

Clean TeQ Sunrise Project Heritage Management Plan

2020-CTEQ-0000-66AA-0006

12 June 2019

REVISION 2

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1. INTRODUCTION

The Clean TeQ Sunrise Project (the Project) is situated near the village of Fifield, approximately 350 kilometres west-northwest of Sydney, in New South Wales (NSW) (Figure 1).

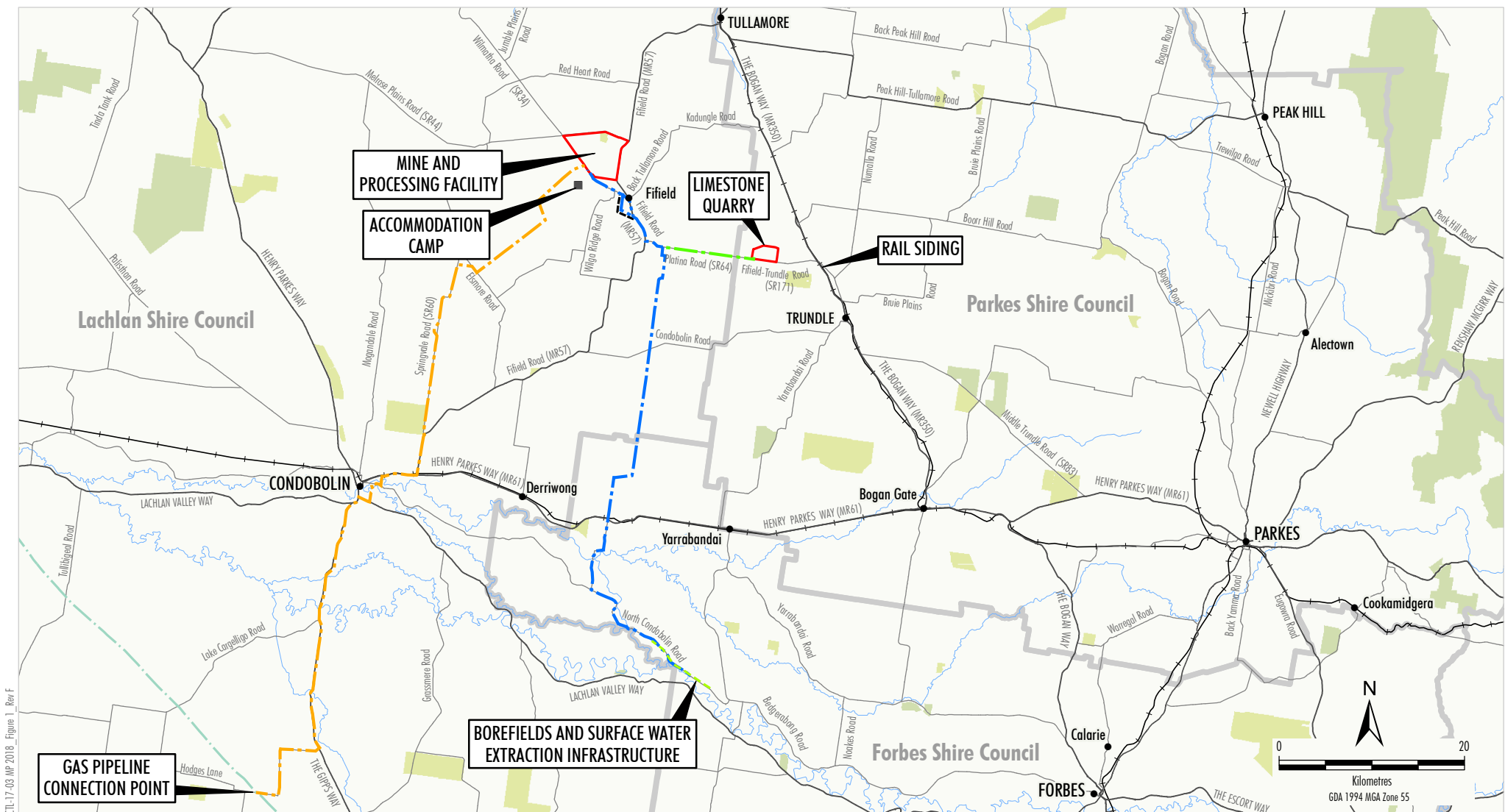
The Project includes the establishment and operation of the following:

- mine (including the processing facility);
- limestone quarry;
- rail siding;
- gas pipeline;
- borefields, 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).

