

Sunrise Project

Heritage Management Plan



June 2022



SUNRISE PROJECT

HERITAGE MANAGEMENT PLAN

REVISION 3



15 JUNE 2022

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1 INTRODUCTION

The Sunrise Project (the Project) is a nickel cobalt scandium open cut mining project situated near the village of Fifield, approximately 350 kilometres (km) west-northwest of Sydney, in New South Wales (NSW) (Figure 1).

The Project includes the establishment and operation of the following:

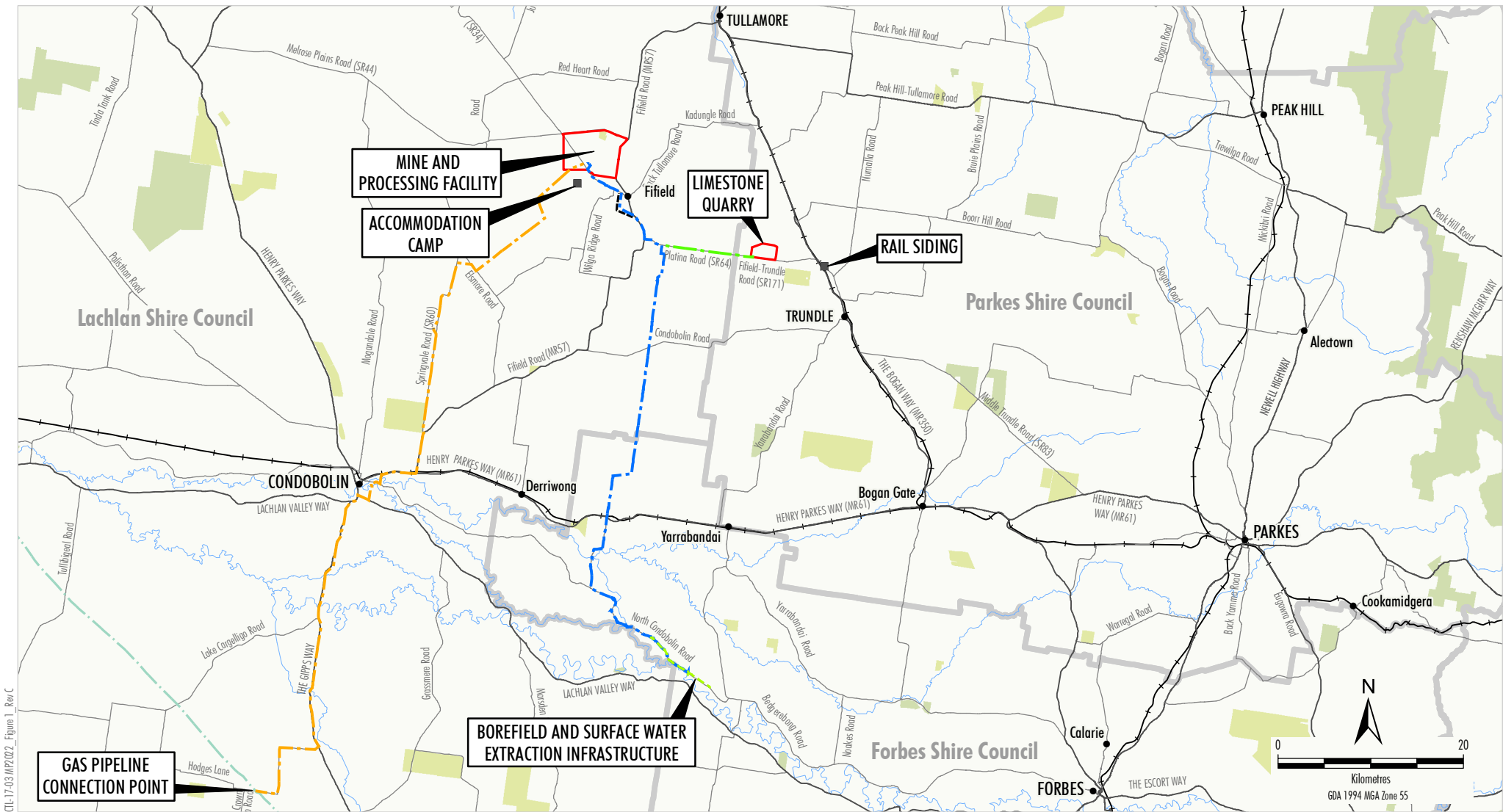
- mine (including the processing facility);
- limestone quarry;
- rail siding;
- gas pipeline;
- borefield, surface water extraction infrastructure and water pipeline;
- accommodation camp; and
- associated transport activities and transport infrastructure (e.g. the Fifield Bypass, road and intersection upgrades).

SRL Ops Pty Ltd owns the rights to develop the Project. SRL Ops Pty Ltd is a wholly owned subsidiary of Sunrise Energy Metals Limited (SEM)¹.

Development Consent DA 374-11-00 for the Project was issued under Part 4 of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act) in 2001. Seven modifications to Development Consent DA 374-11-00 have since been granted under the EP&A Act:

- 2005 – to allow for an increase of the autoclave feed rate, limestone quarry extraction rate and adjustments to ore processing operations;
- 2006 – to allow for the reconfiguration of the borefield;
- 2017 – to allow for the production of scandium oxide;
- 2017 – to amend hazard study requirements;
- 2018 – to relocate the accommodation camp;
- 2018 – to implement opportunities to improve the overall efficiency of the Project; and
- 2022 – to implement changes to optimise the construction and operation of the Project.

¹ SEM was previously Clean TeQ Holdings Limited (Clean TeQ).



CLT-17-03 MIP2022_Figure 1_Rev C



- LEGEND**
- National Park/Conservation Area
 - State Forest
 - Local Government Boundary
 - Railway
 - Existing Gas Pipeline
 - Mining Lease Boundary (ML)
 - Gas Pipeline
 - Water Pipeline
 - Borefield Infrastructure Corridor
 - Limestone Quarry Water Pipeline
 - Fifeild Bypass

Source: Sunrise Energy Metals (2021); Clean TeQ (2017, 2018, 2020);
Black Range Minerals (2000); NSW Spatial Services (2022)


SUNRISE PROJECT
 Regional Location

Figure 1

1.1 PURPOSE AND SCOPE

The Planning Secretary of the NSW Department of Planning and Environment (DPE) approved Dr. Matt Cupper of Landskape Natural and Cultural Heritage Management (Landskape) for the preparation/review of the Heritage Management Plan (HMP) on 19 September 2017, in accordance with Condition 40(a), Schedule 3 of Development Consent DA 374-11-00 (Attachment 1). This HMP was prepared and reviewed by Landskape, to satisfy the relevant Development Consent DA 374-11-00 requirements (Table 1).

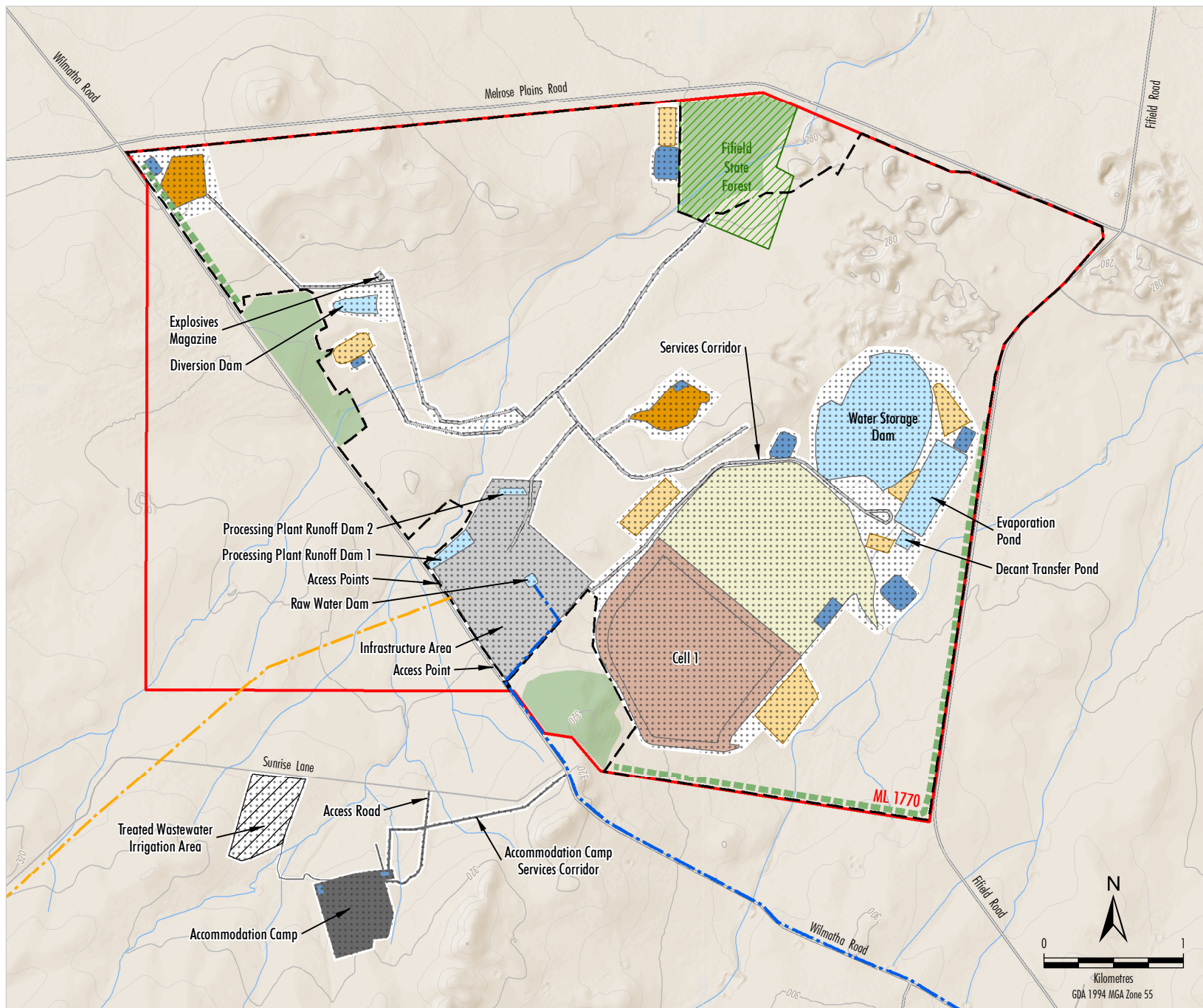
On 5 July 2018, the Planning Secretary approved the progressive submission of environmental management plans for the Project in accordance with Condition 12, Schedule 2 of Development Consent DA 374-11-00. The scope of this HMP is specifically related to the following initial Project construction activities:

- development of the mine, including:
 - site establishment and earthworks;
 - construction of site access roads and haul roads;
 - processing facility earthworks;
 - establishment of temporary facilities required for construction activities (e.g. offices, lay down areas, communications infrastructure);
 - construction of the mine infrastructure area including the offices, workshops, warehouse, laboratory and amenities buildings, fuel storage areas, potable water treatment plant and car parking facilities;
 - construction of the tailings storage facility and evaporation pond;
 - construction of water management infrastructure including the raw water dam, water storage dam and sediment dams;
 - construction and operation of the concrete batch plant;
 - development of gravel and clay borrow pits (including blasting and crushing);
 - installation of appropriate fencing and barriers to ensure public safety and security for mining and construction; and
 - other associated minor infrastructure, plant, equipment and activities.
- development and operation of the accommodation camp;
- development and operation of the borefield, surface water extraction infrastructure and water pipeline; and
- road upgrades.

The general arrangement for the mine layout during the initial Project construction activities are shown on Figure 2.

Table 1
Specific Development Consent Conditions

Development Consent DA 374-11-00 Schedule 3	HMP Section
HERITAGE Heritage Management Plan	
40. Prior to carrying out any development under this consent after 6 May 2017, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:	This HMP
(a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;	Section 1.1
(b) be prepared in consultation with Heritage NSW the Condobolin Local Aboriginal Land Council, Registered Aboriginal Parties (in relation to the management of Aboriginal heritage values);	Section 2
(c) include a description of the measures that would be implemented for: <ul style="list-style-type: none"> managing the discovery of any human remains or previously unidentified heritage objects on site; and ensuring workers on-site receive suitable heritage inductions prior to carrying out works on the site, and that suitable records are kept of these inductions; 	Sections 6.10 and 6.11 Section 8
(d) include a description of the measures that would be implemented for: <ul style="list-style-type: none"> protecting, monitoring and/ or managing Aboriginal heritage items on site, paying particular attention to the following sites as identified in the EIS: <ul style="list-style-type: none"> Syerston 2 – open scatter and possible knapping floor; Syerston 3 – isolated flake of brown/red vitreous volcanic material; and Scarred tree beside the Fifield to Wilmatha Road; implementing archaeological investigations and/ or salvage measures for Aboriginal heritage items on site; maintaining and managing reasonable access for Aboriginal stakeholders to heritage items on site; on-going consultation with the Aboriginal stakeholders in the conservation and management of Aboriginal cultural heritage on site; and protecting Aboriginal sites and items outside the development disturbance area from the development; and 	Section 6 Section 6 Section 6.14 Section 6.1 Section 6.9
(e) include the following for the management of non-Aboriginal heritage: <ul style="list-style-type: none"> a description of the measures that would be implemented for: <ul style="list-style-type: none"> protecting, monitoring and/or managing heritage objects on site (particularly the pastoral out station referred to in condition 39 of this consent); recording, prior to disturbance, any heritage areas or structures that will be impacted by the development, and making these records publicly available; managing the discovery of any previously unidentified heritage objects on site; and implementing archaeological investigations and/ or salvage measures for heritage items on site; 	Section 7 Section 7.3 Section 7.4 Section 7
41. The Applicant must implement the approved Heritage Management Plan for the development.	-



LEGEND

- State Forest
- Mining Lease Boundary (ML)
- Approved Surface Development Area
- Initial Construction Activities
- Processing Facility
- Tailings Storage Facility
- Topsoil Stockpile
- Accommodation Camp
- Water Storage
- Sediment Dam
- Laydown Area
- Borrow Pit
- Vegetation Screening
- Existing Open Woodland to be Maintained
- Gas Pipeline
- Water Pipeline

Source: Sunrise Energy Metals (2021); Clean TeQ (2017, 2018, 2020); Black Range Minerals (2000); NSW Spatial Services (2022)

1.2 STRUCTURE OF THE HERITAGE MANAGEMENT PLAN

The remainder of the HMP is structured as follows:

- Section 2: Describes the review and update of the HMP.
- Section 3: Outlines the statutory requirements applicable to the HMP.
- Section 4: Outlines the Aboriginal heritage sites and values at the Project.
- Section 5: Outlines the historic heritage sites and values at the Project.
- Section 6: Outlines management measures for Aboriginal heritage at the Project.
- Section 7: Outlines management measures for historic heritage at the Project.
- Section 8: Describes the protocols for heritage inductions and training.
- Section 9: Describes the performance measures applicable to the management of Aboriginal and historic heritage at the Project.
- Section 10: Provides a contingency plan to manage any unprecedented impacts and their consequences.
- Section 11: Provides details for the review and improvement of environmental performance.
- Section 12: Describes the management and reporting of incidents, complaints and non-compliances.
- Section 13: Provides the references cited in this HMP.

2 HERITAGE MANAGEMENT PLAN REVIEW AND UPDATE

The HMP was provided to the NSW Office of Environment and Heritage (OEH) (now Heritage NSW) on 10 July 2018, the Condobolin Local Aboriginal Land Council (LALC) and the Wiradjuri Branch of the NSW Aboriginal Land Council² on 2 March 2018 and 15 June 2018, respectively, for the purposes of consultation, in accordance with Condition 40(b), Schedule 3 of Development Consent DA 374-11-00. Correspondence was received from Heritage NSW on 8 September 2018 providing that they had no comments. No comments were received from the Condobolin LALC or the West Wyalong LALC.

A copy of the HMP was also provided to all Registered Aboriginal Parties (RAPs) (via post or email correspondence) on 6 February 2018 for their review, with comments requested by 2 March 2018. No comments were received during this consultation period. A revised HMP was provided to the RAPs (via post or email correspondence) on 15 June 2018 for review, with comments requested by 9 July 2018. No comments were received during this consultation period.

Following this consultation, minor revisions were made to this HMP to reflect the determination of Modifications 4 and 7 in December 2018 and January 2022, respectively. With the agreement of the Planning Secretary (Appendix C) and consistent with Condition 12, Schedule 2 of Development Consent 374-11-00, this revised HMP has not been provided to the above-mentioned consultees for comment due to the minor nature of these revisions.

