



Aboriginal Heritage Management Plan

for the

Dargues Gold Mine

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Aboriginal Heritage Management Plan

for the

Dargues Gold Mine

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1. INTRODUCTION

1.1 SCOPE

This Aboriginal Heritage Management Plan was originally prepared by Artefact Heritage Pty Ltd (Artefact) on behalf of Big Island Mining Pty Ltd (the Company) for the Dargues Gold Mine (the Project).

The Project Site is located approximately 60km southeast of Canberra, 13km south of Braidwood and immediately north of the village of Majors Creek. The Project consists of an underground gold mine, a run-of-mine (ROM) pad, temporary waste rock emplacement, processing plant, tailings storage facility, and associated infrastructure and ancillary activities. The Project has been developed as an underground mine (as opposed to an open cut mining operation), to minimise surface disturbance and potential impacts on local ecology, water resources and visual amenity.

This document is the sixth revision of the Plan and has been prepared in satisfaction of *Condition 3(37)* of Modified Project Approval (MP) 10_0054 MOD4.

The Project is fully described in the following documents and no further background information is provided in this document.

- *Environmental Assessment* dated September 2010 and associated documentation prepared to support the application for Project approval.
- *Mining Operations Plan* dated July 2014.
- *Environmental Assessment – Modification 1* dated April 2012.
- *Response to Government Agency and Public Submissions for the Dargues Reef Gold Project - Modification 1* dated June 2012.
- *Environmental Assessment – Modification 2* dated July 2013.
- *Response to Government Agency and Public Submissions for the Dargues Reef Gold Project - Modification 2* dated September 2013.
- *Environmental Assessment – Modification 3* dated August 2016.
- *Response to Government Agency and Public Submissions for the Dargues Gold Mine - Modification 3* dated November 2015.
- *Statement of Environmental Effects for the Dargues Gold Mine – Modification 4* dated November 2018.
- *Response to Submissions for the Dargues Gold Mine – Modification 4* dated January 2019.

In addition, a range of management plans have been prepared to guide operations within the Project Site. These include the following.

- Noise Management Plan.
- Blast Management Plan.
- Air Quality and Greenhouse Gas Management Plan.

- Water Management Plan.
- Biodiversity Management Plan.
- Traffic Management Plan.
- Waste Management Plan.
- Bushfire Management Plan.

The Project Site and impact zone of the approved works that this Aboriginal Heritage Management Plan (AHMP) has been designed to address are shown in **Figure 1**.

1.2 LEGISLATIVE REQUIREMENTS

The Project received project approval (PA) 10_0054 on 2 September 2011 pursuant to the *Environmental Planning and Assessment Act 1979* (EP&A Act). Following two appeals to the Land and Environment Court, the Court subsequently granted project approval on 7 February 2012. Modification 1 for the use of paste fill at the Project Site was subsequently approved by the Secretary of the Department of Planning and Environment on 12 July 2012 (MP 10_0054). Modification 2 to regularise changes to the layout of the project was subsequently approved on 24 October 2013. Modification 3 for an extension of the mine life and increase in the resource extracted was subsequently approved on 10 August 2016. Modification 4 for the relocation of the approved heavy vehicle crossing of Spring Creek and the reinstatement of the previously approved access track from the Site Access Road to the Tailings Storage Facility was subsequently approved on 23 May 2019.

The Project Approval stipulates the required criteria that the construction and operational activities of the Project must comply with and sets out the core requirements of this Management Plan. Relevant conditions associated with MP10_0054 MOD4 are reproduced in **Table 1**.

Table 1 Project Approval Requirements

| Requirement | Section |
|---|-------------|
| Condition 3(37) | |
| The Proponent shall prepare and implement an Aboriginal Heritage Management Plan for the project to the satisfaction of the Secretary. The Plan must: | 1.5 and 1.6 |
| (a) be prepared in consultation with OEH and the Aboriginal community; | |
| (b) be submitted to the Secretary for approval prior to construction; and | |
| (c) include a: | 3.4 |
| <ul style="list-style-type: none"> • program for fencing identified Aboriginal sites; | |
| <ul style="list-style-type: none"> • program for the recording, salvage and surface collection of any Aboriginal objects/sites that may be encountered within the project area, including a program for the recording, salvage and surface collection of sites GT OS1 and GT OS2 prior to disturbance; | 3.4.2 |
| <ul style="list-style-type: none"> • description of the measures that would be implemented if any Aboriginal skeletal remains are discovered during the project; and | 3.6 |
| <ul style="list-style-type: none"> • protocol for the ongoing consultation and involvement of the Aboriginal community in the conservation and management of the Aboriginal heritage of the objects/sites.. | 3.3 |

| Requirement | Section |
|---|-------------|
| Condition 5(2) | |
| Management Plan Requirements | |
| The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include: | |
| (a) detailed baseline data; | 2 |
| (b) a description of: <ul style="list-style-type: none"> the relevant statutory requirements (including any relevant approval, licence or lease conditions); any relevant limits or performance measures/criteria; 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; | 1.2 |
| (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; | 3 |
| (d) a program to monitor and report on the: <ul style="list-style-type: none"> impacts and environmental performance of the project; effectiveness of any management measures (see c above); | 4 |
| (e) a contingency plan to manage any unpredicted impacts and their consequences; | 3.5 and 3.6 |
| (f) a program to investigate and implement ways to improve the environmental performance of the project over time; | 3.3 |
| (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 | 4 |
| (h) a protocol for periodic review of the plan. | 5 |
| <i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i> | |

Aboriginal heritage in NSW is protected by legislation at the federal, state and local level, by the:

- Environmental Protection and Biodiversity Conservation Act 1999;
- NSW National Parks and Wildlife Act 1974 (NPW Act);
- NSW National Parks and Wildlife Amendment Act 2010; and
- the NSW Environmental Planning and Assessment Act 1979 (EP&A Act);

as well as the:

- Code of Practice for Archaeological Investigation of Aboriginal Objects 2010; and
- the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010

Aboriginal heritage in NSW is administered and regulated by the Heritage Division of the Department of the Premier and Cabinet under the overriding ethos of the ICOMOS *Burra Charter*.

As the Project has received approval under Part 3A of the EP&A Act, the normal legislative permit requirements do not apply. However, in the interests of best practice, the requirements of the above Acts and Codes of Practice would be followed where feasible.

1.3 OBJECTIVES AND PURPOSE OF THIS DOCUMENT

This AHMP satisfies the requirements of MP10_0054 MOD4 and is intended to be used as a referral document throughout the life of the Project. It provides:

- a summary of the Aboriginal heritage values present within the Project Site;
- protocols for the management and protection of Aboriginal objects/sites located within the Project Site;
- a description of measures that would be implemented if any Aboriginal objects are encountered during the life of the Project;
- a description of measures that would be implemented if any Aboriginal skeletal remains are encountered during the life of the Project; and
- a protocol for the ongoing consultation and involvement of the Aboriginal community in the conservation and management of the Aboriginal heritage of the Project Site.

The AHMP has been developed based on the information contained in the Archaeological Surveys and Reports Pty Ltd (AS&R) 2010 report, included as Part 5A of the Specialist Consultants Studies Compendium that accompanied the Environmental Assessment for the Project prepared by R W Corkery & Co Pty Limited (RWC) (RWC 2010).

1.4 AREA OF APPLICABILITY

This AHMP applies to all land within the limits of the Project Site approved by MP10_0054 MOD4, as designated in **Figure 1**.

1.5 ABORIGINAL COMMUNITY CONSULTATION

Aboriginal stakeholders were identified and notified of the Project in accordance with the *Guidelines for Aboriginal Cultural Heritage Impact and Community Consultation* (DECCW 2005) prior to the Aboriginal Heritage Assessment undertaken by AS&R (2010). Registered Aboriginal stakeholders identified as part of that process were as follows.

- Ngunnawal Elders Corporation.
- Ngunnawal Heritage Aboriginal Corporation.
- Buru Ngunawal Aboriginal Corporation Traditional Carer Group.
- Konanggo Aboriginal Cultural Heritage Services.
- Yurwang Gundana Consultancy Cultural Heritage Services.
- King Browns Tribal Group Pty Ltd.
- Yukembruk Merung Ngarigo Consultancy Pty. Ltd. (formerly Bega Traditional Elders Council).
- Walbunja Aboriginal Corporation.
- Batemans Bay LALC.
- Little Gudgenby River Tribal Council.

The consultation for the AHMP was undertaken in the context of the following documents:

- Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DECCW 2005).
- Aboriginal cultural heritage consultation requirements for proponents (DECCW 2010).
- Ask First: A Guide to respecting Indigenous Places and Values (2002).

The registered Aboriginal stakeholders identified in the original Aboriginal heritage assessment were contacted regarding the AHMP and sent a copy of the draft report on 13/5/11. They were asked to comment on the draft AHMP and to provide input on the strategies recommended by the AHMP by 20/5/11, if possible. However, responses were received up until 10/6/11. Four written responses and two verbal responses were received from the following stakeholders and all were supportive of the AHMP and the draft induction document.

- Ngunnawal Heritage Aboriginal Corporation (written response).
- Buru Ngunawal Aboriginal Corporation Traditional Carer Group (written response).
- Konanggo Aboriginal Cultural Heritage Services (verbal response).
- King Browns Tribal Group Pty Ltd (written response).
- Yukembruk Merung Ngarigo Consultancy Pty. Ltd. (formerly Bega Traditional Elders Council) (written response).
- Mogo Local Aboriginal Land Council (verbal response).

During the Planning Assessment Commission hearing for the Project two additional Aboriginal groups identified themselves as wishing to participate in consultation. These were Tom Butler/Len Nye from Mogo Local Aboriginal Land Council, and Bunja Smith from Bateman's Bay Local Aboriginal Land Council. The latter group had previously been consulted but wished to make further comment. These stakeholders were provided with a copy of the draft report on 6/9/11. They were asked to comment on the draft AHMP and to provide input, if possible, by 20/9/11 on the strategies recommended by the AHMP. Responses however were received up until 4/10/11. A response was received from Mogo LALC and was generally supportive of the AHMP. A was not received from Bateman's Bay LALC.

Additional Aboriginal community consultation was undertaken in 2012 in relation to the proposed MOD2 which would have impacted sites GT OS1 and GT OS2. These impacts were not included in the final MOD2 submission. MOD3 was submitted in 2015 and included sites GT OS1 and GT OS2 as they would likely be impacted by the Tailings Storage Facility or the Spring Creek Crossing.

Aboriginal consultation was undertaken in relation to MOD3 (**Appendix A**). In general, the Aboriginal stakeholders did not express objections to the proposed impacts to GT OS1 and GT OS2. Buru Ngunawal commented that they would support test excavations at the sites, or if test excavations were not conducted, the Aboriginal stakeholder should monitor the works. Management of unidentified Aboriginal artefacts is dealt with in **Section 3.5**, which includes a requirement to consult with Aboriginal stakeholders should an object be identified. .

The majority of stakeholders that commented expressed their preference that Aboriginal objects to be impacted were collected and reburied on the Project Site in a location which would not be impacted. The Ngunawal Heritage Aboriginal Corporation commented that they would prefer the artefacts were reburied in natural fibres such as hessian or bark, instead of a plastic box.

The Aboriginal stakeholders were sent a draft copy of the amended AHMP on 14 September 2016 which included changes as a result of MOD3. A review period of two weeks was provided and follow up phone calls were made to give the opportunity for verbal comment. The Ngunawal Heritage Aboriginal Corporation supported the management measures outlined in the report, providing they are fully implemented. Robert Young from Konanggo Aboriginal Cultural Heritage Services stated he did not want to comment as he had not walked over the area. No other comments were received.

A draft version of Revision 6 of this Plan was provided to Registered Aboriginal Parties on 22 August 2019, with responses requested within 28 days. No feedback on the revised Plan was received from Registered Aboriginal Parties by 2 December 2019.

1.6 GOVERNMENT AGENCY CONSULTATION

The South East Region Office of Environment and Heritage was provided with a copy of the AHMP on 22 September 2016 for review and comment. Comments were received on 28 October 2016 and were taken into account during finalisation of the AHMP.

