

Champions Quarry Expansion

HERITAGE MANAGEMENT PLAN

Final Report

Version 2.2 (October 2017)

REVISION HISTORY AND APPROVAL OF THE HERITAGE MANAGEMENT PLAN

Version	Date	Description	By	Review
1.0	October 2013	Final Report Heritage Management Plan	Champions Quarry	Jeff Champion
			Aboriginal Stakeholders	Completed
			OEH	Completed
1.0	October 2013	Final Report Heritage Management Plan	DP & I	Completed
2.0	January 2017	Final Report Heritage Management Plan	Champions Quarry	Jeff Champion
			DP & E	Comments
2.1	March 2017	Final Report Heritage Management Plan	Champions Quarry	Jeff Champion
			DP & E	Approved
2.2	October 2017	Final Report Heritage Management Plan	Champions Quarry	Jeff Champion
			DP & E	Approved

This Management Plan has been prepared after due consideration of the Guidelines from DP & E which seek to ensure that this is an effective and user friendly Plan. It is not a prescriptive or detailed document but provides a broad framework and direction.

This Management Plan is considered a dynamic document and will be reviewed where necessary as part of the annual review process (see Section 8 of the EMS). This Management Plan and any subsequent revisions must be approved by Champions Quarry Management and DP & E. The Management Plan must be prepared in consultation with OEH and Aboriginal Stakeholders and then submitted to the Secretary (or a nominee) of the DP & E for approval in accordance with the Project Approval.

A copy of the revised Management plan will be available from the Proponent's website.

REVISION HISTORY AND APPROVAL OF PROJECT APPROVAL (CONDITIONS OF APPROVAL)

Date	Description	By	Review
30 August 2012	Project Approval	Champions Quarry	Jeff Champion
		DP & I	
29 October 2013	Notice of Modification (09_0080 MOD 1)	Champions Quarry	Jeff Champion
		DP & I	
16 September 2016	Notice of Modification (09_0080 MOD 2)	Champions Quarry	Jeff Champion
		DP & E	
9 August 2017	Notice of Modification (09_0080 MOD 3)	Champions Quarry	Jeff Champion
		DP & E	

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REFERENCES

GLOSSARY

AHIMS	Aboriginal Heritage Information Management System
Biodiversity Offset Strategy	The conservation and enhancement strategy described in the documents listed in condition 2(a) of Schedule 2, and shown in the figure in appendix 6 of the Project Approval
CCC	Champions Quarry Community Consultative Committee established under Schedule 5 Condition 6 of the Project Approval
CoA	Planning and Assessment Commission of NSW Conditions of Approval dated August 30, 2012 (incorporating the Statement of Commitments (SoC)) as amended from time to time
Contractor	Contractor engaged by the Proponent to undertake activities associated with the Project (and includes Subcontractors)
Department	Department of Planning and Environment
DECC	Department of Environment and Climate Change
DECCW	Department of Environment, Climate Change and Water
DoP	Department of Planning
DP & I	Department of Planning and Infrastructure (previously known as DoP)
DP & E	Department of Planning and Environment (previously known as DP & I)
DPI (Agriculture)	Department of Primary Industries - Agriculture
DPI (Water)	Department of Primary Industries - Water
DRG	Division of Resources and Geoscience within the NSW Department of Planning and Environment
Environment	Surroundings in which the Project operates within including: air, water, land, natural resources, flora, fauna, humans, heritage and their interrelation
Environmental Aspect	Element of organisational activities or products that can interact with the environment
Environmental Impact	Any changes to the environment, whether adverse or beneficial, wholly or partially resulting from an organisational aspect
Extraction Areas	The Central and Southern Extraction Areas, shown on Figure 9 in Appendix 6 of the Project Approval
EA	Champions Quarry Expansion, Environmental Assessment Report prepared by ERM Pty Limited and dated February 2010

EA (MOD 1)	Modification Application MP 09_0080 MOD 1 dated April 2013
EA (MOD 2)	Modification Application MP 09_0080 MOD 2 dated February 2016, the accompanying annexures A and B and the response to submissions dated April 2016
EA (MOD 3)	Modification Application MP 09_0080 MOD 3 dated February 2017, titled Annexure A – Application pursuant to Section 75W of the Environmental Planning and Assessment Act 1979, and the response to submissions dated July 2017
EMP	Environmental management practices
EMS	Environmental Management Strategy prepared in accordance with Schedule 5 Condition 1 of the Project Approval
EPA	NSW Environmental Protection Authority
ERM	Environmental Resources Management Australia
EP & A Act	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPL	Environmental Protection Licence under the POEO Act
Guidelines	The Guidelines for Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004)
Incident	A set of circumstances that: <ul style="list-style-type: none">• cause or threaten to cause, material harm to the environment; and/or• breaches or exceeds the limits or performance measures/criteria in the Project Approval
LCC	Lismore City Council
LGA	Local government area
Management Plan	Refers to this Heritage Management Plan
Minister	Minister for Planning, or delegate
Ngulingah LALC	Ngulingah Local Aboriginal Land Council
OEH	Office of Environment and Heritage
POEO Act	<i>Protection and Environment Operations Act 1997</i>
Preferred Project Report (PPR)	Champions Quarry Expansion, Preferred Project Report prepared by ERM Pty Limited and dated December 2011
Project Approval	Project Approval issued by Planning and Assessment Commission of New South Wales containing the CoA dated 30 August 2012 as amended from time to time

Proponent	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd and any other entity or person who seeks to carry out the development approved under the Project Approval
Response to Submissions (RTS)	Champions Quarry Response to Submissions, prepared by ERM Pty Limited and dated September 2010 and containing the Proposed Quarry Management Plan
Secretary	Secretary of DP & E, or nominee
SoC	Statement of Commitment (Appendix 3 of the Project Approval)
Subcontractor	Any company, body or person who is contracted to the Contractor for the purpose of supplying services or goods.