Consistent with the Planning Secretary's approval for the progressive submission of environmental management plans on 5 July 2018, this HMP will be re-submitted for approval prior to the commencement of construction of the limestone quarry, rail siding and gas pipeline, as well as prior to the commencement of mining operations.

In accordance with Condition 6, Schedule 5 of Development Consent DA 374-11-00, this HMP will be reviewed, and if necessary revised (to the satisfaction of the Planning Secretary), within three months of the submission of:

- an Annual Review (Condition 5, Schedule 5);
- an incident report (Condition 8, Schedule 5);
- an independent environmental audit (Condition 10, Schedule 5); or
- any modification to the conditions of Development Consent DA 374-11-00 (unless the conditions require otherwise).

These reviews will be undertaken to ensure the HMP is updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the Project.

Within four weeks of conducting a review of the HMP, the Planning Secretary will be advised of the outcomes of the review and any revised documents submitted to the Planning Secretary for approval.

SEM will provide appropriate notification to the RAPs and a minimum 21 days to comment on any proposed amendments to the HMP. SEM will distribute copies of any updated version of this HMP to the RAPs.

If agreed with the Planning Secretary, a revision to the HMP required under Development Consent DA 374-11-00 may be prepared without undertaking consultation with all parties nominated under the relevant condition of Development Consent DA 374-11-00.

² As the Wiradjuri Branch of the NSW Aboriginal Land Council no longer exists as a consultative body, consultation for the purposes of this HMP has been undertaken with the Condobolin LALC and the West Wyalong LALC (in addition to the other RAPs).

The revision status of this HMP is indicated on the title page of each copy.

The approved HMP will be made publicly available on the SEM website, in accordance with Condition 12, Schedule 5 of Development Consent DA 374-11-00.

3 STATUTORY REQUIREMENTS

SEM's statutory obligations relevant to heritage management are contained in the conditions of Development Consent DA 374-11-00;

- NSW EP&A Act;
- NSW *National Parks and Wildlife Act 1974* (NP&W Act);
- relevant licences and permits, including conditions attached to Mining Lease 1770;
- the conditions and requirements of the relevant approved Aboriginal Heritage Impact Permits (AHIPs) (AHIP #C0003049 and #C0003887); and
- other relevant legislation.

Obligations relevant to this HMP are described below.

3.1 DEVELOPMENT CONSENT DA 374-11-00

3.1.1 HMP Requirements

Conditions 40 and 41, Schedule 3 of Development Consent DA 374-11-00 requires the preparation of and implementation of a HMP. Table 1 presents these requirements and indicates where they are addressed in this HMP. In accordance with Condition 41, Schedule 3 of Development Consent DA 374-11-00, SEM will implement this HMP.

A comprehensive list of all conditions in Development Consent DA 374-11-00 relevant to heritage is provided in Appendix A.

3.1.2 Management Plan (General) Requirements

In addition to the HMP requirements prescribed in Condition 40, Schedule 3 of Development Consent DA 374-11-00, Condition 4, Schedule 5 outlines the management plan (general) requirements that are also applicable to the preparation of this HMP. Other general Development Consent DA 374-11-00 requirements relevant to the preparation of this HMP are provided in Appendix B.

Table 2 presents these requirements and indicates where each is addressed within this HMP. As noted, the Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.

Table 2
Management Plan (General) Requirements

Development Consent DA 374-11-00 Schedule 5	HMP Section
Management Plan Requirements	This HMP
4. <i>The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, are consistent with other plans prepared for other stakeholders, and include:</i>	
(a) <i>detailed baseline data;</i>	Sections 4 and 5

Table 2 (Continued)
Management Plan (General) Requirements

Development Consent DA 374-11-00 Schedule 5	HMP Section
(b) a description of: <ul style="list-style-type: none"> the relevant statutory requirements (including any relevant approval, licence or lease conditions); 	Section 3 and Appendix A
<ul style="list-style-type: none"> any relevant limits or performance measures/criteria; 	Section 9
<ul style="list-style-type: none"> the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; 	Section 9
(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;	Sections 6 and 7
(d) a program to monitor and report on the: <ul style="list-style-type: none"> impacts and environmental performance of the development; effectiveness of any management measures (see c above); 	Sections 6, 7, 11 and 12
(e) a contingency plan to manage any unpredicted impacts and their consequences;	Section 10
(f) a program to investigate and implement ways to improve the environmental performance of the development over time;	Section 11
(g) a protocol for managing and reporting any: <ul style="list-style-type: none"> incidents; complaints; non-compliances with statutory requirements; and exceedances of the impact assessment criteria and/or performance criteria; and 	Section 12
(h) a protocol for periodic review of the plan.	Section 2
<i>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i>	

3.2 LICENCES, PERMITS AND LEASES

In addition to the requirements of Development Consent DA 374-11-00, all activities at or in association with the Project will be undertaken in accordance with the following licences, permits and leases which have been issued or are pending issue:

- Mining Lease 1770 sought and issued by the NSW Minister for Resources under the NSW *Mining Act 1992*.
- Mining Operations Plan(s) submitted and approved by the Resources Regulator.
- Environment Protection Licence (EPL) 21146 issued under the NSW *Protection of the Environment Operations Act 1997* (POEO Act).
- Water supply works, water use approvals and water access licences (WALs) issued under the NSW *Water Management Act 2000* including:
 - Water Supply Works Approval 70CA614098 for the Project borefield.
 - Water Supply Works Approval 70WA617095 for the surface water extraction infrastructure and water pipeline.

- WAL 32068 in the Upper Lachlan Alluvial Groundwater Source (Upper Lachlan Alluvial Zone 5 Management Zone) for 3,154 share components under the *Water Sharing Plan for the Lachlan Alluvial Groundwater Sources 2020*.
- WAL 39837 in the Upper Lachlan Alluvial Groundwater Source (Upper Lachlan Alluvial Zone 5 Management Zone) for 766 share components under the *Water Sharing Plan for the Lachlan Alluvial Groundwater Sources 2020*.
- WAL 28681 in the Lachlan Fold Belt Murray-Darling Basin (MDB) Groundwater Source (Lachlan Fold Belt MDB [Other] Management Zone), for 243 share components under the *Water Sharing Plan for the NSW Murray Darling Basin Fractured Rock Groundwater Sources 2020*.
- WAL 6679 for 123 share components (General Security) under the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016*.
- WAL 1798 in the Lachlan Regulated River Water Source, for 300 share components (General Security) under the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016*.
- WAL 42370 in the Lachlan Regulated River Water Source, for zero share components (High Security) under the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016*.
- Aboriginal Heritage Impact Permits (AHIPs #C0003049 and #C0003887) issued under the NSW *National Parks and Wildlife Act 1974* (NP&W Act) (Section 3.4).
- Heavy Vehicle Authorisation Permit 119039v3 issued under the *Heavy Vehicle National Law Act 2012*.
- Mining and workplace health and safety related approvals.

3.3 NP&W ACT REQUIREMENTS

The NP&W Act provides the primary basis for the legal protection and management of Aboriginal heritage within NSW. Implementation of the Aboriginal heritage provisions of the NP&W Act is the responsibility of Heritage NSW. The rationale behind the NP&W Act is to prevent unnecessary or unwarranted destruction of Aboriginal objects and to protect and conserve objects where such action is considered warranted (Department of Environment, Climate Change and Water [DECCW], 2009a, 2009b).

With the exception of some artefacts in collections, the NP&W Act generally defines all Aboriginal objects to be the property of the Crown. The NP&W Act then provides various controls for the protection, management and destruction of these objects. An 'Aboriginal object' is defined as:

'any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains' [Section 5(1)].'

In practice, archaeologists generally subdivide the legal category of 'object' into different site types, which relate to the way Aboriginal heritage evidence is found within the landscape. The archaeological definition of a 'site' may vary according to survey objectives, however it should be noted that even single and isolated artefacts are protected as objects under the NP&W Act.

Consents regarding harm to Aboriginal objects are managed through the AHIP system. AHIPs are typically required (apart from Part 3A Major Projects and Part 4 Division 4.1 State Significant Developments) to allow any impacts to an Aboriginal object or Aboriginal place.

Under section 89A of the NP&W Act, a person who is aware of the location of an Aboriginal object that is the property of the Crown or, not being the property of the Crown, is real property, and does not, in the prescribed manner, notify the Chief Executive thereof within a reasonable time after the person first becomes aware of that location, is guilty of an offence against this Act unless the person believes on reasonable grounds that the Chief Executive is aware of the location of that Aboriginal object.

Under Section 85A of the NP&W Act, the Chief Executive may "dispose" of Aboriginal objects that are the property of the crown:

- a) *by returning the Aboriginal objects to an Aboriginal owner or Aboriginal owners entitled to, and willing to accept possession, custody or control of the Aboriginal objects in accordance with Aboriginal tradition, or*
- b) *by otherwise dealing with the Aboriginal objects in accordance with any reasonable directions of an Aboriginal owner or Aboriginal owners referred to in paragraph (a), or*
- c) *if there is or are no such Aboriginal owner or Aboriginal owners - by transferring the Aboriginal objects to a person, or a person of a class, prescribed by the regulations for safekeeping. (commonly known as a Care Agreement that is implemented between OEH and the Aboriginal person or community organisation).*

Under Section 85A(3) of the NP&W Act, the regulations may make provision as to the manner in which any dispute concerning the entitlement of an Aboriginal owner or Aboriginal owners to possession, custody or control of Aboriginal objects for the purposes of this section is to be resolved.

3.4 ABORIGINAL HERITAGE IMPACT PERMIT

SEM currently holds two separate AHIPs relevant to the Project area for the management of Aboriginal heritage, including:

- AHIP #C0003049 – approved by the OEH on 10 October 2017 for a period of 10 years; and
- AHIP #C0003887 – approved by the OEH on 10 August 2018 for a period of 23 years.

The extent of AHIPs #C0003049 and #C0003887 are presented on Figure 3.

An Aboriginal Cultural Heritage Assessment (ACHA) was undertaken by Landskape in 2017 for the additional surface development areas associated with Modification 4, in accordance with relevant codes, guidelines and regulations. No Aboriginal cultural heritage sites were identified within the Modification 4 surface development areas during the ACHA. The ACHA therefore concluded that no known Aboriginal heritage sites, items or values would be potentially impacted by Modification 4. The OEH advised in correspondence dated 23 August 2018 that an AHIP would not be required for Modification 4 based on the outcomes of the ACHA.

As described in Schedule C2 of AHIPs #C0003049 and #C0003887, the permits apply to "All Aboriginal objects in, on or under the land which is identified at Appendix A of this AHIP...". Although the AHIPs allow for the harm of Aboriginal heritage objects, Schedule A of AHIPs #C0003049 and #C0003887 specifies those objects which must not be harmed (i.e. avoided).

Table 3 presents a reconciliation of the key requirements of AHIPs #C0003049 and #C0003887 and indicates where each is addressed within this HMP. Table 3 provides a quick reference summary only and it is noted that prior to undertaking any actions affecting an Aboriginal heritage site within the AHIP area, the requirements and conditions of AHIPs #C0003049 and #C0003887 should be reviewed.

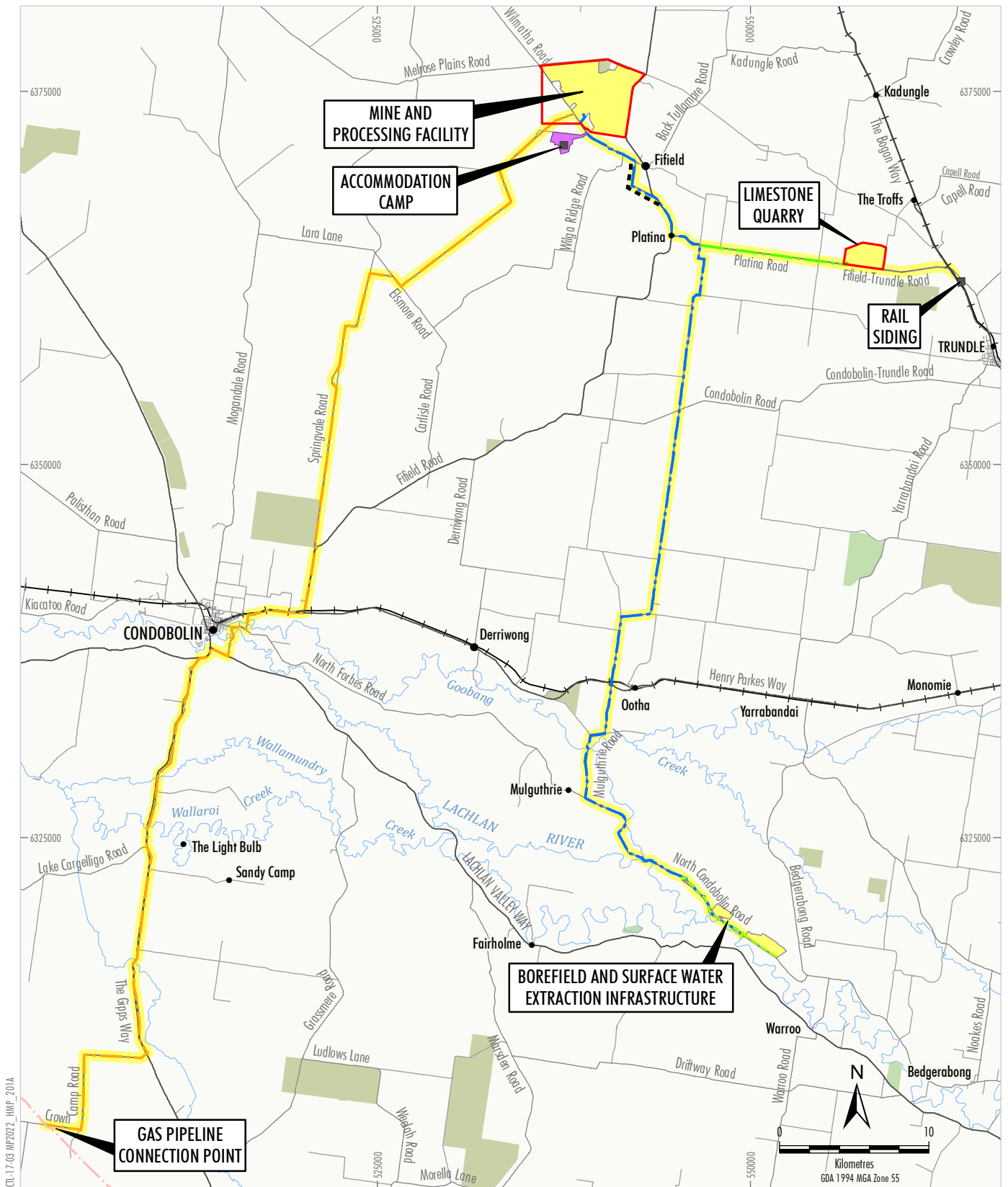


Figure 3

Table 3
Key Requirements of AHIPS Key Requirements of AHIPs #C0003049 and #C0003887

AHIP #C0003049 Condition	AHIP #C0003887 Condition	AHIP Requirement	Relevant HMP Section
7-8	6	Aboriginal objects that must not be harmed	Section 6.3
9-12	8-11	Community collection requirements	Section 6.5.2
13	-	Site recording of quarry site (AHIMS ¹ 35-4-0026)	Section 6.4
14	-	Monitoring program	Section 6.7
17-19	14-15	Temporary storage of certain Aboriginal objects	Section 6.13
26	21	Management of human remains	Section 6.11
27-29	22-24	Incidents and breaches	Section 6.12 and 10
31-33	26-28	Salvage reporting requirements	Section 6.8

¹ AHIMS = Heritage NSW Aboriginal Heritage Information Management System

3.5 OTHER LEGISLATION AND RELEVANT REQUIREMENTS

The Acts, Regulations and guidelines that may be applicable to the heritage management associated with the Project include, but are not limited to, the:

- *Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984;*
- *Commonwealth Australian Heritage Council Act 2003;*
- *Commonwealth Environment Protection and Biodiversity Conservation Act 1999;*
- *Commonwealth Native Title Act 1993;*
- *NSW Heritage Act 1977;*
- NP&W Act;
- Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW, 2010a);
- Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW, 2010b);
- Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011);
- The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance (Australia International Council on Monuments and Sites, 2013);
- Aboriginal Cultural Heritage: Standards and Guidelines Kit (NSW National Parks and Wildlife Service, 1997);

