of the study area.

APPENDIX 1: AHIMS SEARCH RESULTS

 AHIMS Web Services (AWS) Extensive search - Site list report Your Ref/PO Number : Ward Oval 3 Client Service ID : 687309										
SiteID	SiteName	Datum	Zone	Eastings	Northings	Context	Site Status **	SiteFeatures	SiteTypes	Reports
26-5-0015	F-IF-3 (Canbalegu)	AGD	55	421780	6498460	Open site	Valid	Artefact :-	Isolated Find	3897
	Contact							Permits		
26-1-0012	Joe's Tank/Site 12	AGD	55	373074	6550818	Open site	Valid	Artefact :-	Open Camp Site	709
	Contact							Permits		
26-1-0020	Restriction applied. Please contact ahims@environment.nsw.gov.au					Open site	Valid			
	Contact							Permits		
26-1-0021	Restriction applied. Please contact ahims@environment.nsw.gov.au					Open site	Valid			
	Contact							Permits		
26-1-0028	MT Drysdale/Yanda creek 4	AGD	55	394014	6549037	Open site	Valid	Modified Tree (Carved or Scarred) :-		
	Contact							Permits		
26-1-0016	O'Donnell's Tank/Bundella	AGD	55	371062	6550800	Open site	Valid	Modified Tree (Carved or Scarred) :-	Scarred Tree	1472
	Contact							Permits		
26-5-0019	E-ST-1	AGD	55	422300	6503440	Open site	Valid	Modified Tree (Carved or Scarred) :-	Scarred Tree	
	Contact							Permits		
26-5-0020	E-QS-1	AGD	55	422600	6500900	Open site	Valid	Stone Quarry :-	Quarry	
	Contact							Permits		
26-5-0009	F-IF-7 (Canbalegu)	AGD	55	422990	6504730	Open site	Valid	Artefact :-	Isolated Find	3882,3897
	Contact							Permits		
26-5-0012	E-IF-4 (Canbalegu)	AGD	55	426010	6497350	Open site	Valid	Artefact :-	Open Camp Site	3897
	Contact							Permits		
26-1-0019	Alleynah/Little Tank	AGD	55	380929	6541472	Open site	Valid	Modified Tree (Carved or Scarred) :-	Scarred Tree	1472
	Contact							Permits		
26-1-0030	MT Drysdale/Yanda creek 6	AGD	55	394475	6548564	Open site	Valid	Modified Tree (Carved or Scarred) :-		
	Contact							Permits		
26-5-0030	F-IT-QS 5 Elliston (The Lease Block)	AGD	55	416950	6496550	Open site	Valid	Stone Quarry :-	Quarry	4718
	Contact							Permits		
26-5-0005	MA-OS-2	AGD	55	419000	6510340	Open site	Valid	Artefact :-	Open Camp Site	3582
	Contact							Permits		
Report generated by AHIMS Web Service on 01/06/2022 for Harrison Rochford for the following area at Datum :GDA, Zone : 55, Eastings : 349388.0 - 429631.0, Northings : 6473622.0 - 6553722.0 with a Buffer of 0 meters.. Number of Aboriginal sites and Aboriginal objects found is 77 This information is not guaranteed to be free from error omission. Heritage NSW and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omissions.										