Clean TeQ Sunrise Pty Ltd owns the rights to develop the Project. Clean TeQ Sunrise Pty Ltd is a wholly owned subsidiary of Clean TeQ Holdings Limited (Clean TeQ).

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. Six 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 borefields;
- 2017 – to allow for the production of scandium oxide;
- 2017 – to amend hazard study requirements;
- 2018 – to relocate the accommodation camp; and
- 2018 – to implement opportunities to improve the overall efficiency of the Project.



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

Source: Black Range Minerals (2000); Clean TeQ (2017, 2018);
NSW Department of Industry (2018); NSW Land & Property Information
(2017); Office of Environment and Heritage NSW (2017)

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Regional Location

Figure 1

1.1 Purpose and Scope

The Secretary of the NSW Department of Planning and Environment (DP&E) (the Secretary) 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).

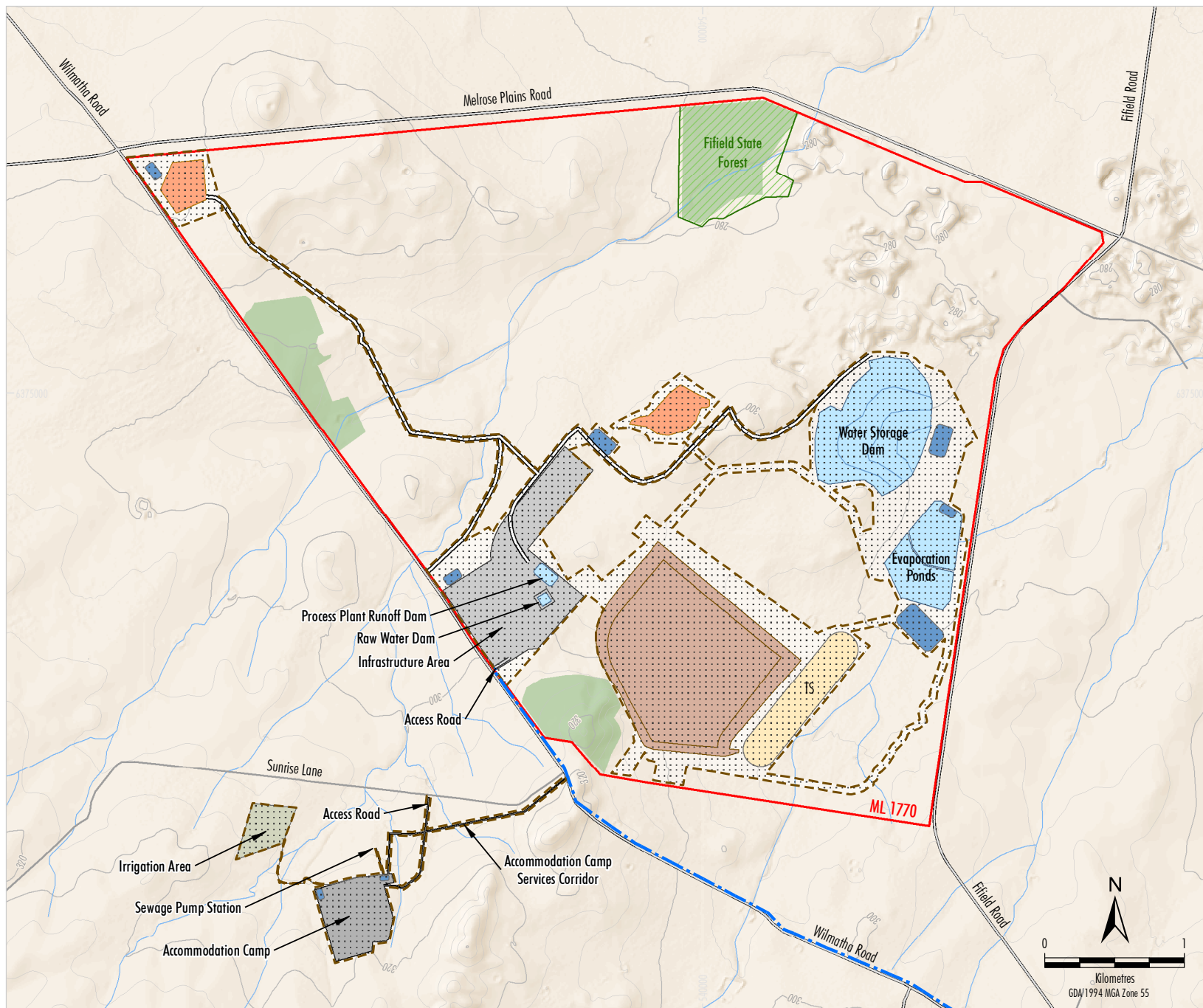
Table 1 – Specific HMP Requirements in Development Consent DA 374-11-00