- Ask First: A Guide to Respecting Indigenous Heritage Places and Values (Australian Heritage Commission, 2002);
- Engage Early – Guidance for proponents on best practice Indigenous engagement for environmental assessments under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) (Commonwealth of Australia, 2016);
- NSW Minerals Industry Due Diligence Code of Practice for the Protection of Aboriginal Objects (NSW Minerals Council, 2010);
- Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW, 2010c); and
- *NSW Aboriginal Land Rights Act 1983.*

4 ABORIGINAL HERITAGE SITES AND ABORIGINAL HERITAGE VALUES

SEM has established and maintains an Aboriginal Heritage Sites Database. The database is based on previous archaeological and salvage surveys and assessments undertaken at the Project and surrounds including (but not limited to):

- Archaeological Investigation of the Mine Site and Sites of the Associated Ancillary Infrastructure for the Syerston Nickel Cobalt Project (Archaeological Surveys and Reports, 2000) (Doc No: 2020-CTEQ-REFE-66YH-0001);
- Archaeological Investigation: Syerston Nickel Cobalt Project Preliminary Report (Archaeological Surveys and Reports, 2005a) (Doc No: 2020-CTEQ-REFE-66YA-0004);
- Archaeological Investigation for Sites of Indigenous Cultural Significance for 'The Borefields Environmental Management Plan' Syerston Nickel-Cobalt Project (Archaeological Surveys and Reports, 2005b) (Doc No: 2020-CTEQ-REFE-66YH-0002);
- Syerston Project Aboriginal Cultural Heritage Assessment (Landskape, 2017a) (Doc No: 2020-CTEQ-0000-66YH-0001);
- Syerston Project – Modification 4 Aboriginal Cultural Heritage Assessment (Landskape, 2017b) (Doc No: 2020-CTEQ-0000-66YH-0002);
- Clean TeQ Sunrise Project – Accommodation Camp Modification Aboriginal Cultural Heritage Assessment (Landskape, 2018a) (Doc No: 2020-CTEQ-REFE-66YA-0003); and
- Aboriginal Cultural Heritage Due Diligence Assessment: Clean TeQ Sunrise Project – Modification 4 Areas (Landskape, 2018b) (Doc No: 2020-CTEQ-0000-66YA-0001).
- Aboriginal Cultural Heritage Assessment: Sunrise Project – Project Execution Plan Modification (Landskape, 2021) (Doc No: 2020-CTEQ-0000-66YA-0011).

4.1 ABORIGINAL HERITAGE SITES

As a result of previous surveys and assessments, 31 known Aboriginal cultural heritage sites have been identified at the Project and surrounds (Figure 4 and Figure 5). Known Aboriginal heritage sites within the Project area and surrounds are summarised in Table 4.

Table 4
Summary of the Known Aboriginal Cultural Heritage Sites within the Project Area and Surrounds

Site Types	Number of Sites Within and Near the Project
Artefact Scatter	5
Artefact Scatter, Hearths and Scarred Tree	1
Isolated Artefact	17
Scarred Tree	5
Stone Quarry	2
Hearth	1
TOTAL	31

Source: Landskape (2017a, 2017b, 2018, 2021).

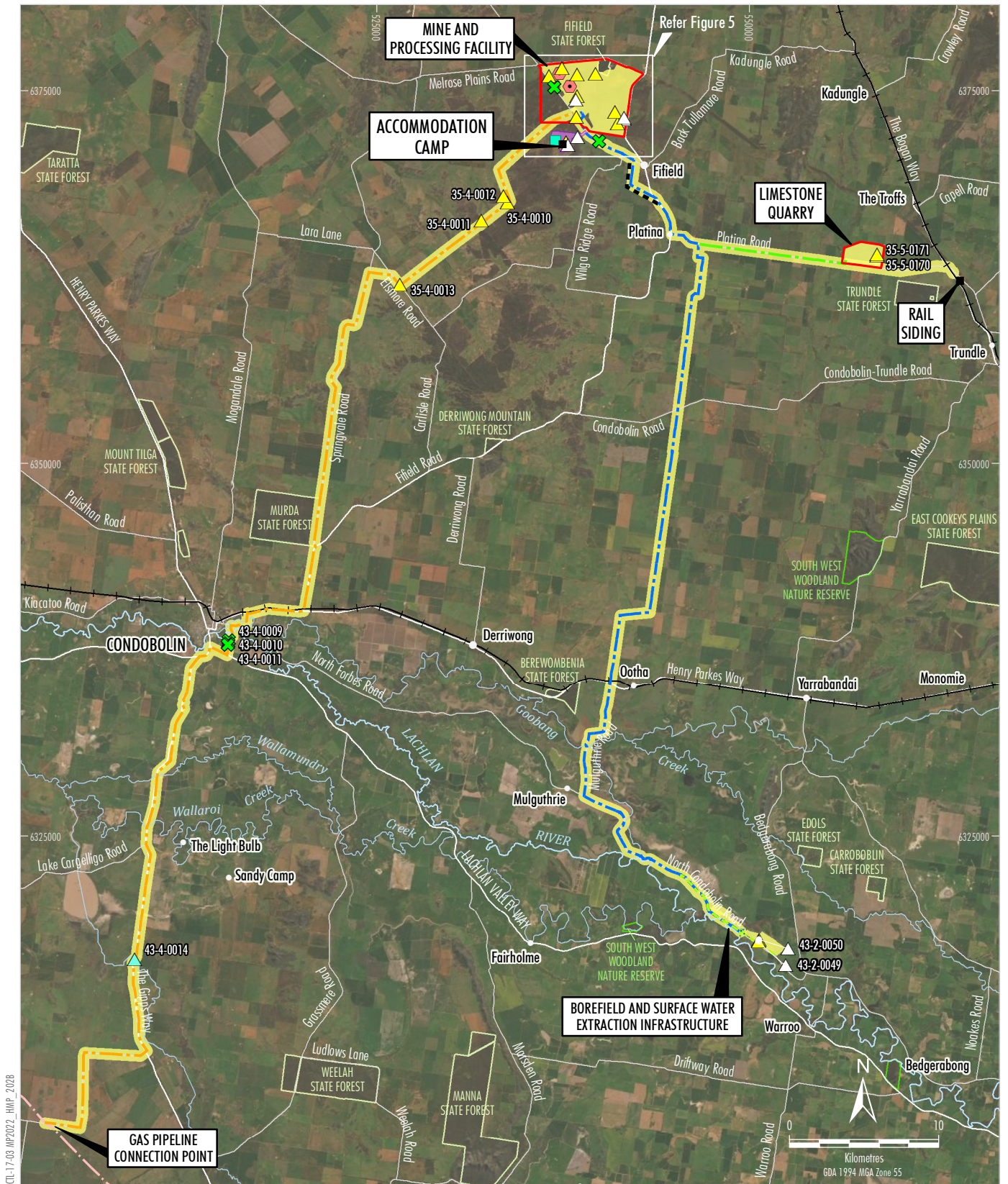
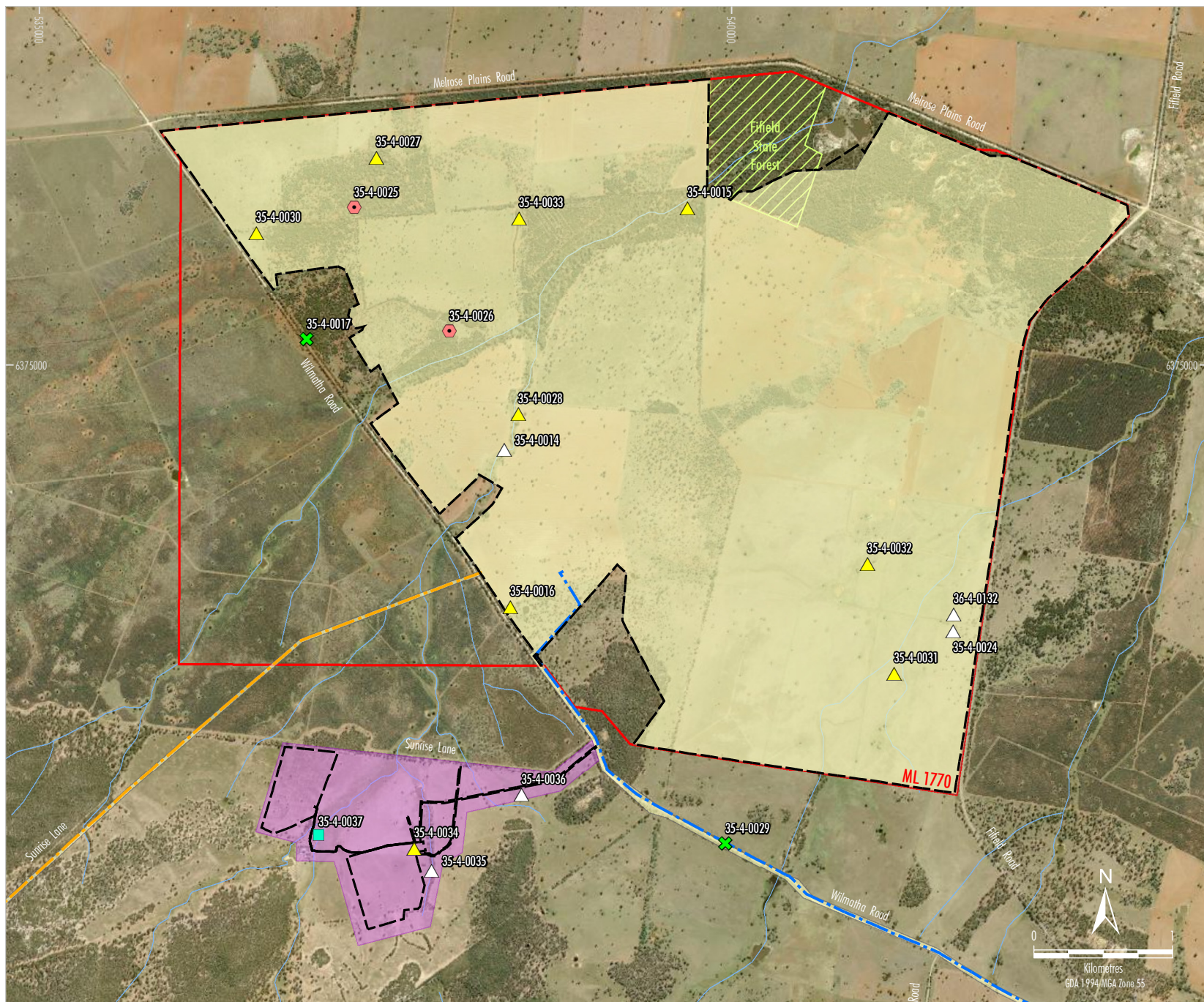


Figure 4



- LEGEND**
- Mining Lease Boundary (ML)
 - Approved Surface Development Area
 - Gas Pipeline
 - Water Pipeline
 - AHIP # C0003049 Boundary
 - AHIP # C0003887 Boundary
 - Aboriginal Heritage Sites**
 - △ Artefact Scatter
 - ▲ Isolated Find of an Artefact
 - Hearth
 - ✕ Scarred Tree
 - Stone Quarry

Source: Sunrise Energy Metals (2021); Clean TeQ (2017, 2019);
 Black Range Minerals (2000); NSW Spatial Services (2022)
 Aerial Imagery: NSW Spatial Services (2021)



SUNRISE PROJECT
 Location of Aboriginal Heritage Sites
 - Mine Site

Figure 5

Of the 31 Aboriginal cultural heritage sites listed in Table 4, only 23 are located within or immediately adjacent to the initial Project construction areas (i.e. the areas to which this version of the HMP applies). This HMP relates only to the management of these 23 sites, and their associated management requirements are listed in Section 6.2. This HMP also covers any previously unknown Aboriginal heritage sites that relate to the initial Project construction areas (i.e. within the AHIP# C0003049 area and AHIP #C0003887 area).

All Aboriginal heritage sites at the Project will be managed in accordance with the conditions of AHIPs #C0003049 and #C0003887, prior to any surface disturbance commencing.

4.2 ABORIGINAL CULTURAL HERITAGE VALUES

The RAPs for the Project (Section 6.1.1) have been consulted on the nature and extent of Aboriginal cultural heritage at the Project on a number of occasions, including during the community consultation processes undertaken for previous cultural heritage assessments and investigations (Section 4).

Previous assessments have identified and documented, Aboriginal cultural heritage values for the Project area, including the following:

- The Project area was identified by RAPs as a place that Aboriginal people had occupied in the past. The Aboriginal representatives viewed all Aboriginal cultural heritage sites as significant because they preserve a record of how and where people lived in the past (Landskape, 2017a, 2018).
- The presence of flora and fauna species was stated as significant for their uses as bush food or bush medicine (Landskape, 2017a, 2018).
- The Lachlan River and adjacent plains are of special significance to the Aboriginal community. Local Aboriginal people previously and still visit the Lachlan River for significant social events including meetings, fishing, mussel collecting and family outings (Landskape, 2017a).

5 HISTORIC HERITAGE AND VALUES

SEM has established and maintains a Historic Heritage Sites Database. The database is based on previous historic heritage and salvage surveys and assessments undertaken at the Project and surrounds. Sites of known and potential historic heritage within the Project area and surrounds have been identified through a range of previous studies including the Syerston Nickel Cobalt Project European Heritage Survey and Assessment (Heritage Management Consultants, 2000).

5.1 HISTORIC HERITAGE SITES

The assessment undertaken by Heritage Management Consultants (2000) identified a number of historic heritage sites within the Project area and surrounds.

Table 5 lists the *in situ* known historic heritage sites identified at the Project area, including assessed level of heritage significance. The known and potential historic heritage sites at the Project are presented on Figures 6 and 7. A detailed description of the management measures for each site described in Table 5 is provided in Section 7.

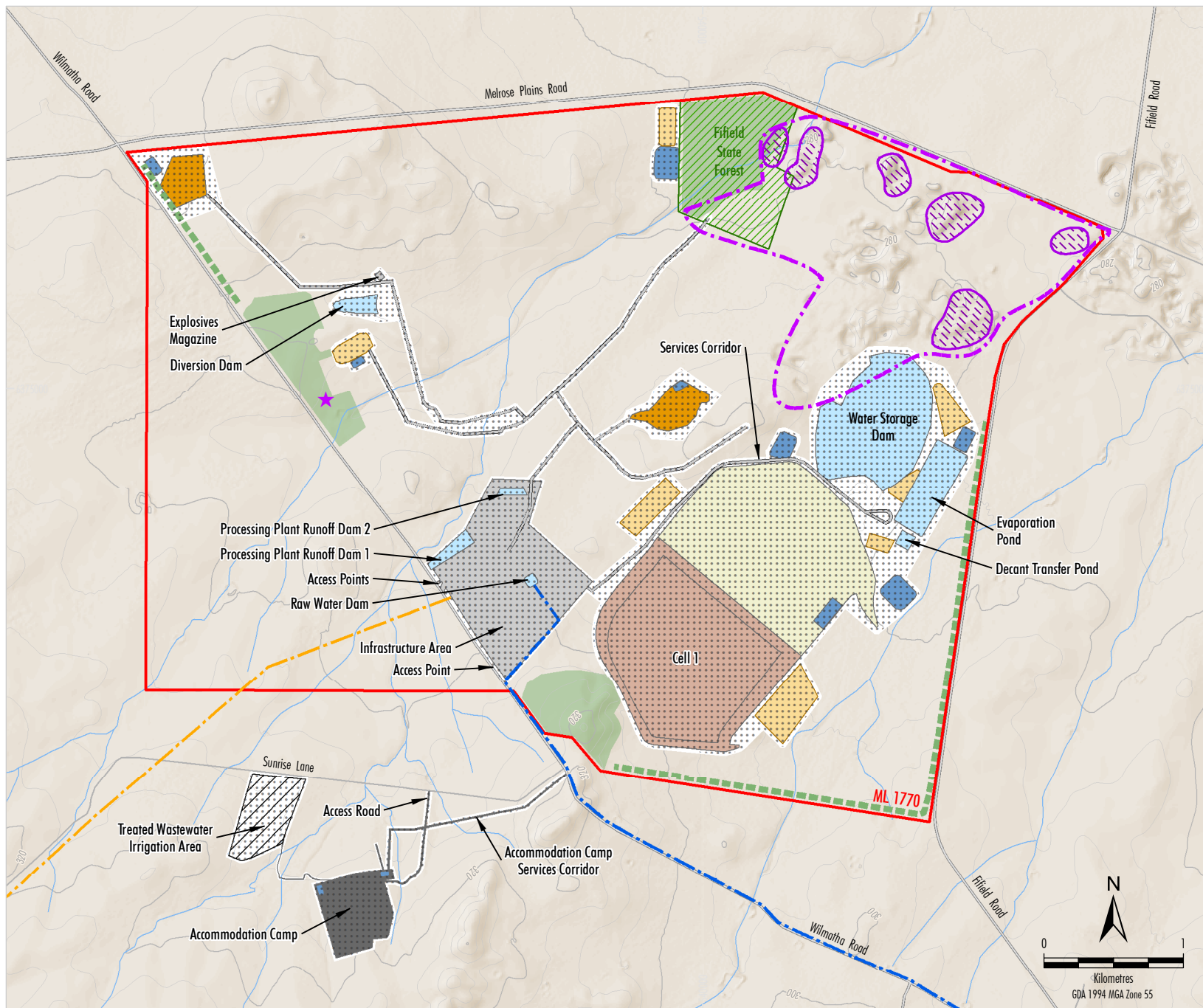
Table 5
Historic Heritage Sites within the Project Area and Surrounds

Site Number	Site Name	Site Location	Site Description	Significance
1	Magnesite mining area	Mine and Processing Facility	Open cut pits with associated overburden mounds and areas of scraped land. A small amount of processing plant material remains on site.	Local (Criterion A)
2	Pastoral outstation	Mine and Processing Facility	Remains of a number of structures including a collapsed building with verandah (possible quarters), loading ramp, engine mounting, stumps for small shed, standing building housing single pan toilet, rural dam and small ruined two-stand woolshed.	Local (Criterion A, G)
3	Pine trunk telephone poles	Gas Pipeline	Series of old pine telephone poles along road reserve edge of Springvale Road and Condobolin to West Wyalong Road.	Local (Criterion F, G)
4	Log hut or shed	Gas Pipeline	Log cabin type structure standing 6 logs high, with the northern wall completely removed. Currajong tree growing within the hut.	Local (Criterion A, F)

Source: Heritage Management Consultants (2000).