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 AHIMS Web Services (AWS) Extensive search - Site list report Your Ref/PO Number : Ward Oval 3 Client Service ID : 687309										
SiteID	SiteName	Datum	Zone	Eastings	Northings	Context	Site Status **	SiteFeatures	SiteTypes	Reports
26-1-0029	MT Drysdale/Yanda creek 5	AGD	55	394109	6549097	Open site	Valid	Modified Tree (Carved or Scarred) :-		
	Contact							Permits		
26-1-0032	MT Drysdale/Yanda creek 8	AGD	55	394158	6549183	Open site	Valid	Modified Tree (Carved or Scarred) :-		
	Contact							Permits		
26-5-0025	F-ST-5 Elliston (The Lease Block)	AGD	55	412890	6491950	Open site	Valid	Modified Tree (Carved or Scarred) :-	Scarred Tree	3897,4718
	Contact							Permits		
26-1-0026	MT Drysdale/Yanda creek 2	AGD	55	394386	6548636	Open site	Valid	Modified Tree (Carved or Scarred) :-		
	Contact							Permits		
26-1-0027	MT Drysdale/Yanda creek 3	AGD	55	394389	6548688	Open site	Valid	Modified Tree (Carved or Scarred) :-		
	Contact							Permits		
26-1-0025	MT Drysdale/Yanda creek 1	AGD	55	394415	6548301	Open site	Valid	Modified Tree (Carved or Scarred) :-		
	Contact							Permits		
26-5-0008	MA-ST-3	AGD	55	417980	6510830	Open site	Valid	Modified Tree (Carved or Scarred) :-	Scarred Tree	3582
	Contact							Permits		
26-5-0024	F-OS-3 Elliston (The Lease)	AGD	55	418250	6500350	Open site	Valid	Artefact :-	Open Camp Site	4718
	Contact							Permits		
26-5-0017	F-OS-1	AGD	55	421500	6499310	Open site	Valid	Artefact :-	Open Camp Site	
	Contact							Permits		
26-1-0009	Murphys Tank	AGD	55	372562	6546699	Open site	Valid	Artefact :-	Open Camp Site	412,709
	Contact							Permits		
26-4-0011	New Cobar Complex Background Scatter	GDA	55	390388	6513870	Open site	Valid	Artefact :-		
	Contact							Permits		
Report generated by AHIMS Web Service on 01/06/2022 for Harrison Rochford for the following area at Datum :GDA, Zone : 55, Eastings : 349388.0 - 429631.0, Northings : 6473622.0 - 6553722.0 with a Buffer of 0 meters.. Number of Aboriginal sites and Aboriginal objects found is 77 This information is not guaranteed to be free from error omission. Heritage NSW and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omissions.										

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AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : Ward Oval 3
Client Service ID : 687309

SiteID	SiteName	Datum	Zone	Eastings	Northings	Context	Site Status **	SiteFeatures	SiteTypes	Reports
26-1-0024	The Tobac	AGD	55	392400	6549500	Open site	Valid	Aboriginal Ceremony and Dreaming : - , Ceremonial Ring (Stone or Earth) : - , Ochre Quarry : -	Bora/Ceremonial Natural Mythological (Ritual), Ochre Quarry	
Contact		Recorders								
26-5-0031	E/TL-QS-1 Elliston (The Lease Block)	AGD	55	411490	6491100	Open site	Valid	Stone Quarry : - , Artefact : -	Quarry	4718
Contact		Recorders								
26-5-0034	E-ST-4 Elliston (The Lease Block)	AGD	55	412720	6492760	Open site	Valid	Modified Tree (Carved or Scarred) : -	Scarred Tree	3897,4718
Contact		Recorders								
26-5-0029	E/TL-QS-2 Elliston (The Lease Block)	AGD	55	412940	6491360	Open site	Valid	Stone Quarry : - , Artefact : -	Quarry	4718
Contact		Recorders								
26-1-0006	Murphy Tank	AGD	55	370937	6544399	Open site	Valid	Artefact : -	Open Camp Site	709
Contact		Recorders								
26-5-0011	E-IF-5 (Canbelego)	AGD	55	426450	6497070	Open site	Valid	Artefact : -	Open Camp Site	3897
Contact		Recorders								
26-5-0006	MA-ST-1	AGD	55	417160	6511260	Open site	Valid	Modified Tree (Carved or Scarred) : -	Scarred Tree	3582
Contact		Recorders								
26-5-0007	MA-ST-2	AGD	55	418640	6510320	Open site	Valid	Modified Tree (Carved or Scarred) : -	Scarred Tree	3582
Contact		Recorders								
26-5-0033	E-ST-3 Elliston (The Lease Block)	AGD	55	419080	6500980	Open site	Valid	Modified Tree (Carved or Scarred) : -	Scarred Tree	4718
Contact		Recorders								
26-1-0002	Joe's Tank, Site 2	AGD	55	372145	6552456	Open site	Valid	Artefact : -	Open Camp Site	709
Contact		Recorders								
26-1-0041	CSA Tailings	AGD	55	387725	6523625	Open site	Valid	Artefact : -		
Contact		Recorders								
26-1-0001	O Donnell's Tank, Site 1	AGD	55	364961	6548185	Open site	Valid	Artefact : -	Open Camp Site	709
Contact		Recorders								
26-5-0027	E/TL-QS-4 Elliston (The Lease Block)	AGD	55	409810	6493340	Open site	Valid	Stone Quarry : - , Artefact : -	Quarry	4718
Contact		Recorders								