1 BACKGROUND

1.1 OVERVIEW

The Proponent has been granted Project Approval by the NSW Minister for Planning and Infrastructure under Section 75J of the EP & A Act to expand quarrying operations of the quarry known as Champions Quarry located at Tuckurimba (near Lismore) on the Far North Coast of New South Wales (herein referred to as “the Project”).

The approved expansion is to increase the extraction rate from a maximum of 29,000m³ (approximately 64,000 tonnes) of sandstone material to 250,000 tonnes of extractive materials per calendar year until the year 2038. Activities included as part of the expansion include but are not limited to, those activities required for clearing, top soil and over burden removal, extraction of quarry product, processing, stockpiling, loading and transportation of material.

As outlined in the EMS, the Project has undergone a high level of scrutiny as part of a detailed EA and subsequent investigations to evaluate the extent of impact of the proposed quarry expansion on the environment including Aboriginal heritage.

1.2 SUMMARY OF CULTURAL HERITAGE ASSESMENTS AND INVESTIGATIONS

Several detailed Cultural Heritage Assessments have been undertaken including;

- Heritage Assessment at Champions Quarry was undertaken by Everick Heritage Consultants Pty Ltd (2008);
- Cultural Heritage Report was undertaken by ERM (2009); and
- Anthropological Assessment undertaken by Tony Jefferies (2010 and 2011).

These assessments consistently conclude that the Project is not expected to result in negative impacts to Aboriginal sites of archaeological and cultural significance. Further, the geotechnical conditions at the Operational Area and prior archaeological reports discussing Aboriginal burials in the region, indicate there is no scientific reasoning to expect burials within the proposed quarry expansion area.

1.2.1 INITIAL ABORIGINAL CULTURAL HERITAGE ASSESSMENT (EVERICK HERITAGE - 2008)

In 2007/2008 Everick undertook an Indigenous and non-Indigenous heritage assessment at Champions Quarry. For the assessment, 2 separate fieldwork events were undertaken in the company of local Aboriginal Community members.

According to the Assessment (Everick Heritage (2008)), the results of the Indigenous cultural heritage assessment are as follows:

- “1. No Aboriginal sites or relics were found as a result of two field inspections of the existing and proposed expanded operations area of Champions Quarry, Tuckurimba, via Lismore.
2. Reference to heritage registers in addition to the DECC AHIMS found there were no areas within the proposed operations area which held Aboriginal places or sites which would be destructively impacted by works associated with the extractive industry.
3. The Ngulingah LALC is of the view that the proposed expansion of the quarry will not impact destructively upon Aboriginal sites and see no constraints to the proposal.”

According to the Assessment (Everick Heritage (2008)), the results of the non-Indigenous cultural heritage assessment are as follows:

- “1. The NSW Department of Planning, State Heritage Inventory contains no Statutory Listed Items under the Heritage Act 1977 (NSW), in the Lismore Shire Local Government Area. Section 2 of the NSW State Heritage Inventory: items listed by local government and state agencies contain no heritage items in the present or proposed operations area of Champions Quarry.
2. The Commonwealth Department of Environment and Conservation Register of National Estate contains no listing of heritage items in the Lismore LGA.”

1.2.2 CULTURAL HERITAGE REPORT (ERM - 2009)

A subsequent cultural heritage assessment was carried out by ERM in 2009 with the appropriate level of community consultation in line with DECCW’s Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation as required by the Director General’s Requirements for the Part 3A Application. Five groups/individuals registered as being interested in the consultation process. However on the inspection date none of those registered attended for an inspection of the site.

This assessment confirmed that there are no previously recorded Aboriginal sites within the Project Site. The formal heritage assessment of the study area determined that no new archaeological sites were identified accordingly, there were no known Aboriginal heritage constraints identified for the proposed expansion of Champions Quarry.

1.2.3 ANTHROPOLOGICAL ASSESSMENT (TONY JEFFERIES – 2010 AND 2011)

A subsequent anthropological assessment of the Aboriginal significance of the proposed extension to Champions Quarry was carried out by Tony Jefferies B.A. (Hons) in 2010 and 2011. This assessment concluded as follows:

“There is no evidence of any item, place, feature of the Champions Quarry project site, and the extraction or operational areas in particular, which if developed as proposed would result in any significant negative impact on Aboriginal heritage such that the project should be prevented from happening. As far as any objective anthropological or archaeological assessment of available information, including oral traditions, can be made, the quarry project site is free from any known Aboriginal heritage associations.”

1.3 EUROPEAN HERITAGE CHANCE FINDS

There is a possibility (although considered to be of extremely low likelihood) that unknown items of European heritage significance may be uncovered during the expansion of the quarry. If an item is uncovered all work will stop immediately in the subject area and the NSW Heritage Branch will be notified of the find.

1.4 BACKGROUND/DEFINING ABORIGINAL STAKEHOLDERS

Aboriginal Stakeholders

Invitations were extended to local Aboriginal organisations in 2009 and via a local press advertisement (in Lismore Echo in 2009) for Aboriginal groups/people interested in the Aboriginal heritage assessment process. As a result 18 Aboriginal groups/persons identified themselves as being interested in the assessment process.

Each Aboriginal group/person was then contacted and 5 registered their interest in being involved in the consultation process for the Project as an Aboriginal Stakeholder. These included:

- Ngulingah Local Aboriginal Land Council;
- Dianne Harrington;
- Jenny Smith;
- Tracey King; and
- Auntie Patricia Cook.