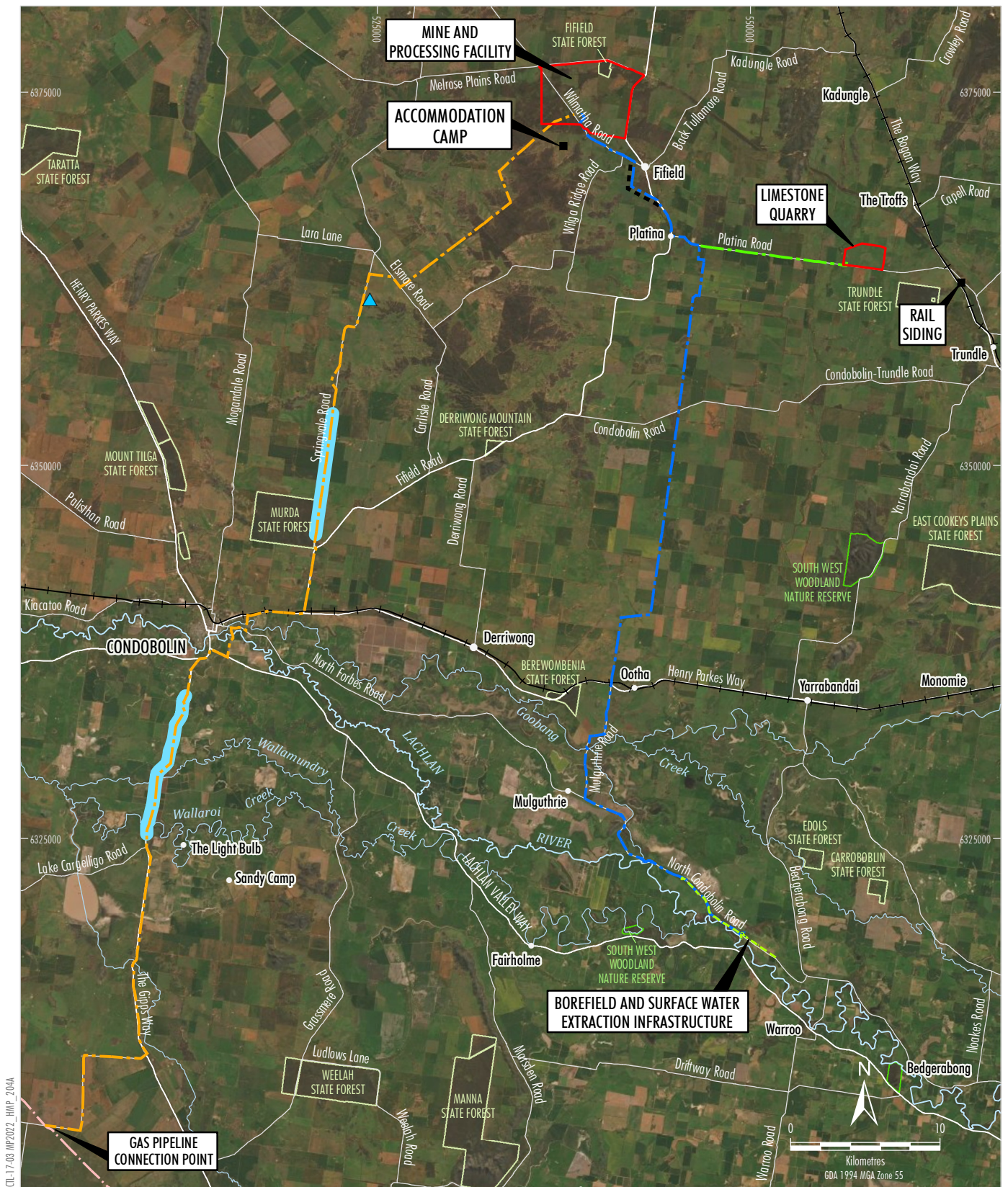
5.2 HISTORIC HERITAGE VALUES

In assessing the levels of significance for the places noted in Table 5, Heritage Management Consultants (2000) applied the OEH heritage assessment criteria contained within the document Assessing Heritage Significance (NSW Heritage Office, 2001) (formerly the Criteria for Listing on the State Heritage Register [NSW Heritage Council, 1999]).



Source: Sunrise Energy Metals (2021); Clean TeQ (2017, 2018, 2020); Black Range Minerals (2000); NSW Spatial Services (2022)

Figure 6



Source: Sunrise Energy Metals (2021); Clean TeQ (2017, 2019); Black Range Minerals (2000); NSW Spatial Services (2022)
Aerial Imagery: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



SUNRISE PROJECT
Known Historic Heritage Sites - Gas Pipeline

Figure 7

An item was considered to be of State (or local) historical heritage significance if it meets one or more of the following criteria:

- Criterion (a) An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area);
- Criterion (b) An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area);
- Criterion (c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);
- Criterion (d) An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;
- Criterion (e) An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);
- Criterion (f) An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area); and
- Criterion (g) An item is important in demonstrating the principal characteristics of a class of NSW's:
 - cultural or natural environments (or a class of the local area's);
 - cultural or natural places; or
 - cultural or natural environments.

All of the sites listed in Table 5 have been assessed as being significant at the local level (as distinct from places significant at State or national level). In particular, the sites were assessed as being significant, at the local level, for their:

- historical significance;
- aesthetic significance;
- rarity; and
- representativeness of a type of site or cultural place.

No sites of State historical heritage significance were identified in the Project area or surrounds (Heritage Management Consultants, 2000).

6 MANAGEMENT OF ABORIGINAL HERITAGE

This section outlines the management and mitigation measures proposed for identified and potential Aboriginal heritage sites at the Project, consistent with the requirements of the Development Consent DA 374-11-00 and the requirements of the approved AHIPs #C0003049 and #C0003887.

Prior to undertaking any actions affecting an Aboriginal heritage site associated with the Project, the requirements and conditions of AHIPs #C0003049 and #C0003887 should be reviewed and implemented.

6.1 PROTOCOL FOR ONGOING INVOLVEMENT OF THE ABORIGINAL COMMUNITY

SEM acknowledges that Aboriginal heritage is of importance to the Aboriginal community and that Aboriginal people have the right to be consulted and involved in relation to the management of their heritage. SEM recognises that the Aboriginal community has a paramount role in identifying cultural significance and cultural heritage values, and that the Aboriginal community are the primary source of information on the value of their heritage and how this is best conserved.

6.1.1 Registered Aboriginal Parties

Members of the Aboriginal community were consulted with during the course of the development of the *Syerston Nickel Cobalt Project Environmental Impact Statement* (Project EIS) (Black Range Minerals, 2000) and the subsequent *Syerston Project Aboriginal Cultural Heritage Assessment* (Landskape, 2017a), *Syerston Project – Modification 4 Aboriginal Cultural Heritage Assessment* (Landskape, 2017b), *Clean TeQ Sunrise Project – Accommodation Camp Modification Aboriginal Cultural Heritage Assessment* (Landskape, 2018a), *Clean TeQ Sunrise Project – Aboriginal Cultural Heritage Due Diligence Assessment Modification 4 Areas* (Landskape, 2018b) and *Sunrise Project – Project Execution Plan Modification* (Landskape, 2021). RAPs for the Project were identified through a comprehensive program of community consultation consistent with OEH *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010a) and also in consideration of the *Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation* (Department of Environment and Conservation [DEC], 2005). The RAPs for the Project are listed in Table 6.

Table 6
Registered Aboriginal Parties for the Project

RAP	Representative
Wiradjuri Condobolin Corporation	Laurie Hutchison and Ally Coe
Murie Elders Group	Rebecca Shepherd
Binjang Wellington Wiradjuri Aboriginal Heritage Survey	Jamie Gray
West Wyalong LALC	Linton Howarth
Condobolin LALC	Tim Gumbleton
Louise Davis	-
Peter Peckham	-
Sandra Peckham	-
Isabel Goolagong	-
Wiradjuri Cultural and Environmental Rangers	Peter White

6.1.2 Ongoing Consultation with Registered Aboriginal Parties

SEM is committed to maintaining ongoing consultation with all RAPs throughout the life of the Project; however, it is the responsibility of RAPs to ensure that up-to-date contact details (full name, postal address, telephone number, and where possible, email address) are provided to SEM. Correspondence with the RAPs will occur via written and/or phone communication, depending on the nature of the correspondence. SEM maintains a database of contact information for the RAPs which will continue to be managed throughout the life of the Project.

Ongoing consultation with RAPs will occur via meetings throughout the life of the Project. Meetings will be open to all RAPs and will provide a forum for RAPs to raise any issues they may have regarding the Project, and for SEM to provide updates.

Meetings with RAPs will be convened at least annually by SEM. Issues and matters that may be discussed in the meetings include (but are not limited to):

- mine progress;
- proposed fieldwork;
- implementation of Aboriginal Cultural Awareness Training;
- review of the HMP; and
- key results of any fieldwork.

RAPs will be informed of upcoming meetings with a minimum of 10 business days notice. Additional meetings with RAPs may be held on an as required/requested basis if agreed by SEM. Minutes (notes) from these meetings will be made available to all RAPs within four weeks of the meeting.

Results of the site recording and artefact collection programs will be disseminated to the RAPs using a variety of media including plain-English written reports (sent within 14 days of submission to Heritage NSW) and/or presentations and/or discussions at community forums and meetings (in accordance with AHIPs #C0003049 and #C0003887).

SEM will provide appropriate notification to the RAPs and a minimum 21 days to comment on any proposed amendments to the HMP (Section 2). SEM will distribute copies of any updated version of this HMP to the RAPs.

6.1.3 Involvement of Registered Aboriginal Parties in Fieldwork

The following process will be undertaken for the involvement of the RAPs in fieldwork at the Project:

- SEM will engage representatives of the RAPs (where available³) to carry out field activities (past, current and future) generally according to any commercial agreements they have entered into with SEM to participate in archaeological survey, collection, excavation and/or monitoring required under this HMP.
- SEM may engage RAPs by inviting representatives for all RAPs to attend the works, or through a roster system.

³ Subject to suitable notification requirements being met by SEM, the fieldwork/salvage (and/or other heritage management works required by this HMP) may commence to avoid unnecessary delays to activities at the Project.

- SEM may also engage RAPs through a competitive selection process (as per the DEC [2004] guideline *Interim Community Consultation Requirements for Applicants*) involving criteria such as demonstrated qualifications in cultural heritage, skills or experience in the conduct of heritage studies in the local area, specific cultural knowledge of the Project area and/or ability to report the results to the broader Aboriginal community.
- Where the methodology is consistent with that already approved by the RAPs for the Project or in the HMP, SEM will provide the RAPs engaged for any field investigation with a minimum of three business days notice of the date of commencement of the field investigation, unless a shorter period is agreed to by the engaged stakeholders. SEM will provide safe access to the investigation area and induct representatives to an appropriate level for Workplace Health and Safety purposes.
- Where that methodology is different from that already approved by the RAPs for the Project or in the HMP SEM will:
 - Provide the RAPs with a copy of the Proposed Methodology for any forthcoming archaeological salvage collection or excavation and allow a minimum of 21 days for the RAPs to provide comment, including identification of issues or areas of cultural significance that might affect, inform or allow refinement of the methodology. The Proposed Methodology will include relevant mapping and figures.
 - SEM will document and consider all comments received from the RAPs in the finalisation of the methodology.
- The RAPs will provide suitably qualified and/or experienced representatives⁴ to participate in archaeological survey, collection, excavation or monitoring required under this HMP. The representatives will comply with all requirements of SEM at all times when at the Project site.
- All reports produced in regard to surface collection, test excavation and/or analysis will include comments provided by the attending RAPs in regard to cultural significance, values or features of the sites and/or area. SEM will provide the RAPs with final copies of all heritage reports produced under this HMP.
- After the salvage of Aboriginal objects from any Aboriginal heritage sites at the Project, SEM and the RAPs will discuss the curation of the Aboriginal objects and seek to reach agreement on the permanent curation of those objects at the temporary storage location (Section 6.13). If an agreement between SEM and the RAPs cannot be reached, then SEM will determine the curation following receipt of advice from an appropriately qualified expert in the physical conservation of artefacts and/or advice from Heritage NSW.

Workplace Health and Safety and insurance requirements are subject to periodic review and update by SEM outside the requirement for this HMP to be revised. All contractors, including participating archaeologists and RAPs, will be notified of any relevant changes to fieldwork workplace health and safety and/or insurance requirements and it is the responsibility of attending RAPs to ensure that current insurances are provided prior to commencement of any works.

The above process does not exclude any Aboriginal person or party, regardless of their involvement in fieldwork, from being consulted in relation to the Project and the management of heritage under this HMP.

⁴ Although it is recognised that opportunities may arise for less experienced or trainee representatives to participate.

6.2 SUMMARY OF MANAGEMENT MEASURES FOR ABORIGINAL HERITAGE SITES

The management measures detailed in the following sub-sections have incorporated indicative Aboriginal community attitudes recorded during the consultation process with the RAPs who participated in previous Aboriginal cultural heritage investigations, as well as the requirements of AHIP #C0003049, AHIP #C0003887 and Development Consent DA 374-11-00.

Management measures are directly related to the archaeological significance of each Aboriginal cultural heritage site. Aboriginal cultural heritage sites will be avoided where practicable (Section 6.3). If not able to be avoided, sites will be subject to site recording and collection (Section 6.5).

Of the 23 known Aboriginal heritage sites located within the initial Project construction areas, only 20 are located within the actual construction footprint. The remaining three sites (two Scarred Trees and one Hearth as shown in Table 7) are located adjacent to the initial Project construction areas, however may be subject to potential indirect impacts associated with the Project. The applicable management response for these 23 Aboriginal heritage sites is presented in Table 7.