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AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : Ward Oval 3
Client Service ID : 687309

SiteID	SiteName	Datum	Zone	Eastings	Northings	Context	Site Status **	SiteFeatures	SiteTypes	Reports
26-5-0023	E/TL-QS-1 Elliston (The Lease)	AGD	55	410970	6492170	Open site	Valid	Artefact : - , Water Hole : -	Open Camp Site, Water Hole/Well	
Contact		Recorders								
26-5-0028	E/TL-QS-1 Elliston (The Lease Block)	AGD	55	412920	6492600	Open site	Valid	Stone Quarry : - , Artefact : -	Quarry	4718
Contact		Recorders								
26-5-0013	E-IF-1 (Canbelego)	AGD	55	422070	6498060	Open site	Valid	Artefact : -	Open Camp Site	3897
Contact		Recorders								
26-1-0023	Yaayeen Gully	AGD	55	391800	6550300	Open site	Valid	Aboriginal Ceremony and Dreaming : - , Ceremonial Ring (Stone or Earth) : -	Bora/Ceremonial Natural Mythological (Ritual), Water Hole/Well	
Contact		Recorders								
26-5-0004	MA-OS-3	AGD	55	419250	6510450	Open site	Valid	Artefact : -	Open Camp Site	3582
Contact		Recorders								
26-5-0014	E-IF-2 (Canbelego)	AGD	55	421880	6498930	Open site	Valid	Artefact : -	Open Camp Site	3897
Contact		Recorders								
26-2-0001	Glennace, Canbelego	AGD	55	427869	6516393	Open site	Valid	Burial : -	Burial/s	2132
Contact		Recorders								
26-1-0008	Murphy's Tank	AGD	55	372753	6545878	Open site	Valid	Artefact : -	Open Camp Site	709
Contact		Recorders								
26-5-0026	E/TL-QS-2 Elliston (The Lease Block)	AGD	55	412890	6491950	Open site	Valid	Artefact : -	Open Camp Site	3897,4718
Contact		Recorders								
26-1-0033	MT Drydale/Yanda creek 9	AGD	55	394436	6548282	Open site	Valid	Modified Tree (Carved or Scarred) : -		
Contact		Recorders								
26-5-0003	MA-OS-1	AGD	55	418830	6508460	Open site	Valid	Artefact : -	Open Camp Site	3582
Contact		Recorders								
26-1-0004	Rain Tank	AGD	55	361171	6542665	Open site	Valid	Artefact : -	Open Camp Site	709
Contact		Recorders								
26-1-0040	CSA IS 02	AGD	55	388701	6525693	Open site	Valid	Artefact : 1		
Contact		Recorders								
26-1-0039	CSA IS 01	AGD	55	389500	6527299	Open site	Valid	Artefact : 1		
Contact		Recorders								

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AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : Ward Oval 3
Client Service ID : 687309

SiteID	SiteName	Datum	Zone	Eastings	Northing	Context	Site Status**	SiteFeatures	SiteTypes	Reports
26-1-0022	Birrigu	AGD	55	390800	6551200	Open site	Valid	Aboriginal Ceremony and Dreaming	Natural Mythological (Kintul)	
Contact		Recorders		F Bodkin				Permits		
26-1-0018	Little Tank, Allednub	AGD	55	378435	6544204	Open site	Valid	Modified Tree (Carved or Scarred)	Scarred Tree	1472
Contact		Recorders		G Happ				Permits		
26-1-0038	CSA 1 Cohar	GDA	55	389421	6523849	Open site	Valid	Artefact - 3		100692
Contact		Recorders		Ms Vanessa Hardy				Permits		
26-1-0035	MT Drysdale/Yanda creek 11	AGD	55	394158	6549183	Open site	Valid	Modified Tree (Carved or Scarred)		
Contact		Recorders		Mike Nolan, Mr Gavin Andrews				Permits		
26-3-0107	T-ST-32 (Coolabsh) Trilton	AGD	55	410911	6527870	Open site	Valid	Modified Tree (Carved or Scarred)	Scarred Tree	
Contact		Recorders		Central West Archaeological and Heritage Services Pty Ltd				Permits		
26-5-0032	F/71, ST-1 Phiston (The Lease Muck)	AGD	55	411360	6491020	Open site	Valid	Modified Tree (Carved or Scarred)	Scarred Tree	4718
Contact		Recorders		Central West Archaeological and Heritage Services Pty Ltd				Permits		
26-1-0005	Kam Tank	AGD	55	360434	6543298	Open site	Valid	Artefact -	Open Camp Site	709
Contact		Recorders		Miss Melanie (Duplicate of #6086) Thomson				Permits		
26-1-0011	O'Donnell's Tank, Site 11	AGD	55	369432	6549140	Open site	Valid	Artefact -	Open Camp Site	709
Contact		Recorders		Miss Melanie (Duplicate of #6086) Thomson				Permits		
26-1-0017	O'Donnell's Tank, Bundella	AGD	55	370815	6547872	Open site	Valid	Artefact -	Open Camp Site	1472
Contact		Recorders		G Happ				Permits		
26-1-0010	Murphys Tank	AGD	55	371549	6547513	Open site	Valid	Artefact -	Open Camp Site	709
Contact		Recorders		Miss Melanie (Duplicate of #6086) Thomson				Permits		
26-1-0014	Coogar Tank, Site 14	AGD	55	378977	6545020	Open site	Valid	Modified Tree (Carved or Scarred)	Scarred Tree	709
Contact		Recorders		Miss Melanie (Duplicate of #6086) Thomson				Permits		
26-5-0018	E-ST-2	AGD	55	425180	6501050	Open site	Valid	Modified Tree (Carved or Scarred)	Scarred Tree	
Contact		Recorders		Central West Archaeological and Heritage Services Pty Ltd				Permits		
26-5-0002	MA-ST-4	AGD	55	418090	6510770	Open site	Valid	Modified Tree (Carved or Scarred)	Scarred Tree	3582

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AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : Ward Oval 3
Client Service ID : 687309

SiteID	SiteName	Datum	Zone	Eastings	Northing	Context	Site Status**	SiteFeatures	SiteTypes	Reports
26-5-0016	E-05-2	AGD	55	421250	6499350	Open site	Valid	Artefact -	Open Camp Site	
Contact		Recorders		Central West Archaeological and Heritage Services Pty Ltd				Permits		
26-1-0015	Joe's Tank, Bundella	AGD	55	373599	6553383	Open site	Valid	Stone Quarry - , Artefact -	Quarry	412,555,1472
Contact		Recorders		Isabel McBryde				Permits		
26-1-0037	MT Drysdale/Yanda creek 13	AGD	55	391025	6547937	Open site	Valid	Modified Tree (Carved or Scarred)		
Contact		Recorders		Mike Nolan, Mr Gavin Andrews				Permits		
26-4-0010	New Occ Artefact Scatter	GDA	55	391764	6510739	Open site	Valid	Artefact -		
Contact		Recorders		ARKA Environmental & Heritage Dubbo, Mrs Anna Darby				Permits		
26-1-0031	MT Drysdale/Yanda creek 7	AGD	55	393559	6549074	Open site	Valid	Modified Tree (Carved or Scarred)		
Contact		Recorders		Mike Nolan, Mr Gavin Andrews				Permits		
26-1-0007	Murphys Tank	AGD	55	371939	6544865	Open site	Valid	Artefact -	Open Camp Site	709
Contact		Recorders		Miss Melanie (Duplicate of #6086) Thomson				Permits		
26-1-0013	Coogar Tank, Site 13	AGD	55	378046	6546840	Open site	Valid	Artefact -	Open Camp Site	709
Contact		Recorders		Miss Melanie (Duplicate of #6086) Thomson				Permits		
26-5-0010	E-1F-6 (Canbelego)	AGD	55	422700	6500360	Open site	Valid	Artefact -	Open Camp Site	3897
Contact		Recorders		Central West Archaeological and Heritage Services Pty Ltd				Permits		
26-5-0022	F-1F-9 Jilistion	AGD	55	425640	6497760	Open site	Valid	Artefact -	Isolated Find	4718
Contact		Recorders		Central West Archaeological and Heritage Services Pty Ltd				Permits		
26-5-0021	E-1F-8 (Canbelego)	AGD	55	426160	6503290	Open site	Valid	Artefact -	Isolated Find	3897
Contact		Recorders		Central West Archaeological and Heritage Services Pty Ltd				Permits		
26-1-0034	MT Drysdale/Yanda creek 10	AGD	55	394446	6548623	Open site	Valid	Modified Tree (Carved or Scarred)		
Contact		Recorders		Mike Nolan, Mr Gavin Andrews				Permits		
26-1-0036	MT Drysdale/Yanda creek 12	AGD	55	394599	6548233	Open site	Valid	Modified Tree (Carved or Scarred)		
Contact		Recorders		Mike Nolan, Mr Gavin Andrews				Permits		

