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**From:** Kathryn Przywolnik  
**Sent:** Tuesday, 6 March 2012 1:24 PM  
**To:** Simon Keenan  
**Cc:** Christine Lewis  
**Subject:** FW: Lake Yindarlgooda Sacred sites generation

Hi Simon,

Following on from this matter, could you please draft a letter to the GLSC for my signature. The letter will need to seek further information from the GLSC, in line with the principles articulated in the draft Registrar's Guideline document. I'm happy to discuss further with you, however it will have to be tomorrow as I'll be out for most of the afternoon.

Thanks,  
Kathryn

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**From:** Aaron Rayner  
**Sent:** Tuesday, 28 February 2012 3:25 PM  
**To:** Kathryn Przywolnik  
**Cc:** Christine Lewis; Simon Keenan; Jeremy Elliott; Alexander Rorrison  
**Subject:** RE: Lake Yindarlgooda Sacred sites generation

Hi, there are 16 mining interests on this land. The principles of procedural fairness require that all persons holding proprietary interests in the area are entitled to be informed of a proposed decision which will adversely affect those interests and to have the opportunity to make submissions in opposition to that proposed decision. As I understand it none of the 16 interests were afforded procedural fairness. The decision is invalid for these procedural reasons.

I know we do not have clear guidelines for how we assess and manage this type of 'site'. These are being worked on. I have asked Alec to draft up a guideline to support officers in dealing with procedural fairness matters to ensure that the decision making process is sound.

I have asked Kathryn to change the status of the site.

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**From:** Kathryn Przywolnik  
**Sent:** Tuesday, 28 February 2012 10:44 AM  
**To:** Aaron Rayner  
**Cc:** Christine Lewis; Simon Keenan  
**Subject:** RE: Lake Yindarlgooda Sacred sites generation

Simon has put together some dot points on this matter.

- On 11 September 2011 Mr Matt Eggleston, President of the Kalgoorlie-Boulder Branch of the Liberal Party, wrote to our Minister expressing concerns that he had heard that the Goldfields Land and Sea Council intended to place Lake Yindarlgooda on the Register of Aboriginal Sites. The Minister was requested to

intervene and prevent this from occurring. At this point we had no knowledge of the Lake Yindarlgooda Site or an indication that that there would be a request for this to occur.

- On 11 October 2011 we received a site recording form, signed by Annie Muir of the GLSC, for the Lake Yindarlgooda site as well as a request for the site to be formally assessed by the ACMC. Accompanying the form was a report from Dr Bill Kruse who was engaged by the GLSC to record mythology relating to this site. The form indicated that the actual field recording had occurred on 15 August 2011. The site informants were Mr Stevie Sinclair (a well known Law Man and member of the Central East Native Title Claim – which covers the majority of Lake Yindarlgooda) and Mr Dinny Smith (a well known Law man). Dr Kruse also discussed the site with a number of other Central East Claimants who all confirmed Mr Sinclair's authority to speak for the Lake Yindarlgooda area.
- Mr Sinclair grew up on Country around Lake Yindarlgooda. Mr Sinclair signed an affidavit stating he had custodial responsibilities towards Lake Yindarlgooda due to its association with the Dreaming and his position as a Senior Law Man. Both men were able to demonstrate knowledge of a specific Dreaming for the area as well as the song which related to this Dreaming. Dr Kruse is known to have a large degree of professional experience in the Country where Lake Yindarlgooda is situated.
- Based on this information the ACMC determined that DIA 30602 (Lake Yindarlgooda) was a site under section 5(b) of the *Aboriginal Heritage Act 1972*. This was due to the sacred nature of the site and the ritual (i.e. singing of the song) witnessed and recorded by Dr Kruse. The ACMC made this assessment at its December 2011 meeting.
- At the 8 February 2012 meeting the ACMC ratified the minutes for the December 2011 meeting. This confirmed its opinion that DIA 30602 (Lake Yindarlgooda) was a site under the Act. The site was registered as a site on 9 February 2012.
- Since this time numerous mining companies in the area have seen that DIA 30602 (Lake Yindarlgooda) is now a registered site on the AHIS system or been informed of this by neighbouring mining proponents. Officers within the Heritage and Culture Branch are now receiving phonecalls from mining companies with interests in the area of Lake Yindarlgooda to discuss this matter. At least one of these interest holders has requested information on how to remove the site from the Register of Aboriginal Sites (i.e. change its status).

It should probably be noted that DIA holds 10 reports which address country around Lake Yindarlgooda (and a small part of the Lake). Previous ethnographic surveys have involved the Central East Claim group. Holders who have been involved in previous surveys were Paddy Walker and Peter Jamieson. Although reference was made to a significant Dreaming in hills to the west of the Lake there was no reference made to the Lake itself being a site. While neither Stevie Sinclair nor Dinny Smith appear to have been involved in surveys (known to DIA) over the area before it is likely that arguments against the site will include reference to these reports (And others which DIA would appear not to hold.)

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**From:** Aaron Rayner  
**Sent:** Monday, 27 February 2012 8:54 PM  
**To:** Kathryn Przywolnik; Christine Lewis; Simon Keenan  
**Subject:** Fwd: Lake Yindarlgooda Sacred sites generation

Hi, what's the story with this one?

Cheers

Sent from my iPad

Begin forwarded message: