

Additional Submission to the NSW Government Independent Planning Commission (NSW IPC)

**RE: Glendell Continued Operations – SSD 9349 and SSD 5850
Mod 4**

In support of the Plains Clans of the Wonnarua Peoples and in respect to their traditional, historic, and contemporary cultural heritage values in the landscape and fabric of the ‘Ravensworth Estate’, Hunter Valley NSW.

Dr Maria Cotter
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22nd APRIL 2022

Dear Commissioners,

I provide this additional submission in response to the reopening of Public Submissions on the 13 April 2022 by the Independent Planning Commission (Commission) with respect to the Glendell Continued Operations SSD 9349 & SSD 5840 Mod 4. I again provide my submission in the context of my geoarchaeological and cultural heritage management training and my prior professional experience of survey, assessment and regulation of Aboriginal cultural heritage within the Hunter Valley.

I note that, in accordance with the Commission’s ‘Additional Material’ policy, my submission focuses only on the following new material provided to the Commission:

- Applicant’s response (Part 1) to questions taken on notice, plus two (2) attachments (dated 23 March 2022).
- Applicant’s response (Part 2) to questions taken on notice (dated 23 March 2022)
- Transcript from the Heritage NSW meeting (28 March 2022)
- DPE Response to questions on notice (30 March 2022)

For brevity I draw attention to the following summary points from the abovementioned documents that I intend to address and/or provide commentary on:

1. The Applicant confirms it has considered and determined options for mining operations that allow for the *in-situ* preservation of the Ravensworth Homestead (i.e. Options 6 and 7) are unviable; sterilising significant coal deposits. Options 6 and 7 allow for buffers to mining of 100m and 500m respectively about the Ravensworth Homestead.

2. The DPE notes that if retained *in-situ* at any point - and particularly ‘prior to relocation’ - there should be a 1.2 km buffer around the Ravensworth Homestead to ensure it is not affected by blast and dust impacts.
3. The Applicant proposes that the State Heritage Registered Ravensworth Homestead can be relocated to the Broke Village and comments that there is widespread community support to do so.
4. The DPE provisionally notes that the relocation of the Ravensworth Homestead is possible but it will require a further EIS and appropriate consent authority approvals which are not guaranteed.
5. Heritage NSW, has echoed my professional view in so far as the transcription of discussions held by Council members with the Commission iterate:
 - the national heritage significance of the colonial frontier and World War 1 Aboriginal Associations of the cultural landscape about and including the Ravensworth homestead – i.e. it is a nationally significant frontier battleground and hence as significant to the national psyche as Gallipoli; and
 - the value of the *in-situ* preservation of this cultural landscape for its multivalent and layered documentation of the intersection of traditional, historic and contemporary Aboriginal (and especially the PCWP) and European Australian heritage values – including its incalculable value as a site of reconciliation and ‘truth telling.’

Noting these points, I once again draw the attention of the Commission to my first submission (dated 28 March) in so far as this earlier submission has sought to bring to the Commission’s attention specific correspondences and intersections within and between the Aboriginal and European heritage values of and about the Ravensworth Estate – i.e. the multivalent nature of its heritage narrative - that, to my mind had not yet been fully comprehended and/or addressed by the applicant.

I perceive, for example, that all of the matters addressed by the Applicant’s proposal to relocate the Ravensworth Homestead to the Broke Village are focused on the ‘preservation’ of the fabric of the building, and those historic heritage associations recognised by the State of NSW. However, the cultural landscape contexts of the Ravensworth Homestead, and its importance as the counterpoint to the traditional, historic and contemporary cultural heritage values of the Plains Clans of the Wonnarua Peoples are not - and cannot be - appropriately addressed with the dislocation of the building and its fabric from its original landscape contexts. I note that this point is echoed in the transcript of discussions held by the Commission with Heritage NSW.

Recommended In-situ Preservation of the Ravensworth Homestead means the Mine is not viable.

If the Commission accepts the view that the Ravensworth Homestead and its surrounds should be retained *in-situ*, as I encourage it to do so, then by the Applicant’s own admission (i.e. see my summary point one above) the current Glendell Continued Operations SSD is not financially viable. This fact is further implied by the 1.2km buffer zone required by the DPE to protect the *in-situ* homestead from blasting and dust impacts (my point 2 above) since this 1.2km buffer zone exceeds both the 100m and 500m buffer zones described by the Applicant as making the mine financially unviable.

Unconsidered Costs

There is a significant and yet uncalculated ‘opportunity cost’ in not preserving what would be the ‘first cultural landscape preserved for its traditional, historic and contemporary Aboriginal values in the Hunter Valley.’ To date, via Aboriginal Heritage Impact Permit (AHIP) processes, archaeologists have made claim to salvaging Aboriginal archaeological heritage items via excavation on the basis of the ‘scientific research potential’ of the sites for Australian archaeology and, in particular for the development and/or enhancement of regional archaeological models.

