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## CHAIN VALLEY COLLIERY **Heritage Management Plan**

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## Acknowledgement

Delta Coal would like to acknowledge and pay respect to the traditional custodians of the area and their unique cultural heritage, spiritual beliefs and continuing relationship with the land and water.

We pay our respect to the Elders, past, present and emerging, and recognise their strength, resilience and rich contribution to society.

Delta Coal recognises the role of the registered Aboriginal parties in the management of the Aboriginal cultural heritage sites, landscape features and values of the area around Chain Valley Colliery and support their custodial and legislative rights and obligations to manage and participate in Caring for Country.

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# 1 Introduction

## 1.1 Purpose

This management plan addresses the requirements for Development Consent SSD-5465, Schedule 3, Condition 21. The condition required the preparation of a Heritage Management Plan (HMP).

The HMP outlines the requirements to be undertaken to ensure compliance with statutory requirements and applies to the surface operations at Chain Valley Colliery (CVC) including pit top facilities and lands where additional infrastructure that may be constructed.

The purpose of this management plan is to:

- provide an overall framework for consultation related to heritage items;
- detail the regulatory requirements and commitments made in relation to management of Aboriginal and non-indigenous heritage at CVC;
- identify measures to minimise impacts to heritage items;
- detail monitoring requirements for known heritage sites (if required);
- facilitate the effective management heritage issues;
- outline the requirements and actions to be taken upon the discovery of heritage items;
- define specific responsibilities of all stakeholders and function as a management tool for all relevant operational personnel; and
- identify the requirements for review of the document and a procedure for continual improvement.

The overall aim of this management plan is to promote a high level of environmental performance through the minimisation of heritage impacts.

## 1.2 Background

Chain Valley Colliery (CVC) is an underground coal mine located on the southern side of Lake Macquarie approximately 60 km south of Newcastle and 80 km north of Sydney (see **Figure 1**). The pit-top is located approximately 1 km south-east of the township of Mannering Park at the southern extent of Lake Macquarie.

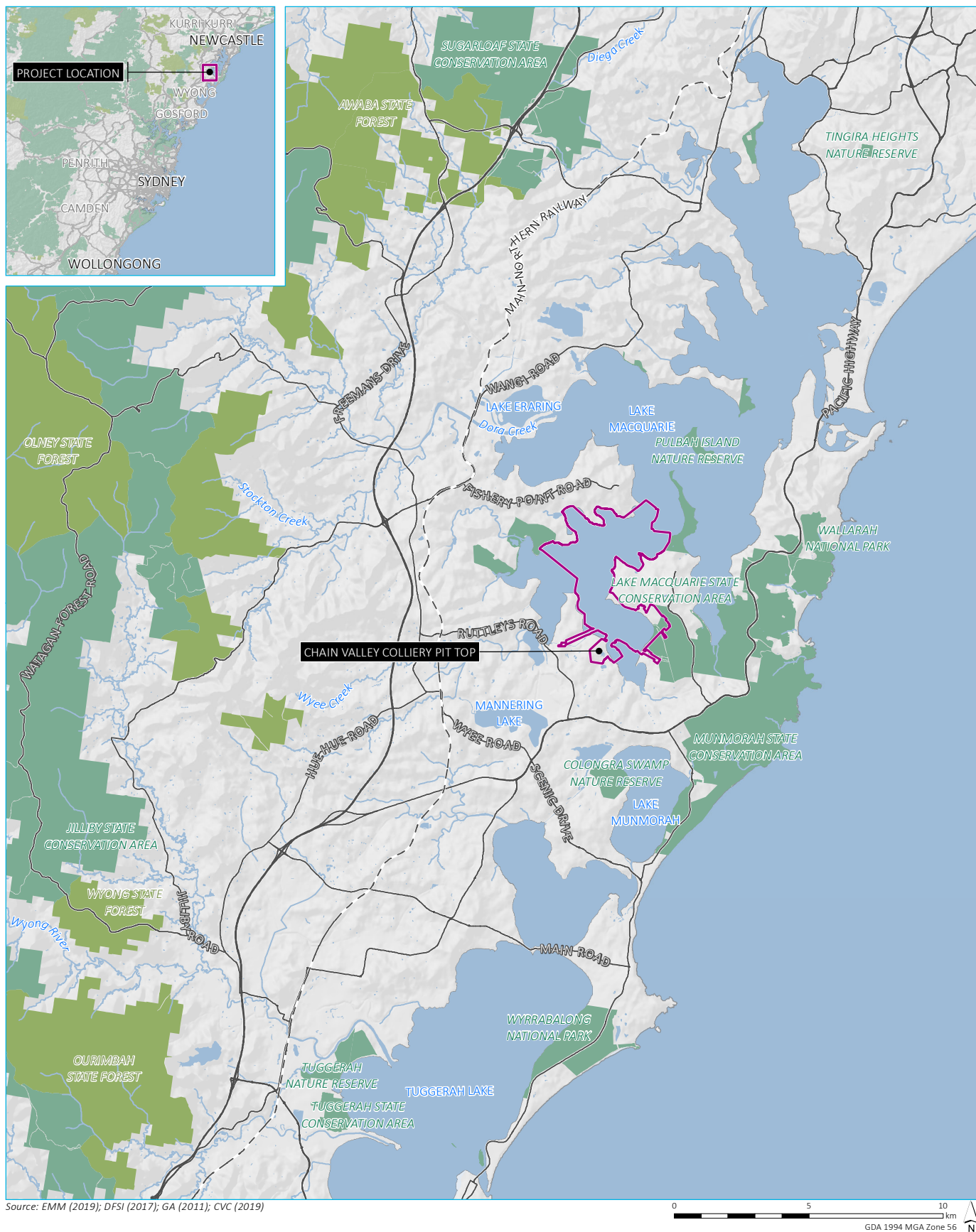
In August 1960, J&A Brown and Abermain Seaham Collieries Ltd commenced clearing the present site with drift and shaft sinking starting a few months later. Production of coal from the Wallarah Seam, commenced with the first delivery to the adjacent Delta Electricity's Vales Point Power Station (VPPS) in April 1963.

LakeCoal was formed in 2001 to acquire BHP Billiton's 80% share in the Wallarah Coal Joint Venture (WCJV), the remaining 20% share was owned by Sojitz. In October 2006, Peabody Energy, a US listed company acquired LakeCoal Pty Limited.

In November 2009 LDO Coal Pty Limited purchased LakeCoal Pty Limited. LDO Coal is a consortium consisting of LD Operations, AMCI and private investors. In March 2011 the 20% share in the WCJV which Sojitz held was acquired by LDO Coal shareholders through the entity Fassi Coal Pty Ltd. The WCJV had operated the Wallarah, Moonee and Chain Valley underground coal mines and the Catherine Hill Bay Coal Preparation Plant, all located at the southern end of Lake Macquarie. At the time of LakeCoal's acquisition by LDO Coal, both the Wallarah and Moonee mines were closed.

In 2013 the owners of Mannering Colliery (MC) and CVC entered into an agreement which enabled LakeCoal to operate the MC until 2022. LakeCoal became the operator of MC effective 17 October 2013, with the underground link between CVC and MC completed in October 2017.

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## KEY

- Chain Valley Colliery development consent boundary
- Rail line
- Main road
- Watercourse/drainage line
- Waterbody
- NPWS reserve
- State forest

## Regional and local context

Chain Valley Colliery  
Figure 1

LakeCoal was placed into Voluntary Administration on 3 October 2018. The receivers continued operation of the mines in the period 3 October 2018 to 1 April 2019. As of 1 April 2019, Great Southern Energy Pty Ltd (trading as Delta Coal, DC) own and operate the two underground coal mines, CVC and MC.

### 1.3 Operations

CVC is an underground coal mine which extracts coal through both first workings and miniwall extraction methods (second workings). Mining is currently undertaken at CVC, with the ROM coal being transported underground to MC where the coal is crushed and screened and sent to VPPS.

The surface infrastructure comprises limited facilities at the 14 hectare pit top area adjacent to the Vales Point Power Station, off Construction Road at Mannering Park, and another 0.3 hectare area at the ventilation facility situated at Summerland Point. Both the pit top and ventilation facilities have remained largely unchanged since their establishment.

Modification 2 to Development Consent SSD-5465 allowed for minor vegetation clearing/disturbance adjacent to some infrastructure at CVC's pit top and the ventilation fan site at Summerland Point to enable the extension/establishment of asset protection zones (APZs) for bushfire protection purposes.

Given the above, potential sources of heritage impact are confined to:

- subsidence associated with secondary extraction;
- clearing of any previously undisturbed areas associated with any planned civil works; and
- establishment of asset protection zones (APZ).

### 1.4 Statement of Significance

Following is a Statement of Significance by the Awabakal and Guringai Peoples for the CVC Revised Heritage Management Plan 2014. No changes to the Statement of Significance have been made and the statement has been reproduced with permission.

"Awabakal and Guringai is one of the 600 or more language groups or 'nations' that existed across Australia at the time of European contact and are part of the oldest and continuous living Culture in human history.

Our People were recorded in this area and acknowledged in the first records ever made of the Aboriginal People of the Lake Macquarie, Newcastle and Central Coast areas. Prominent people such as L.E.Threlkeld, Jonathon Warner and many others documented our People, Cultural Heritage and Language in detail going back to the very early 1800's.

Our people believe that all Aboriginal sites and Traditional Culture that has existed for many thousands of years within our area are a tangible link to our Ancestors and our past. Surveys and assessments within the Chain Valley Colliery area has identified Aboriginal Cultural Heritage Sites (the tangible evidence of occupation) and (the intangible evidence) of landscape features of cultural value embedded within a landscape that provided physical and spiritual sustenance to the Awabakal and Guringai and those Aboriginal People they invited into their Country. The survival of these sites is significant to the continuation of collective knowledge and inspiration for our young people and coming generations of Awabakal and Guringai People. We acknowledge our Ancestors for passing on knowledge and also the legacy for us to continue what they put into place, to pass on our Cultural Heritage and to protect our sites for all those in the future.

The Awabakal and Guringai presence within the Chain Valley Colliery area extends from the present day back many thousands of years and is reflected in both tangible and intangible aspects of Aboriginal Culture and history. As Awabakal and Guringai People, we hold Cultural Knowledge that has been passed down from our Ancestors about our Traditional Country for thousands of years and a spiritual awareness, presence and connectedness of place that is what makes us one with the Land of our People. Therefore, the Awabakal and Guringai People have a continuing, contemporary history of trying to protect and preserve the Cultural Heritage within the surrounding areas.

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We maintain concerns over Mining and Development licences being approved within the area and the adverse impacts this has on our Cultural Values and landscape features, and footprints of our Ancestors which are being impacted through cumulative and overlapping development, mining and unmonitored and unmanaged human recreational activities.

As indicated by the statements provided by the Traditional Owners, the mental, physical and spiritual wellbeing of the Awabakal and Guringai People and those Aboriginal Peoples that feel a connection to this landscape is also a contemporary phenomenon and not just 'a thing of the past'.

The Project Area contains Registered Aboriginal Cultural Heritage sites identified as having Aboriginal Cultural value and are numerous within LakeCoal Project area. The sites and landscape features link contemporary Awabakal and Guringai People with generations of their Ancestors and are extremely important teaching places and places of spiritual renewal.

We, as the Traditional People of these areas since colonisation of our land, have had to endure many deprivation and degradation along with the subsequent loss of not just our People and land but many aspects of our Culture and Heritage. This has been brought about through the damage and neglect of many ventures both modern and historically that have taken place, the result being, significant loss of Cultural places and artefacts that for thousands of years have given substance and meaning to the lives of Awabakal and Guringai People.