CCC Aboriginal Elder

In addition, the Proponent proposes that Aboriginal Elder Lewis Cook be included as an Aboriginal Stakeholder due to his past interest in the Project and his standing within the Aboriginal community and position within the Bundjalung Elders Council Aboriginal Corporation and the CCC.

1.5 LIST OF ABORIGINAL STAKEHOLDERS

Accordingly, “Aboriginal Stakeholders” include only the following groups/persons:

- Ngulingah Local Aboriginal Land Council;
- Dianne Harrington;
- Jenny Smith;
- Tracey King;
- Auntie Patricia Cook; and
- Lewis Cook

unless and until the group/person stated above specifically excludes themselves as an “Aboriginal Stakeholder” by notice in writing to the Proponent.

2 PURPOSE AND OBJECTIVES

2.1 PURPOSE

The primary purpose of this Management Plan is to provide procedures to:

- Describe how the Proponent will manage and control risks associated with heritage issues during the expansion and operation of the Project;
- Ensure the protection of previously undetected cultural heritage items when carrying out the Project activities;
- Ensure that the OEH, Aboriginal stakeholders and the DP & E are involved in the formulation of this Management Plan;
- Address the requirements of applicable legislation and any ongoing approvals as they are applicable to the Project;
- Meet the Project Approval; and
- Address the requirements of the EA.

This Management Plan provides procedures and actions that may need to be implemented to avoid or minimise impact of the Project on previously undetected Aboriginal cultural heritage items.

2.2 OBJECTIVES

The Heritage Management Plan objectives are to implement appropriate management measures to minimise any impact of the Project on previously undetected Aboriginal cultural heritage items. This Management Plan's objectives specifically in relation to the Project are to describe:

- An initial program for proposed targeted sub-surface archaeological investigations, including a strategic sampling methodology;
- the measures that would be implemented for:
 - monitoring all new surface disturbance on site for unidentified Aboriginal objects;
 - managing the discovery of any human remains or previously unidentified Aboriginal objects on site; and
 - ensuring ongoing consultation with Aboriginal stakeholders in the conservation and management of any Aboriginal cultural heritage values on site.

Further in accordance with Schedule 5 Condition 3 of the Project Approval, this Management Plan includes the following information (as determined relevant to the protection of Aboriginal Heritage of the Project):

- baseline data;
- a description of:
 - relevant statutory requirements;
 - relevant limits or performance measures/criteria;
 - relevant performance indicators;

- a description of the measures that would be implemented to comply with relevant statutory requirements, limits, or performance measures /criteria;
- a program to monitor and report on:
 - the impacts and environmental performance of this Project;
 - the effectiveness and management measures;
 - a contingency plan to manage any unpredicted impacts and their consequences;
 - a program to investigate and implement ways to improve the environmental performance of the project over time;
 - a protocol for managing and reporting any incidents, complaints, non-compliance with statutory requirements and exceedances; and
 - A protocol for the periodic review of this Management Plan.

3 HERITAGE IMPACTS AND LEGISLATIVE OBLIGATIONS

3.1 ENVIRONMENTAL IMPACTS

The detailed cultural heritage assessments consistently conclude that the Project is not expected to result in negative impacts to Aboriginal sites of archaeological and cultural significance. However, activities that may have the potential to result in impacts to Aboriginal Heritage are clearing of limited areas of regrowth vegetation and ground disturbance for the expansion of the quarry.

3.2 LEGISLATION AND POLICIES

The applicable legal and other requirements related to Aboriginal cultural heritage and environmental management for the Project are outlined in Table 3.1 below

Table 3.1 – Legal and other requirements for Environmental Management

Legislation and Policies
Environmental Protection and Biodiversity Conservation Act 1999
Environmental Planning and Assessment Act 1979
Environmental Planning and Assessment Regulation 2000
Protection of the Environment and Operations Act 1997
Protection of the Environment Operations (General) Regulations 2009
Aboriginal and Torres Strait Islander Heritage Protection Act 1984
Environment and Heritage Legislation Amendment Act (No.1) 2003
Native Title (NSW) Act 1994
Heritage Act 1977
National Parks and Wildlife Act 1974
North Coast Regional Environmental Plan 1988 (NCREP)
Lismore Local Environmental Plan 2012 (Lismore LEP)

3.3 MINISTERS CONDITIONS OF APPROVAL

Pursuant to section 75B(1) of the EP & A Act, the Project was declared to be a project under Part 3A of the Act and project approval has been received from the Minister for Planning.

The primary conditions relevant to Aboriginal heritage in relation to the Project are contained within Conditions 34 to 36 (inclusive) of Schedule 3 of the Project Approval. These Conditions and other additional clauses that are relevant to Aboriginal heritage of the quarry are outlined below.

3.3.1 CONDITION 20 (COMPLIANCE) OF SCHEDULE 2 OF THE PROJECT APPROVAL

Condition 20 of Schedule 2 of the Project Approval states:

“The Proponent must ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities”.

3.3.2 CONDITION 34 (HUMAN REMAINS) OF SCHEDULE 3 OF THE PROJECT APPROVAL

Condition 34 of Schedule 3 of the Project Approval states:

“This approval does not allow the Proponent to disturb any human remains found on site.”

3.3.3 CONDITION 35 (SUB-SURFACE INVESTIGATIONS) OF SCHEDULE 3 OF THE PROJECT APPROVAL

Condition 35 of Schedule 3 of the Project Approval states:

“Prior to causing any surface disturbance of the land in the sites for the:

- (a) Water Supply Dam;
- (b) Water Reuse Dam; and
- (c) Southern Extraction Area

the Proponent must undertake targeted sub-surface archaeological investigations, in consultation with OEH and Aboriginal Stakeholders, to the satisfaction of the Secretary.”

Targeted sub-surface archaeological investigations were carried out on 29 November 2013.