Table 7
Summary of the Management Response for Aboriginal Heritage Sites at the Project

AHIMS Site Number	Site Name	Type	Proposed Impact	Management Response ¹	Status
35-4-0014	Syerston 2	Artefact Scatter	Direct	Collect Aboriginal object.	Salvaged
35-4-0015	Syerston 1	Isolated Artefact	Direct	Collect Aboriginal objects.	Not Found
35-4-0016	Syerston 3	Isolated Artefact	Direct	Collect Aboriginal object.	Not Found
35-4-0017	Syerston ST1	Scarred Tree	Indirect	Avoid harm. Erect temporary protective barrier as required.	Protected
35-4-0024	Kingsdale Artefact 1	Artefact Scatter	Direct	Collect Aboriginal objects.	Partially Salvaged
35-4-0025	Syerston Stone Quarry 2	Stone Quarry	Direct	Collect Aboriginal objects.	Not Found
35-4-0026	Syerston Stone Quarry 1	Stone Quarry	Direct	Site recording, collect Aboriginal objects.	Salvaged
35-4-0027	Syerston Isolated Artefact 4	Isolated Artefact	Direct	Collect Aboriginal object.	Salvaged
35-4-0028	Syerston Isolated Artefact 1	Isolated Artefact	Direct	Collect Aboriginal object.	Salvaged
35-4-0029	Fifield Scarred Tree 1	Scarred Tree	Indirect	Avoid harm. Erect temporary protective barrier as required.	Protected
35-4-0030	Syerston Isolated Artefact 3	Isolated Artefact	Direct	Collect Aboriginal object.	Not Found
35-4-0031	Kingsdale Isolated Artefact 1	Isolated Artefact	Direct	Collect Aboriginal object.	Salvaged

Table 7 (Continued)
Summary of the Management Response for Aboriginal Heritage Sites at the Project

AHIMS Site Number	Site Name	Type	Proposed Impact	Management Response¹	Status
35-4-0032	Kingsdale Isolated Artefact 2	Isolated Artefact	Direct	Collect Aboriginal object.	Salvaged
35-4-0033	Syerston Isolated Artefact 2	Isolated Artefact	Direct	Collect Aboriginal object.	Salvaged
35-4-0034	Sunrise Isolated Artefact 3	Isolated Artefact	Direct	Collect Aboriginal object. ²	Salvaged
35-4-0035	Sunrise Isolated Artefact 1	Artefact Scatter	Direct	Collect Aboriginal objects. ²	Salvaged
35-4-0036	Sunrise Isolated Artefact 2	Artefact Scatter	Direct	Collect Aboriginal objects. ²	Salvaged
35-4-0037	Sunrise Earth Oven 1	Hearth	Indirect	Avoid harm. Erect protective barrier. ²	Protected
35-5-0170	The Troffs Isolated Artefact 2	Isolated Artefact	Direct	Collect Aboriginal object.	In Situ
35-5-0171	The Troffs Isolated Artefact 1	Isolated Artefact	Direct	Collect Aboriginal object.	In Situ
36-4-0132	Kingsdale Artefact 2	Artefact Scatter	Direct	Collect Aboriginal objects.	Partially Salvaged
43-2-0049	North Condobolin Road ISO1	Isolated Artefact	Direct	Collect Aboriginal object.	In Situ
43-2-0050	North Condobolin Road ISO2	Isolated Artefact	Direct	Collect Aboriginal object.	In Situ

¹ Management response in accordance with requirements of AHIP #C0003049.

² Management response in accordance with requirements of AHIP #C0003887.

Prior to any disturbance of Aboriginal heritage site Syerston 1 (AHIMS 35-4-0015), the Condobolin LALC or the RAPS will be invited to collect the artefacts.

It is noted that changes to the management of the known Aboriginal heritage sites listed in Table 7 may be required as a result of progressive updates to the Project Aboriginal Heritage Sites Database. Any changes to the management proposed for any of the sites described in Table 7 will be undertaken based on advice from a suitably qualified and experienced archaeologist and in consultation with the RAPS.

6.3 AVOIDANCE

Archaeological surveys undertaken for the Project (Landskape, 2017a, 2017b, 2018) identified several Aboriginal cultural heritage sites to be avoided during construction and operation of the Project. Details of the sites to be avoided and measures to be undertaken to prevent direct and indirect impact of the sites are detailed below (Sections 6.3.1 to 6.3.2).

6.3.1 Aboriginal Cultural Heritage Sites to be Avoided

Identified Aboriginal cultural heritage items associated with sites Syerston ST1 (AHIMS ID 35-4-0017), Fifield Scarred Tree 1 (AHIMS ID 35-4-0029) and Sunrise Earth Oven 1 (AHIMS ID 35-4-0037), will be avoided by the initial Project construction works. Temporary protective fencing (Section 6.3.2) will be erected around each site to prevent inadvertent damage during surface disturbance works, in accordance with Condition 7 of AHIP #C0003049 and the Condition 7 of AHIP #C0003887.

6.3.2 Construction of Protective Fencing

SEM will retain appropriate contractors to construct protective fencing around identified sites to be avoided (Section 6.3.1). No disturbance to Aboriginal cultural heritage sites will occur during fence installation.

Fencing of relevant Aboriginal cultural heritage sites will (at a minimum) involve surrounding the sites with a 5 metre (m) wide buffer⁵ demarked by flagging tape attached to plastic bollards (or flagged bunting attached to star pickets). Where the length of the construction activities is expected to be greater than six months, robust temporary fencing (e.g. steel wire) will be used. This fencing will be undertaken when surface disturbance activities are within 50 m of the relevant Aboriginal cultural heritage sites (Section 6.3.1). Temporary protective fencing will be monitored to determine whether any maintenance is required and will be removed when surface disturbance activities in the vicinity have concluded.

Where parts of Aboriginal cultural heritage sites are to be avoided (i.e. with the remainder to be recorded and collected), fencing will be erected around the portions of the individual sites to be protected. Disturbance to Aboriginal cultural heritage sites will be avoided during fence installation.

Those sites proposed to be recorded and collected (Sections 6.4 and 6.5), but for which recording and collection has not yet been completed, will also be temporarily fenced to avoid inadvertent damage prior to salvage.

Any surface disturbance works will require a Ground Disturbance Permit (Section 6.9.2). In addition, the location of Aboriginal heritage sites to be avoided will be communicated to employees and contractors during the site-specific induction (Section 8.1).

⁵ Or other suitable buffer as determined by a qualified archaeologist on an individual site basis.

6.4 SITE RECORDING OF SYERSTON STONE QUARRY 1 (AHIMS ID 34-5-0026)

AHIP #C0003049 outlines the following management requirements specific to Aboriginal cultural heritage site Syerston Stone Quarry 1 (AHIMS ID 35-4-0026):

13. *The AHIP Holder must carry out a detailed survey of site 35-4-0026 that includes:*
 - a. *Mapping out the boundary of site 35-4-0026*
 - b. *Noting any archaeological features within the site boundary*
 - c. *Undertaking analysis of site contents*
 - d. *Collection of objects within 35-4-0026 prior to actions to harm Aboriginal objects described in Schedule C.*

These management works were conducted by Dr Matt Cupper of Landskape in consultation with the RAPs in February 2021.

6.5 RECORDING AND SURFACE COLLECTION

6.5.1 Procedures for Site Recording

Where not already undertaken, sites scheduled for collection will be subject to recording according to archaeological best practice, as outlined in the Heritage NSW policy *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW, 2010b) and the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH, 2011). Recording will be undertaken:

- by an appropriately qualified archaeologist experienced in detailed recording of the relevant site type; and
- in consultation with attending RAPs.

Upon conclusion of the detailed recording:

- All data collected will be submitted to Heritage NSW for inclusion in the relevant AHIMS site record.
- A reassessment of the site's significance will be undertaken if warranted (based on recommendations from a suitably qualified archaeologist).
- The Project Aboriginal Heritage Sites Database and Table 7 will be updated as required.

6.5.2 Protocols for Surface Collection

In accordance with Conditions 9 and 10 of AHIP #C0003049 and Conditions 8 and 9 of AHIP #C0003887, the RAPs will be provided an opportunity to collect Aboriginal sites/objects where practicable and safe to do so across the AHIP area(s), prior to any impacts occurring to those specific sites/objects.

The potential significance of a site guides the collection methodology described below. The objective of the collection component of the salvage program is to record and recover a representative sample of visible artefacts within open artefact sites described in Table 7⁶.

⁶ In relation to any newly identified Aboriginal heritage evidence (i.e. not listed in Table 7) refer to the protocols described in Section 6.10 of this HMP.

Surface collection will be undertaken by a combined team of suitably qualified archaeologist(s) and representatives of the RAPs, and will involve systematic collection procedures selected by the suitably qualified archaeologist(s) with respect to the nature and extent of the evidence and collection area, including:

1. delineation of the collection area and the flagging of all visible artefacts within each site;
2. the recording of artefact locations using a GPS (and other techniques where appropriate such as using measurements offset from baselines, or within a grid such as 5 x 5 m squares);
3. photography of the site; and
4. collection and bagging of identified artefacts (with assigned Unique Reference Number [URN] for each artefact within each site recorded and labelled on the bag containing the item).

Written notification of sites cleared for ground disturbance works will be provided by the attending archaeologist to SEM on a progressive basis as sites are salvaged. All surface collected artefacts will be assigned a URN for accessioning and data analysis purposes. Analysis of artefacts will be conducted off site on a progressive basis (Section 6.6).

The above process may be augmented as needed in the field by the suitably qualified archaeologist (e.g. depending on the nature/extent of the site or the on-ground conditions).

Should a previously recorded site not be able to be relocated after a reasonable search (to be determined by the suitably qualified archaeologist in consultation with the attending RAPs) then the site will be considered as having been salvaged for the purposes of this HMP (i.e. no further work required). The Project Aboriginal Heritage Site Database and Table 7 will be updated to note that the site was not recovered and a Site Impact Recording Form will be submitted to Heritage NSW.

6.6 ARTEFACT ANALYSIS

Consistent with the requirements of Conditions 11 and 13c of AHIP #C0003049 and Condition 10 of AHIP #C0003887, Aboriginal objects recovered during salvage activities may be subject to further analysis and may be taken off site if required (based on advice from a suitably qualified archaeologist and attending RAPs).

Artefact analysis may include (based on advice from a suitably qualified archaeologist) radiocarbon dating (for features where dating is considered suitable) and/or residue and use-wear analysis. Prior to any artefact analysis being undertaken, the suitably qualified archaeologist will develop a research design program including appropriate research questions and the proposed analysis methodology.

Consistent with the OEH policy *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW, 2010b), analysis of collected and salvaged artefacts will seek to further the knowledge of past human behaviours in the Project area.

6.7 MONITORING OF ABORIGINAL CULTURAL HERITAGE SITES

In accordance with Condition 14 of AHIP #C0003049, monitoring of topsoil stripping (for archaeological material) will be undertaken by a suitably qualified archaeologist and representatives of the RAPs during construction activities associated with the Project in areas likely to contain subsurface Aboriginal heritage objects.

Representatives of the RAPs will be engaged to monitor relevant topsoil-stripping activities in the vicinity of previously identified Aboriginal cultural heritage sites (i.e. within 50 m of a known Aboriginal heritage sites). SEM personnel and/or contractors with cultural heritage training (Section 8) will supervise and/or undertake all other vegetation clearing, soil stripping activities and other construction earthworks to 1 m depth in areas that have already been subject to salvage (Section 6.5).

In the event that a previously unrecorded Aboriginal heritage site is identified during monitoring of topsoil stripping, management actions will be implemented in accordance with Section 6.10.

6.8 ARCHAEOLOGICAL SALVAGE PROGRAM REPORTING

SEM will provide written notice to Heritage NSW seven days prior to the commencement as well as within seven days of the completion of any actions authorised by AHIPs #C0003049 or #C0003887, in accordance with Conditions 22 and 23 of AHIP #C0003049 and the Conditions 17 and 18 of AHIP #C0003887.

In accordance with the requirements of AHIP #C0003049 (i.e. Condition 30) and AHIP #C0003887 (i.e. Condition 25), an Aboriginal Site Impact Recording Form will be completed and submitted to Heritage NSW (via the AHIMS registrar) for each site salvaged and/or subject to development impacts (as per Schedules B and C of AHIPs #C0003049 and #C0003887) within four months of the completion of the actions authorised by the AHIP.

In accordance with the requirements of AHIP #C0003049 (i.e. Conditions 31 and 32) and AHIP #C0003887 (i.e. Conditions 26 and 27), a detailed report of the results of the archaeological salvage program undertaken (including the results of any post-salvage artefact analyses [should they occur]) will be prepared and submitted to the Heritage NSW within four months of the completion of the actions authorised by the AHIP.

A copy of the salvage report (described above), including a summary report in plain English, will be sent via registered post to each RAP within 14 days of the report being submitted to Heritage NSW, consistent with the requirements of AHIP #C0003049 (i.e. Condition 33) and AHIP #C0003887 (i.e. Condition 28).

A summary of the results of the archaeological salvage program undertaken (including the results of any post-salvage artefact analyses [should they occur]) is to be completed and included in the Annual Review for the Project (Section 11.1). A copy of the Annual Review (or relevant sections of the Annual Review) will be provided to any RAPs when requested.

6.9 MANAGEMENT OF SITES OUTSIDE MAJOR SURFACE DEVELOPMENT AREAS

For the purpose of this HMP, the surface components are herein referred to as the major surface development areas. This excludes any ancillary infrastructure, which is considered in further detail in Section 6.9.1.

Ancillary infrastructure at the Project is approved under Development Consent DA 374-11-00. Any ancillary infrastructure to be developed outside of this approval will be subject to separate development applications.

6.9.1 Ancillary Infrastructure

Although the nature and general location of the components of the Project is known, the specific design and placement of ancillary facilities is determined progressively over the life of Project and may be subject to change.

In addition to the major surface development areas at the Project (e.g. open cut pits, overburden emplacements, processing facility, major water management structures, and rail siding) ancillary infrastructure may also be required, outside the areas shown on Figure 2. Ancillary infrastructure may include (but is not limited to), for example:

- firebreaks;
- water diversion and management structures;
- minor contour banks;
- temporary stockpiles and lay down areas;
- access tracks and roads;
- tracks along pipelines;
- environmental management and monitoring equipment;
- powerlines;
- fences; and
- sediment and erosion control structures.

Consistent with Condition 37, Schedule 3 of Development Consent DA 374-11-00, SEM will endeavour to avoid all Aboriginal heritage sites when planning and designing the ancillary infrastructure, however there may be circumstances where impacts cannot be avoided. In this event such evidence will be managed in a manner consistent with the management requirements described in this HMP.

In accordance with Condition 29, Schedule 3 of Development Consent DA 374-11-00, erosion and sediment controls will be designed, installed and maintained generally in accordance with the series *Managing Urban Stormwater: Soils and Construction including Volume 1* (Landcom, 2004), *Volume 2A – Installation of Services* (DECC, 2008a) and *Volume 2C – Unsealed Roads* (DECC, 2008b). Erosion and sediment control works will also be undertaken in consideration of Aboriginal cultural heritage management measures.

Proposed ancillary surface infrastructure areas will be subject to the Project Ground Disturbance Permit Process (Section 6.9.2).

6.9.2 Ground Disturbance Permit Process

The Project Ground Disturbance Permit process is an internal process that applies to all surface disturbance works at the Project.

The Ground Disturbance Permit process is as follows:

- Prior to any direct ground disturbance activities commencing in a proposed work area, relevant site personnel (or the relevant Project Manager) will prepare a Ground Disturbance Permit for approval by the SEM Environmental Superintendent.
- Approval of the Ground Disturbance Permit must be obtained prior to the commencement of direct ground disturbance activities.

- SEM will identify whether the proposed impact area is located within the extent of the approved AHIP boundaries. The proposed impact area will be delineated in accordance with the Biodiversity Management Plan and Revegetation Strategy, prior to commencing disturbance works.
- If the proposed impact area is located within the extent of the approved AHIP boundaries, the following protocols will apply:
 - SEM will determine whether any known heritage sites, as identified by a suitably qualified archaeologist, may be subject to impacts (by checking the SEM Sunrise Project Aboriginal Heritage Sites Database, and where the subject land is not owned or directly controlled by SEM, by undertaking an updated search of the AHIMS register).
 - In locations where an archaeological survey has been undertaken and has identified no Aboriginal heritage evidence, the proposed works can progress with no additional action required.
 - In locations where impacts are proposed and a known Aboriginal heritage site requiring salvage or archaeological excavation (or any other management required by this HMP) (refer to Table 7) will be impacted, SEM will engage a suitably qualified archaeologist to undertake the required management in accordance with AHIP #C0003049, AHIP #C0003887 and this HMP prior to surface disturbance occurring.
 - In locations where impacts are proposed and a newly identified Aboriginal heritage site cannot be avoided, these sites will be managed in a manner consistent with the management required by AHIP #C0003049, AHIP #C0003887 and Section 6.10 of this HMP.
- No direct surface disturbance works can occur outside of the extent of the approved AHIP(s) without being subject to a due diligence assessment in accordance with the NSW Minerals Industry *Due Diligence Code of Practice for the Protection of Aboriginal Objects* (NSW Minerals Council, 2010) and/or the OEH *Due Diligence Code of Practice of the Protection of Aboriginal Objects in New South Wales* (DECCW, 2010b), or subject to approval under the EP&A Act and subsequent AHIP. Should such disturbance be required, SEM would seek a new AHIP and/or a variation to the existing AHIP(s) as needed.
- Notwithstanding, SEM will undertake general land management activities (e.g. grass seed harvesting, slashing access tracks/fire breaks) on land within the Project area that may be outside the extent of the approved AHIP(s). These works will avoid known Aboriginal heritage sites. In the event that a new Aboriginal heritage site is identified during these works, the protocol described in Section 6.10 would be implemented.