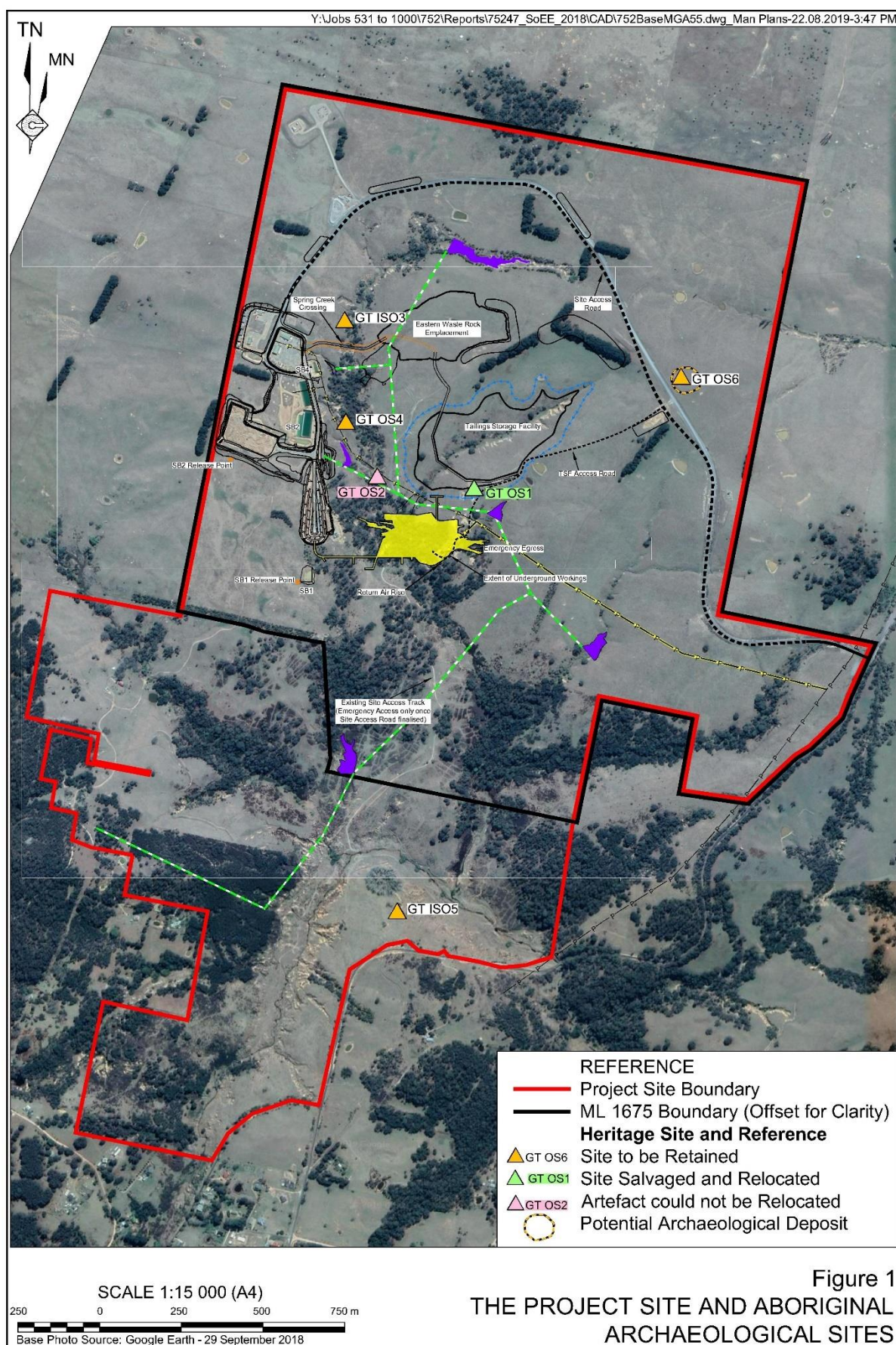


Figure 1 The Project Site and Aboriginal Archaeological Sites

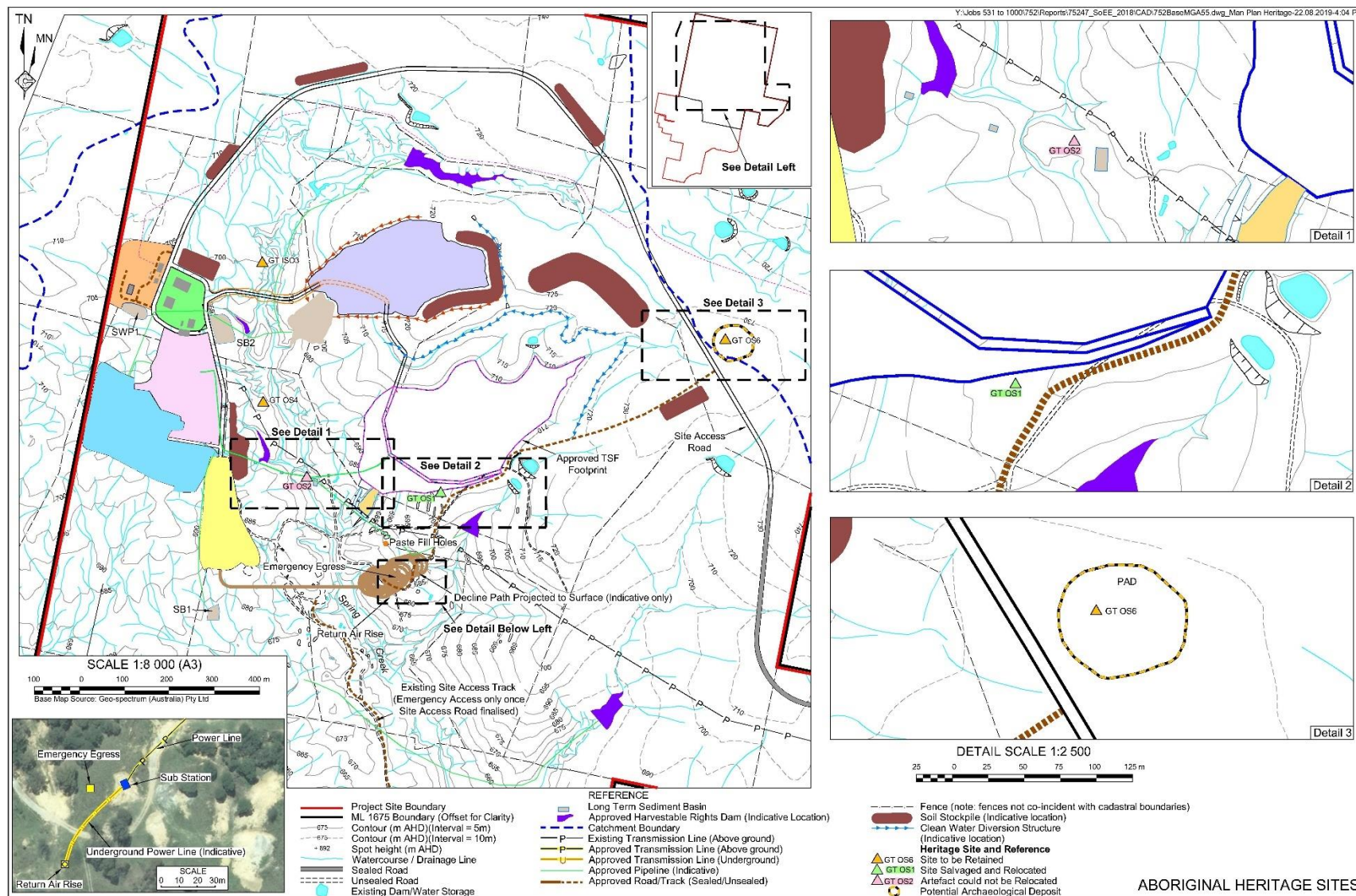


Figure 2 Aboriginal Heritage Sites

An email requesting advice and requirements for Revision 6 of this document was provided to Heritage NSW under the Department of Premier and Cabinet on 8 August 2019. No response was received.

A draft copy of Revision 6 of this Plan was provided to Heritage NSW under the Department of Premier and Cabinet for review and comment on 22 August 2019. Additionally, a draft copy was provided to the Community Consultative Committee (CCC) for review and comment. No feedback regarding the revised Plan was received from either Heritage NSW or the CCC by 2 December 2019.

2. ARCHAEOLOGICAL AND CULTURAL HERITAGE OF THE PROJECT SITE

2.1 INTRODUCTION

An Aboriginal Heritage Assessment was completed for the Project Site by Archaeological Surveys & Reports (AS&R) in 2010. The AS&R assessment identified five sites within the Project Site. None of these five sites were initially proposed to be impacted.

Design changes to the tailings storage facility approved by MOD 3 would result in direct impacts to GT OS1 and GT OS2. It was therefore proposed that surface collection should occur at these sites and any artefacts recovered should be reburied in an area that would not be subject to disturbance within the Project Site.

The proposed management of these Aboriginal sites was presented to the registered Aboriginal community stakeholders. Those stakeholders who responded indicated their satisfaction with the assessment and management measures and their willingness to continue to be consulted in the event that further artefacts are identified.

2.2 ARCHAEOLOGICAL SIGNIFICANCE

The Project Site was found to be very disturbed as a result of past mining activities and the archaeological significance was found to be low (AS&R 2010).

2.3 CULTURAL SIGNIFICANCE

The cultural significance of Aboriginal objects and sites can only be assessed by the Aboriginal community. The following presents a summary of responses as provided to AS&R (2010).

- Each of the three Aboriginal stakeholder organisations that responded identified that the cultural significance of any sites identified within the Project Site should be assessed prior to disturbance. The Company concurs with this assessment and notes that as none of the identified sites of Aboriginal heritage significance would be disturbed, no further assessment is required. However, should additional sites be identified then the relevant stakeholders would be consulted prior to any ground disturbing activities.

- The Buru Ngunawal Aboriginal Corporation requested that subsurface testing should be undertaken at sites to be disturbed. As none of the identified sites would be disturbed, there is no requirement for subsurface test work.

Aboriginal stakeholders were contacted in May of 2015 regarding proposed direct impacts to GT OS1 and GT OS2. No additional information on cultural significance was obtained and these sites were not found to have particular cultural significance.

2.4 DESCRIPTION OF THE ARCHAEOLOGICAL RESOURCE

A list of the known sites within the Project Site along with their location, a description, any impact associated with the proposed works and required actions is included in **Table 2**. **Table 3** presents a detailed description of the artefacts recorded and their location as taken from the AS&R Assessment (2010).

Table 2 List of known Aboriginal sites within the Project Site (adapted from AS&R 2010)

| Site Name | Location (GDA94 55H) ±5m | Description of site location | Archaeological Sensitivity | Impact of proposed works |
|-----------|--------------------------|---|----------------------------|---|
| GT OS1 | E.0749234 N.6063113 | Artefacts were observed in the spoil heaps at the edge of drill pads. The site is on the crest of the head of a spur with 270° aspect. | Low | Direct Impact (Collected and reburied in 2017) |
| GT OS2 | E.0748937 N.6063149 | Artefacts were observed on a stock track across a dam associated with Dargues Reef in the late 18th and early 19th Centuries. | Low | Direct Impact (Could not be relocated during site visits in 2017) |
| GT ISO3 | E.0748838 N.6063624 | The artefact was on the sloping edge of the actively eroding rim of the bank. | Low | None |
| GT OS4 | E.0748840 N.6063315 | The artefacts were on the sloping face of the bank downslope of the rim of the bank. | Low | None |
| GT OS5 | E.0749011 N.6061824 | The artefact was seen on an eroding bank face, but it may have been some distance back from the original creek line. | Low | None |
| GT ISO6 | E. 0749865 N.6063448 | The artefact was located in topsoil during a soil sampling program. The site is in an open flat area near the top of a ridgeline with close proximity to water. | Low | None |

Table 3 Description of artefacts at known Aboriginal sites (adapted from AS&R 2010)

| Site Name | Site Type | Artefact Type | Artefact dimensions (mm) |
|-----------|-------------------|---|-----------------------------------|
| GT OS1 | Open Scatter | Three artefacts within 50m of each other comprising a silcrete flake and core and a metasedimentary flake. | Silcrete flake - 25 x 12 x 3mm |
| | | | Silcrete core -33 x 30 x 2mm. |
| | | | MS flake- 25 x 16 x 4mm |
| GT OS2 | Open Scatter | Two artefacts comprising silicified metasedimentary proximal fragment of a flake and a metasedimentary core/scrapper. | MS flake frag - 22 x 20 x 4mm |
| | | | MS core/scrapper - 45 x 35 x 13mm |
| GT OS3 | Isolated Artefact | Single artefact comprising a quartz proximal fragment of a flake. | Quartz fragment - 5 x 15 x 3mm. |
| GT OS4 | Open Scatter | Three artefacts comprising a black chert flake, a quartz flaked piece and a silcrete flake. | Chert flake- 13 x 25 x 6mm. |
| | | | Quartz flake piece- 20 x 9 x 4mm |
| | | | Silcrete flake-12 x 18 x 3mm |
| GT OS5 | Isolated Artefact | Single artefact comprising a silcrete flake | Silcrete flake - 28 x 28 x 5mm. |
| GT IS06 | Isolated Artefact | Single artefact comprising a stone flake | Stone flake – 51 x 27 x 9mm. |

3. MANAGEMENT OF THE ARCHAEOLOGICAL RESOURCE

3.1 INTRODUCTION

This section outlines strategies to manage Aboriginal heritage within the Project Site throughout the life of the Project. These strategies have been specifically formulated for the Project Site based on information provided in the Aboriginal Heritage Assessment (AS&R 2010) and on information provided in RWC (2010) which accompanied the Part 3A application for this Project and included:

- the impact area of the proposed works;
- identified Aboriginal sites;
- assessment of archaeological significance;
- predicted site occurrence; and
- best practice for heritage management as regulated by Heritage NSW under the Department of Premier and Cabinet.