3.3.4 CONDITION 36 (HERITAGE MANAGEMENT PLAN) OF SCHEDULE 3 OF THE PROJECT APPROVAL

Condition 36 of Schedule 3 of the Project Approval states:

“The Proponent must prepare and implement a Heritage Management Plan for the project to the satisfaction of the Secretary. The plan must:

- be prepared in consultation with OEH and Aboriginal stakeholders;
- be submitted to the Secretary for approval prior to carrying out any development on site (other than the construction of bunds and vegetative screening) under this approval;
- include a detailed program for proposed targeted sub-surface archaeological investigations, including a strategic sampling methodology; and
- describe the measures that would be implemented for:
 - monitoring all new surface disturbance on site for unidentified Aboriginal objects;
 - managing the discovery of any human remains or previously unidentified Aboriginal objects on site; and
 - ensuring ongoing consultation with Aboriginal stakeholders in the conservation and management of any Aboriginal cultural heritage values on site.

The Proponent must implement the approved management plan as approved from time to time by the Secretary.”

3.3.5 CONDITION 3 OF SCHEDULE 5 OF THE PROJECT APPROVAL

Condition 3 of Schedule 5 of the Project Approval more broadly states the following in relation to the preparation of management plans:

“The Proponent must ensure that the Management Plans required under this approval are prepared in accordance with any relevant guidelines, and include:

- (a) detailed baseline data;

- (b) a description of:
- the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - any relevant limits or performance measures/criteria; and
 - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures;
- (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
- (d) a program to monitor and report on the:
- impacts and environmental performance of the project; and
 - effectiveness of any management measures (see (c) above);
- (e) a contingency plan to manage any unpredicted impacts and their consequences;
- (f) a program to investigate and implement ways to improve the environmental performance of the project over time;
- (g) a protocol for managing and reporting any:
- incidents;
 - complaints;
 - non-compliance with statutory requirement; and
 - exceedances of the impact assessment criteria and/or performance criteria; and
- (h) a protocol for periodic review of the plan.

Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.”

3.3.6 CONDITION 7 OF SCHEDULE 5 OF THE PROJECT APPROVAL

Condition 7 of Schedule 5 of the Project Approval states:

“The Proponent must immediately notify the Secretary and any other relevant agencies of any Incident. Within 7 days of the date of the Incident, the Proponent must provide the Secretary and any relevant agencies with a detailed report on the Incident, and such further reports as may be requested.”

3.4 ENVIRONMENTAL PROTECTION LICENCE (EPL) CONDITIONS

An Environmental Protection Licence (EPL) has been obtained for the operations – EPL 20562.

3.5 RELATED MANAGEMENT PLANS

This Management Plan forms part of an overarching environmental management system for the Project. Where relevant reference should be made to the other plans for the Project listed in Table 3.2.

Table 3.2 – Environmental Management Plan Requirements

Number	Environmental Plan	Condition ¹
EMP 1	Noise Management Plan	9
EMP 2	Air Quality Management Plan	12
EMP 3	Water Management Plan	17
EMP 4	Transport Management Plan	31
EMP 5	Waste Management Plan	33
EMP 7	Landscape Management Plan	45

3.6 STANDARDS, POLICIES, GUIDELINES AND MODELLING

The standards, policies, guidelines and modelling that have been used in the preparation of this Management Plan and that relate to the Project are listed in Table 3.3.

Table 3.3 – Environmental Standards, Policies, Guidelines and Modelling

Environmental Risk Issue	Standards, Policies, Guidelines and Modelling
Heritage	Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DECCW)
	Operational Policy: Protecting Aboriginal Cultural Heritage (DECCW)
	NPWS Aboriginal Cultural Heritage Standards
	NSW Heritage Branch guidelines

3.7 CROSS REFERENCING REQUIREMENTS OF MANAGEMENT PLANS AND RELEVANT CHAPTERS/PARAGRAPH

Table 3.4 – Cross Referencing Requirements of Management Plans and Relevant Chapters/Paragraph

Relevant Condition	Statement of Project Approval	Paragraph/Chapter Dealing with Condition
Condition 36(c) – Schedule 3	A Heritage Management must include a detailed program for proposed targeted sub-surface archaeological investigations, including a strategic sampling methodology.	Chapter 6
Condition 36(d) – Schedule 3	A Heritage Management Plan that describes the measures that would be implemented for:	N/A
	<ul style="list-style-type: none"> monitoring all new surface disturbance on site for unidentified Aboriginal objects; 	Paragraphs 7.1 and 8.1
	<ul style="list-style-type: none"> managing the discovery of any human remains or previously unidentified Aboriginal objects on site; and 	Paragraphs 7.2 and 8.2
	<ul style="list-style-type: none"> ensuring ongoing consultation with Aboriginal stakeholders in the conservation and management of any Aboriginal cultural heritage values on site. 	Paragraph 7.3

¹ Environmental Performance Conditions, Schedule 3 of the Project Approval

4 ROLES AND RESPONSIBILITIES

All quarry personnel and Contractors are accountable through conditions of employment or contracts with each individual responsible for ensuring that their work complies with the EMS procedures. An organisational structure for the Project is provided in Section 6 of the EMS.

