

## **D - Scarred Tree Communication**

## D - SCARRED TREE COMMUNICATION



**Bagawa Birra Murri  
Aboriginal Corporation**  
No. 7050

P.O. Box 9081  
Moonee Beach NSW 2450  
Phone CEO 66564568  
Research Historian Phone /fax 66560966

[bagawa.aunts@bigpond.com](mailto:bagawa.aunts@bigpond.com)

Attention Jillian Huntley  
Archaeologist  
Umwelt  
PO Box 838  
Toronto NSW 2283

Re Proposed Moonee Waters residential subdivision

Dear Jill

Letter of response from Bagawa Birra Murri Aboriginal Corporation

Thank you for meeting with us for the proposed Moonee Waters residential subdivision.

The Bagawa Mob are the Solitary Island tribe  
*5<sup>th</sup> and 6<sup>th</sup> August 1840*

*Land Commissioner Oakes, detachment of Border Police and parties of natives from Nambucca and Bellingen tribes reach the locality and meet up with the "members of the Solitary Islands tribe" whilst on their way to the Clarence River and searching for fresh water.*

Bagawa Birra Murri Aboriginal Corporation wishes to continue working with and to be consulted by the Developers on our historical site.  
We would like further information on the preservation of the Scar tree and its location.

#### Attachment 3.

Slight correction please page 20 4<sup>th</sup> line from bottom prefer "The sisters are the two rocks to the southeast and north east of Green Bluff" ...not the sisters came to rest off the coast the last sentence". The sisters are known as .....instead of became.

Bagawa Birra Murri Aboriginal Corporation acknowledges your expertise in Surface and Salvage Methodology and therefore agrees with the Archaeologist recommendations.  
We also request the BBMAC representatives be apart of the Surface and Salvage work.

#### Care and Control of Artefacts

Any Artefacts found at this site are from their ancestors therefore the Bagawa Birra Murri Aboriginal Corporation reserve the right to have a say in where their ancestors belongings are kept.

It would be more appropriate that any Artefacts found be held in trust by the Coffs Harbour Museum until a Keeping Place / Cultural Centre is built to house them correctly, with a formal Care Agreement with the DEC.

On behalf of the BBMAC

Yours Sincerely  
Arlene Hope  
Research Historian

From: Jill Ford <jhuntley@umwelt.com.au>  
Subject: **RE: moonee**  
Date: 19 October 2008 4:15:00 PM  
To: 'Peter Annand' <peter@aad.com.au>

Apologies for the belated reply Peter,

I have had trouble getting hold of Arlene Hope who is the contact for both Aboriginal stakeholder groups with whom further consultation was recently conducted. I have arranged for Roger Mehr who is the DECC regional archaeologist based in Coffs Harbour to accompany a representative of the Aboriginal community to the site to accurately spatially locate the two trees. Unfortunately (mostly due to the difficulties experienced trying to contact Arlene) the first available time Roger can go out to site with the groups is the week beginning the 28th of October. If you have anyone available in Coffs beforehand who can accurately spatially locate the two trees I can arrange with Arlene to guide them.

I would be able to provide a response to the DECC/DoP comments within the next week or so (I have held off because the 'scarred' tree issue is unresolved). You also need to revise the statement of commitments in relation to cultural heritage management - I am happy to provide advice/revise these for you. In respect of the retaining wall this was a request by the Aboriginal community, not a prerequisite for the development.

As for the response the two issues raised in the DoP documentation were 1) a need for additional consultation with the Bagawa Birra Murri Aboriginal Corporation (BBMAC) and Gambala Julipi Elders, and 2) the issues raised by the DECC in their review regarding the Aboriginal significance of vegetation in the project area. I have conducted the further Aboriginal stakeholder consultation and have a letter from the BBMAC who have given written endorsement to the recommendations of the Archaeological assessment. As for the DECC's comments regarding the Aboriginal significance of the vegetation within the project this was not an issue identified by the Aboriginal stakeholders' and can be addressed through the additional ecological works, the conservation areas incorporated into the development and the revised concept plan itself.

I am currently in the field but have access to broadband in the evenings and can be contacted on the below mobile number (NB reception is variable but if you leave a message I will call back).