The best outcome for management of the Aboriginal archaeological resource is conservation through avoidance. As a result, the strategies outlined below are intended to mitigate against unintended impacts.

3.2 ABORIGINAL HERITAGE INDUCTION

This section outlines protocols to be included in an employee induction. The employee induction is completed by all employees prior to starting work on the Project Site.

An Aboriginal Heritage Induction is intended to educate all workers to be aware of the Aboriginal heritage contained within the Project Site and what measures should be taken to avoid impacting those values.

The Aboriginal Heritage Induction includes the following:

- the location of known Aboriginal sites/objects within the Project Site;
- photographic examples of Aboriginal objects that may be located within the Project Site, particularly photographic examples of stone artefacts of the type known to be within the Project Site;
- protocols for avoiding impact to known Aboriginal objects;
- protocols for actions if unexpected Aboriginal objects are uncovered;
- protocols for actions if skeletal remains are uncovered;
- useful contacts;
- a brief description of the legislation protecting Aboriginal objects and the penalties for impacting on objects; and
- an explanation of the importance of Aboriginal objects and country to the Aboriginal community.

3.3 CONTINUED CONSULTATION WITH REGISTERED ABORIGINAL STAKEHOLDERS

Registered Aboriginal Stakeholders as identified in Section 1.5 will be notified if any of the following occur.

- Discovery of unanticipated Aboriginal site or object.
- Discovery of Aboriginal skeletal remains.

Finally, the Company will engage the local Aboriginal community to determine ways in which the Company and the community can work co-operatively for the benefit of both.

3.4 MANAGEMENT OF KNOWN ABORIGINAL OBJECTS

Impacts refer to anything that disturbs the ground surface, for example construction of an access tracks, not just mining activities.

Plans showing the location of all identified Aboriginal sites will be held by the Environmental Superintendent and Mine Surveyor and activities in the vicinity of those sites will be prohibited. All sites will be fenced with a 20m exclusion zone from the centre of the site before works commence.

Fencing is an appropriate measure to protect known objects from harm. If the design of the proposed works should change in any way that impacts on additional known Aboriginal objects, further mitigation measures may be required as outlined in Section 3.4.2.

Approved operations associated with the Project would result in direct impacts to sites GT OS1 and GT OS2. Impacts to other known sites (**Table 2** and **Figure 1**) would be avoided.

3.4.1 Surface Collection and Reburial

Surface collection would involve surveying the location of the registered site and collecting any artefacts visible on the surface. Surface collection would be undertaken by the archaeological consultant and representatives from the Aboriginal stakeholder groups.

Artefacts would be analysed on site (measured, photographed and recorded) and would be stored in labelled bags. If salvaged artefacts cannot be buried on the day of collection, they will be stored in a locked cupboard at the office of the archaeological consultant until reburial is possible.

When reburied the artefacts should be wrapped in natural fibres such as hessian or bark. The location of reburial should be recorded and the location submitted as an Aboriginal site to AHIMS.

A site visit for the purpose of surface collection of sites GT OS1 and GT OS2 was undertaken by archaeologists Veronica Norman and Michael Lever with Artefact Heritage on 27 April 2017. The following stakeholders attended the site visit.

- Les Simon – Batemans Bay Local Aboriginal Land Council.
- Bill Davis – Batemans Bay Local Aboriginal Land Council.
- Tiana House – Little Gudgenby River Tribal Council.
- Karen Bell – Buru Ngunawal Aboriginal Corporation Traditional Carer Group.

No artefacts were located at the identified sites during the site visit, with stakeholders noting that grass cover was potentially preventing relocation of the artefacts. The Company committed to killing off the grass and arranging a second site visit once visibility had improved, with dead grass to be retained in place to prevent soil erosion.

A second site visit was undertaken by Veronica Norman and Michael Lever with Artefact Heritage on 9 June 2017. The following stakeholders attended the second site visit.

- Les Simon – Batemans Bay Local Aboriginal Land Council.
- Bill Davis – Batemans Bay Local Aboriginal Land Council.
- Kristal House – Little Gudgenby River Tribal Council.
- Justin Bell – Buru Ngunawal Aboriginal Corporation Traditional Carer Group.

Sites GT OS1 and GT OS2 were reinspected during the second site visit. One artefact, a metasedimentary flake, was identified at site GT OS1 during the second site visit. No artefacts were identified at site GT OS2.

The metasedimentary flake recovered from site GT OS1 was collected and wrapped in hessian in accordance with the request made by stakeholders to use natural materials during reburial of artefacts. The artefact was reburied within the fenced off area containing GT ISO6 (**Figure 1**) at a distance of 15m from the existing isolated find at this site.

3.4.2 Exclusion Zones

All Aboriginal sites should be subject to an exclusion zone during construction. An exclusion zone is a physical barrier to prevent encroachment on the site. Exclusion zones will be highly visible and prevent access to the site. Highly visible orange para-webbing stretched between star pickets would be a suitable material with which to construct this barrier. The exclusion zone will be constructed 20m from the centre of the site. If the site area has a radius of greater than 20m the exclusion zone will be established at least 1m beyond the known site perimeter.

3.4.3 Unavoidable Impacts to Known Sites

If impact to a known site cannot be avoided, further mitigation will be required. These mitigation strategies will be formulated through consultation with registered Aboriginal stakeholders, OEH and Department of Planning and Environment (DPE). Mitigation strategies could include:

- collection of objects; and
- further archaeological investigation (e.g. test excavations).

3.5 MANAGEMENT OF UNANTICIPATED ABORIGINAL OBJECTS

This section provides procedures that will be followed if unanticipated Aboriginal objects are discovered at any time throughout the life of the Project.

Aboriginal objects are protected from harm by Section 86 of the *National Parks and Wildlife Act* 1974 (NPW Act). Harm refers to any act or omission that:

- destroys, defaces or damages the object;
- moves the object from the land on which it is situated; or
- causes or permits the object to be harmed (DECCW 2010).

Individuals and/or companies who contravene the NPW Act can incur both monetary fines ranging from \$55,000 to \$1.1 million and up to 2 years jail time.