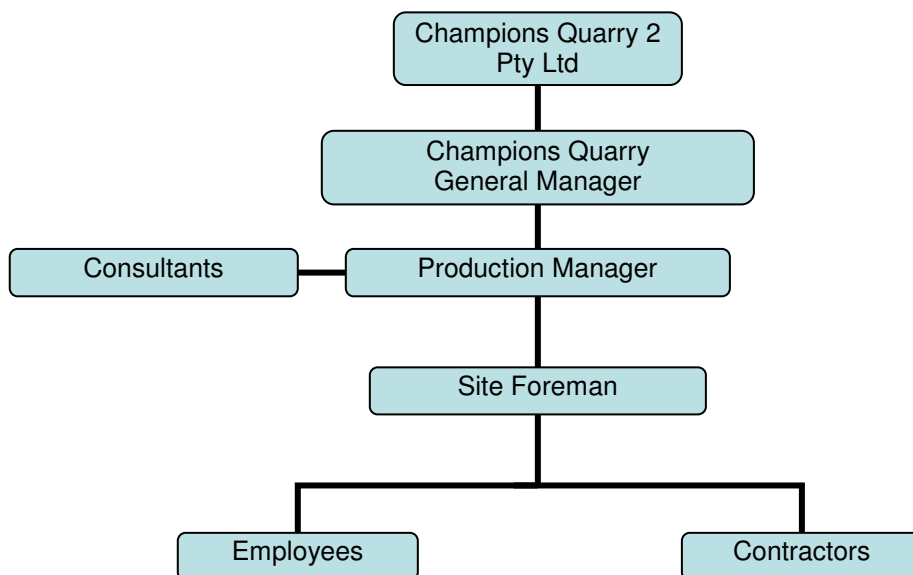
This section of this Management Plan designates the responsibilities of the Proponent's personnel and Contractors in implementing this Management Plan as it is relevant.

Table 4.1 – Champions Quarry Roles and Responsibilities

PRODUCTION MANAGER		
Action Number	Responsibility and Authority	Timing
HMP.PM.01	Ensuring the Project Approval, Project Commitments and any other relevant licences and approvals are adhered to.	At all times
HMP.PM.02	Prepare the Management Plan in consultation with the OEH and Aboriginal stakeholders and submit the Management Plan to the Secretary for approval.	Prior to carrying out any development on site (other than the construction of bunds and vegetative screening)
HMP.PM.03	Implement the program for proposed targeted sub-surface archaeological investigations including a strategic sampling methodology.	Prior to carrying out any development on site (other than the construction of bunds and vegetative screening)
HMP.PM.04	Instruct the Site Foreman as appropriate.	At all times
HMP.PM.05	Ensure all staff and Contractors receive appropriate and relevant induction training regarding Aboriginal cultural heritage management as it applies to their activities and ensuring staff and Contractors are aware of agreed management and mitigation measures as they are applicable to the individuals circumstances.	At all times
HMP.PM.06	Co-ordinate any stop work as required in response to finding previously unidentified Aboriginal heritage site/s.	At all times
SITE FOREMAN		
Action Number	Responsibility and Authority	Timing
HMP.SF.01	Ensuring the Project Approval, Project Commitments and any other relevant licences and approvals are adhered to.	At all times
HMP.SF.02	If previously unidentified Aboriginal heritage sites are discovered then initiate stop work that has the potential to impact on Aboriginal Heritage sites and immediately notify the Production Manager.	At all times
HMP.SF.03	Ensure directions associated with the EMS, this Management Plan and approvals (if required) are adhered to the satisfaction of the Production Manager.	At all times
QUARRY EMPLOYEES AND CONTRACTORS		
Action Number	Responsibility and Authority	Timing

HMP.EC.01	Employees and Contractors must notify the Site Foreman and/or the Production Manager of any potential Aboriginal heritage item/issue.	At all times
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Figure 4.1 – Environmental Management Strategy Organisational Chart as it applies to the Heritage Management Plan (extracted from the EMS)



5 MANAGEMENT AND MITIGATION STRATEGIES

5.1 PRINCIPAL ABORIGINAL HERITAGE IMPACT MITIGATION MEASURES

The principal measure used to minimise Aboriginal heritage impacts will involve the following:

- Training Project employees and Contractors who are involved in clearing, grubbing and ground disturbance works via the distribution of education material (when they will receive a copy of a handout substantially in accordance with Annexure A) and ongoing toolbox meetings;
- Implementing the targeted sub-surface archaeological investigations prior to constructing the Water Supply Dam, Water Reuse Dam or commencing works in the Southern Extraction Area;
- Implementing a program to manage the discovery of any human remains or previously unidentified Aboriginal objects on site; and
- Initial consultation with OEH and Aboriginal Stakeholders in the development of this plan, notification and consultation with Aboriginal Stakeholders in the event of a potential find of an Aboriginal Site and mechanisms to resolve any disputes in relation to an actual or potential Aboriginal Site.

5.2 STAKEHOLDER CONSULTATION

This Management Plan was submitted to OEH and Aboriginal Stakeholders in draft format for consultation purposes. The final Management Plan following consultation will be submitted to the Secretary for comment and approval. The revision history of this Management Plan is provided in the prelude to this Management Plan. A summary of the concerns and comments of OEH and Aboriginal Stakeholders (if any) are outlined in Table 5.1.

Table 5.1 – Stakeholder Consultation

Group	Documents Sent	Concern/Comment	Response
Aboriginal Stakeholders	Version 1.0 (October 2013) Heritage Management Plan	None raised	N/A
OEH	Version 1.0 (October 2013) Heritage Management Plan	Additional information in relation to periodic review, program of sub-surface archaeological investigations and ongoing consultation required	Responses submitted to DP & I for consideration

5.3 DISPUTE RESOLUTION

If a dispute occurs in the course of the implementing this Management Plan (except to the extent that the dispute has already been raised and resolved in the course of the EA or Part 3A Application process), between the Proponent and Aboriginal Stakeholders, the following procedure will apply:

1. Where possible, any issues will be negotiated directly between the relevant Aboriginal Stakeholder and the Production Manager (and/or quarry delegate appointed by the Production Manager) to ensure any disruption to Project activities are minimised. All parties must make themselves available as soon as reasonably practicable for the purposes of negotiations.