6.10 PROTOCOL FOR THE MANAGEMENT OF PREVIOUSLY UNRECORDED ABORIGINAL HERITAGE SITES

As described in Schedule C2 of AHIPs #C0003049 and #C0003887, approval has been granted for harm to all Aboriginal objects in or under the land to which the AHIP applies (apart from human remains). In the event that a previously unrecorded Aboriginal heritage site (new location of heritage evidence) is identified⁷, management actions will be implemented (including surface collection and/or archaeological excavation [if required]) consistent with the requirements of AHIP #C0003049, AHIP #C0003887 and this HMP. Information about any such Aboriginal cultural heritage sites will be submitted to the Heritage NSW for inclusion in the AHIMS Site Register.

⁷ Excludes new evidence identified in a location where evidence has previously been recorded (for example, new stone artefacts identified during the surface collection or excavation of a known site) and excludes human skeletal remains (refer to Section 6.11).

In the first instance:

- Work will stop immediately in the vicinity of the Aboriginal heritage evidence, and the new site will be reported to the SEM Environmental, Approvals & Community Lead as soon as practicable.
- SEM will identify an appropriate course of action with respect to the identified Aboriginal heritage site, in consultation with relevant specialists (e.g. the suitably qualified archaeologist) and attending RAPs as necessary. SEM will ensure that the extent of the identified and/or potential heritage evidence is immediately identified by a suitably qualified archaeologist in consultation with representatives of the attending RAPs and protected from any further inadvertent impact until the procedures below are implemented. A suitably qualified archaeologist will assess the archaeological significance of the Aboriginal heritage site, and the attending RAPs will be requested to provide comment on the cultural significance of the Aboriginal heritage site.

Where impacts are proposed to an open artefact site/potential archaeological deposit, and avoidance of impacts is not feasible:

- Where the site is assessed by a suitably qualified archaeologist as being of low archaeological significance and impacts cannot be avoided, following detailed recording of the heritage evidence, impacts will be permitted to occur without further action.
- Where the site is assessed by a suitably qualified archaeologist as being of moderate archaeological significance, where impacts are substantial, the evidence within the impact area will be subject to surface collection before impacts are permitted to occur.
- Where the site is assessed by a suitably qualified archaeologist as being of moderate to high, or high archaeological significance, and impacts cannot be avoided, following detailed recording of the evidence, SEM will determine in consultation with a suitably qualified archaeologist the extent of proposed impacts:
 - Where the impacts are considered to be substantial, the evidence within the impact area will be subject to surface collection and any other management and/or mitigation measures, such as hand excavation, as determined in consultation with the attending RAPs before impacts are permitted to occur (and/or as required by the relevant AHIP[s]).
 - Where the impacts are considered to be minimal, impacts will be permitted to occur after the evidence within the impact area has been subject to surface collection (and/or as required by the relevant AHIP[s]).

In the event of a newly identified site type other than open artefact sites (e.g. grinding grooves, scarred tree), a suitably qualified archaeologist will propose management actions (suitable to the nature and scientific significance of the site and level of potential impacts) for discussion with attending RAPs. Following these discussions, management actions will be implemented and documented accordingly. Correspondence will be provided to all RAPs (including those not attending in the field) to advise of the new site type and to document the undertaken and/or proposed management measures.

An Aboriginal Site Recording Form (and an Aboriginal Site Impact Recording Form, where required under Condition 30 of AHIP #C0003049 or Condition 25 of AHIP #C0003887) will be completed and submitted to the Heritage NSW in relation to any newly identified Aboriginal heritage sites. The SEM Sunrise Project Aboriginal Heritage Sites Database and the HMP will be updated as soon as practicable (noting that this update is not required to occur prior to the implementation of the agreed/relevant management measure). Any newly recorded sites will also be reported in the Annual Review.

In the event that SEM wishes to deviate from the above-described protocol and the deviations result in a reduced level of management being applied to the site(s), SEM will seek DPE review and approval prior to implementation of any such measures.

6.11 PROTOCOL FOR THE DISCOVERY OF HUMAN REMAINS

Condition 6 of AHIPs #C0003049 and #C0003887 require that all human remains in, on or under the land (to which the AHIP applies) must not be harmed.

In the event that human remains (skeletal material) are discovered, the following procedure is to be followed (Condition 26 AHIP #C0003049 and Condition 21 of AHIP #C0003887):

1. When suspected human remains are exposed, all work is to cease immediately in the near vicinity of the find location. Remains must not be handled or otherwise disturbed except to prevent disturbance, and the area is to be secured so as to avoid any potential harm to the remains.
2. The SEM Environmental, Approvals & Community Lead is to be notified immediately.
3. The SEM Environmental, Approvals & Community Lead is to notify the Police immediately.
4. The SEM Environmental, Approvals & Community Lead is to contact Heritage NSW's Environment line on 131 555 and the DPE to notify that possible skeletal remains have been discovered and that the Police have been notified. SEM will facilitate, in cooperation with the Police, DPE and Heritage NSW, the identification of the skeletal remains by an appropriately qualified person.
5. An area (to be determined following advice from the OEH and the Police) is to be cordoned off by temporary fencing around the exposed suspected human remains - work can continue outside of this area as long as there is no risk of interference to the human remains or the assessment of human remains.
6. Should the remains be determined as Aboriginal and the Police require no further involvement, SEM will manage the remains in consultation with the RAPs and Heritage NSW, with advice from a suitably qualified heritage expert.
7. Work will not recommence at the location until all legal requirements and the reasonable requirements of Heritage NSW and the RAPs (where relevant) have been adequately addressed. As required by Condition 26(e) of AHIP #C0003049 and Condition 21(e) of AHIP #C0003887, works cannot recommence at the location unless authorised in writing by Heritage NSW.

In the unlikely event that an Aboriginal burial is encountered, strategies for its management will need to be developed with the involvement of the local Aboriginal community.

6.12 PROTOCOL FOR UNAUTHORISED DAMAGE TO AN ABORIGINAL HERITAGE SITE

In the event that a known Aboriginal heritage site located outside an approved disturbance area (i.e. located outside the extent of the relevant AHIP[s] or located within an AHIP area but for which specified salvage procedures have not yet been implemented) or any Aboriginal heritage evidence (including previously unknown objects) without approval for harm (i.e. not covered by and managed in accordance with an AHIP), is unintentionally damaged, the following procedure will apply consistent with Section 10 of this HMP:

- Work will stop immediately in the vicinity of the Aboriginal heritage site, and the incident will be reported to the SEM Environmental, Approvals & Community Lead as soon as practicable once becoming aware of the incident.

In the event that the incident has caused, or threatens to cause, impacts to Aboriginal heritage not approved under an AHIP, the SEM, Environmental, Approvals & Community Lead will report the incident to the DPE and Heritage NSW as soon as practicable, in accordance with the requirements of AHIPs #C0003049 and #C0003887.

6.13 TEMPORARY STORAGE OF ABORIGINAL OBJECTS

In accordance with the requirements of AHIP #C0003049 (i.e. Condition 17) and AHIP #C0003887 (i.e. Condition 14), any salvaged Aboriginal objects (removed from the Project area by actions authorised by the AHIP conditions) will be moved as soon as practicable to a temporary storage location.

The temporary storage location is a secure, locked facility at the Project Site Office (Sunrise Lane, Fifield). Access to the temporary storage location is managed/controlled by the SEM Environmental, Approvals & Community Lead. The temporary storage location will be accessible to all members of the Aboriginal community (Section 6.14).

Any Aboriginal heritage objects stored at the temporary storage location must not be harmed unless in accordance with the conditions of AHIP #C0003049 (i.e. Condition 19) or AHIP #C0003887 (i.e. Condition 15). Aboriginal objects that are stone artefacts that are collected from the Project area will be managed in accordance with Requirement 26 'Stone Artefact Deposition and Storage' outlined in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW, 2010b) (refer to Condition 20 of AHIP #C0003049).

The temporary storage location will continue to be used to store recovered Aboriginal objects until a long-term arrangement is agreed upon in consultation with the RAPs. This may include (but is not limited to) the permanent transferral of Aboriginal objects to a RAP, transferral to another party for storage and/or display (such as a local museum, historical society or educational institution) and/or the relocation of the objects on to rehabilitated land. Application to Heritage NSW for a Care Agreement may be required.

6.14 ABORIGINAL COMMUNITY ACCESS

Throughout the life of the Project, RAPs may wish to access sites and/or areas at the Project for cultural purposes (e.g. education, ceremony). SEM is committed to facilitating reasonable access consistent with personnel Workplace Health and Safety requirements.

If requested by members of the Aboriginal community, SEM will facilitate access to artefactual material salvaged from the Project area and stored within the temporary storage location.

RAPs wishing to access the Project area should contact the SEM Environmental, Approvals & Community Lead in writing at PO Box 68, Flinders Lane, VICTORIA 8009. If a written request is unable to be made, RAPs should contact SEM via telephone on 1800 952 277.

The request for access should include, at a minimum, the following details:

Purpose of the visit(s).

- The area or Aboriginal heritage sites to be visited.
- The names of all persons proposed to take part in the visit(s).
- The intention (or not) to record the visit using audiovisual equipment (including video footage, photographs or audio recordings) (noting that specific permission for this remains at the discretion of SEM).

A minimum of five business days written notice is required and access will be permitted by SEM once an agreement has been reached between the RAP representatives and SEM regarding the conditions of access.

Access, in all instances, will be subject to relevant operational and safety considerations and cannot be guaranteed. There will be no unauthorised access to the Project. Access to some sites and areas may be restricted during periods of construction or mining due to safety concerns.

6.15 MANAGEMENT OF ABORIGINAL HERITAGE SITES DATABASE

As described in Section 4, a comprehensive SEM Sunrise Project Aboriginal Heritage Sites Database is maintained by SEM. This database includes the following information for Aboriginal heritage sites located at the mine site:

- The URN and AHIMS register number where applicable.
- Site type (e.g. isolated find/s, artefact scatter, scarred tree etc).
- Brief site description (e.g. number/density and attributes).
- Statement of scientific significance.
- Site extent (e.g. 10 m diameter).
- Date recorded and technical advisor recording.
- Grid reference coordinates (GDA94 Zone 55).
- Relevant management measure(s).

The information within this database will be made available to all relevant SEM staff and contractors when developing maps/drawings/figures to ensure that any proposed disturbance works consider the location of known Aboriginal heritage sites.

Updates to the SEM Sunrise Project Aboriginal Heritage Sites Database will be completed within a month of undertaking any Aboriginal heritage management activities, including when new Aboriginal sites are identified within the Project area, when Aboriginal heritage sites within the Project area are subject to salvage or further heritage investigation, when Aboriginal heritage sites within the Project area are subject to development impacts, and when previously recorded locations within the Project area are subsequently determined through further investigation not to be an Aboriginal heritage site.

It is noted that changes to the management status of the known Aboriginal heritage sites listed in Table 7 will be required as a result of the progressive conduct of heritage salvage activities and other actions on-site and consequent progressive updates to the SEM Sunrise Project Aboriginal Heritage Sites Database. Also, in some circumstances (for example, an increase to the spatial extent of a site may result in a change in the level or type of impact or revised level of significance), updates may be required in Table 7 to the proposed management measure for a site. Any changes to the proposed management measure for any of the Aboriginal heritage sites listed in Table 7 will be undertaken based on advice from a suitably qualified and experienced archaeologist and in consultation with the attending RAPs. Certain changes to the proposed management of known Aboriginal heritage sites that result in a revision to this HMP (i.e. where there is a reduction in the level of management required for a given site due to change in significance) will also require DPE review and approval (Section 2).

7 MANAGEMENT OF HISTORIC HERITAGE

7.1 SUMMARY OF MANAGEMENT MEASURES FOR HISTORIC HERITAGE

Table 8 reproduces the management actions required by the approved Project EIS. These management actions have been identified through a range of previous studies including the *Syerston Nickel Cobalt Project European Heritage Survey and Assessment* (Heritage Management Consultants, 2000) that (a) identified heritage sites at the Project, (b) identified the nature of any adverse heritage impacts, and (c) recommended certain actions in mitigation of the identified adverse heritage impacts.

Table 8
Site Specific Historic Heritage Management Actions

Site Number	Site Name	Significance	Management Action	HMP Section Reference
1	Magnesite mining area	Local (Criterion A)	No further action required.	-
2	Pastoral outstation	Local (Criterion A, G)	No further action required. Avoid disturbance. If disturbance unavoidable, record for archival purposes.	Sections 7.2 and 7.3
3	Pine trunk telephone poles	Local (Criterion F, G)	Avoid disturbance.	Section 7.2
4	Log hut/shed	Local (Criterion A, F)	Avoid disturbance. Gas pipeline to be placed no closer than 15 m from the site. Immediate surrounds will be fenced (i.e. 5 m from site centre).	Section 7.2

In addition, Condition 39, Schedule 3 of Development Consent DA 374-11-00 requires that the pastoral outstation (Site 2) be retained if practical and feasible.

Consistent with the recommendations of Heritage Management Consultants (2000), no historic heritage archaeological investigations and/or salvage measures are required for this Project.

7.2 AVOIDANCE AND IN SITU CONSERVATION

The approved Project EIS recommends the avoidance of impacts and *in-situ* conservation of the following sites that will not be directly impacted by the Project (Table 8):

- Site 2 – Pastoral outstation.
- Site 3 – Pine trunk telephone poles.
- Site 4 – Log hut/shed.

SEM will erect temporary protective fencing around the sites as required prior to any surface disturbance activities occurring in their vicinity to avoid any inadvertent disturbance. This temporary fencing will be removed as soon as practicable after it is no longer required, on the principle that this is likely to draw unwanted attention to the sites and actually increases the risk of vandalism.

A program of monitoring of the condition of the sites is appropriate. 'Monitoring' will involve a site visit coordinated by SEM at appropriate intervals, to be determined on a case-by-case basis (on a minimum annual basis). A succinct record, including photographs, will be made of each site at the time of each site visit so that a record can be kept of changes that may be occurring. SEM will respond appropriately to the needs of these sites, informed by the results of this monitoring program, and based on the management principles below.

Where a site is owned by the Project, its *in situ* conservation objectives generally include that it be:

- kept reasonably secure against vandalism and storm damage; and
- protected from accidental damage arising out of Project activities (e.g. the movement of heavy machinery, new construction, etc.). This may include measures such as fencing and the maintenance of the Historic Heritage Sites Database.

SEM's responsibilities in relation to the *in situ* conservation of sites are limited to sites in its direct care and control (e.g. through ownership or lease of the land).

Where a site is not in the care or control of the Project, *in situ* conservation requires that SEM do nothing to impede those who have care and control of the site from putting reasonable conservation measures in place.

Where one or more of the above sites passes into the direct care and control of SEM at a future date, it will be appropriate for previous heritage assessments to be updated based on (for example) the altered condition or other circumstances of the heritage place that has occurred since recording. If this were to occur, recommendations for appropriate heritage management actions will form part of the revised heritage assessment, and will be incorporated into a revised HMP.

In any event, the *in situ* conservation responsibilities of SEM cease upon the cessation of the Project activities covered by the Development Consent DA 374-11-00, or at a time when *in situ* conservation is no longer feasible having regard to the physical condition of the site and health and safety requirements.

All relevant SEM databases must be updated to include a reference to these sites, including their location, heritage status, and the requirement that they experience no damage or disturbance as a result of Project activities. They will be included in the heritage inductions described in Section 8.

7.3 ARCHIVAL RECORDING

The Project EIS recommends 'archival recording' of Site 2 (pastoral outstation) (Table 8) in the event that disturbance impacts cannot be avoided and *in situ* conservation cannot be maintained.