Examples of Aboriginal objects as defined under the NPW Act include, but are not limited to:

- human skeletal remains;
- Aboriginal culturally modified trees;
- middens;
- rock art;
- stone artefacts;
- raised earth rings;
- grinding grooves;
- rock shelters;
- earth mounds;
- hearths; and
- stone arrangements.

If unanticipated Aboriginal objects are uncovered at any time throughout the life of the Project, the following actions will be implemented.

- **Step 1** - No further earth disturbing works would be undertaken in the vicinity of the suspected item of Aboriginal heritage significance.
- **Step 2** - A buffer of 20m x 20m (or 1m beyond the known extent of the site if the site is larger than 20 x 20m) would be established around the suspected item of Aboriginal heritage significance. No unauthorised entry or earth disturbance would be allowed with this buffer zone until the area has been assessed.
- **Step 3** - A qualified archaeologist or the OEH would be contacted to make an assessment of the discovery and prepare an assessment report, including recommended mitigation measures. The draft report would then be provided to the OEH and the Department of Planning, Industry and Environment (DPIE) as well as representatives of the local Aboriginal community (including registered Aboriginal stakeholders) by way of consultation in accordance with the requirements of Stage 4 of *Aboriginal cultural heritage consultation requirements for proponents – April 2010* (or subsequent versions).

3.6 DISCOVERY OF SKELETAL REMAINS

If suspected human skeletal remains are uncovered at any time throughout the life of the Project the following actions will be implemented.

- **Step 1** – The suspected skeletal remains would not be touched or disturbed.
- **Step 2** – A buffer zone of 50m x 50m would be established around the suspected remains and all work in the vicinity of the suspected remains would be suspended until the area has been assessed.
- **Step 3** – The NSW Police, DPIE and the OEH would be contacted to make an assessment of the discovery. If appropriate, mitigation procedures would then be developed in consultation with DPIE, OEH and the registered Aboriginal stakeholders.

If the skeletal remains are found to be older than 100 years but non-Aboriginal, the site manager will:

- notify the Heritage Council of NSW; and
- await further advice before proceeding with work in the area.

4. INCIDENT REPORTING

Condition 5(2)(g) of MP10_0054 MOD4 specifies that this document should include a protocol for reporting of incidents. In the event of inadvertent disturbance of Aboriginal objects, the Company will notify DPIE, OEH, any other relevant agencies and registered Aboriginal stakeholders of any incident associated with the Project in relation to Aboriginal heritage, as soon as practicable after the Company becomes aware of the incident. Within 7 days of the date of the incident, the Company will provide the DPIE, OEH, registered Aboriginal stakeholders and any relevant agencies with a detailed report on the incident.

5. REVIEW

In accordance with Condition 5(4) of MP10_0054 MOD4, this Plan will be reviewed and, if required, revised within 3 months of:

- the submission of an annual review under Condition 5(3);
- the submission of an incident report under Condition 5(6);
- the submission of an audit report under Condition 5(8); and
- any modification to the conditions of MP10_0054.

This review will include the adequacy of strategies, plans and programs as required under the Project Approval. Recommendations for appropriate measures or actions to improve the environmental performance of the Project and/or any assessment, plan or program will be incorporated into this Plan.

6. USEFUL CONTACTS

- OEH Environmental Line: 131 555
- OEH Queanbeyan – Heritage Branch: (02) 6229 7177
- DPIE Queanbeyan: (02) 4247 1800
- Queanbeyan-Palerang Regional Council: 1300 735 025

7. REFERENCES

DECCW 2005 *Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation.*

DECCW 2010 *Aboriginal cultural heritage consultation requirements for proponents.*

DECCW 2010 *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales.*

DECCW 2010 *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales.*

2002 *Ask First: A Guide to respecting Indigenous Places and Values.* Australian Heritage Commission ACT.

Archaeological Surveys and Reports Pty Ltd (ASR) 2010 *Aboriginal Heritage Assessment – Dargues Reef Gold Project.*

Artefact Heritage Pty Ltd (Artefact) 2015 *Aboriginal heritage advice on the proposed design modifications (MOD3) at the Dargues Reef Gold Mine, Majors Creek.*

APPENDIX A

Appendix A Consultation Log

| Contact / Organisation | Contacted By / Organisation | Method | Date / Time | Comments |
|--|-----------------------------|--------|--------------|--|
| Ngunnawal Elders Corporation - Arnold Williams | Artefact/ Sandra Wallace | Letter | 12 June 2013 | Sent letter discussing proposed design changes and requesting feedback on this and reburial location/ keeping place. Also sent copy of AHMP. |
| Ngunnawal Heritage Aboriginal Corporation- Dean Delponte | Artefact/ Sandra Wallace | Email | 12 June 2013 | Sent letter discussing proposed design changes and requesting feedback on this and reburial location/ keeping place. Also sent copy of AHMP. |
| Buru Ngunawal Aboriginal Corporation Traditional Carer Group - Wally Bell | Artefact/ Sandra Wallace | Email | 12 June 2013 | Sent letter discussing proposed design changes and requesting feedback on this and reburial location/ keeping place. Also sent copy of AHMP. |
| Konanggo Aboriginal Cultural Heritage Services - Robert Young | Artefact/ Sandra Wallace | Email | 12 June 2013 | Sent letter discussing proposed design changes and requesting feedback on this and reburial location/ keeping place. Also sent copy of AHMP. |
| Yurwang Gundana Consultancy Cultural Heritage Services - Dean Bell | Artefact/ Sandra Wallace | Email | 12 June 2013 | Sent letter discussing proposed design changes and requesting feedback on this and reburial location/ keeping place. Also sent copy of AHMP. |
| King Browns Tribal Group Pty Ltd - Tina Brown | Artefact/ Sandra Wallace | Email | 12 June 2013 | Sent letter discussing proposed design changes and requesting feedback on this and reburial location/ keeping place. Also sent copy of AHMP. |
| Yukembruk Merung Ngarigo Consultancy Pty. Ltd. (formerly Bega Traditional Elders Council) - John Dixon | Artefact/ Sandra Wallace | Email | 12 June 2013 | Sent letter discussing proposed design changes and requesting feedback on this and reburial location/ keeping place. Also sent copy of AHMP. |
| Walbunja Aboriginal Corporation - Shane Carriage | Artefact/ Sandra Wallace | Email | 12 June 2013 | Sent letter discussing proposed design changes and requesting feedback on this and reburial location/ keeping place. Also sent copy of AHMP. |
| Batemans Bay LALC – Bunja Smith | Artefact/ Sandra Wallace | Email | 12 June 2013 | Sent letter discussing proposed design changes and requesting feedback on this and reburial location/ keeping place. Also sent copy of AHMP. |
| Little Gudgenby River Tribal Council - Matilda House | Artefact/ Sandra Wallace | Letter | 12 June 2013 | Sent letter discussing proposed design changes and requesting feedback on this and reburial location/ keeping place. Also sent copy of AHMP. |
| Ngunnawal Heritage Aboriginal Corporation – Dean Delponte | Artefact/ Georgia Wright | Phone | 19 June 2013 | Dean has received email about the proposed design changes and has noted the due date for comments. Dean will email comments to Sandra. |
| Buru Ngunawal Aboriginal Corporation Traditional Carer Group – Wally Bell | Artefact/ Georgia Wright | Phone | 19 June 2013 | Left message on answering machine. Noted the call was in regard to the Dargues Reef project. |
| Batemans Bay LALC | Artefact/Georgia Wright | Phone | 19 June 2013 | Spoke to Alicia. Bunja no longer works with the LALC. The LALC received the letter and it will be passed onto the Chairman. Alicia noted the due date for responses. |

