

APPENDIX 1



Figure 1: Development Area

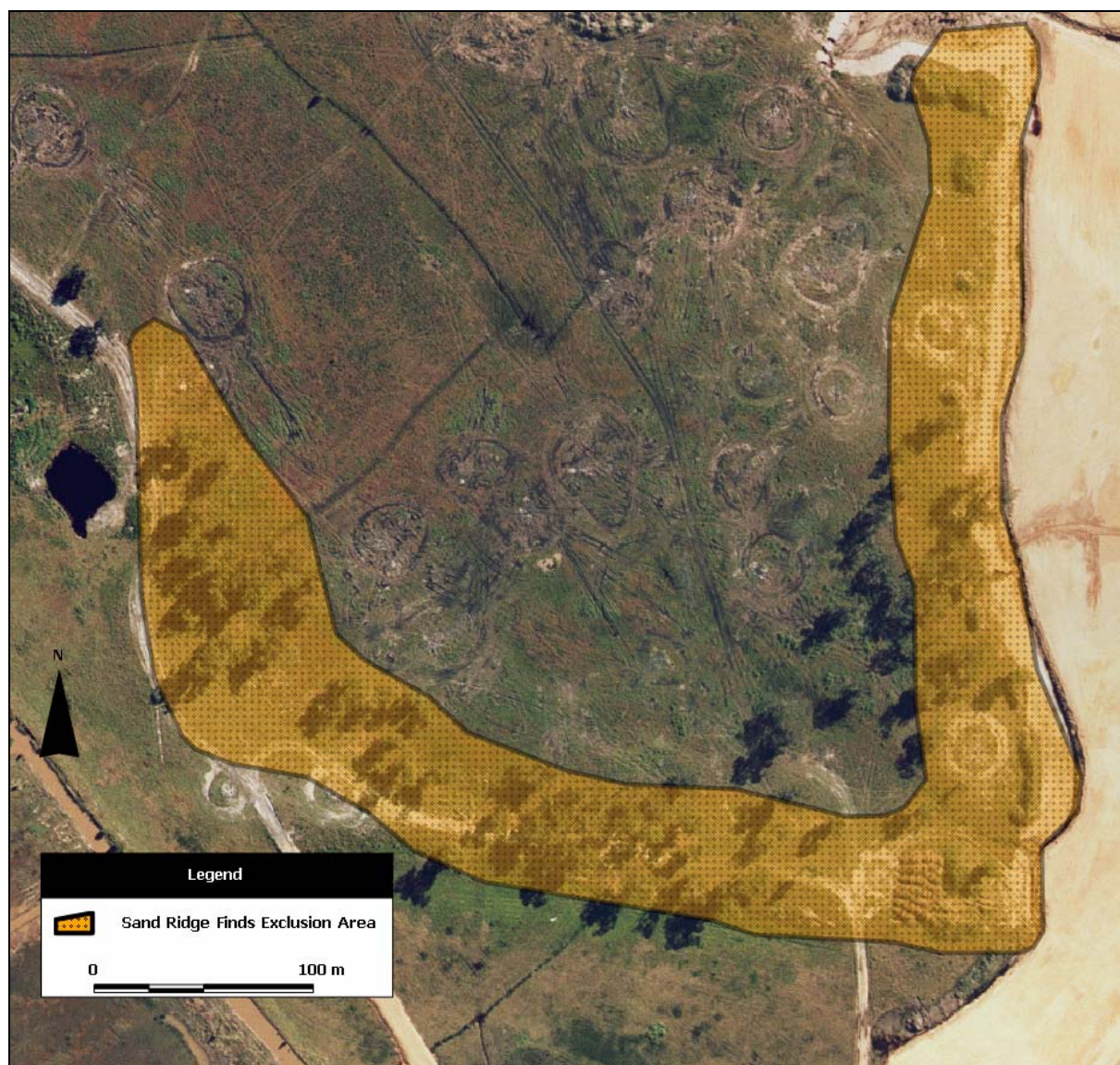


Figure 2: Sand Ridge Finds Exclusion Area



Figure 3: Front Paddock Finds Exclusion Area



Figure 4: Back Paddock Finds Exclusion Area