We as Traditional Owners today have vowed to protect our Cultural Heritage and those significant places remaining, so we and our young people and those to come will not go the way of many other Aboriginal People and their Culture and Heritage to become just a name in history books of what was. It has been quite a struggle for our people, with our numbers reduced to a handful after the white fella arrived in Australia in 1788. It would seem we were doomed to the fate of many other First Peoples that have disappeared from countries all around the world, but we are still here, we have survived and are proud to be called Awabakal and Guringai.

Although the impact of European invasion dramatically changed Aboriginal life in Australia, not to mention the lives of our own People forever, the recent history of the Lake Macquarie area is also characterised by the Cultural resilience of Aboriginal Peoples, for both those who have retained connection to Country and those that are reconnecting to Country. Recent history is also characterised by the movement of other Aboriginal Peoples into the Country of the Awabakal and Guringai and the development of their own more recent attachments to the area. Whilst a diversity of attachment and experience is recognised, it is also necessary to recognise that the landscape, vegetation and watercourses of the Chain Valley Colliery area forms a unique part of the Cultural Heritage and Cultural landscape of the Awabakal and Guringai People.

Aboriginal lore requires that the Aboriginal cultural landscape of the Chain Valley Colliery area (which includes Aboriginal heritage sites, landscape features of Cultural value, the plants, animals and water) is cared for so that it will survive for future generations of Aboriginal Peoples.

The custodial rights and obligations of Aboriginal people Caring for Country underpin the principles of this HMP. It is highlighted, however, that the Awabakal and Guringai People in no way support any impact to Aboriginal sites, landscape features of Aboriginal cultural value or any aspect of the natural environment of the Chain Valley Colliery Area. Aboriginal people inherit the right and obligation to Care for Country, and endorsing any form of harm is assessed as culturally and ethically inappropriate". (© Awabakal & Guringai 2014)

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## 1.5 Consultation

The original draft of this HMP was issued to the previously identified Aboriginal stakeholders for comment on 7 August 2012. Responses were received from:

- Darkinjung Local Aboriginal Land Council (DLALC);
- Bahtabah Local Aboriginal Land Council (BLALC);
- Awabakal Traditional Owners Aboriginal Corporation (ATOAC); and
- Awabakal Descendants Traditional Owners Aboriginal Corporation (ADTOAC).

These stakeholders identified the issues of accurate background information, inclusion of Aboriginal stakeholders in certain management measures and review timing. At meetings with BLALC, ATOAC and ADTOAC at the CVC offices on 30 August 2012 the wording of the HMP was discussed in more detail and amendments were incorporated into the final version of the HMP which was subsequently approved on the 1 July 2013.

Version 2 of the management plan was based on the work completed for the heritage assessment of SSD-5465 and subsequent site inspection and workshop held in September 2013. At this site inspection representatives of the ADTOAC, ATOAC, Guringai Tribal Link Aboriginal Corporation and Awabakal Local Aboriginal Land Council were present for the fieldwork and, although unable to attend the fieldwork, an additional representative from the DLALC was able to attend the subsequent workshop.

A number of actions arose from the site inspection and workshop in September 2013 with all actions completed and incorporated into the HMP.

The Version 3 (Draft) HMP addressed actions resulting from Modification 2 to Development Consent SSD-5465, specifically the recommendations of the Aboriginal Cultural Heritage Assessment (ACHA) prepared for Chain Valley Colliery Modification 2 Statement of Environmental Effects (EMM, June 2015).

This HMP (Version 3 final), while based substantially on the previously approved LakeCoal HMP, has been updated to reflect the recommendations and minor changes of the Independent Environmental Audit (IEA) conducted by SLR in June 2019. The updates are administrative only and there are no changes to activities, impacts, the mine footprint or development consent requirements associated with CVC.

Registered Aboriginal Parties (RAPs) who have registered an interest to participate in the consultation process comprise the four groups consulted for the original HMP draft and six further Aboriginal organisations. The complete list of ten RAPs are:

- ATOAC;
- ADTOAC;
- BLALC;
- DLALC;
- Biriban Local Aboriginal Land Council;
- Daniella Chedzey;
- Cacatua Culture Consultants;
- Guringai Tribal Link;
- Wonn 1 Contracting; and
- Yula - Punaal Aboriginal Education and Healing Centre.

In accordance with the review and auditing process, a draft of this updated ACHMP, developed for CVC and was provided to the RAPs for comment on 1 December 2019. This HMP was also provided to the

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Department of Planning, Industry and Environment (DPIE), Heritage Council of NSW and NSW Department of Premier and Cabinet-Heritage on 1 December 2019 for their review and comment. The stakeholders were given 14 days to respond with comments.

A summary of the comments received, and amendments subsequently made to the document prior to finalisation are detailed in **Table 1**. Evidence of consultation is provided in **Appendix 1**.

**Table 1: Consultation Summary**

Stakeholder	Comments	Response/Action
RAPs	•	•
NSW DPIE	•	•
NSW Premier & Cabinet - Heritage	•	•
Heritage Council of NSW	•	•

## 2 Statutory Requirements

### 2.1 Key Legislation, Policy and Guidelines

This HMP has been prepared in accordance with the principles of the Australia ICOMOS Burra Charter, 2013 (Burra Charter). The Burra Charter provides guidance for the conservation and management of places of cultural significance and sets a standard of practice for those who provide advice, make decisions about, or undertake works to places of cultural significance, including owners, managers and custodians.

Items of heritage significance in NSW are protected by a series of acts whose purpose it is to ensure that change is appropriately managed to ensure that significance is not lost. In NSW, the *Heritage Act 1977* and the *Environmental Planning and Assessment Act 1979* (EP&A Act) are the primary statutory controls protecting historical heritage and archaeology within NSW. Listing on statutory registers provides legal protection for heritage items.

### 2.2 Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides a legal framework to protect and manage nationally and internationally important heritage places as well as places that are owned by the Commonwealth, such as defence lands and postal facilities.

#### 2.2.1 Native Title Act 1993

The Commonwealth Government enacted the *Native Title Act 1993* to formally recognise and protect native title rights in Australia following the decision of the High Court of Australia in *Mabo & Ors v Queensland* (No.2) (1992) 175 CLR 1 ("Mabo".)

#### 2.2.2 Aboriginal Land Rights Act 1983

The purpose of this legislation is to provide land rights for Aboriginal people within New South Wales and to establish Local Aboriginal Land Councils (LALCs). The land able to be claimed by Aboriginal Land Councils on behalf of Aboriginal people are certain Crown lands as detailed in s36 of the *Aboriginal Land Rights Act 1983*. Claims for land are by application to the Office of the Registrar, *Aboriginal Land Rights Act 1983*.

#### 2.2.3 National Parks and Wildlife Act 1974

The primary state legislation relating to the protection of Aboriginal cultural heritage in NSW is Part 6 of the *National Parks and Wildlife Act 1974* (NPW Act).

The *National Parks and Wildlife Regulation 2009* (NPW Regulation) is subsidiary legislation made under its parent act, the NPW Act. The NPW Regulation provides codes of practice, documents and guidelines that relate to the NPW Act, including:

- *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (DECCW 2010);
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010);
- *Aboriginal Consultation Requirements for Proponents 2010* (DECCW 2010); and
- *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011).

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## 2.3 Heritage Act 1977

Historical archaeological relics, buildings, structures, archaeological deposits and features are protected under the *Heritage Act 1977* (as amended 1999) and may be identified on the State Heritage Register (SHR) or by an active Interim Heritage Order.

### I. Relics Provision

Relics are defined by the Heritage Act are “any artefact, object or material evidence which relates to the settlement of that area that comprises New South Wales, not being Aboriginal settlement, and is of State or local significance.” Relics are protected under Section 139 of the Heritage Act. Where the potential for relics exists, the land in which it is found cannot be disturbed or excavated without an excavation permit.

### II. State Heritage Register

The SHR is a list of places and objects of particular importance to the people of NSW. When a place is listed on the SHR or is affected by an interim heritage order, approval under Section 60 of the Heritage Act is required for any major work. The purpose of this requirement is to ensure that change to significant places is managed appropriately and does not detract from the heritage significance of the place.

### III. Section 170 Register

State government agencies have responsibilities under Section 170 of the *Heritage Act* that requires them to identify, conserve and manage heritage assets owned, occupied or managed by that agency. Each agency is required to maintain a s170 register of all heritage assets and assess the significance of each asset.

## 2.4 Environment Planning and Assessment Act 1979 (EP&A Act)

The EP&A Act establishes the framework for cultural heritage values to be formally assessed in the planning and development consent process in NSW. The EP&A Act requires that environmental impacts are considered before land development; this includes impacts on cultural heritage items and places as well as archaeological sites and deposits.

The EP&A Act requires that local governments prepare planning instruments, such as Local Environment Plans (LEPs) and Development Control Plans (DCPs) to provide guidance on the level of environmental assessment. This includes identification of heritage items, as listed on the heritage schedules of an LEP.

The Act regulates a system of environmental planning and assessment for NSW. Land use planning requires that environmental impacts are considered, including the impact on cultural heritage and specifically Aboriginal heritage, assessment documents prepared to meet the requirements of the EP&A Act.

## 2.5 Development Consent SSD-5465

This plan has been prepared in accordance with Schedule 3, Condition 21 of SSD-5465, which states the requirements of the Heritage Management Plan (HMP) and what it must address. Cultural heritage related requirements of SSD-5465, including specific requirements that are to be addressed in this plan, and where they are addressed, are detailed in **Appendix 2**.

In accordance with Schedule 2, Conditions 2 and 2A, in addition to carrying out the works in accordance with the conditions of SSD-5465, DC will also carry out works generally in accordance with the Environmental Impact Statement (EIS), Statement of Environmental Effects (SEE) (Mod 1), SEE (Mod 2), Project Layout Plans, and Statement of Commitments.

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## 3 Aboriginal Heritage Management

### 3.1 Background

The Awabakal is bordered generally by the Darkinjung to the south west, Wonnarua to the north west and by the Worimi to the north beyond Newcastle. The Awabakal language extended south to Brisbane Waters or even to Sydney Harbour North Head, if the Gringai (Kurringai) language is related to Awabakal (Shane Frost pers.comm. Aug 2012).

The Lake Macquarie area has been the focus of a number of surface investigations and a small number of excavations. In order to develop a predictive model of site location, distribution and type that occur in the vicinity of CVC, previous archaeological work undertaken within the region was reviewed.

As part of the Environmental Assessment (EA) (AECOM, 2011) and Environmental Impact Statement (EIS) (EMM, 2013) both Aboriginal and non-indigenous cultural heritage assessments were completed.

It was determined that there were no items of non-indigenous heritage significance within the existing or proposed disturbance or mining areas, although a number of items were located nearby. These are discussed further in Section 4.

A number of Aboriginal heritage sites were identified within the CVC site and areas of proposed mining, as discussed in further detail below.

### 3.2 Previous Assessments

#### 3.2.1 Overview

There have been numerous archaeological studies undertaken for the Lake Macquarie region, starting from the 1970s until the present (eg Haglund 1986; Navin Officer and Saunders 1996; Umwelt 2011; EMM 2012). These studies have largely been undertaken as part of commercial, linear infrastructure and mining developments.

Archaeological investigations have identified that Aboriginal subsistence was focused on the estuarine shell beds on the lake margins. There is a strong association with shell midden sites and the lake shore, whereas stone artefact sites are often mixed with midden sites but also distributed adjacent to watercourses in the hinterland of Lake Macquarie. Furthermore, studies have found that Aboriginal scarred or carved trees may be adjacent to water sources in areas of uncleared forest.

#### 3.2.2 Environmental Assessment (AECOM 2011)

For the EA (AECOM, 2011), a search of Office of Environment and Heritage (OEA) Aboriginal Heritage Information Management System (AHIMS) database was conducted on 30 September 2009 and revealed six registered Aboriginal sites within the area. In addition to this, as part of the EA process, consultation and field work was undertaken with Aboriginal stakeholders within the study area of the EA, which resulted in the identification of an additional five Aboriginal sites.