The former NSW Heritage Office has prepared detailed guideline documents entitled:

- *How to Prepare Archival Records of Heritage Items* (NSW Heritage Office, 1998); and
- *Photographic Recording of Heritage Items Using Film or Digital Capture* (NSW Heritage Office, 2006).

The archival recording required by the Project Approvals must observe the procedures contained within these documents (or contemporary equivalent).

For the purposes of archival recording of the site it will be appropriate to use colour digital photography, supplemented with hard copy prints on archival paper.

The guideline documents also recommend the preparation of measured drawings (e.g. plans and elevations) for some kinds of heritage places. These will not be required for the sites. A photographic archival record of the sites will be sufficient.

The following principles will guide the archival recording of the site described above:

- The site is assessed as being of local heritage significance. This is an important level of heritage significance but such sites do not require the same level of archival recording as places of State heritage significance.
- The heritage place identified ‘tells the story’ of the settlement and development of the local area, and the activities that historically took place there. The objective of archival recording is to document the sites so that this story can be told for future generations. This will help to define the scope of the archival recording work.
- Archival records will be publicly accessible so that this story is most effectively communicated to both the general public and to specialists, including historians and researchers. This can be achieved by providing a copy of the record to the local historical society (or equivalent).
- The archival record of the above sites will involve an appropriate mix of general images (to spatially contextualise the heritage item) and ‘detail’ images that capture finer details of the structure’s construction (e.g. paint colours, surface coverings, joinery, etc.) and ongoing alterations and additions.
- In order to contextualise the heritage items, it may be necessary to record appropriate spatial data using a GPS unit, and in some cases, formal survey.

Archival recording will occur as soon as practical once identified as being required and prior to any activity taking place at the Project that may cause further damage or disturbance to the respective heritage site (i.e. recording of the above listed site will occur prior to surface disturbance activities at the relevant site).

7.4 PROTOCOL FOR THE MANAGEMENT OF PREVIOUSLY UNRECORDED HISTORIC HERITAGE SITES

Should previously unidentified State-significant historic relics or intact archaeological deposits be encountered during construction or operational activities the management of such sites will proceed in accordance with protocol outlined below. Information about any such State-significant historic relics or intact archaeological deposits will be submitted to NSW Heritage Council for inclusion in the State Heritage Register.

In the event of the discovery of a new potential State-significant historic relic or intact archaeological deposit, the following procedure will be followed:

1. Work will cease in the area of discovery.
2. If the area of discovery is in deposited material, then work will also cease in the area where the material originated.
3. The person discovering the artefact will notify their supervisor who will confirm that work has ceased and the area(s) is (are) cordoned off with tape.
4. The supervisor will notify the SEM Environmental, Approvals & Community Lead or authorised delegate.

5. The SEM Environmental, Approvals & Community Lead, or their authorised delegate, will:
 - a. Engage a qualified archaeologist to attend the site and advise on its nature, extent and archaeological significance.
 - b. If the find is determined to be a State-significant historic relic or intact archaeological deposit, notify the Heritage Council of NSW with the advice from the archaeologist for determination of further procedures.

Any newly identified historic heritage sites of local significance will be avoided where possible. If disturbance cannot be avoided, the site should be subject to detailed archival recording (Section 7.3) and will be suitably managed in consultation with a qualified archaeologist.

7.5 MANAGEMENT OF HISTORIC HERITAGE SITES DATABASE

SEM will maintain a comprehensive Historic Heritage Sites Database, which contains the name, site description, significance, MGA coordinates and status of historic heritage sites located at the Project and immediate surrounds.

The information within this database will be saved in both tabular and GIS formats and will be made available to all relevant SEM staff and contractors when developing maps/drawings/figures to ensure that any disturbance works consider the location of known historic heritage sites.

Updates to the Historic Heritage Sites Database will be undertaken as required, and the Heritage Council of NSW will be notified of any changes to the database.

8 HERITAGE INDUCTIONS AND TRAINING

8.1 SUNRISE PROJECT SITE INDUCTION

All Project site specific employee and contractor inductions (including those inductions for construction personnel) will include a heritage component. This will outline current protocols and responsibilities with respect to the management of historic heritage and Aboriginal cultural heritage for the Project (including the location of Aboriginal heritage sites to be avoided). It will also provide an overview of the site types present, relevant legal obligations in relation to historic and Aboriginal heritage, responsibility and duty of care of persons in relation to historic and Aboriginal heritage, and procedures for reporting the identification of Aboriginal heritage sites and items of historic heritage.

The induction process also includes a description of the SEM Ground Disturbance Permit process and relevant protocols prior to any surface disturbance activities.

SEM will maintain an accurate record of all employee and contractor inductions in accordance with Condition 40(c), Schedule 3 of Development Consent DA 374-11-00.

8.2 ABORIGINAL CULTURAL HERITAGE AWARENESS TRAINING PROGRAM

In addition, an Aboriginal cultural heritage awareness training program will be prepared by SEM in consultation with the RAPs prior to the commencement of construction.

The Aboriginal cultural heritage awareness training will be mandatory for all employee and contractor roles that may reasonably bring them into contact with Aboriginal heritage sites and/or involve consultation with local Aboriginal community members. Training will also be offered on a voluntary basis to all other employees and contractors.

9 PERFORMANCE MEASURES

Condition 4(b), Schedule 5 of Development Consent DA 374-11-00 requires all management plans to include relevant limits or performance measures/criteria and the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the Project or any management measures.

There are no specific performance measures relating to heritage identified in either the Development Consent DA 374-11-00 or the approved AHIPs #C0003049 and #C0003887.

Notwithstanding, Condition 37, Schedule 3 of Development Consent DA 374-11-00 states the following:

- 37. Unless otherwise authorised under the NP&W Act, the Applicant must ensure that the development does not cause any direct or indirect impact on any Aboriginal heritage items located outside the approved disturbance area of the development.*

Similarly, Condition 27 of AHIP #C0003049 and Condition 22 of AHIP #C0003887 state that “any contravention of s.86 of the Act not authorised by an AHIP, and/or any contravention of the conditions of this AHIP” constitutes a breach of the NP&W Act and AHIPs #C0003049 and #C0003887.

SEM will comply with the above approval requirements and will avoid impacts to known Aboriginal cultural heritage located outside the approved disturbance area at the Project.

10 CONTINGENCY PLAN

In the event a heritage management performance measure for the Project (detailed in Section 9) may not have been met or a performance indicator is considered to have been exceeded, SEM will implement the following Contingency Plan:

The likely exceedance will be reported to the SEM Environmental, Approvals & Community Lead within 24 hours of becoming aware of the exceedance or incident.

- The SEM Environmental, Approvals & Community Lead will report the likely exceedance to the SEM Regional Manager as soon as practicable after becoming aware of the likely exceedance for internal review.
- In the event that the incident has caused, or threatens to cause, material harm to the environment, or impacts to Aboriginal cultural or historic heritage not approved under an AHIP, the SEM Environmental, Approvals & Community Lead will report the exceedance of the performance or incident to DPE and Heritage NSW immediately. All other incidents will be reported to DPE and Heritage NSW at the earliest opportunity after SEM becomes aware of the incident.
- SEM will apply adaptive management (Section 10.1).
- SEM will identify an appropriate course of action with respect to the identified impact(s) or incident, in consultation with relevant specialists (e.g. suitably qualified archaeologist), RAPs and relevant agencies, as necessary. For example, identification of proposed contingency measure(s) and a program to review the effectiveness of the contingency measures. Contingency measures will be developed in consideration of the specific circumstances of the exceedance or incident and the assessment of environmental consequences. SEM will, on request, submit a report describing the proposed course of action to the DPE for approval.
- SEM will implement the approved course of action to the satisfaction of DPE.
- SEM will provide a detailed report on the exceedance of the performance measures to DPE within seven days of the date of becoming aware of the exceedance.
- SEM will report the exceedance of the performance measure and the success of the approved course of action as a component of the Annual Review (Section 11.1).

10.1 ADAPTIVE MANAGEMENT

In accordance with Condition 3, Schedule 5 of Development Consent DA 374-11-00, SEM will assess and manage risks to comply with the criteria and/or performance measures outlined in Schedule 3 of Development Consent DA 374-11-00. Section 6.9.2 provides a summary of how development-related risks will be assessed and managed to ensure that there are no exceedances of the criteria/performance measures.

Where any exceedance of these criteria and/or performance measures occurs, as soon as practicable SEM will:

- take all reasonable and feasible measures to ensure that the exceedance ceases and does not recur;
- consider all reasonable and feasible options for remediation and submit a report to the DPE describing these options and preferred remediation measures; and
- implement remediation measures as directed by the Planning Secretary.

11 REVIEW AND IMPROVEMENT OF ENVIRONMENTAL PERFORMANCE

11.1 ANNUAL REVIEW

In accordance with Condition 5, Schedule 5 of Development Consent DA 374-11-00, SEM will review the environmental performance of the Project by the end of March each year (for the previous calendar year) to the satisfaction of the Planning Secretary.

In relation to heritage management, the Annual Review will (where relevant):

- describe the development (including any rehabilitation) that was carried out in the relevant calendar year, and the development that is proposed to be carried out during the following calendar year;
- include a comprehensive review of the monitoring results and complaints records of the development over the past year, which includes a comparison of these results against the:
 - relevant statutory requirements, limits or performance measures/criteria;
 - monitoring results of previous years; and
 - relevant predictions in the EIS.
- identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;
- identify any trends in the monitoring data over the life of the development;
- identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
- describe what measures will be implemented over the next year to improve the environmental performance of the development.

Based on consideration of the above points, the Annual Review will determine the effectiveness of relevant management measures implemented at the Project.

The Annual Review will be made publicly available on the SEM website.

11.2 INDEPENDENT ENVIRONMENTAL AUDIT

In accordance with Condition 10, Schedule 5 of Development Consent DA 374-11-00, an independent environmental audit of the Project will be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary. The audit will be prepared in accordance with the relevant *Independent Audit Post Approval Requirements* (DPE, 2020) (or its latest version) and include consultation with the relevant agencies (Heritage NSW).

The independent environmental audit will assess the environmental performance of the Project and assess whether the Project is complying with the requirements of Development Consent DA 374-11-00. In addition, the independent environmental audit will assess the adequacy of this HMP and, if necessary, appropriate measures or actions to improve the environmental performance of the Project or this HMP will be recommended.

An independent environmental audit will be conducted within one year of the commencement of the development under this consent, after 6 May 2017, and every 3 years thereafter, unless the Planning Secretary directs otherwise.

In accordance with Condition 11, Schedule 5 of Development Consent DA 374-11-00, within 3 months of commissioning the independent environmental audit, or as otherwise agreed by the Planning Secretary, SEM will submit a copy of the independent environmental audit report to the Planning Secretary, together with its response to any recommendations contained in the independent environmental audit report.

The independent environmental audit, and SEM's response to the recommendations in the audit, will be made publicly available on the SEM website, in accordance with Condition 12, Schedule 5 of Development Consent DA 374-11-00.

12 REPORTING PROTOCOLS

In accordance with Condition 4(g), Schedule 5 of Development Consent DA 374-11-00, SEM has developed protocols for managing and reporting the following:

- incidents;
- complaints;
- non-compliances with statutory requirements; and
- exceedances of the impact assessment criteria and/or performance criteria.

These protocols are described in detail in SEM's Environmental Management Strategy.

In accordance with Condition 9, Schedule 5 of Development Consent DA 374-11-00, SEM will provide regular reporting on the environmental performance of the Project on the SEM website.

12.1 INCIDENT REPORTING

An incident is defined as a set of circumstances that causes or threatens to cause material harm to the environment and/or breaches or exceeds the limits or performance measures/criteria in Development Consent DA 374-11-00.

In the event that a review indicates an incident has occurred, the incident will be reported in accordance with Condition 8, Schedule 5 of Development Consent DA 374-11-00. The Planning Secretary will be notified in writing via the Major Projects website immediately after SEM becomes aware of an incident. The notification will identify the Project name and development application number, and set out the location and nature of the incident.

Subsequent notification will be given and reports submitted in accordance with the requirements set out in Appendix 6 of Development Consent DA 374-11-00. A written incident notification addressing the requirements set out below will be submitted to the Planning Secretary via the Major Projects website within seven days after SEM becomes aware of an incident. Written notification of an incident will:

- identify the development and application number;
- provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
- identify how the incident was detected;
- identify when SEM became aware of the incident;
- identify any actual or potential non-compliance with conditions of consent;
- describe what immediate steps were taken in relation to the incident;
- identify further action(s) that will be taken in relation to the incident; and
- identify a project contact for further communication regarding the incident.

Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, SEM will provide the Planning Secretary, relevant councils, and any other relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested by the Planning Secretary.

- a summary of the incident;
- outcomes of an incident investigation, including identification of the cause of the incident;
- details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
- details of any communication with other stakeholders regarding the incident

12.2 COMPLAINTS

SEM will maintain a Community Complaints Line (tel: 1800 952 277) and email address (community@sunriseem.com) for the sole purpose of receiving community contacts and complaints. The Community Complaints Line number will be available on the website and included in SEM's advertising and community communication tools. The Community Complaints Line will be staffed 24 hours a day, seven days a week during construction and operations. SEM will respond to callers on the next business day. If the issue is urgent a member of the leadership team will be contacted immediately.

SEM has developed a procedure that outlines its commitment to receiving, resolving and recording complaints received from the community. Detailed records of each complaint resolution are kept in SEM's record management systems.

Complaints will be investigated within 24 hours of receipt. The cause of the complaint will be analysed and actions to resolve the complaint taken as soon as possible. In complex cases where resolution will take more than 48 hours, SEM will commit to update the community member regularly until the complaint is resolved.

In accordance with Condition 12(a), Schedule 5 of Development Consent DA 374-11-00, a complaints register will be made available on the SEM website and updated monthly.

12.3 NON-COMPLIANCES WITH STATUTORY REQUIREMENTS

A protocol for managing and reporting non-compliances with statutory requirements has been developed as a component of SEM's Environmental Management Strategy and is described below.

Compliance with all approvals plans and procedures is the responsibility of all personnel (staff and contractors) employed on or in association with SEM and the Project.

SEM will undertake regular inspections, internal audits and initiate directions identifying any remediation/rectification work required, and areas of actual or potential non-compliance.

As described in Section 12.1, SEM will report incidents in accordance with Condition 8, Schedule 5 of Development Consent DA 374-11-00.

A review of the Project compliance with all conditions in Development Consent DA 374-11-00 and Mining Lease 1770, will be undertaken prior to (and included within) each Annual Review (Section 11.1).

Additionally, in accordance with Condition 10, Schedule 5 of Development Consent DA 374-11-00, an independent environmental audit (Section 11.2) will be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary to assess whether SEM is complying with the requirements in Development Consent DA 374-11-00.

12.4 EXCEEDANCES OF IMPACT ASSESSMENT CRITERIA AND/OR PERFORMANCE CRITERIA

A protocol for managing and reporting exceedances of impact assessment criteria and/or performance criteria is provided in Section 10.

12.5 ACCESS TO INFORMATION

In accordance with Condition 12, Schedule 5 Development Consent DA 374-11-00, SEM will make the following information publicly available on its website as relevant to the stage of the development:

- the EIS (as specified in the Definitions section of Development Consent DA 374-11-00);
- current statutory approvals for the development;
- approved strategies, plans or programs required under the conditions of the consent;
- a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of the consent;
- a complaints register, which is to be updated on a monthly basis;
- any independent environmental audit, and SEM's response to the recommendations in any audit;
- any other matter required by the Planning Secretary; and
- keep this information up to date, to the satisfaction of the Planning Secretary.