2. In the event that the above negotiations fail to achieve a resolution, an onsite meeting will be convened between the relevant Aboriginal Stakeholder, the Production Manager (and/or quarry delegate appointed by the Production Manager) and a representative of OEH will also be invited to the onsite meeting. All parties must make themselves available as soon as reasonably practicable for the purposes of an onsite meeting and reaching a resolution.
3. Failing a resolution in either and/or both of the above scenarios, the relevant Aboriginal Stakeholder, OEH and/or the Production Manager (and/or quarry delegate appointed by the Production Manager), may refer the matter to the Secretary for guidance towards a resolution.

5.4 APPROVAL REQUIREMENTS

This Management Plan has been provided to the OEH and Aboriginal Stakeholders for consultation purposes as required by the Project Approval.

5.5 TRAINING AND AWARENESS

As part of the general site induction process, all Project employees and Contractors involved in clearing, grubbing and ground disturbance works will be made aware of the importance of managing Aboriginal cultural heritage items and issues. This will be undertaken as part of the induction process (when they will receive a copy of a handout substantially in accordance with Annexure A) and will be followed up by toolbox talks prior to clearing, grubbing and working in previously undisturbed areas within the Operational Area.

5.6 APPROVAL REQUIREMENTS

The Proponent must obtain a water licence (EPL) for the Project under the Water Act 1912 and/or Water Management Act 2000.

6 PROGRAM FOR PROPOSED SUB-SURFACE ARCHEOLOGICAL INVESTIGATIONS

The Areas of Investigations

The proposed targeted sub-surface archaeological investigations relate to the following 3 areas:

1. Water Supply Dam;
2. Water Reuse Dam; and
3. Southern Extraction Area. It is noted that sub-surface archaeological investigations will only be carried out in the northern section of the Southern Extraction Area as there is little to no soil overlay in the eastern, southern and western sections of the Southern Extraction Area.

These areas are identified in Figure 6.1 below. Table 6.1 sets out the total number of sampling locations required for each area.

Table 6.1 – Total Number of Sampling Locations Required for Each Area

	Water Supply Dam	Water Reuse Dam	Southern Extraction Area
Approximate Area (ha)	1	1	4 ¹
Maximum sample locations per ha	5	5	5
Total sample locations for area	5	5	20
Sample location size	3-6m ²	3-6m ²	3-6m ²
Minimum soil depth	0.5 metres	0.5 metres	0.5 metres
1. The total approximate area of the Southern Extraction Area refers only to the northern section of the Southern Extraction Area as there is little to no soil overlay in the eastern, southern and western sections of the Southern Extraction Area. Accordingly, no sub-surface archaeological investigations are required to be carried out in the eastern, southern and western sections of the Southern Extraction Area.			

Equipment

The Proponent will use a small 20 tonne excavator with a mud bucket (or similar) when carrying out the sub-surface investigations. The bucket is similar in size to a front end loader bucket. It is noted that a front end loader would not be suitable to carry out the investigations as it would be unable to manoeuvre around the subject area. Hand tools will also be available and used in the event that softer investigations are required.

Parties to be present

The parties that will be invited to the quarry site on the day of the sub-surface archaeological investigations include the following:

- A representative from Ngulingah LALC;
- A representative from OEH;
- Any of the following Aboriginal Stakeholders who indicate a desire to attend on the day:
 - Dianne Harrington;
 - Jenny Smith;
 - Tracey King;
 - Auntie Patricia Cook; and

- Lewis Cook.

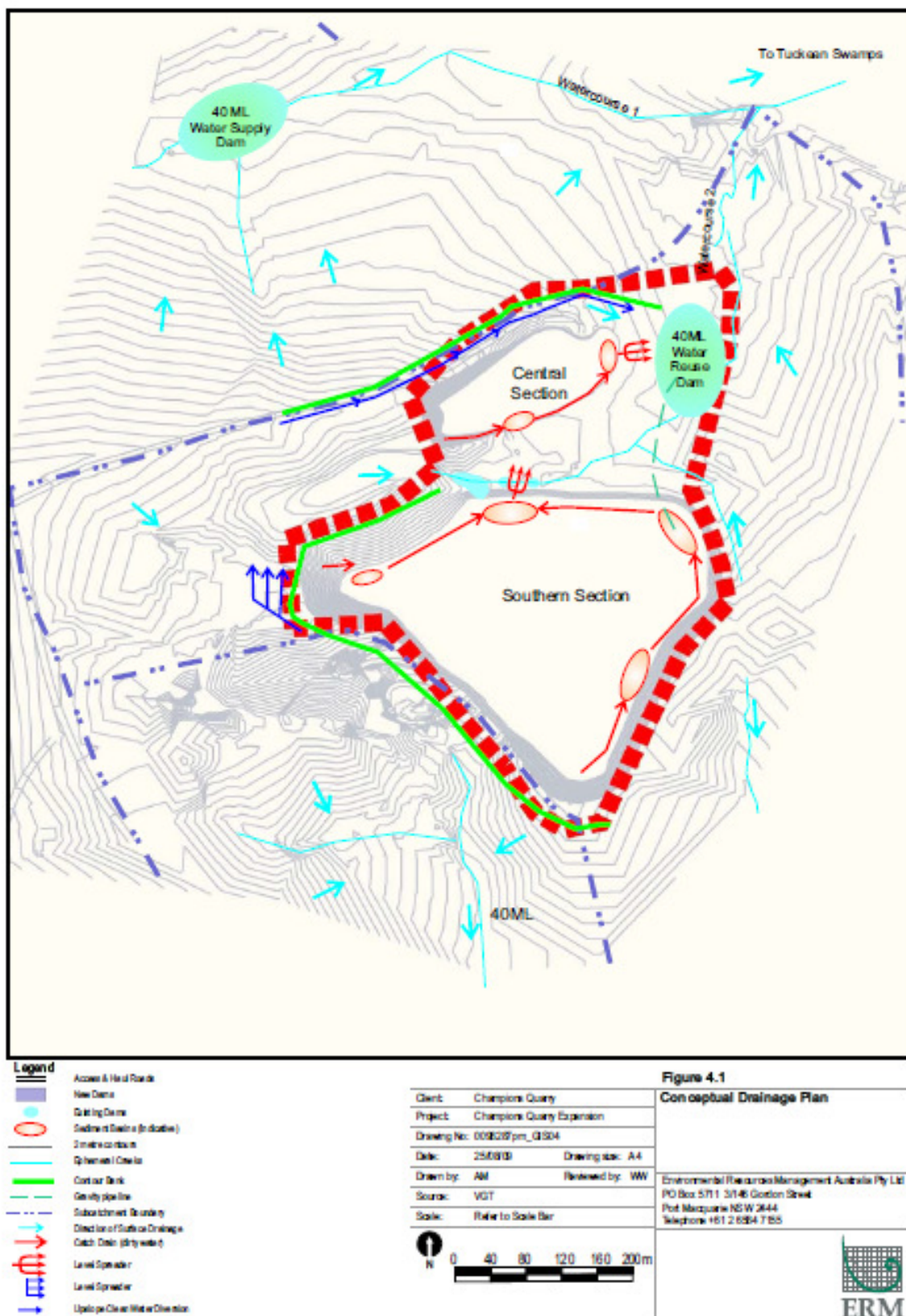
In addition the Proponent will ensure an archaeologist is present at the site during the targeted sub-surface archaeological investigations.