#### 3.2.3 Environmental Impact Statement (EMM 2012)

An extensive search of the AHIMS register was also conducted during 2012 as part of the EIS for an area of 10 km by 10 km surrounding the CVC. The search revealed a total of 99 registered sites, the majority of which occurred along the Lake Macquarie foreshore. Middens accounted for 60% of the total sites registered, isolated finds accounted for 11% and scarred trees represented 10%. Subsequent fieldwork undertaken by EMM in conjunction with RAPs identified one new site (45-7-0339) and also redefined the extents of sites 45-7-0154 (at Fishery Point, Sunshine) and 45-7-0157 (at Casuarina Point, Sunshine).

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Notwithstanding the high significance of Aboriginal sites and objects to Aboriginal people, Aboriginal stakeholders advise that all of the land is of significance to Aboriginal people.

In the 2014 HMP it was noted that the Awabakal and Guringai People had a Registered Native Title claim over the site and surrounding areas including the Lake Macquarie City Council and Wyong Shire Council Local Government Areas (LGAs) along with other LGAs. The Native Title claim was registered on 13 June 2013 and discontinued as at 30 June 2017.

In addition, there is a current claim by Johnson and Kendall Grange. The Native Title claim was registered on 27 April 2007 and is not yet determined.

### **3.2.4 ACHA (EMM, 2015)**

In addition to the above assessments, an Aboriginal Cultural Heritage Assessment (ACHA) was completed as part of the Statement of Environmental Effects prepared for Modification 2 (EMM, June 2015). This report identified Aboriginal site 45-7-0157 would be subject to subsidence impacts at a negligible level as a result of the proposed modification, and recommended monitoring requirements. The assessment also recommended Aboriginal site 45-7-0154 be removed from the monitoring program as it will no longer be undermined.

### **3.2.5 Aboriginal due diligence assessments for subsidence monitoring (EMM, 2017 and 2019)**

EMM was engaged in 2017 and 2019 to undertake Aboriginal due diligence assessments in relation to the installation of subsidence monitoring lines along Summerland Point/Chain Valley Bay foreshore (2017) and the Point Wollstonecraft Foreshore (2019). The assessments were a part of ongoing subsidence monitoring associated with mining operations. Although both assessments identified shell material associated with naturally occurring deposits, and cultural deposits at existing AHIMS site, no further sites were identified. No impacts to Aboriginal sites or objects were proposed by the subsidence monitoring activities.

### **3.2.6 Management Plan Review (EMM, 2019)**

Methods used to identify potential Aboriginal cultural heritage sites and/or objects for inclusion in this revised HMP were as follows:

- a review of the previous archaeological investigations undertaken at CVC and its surrounds;
- an extensive search of the AHIMS database to identify previously recorded Aboriginal sites; and
- objects in and around the CVC project approval boundary.

An updated AHIMS search was conducted on 30 July 2019 with results provided in **Appendix 3**. A total of 82 Aboriginal sites were identified within the search area, the majority of which were located around the Lake Macquarie foreshore. Of these sites, 27 are located within the current CVC project area boundary as detailed in **Table 1**. Thirteen additional Aboriginal sites have been included in this HMP within or near the CVC development consent boundary in comparison with the 2014 HMP.

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Table 2:	AHIMS ID(s)	Site name	Site type/features
1	45-3-0334	Tiembula Creek Midden	Shell Midden
<b>2</b>	<b>45-7-0131</b>	Summerland Point	Shell Midden
<b>3</b>	<b>45-7-0166</b>	M8. Sugar Bay	Shell Midden
<b>4</b>	<b>45-7-0167</b>	Camp Brightwaters	Shell Midden
<b>5</b>	<b>45-7-0176</b>	Gwandalan	Shell Midden
6	45-7-0178	Hembula Creek	Scarred Tree (x2)
7	45-7-0179	Black Neds Point	Shell Midden
8	45-7-0181	Chain Valley Bay 1	Shell Midden
9	45-7-0182	Chain Valley Bay 2	Shell Midden
10	45-7-0189	Sandy Beach 1	Shell Midden
<b>11</b>	<b>45-7-0227</b>	St Johns 1	Artefact
<b>12</b>	<b>45-7-0255</b>	Trinity Point GG2	Grinding Groove
<b>13</b>	<b>45-7-0257</b>	Trinity Point Ochre	Ochre Quarry
<b>14</b>	<b>45-7-0258</b>	Trinity Point IF1	Artefact
<b>15</b>	<b>45-7-0262</b>	SJOG 7	Grinding Groove
<b>16</b>	<b>45-7-0263</b>	SJOG 6	Shell Midden
17	45-7-0271	CV-08-09	Shell Midden
18	45-7-0272	CV-09-09	Shell Midden
19	45-7-0273	CV-10-09	Shell Midden
20	45-7-0277	CV-16-09	Shell Midden
<b>21</b>	<b>45-7-0279</b>	CV-18-10	Shell Midden
<b>22</b>	<b>45-7-0281</b>	CV-20-10	Shell Midden
23	45-7-0282	CV-21-10	Shell Midden
<b>24</b>	<b>45-7-0293</b>	RPS MP3	Modified Tree (Carved or Scarred)
25	45-7-0154	M7	Shell Midden
26	45-7-0157	M10	Shell Midden
27	45-7-0339	CV-001	Isolated artefact

Sites listed in bold are sites note included in the 2014 HMP. It may be that some are located just outside the development consent boundary, but have been included in this management plan for completeness.

### 3.3 Items of Significance

#### 3.3.1 Artefact Scatters and Isolated Finds

The distinction between artefact scatters and isolated finds comes down to the interpretive value of these sites. An isolated find, as the name suggests, comprises of a single stone artefact which often cannot be contextualised by other artefacts in the landscape. Artefact scatters contain more than one artefact and have more interpretive value because they may provide information on processes such as procurement, manufacture, usage and discard (Holdaway et al 2002). These two types of sites are usually classified as “open” because they are usually set in exposed landscape (i.e. not a rock shelter) and the extent of these sites are based on an arbitrary boundary according to changes in density level and/or landform units (for artefact scatters). Isolated finds occur as a single artefact and are not generally found within 50 m of another artefact/artefact scatter.

#### 3.3.2 Middens

Shell middens are commonly made up of the remains of edible shellfish, and could be the result of a single meal or many meals at the same location over many years. A midden may also contain fish and animal bones, stone tools, or charcoal. They can vary in size and depth. Middens are sometimes associated with burials. Middens can be found on headlands, sandy beaches and dunes, around estuaries, swamps and tidal stretches of creeks and rivers, and along the banks of inland rivers, creeks and lands. Middens may also be found in the open or in rock shelters. Middens can indicate that a place was, and may continue to be, a key meeting place of significance. Middens can also provide information about the environment that existed when Aboriginal people collected the shellfish, such as changes in species, and tools or raw materials that were used. Middens which contain burials are particularly significant. Middens are amongst the most fragile cultural sites. They can be exposed by wind or degraded by human and animal activity. Effective management of midden sites may include stabilising the surface, such as by encouraging vegetation cover, or by restricting access to the site by erecting fencing (Excerpt from due diligence guidelines, DECCW 2010).

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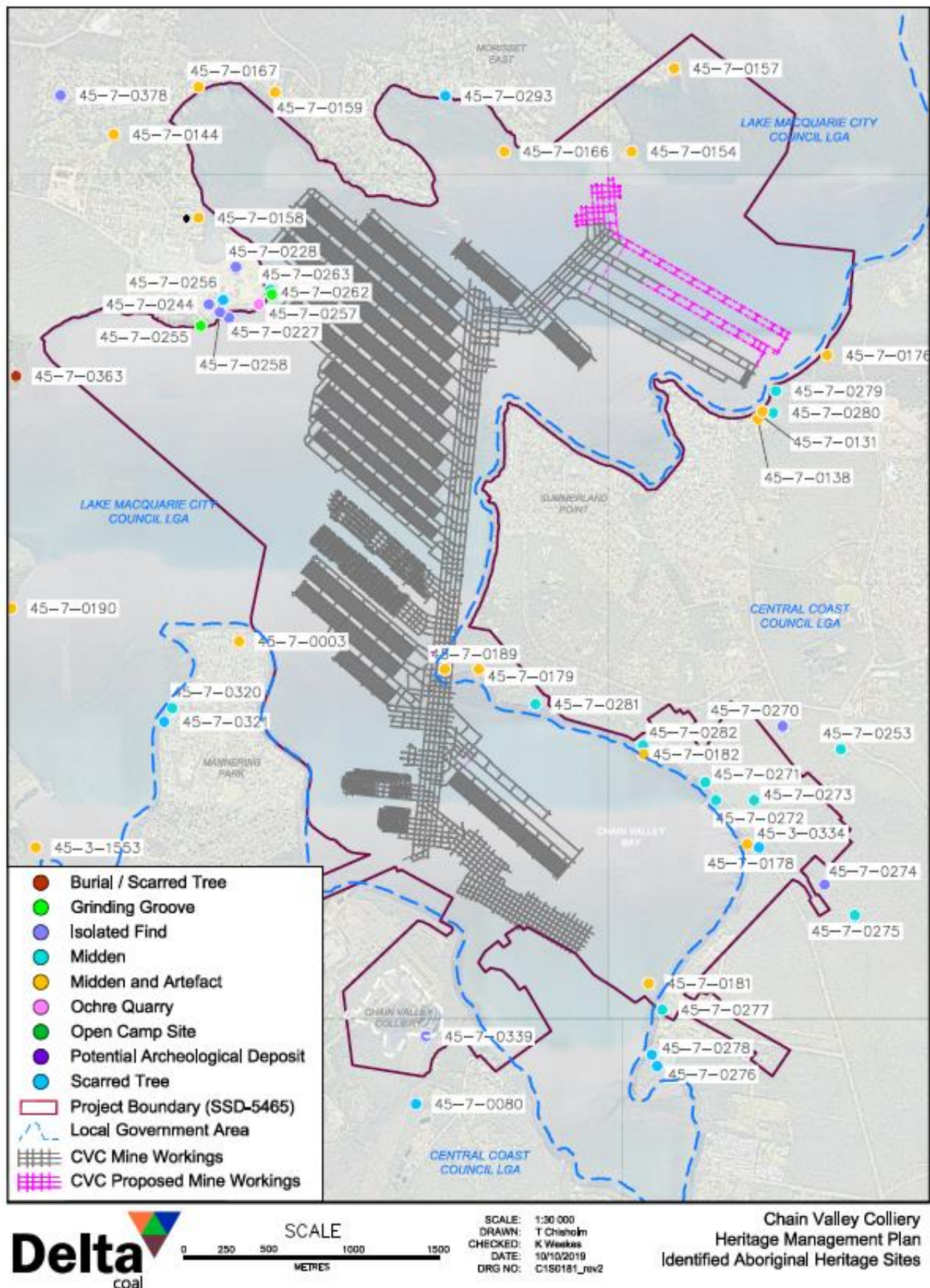


Figure 2: AHIMS sites in and around CVC project area

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### 3.3.3 Stone Arrangements

Aboriginal stone arrangements are places where Aboriginal people have positioned stones deliberately in the landscape to form shapes or patterns. Although it is not certain why stone arrangements were made, scholars (O’Conner et al 2007) have suggested that they may have served a spiritual function (ie: rituals and ceremonial usage) or for practical subsistence purposes (ie: demarcating territorial boundaries or as fish traps along coastal regions). There are over 1000 known stone arrangements in NSW and Qld alone (Mulvaney & Kamminga 1999:25).

Stone arrangements are characterised as low height constructions, usually less than a metre high, and generally occur where there is a plentiful supply of boulders and suitable rock material to arrange. Although inferences can be made as to the reasons why particular stone arrangements were created based on research and intensive archaeological investigation, it is not possible to assign a generic function to stone arrangements. These types of sites can vary in size and shape and the choice of materials used in their construction can also vary greatly based on the availability of resources and selectivity of material. The spatial distribution of these arrangements may also have an interpretive implication on their function and usage.

Ground surface clearing activities and subsidence/upsidence can potentially harm stone arrangements. In terms of the potential harm associated with ground surface works, this can take place in the form of earth works activity directly where the site is located. However, these types of sites are more clearly identifiable in the natural landscape than artefact scatters and isolated finds because they are more physically imposing. Subsidence/upsidence may harm stone arrangements if the movement of the ground surface cause the stones move; thus, altering their original arrangement. Secondary effects of subsidence may include changes in drainage patterns which can also pose a risk to moving the stones in the arrangement.

### 3.3.4 Historic/Social/Ceremonial/Spiritual/ Dreaming Sites

Aboriginal ceremonial/Dreaming/spiritual sites are linked to cultural traditions and their function and significance are determined by the Traditional Owners. These types of sites can be for different types of purposes and would therefore need to be assessed individually. Although it is possible that archaeological remains can be associated with these types of sites, this however is not a necessary qualifier because their value largely hinges on the oral histories and traditions passed down in Aboriginal culture.

### 3.3.5 Grinding Grooves and Rock shelters

Natural processes such as the constant water flow over sandstone structures can cause erosion. Surface exfoliation can occur due to the heat of bush fires. Mining activities can also cause harm to grinding groove and rock shelter sites. It is observed that natural ground swell movement in Lake Macquarie region range between 7 mm and 58 mm with an average of 29 mm (Delany et al). This research suggests that any movement of the ground surface <58 mm could be attributed to natural processes rather than the result of mining induced ground subsidence.

### 3.3.6 Scarred Trees/ Carved Trees

Aboriginal modified trees are trees which have been scarred or carved by Aboriginal people through the deliberate removal of bark or wood (Long 2005:6). There are numerous reasons why Aboriginal people removed bark from trees because it is a versatile and plentiful material. It can be used for a range of domestic activities including the manufacture of shelters, watercrafts, containers, weapons (shields/woomeras), etc.

All Aboriginal scarred trees are protected under state legislation and are recognised as sites. Given that the coastal margins of NSW and the valley are among the oldest European settlements in Australia, dating to the 1780s around Sydney and the 1800s in the Newcastle region (Long 2005:52), modified trees in the northern holdings would be expected to be older than 240 years.

The potential risk of subsidence/upsidence to scarred/carved tree sites is largely dependent on the condition of the tree (health) and where it is located in the landscape. If mature scarred/carved trees are healthy and

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alive, they generally have well established root systems which can keep them firmly affixed to the ground surface at the onset of subsidence.

Although a tree might be healthy, the ground condition and location of the site can also affect the sites stability. If the site is located on a precarious ledge along a ridge line or in loose or eroded soils, this would impact on how firmly affixed the tree is to the ground surface. Ground surface activity such as earthworks (including the construction of buildings, roads, vents, pollution ponds, stockpile areas) can harm scarred tree sites if they are within the area of proposed works. Changes in ground water levels or ponding areas, as a result of subsidence, may also lead to changes in tree health and potentially increase the risk of impact.

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## 4 Non-Indigenous Heritage Management

This management plan included searches of the EPBC Act Matters of National Significance Register, the NSW State Heritage Register, Heritage and Conservation (Section 170) Register, Commonwealth Heritage List, World Heritage List, Lake Macquarie City Council LEP 2014, Wyong Local Environmental Plan 2013 and City of Lake Macquarie Heritage Study (1993). The following items were identified in the vicinity of the project area but are not expected to be impacted by CVC. The locations of these sites are shown on **Figure 3**.

### 4.1 Morisset Hospital Precinct

Morisset Hospital site comprises almost 100 historic buildings on 1,244 hectares. It is approximately 3 km south-west of the township of Morisset. The Morisset Hospital Precinct is listed by the Heritage Council under the *NSW Heritage Act 1977*. Within the Morisset Hospital Precinct, 31 heritage items are individually listed by Local Government and State agencies. As outlined by the Heritage Council of NSW, the heritage items in the Morisset Hospital Precinct meet one or more criteria for listing on the SHR. The precinct is listing number 00827 and is of high state significance in the category of Health Services. Significant items also include impressive specimens of indigenous and introduced tree species, vegetation groups and native fauna.

The heritage item is listed as of state significance, item number 118 under the Lake Macquarie Local Environmental Plan 2014.

The Morisset Hospital Precinct area extends from the shoreline of Lake Macquarie and is west of the approval area.

### 4.2 Eaton Bulk Store Building

The Eaton Bulk Store Building is located at 464 Ruttleys Road, Mannering Park (Lot 11 DP 1091396), approximately 1.9 km south-west of the entrance road to CVC.

The heritage item is listed as of local significance, item I39 under the Wyong Local Environmental Plan 2013. The Council statement of significance:

*'The bulk store building is significant locally as a representative example of a riveted steel building structure of the early twentieth century, which is historically part of nearby Wyee Colliery and illustrates the practice of building relocation and re-use typical of the mining industry in New South Wales. As a relocated structure, it provides evidence of the integrated management of multiple mining and generation sites. It retains this value despite its alterations for its reconstruction in a new site. It is a relic of the period of State ownership of electricity generation undertakings, including their fuel supplies in New South Wales. It is a type of building unusual in its vicinity and may have additional association significance arising from its origins at another site, possibly the Harbour Bridge Workshops.'*

### 4.3 Great Northern Railway

The Great Northern Railway line passes through Lake Macquarie from Wyee to Garden Suburbs. The line is listed by Lake Macquarie City Council LEP 2014 as a heritage item (item 189) of local significance.

### 4.4 Wyee Coal Conveyor Rail Loop

The Wyee coal conveyor rail loop is located on the eastern side of the Great Northern Railway, north of Wyee. The line is listed in the Lake Macquarie City Council LEP 2014 as a heritage item (item 225) of local significance.

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#### 4.5 Wyee Channel

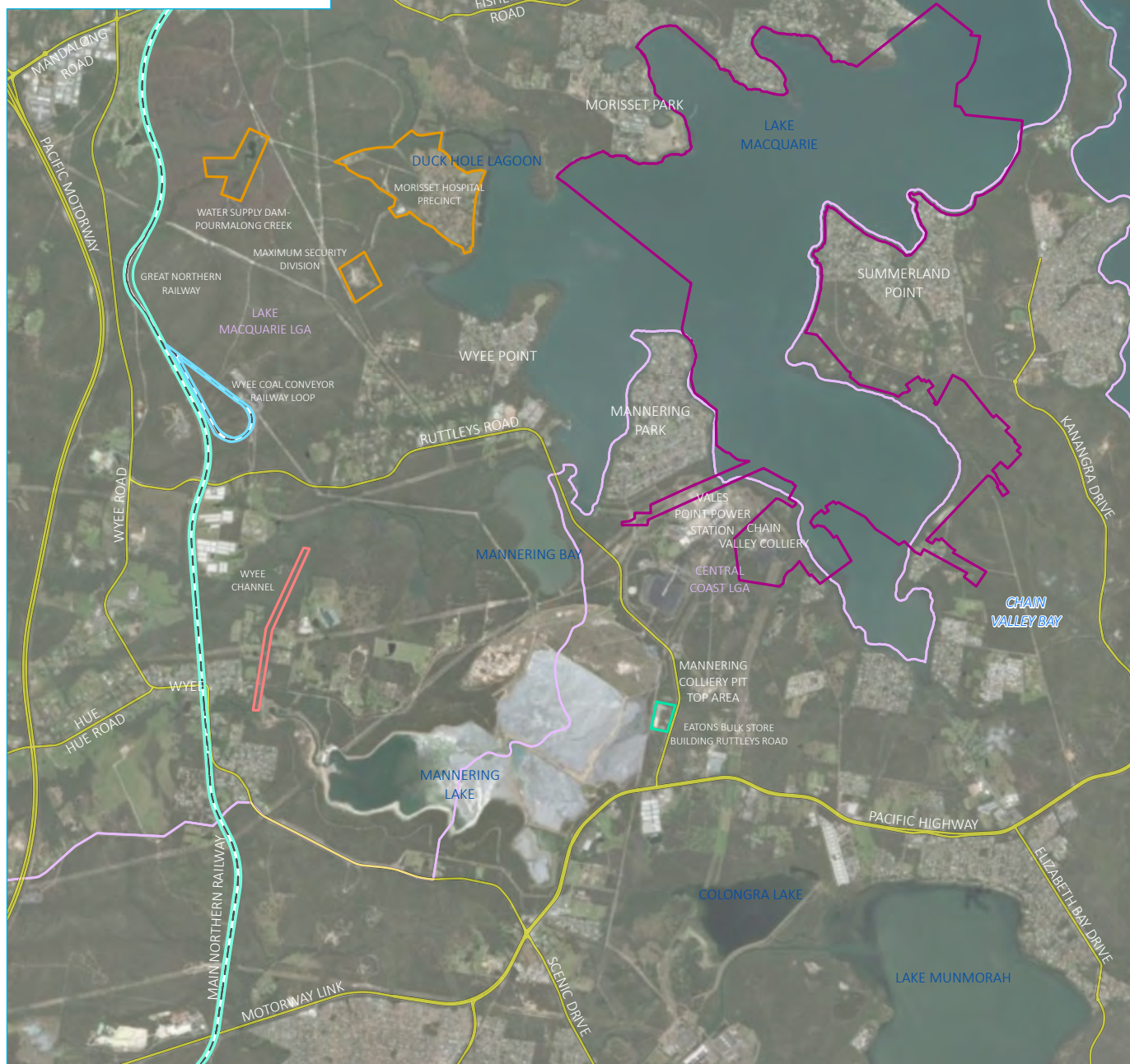
Wyee Channel is listed as a heritage item (Item 226) of local significance under the Lake Macquarie City Council LEP 2014.

Wyee Channel extends north from the Wyee Dam to Wyee Bay, extending under Summerhayes Road.

#### 4.6 Vales Point Power Station

The WSC Heritage Review (Scobie Architects Pty Ltd 2010) investigated the historical context of the Wyong LGA and it identified the VPPS, located approximately 200 m west of CVC as an item of local heritage significance. It was recommended for inclusion in the Schedule of Heritage items within the Draft Wyong LEP by Scobie Architects Pty Ltd (2010) though it was ultimately not listed and is, therefore, not considered to have local or state heritage significance.

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Source: EMM (2019); DFSI (2017); GA (2011)



#### KEY

- Chain Valley Colliery development consent boundary
- Main road
- Local government area

- Eatons bulk store building ruttleys road
- Great northern railway
- Morisset hospital precinct
- Wye channel
- Wye coal conveyor rail loop

Non-indigenous heritage sites

Chain Valley Colliery  
Figure 3

## 5 Monitoring, Management and Mitigation Measures

### 5.1 Aboriginal heritage

#### 5.1.1 Identified Aboriginal Sites

As shown in **Figure 2**, all but two of the identified Aboriginal sites are located outside the pit top area, ventilation facility area or subsidence footprint. Site 45-7-0189 is located above existing or proposed areas of first workings on Summerland Point, with the remaining site identified at the pit top area in the vicinity of the dams (45-7-0339).

Monitoring of one site (45-7-0189) was previously committed to as part of the Statement of Commitments and the original Heritage Management Plan. Monitoring of site 45-7-0189 commenced in January 2013 (1<sup>st</sup> year), 2015 (3<sup>rd</sup> year) and concluded in 2017 (5<sup>th</sup> year) with no site impacts identified relating to subsidence caused by the mining activities (AECOM, 2018).

In addition to the above monitoring program, a due diligence site inspection of the area to be disturbed by the sediment dam D10 embankment and spillway upgrade was completed (AECOM) prior to commencement of works in those areas. Site CV-001 (45-7-0339) was fenced to exclude access to the area during upgrade works. No additional sites were found during the due diligence inspection or construction works.

Procedures for the discovery of previously unidentified sites or skeletal remains are covered in Section 5.6 and Section 5.7 respectively.

#### 5.1.2 Monitoring of Aboriginal Sites

If monitoring is required for any future underground workings or surface works which could result in disturbance an initial visual inspection of the site by an archaeologist and Aboriginal stakeholders will be conducted. In order to identify any changes to the land surface over time, particularly in view of the negligible subsidence expected, monitoring of each site will be assisted by the:

- establishment of fixed datum point with defined relative level to Australian Height Datum by registered surveyor;
- placement of stakes with horizontal markings on either extent of the site to enable accurate recording of landscape shifts;
- installation of a control reference point with defined Relative Level established outside proposed subsidence area such as a building;
- collecting photographic records from the fixed datum point to enable inter survey photographic comparisons. Photos will be large format with clear distinguishable features; and
- production of a letter report to be retained by DC with copies provided to Aboriginal stakeholders as requested.

A clear distinction will be made between natural processes of bioturbation, erosion, sand shifting events and landscape modification due to subsidence.

No additional monitoring aside from the above is considered necessary due to all secondary extraction and resultant subsidence occurring beneath Lake Macquarie.

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### 5.1.3 Management of Aboriginal Heritage Sites

If mine-induced subsidence levels exceed 20 mm, a review will be undertaken to identify any potential impacts to cultural heritage in consultation with DPIE.

In the event of disturbance, the following management strategy should be implemented. The strategy will include an accurate recording of the heritage item including:

- mapping of the site;
- photographic recording; and
- detailed survey.

In addition, a monitoring program is to be established based on the placement and monitoring of control points. If there is unforeseen impact on the heritage item, appropriate remediation works should be implemented following advice from DPIE, the Environment and Community Coordinator on-site and the heritage consultant.

DC will endeavour to protect the heritage site from harm wherever practicable. Where relevant, this will be in consultation with RAPs by using non-invasive measures which may include barrier fencing, erosion control, supports or bracing.

DC will undertake all mining operations, Aboriginal stakeholder consultation, site surveys, reporting, impact assessment, site assessment, monitoring and management of Aboriginal sites in accordance with this HMP that has been developed in consultation with the RAPs.

It is advised that if the sites are at risk of harm, a Section 90 AHIP to salvage or destroy the site should be applied for (if the project is not under the State Significant Development or Part 3A provisions of the EP&A Act). In any instance where Aboriginal artefacts are salvaged, a care and control application will also need to be lodged for storage arrangements of artefacts.

Remediation measures must aim to repair the site to maintain the sites cultural significance and reduce any further impacts to the site. Remediation measures may include infilling of cracks in sandstone rock bars or overhangs to reduce the naturally weathering process which can result in further damage or undertake repairs to areas of erosion upstream of grinding grooves. Mitigation measures may involve not undertaking any actions at all if it is determined culturally inappropriate to do so by the relevant Aboriginal parties.

With the exception of site CV-001 45-7-0339, all Aboriginal sites identified within the approved CVC mine area do not occur on land controlled by CVC, nor are these sites in areas that would be impacted by the proposed mining activities.

For the Aboriginal sites that are both outside potential impact areas and not within land controlled by CVC, passive management is proposed. Passive site management will comprise avoidance of mapped site localities in accordance with this HMP. Passive site management is preferable to active management as there are no activities proposed in these areas and active management measures such as fencing and signage would likely draw unwanted attention to sites.

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#### 5.1.4 Obligation to Avoid Harm

All employees, contractors, sub-contractors and visitors to CVC have an obligation to avoid harming Aboriginal heritage unless engaged in an Aboriginal heritage management activity described in this plan. The *National Parks and Wildlife Act 1974* (NPW Act) defines “harm” to an object or place as any act or omission that:

- (a) *destroys, defaces or damages the object or place, or*
- (b) *in relation to an object-moves the object from the land on which it had been situated, or*
- (c) *is specified by the regulations, or*
- (d) *causes or permits the object or place to be harmed in a manner referred to in paragraph (a), (b) or (c),*
- (e) *desecrates the object or place, or*
- (f) *is trivial or negligible, or*
- (g) *is excluded from this definition by the regulations.*

Any Aboriginal objects or sites at CVC will be made aware for all employees, contractors and sub-contractors by the Environmental and Community Coordinator. This will include a message detailing:

- that the objects or sites are protected by law;
- potentially be distributed across the project area and that new sites may be exposed in areas outside of the disturbance footprints;
- are of significance to the Aboriginal community, and important to the wider community and must be treated with respect;
- have included stone tool sites; and
- can be hard to recognise, therefore reference must be made to the Aboriginal heritage map in this HMP in order to clearly identify them.

In the process of undertaking any mining activities there is potential to impact Aboriginal objects or sites. Any activity which results in the disturbance of the surface has the potential to harm Aboriginal heritage sites. The level of impact to Aboriginal sites depends on the nature of the surface works/subsidence and the physical characteristics of the Aboriginal site types. The Mannering Colliery project approval currently allows for first workings mining only in the Great Northern and Fassifern seams, with <20 mm surface, negligible subsidence effects. This is less than the average natural ground swell movement of 29 mm (Delany et al). This first working mining method is the key management tool to avoiding harm to aboriginal heritage.

#### 5.1.5 Assessment of Potential Impact

If mining or mining associated activities have the potential to harm Aboriginal site/s, an assessment of the potential and likely impact must be undertaken in the form of an Aboriginal Cultural Heritage Impact Assessment. It is important that all aspects of Aboriginal heritage be considered in the assessment and technical information is appropriately balanced with an assessment of cultural values.

The Aboriginal Cultural Heritage Impact Assessment must be developed in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011) and any other relevant guidelines applicable to the planning instrument. As a minimum, The Aboriginal Cultural Heritage Impact Assessment must contain the following:

- a description of the Aboriginal object/s and declared Aboriginal places located within the area of the proposed activity;

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- a description of the cultural heritage values, including the significance of the Aboriginal objects and declared Aboriginal places that exist across the whole area that will be affected by the proposed activity and the significance of these values for the Aboriginal people who have a cultural association with the project area and the surrounding land;
- how the requirements for consultation with Aboriginal people have been met;
- actual or likely harm posed to the Aboriginal object/s or declared Aboriginal places from the proposed activity with reference to the cultural heritage values identified and any practical measures that may be taken to protect and conserve those Aboriginal object/s or declared Aboriginal places; and
- any practical measures that may be taken to avoid or mitigate actual or likely harm, alternatives to harm or, if this is not possible, to manage (minimise) harm in accordance with this HMP and in consultation with the registered Aboriginal parties.

### 5.1.6 Unexpected Finds Procedure

As identified in the EA (AECOM, 2011), the following predictions were made with respect to the distribution of Aboriginal archeology in the vicinity of the site:

- Aboriginal shell midden sites are likely to occur in areas adjacent to lakes, creeks and coastal areas in the region;
- Aboriginal scarred or carved trees may be present where mature native trees remain, particularly in areas adjacent to lake foreshores and creek lines;
- stone artefacts, comprising artefact scatters or isolated finds, may occur associated with Aboriginal shell midden sites; and
- stone artefacts may occur across the landscape as random occurrences but are most likely to be associated with water bodies.

In light of the above predictive statements, Aboriginal archaeological sites including shell middens and artefact scatters are likely to occur on the Lake Macquarie foreshore and in areas adjacent to creek lines, particularly higher order creek lines.

In the event any new Aboriginal sites are discovered as part of any future archaeological investigations, or should unanticipated Aboriginal objects be found during approved site clearing or construction activities, the following actions will be undertaken:

- work will halt in the vicinity of the site;
- the site Manager and Environment and Community Coordinator are to be notified;
- the site will be assessed by a qualified archaeologist with the RAPs;
- where possible the site should be avoided, but if this is not feasible and the site is likely to be impacted, appropriate mitigation measures will be determined in consultation with the Aboriginal stakeholders;
- work will only recommence once the Environment and Community Coordinator advises that the site can be avoided or statutory approval for impact has been obtained; and

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- an AHIMS site card will be completed and submitted in compliance with s.89A of the NPW Act 1974 within 21 days of discovering the site.

#### 5.1.7 Discovery of Human Skeletal Remains

In the event that known or suspected human skeletal remains are encountered within the CVC mine area, the following procedure must be followed:

- the immediate vicinity will be secured to protect the find and the find will be immediately reported to the work supervisor who will immediately advise the site supervisor or other nominated senior staff member, including the Mine Manager and Environment and Community Coordinator;
- the Environment and Community Coordinator or other nominated senior staff member will notify the police and the state coroner on the same day of the find (as required for all human remains discoveries);
- if the remains are historical and not of Aboriginal origin, BCD will be notified for further instruction; and
- works will not recommence until written approval is received.

### 5.2 Non-indigenous heritage

There are no identified non-indigenous heritage items within the development consent boundary and therefore no management actions are currently proposed. Notwithstanding, unidentified historical relics are protected under Section 139 of the Heritage Act and if potential relics are uncovered during project-related activities, the land in which it is found cannot be disturbed or excavated without an excavation permit or other approval under SSD conditions. Considering the above, the following unexpected finds protocol applies for non-indigenous heritage:

- work will halt in the vicinity of the site;
- the site Manager and Environment and Community Coordinator are to be notified;
- the site will be assessed by a qualified archaeologist;
- where possible the site should be avoided, but if this is not feasible and the site is likely to be impacted, appropriate assessment, approvals and mitigation measures will be determined in consultation with the NSW Heritage Council; and
- work will only recommence once the Environment and Community Coordinator advises that the site can be avoided or statutory approval for impact has been obtained.

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## 6 Reporting

### 6.1 Reporting impact to Aboriginal sites

An Aboriginal Site Impact Recording Form must be completed following impacts to AHIMS sites that are:

- a) a result of test excavation carried out in accordance with the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW;
- b) authorised by an AHIP issued by the BCD;
- c) undertaken for the purpose of complying with Secretary's environmental assessment requirements issued by the DPIE for:
  - i) State Significant Development (SSD),
  - ii) State Significant Infrastructure (SSI), or
  - iii) a major project, or
- d) authorised by an SSD/SSI/former Part 3A consent/approval under the EP&A Act.

Completed forms must be submitted to the AHIMS Registrar at the DPIE website. Aboriginal Site Impact Recording Forms can be downloaded from the DPIE website.

### 6.2 Annual Review

The results of the monitoring of any heritage sites will be reviewed upon receipt and a summary of any heritage monitoring undertaken will be included in the relevant Annual Review, along with a description of any actions being implemented or planned with respect to the known heritage sites. The Annual Review will be forwarded to the relevant authorities. The Annual Review will also be forwarded to members of the Community Consultative Committee, local Councils (Wyong and Lake Macquarie), to the Aboriginal stakeholders and be placed on the company's website.

### 6.3 Incident or Non-Compliance Reporting

If site inspections reveal that, as a direct result of CVC, there has been unpredicted damage to a site, then DC will conduct an investigation into the source of the damage with a suitably qualified and experienced archaeologist. The report will be provided to relevant people and/or groups, Councils and the Secretary of DPIE. The report will be provided to relevant people and/or groups including RAPs and BCD.

The report will:

- describe the date, time and nature of the observation;
- identify the cause (or likely cause) of the damage;
- describe what action has been taken to date; and
- describe the proposed measures to address the damage and prevent further such occurrences.

DC will implement any recommendations in order to prevent future occurrences. Confidential information about Aboriginal site location will not be included in any report that enters the public domain. Additional details of the incident reporting process are provided in the Environmental Management Strategy.

Any incident or complaint will be recorded and fully investigated to find root causes and corrective actions implemented where necessary.

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## 7 Stakeholder Management and Response

### 7.1 Complaint Protocol

DC has a 24-hour telephone hotline (1800 115 277) through which members of the public can lodge complaints, concerns, or to raise issues associated with the operation. This service aims to promptly and effectively address community concerns and environmental matters.

All complaints are recorded and responded to and if, for some reason, no action is taken then the reason why is recorded. The information recorded in the complaint register includes:

- date and time the complaint was lodged;
- personal details provided by the complainant;
- nature of the complaint;
- action taken or, if no action was taken, the reason why; and
- follow up contact with the complainant.

### 7.2 Independent Review

As detailed in Condition 2, Schedule 5 of SSD-5465, an Independent Review can be requested by a landowner who “*considers the development to be exceeding the relevant criteria in Schedule 3*”.

If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary’s decision the Applicant shall:

- (a) *commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to:*
  - *consult with the landowner to determine his/her concerns;*
  - *conduct monitoring to determine whether the development is complying with the relevant criteria in Schedule 3; and*
  - *if the development is not complying with these criteria then identify the measures that could be implemented to ensure compliance with the relevant criteria; and*
- (b) *give the Secretary and landowner a copy of the independent review*

### 7.3 Dispute Resolution

If any disputes are not adequately addressed by the complaints handling process then they will be handled by the Environment and Community Coordinator. If the response of CVC is not considered to satisfactorily address the concern of the complainant, a meeting may be convened with the complainant, Mine Manager together with the Environment and Community Coordinator to determine any further options to reduce potential impacts.

Any actions agreed from the meeting will be implemented by CVC. After implementation of the proposed actions the complainant will be contacted and advice sought as to the satisfaction or otherwise with the measures taken.

If no agreed outcome is determined or the complainant is still not satisfied by the action taken, then an Independent Review may be requested by the complainant. If determined to be warranted by the Secretary, an independent review will be undertaken in accordance with the process identified in Schedule 5 of SSD-5465.

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### 7.3.1 Conflict of Interest

The mediator must, prior to the commencement of the mediation, disclose to the parties to the best of his or her knowledge any prior dealings with any of the parties as well as any interests in the dispute. If in the course of the mediation the mediator becomes aware of any circumstances that might reasonably be considered to affect the mediator's capacity to act impartially, the mediator must immediately inform the parties of these circumstances. In this instance, the parties will then decide whether the mediation will continue with that mediator or with a new mediator appointed by the parties.

## 7.4 Training, Awareness and Competence

Training is an essential component of the implementation phase of this HMP. The Environment and Community Coordinator will ensure that training and awareness processes are implemented to manage, identify and minimise potential impacts of CVC and to ensure personnel are aware of their roles and responsibilities in terms of cultural heritage management.

Generally training at CVC consists of induction training for new starters and contractors along with environmental awareness training at two-year intervals and ongoing "toolbox" training for all permanent employees as required.

As the document owner, the Environment and Community Coordinator is the contact point for any person that does not understand this document or their specific requirements, and will provide guidance and training to any person that requires additional training regarding this HMP.

### 7.4.1 Heritage Induction

Health safety and environment inductions will include content on the nature of heritage items present or likely to be present within the CVC leases. Records of inductions will be kept according to DC's standard practices.

The induction includes the following content:

- historic heritage sites have not been identified nor are considered likely to occur within the CVC project area;
- the CVC site is within the traditional land of the Awabakal Aboriginal people;
- Aboriginal sites are known to occur above current and future mining areas, and along certain parts of the Lake Macquarie foreshore;
- one site, a single artefact, has been identified, fenced off and signposted within the pit top area;
- Aboriginal sites known to occur are scarred trees and middens. Middens are made up of concentrations of mature shellfish such as oyster, cockle and club whelk;
- the burial remains of Aboriginal people have been found in some middens. Some middens also include Aboriginal stone artefacts which generally have the appearance of chipped stone; and
- all Aboriginal sites are protected by the NPW Act 1974, which provides significant penalties for harm to Aboriginal objects and sites. Any shellfish deposits or stone artefacts encountered must not be collected.

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## 8 Audit and Review

### 8.1 Review and Improvement

In accordance with Schedule 6, Condition 5 of SSD-5465, this HMP shall be reviewed, and if necessary revised, within 3 months of the following:

- the submission of an Annual Review;
- the submission of an incident report;
- the submission of an independent environmental audit; and
- following any modification to the development consent.

Changes to this HMP will be made in the following circumstances:

- where new Aboriginal sites are discovered, they must be added to the inventory in this HMP within three months of the find; and
- where an AHIP is issued, this HMP will be reviewed and updated where necessary to comply with the requirements of any AHIP conditions.

Where changes are made to the HMP, a draft of the modified plan will be provided to RAPs for review. RAPs will not be required to review the HMP for minor plan updates. This comprises:

- when a new Aboriginal site is discovered and is at no risk of impact by the project. In this instance, the inventory of the HMP will be updated to acknowledge the site, but RAPs will not be required to review the HMP; and
- when the status of a site needs to be updated on the inventory of the HMP. For example, once a site has been salvaged the HMP will be updated to reflect the site's status. However, RAPs will not be required to review this action.

Although RAPs are not required to review the HMP for minor plan updates, they will be notified if new sites are identified and of updates relating to the status of Aboriginal cultural heritage sites.

Matters raised in consultation which are specific to the changes in the plan will be acknowledged and addressed in the modified plan.

Any changes made to this HMP will be made in consultation with the BCD with a copy of the revised management plan provided for approval.

### 8.2 Auditing

The objectives of an audit are to maintain compliance with the HMP. Audits shall be carried out by personnel who have the necessary qualifications and experience to make an objective assessment of the issues. The extent of the audit, although pre-determined, may be extended if a potentially serious deviation from this document is detected.

Any audit non-conformances and/or improvement opportunities will have corrective and preventative actions implemented to avoid recurrence, these actions will be loaded into the site Incident Database to ensure the actions are assigned to the relevant people and completed.

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External audits will be conducted utilising external specialists and will consider this document and related documents. External auditors shall be determined based on skills and experience and upon what is to be accomplished.

An Independent Environmental Audit (IEA) was undertaken during June 2019. In accordance with SSD-5465 Schedule 6, Condition 9, IEA's will be scheduled for every three years thereafter (unless the Secretary directs otherwise) by an audit team whose appointment has been endorsed by the Secretary.

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## 9 Records and Document Control

### 9.1 Records

Generally, the Environment and Community Coordinator will maintain all Environmental Management System records which are not of a confidential nature. Records that will be maintained include:

- monitoring data;
- environmental inspections and auditing results;
- environmental incident reports;
- the complaints register; and
- licences and permits.

All records will be stored so that they are legible, readily retrievable and protected against damage, deterioration and loss. Records will be maintained for a minimum of 4 years or as otherwise required under any legislation, licence, lease, permit or approval.

If the relevant RAPs would like to undertake further documentation and archival recording of particular sites and places of spiritual significance or would like to document and record their oral histories about the County, these matters should be internally resourced from within their own organisations. However, if the RAPs seek assistance from DC to facilitate any cultural requests, then a meeting will be held to discuss the nature of the assistance, the scope of works involved and whether DC is able to facilitate the request.

In the event that DC agrees to assist with any cultural requests, a written agreement must be produced which specifies who will be undertaking the archival recording and lodgement of information (being either the Aboriginal parties or Delta), the recording methodology to be adopted and matters related to the care and control of the intellectual property.

### 9.2 Document Control

This document and all others associated with the Environmental Management System shall be maintained in a document control system which is in compliance with the site Document Control Standard which is available to all site personnel. Any proposed change to this document will be via the Environment and Community Coordinator.

A copy of this document is available on the DC website. Document revision details are provided in **Table 3**.

**Table 3: Document Revision Details**

Version	Date	Details of Revision	Company	Reviewed by/ Authorised by
1	06/11/2012	Original HMP	LakeCoal	N. Baker C. Ellis
2	23/06/2014	Reviewed	LakeCoal	Peter Campbell Robert Corbett C. Ellis
3	01/12/2019	Updated to Delta Coal format	Delta Coal	K. Weekes R. Desic C. Armit

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## 10 Roles and Responsibilities

All employees and contractors at CVC are responsible for environmental management. However, various positions in the organisation have roles, responsibilities and authorities for managing environmental aspects, action plans, programs and controls.

Roles and responsibilities specific to completing the requirements of this plan are identified in **Table 4**.

**Table 4: Heritage Management Plan Roles and Responsibilities**

Role	Responsibilities
Managing Director	<ul style="list-style-type: none"> <li>Ensure that adequate financial and personnel resources are made available for the implementation of the HMP.</li> </ul>
Manager of Mining Engineering (Mine Manager)	<ul style="list-style-type: none"> <li>Maintain overall responsibility for environmental compliance with Mining Lease, EPL, development consent and other mining approvals as they pertain to the management of Aboriginal and non-indigenous cultural heritage.</li> <li>Ensure that adequate training is provided to staff to minimise impacts to cultural heritage.</li> </ul>
Environment and Community Coordinator	<ul style="list-style-type: none"> <li>Point of contact of all onsite personnel regarding heritage.</li> <li>Document owner responsible for managing the implementation of the plan.</li> <li>Arrange for reviews of HMP.</li> <li>Inclusion of any heritage monitoring summarised within the Annual Review.</li> <li>Document owner responsible for managing the implementation of the plan.</li> <li>Coordinate relevant specialist personnel to conduct regular monitoring at the required time and frequencies if required.</li> <li>Ensure inclusion of heritage in worker inductions through delivery or input to induction documents.</li> <li>Arrange inductions and training for all personnel involved in implementing this HMP.</li> <li>If inadvertent impact on a listed heritage item occurs, implement remediation works following consultation with BCD and heritage consultant.</li> <li>Distribution of HMP copies as required.</li> <li>Maintain a contact list for organisations and individuals who may need to be contacted under this HMP.</li> <li>Be aware of the potential for further unrecorded heritage sites to occur.</li> </ul>

Role	Responsibilities
Heritage Consultant	<ul style="list-style-type: none"> <li>• Assist with the implementation of this HMP, as required.</li> <li>• Provide advice on remediation, if through unforeseen circumstances impact occurs on a heritage item.</li> <li>• Undertake the recording of new sites in accordance with government guidelines.</li> <li>• Provide heritage advice in accordance with relevant legislation.</li> <li>• Undertake recording of new sites in accordance with government guidelines.</li> <li>• Assist with updating this HMP when necessary.</li> </ul>
All employees and contractors	<ul style="list-style-type: none"> <li>• Comply with the requirements of this HMP.</li> <li>• Immediately notify Environment and Community Coordinator of possible heritage item or damage.</li> </ul>

## 11 References

Documents referenced in the preparation of the HMP are detailed in **Table 5**.

**Table 5: References**

Reference	Title
Australian Standards	<p>AS/NZS ISO 14001:2004 Environmental management systems – Requirements with guidance for use</p> <p>AS/NZS ISO 14004:2004 Environmental management systems – General guidelines on principles, systems and support techniques</p>
Legislation and Regulations	<p><i>Environmental Planning and Assessment Act 1979</i> (EP&amp;A Act)</p> <p><i>Environment Protection and Biodiversity Act 1999</i> (EPBC Act)</p> <p>Environment Protection and Biodiversity Regulations 2000</p> <p>Environment Protection Licence (EPL) 191</p> <p><i>Heritage Act 1977</i></p> <p>Lake Macquarie City Council LEP 2014</p> <p><i>Mining Act 1992</i></p> <p><i>Protection of the Environment Operations Act 1997</i> (POEO Act)</p> <p>Project Approval (PA) 06_0311 (as modified)</p> <p>Wyong Local Environmental Plan 2013</p>
Delta Coal documents	EMS Environmental Management Strategy.
External documents	<p>Delany et al 2005, Field Monitoring of Expansive Soil behaviour in the Newcastle-Hunter Region, Australian Geomechanics, Vol 40, Issue 2.</p> <p>Department of Environment, Climate Change and Water (DECCW) 2010, Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales.</p> <p>Department of Environment, Climate Change and Water (DECCW) 2010, Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales.</p> <p>Department of Environment, Climate Change and Water (DECCW) 2010, Aboriginal Consultation Requirements for Proponents.</p> <p>Department of Environment, Climate Change and Water (DECCW) 2011, Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales.</p> <p>Department of the Environment and Energy (2013), EPBC Act Protected Matters Search Tool, Australian Commonwealth Government</p> <p>Department of Environment (2013), Matters of National Environmental Significance, Significant Impact Guidelines 1.1, Environment Protection and Biodiversity Conservation Act 1999, Commonwealth of Australia.</p> <p>Holdaway S et al. 2002, Artefact Visibility at Open Sites in Western New South Wales, Australia, Journal of Field Archaeology, Vol: 29, Number3/4, PP: 255-271</p> <p>ICOMOS, (1999) The Burra Charter: The Australia ICOMOS Charter for</p>

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Reference	Title
	<p>Places of Cultural Significance, Australia ICOMOS Inc.</p> <p>Long A (2005) Aboriginal Scarred Trees in New South Wales: A field Manuel, Department of Environment and Conservation NSW.</p> <p>Mulvaney J &amp; Kamminga J 1999, Prehistory of Australia, Allen and Unwin Publishing, NSW</p> <p>O'Connor S et al 2007, Stone Construction on Rankin Island, Kimberley, Western Australia, Australian Archaeology, Number 64, PP: 15-22</p> <p>Office of Environment and Heritage (OEH) 2011, Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW. Report to State of NSW and the Office of Environment and Heritage, Department of Premier and Cabinet.</p> <p>OEH (2019), State Heritage Register, NSW Government, Office of Environment &amp; Heritage</p>

## 12 Definitions

- ACHA** Aboriginal Cultural Heritage Assessment
- ACHCR** Aboriginal Cultural Heritage Consultation Requirements
- AHIMS** Aboriginal Heritage Information Management System
- AHIP** Aboriginal Heritage Impact Permit
- BCD** Biodiversity and Conservation Division, DPIE
- CCC** community Consultative Committee
- CVC** Chain Valley Colliery
- DC** Delta Coal
- DPIE** NSW Department of Planning, Industry and Environment
- EL** Exploration Licence
- EA** Environmental Assessment
- EMS** Environmental Management System
- EP&A Act** *Environmental Planning and Assessment Act 1979*
- EPBC Act** *Environment Protection and Biodiversity Act 1999*
- EPL** Environment Protection Licence
- HMP** Heritage Management Plan
- ICOMOS** International Council on Monuments & Sites
- LEP** Local Environment Plan
- LGA** Local Government Area
- LMCC** Lake Macquarie City Council
- MC** Mannering Colliery
- NPW Act** *National Parks and Wildlife Act 1974*
- NPW Regulation** National Parks and Wildlife Regulation 2009
- NSW** New South Wales
- OEH** Office of Environment & Heritage
- PA** Project Approval
- PAD** Potential Archaeological Deposits
- POEO** *Protection of the Environment Operations Act 1997*

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**RAPs** Registered Aboriginal Parties

**ROM** Run of Mine

**Secretary** Secretary of the Department of Planning & Environment, or nominee

**SHR** State Heritage Register

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## Appendix 1: Consultation

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## Appendix 2: Development Consent Summary

### Chain Valley Colliery Development Consent SSD-5465 Summary

This HMP has been prepared in accordance to Schedule 3, Condition 21 of SSD-5465, which states the requirements of the HMP and what it must address. **Table A2** outlines the requirements of the HMP and where this document addresses these requirements.

**Table A2: Requirements from Chain Valley Colliery Development Consent (SSD-5465)**

Condition No.	Requirement	Relevant section of this document
	<b>Schedule 2 Administrative Conditions</b>	
18	<p><b>Updating and Staging Strategies, Plans or Programs</b></p> <p><i>The Applicant must regularly review the strategies, plans and programs required under this consent and ensure that these documents are updated to incorporate measures to improve the environmental performance of the development and reflect current best practice in the mining industry. To facilitate these updates, the Applicant may at any time submit revised strategies, plans or programs for the approval of the Secretary.</i></p> <p><i>With the agreement of the Secretary, the Applicant may also submit any strategy, plan or program required by this consent on a staged basis. With the agreement of the Secretary, the Applicant may prepare a revision or stage of any strategy, plan or program required under this consent without undertaking consultation with all parties nominated under the applicable condition in this consent.</i></p> <p>Notes:</p> <ul style="list-style-type: none"> <li>While any strategy, plan or program may be submitted on a staged basis, the Applicant must ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times.</li> <li>If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.</li> </ul>	<b>Section 8</b>
	<b>Schedule 3 Specific Environmental Conditions</b>	
18	<i>The Applicant shall prepare a Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must:</i>	<b>This Document</b>
	<i>a) be prepared in consultation with any relevant Aboriginal stakeholders;</i>	<b>Section 1</b>
	<i>b) be submitted to the Secretary for approval within 6 months of the date of this consent;</i>	<b>Submission letter dated 20 November 2012; approval letter dated 1 July 2013</b>
	<i>c) include consideration of the Aboriginal and non-Aboriginal cultural context and significance of the site;</i>	<b>Section 3 and 4</b>
	<i>d) detail the responsibilities of all stakeholders; and</i>	<b>Section 10</b>

	<p>e) include programs/procedures and management measures for:</p> <ul style="list-style-type: none"> <li>the ongoing monitoring of site 45-7-0189 at Summerland Point;</li> <li>managing the discovery of any human remains or previously unidentified Aboriginal objects on site, including (in the case of human remains) stop work provisions and notification protocols;</li> <li>ongoing consultation and involvement of the Aboriginal community in the conservation and management of Aboriginal heritage within the site; (including procedures for keeping records of this);</li> <li>appropriate identification, management, conservation and protection of both Aboriginal and non-Aboriginal heritage items identified on the site; and</li> <li>ensuring relevant workers on site receive suitable heritage inductions prior to carrying out any activities which may disturb Aboriginal sites, and that suitable records are kept of these inductions.</li> </ul> <p>The Applicant shall implement the approved management plan as approved from time to time by the Secretary.</p>	<b>Section 5</b>
	<b>Schedule 6 Environmental Management, Auditing and Reporting</b>	
3	<p><b>Management Plan Requirements</b></p> <p>The applicant shall ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> <li>the relevant statutory requirements (including any relevant approval, licence or lease conditions);</li> <li>any relevant limits or performance measures/criteria;</li> <li>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;</li> </ul> <p>(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> <li>impacts and environmental performance of the project;</li> <li>effectiveness of any management measures (see (c) above);</li> </ul> <p>(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> <li>incidents;</li> <li>complaints;</li> <li>non-compliances with statutory requirements; and</li> <li>exceedances of the impact assessment criteria and/or</li> </ul>	<b>This document</b>

	<p>performance criteria; and</p> <p>(h) a protocol for periodic review of the plan.</p> <p><i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>	
5	<p><b>Revision of Strategies, Plans and Programs</b></p> <p><i>Within 3 months of:</i></p> <p>(a) the submission of an annual review under Condition 4 above;</p> <p>(b) the submission of an incident report under Condition 7 below;</p> <p>(c) the submission of an audit report under Condition 9 below; or</p> <p>(d) any modification to the conditions of this consent (unless the conditions require otherwise),</p> <p><i>the Proponent must review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted for the approval of the Secretary.</i></p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.</i></p>	<b>Section 8</b>
	<b>Statement of Commitments</b>	
	<p><i>Management and monitoring of heritage will continue to be undertaken in accordance with the Colliery's HMP, which will be reviewed and updated as required to include the commitments made below. LakeCoal will:</i></p>	
	<ul style="list-style-type: none"> <li>review and revise the HMP to remove site #45-7-0154 and incorporate any other changes as a result of the proposed modification;</li> </ul>	<b>Section 5</b>
	<ul style="list-style-type: none"> <li>update the HMP following approval of the Proposal to include the extended area to which it relates;</li> </ul>	<b>This document</b>
	<ul style="list-style-type: none"> <li>ensure that should unanticipated Aboriginal or historic heritage artefacts be found during dam embankment and diversion works, work will cease and the site assessed by an archaeologist; and</li> </ul>	<b>Dam works complete</b>
	<ul style="list-style-type: none"> <li>ensure that in the unlikely event that skeletal remains are found during dam embankment and diversion works, work will cease immediately in the area and the NSW Police Coroner called to determine if the material is of Aboriginal origin. OEH and relevant Aboriginal community stakeholders will be notified if the remains are positively identified as being of Aboriginal origin to determine their appropriate management prior to works recommencing.</li> </ul>	<b>Dam works complete</b>



## Appendix 3: AHIMS Search

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# AHIMS Web Services (AWS)

## Extensive search - Site list report

Your Ref/PO Number : H190358\_KA+JB

Client Service ID : 438293

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-7-0131	Summerland Point; <b>Contact</b>	AGD	56	366820	6332970	Open site	Valid	Shell : -, Artefact : -	Midden	
45-7-0138	Bonny Boy Gully; <b>Contact</b>	AGD	56	366820	6332970	Open site	Valid	Shell : -, Artefact : -	Midden	1846
45-7-0144	Windemere Ck 1; <b>Contact</b>	AGD	56	363000	6334600	Open site	Valid	Shell : -, Artefact : -	Midden	2237
45-7-0154	M7 Fishery Point <b>Contact</b>	AGD	56	366050	6334500	Open site	Valid	Shell : 2, Artefact : -	Midden	2685
45-7-0157	M10 Casuarina Point Reserve <b>Contact</b>	AGD	56	366300	6334990	Open site	Valid	Shell : -, Artefact : -	Midden	2685
45-7-0158	M11;Lakeview Road, Bardens Bay; <b>Contact</b>	AGD	56	363500	6334110	Open site	Valid	Shell : -, Artefact : -	Midden	2685
45-7-0159	M12;Bulgonia Road, Bardens Bay; <b>Contact</b>	AGD	56	363950	6334850	Open site	Valid	Shell : -, Artefact : -	Midden	2685
45-7-0166	M8;Dandaraga Road, Sugar Bay; <b>Contact</b>	AGD	56	365300	6334500	Open site	Valid	Shell : -, Artefact : -	Midden	2685
45-7-0167	M9;Camp Brightwaters; <b>Contact</b>	AGD	56	363500	6334880	Open site	Valid	Shell : -, Artefact : -	Midden	2685
45-7-0176	Gwandalan; <b>Contact</b>	AGD	56	367200	6333300	Open site	Valid	Shell : -, Artefact : -	Midden	2465,102129
45-7-0177	Camp Kanangra; <b>Contact</b>	AGD	56	369500	6331500	Open site	Valid	Shell : -, Artefact : -	Midden	
45-7-0178	Hembula Creek - Scarred Tree 1&2;HC-ST 1&2; <b>Contact</b>	AGD	56	366800	6330400	Open site	Valid	Modified Tree (Carved or Scarred) : -	Scarred Tree	
45-7-0179	Black Neds Point; <b>Contact</b>	AGD	56	365150	6331450	Open site	Valid	Shell : -, Artefact : -	Midden	
45-7-0181	Chain Valley Bay 1 <b>Contact</b>	AGD	56	366150	6329600	Open site	Valid	Shell : -, Artefact : -	Midden	101093
45-7-0182	Chain Valley Bay 2; <b>Contact</b>	AGD	56	366120	6330950	Open site	Valid	Shell : -, Artefact : -	Midden	
45-7-0183	Diamond Drill Pt. North; <b>Contact</b>	AGD	56	368050	6333200	Open site	Valid	Artefact : -, Shell : -	Midden	102129
45-7-0184	Gwandalan;	AGD	56	368500	6331800	Open site	Valid	Shell : -, Artefact : -	Midden	

Report generated by AHIMS Web Service on 30/07/2019 for Heritage Emm for the following area at Datum :GDA, Zone : 56, Eastings : 359462 - 369462, Northings : 6328206 - 6334206 with a Buffer of 1000 meters. Additional Info : As part of a report. Number of Aboriginal sites and Aboriginal objects found is 82