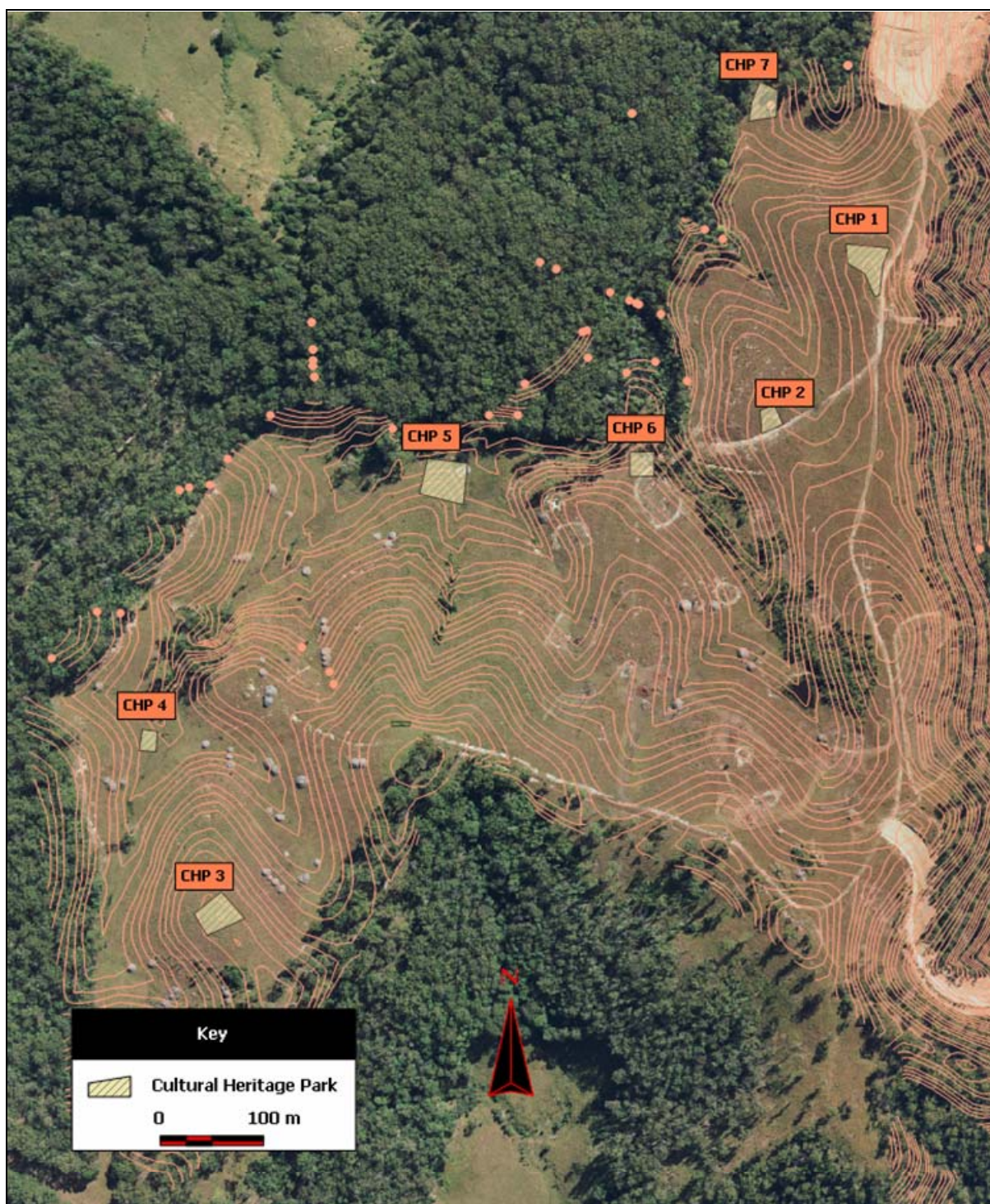


Figure 5: Back Paddock Cultural Heritage Park General Areas



Figure 6: Sand Ridge Cultural Heritage Parks

APPENDIX 2

Registered Aboriginal Stakeholders (on behalf of their families):