13 REFERENCES

- Archaeological Surveys and Reports (2000) *Archaeological Investigation of the Mine Site and Sites of the Associated Ancillary Infrastructure for the Syerston Nickel Cobalt Project*.
- Archaeological Surveys and Reports (2005a) *Archaeological Investigation: Syerston Nickel Cobalt Project Preliminary Report*. Report to Ivanplats Syerston Pty Limited.
- Archaeological Surveys and Reports (2005b) *Archaeological Investigation for Sites of Indigenous Cultural Significance for 'The Borefields Environmental Management Plan' Syerston Nickel-Cobalt Project*.
- Australia International Council on Monuments and Sites (2013) *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*. Revised edition. Australia ICOMOS, Canberra.
- Australian Heritage Commission (2002) *Ask First: A guide to respecting Indigenous heritage places and values*. Australian Heritage Commission, Canberra.
- Black Range Minerals (2000) *Syerston Nickel Cobalt Project Environmental Impact Statement*.
- Commonwealth of Australia (2016) *Engage Early – Guidance for proponents on best practice Indigenous engagement for environmental assessments under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*.
- Department of Planning and the Environment (2020) *Independent Audit Post Approval Requirements*
- Department of Environment and Conservation (2004) *Interim Community Consultation Requirements for Applicants*.
- Department of Environment and Conservation (2005) *Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation*.
- Department of Environment, Climate Change and Water (2009a) *Guide to Determining and Issuing Aboriginal Heritage Impact Permits*. DECCW, Sydney.
- Department of Environment, Climate Change and Water (2009b) *Operational Policy: Protecting Aboriginal Cultural Heritage*. DECCW: Sydney.
- Department of Environment, Climate Change and Water (2010a) *Aboriginal cultural heritage consultation requirements for proponents 2010 (Part 6 National Parks and Wildlife Act 1974)*. NSW Department of Environment, Climate Change and Water, Sydney.
- Department of Environment, Climate Change and Water (2010b) *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*. NSW Department of Environment, Climate Change and Water, Sydney.
- Department of Environment, Climate Change and Water (2010c) *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. NSW Department of Environment, Climate Change and Water, Sydney.
- Heritage Management Consultants Pty Ltd (2000) *Syerston Nickel Cobalt Project European Heritage Survey and Assessment*. Report prepared for Black Range Minerals Ltd.
- Landcom (2004) *Managing Urban Stormwater: Soils and Construction including Volume 1*
- Landskape Natural and Cultural Heritage Management (2017a) *Syerston Project Aboriginal Cultural Heritage Assessment*.
- Landskape Natural and Cultural Heritage Management (2017b) *Syerston Project - Modification 4 Aboriginal Cultural Heritage Assessment*.
- Landskape Natural and Cultural Heritage Management (2018a) *Clean TeQ Sunrise Project – Accommodation Camp Modification Aboriginal Cultural Heritage Assessment*.

Landskape Natural and Cultural Heritage Management (2018b) *Aboriginal Cultural Heritage Due Diligence Assessment: Clean TeQ Sunrise Project – Modification 4 Areas*.

Landskape Natural and Cultural Heritage Management (2021) *Sunrise Project – Project Execution Plan Modification*.

NSW Heritage Council (1999) *Criteria for Listing on the State Heritage Register*.

NSW Heritage Office (1998) *How to Prepare Archival Records of Heritage Items*. NSW Heritage Office, Sydney.

NSW Heritage Office (2001) *Assessing Heritage Significance*. NSW Heritage Office, Sydney.

NSW Heritage Office (2006) *Photographic Recording of Heritage Items using Film or Digital Capture*. NSW Heritage Office, Sydney.

NSW National Parks and Wildlife Service (1997) *Aboriginal Cultural Heritage: Standards and Guidelines Kit*. National Parks and Wildlife Service, Sydney.

NSW Minerals Council (2010) *NSW Minerals Industry Due Diligence Code of Practice for the Protection of Aboriginal Objects*. NSW Mineral Council, Sydney.

Office of Environment and Heritage (2011) *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (Part 6 National Parks and Wildlife Act, 1974)*. Office of Environment and Heritage, Sydney.

ATTACHMENT 1

NSW DEPARTMENT OF PLANNING AND ENVIRONMENT ENDORSEMENT LETTER FOR
SUITABLY QUALIFIED AND EXPERIENCED PERSON TO PREPARE HERITAGE
MANAGEMENT PLAN



21 March 2019

Bronwyn Flynn

Environmental Approvals Lead – Clean TeQ Sunrise Project

Clean TeQ Holdings Limited

12/21 Howleys Road

Notting Hill 3168

Dear Bronwyn,

Re: Heritage Management Plan: Clean TeQ Sunrise Project

I was endorsed by the Secretary of the NSW Department of Planning and Environment (DP&E) (the Secretary) to prepare/review the Heritage Management Plan (HMP) for the Clean TeQ Sunrise Project on 19 September 2017, in accordance with Condition 40(a), Schedule 3 of Development Consent DA 374-11-00.

I have reviewed the Clean TeQ Sunrise Project HMP with reference to the requirements of Development Consent DA 374-11-00 and the conditions of the approved Aboriginal Heritage Impact Permits (AHIPs) #C0003049 and #C0003887.

I confirm the management and mitigation measures outlined in the HMP conform to best practice and the HMP fulfills the relevant Development Consent DA 374-11-00 requirements (Conditions 37-41) and conditions of AHIPs #C0003049 and #C0003887.

Please feel free to contact me if you require any clarification of the above matters.

Kind regards,

Dr Matt Cupper

Principal Archaeologist

APPENDIX A

HERITAGE RELATED DEVELOPMENT CONSENT DA 374-11-00 CONDITIONS

Table A1
Heritage Related Development Consent DA 374-11-00 Conditions

Development Consent DA 374-11-00 Schedule 3	HMP Section
HERITAGE	
Protection of Heritage Sites	
37. Unless otherwise authorised under the NP&W Act, the Applicant must ensure that the development does not cause any direct or indirect impact on any Aboriginal heritage items located outside the approved disturbance area of the development.	Section 6
38. Prior to any disturbance of the artefacts identified as Syerston 1 in the EIS, the Condobolin Local Aboriginal Council or the Registered Aboriginal Parties must be invited to collect the artefacts.	Section 6.2
39. The pastoral out station on the western boundary of the mine site (illustrated in Figure 5 in Appendix M of the EIS) should be retained if practical and feasible	Section 7.1
Heritage Management Plan	
40. Prior to carrying out any development under this consent after 6 May 2017, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:	This HMP
(a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;	Section 1.1
(b) be prepared in consultation with Heritage NSW, the Condobolin Local Aboriginal Land Council, Registered Aboriginal Parties (in relation to the management of Aboriginal heritage values);	Section 2
(c) include a description of the measures that would be implemented for:	
<ul style="list-style-type: none"> managing the discovery of any human remains or previously unidentified heritage objects on site; and ensuring workers on-site receive suitable heritage inductions prior to carrying out works on the site, 	Section 6.11
and that suitable records are kept of these inductions;	Section 8
(d) include a description of the measures that would be implemented for:	Section 6
<ul style="list-style-type: none"> protecting, monitoring and/ or managing Aboriginal heritage items on site, paying particular attention to the following sites as identified in the EIS: <ul style="list-style-type: none"> Syerston 2 – open scatter and possible knapping floor; Syerston 3 – isolated flake of brown/red vitreous volcanic material; and Scarred tree beside the Fifield to Wilmatha Road; implementing archaeological investigations and/ or salvage measures for Aboriginal heritage items on site; maintaining and managing reasonable access for Aboriginal stakeholders to heritage items on site; on-going consultation with the Aboriginal stakeholders in the conservation and management of Aboriginal cultural heritage on site; and protecting Aboriginal sites and items outside the development disturbance area from the development; and 	Section 6
	Section 6.14
	Section 6.1
	Section 6.9

Table A1 (Continued)
Heritage Related Development Consent DA 374-11-00 Conditions

Development Consent DA 374-11-00 Schedule 3	HMP Section
<p><i>(e) include the following for the management of non-Aboriginal heritage:</i></p> <ul style="list-style-type: none"> • <i>a description of the measures that would be implemented for:</i> <ul style="list-style-type: none"> – <i>protecting, monitoring and/or managing heritage objects on site (particularly the pastoral out station referred to in condition 39 of this consent);</i> – <i>recording, prior to disturbance, any heritage areas or structures that will be impacted by the development, and making these records publically available;</i> – <i>managing the discovery of any previously unidentified heritage objects on site; and</i> – <i>implementing archaeological investigations and/ or salvage measures for heritage items on site;</i> 	<p align="center">Section 7</p> <p align="center">Section 7.3</p> <p align="center">Section 7.4</p> <p align="center">Section 7</p>
<i>41. The Applicant must implement the approved Heritage Management Plan for the development.</i>	This HMP (once approved)

APPENDIX B

GENERAL DEVELOPMENT CONSENT DA 374-11-00 CONDITIONS

Table B1
General Development Consent DA 374-11-00 Conditions

Development Consent DA 374-11-00 Schedule 5	HMP Section
<p>Adaptive Management</p> <p>3. <i>The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.</i></p> <p><i>Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must, at the earliest opportunity:</i></p> <ul style="list-style-type: none"> a) <i>take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur;</i> b) <i>consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and</i> c) <i>implement remediation measures as directed by the Planning Secretary to the satisfaction of the Planning Secretary.</i> 	Section 10.1
<p>Management Plan Requirements</p> <p>4. <i>The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, are consistent with other plans prepared for other stakeholders, and include:</i></p>	
a) <i>detailed baseline data;</i>	Sections 4 and 5
b) <i>a description of:</i> <ul style="list-style-type: none"> • <i>the relevant statutory requirements (including any relevant approval, licence or lease conditions);</i> • <i>any relevant limits or performance measures/criteria;</i> • <i>the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;</i> 	Section 3 and Appendix A Section 9 Section 9
c) <i>a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</i>	Sections 6 and 7
d) <i>a program to monitor and report on the:</i> <ul style="list-style-type: none"> • <i>impacts and environmental performance of the development;</i> • <i>effectiveness of any management measures (see c above);</i> 	Sections 6, 7, 11 and 12
e) <i>a contingency plan to manage any unpredicted impacts and their consequences;</i>	Section 10
f) <i>a program to investigate and implement ways to improve the environmental performance of the development over time;</i>	Section 11
g) <i>a protocol for managing and reporting any:</i> <ul style="list-style-type: none"> • <i>incidents;</i> • <i>complaints;</i> • <i>non-compliances with statutory requirements; and</i> • <i>exceedances of the impact assessment criteria and/or performance criteria; and</i> 	Section 12

Table B1 (Continued)
General Development Consent DA 374-11-00 Conditions

Development Consent DA 374-11-00 Schedule 5	HMP Section
<p><i>h) a protocol for periodic review of the plan.</i></p> <p><i>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>	<p align="center">Section 2</p>
<p>Annual Review</p> <p>5. <i>By the end of March each year, the Applicant must review the environmental performance of the development for the previous calendar year to the satisfaction of the Planning Secretary. This review must:</i></p> <p><i>a) describe the development (including any rehabilitation) that was carried out in the past calendar year, and the development that is proposed to be carried out over the current calendar year;</i></p> <p><i>b) include a comprehensive review of the monitoring results and complaints records of the development over the past year, which includes a comparison of these results against the:</i></p> <ul style="list-style-type: none"> <i>• relevant statutory requirements, limits or performance measures/criteria;</i> <i>• monitoring results of previous years; and</i> <i>• relevant predictions in the EIS;</i> <p><i>c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;</i></p> <p><i>d) identify any trends in the monitoring data over the life of the development;</i></p> <p><i>e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</i></p> <p><i>f) describe what measures will be implemented over the next year to improve the environmental performance of the development.</i></p>	<p align="center">Section 11.1</p>
<p>Revision of Strategies, Plans and Programs</p> <p>6. <i>Within 3 months of the submission of:</i></p> <p><i>a) annual review under condition 5 above;</i></p> <p><i>b) incident report under condition 8 below;</i></p> <p><i>c) audit under condition 10 below; or</i></p> <p><i>d) any modification to the conditions of this consent (unless the conditions require otherwise), the Applicant must review and, if necessary, revise the strategies, plans, and programs required under this consent to the satisfaction of the Planning Secretary.</i></p> <p><i>Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted to the Planning Secretary for approval.</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 development.</i></p>	<p align="center">Section 2</p>

Table B1 (Continued)
General Development Consent DA 374-11-00 Conditions

Development Consent DA 374-11-00 Schedule 5	HMP Section
<p>Community Consultative Committee</p> <p>7. The Applicant must establish and operate a CCC for the development to the satisfaction of the Planning Secretary, in accordance with the Community Consultative Committee Guidelines for State Significant Project (2016), or its latest version. The Applicant must ensure at least one CCC meeting is held prior to any development at the mine, unless the Planning Secretary agrees otherwise.</p> <p>Notes:</p> <ul style="list-style-type: none"> The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent. In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Applicant, Councils, and the local community. 	Refer to EMS
<p>REPORTING</p> <p>Incident Reporting</p> <p>8. The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development) and set out the location and nature of the incident. Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 6.</p>	Section 12.1
<p>Regular Reporting</p> <p>9. The Applicant must provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.</p>	Sections 11.1 and 12.1
<p>AUDITING</p> <p>10. Within 1 year of the commencement of the development after 6 May 2017, and every 3 years thereafter, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <ul style="list-style-type: none"> aa) be prepared in accordance with the relevant Independent Audit Post Approval Requirements (DPIE 2020) or its latest version; a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; b) include consultation with the relevant agencies; c) assess the environmental performance of the development and assess whether it is complying with the requirements in this consent; d) include a comprehensive Hazard Audit of the development in accordance with the Department's publication Hazardous Industry Planning Advisory paper No. 5 - Hazard Audit Guidelines, including a review of the Site Safety Management System and all entries made in the incident register since the previous Audit. e) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and f) recommend measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under these approvals. 	Section 11.2

Table B1 (Continued)
General Development Consent DA 374-11-00 Conditions

Development Consent DA 374-11-00 Schedule 5	HMP Section
<p>g) <i>include consultation with the relevant agencies;</i></p> <p>h) <i>assess the environmental performance of the development and assess whether it is complying with the requirements in this consent;</i></p> <p>i) <i>include a comprehensive Hazard Audit of the development in accordance with the Department's publication Hazardous Industry Planning Advisory paper No. 5 - Hazard Audit Guidelines, including a review of the Site Safety Management System and all entries made in the incident register since the previous Audit.</i></p> <p>j) <i>review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and</i></p> <p>k) <i>recommend measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under these approvals.</i></p> <p><i>Note: This audit team must be led by a suitably qualified auditor, and include experts in water resources, noise, air quality, ecology, and any other fields specified by the Planning Secretary.</i></p> <p>11. <i>Within 3 months of commissioning this audit, or as otherwise agreed by the Planning Secretary, the Applicant must submit a copy of the audit report to the Planning Secretary, together with its response to any recommendations contained in the audit report.</i></p>	<p align="center">Section 11.2</p>
<p>ACCESS TO INFORMATION</p> <p>12. <i>The Applicant must:</i></p> <p>a) <i>make the following information publicly available on its website as relevant to the stage of the development:</i></p> <ul style="list-style-type: none"> • <i>the EIS;</i> • <i>current statutory approvals for the development;</i> • <i>approved strategies, plans or programs required under the conditions of this consent;</i> • <i>a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;</i> • <i>a complaints register, which is to be updated on a monthly basis;</i> • <i>any independent environmental audit, and the Applicant's response to the recommendations in any audit; and</i> • <i>any other matter required by the Planning Secretary; and</i> <p>b) <i>keep this information up to date, to the satisfaction of the Planning Secretary.</i></p>	<p align="center">Section 12.5</p>

APPENDIX C

NSW DEPARTMENT OF PLANNING AND ENVIRONMENT APPROVAL LETTER

Bronwyn Flynn
Environment, Approvals & Community Lead
Clean Teq Sunrise Pty Ltd
228-230 Farnell Street
Forbes, NSW, 2871

02/05/2022

Dear Ms. Flynn

**Sunrise Project (DA374-11-00)
Management Plan Consultation Request**

I refer to the Management Plan Consultation Request dated 14 April 2022, submitted pursuant to Condition 12 of Schedule 2 of the Development Consent for the Sunrise Project (DA374-11-00).

The Department has reviewed the information you have provided and is satisfied that the following plan and strategy revisions would be minor in nature and not warrant further consultation:

- Blast Management Plan
- Water Management Plan
- Biodiversity Management Plan
- Heritage Management Plan
- Environmental Management Strategy

Accordingly, the Secretary agrees that further consultation is not required for revisions to the above documents.

The Department confirms that the following management plans require content updates in addition to minor updates and therefore the Secretary requires consultation to be undertaken with the revision of the following:

- Noise Management Plan
- Air Quality and Greenhouse Gas Management Plan
- Road Upgrade and Maintenance Strategy
- Traffic Management Plan

If you wish to discuss the matter further, please contact Wayne Jones on (02) 6575 3406.

Yours sincerely

A handwritten signature in black ink, appearing to read "REHd".

Rose-Anne Hawkeswood
A/ Director
Resource Assessments

As nominee of the Secretary