| Contact / Organisation | Contacted By / Organisation | Method | Date / Time | Comments |
|--|------------------------------------|---------------|--------------------|---|
| Ngunnawal Elders Corporation – Arnold Williams | Artefact/ Georgia Wright | Phone | 19 June 2013 | Number has been disconnected. |
| Konanggo Aboriginal Cultural Heritage Services – Robert Young | Artefact/ Georgia Wright | Phone | 19 June 2013 | Number has been discontinued. |
| Yurwang Gundana Consultancy Cultural Heritage Services – Dean Bell | Artefact/Georgia Wright | | 19 June 2013 | No contact details available. |
| King Browns Tribal Group Pty Ltd – Tina Brown | Artefact/Georgia Wright | Phone | 19 June 2013 | Incorrect number. |
| Yukembruk Merung Ngarigo Consultancy – John Dixon | Artefact/ Georgia Wright | Phone | 19 June 2013 | Number has been discontinued. |
| Walbunga Aboriginal Corporation – Shane Carriage | Artefact/ Georgia Wright | Phone | 19 June 2013 | Left message on answering machine. Noted the call was in regard to the Dargues Reef project. |
| Little Gudenby River Tribal Council | Artefact/ Georgia Wright | | 19 June 2013 | No contact details available. |
| Yukembruk Merung Ngarigo Consultancy | Artefact/ Georgia Wright | | 24 June 2013 | Informed by OEH (Jackie Taylor, Queanbeyan office) that this group is no longer operating. |
| Ngunnawal Elders Corporation - Arnold Williams | Artefact/ Georgia Wright | Phone | 25 June 2013 | Arnold has received letter about the proposed design changes and noted the due date for comments. Arnold will email comments to Sandra. |
| Konanggo Aboriginal Cultural Heritage Services - Robert Young | Artefact/ Georgia Wright | Phone | 25 June 2013 | Robert recalls receiving the letter but has misplaced it. Robert recalls the job and would like the artefacts to be kept on Country but outside of the impact area. After reading the letter again, Robert will email Sandra with any further comments. |
| King Browns Tribal Group - Tina Brown | Artefact/ Georgia Wright | Phone | 25 June 2013 | Left message on answering machine. Noted the call was in regard to the Dargues Reef project. |
| Walbunga Aboriginal Corporation | Artefact/ Georgia Wright | Phone | 25 June 2013 | Left message on Talia's answering machine (contact number from OEH). Noted the call was in regard to the Dargues Reef project. |
| Little Gudenby River Tribal Council – Matilda House | Artefact/ Georgia Wright | Phone | 25 June 2013 | Matilda has received our letter about the proposed changes and has noted the due date for comments. Matilda will email comments to Sandra. |
| Buru Ngunawal Aboriginal Corporation Traditional Carer Group – Tyrone Bell | Artefact/ Georgia Wright | Phone | 25 June 2013 | Wally forwarded letter to Tyrone Bell. Tyrone has noted the due date for comments and will email these to Sandra. Tyrone has concerns about how much of the initial project area was surveyed. |
| Yurwang Gundana Consultancy Cultural Heritage Services | Artefact/ Georgia Wright | Phone | 25 June 2013 | Left message on answering machine (contact number from OEH). |

| Contact / Organisation | Contacted By / Organisation | Method | Date / Time | Comments |
|--|--|---------------|--------------------|--|
| Konanggo Aboriginal Cultural Heritage Services - Robert Young | Artefact/ Georgia Wright | Email | 25 June 2013 | Re-sent letter about the proposed design changes. |
| Artefact/ Sandra Wallace | Walbunja Aboriginal Corporation | Phone | 25 June 2013 | Received letter. Asked whether there would be salvage excavations, which he was informed there would not. |
| Artefact/ Georgia Wright | King Browns Tribal Group - Tina Brown | Phone | 25 June 2013 | Tina has received the letter and noted the due date for comments. Tina will email comments to Sandra. |
| Sandra Wallace/ Artefact | Ngunawal Heritage Corporation - Dean Delponte | Email | 26 June 2013 | Noted that the mitigation measure proposed (collection of artefact prior to impacts) is accordance with the organisations views. Noted that the site may require monitoring during earthworks. Also noted the organisations support for reburial of collected artefacts in an area that will not be impacted and in a natural environment. In the event of reburial the organisation prefers the use of natural fibre (hessian bag) or other natural materials (bark, leaves) as opposed to plastic. |
| Sandra Wallace/ Artefact | Buru Ngunawal Aboriginal Corporation Traditional Custodian Group - Tyrone Bell | Email | 26 June 2013 | Having read the proposed design changes, the organisation recommended archaeological test excavations within impacted sections of the PADs associated with GT OS1 and GT OS2. If test excavations are not agreed on the organisation recommended monitoring in these areas. The organisations preference is for artefacts to be recovered and buried at Dargues Reef in a conservation area. |
| Ngunawal Elders Corporation - Arnold Williams | Georgia Wright/ Artefact | Phone | 1 July 2013 | Arnold commented that his preferred option is that the artefacts are collected and reburied in an area that would not be impacted by the development. |
| Konanggo Aboriginal Cultural Heritage Services – Robert Young | Georgia Wright/ Artefact | Phone | 1 July 2013 | Number unavailable. Text message sent with number I called from via automatic answering machine. |
| Yurwang Gundana Consultancy Cultural Heritage Services – Dean Bell | Georgia Wright/ Artefact | Phone | 1 July 2013 | Left message on answering machine. |
| King Browns Tribal Group – Tina Brown | Georgia Wright/ Artefact | Phone | 1 July 2013 | Tina hasn't had a chance to read over the proposed changes. She will have a look over the letter and if she can, send something through or give a verbal comment over the phone tomorrow morning. |
| Walbunja Aboriginal Corporation | Georgia Wright/ Artefact | Phone | 1 July 2013 | Left message on Talia's answering machine (contact number from OEH). |
| Little Gudenby River Tribal Council – Matilda House | Georgia Wright/ Artefact | Phone | 1 July 2013 | Hasn't read the letter and would like to confer with the Batemans Bay Land Council about the proposed changes. Preference is for the recovered artefacts to be stored with the Land Council. |