Name	Address	Phone Number
Bartie, John	15 Turpentine Place, Tyalgum, NSW, 2484	
Boyd, Harry	C/O Bo Lourey PO Box 862, Murwillumbah, NSW, 2484	
Browning, Marcia	4 Letitia Road, FINGAL HEAD NSW 2487	
Cora, Mark	218 Kirkwood Road, Tweed Heads South, NSW, 2486	
Currie, Deidre	11 Flamingo Place, West Tweed Heads, NSW, 2485	
Dawney, Carol	3 / 2 Seymour Street, Tweed Heads South, NSW, 2486	
Ford, Maxwell	21 Hector Road, HOLLAND PARK QLD 4121	
Lena, Kathleen	18 Water Street, TWEED HEADS SOUTH NSW 2486	
Logan, Russell	C/O WICEEDO 9 Tathra Street, Pottsville Beach, NSW, 2489	
McDonald, Jackie	On behalf of Jason McDonald, Levi McDonald, Adam Mazzarella, Peter Buxton and Paul Buxton. 63 Tringa Street, Tweed Heads West, NSW, 2485	
Morgan, Christine	3 Duffy Street, TWEED HEADS SOUTH, NSW 2486	
Mye, Lesley	Lot 4 Birrigan Close, NOBBY'S CREEK NSW 2424	
Slabb, Kyle	C/O Tweed Byron LALC PO Box 1410, Kingscliff, NSW, 2487	
Summers, Joyce	26 Brier Crescent, Varsity Lakes, QLD, 4227	
Tweed Aboriginal Co-op	C/O Desare Rotumah PO Box 6231, Tweed Heads South, NSW, 2486	
Tweed Byron LALC	21/25 Ourimbah, Road, Tweed Heads, NSW, 2485 PO Box 1410, Kingscliff, NSW, 2487	

Williams, Doug	6/45 Mirrabooka Cr, LITTLE BAY NSW 2036	
Yuke, Kym	PO Box 1233, COORPAROO DC QLD 4151	

Developers Cultural Heritage Contact:

Name	Address	Phone Number
Mr Reg van Rij	PO Box 1914, Gold Coast Surfers Paradise, QLD, 4217	(07) 5570 5500

Cultural Heritage Advisor:

Name	Address	Phone Number
Tim Robins Everick Heritage Consultants	47 Arthur Terrace, Red Hill, QLD, 4059 PO Box 146, Red Hill, QLD, 4059	0432 816 460 (07) 3368 2660

APPENDIX 3

PROPOSED MONITORING PROTOCOLS

Monitors will:

- Participate in Cultural Heritage Monitoring and sub-contract works.
- Assist in Construction works as directed by the Development Construction Manager, provided it does not interfere with their Monitoring duties.
- Report to the Development Construction Manager at a brief daily meeting to discuss all work to be undertaken by them during that day, completed by them on the previous day, and otherwise relating to their performance of the duties of Monitors in accordance with this CHMP.
- Provide preliminary determination of the extent of any previously unidentified Finds and approximate determination of the appropriate Exclusion Zone for any identified Aboriginal Cultural Heritage Object or Site.
- Report back to the Project Construction Manager and Registered Aboriginal Stakeholders with regard to Monitoring activities and any Finds.
- Attend the Site within 4 hours of an Aboriginal Cultural Heritage Object or Site being discovered.
- Undertake the Developers specific Workplace Health and Safety Induction training.
- Wear safety clothes and equipment as required by the Developer, including but not limited to steel capped boots (to be provided by the Monitor) and safety vest and hard hat (to be provided by the Developer).
- Not impede the operations of Construction Staff.
- Complete time sheets at the beginning and end of each day or part day that the Monitor is on Site as reasonably required by the Developer.
- Comply with any protocols and procedures for visitation to the Development Area.
- Immediately inform the Development Construction Manager of the location and nature of any Cultural Heritage Find during Monitoring.
- In the event that skeletal material is found, follow procedures detailed in **Appendix 6**.
- At the end of each relevant working day, finalise a Monitoring Clearance Sheet which will be provided by the Developer.
- Ensure that they arrive at the designated part of the Development Area at the designated time.
- Collect Monitors Kit at the beginning of each day and return them at the end of each day (See below).
- Undertake Monitoring Activities as required in Paragraph 7.3.
- Be available to work on 96 hours' notice.
- Remain at their assigned locations except in an emergency.

On-site Monitoring Procedure

- If the Monitors are late on-site, work will proceed whether they are present or not.
- The Development Construction Manager will inform the Monitors of the type of work that will be carried out during the day.
- Once this has been established, the Monitors will begin monitoring for Cultural Heritage (e.g. stone artefacts, shell material, bone, etc) unearthed during the clearing work.
- Monitors will stay at the designated Monitoring location unless the Development Construction Manager advises or requests otherwise.
- Monitors will be introduced to the driver(s) of the earthmoving equipment who will be undertaking the clearing. The driver and Monitor are to come to a mutual arrangement regarding procedures they will follow (e.g. hand signals) when the Monitor wishes the driver to temporarily stop so that he can inspect any suspected Cultural Heritage material that may have been exposed.
- When working in proximity to large earthmoving equipment, such as bulldozers, graders or excavators, stringent safety rules are to be observed.
- Monitors will check-in any Cultural Heritage (e.g. stone artefacts, shell material, bone etc) collected during the day's work, along with the Collection Record Sheets, any completed Clearance Sheets and their Monitoring Kits. Cultural Heritage Objects will be stored by the Developer until such time as it can be handed into the care and control of the Tweed Byron LALC.

Raising Issues

If the Monitors wish to raise any issues, or report incidents or accidents that may have occurred while they were monitoring that day, they should contact the Development Construction Manager or the Cultural Heritage Advisor.

Monitoring Kits

Monitors will receive Monitoring Kits when undertaking their work. It is their duty to ensure that the Monitoring Kits are complete with the required contents each day.

The Cultural Heritage Advisor will prepare the Monitoring Kits and deliver them to the site office. The Development Construction Manager will be responsible for issuing the kits and having available in the site office additional materials required for restocking them.

Monitoring Kits will contain at least the following:

- Collection Record Sheets x 3
- Clearance Sheet x 1
- Collection Bags x 3
- CHMP x 1
- Daily Time Sheet
- Stop Work Forms x 2
- Contact Details Form x 1
- Back pack/carry bag x 1
- Clipboard / ring binder x 1
- Pen x 1
- Marker x 1
- Safety Vest
- Hard Hat

The Developer will also provide the lead Monitor with a camera and a GPS as required.

Monitors are to ensure that these kits are stocked sufficiently, and that they are returned at day's end in an appropriate state. Cameras are to be only used for photographing Cultural Heritage Objects and Sites.

Monitors must wear prescribed safety equipment and abide by the following rules:

- Never walk in front of a moving or operating machine.
- Never be in the close vicinity when trees are being felled or pushed or pulled.
- Observe a safety zone distance of at least twenty (20) metres between the Monitor and the machine.
- Machinery such as bobcats can be approached reasonably safely, provided that the bobcat operator is aware at all times of the position of the Monitor and that eye contact is maintained between the Monitor and the operator.