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# AHIMS Web Services (AWS)

## Extensive search - Site list report

Your Ref/PO Number : H190358\_KA+JB

Client Service ID : 438293

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0186	Pt Wolstonecraft 1;	AGD	56	368350	6334200	Open site	Valid	Shell : -, Artefact : -	Midden	
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0189	Sandy Beach 1;	AGD	56	364950	6331450	Open site	Valid	Shell : -, Artefact : -	Midden	
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0201	Nord 1 (N1)	AGD	56	369600	6332600	Open site	Valid	Shell : -, Artefact : -	Midden	3022
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>	698	
45-7-0207	The Hole 1 (TH1)	AGD	56	361820	6329800	Open site	Valid	Artefact : -	Open Camp Site	3697,101093
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
14-7-0149	Gwandalan	AGD	56	368000	6333300	Open site	Valid	Shell : -, Artefact : -	Midden	102129
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-3-3435	RPS HSO MwP1	AGD	56	359424	6334225	Open site	Valid	Shell : -, Potential Archaeological Deposit (PAD) : -		
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0290	Gwandalan 1	AGD	56	368088	6329979	Open site	Valid	Shell : -		
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0316	RPS Wyee Point 2	GDA	56	362237	6331450	Open site	Valid	Shell : -		
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0293	RPS MP3	GDA	56	365058	6335017	Open site	Valid	Modified Tree (Carved or Scarred) : -		
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0190	Wyee Point	AGD	56	362398	6331810	Open site	Valid	Shell : -, Artefact : -	Midden	
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0291	RPS HSO M1	GDA	56	361555	6331952	Open site	Valid	Shell : -		
	<u>Contact</u> Koompahtoo LALC	<u>Recorders</u>						<u>Permits</u>		
45-7-0357	Noamunga CR Midden	GDA	56	368583	6333118	Open site	Valid	Shell : -		
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-3-4287	Wyee 7	GDA	56	358559	6327310	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0226	K 4 Koompahtoo	AGD	56	360390	6334990	Open site	Valid	Artefact : -	Isolated Find	99218
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-3-3165	K 1 Koompahtoo	AGD	56	359490	6332490	Open site	Valid	Artefact : -	Open Camp Site	99218
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0225	K 3 Koompahtoo	AGD	56	360650	6334900	Open site	Valid	Artefact : -	Isolated Find	99218

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# AHIMS Web Services (AWS)

## Extensive search - Site list report

Your Ref/PO Number : H190358\_KA+JB

Client Service ID : 438293

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
	<u>Contact</u>	<u>Recorders</u>	William Smith					<u>Permits</u>		
45-7-0079	Crangan Bay;Stranger Gully;	AGD	56	368450	6330750	Open site	Valid	Shell : -, Artefact : -	Midden	
	<u>Contact</u>	<u>Recorders</u>	ASRSYS					<u>Permits</u>		
45-7-0001	Morisset Hospital	AGD	56	361550	6332450	Open site	Valid	Shell : -, Artefact : -	Midden	1263
	<u>Contact</u>	<u>Recorders</u>	L.M Nelson,A.J Barrett					<u>Permits</u>		
45-7-0003	Vales Point;Lake Macquarie;	AGD	56	363738	6331615	Open site	Valid	Shell : -, Artefact : -	Midden	
	<u>Contact</u>	<u>Recorders</u>	Wyong Shire Council					<u>Permits</u>	730	
45-3-1553	Wye Bay;Ruttleys Road;	AGD	56	362540	6330400	Open site	Valid	Shell : -, Artefact : -	Midden	
	<u>Contact</u>	<u>Recorders</u>	Val Attenbrow,Glen Morris					<u>Permits</u>		
45-7-0262	SJOG 7	GDA	56	364036	6333848	Open site	Valid	Grinding Groove : 6		
	<u>Contact</u>	<u>Recorders</u>	Mrs.Angela Besant					<u>Permits</u>		
45-7-0263	SJOG 6	GDA	56	364026	6333875	Open site	Valid	Shell : -		
	<u>Contact</u>	<u>Recorders</u>	Mrs.Angela Besant					<u>Permits</u>		
45-7-0239	MP 1	AGD	56	362100	6334400	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
	<u>Contact</u>	<u>Recorders</u>	Mrs.Angela Besant					<u>Permits</u>	2115	
45-7-0253	Gwandalan 2	GDA	56	367386	6331169	Open site	Valid	Shell : -		
	<u>Contact</u>	<u>Recorders</u>	Doctor.Tim Owen					<u>Permits</u>		
45-7-0254	gwanddalan 1	GDA	56	368088	6329979	Open site	Valid	Shell : -		
	<u>Contact</u>	<u>Recorders</u>	Doctor.Tim Owen					<u>Permits</u>		
45-3-3166	K 2 Koompahtoo	AGD	56	359840	6332530	Open site	Valid	Artefact : -	Isolated Find	99218
	<u>Contact</u>	<u>Recorders</u>	William Smith					<u>Permits</u>		
45-7-0255	Trinity Point GG2 (Catherine Hill Bay)	GDA	56	363618	6333664	Open site	Valid	Grinding Groove : -		
	<u>Contact</u>	<u>Recorders</u>	Mrs.Angela Besant					<u>Permits</u>		
45-7-0256	Trinity Point Scarred Tree 2 (Catherine Hill Bay)	GDA	56	363749	6333815	Open site	Not a Site	Modified Tree (Carved or Scarred) : -		
	<u>Contact</u>	<u>Recorders</u>	Mrs.Angela Besant,Insite Heritage Pty Ltd,Urban Tree Management					<u>Permits</u>		
45-7-0257	Trinity Point Ochre (Catherine Hill Bay)	GDA	56	363958	6333791	Open site	Valid	Ochre Quarry : -		
	<u>Contact</u>	<u>Recorders</u>	Mrs.Angela Besant					<u>Permits</u>		
45-7-0258	Trinity Point IF1 (Catherine Hill Bay)	GDA	56	363730	6333744	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Mrs.Angela Besant					<u>Permits</u>		
45-7-0338	RPS GWANDALAN IF1	GDA	56	368263	6331126	Open site	Valid	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>	RPS East Australia Pty Ltd - Echuca Victoria					<u>Permits</u>		
45-7-0320	RPS Mannering 1	GDA	56	363449	6331411	Open site	Valid	Shell : 1		

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# AHIMS Web Services (AWS)

## Extensive search - Site list report

Your Ref/PO Number : H190358\_KA+JB

Client Service ID : 438293

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0321	RPS Mannering 2	GDA	56	363401	6331331	Open site	Valid	Modified Tree (Carved or Scarred) : 1		
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0339	CV 001	GDA	56	364943	6329478	Open site	Valid	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0374	Gwan IF1	GDA	56	368302	6331050	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0379	Nords Whard PAD	GDA	56	369883	6331871	Open site	Valid	Artefact : -, Potential Archaeological Deposit (PAD) : -, Shell : -		
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>	4341,4417	
45-7-0378	Dungutti Elders office Cloned	GDA	56	362791	6335021	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0384	32 marine parade	GDA	56	369777	6333058	Open site	Valid	Shell : -		
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-3-0334	Tiembula Creek Midden;Tiembula Creek;	AGD	56	366730	6330420	Open site	Valid	Shell : -, Artefact : -	Midden	1076
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0227	St Johns 1	AGD	56	363680	6333520	Open site	Valid	Artefact : -		100896
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>	1947	
45-7-0228	St Johns 2	AGD	56	363720	6333820	Open site	Valid	Artefact : -		100896,10102 4
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>	1947,3855,3981	
45-7-0230	K3 KOOMPAHTOO	AGD	56	360650	6334900	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0080	Mannering Park;	AGD	56	364780	6328890	Open site	Valid	Modified Tree (Carved or Scarred) : -	Scarred Tree	101093
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0244	St Johns 3	AGD	56	363560	6333600	Open site	Valid	Artefact : 1		100896,10250 4
	<u>Contact</u> T Russell	<u>Recorders</u>						<u>Permits</u>	2845,2846,3864,3981,3984,4115	
45-7-0268	CV-04-09	GDA	56	368381	6331136	Open site	Valid	Shell : 1		
	<u>Contact</u>	<u>Recorders</u>						<u>Permits</u>		
45-7-0269	CV-06-09	GDA	56	368061	6328867	Open site	Valid	Artefact : 1		

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# AHIMS Web Services (AWS)

## Extensive search - Site list report

Your Ref/PO Number : H190358\_KA+JB

Client Service ID : 438293

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
	<u>Contact</u>	<u>Recorders</u>	Mr.Geordie Oakes					<u>Permits</u>		
45-7-0270	CV-07-09	GDA	56	367043	6331305	Open site	Valid	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>	Mr.Geordie Oakes					<u>Permits</u>		
45-7-0271	CV-08-09	GDA	56	366587	6330975	Open site	Valid	Shell : 1		
	<u>Contact</u>	<u>Recorders</u>	Mr.Geordie Oakes					<u>Permits</u>		
45-7-0272	CV-09-09	GDA	56	366650	6330868	Open site	Valid	Shell : 1		
	<u>Contact</u>	<u>Recorders</u>	Mr.Geordie Oakes					<u>Permits</u>		
45-7-0273	CV-10-09	GDA	56	366875	6330868	Open site	Valid	Shell : 1		
	<u>Contact</u>	<u>Recorders</u>	Mr.Geordie Oakes					<u>Permits</u>		
45-7-0274	CV-12-09	GDA	56	367290	6330372	Open site	Valid	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>	Mr.Geordie Oakes					<u>Permits</u>		
45-7-0275	CV-14-09	GDA	56	367468	6330191	Open site	Valid	Shell : 1		
	<u>Contact</u>	<u>Recorders</u>	Mr.Geordie Oakes					<u>Permits</u>		
45-7-0276	CV-15-09	GDA	56	366304	6329303	Open site	Valid	Modified Tree (Carved or Scarred) : 1		
	<u>Contact</u>	<u>Recorders</u>	Mr.Geordie Oakes					<u>Permits</u>		
45-7-0277	CV-16-09	GDA	56	366335	6329635	Open site	Valid	Shell : 1		
	<u>Contact</u>	<u>Recorders</u>	Mr.Geordie Oakes					<u>Permits</u>		
45-7-0278	CV-17-09	GDA	56	366273	6329369	Open site	Valid	Modified Tree (Carved or Scarred) : 1		
	<u>Contact</u>	<u>Recorders</u>	Mr.Geordie Oakes					<u>Permits</u>		
45-7-0279	CV-18-10	GDA	56	367003	6333279	Open site	Valid	Shell : 1		
	<u>Contact</u>	<u>Recorders</u>	Mr.Geordie Oakes					<u>Permits</u>		
45-7-0280	CV-19-10	GDA	56	366988	6333151	Open site	Valid	Shell : 1		
	<u>Contact</u>	<u>Recorders</u>	Mr.Geordie Oakes					<u>Permits</u>		
45-7-0281	CV-20-10	GDA	56	365588	6331434	Open site	Valid	Shell : 1		
	<u>Contact</u>	<u>Recorders</u>	Mr.Geordie Oakes					<u>Permits</u>		
45-7-0282	CV-21-10	GDA	56	366221	6331192	Open site	Valid	Shell : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Geordie Oakes					<u>Permits</u>		
45-7-0340	Nords Wharf 1	GDA	56	369821	6331865	Open site	Valid	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>	Mr.Aaron Fogel					<u>Permits</u>	4341,4417	
45-7-0341	Nords Wharf 2	GDA	56	369858	6331788	Open site	Valid	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>	Mr.Aaron Fogel					<u>Permits</u>	4341,4417	
45-7-0342	Nords Wharf 3	GDA	56	369788	6331822	Open site	Valid	Artefact : 1		

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