Procedures to be Implemented if an Item of Aboriginal Cultural Heritage is Found

1. The Site Foreman/Production Manager will cordon off the subject area with the suspected Aboriginal site and prevent others from entering it.
2. The Production Manager will immediately notify the relevant Aboriginal Stakeholders, OEH and DP & E who will each nominate a representative to assess the area to determine whether an Aboriginal site is present. In the event of human remains are found, Police will also be notified.
3. The Production Manager will engage a suitably qualified archaeologist to identify the potential find and where relevant provide recommendations on how best to manage, preserve and transfer the item in accordance with the wishes of the relevant Aboriginal Stakeholders.
4. Should an item on Aboriginal significance be discovered, the Proponent and a representative of the relevant Aboriginal Stakeholders will commence communications to finalise a keeping place agreement. Aboriginal artefacts discovered during excavation activities will be salvaged and kept according to that agreement.
5. Any sites, if discovered within the vicinity of the Operational Area will be demarcated with flagging tape or similar prior to commencing extraction activities to prevent incursion into the site.
6. Works can only recommence in the subject area once approval is provided from the Production Manager, the relevant Aboriginal Stakeholders and a representative from OEH and DP & E. All parties must make themselves available as soon as reasonably practicable for the purposes reaching a resolution to enable works to recommence.

Figure 6.1 – Conceptual Drainage Plan

(Known as Figure 4.1 Conceptual Drainage Plan extracted from Appendix I in the EA)



7 MONITORING, MANAGEMENT AND CONSULTATION

7.1 MEASURES TO BE IMPLEMENTED TO MONITOR ALL NEW SURFACE DISTURBANCE ON SITE FOR UNIDENTIFIED ABORIGINAL OBJECTS

The measures to be implemented to monitor all new surface disturbances on site for unidentified Aboriginal objects principally involves the training and education of employees/contractors involved in clearing, grubbing and ground disturbance works via a site induction. As part of the site induction employees/Contractors involved in clearing, grubbing and ground disturbance works will be made aware of the importance of managing Aboriginal cultural heritage items and issues and they will receive a copy of a handout substantially in accordance with Annexure A. This induction will be followed up by toolbox talks prior to clearing, grubbing and working in previously undisturbed areas within the Operational Area.

In the event that evidence of human remains is detected or previously unidentified Aboriginal object/s are detected the procedures set out in paragraph 7.2 will be adopted.

7.2 MEASURES TO BE IMPLEMENTED TO MANAGE THE DISCOVERY OF ANY HUMAN REMAINS OR PREVIOUSLY UNIDENTIFIED ABORIGINAL OBJECTS IN SITE

In the event that evidence of human remains are detected or previously unidentified Aboriginal object/s are detected the following procedures will be implemented:

1. All work in the immediate area is to immediately cease and affected employees/Contractors must isolate their machinery.
2. Employees/Contractors are instructed not to alter, move or touch the suspected Aboriginal site.
3. Employees/Contractors must immediately notify the Site Foreman and/or Production Manager of the potential find.
4. The Site Foreman/Production Manager will document and photograph the potential find so evidence exists of the potential find in its original state.
5. The Site Foreman/Production Manager will determine whether any soil or material from the subject site area has been excavated. If so, then prevent its removal from the site/area and stockpile it adjacent to the site.
6. The Site Foreman/Production Manager will cordon off the subject area with the suspected Aboriginal site and prevent others from entering it.
7. The Production Manager will engage a suitably qualified archaeologist to identify the potential find and where relevant provide recommendations on how best to manage, preserve and transfer the item in accordance with the wishes of the relevant Aboriginal Stakeholders.
8. The Production Manager will immediately notify relevant Aboriginal Stakeholders, OEH and the DP & E (including providing any documented or photographic records from the subject site) who will each nominate a representative to assess the area to determine whether an Aboriginal site is present. In the event of human remains are found, Police will also be notified.
9. Should an item on Aboriginal significance be discovered, the Proponent and the relevant Aboriginal Stakeholders will commence communications to finalise a keeping place agreement. Aboriginal artefacts discovered during excavation activities will be salvaged and kept according to that agreement.