APPENDIX 4

CONDITIONS OF EMPLOYMENT FOR ABORIGINAL MONITORS

- Monitors shall be employed by the Developer. The Developer will oversee the employment, management, administration and remuneration of the Monitors, including the provision of workers compensation, superannuation, tax contributions and insurance cover.
- Monitors must comply with all relevant legislation including all Workplace Health and Safety Regulations.
- Monitors shall be nominated by the Registered Aboriginal Stakeholders based on their qualifications, experience and availability.
- Taxation provisions will govern the net dollar figure paid for every Monitor engaged in Monitoring the Development. The Remuneration as outlined in Paragraph 7.4 is to be made clear to the Monitors before the commencement of the Cultural Heritage Monitoring.
- Time sheets must be signed by each Monitor before payments are processed. It is not necessary for the Developer to provide a copy of the time sheet to the Monitor unless he/she requests it.
- Transport to and from the relevant Site will not be provided by the Developer.
- No alcohol or non-prescription drugs will be allowed in the Development Area. Persons found in possession of, or on reasonable grounds suspected of being under the influence of alcohol or non-prescription drugs, will be summarily dismissed and not paid for that day.
- Monitors will work only as required by the Developer under the terms of this CHMP.

The Developer recognises that certain protocols or cultural events may exist or occur within the Registered Aboriginal Stakeholders' community (particularly in relation to family issues and bereavement) that may within reason affect the ability of the Monitors to perform in accordance with the terms of the CHMP. In such cases the Registered Aboriginal Stakeholders will communicate with the Contractor as soon as possible, and use their best endeavours to avoid any cessation of Monitors' activities and thereby avoid disruption of Construction. Failure of the Monitors to be on site at an agreed time without prior notification will not constitute a reason for the Developer to cease work. The Developer will assume that the Registered Aboriginal Stakeholders has decided that no monitors are required on that day or at that location. Where notification is provided, the Developer accepts that operations if Monitors are required will cease where necessary for the period agreed between the Parties.

APPENDIX 5

MONITOR LIST:

Name:	Group/Organisation:	Address:	Contact Numbers:

APPENDIX 6

HUMAN REMAINS POLICY: MANAGEMENT OF ABORIGINAL BURIAL REMAINS

The following principles have been developed to conform with the National Parks and Wildlife Service “*Standards for Archaeological Practice in Aboriginal Heritage – Aboriginal Ancestral Remains*” published in September of 1997.

1.1 Guiding Principals

Death in all human societies is a significant event. It occurs on a regular, but unpredictable basis, removing individuals from family, close relations and friends. Death is often associated with complex rituals. This was and still is the case with Aboriginal people. Disturbance to burials is therefore of major concern to them, as it is for other people in the community.

Aboriginal and Torres Strait Islander people have been in New South Wales for more than 40,000 years. In that time they have buried hundreds of thousands of their dead in a variety of ways. In some cases people were cremated, in others their bones were placed in hollowed-out logs or trees or wrapped in bark cylinders and placed in rock shelters. Many were also buried in the ground with grave goods. Burials commonly occur in sand dunes and alluvial deposits which were easy to dig. Wind and water easily erode such locations and frequently these natural processes expose remains. Other common burial locations are rock shelters, rocky overhangs and hollow trees. The close proximity of scarred or carved trees and stone arrangements and the remains of fireplaces, stone artefacts and food refuse may be suggestive of an Aboriginal burial.

When acting under this CHMP, the Cultural Heritage Advisor will follow the following Principles and Rules contained in the *Code of Ethics of the Australian Archaeological Association*:

Principle 3: ‘To acknowledge the special importance of indigenous ancestral human remains, and Sites containing and/or associated with such remains, to the indigenous people.’

Rule 5: ‘Members shall not interfere with and/or remove human remains of indigenous peoples without the written consent of representatives authorised by the indigenous people whose cultural heritage is the object of investigation.’