However, to my knowledge and/or except by my expression, there has been no claim to preserve the cultural landscape of any part of the ‘mining precinct’ in the Hunter Valley *in situ* - either for its ‘inherent’ future archaeological research potential or its value as an area/landscape from and through which comparative research could be made. Moreover, with the numerous salvage excavations that have occurred across this ‘mining precinct’ the archaeological heritage of the Hunter might be said to have been ‘researched to death’. Yet, even in this context none of the archaeological studies have been led or driven by Aboriginal archaeologists or communities and/or from a research frame that has sought to specifically consider Indigenous knowledge and forms of knowing in the research processes. The ‘research’ has been heritage industry led in the context of development footprints and planning approval processes. In essence this ‘research frame’ has facilitated the salvage and collection of objects only with analysis being frequently limited and most usually prescribed by the proponent’s salvage budget rather than by its potential to make a ‘scientific contribution’

Incalculable Values

Further to this, and as I iterated in my last submission, the juxtaposition of the Ravensworth homestead, the Aboriginal cultural landscape embedded within and around it; and the current mining precinct about the Ravensworth Estate is the scarred cultural landscape that tells the story of a contested terrain and a unique intersectional history of place. The proposed removing of the homestead and its reconstruction elsewhere is a likely sanitisation and ‘Disneyfication’ of the nuanced and nationally Aboriginal and historic heritage values of this place. It is a story that needs to be told *in situ*...and I note that the foundation document from which UNESCO ascribes cultural heritage significance... *the Burra Charter*... derives its name from the ‘blemished’ historic landscape of copper mining at Burra, South Australia. Not all heritage or cultural landscapes need be aesthetically pleasing to be preserved. Indeed, some battleground landscapes such as Gallipoli...a contested terrain of national significance... invoke our understanding of the challenge and sacrifice of our forebears by the very nature of their disturbed and scarred materiality. In so far as the history of the Ravensworth Homestead and surrounding Estate is a colonial history it is without doubt intrinsically linked to nationally historic events of immense impact and importance to the PCWP and other Indigenous Australians. The importance of maintaining the situation of the Ravensworth Estate and Homestead in its current and historical landscape contexts to reflect this significance; and to enable the narrative of this multivalent landscape to be explored and explained as a national site of reconciliation and truth telling is without precedent.

Cumulative Impacts – A line in the sand moment?

When, in the period 2006-2011 I worked as an acting regional archaeologist for the State of NSW, I was increasingly directed to ensure that, in the assessment of Environmental Impact Statements and in the preparation of Aboriginal Heritage Impact Permits [then under s90 of the National Parks and Wildlife Act, 1974], proponents considered the cumulative impacts of their developments on Aboriginal cultural heritage. The point here being that it is widely known that

the Hunter Valley Mining Precinct was an area of NSW in which the cumulative impacts to Aboriginal Heritage were well documented and concerning. Problematically, the successive intrusion and expansion of mining leases since at least the 1990s has, and continues to ‘scar’ this landscape, affect its visual amenity and incrementally remove Aboriginal objects and places from the landscape. Each incremental removal of Aboriginal objects, coupled with the readily visible alteration to land features as a direct result of the associated mining has, in various ways, affected how people view and assess the remaining Aboriginal cultural values. Throughout, this has negatively impacted the PCWP and their attempts to announce [and have appreciated] the significance of the Hunter Valley generally, and the area surrounding the Ravensworth Estate most specifically as the epicentre of their existence.

With their current objections to the Glendell Continued Operations Mining proposal the PCWP, in direct conversation with me, have continued to maintain “that there will be nothing left” and that “...it is the last bit [of their cultural landscape] remaining intact”. In this sense, and with acknowledgement of my prior public servant role in making sure that cumulative impacts are addressed when approving developments... I am of the strong belief that the ‘in-situ’ retention of the Ravensworth Estate and its surrounds is a ‘line in the sand moment’ where we must fully recognise, address and make recompense through truth-telling for the cumulative impacts to the Aboriginal cultural landscape that have been permitted to occur within the Hunter Valley as a result of mining.

Consensus Decision Making?

I also wish to provide some comments with respect to the notion of ‘consensus decision making’ in relation to the mitigation of heritage impacts as they relate to the Hunter valley mining precinct generally and to this mining proposal more specifically. Herein I refer to point 3 above and the Applicant’s comments that there is widespread support for the relocation of the Ravensworth Homestead to Broke. It is nowhere clear in the documentation that those who provide ‘community support’ for relocation have been:

- (a) informed of the totality of the heritage values inscribed in the landscape from which it is to be removed; and/or
- (b) able to consider the opportunity costs that might accrue from the extraction of the homestead from its in-situ location; and/or
- (c) afforded an opportunity to consider alternative financial benefits such as joint Aboriginal-European touristic and educational ventures that might be developed if the Homestead was to be maintained in place.

In this sense ‘consensus decision making’ and/or ‘widespread support’ are questionable since without the apparent provision of alternatives, the support of the community for relocation of the Ravensworth Homestead must be considered uninformed and partial rather than widespread as intimated by the Applicant.

Finally, in making this submission, [and with the permission of Mrs Maria Stocks, a current Head of family of the PCWP and daughter of the esteemed Elder Mrs Barbara Foot] I wish to provide the Commission with the viewpoint of the late Barbara Foot as expressed to a staff member from the then office of Environment and Heritage in 2011. I provide you with the recorded words of Auntie Barb to assure you that the viewpoints currently expressed by Mr Franks and Mr Lester on behalf of the PCWP are not new but consistent with the long - term concerns of the PCWP for their heritage.

“My Dad had a lot of cultural knowledge. He passed it on to me. He would tell me places I could couldn’t go. He showed me important places. Places our ancestors still come through.

I know how to read the signs of the lands, the seasons. The signs are our lore, they show the way – like people used street signs to have order. Some of the signs, the trees have been cleared but we know where they were from our ancestors and we know what they tell us. People not from here don’t have that knowledge.

The area is all important to us. We can’t break it up for each mine – that is how they are getting away with destroying so much of our culture. They don’t know how it all links together, so it doesn’t seem as important when you look at this little bit or that little bit. That is how they are breaking up our community too – the mines mention money and that starts fights. **The mines want the fights, as they get to keep what they are doing if the community is distracted.**

I once again thank the Commission for allowing me this additional opportunity to provide a Submission to you with regard to this nationally important cultural landscape.

Yours sincerely,

Maria Cotter, BA. PhD.