10. Any sites, if discovered within the vicinity of the Operational Area will be demarcated with flagging tape or similar prior to commencing extraction activities to prevent incursion into the site.
11. Works can only recommence in the subject area once approval is provided from the Production Manager, relevant Aboriginal Stakeholders and a representative from OEH and the DP & I.

7.3 MEASURES TO BE IMPLEMENTED TO ENSURE ONGOING CONSULTATION WITH ABORIGINAL STAKEHOLDERS IN THE CONSERVATION AND MANAGEMENT OF ANY ABORIGINAL CULTURAL HERITAGE VALUES ON SITE

The Proponent values open and ongoing communications and consultation with Aboriginal Stakeholders.

Accordingly, in the event that evidence of human remains is detected or previously unidentified Aboriginal object/s are detected the Production Manager will immediately notify the relevant Aboriginal Stakeholders (including providing any documented or photographic records from the subject site). The relevant Aboriginal Stakeholders must then nominate an appropriate representative to assess the area to determine whether an Aboriginal site is present.

Should an item of Aboriginal significance be discovered, the Proponent and the relevant Aboriginal Stakeholders will commence communications to finalise a keeping place agreement. Aboriginal artefacts discovered during excavation activities will be salvaged and kept according to that agreement.

8 INSPECTIONS AND GENERAL REPORTING

8.1 SITE INSPECTIONS

Routine quarry inspections of work areas, will be conducted by the Production Manger and/or Site Foreman to monitor work practices and identify non-conforming areas and activities or work practices which could lead to potential harm to cultural heritage items.

Where non-compliance with nominated performance goal/s is detected, an incident notice will be raised by the Site Foreman and/or Production Manager in accordance with the EMS.

8.2 GENERAL REPORTING

Pursuant to Condition 7 of Schedule 5 of the Project Approval, the Proponent must:

- immediately notify the Secretary and any other relevant agencies of any Incident; and
- within 7 days of the Incident, the Proponent must provide the Secretary and any relevant agencies with a detailed report on the Incident, and such further reports as may be requested.

Annexure A – Induction information to be provided to Project employees and Contractors who are involved in ground disturbance works

CHAMPIONS QUARRY ABORIGINAL HERITAGE INDUCTION INFORMATION October 2013

FACTS

- Every Aboriginal site and/or object is protected under the National Parks and Wildlife Act 1974 (NSW) whether it has been recorded or not.
- It is an offence to:
 - move, alter or take any Aboriginal site or components of a site; and
 - dig, excavate or damage a site (knowingly or unknowingly) without Office of Environment and Heritage within the Department of Premier and Cabinet (OEH).
- Offences can lead to fines and delays to the Project.
- If you think that an Aboriginal site or object is or may be impacted by any works associated with the quarry you **MUST** immediately stop work and follow the procedure below.
- Champions Quarry have undertaken several archaeological studies. These studies show no Aboriginal sites were identified within the Project Site. However, it is possible unidentified Aboriginal sites may exist within the Project Site.

WHAT YOU MUST KNOW

- Possible works that you may undertake that could result in the discovery of a new Aboriginal site include:
 - Any soil excavation;
 - Vegetation clearance; and
 - Service installation.
- Possible Aboriginal sites that you may encounter:
 - Stone artefacts;
 - Middens (accumulations of shell);
 - Grinding grooves and bowls;
 - Scarred trees;
 - Burial sites; and
 - Art sites.

WHAT TO DO IF YOU FIND AN ABORIGINAL SITE (OR SUSPECT YOU MAY HAVE)

1. Stop work immediately and isolate your machinery (if relevant).
2. Do not further alter, move or touch the suspected Aboriginal site.
3. Do not collect samples to show someone.
4. Immediately inform the Site Foreman and/or Production Manager.
5. Allow the Site Foreman and/or Production Manager to document and photograph the suspected Aboriginal site so evidence exists of the potential find in its original state.
6. With the Production Manager – determine whether any soil or material from the subject site area has been excavated. If so, then prevent its removal from the site/area and stockpile it adjacent to the site.
7. With the Production Manager – cordon off the subject area with the suspected Aboriginal site and prevent others from entering it.
8. The Production Manager will engage a suitably qualified archaeologist.
9. The Production Manager will immediately notify the relevant Aboriginal Stakeholders, OEH and the DP & I (including providing any documented or photographic records from the subject site) to assess the area to determine whether an Aboriginal site is present. In the event of human remains are found, Police will also be notified.
10. If the site is deemed to be of significance the site will need to be pegged.
11. Works can only recommence in the subject area once approval from the Production Manager, the relevant Aboriginal Stakeholders, OEH and DP & I are provided.

REFERENCES

- The Guideline for Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004);
- EA – Champions Quarry Expansion, Environmental Assessment Report prepared by ERM Pty Limited and dated February 2010;
- Aboriginal Cultural Heritage Assessment performed by Richard Robins of Everick Heritage Consultants forming part of the Environmental Assessment Report dated 25 February 2010 (Appendix G);
- Cultural Heritage Assessment performed by ERM forming part of the Environmental Assessment Report dated 25 February 2010 (Appendix H);
- PPR – Champions Quarry Expansion, Preferred Project Report prepared by ERM Pty Limited and dated December 2011;
- Aboriginal Cultural Heritage Reports prepared by Tony Jeffries contained in the PPR (Annexure G);
- Report on Interview with Auntie Patricia Cook dated 19 November 2011 prepared by Tony Jeffries contained in the PPR (Annexure H);
- Planning and Assessment Commission of NSW Conditions of Approval dated 30 August, 2012;
- Minister for Planning and Infrastructure - Notice of Modification dated October 29, 2013; and
- Minister for Planning - Notice of Modification dated September 16, 2016.