1.2 Legislation and Regulations Background

The *National Parks and Wildlife Act 1974* (NSW) gives protection to all 'Aboriginal remains' except those occurring within cemeteries in which non-Aboriginals are also buried and those being dealt with in a forensic or related context (e.g., by a Coroner). The relevant paragraph of the Act [Part 1 Paragraph 5(1)] reads:

"Aboriginal remains means the body or the remains of the body of a deceased Aboriginal, but does not include:

- a) a body or the remains of a body buried in a cemetery in which non-Aboriginals are also buried, or
- b) a body or the remains of a body dealt with or to be dealt with in accordance with a law of the State relating to medical treatment or the examination, for forensic or other purposes, of the bodies of deceased persons"

The Police Commissioner's Instruction 120.08 is intended to help police deal sensitively with the skeletal remains of Aboriginal people. It states:

If any material is suspected of being of Aboriginal origin and there are no suspicious circumstances, then the Site must be secured and a National Parks and Wildlife Officer contacted to identify the remains. Police are also asked to contact the nearest Aboriginal Community Liaison Officer (ACOL).

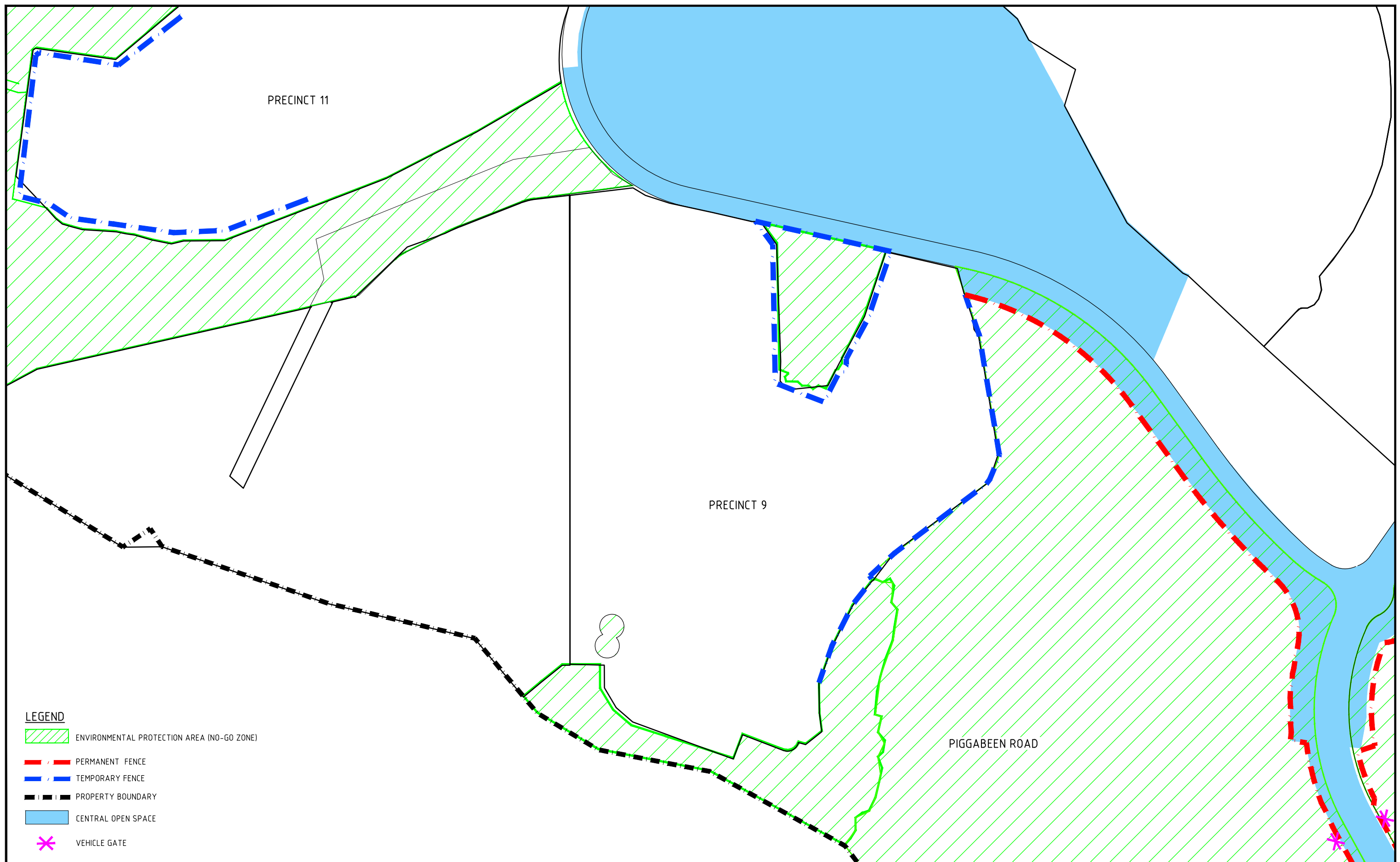
1.3 Procedure for when Aboriginal remains are Located