Regards,

Jillian Huntley  
Archaeologist

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

Ph (02) 4950 5322  
Fax (02) 4950 5737  
Mb 0427 753 321  
[www.umwelt.com.au](http://www.umwelt.com.au)

**PLEASE NOTE:**

This email and any files transmitted with it are confidential and are for the use of the intended recipient only. If you have received this email in error, please notify us immediately and delete all copies of this email and attachments. We maintain regular virus checks; however, before opening or using any

attachments, check them for viruses and defects. Contents which do not relate to the formal business of Umwelt (Australia) Pty Limited are not endorsed by the company.  
P Please consider the environment before printing this email

-----Original Message-----

From: Peter Annand [mailto:[peter@aud.com.au](mailto:peter@aud.com.au)]

Sent: Wednesday, October 15, 2008 9:06 AM

To: Jillian Ford

Subject: moonee

jillian,  
no comment yet regarding issues raised by DoP or DECC(Alex Purvis)...Retaining walls  
How are you going with locating scarred trees ?  
Please advise  
We need to respond to DoP ASAP  
peter







From: Jill Ford <jhuntley@umwelt.com.au>  
Subject: **RE: moonee**  
Date: 4 November 2008 7:06:00 AM  
To: 'Peter Annand' <peter@aaud.com.au>

Hi Peter,

I have arranged for representatives of the Bagawa Birra Murri Aboriginal Corporation and Gambala Julipi Elders to show Roger Mehr DECC regional archaeologist NE Branch the location of the two 'scarred' trees tomorrow afternoon at approximately 3.30pm. Do I need to notify the landowners? If so can you please provide the appropriate contact details?

Roger Mehr will provide me with the 2D GPS locations of the trees so that we can ascertain if they are within the impact footprint of the revised Master Plan for Moonee Waters. Once I have the locations of the two trees I can complete the response to DoP and revise the statement of commitments for cultural heritage.

Please note that I am currently on remote area fieldwork and can be contacted by mobile between 10am-10.30am or 12.30pm to 1pm. I will be contactable via email in the evening.

Thanks,

Jillian Huntley  
Archaeologist

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

Ph (02) 4950 5322  
Fax (02) 4950 5737  
Mb 0427 753 321  
www.umwelt.com.au

**PLEASE NOTE:**

This email and any files transmitted with it are confidential and are for the use of the intended recipient only. If you have received this email in error, please notify us immediately and delete all copies of this email and attachments. We maintain regular virus checks; however, before opening or using any attachments, check them for viruses and defects. Contents which do not relate to the formal business of Umwelt (Australia) Pty Limited are not endorsed by the company.

P Please consider the environment before printing this email

-----Original Message-----

From: Peter Annand [mailto:peter@aaud.com.au]  
Sent: Wednesday, October 15, 2008 9:06 AM  
To: Jillian Ford  
Subject: moonee

jillian,  
no comment yet regarding issues raised by DoP or DECC(Alex Purvis)...Retaining walls  
How are you going with locating scarred trees ?



Please consider the environment before printing this email

---

**From:** Evy Anwar [mailto:evy@aaud.com.au]  
**Sent:** Friday, November 14, 2008 5:43 PM  
**To:** Jill Ford  
**Cc:** Peter Annand; Oliver Penman; Peter Biasotto; Dominic Fanning  
**Subject:** Re: Moonee Waters Trees

Jill,

Thank you for the update. Unfortunately, I'm leaving in a half hour, so it's unlikely that I will get the tree location before I go. Technically, Wheelans can supply the tree number to us, but it may be easier/quicker to attach the tree location drawing ourself.

Although, I have a request to you, it will be a great help if you can do this for us. Could you please attach the GPS of these so called 'scarred trees' to the attached cad file? We're using this file as a reference in our layout so this will guarantee that we have the right location of the trees. The attached file includes the location of hollow bearing trees, so it may be a good idea to put the 'scarred' trees as a separate layer.

Thank you for your help so far. Please send the cad file back to Oliver Penman because Peter Annand will not be able to open any cad file.

Regards,  
Evy Anwar

Note: we are still using autocad 2006.

From: Jill Ford <jhuntley@umwelt.com.au>  
Subject: **RE: Moonee Waters Trees**  
Date: 19 November 2008 9:15:00 AM  
To: 'Evy Anwar' <evy@aaud.com.au>  
Cc: 'Peter Annand' <peter@aaud.com.au>, 'Oliver Penman' <oliver@aaud.com.au>, 'Peter Biasotto' <peter@biasotto.com.au>, 'Dominic Fanning' <dfanning@whelanslic.com.au>

Dear All,

Please find attached the AutoCad file showing the location of the trees identified by the Bagawa Birri Murri Aboriginal Corporation (BBMAC) as being possible scarred trees. As you know Roger Mehr, Department of Environment and Climate Change Regional Archaeologist for NE Branch (based in Coffs Harbour) attended the site with representatives of the BBMAC. Roger determined the trees shown to him as "not being of traditional Aboriginal cultural origin".

Despite many requests Roger has still not supplied me with the datum used for the coordinates he recorded. Therefore the cad file supplied has both MGA and AMG plotted. If you overlay the supplied file on an aerial photograph it should become apparent which is correct. If this is not the case please let me know so I can follow up with Roger (again).

I am currently on remote area fieldwork (I have had to drive to the top of a small mountain to send this message) but will be back in the office tomorrow and Friday. I would be happy to revise the cultural heritage component of the draft statement of commitments for the Moonee Waters proposal and supply a response to the DoP regarding cultural heritage once I am back. Could you please advise if you wish me to proceed with the revisions and response?

I do not have any telephone reception for the remainder of today but will be available tomorrow.

Regards,  
Jill.

**Jillian Huntley**  
Archaeologist

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

Ph (02) 4950 5322  
Fax (02) 4950 5737  
Mb 0427 753 321  
[www.umwelt.com.au](http://www.umwelt.com.au)

**PLEASE NOTE:**

This email and any files transmitted with it are confidential and are for the use of the intended recipient only. If you have received this email in error, please notify us immediately and delete all copies of this email and attachments. We maintain regular virus checks; however, before opening or using any attachments, check them for viruses and defects. Contents which do not relate to the formal business of Umwelt (Australia) Pty Limited are not endorsed by the company.

From: Jill Ford <jhuntley@umwelt.com.au>  
Subject: **RE: Moonee Waters Trees**  
Date: 20 November 2008 3:03:00 PM  
To: 'Peter Annand' <peter@aaud.com.au>

Hi Peter

As the AMG coordinates are outside the project area it is clear that the tree location provided must be in MGA (please disregard the AMG coordinates).

The tree in the wetland was dismissed by Roger Mehr (DECC archaeologist) when he was out on site with the community as it was not old enough to have been a scarred tree resulting from pre-colonial Aboriginal activities. Roger has provided verbal advice that he does not believe that any of the trees shown to him by the Aboriginal community were scarred trees.

Let me be clear, the two tree locations pictured on the plan are not believed to be scarred trees resulting from Aboriginal modifications by the DECC regional archaeologist; however I was hoping to avoid lengthy discussions with the aboriginal community whom identified these as culturally significant if indeed the trees were outside of the impact footprint. As it appears that the two tree locations provided are within the impact footprint I will need to discuss the site visit in more detail with the DECC regional archaeologist and the Aboriginal stakeholders. I will advise the outcome of these further discussions ASP.

Thanks,  
Jill.

**Jillian Huntley**  
Archaeologist

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

Ph (02) 4950 5322  
Fax (02) 4950 5737  
Mb 0427 753 321  
[www.umwelt.com.au](http://www.umwelt.com.au)

**PLEASE NOTE:**

This email and any files transmitted with it are confidential and are for the use of the intended recipient only. If you have received this email in error, please notify us immediately and delete all copies of this email and attachments. We maintain regular virus checks; however, before opening or using any attachments, check them for viruses and defects. Contents which do not relate to the formal business of Umwelt (Australia) Pty Limited are not endorsed by the company.



Please consider the environment before printing this email

---

**From:** Peter Annand [mailto:[peter@aaud.com.au](mailto:peter@aaud.com.au)]  
**Sent:** Thursday, November 20, 2008 1:11 PM

From: Jill Ford <jhuntley@umwelt.com.au>  
Subject: **RE: Moonee Waters Trees**  
Date: 21 November 2008 8:59:00 AM  
To: 'Peter Annand' <peter@aaud.com.au>

Hi Peter,

Roger and I believe these are not scarred trees; however their cultural significance is a matter for the Aboriginal community alone.

The assertion that the trees do not bear scars resulting from Aboriginal activities is based on our technical opinion as archaeologists. The reason DECC require both scientific (archaeological) and cultural (Aboriginal stakeholder) perspectives in the cultural heritage management process is precisely because the two can differ.

I will call Arelne Hope from the BBMAC today to discuss the cultural significance of the trees.

Speak to you this afternoon,  
Jill.

**Jillian Huntley**  
Archaeologist

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

Ph (02) 4950 5322  
Fax (02) 4950 5737  
Mb 0427 753 321  
[www.umwelt.com.au](http://www.umwelt.com.au)

**PLEASE NOTE:**

This email and any files transmitted with it are confidential and are for the use of the intended recipient only. If you have received this email in error, please notify us immediately and delete all copies of this email and attachments. We maintain regular virus checks; however, before opening or using any attachments, check them for viruses and defects. Contents which do not relate to the formal business of Umwelt (Australia) Pty Limited are not endorsed by the company.



Please consider the environment before printing this email

---

**From:** Peter Annand [mailto:[peter@aaud.com.au](mailto:peter@aaud.com.au)]  
**Sent:** Thursday, November 20, 2008 4:17 PM  
**To:** Jill Ford  
**Cc:** Peter Biasotto; [dfanning@insites.com.au](mailto:dfanning@insites.com.au)  
**Subject:** Re: Moonee Waters Trees

Jill,