| Contact / Organisation | Contacted By / Organisation | Method | Date / Time | Comments |
|---|---|---------------|--------------------|---|
| Batemans Bay LALC | Georgia Wright/ Artefact | Phone | 1 July 2013 | Alicia passed on the letter last week. There is a Land Council meeting tonight and she will raise it there and send comments through or give a verbal comment over the phone tomorrow morning. Noted that I had spoken with Matilda House and that she asked I send the letter through to Land Council. The Land Council have a copy of the letter and will take it to the meeting tonight. |
| Ngunawal Heritage Corporation - Dean Delponte | Veronica Norman - Artefact | Email | 14 September 2016 | Updated AHMP and information letter regarding consultation period closing on the 28 th September sent for review via email. |
| Buru Ngunawal Aboriginal Corporation Traditional Carer Group - Wally Bell | Veronica Norman - Artefact | Email | 14 September 2016 | Updated AHMP and information letter regarding consultation period closing on the 28 th September sent for review via email. |
| Veronica Norman – Artefact | Buru Ngunawal Aboriginal Corporation Traditional Carer Group - Wally Bell | Email | 14 September 2015 | Read receipt received from Wally |
| Konanggo Aboriginal Cultural Heritage Services - Robert Young | Veronica Norman - Artefact | Email | 14 September 2016 | Updated AHMP and information letter regarding consultation period closing on the 28 th September sent for review via email. |
| Yurwang Gundana Consultancy Cultural Heritage Services - Dean Bell | Veronica Norman - Artefact | Email | 14 September 2016 | Updated AHMP and information letter regarding consultation period closing on the 28 th September sent for review via email. EMAIL COULD NOT BE SENT – a message was left with OEH in order to find new contact details for Yurwang Gundana Consultancy Cultural Heritage Services |
| King Browns Tribal Group Pty Ltd - Tina Brown | Veronica Norman - Artefact | Email | 14 September 2016 | Updated AHMP and information letter regarding consultation period closing on the 28 th September sent for review via email. |
| Walbunja Aboriginal Corporation | Veronica Norman - Artefact | Email | 14 September 2016 | Updated AHMP and information letter regarding consultation period closing on the 28 th September sent for review via email. |
| Batemans Bay LALC | Veronica Norman - Artefact | Email | 14 September 2016 | Updated AHMP and information letter regarding consultation period closing on the 28 th September sent for review via email. |
| Mogo LALC | Veronica Norman - Artefact | Email | 14 September 2016 | Updated AHMP and information letter regarding consultation period closing on the 28 th September sent for review via email. |
| Ngunnuwal Elders Corporation | Veronica Norman - Artefact | Letter | 14 September 2016 | Updated AHMP and information letter regarding consultation period closing on the 28 th September sent for review via post. |
| Little Gudgey River Tribal Council | Veronica Norman - Artefact | Letter | 14 September 2016 | Updated AHMP and information letter regarding consultation period closing on the 28 th September sent for review via post. |
| Veronica Norman – Artefact | Mogo LALC | Email | 15 September 2016 | Read receipt received from Mogo LALC |

| Contact / Organisation | Contacted By / Organisation | Method | Date / Time | Comments |
|---|--|---------------|--------------------|--|
| Ngunawal Elders Corporation | Veronica Norman – Artefact | Phone | 27 September 2016 | Called to follow up on AHMP. Phone number goes to a woman called Natasha's mailbox. |
| Ngunawal Heritage Corporation - Dean Delponte | Veronica Norman – Artefact | Phone | 27 September 2016 | Called to follow up on AHMP. Dean said he had received the email but had not had time to review the report. He said he would call back once he had done so. |
| Buru Ngunawal Aboriginal Corporation Traditional Carer Group - Wally Bell | Veronica Norman – Artefact | Phone | 27 September 2016 | Called to follow up on AHMP. Left voicemail |
| Konanggo Aboriginal Cultural Heritage Services – Robert Young | Veronica Norman – Artefact | Phone | 27 September 2016 | Called to follow up on AHMP. Robert was very unhappy to be called when he hadn't walked over his own country and other people were asked to be involved that weren't traditionally from the region |
| Yurwang Gundana Consultancy Cultural Heritage Services | Veronica Norman – Artefact | Phone | 27 September 2016 | Wrong number |
| King Browns Tribal Group Pty Ltd - Carl Brown | Veronica Norman – Artefact | Phone | 27 September 2016 | Called Carl Brown to follow up on AHMP. He said the report had been sent to Tina and he had not looked at it. Carl gave me Tina's phone number. |
| King Browns Tribal Group Pty Ltd - Tina Brown | Veronica Norman – Artefact | Phone | 27 September 2016 | Called Tina to follow up on AHMP. Phone did not ring, no voicemail available. |
| Walbunja Aboriginal Corporation | Veronica Norman – Artefact | Phone | 27 September 2016 | Called to follow up on AHMP. First number disconnected, second number goes through to Campbell Page |
| Batemans Bay LALC | Veronica Norman – Artefact | Phone | 27 September 2016 | Called to follow up on AHMP. BBLALC said they would provide comments by the end of the week |
| Little Gudgenby River Tribal Council | Veronica Norman – Artefact | Phone | 27 September 2016 | Called to follow up on AHMP. Number disconnected |
| Mogo LALC | Veronica Norman – Artefact | Phone | 27 September 2016 | Called to follow up on AHMP. Linda (CEO) will provide comments as soon as possible |
| Veronica Norman - Artefact | Ngunawal Heritage Aboriginal Corporation – Graeme Dobson | Email | 28 September 2016 | The Ngunawal Heritage Aboriginal Corporation support the Management measures outlined in the report, providing they are fully implemented. |