Where human remains are found, the Site should be cordoned off and the remains themselves should remain untouched. Efforts should then be made to notify the New South Wales Police Service.

The remains should be examined by a physical anthropologist or medical practitioner in order to establish their ancestry (as Aboriginal or European). The antiquity of the remains should also be determined by a physical anthropologist.

The Find should then be reported to the Registered Aboriginal Stakeholders. Any report should use respectful language, treating them as the remains of Aboriginal people rather than as scientific specimens, and be written in plain English.

APPENDIX C – EARTHWORKS FENCING PLAN



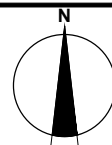
A	Issued for Approval	08.06.16	AM/CH	
REVISION		DATE	DES/DFT	APPD



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Leda Developments
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Surfers Paradise

Project Leader
S. Sandford
Designed
A. Marsden
Drawn
C. Haywood
Checked

Authorised
Date
June 2016



Scale @ A1

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COBAKI ESTATE
OVERALL
Tweed Shire Council

Fencing Plan Precinct 9,11
Drawing No. 3310071E-044 (2)

Rev A

Sheet No. 1 of 1

Subject to Approval
Not to be used for construction

APPENDIX D – WEEKLY INSPECTION CHECKLIST

Project:	COBAKI ESTATE				
Inspection Date:	Area/Precinct:				
WEEKLY CONSTRUCTION CHECKLIST					
#	Control Measure	Yes	No	N/A	Comments/Corrective Action
1	Are all protected areas adequately fenced and signed? Is the integrity of the delineation fencing satisfactory?				
2	Are suitable sedimentation and erosion control devices in place where necessary?				
3	Are sediment fences clean/free of silt and working effectively?				
4	Are areas surrounding waterways satisfactorily stable?				
5	Has the site induction been undertaken by all personnel on site (is the induction register up to date?)				
6	Is drainage from the project site being directed through necessary controls prior to entering any watercourse?				
7	Have any areas of standing or ponded water been appropriately filled?				
8	Has weekly water quality monitoring been undertaken within stormwater retention basins?				
9	Are surface waters free of Mosquito larvae?				
10	Has the Compensatory habitat area been inspected for the presence of unrestrained dogs?				
11	Are fauna structures (nest boxes) in place?				
12	Have hollows been inspected by the ecologist?				
13	Have any new weed infestations been identified on site?				
14	Is there evidence to suggest changes should be made to the site induction relating to flora and fauna aspects? (i.e. reoccurring issues, prevention measures, etc)				
15	Have any injuries or death to wildlife been identified or reported?				
16	Have all complaints been recorded and addressed?				
17	Any other issues to add to the checklist?				
Completed by:		Signature:			