Site Status

Valid - The site has been recorded and accepted onto the system as valid

Destroyed - The site has been completely impacted or harmed usually as a consequence of permit activity but sometimes also after natural events. There is nothing left of the site on the ground but proponents should proceed with caution

Partially Destroyed - The site has been only partially impacted or harmed usually as a consequence of permit activity but sometimes also after natural events. There might be parts or sections of the original site still present on the ground

Not a site - The site has been originally entered and accepted onto AHIMS as a valid site but after further investigations it was decided it is NOT an Aboriginal site. Impact of this type of site does not require permit but Heritage NSW should be notified

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APPENDIX 2: ABORIGINAL HERITAGE: UNANTICIPATED FINDS PROTOCOL

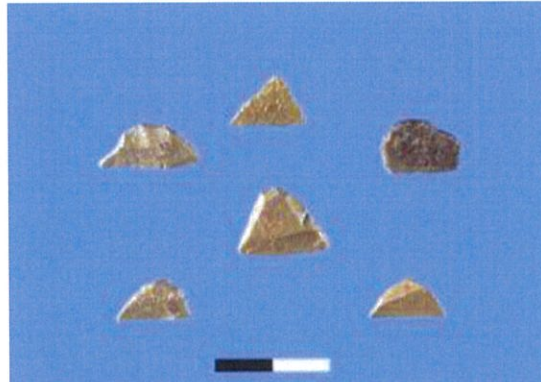
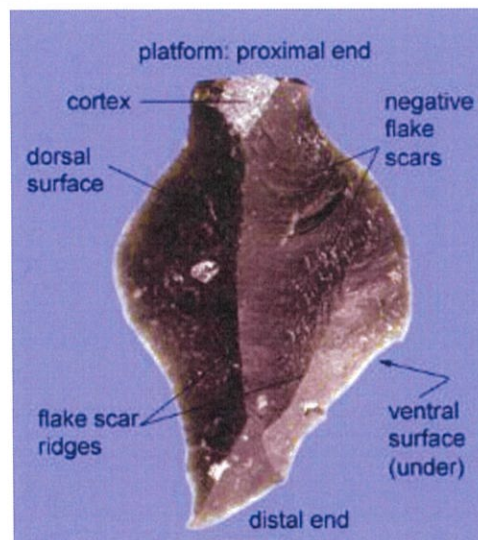
An Aboriginal artefact is anything which is the result of past Aboriginal activity. This includes stone (artefacts, rock engravings etc.), plant (culturally scarred trees) and animal (if showing signs of modification; i.e. smoothing, use). Human bone (skeletal) remains may also be uncovered while onsite.

Cultural heritage significance is assessed by the Aboriginal community and is typically based on traditional and contemporary lore, spiritual values, and oral history, and may also consider scientific and educational value.

Protocol to be followed if previously unrecorded or unanticipated Aboriginal object(s) are encountered:

1. If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:
 - a. Not further harm the object
 - b. Immediately cease all work at the particular location
 - c. Secure the area to avoid further harm to the Aboriginal object
 - d. Notify Heritage NSW as soon as practical on (02) 9873 8500 (heritagemailbox@environment.nsw.gov.au), providing any details of the Aboriginal object and its location; and
 - e. Not recommence any work at the particular location unless authorised in writing by Heritage NSW.
2. If Aboriginal burials are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and Heritage NSW contacted.
3. Cooperate with the appropriate authorities and relevant Aboriginal community representatives to facilitate:
 - a. The recording and assessment of the find(s)
 - b. The fulfilment of any legal constraints arising from the find(s), including complying with Heritage NSW directions
 - c. The development and implementation of appropriate management strategies, including consultation with stakeholders and the assessment of the significance of the find(s).
4. Where the find(s) are determined to be Aboriginal object(s), recommencement of work in the area of the find(s) can only occur in accordance with any consequential legal requirements and after gaining written approval from Heritage NSW (normally an Aboriginal Heritage Impact Permit).

APPENDIX 3: ABORIGINAL HERITAGE: ARTEFACT IDENTIFICATION

	
A retouched silcrete flake	A quartz flake
	
Microliths (scale = 1 cm)	Volcanic flakes
	
Flake characteristics (scale = 1 cm)	A mudstone/tuff core from which flakes have been removed

ITEM 4

**Essential Energy
(Referral Response)**

Karen Warren

From: Karen Warren
Sent: Tuesday, 2 August 2022 5:38 PM
To: Karen Warren
Subject: FW: CNR-27738/ 2021/LD-00033REV01 - Maidens Avenue, Cobar (24/22820; 65/651098; 7317-7318/1170701; 100/1280186; 101/575642) Construct centre-based child care facility, car park & associated works

From: Melinda White <melinda.white@essentialenergy.com.au>
Sent: Wednesday, 20 July 2022 3:39 PM
To: Garry Ryman <garry.ryman@cobar.nsw.gov.au>
Cc: Damian Munday <damian.munday@essentialenergy.com.au>
Subject: FW: CNR-27738/ 2021/LD-00033REV01 - Maidens Avenue, Cobar (24/22820; 65/651098; 7317-7318/1170701; 100/1280186; 101/575642) Construct centre-based child care facility, car park & associated works

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you for seeking comment from Essential Energy in relation to the proposed development at the above property.

Strictly based on the documents submitted, Essential Energy has the following comments to make as to potential safety risks arising from the proposed developments:

CNR-27738

- The parts of the lots affected by the proposed childcare facility do not have Essential Energy assets located near them, there is private overhead electrical infrastructure on the lots, this must meet the requirements of AS 3000 (these lines are considered consumer mains and are metered near sub 30-19268)
- There is a proposal to install a new pad mount substation under separate approvals, as noted on the plans provided.
- Based on the plans provided, this development is satisfactory to Essential Energy. The applicant is responsible for meeting with safety requirements for the private electrical assets.

CNR-38785

- Essential Energy's 22kV overhead network must remain clear of all structures by a minimum of 10.0 metres either side of the centreline of the powerline. Including poles 572, 571, 570, 569, 568 and 999 (powerline to sewer pump station)
- There is a service from pole 569 to 3218, any construction near this service must meet the requirements of the NSW Service and Installation Rules
- There is a proposal to construct a sports storage shed near pole 569, this structure must be 10.0 metres from the centreline of the powerline
- There is an underground cable from the metering point to an existing shed, this cable will be under the proposed poultry shed. If this cable is confirmed to be consumer mains, then the applicant must meet the requirements of AS3000, if deemed a service, it must meet the requirements of the NSW Service and Installation Rules. Discussions with Council indicate it is on Council's side of the meter rather than on Essential Energy's network.
- The oval stand and parking will be near private assets, they must comply with the requirements of AS3000, however, it is the applicants' responsibility to comply with these requirements.

Essential Energy has no objection to the developments being conditioned upon the above points.

Essential Energy makes the following general comments:

- If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;
- Any activities in proximity to electrical infrastructure must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure;
- Prior to carrying out any works, a “Dial Before You Dig” enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of Underground Electricity Power Lines)* of the *Electricity Supply Act 1995* (NSW); and
- It is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.

Should you require any clarification, please do not hesitate to contact us.

Regards,

Melinda White
Senior Conveyancing Officer
Governance and Corporate Services



T: 02 6588 6778 (Extn 86778) | melinda.white@essentialenergy.com.au

PO Box 5730 Port Macquarie NSW 2444 | essentialenergy.com.au

General enquiries: 13 23 91 | Supply interruptions (24hr): 13 20 80

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