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 Secretary. This plan must:	This HMP
a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Secretary;	Section 1.1
b) be prepared in consultation with OEH and the Condobolin Local Aboriginal Land Council, Wiradjuri Branch of the NSW Aboriginal Land Council (in relation to the management of Aboriginal heritage values);	Section 1.3
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 publically 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.	-

On 5 July 2018, the 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 borefields, 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.



- LEGEND**
- State Forest
 - Mining Lease Boundary (ML)
 - Initial Construction Activities Surface Development Area
 - Tailings Storage Facility
 - Borrow Pit
 - TS Topsoil Stockpile
 - Infrastructure Area
 - Water Storage
 - Sediment Dam
 - Existing Open Woodland to be Maintained
 - Water Pipeline

Note: The sediment dam located in the footprint of the evaporation ponds will be used during construction of the evaporation ponds and will be decommissioned once the evaporation ponds are constructed.

Source: Black Range Minerals (2000); Clean TeQ (2017, 2019); NSW Department of Industry (2018); NSW Land & Property Information (2017)

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**Mine and Processing Facility
General Arrangement
(Initial Construction Activities)**

Figure 2

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.

1.3 Consultation for the Heritage Management Plan

In accordance with Condition 40(b), Schedule 3 of Development Consent DA 374-11-00 for the Project, the previous version of this HMP was provided to the NSW Office of Environment and Heritage (OEH) (via email correspondence on 10 July 2018), the Condobolin Local Aboriginal Land Council (LALC) (via postal correspondence on 2 March and 15 June 2018) and the Wiradjuri Branch of the NSW Aboriginal Land Council¹ (via postal correspondence on 2 March and 15 June 2018) for their review and comment. Correspondence was received from OEH 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 draft 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 draft 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.

¹ 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).

Following this consultation, minor revisions were made to this HMP to reflect the determination of Modification 4 in December 2018. With the agreement of the Secretary 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.

2. HERITAGE MANAGEMENT PLAN REVIEW AND UPDATE

Consistent with the 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 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 would 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 Secretary will be advised of the outcomes of the review and any revised documents submitted to the Secretary for approval.

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

If agreed with the 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.

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 Clean TeQ website, in accordance with Condition 12, Schedule 5 of Development Consent DA 374-11-00.

3. STATUTORY REQUIREMENTS

Clean TeQ'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

Condition 40, Schedule 3 of Development Consent DA 374-11-00 requires the preparation of a HMP. Table 1 presents these requirements and indicates where they are addressed in 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.

Table 2 presents these requirements and indicates where each is addressed within this HMP. As noted, the 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
b) <i>a description of:</i>	Section 3 and Appendix A
• <i>the relevant statutory requirements (including any relevant approval, licence or lease conditions);</i>	Section 9
• <i>any relevant limits or performance measures/criteria;</i>	Section 9
• <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 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>	Sections 6, 7, 11 and 12
• <i>impacts and environmental performance of the development;</i>	
• <i>effectiveness of any management measures (see c above);</i>	
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>	Section 12
• <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>	
h) <i>a protocol for periodic review of the plan.</i>	Section 2
<i>Note: The 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 NSW Division of Resources and Geoscience.
- Environment Protection Licence (EPL) 21146 issued under Part 3 of the NSW *Protection of the Environment Operations Act, 1997* (POEO Act).
- Water supply works, water use approvals and water access licences (WALs) issued by Department of Industry – Water under the NSW *Water Management Act, 2000* including:
 - Water Supply Works Approval 70CA614098 for the Project borefields.
 - 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 Unregulated and Alluvial Water Sources 2012*.

- 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 Unregulated and Alluvial Water Sources 2012*.
- 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 2011*.
- WAL 6679 for 123 share components (General Security) under the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016*.
- Aboriginal Heritage Impact Permits (AHIPs #C0003049 and #C0003887) issued by the Office of Environment and Heritage (OEH) under the NSW *National Parks and Wildlife Act, 1974* (NP&W Act) (Section 3.4).
- Mining and workplace health and safety related approvals granted by the NSW Department of Industry and SafeWork NSW.

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 the OEH. 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

Clean TeQ 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.

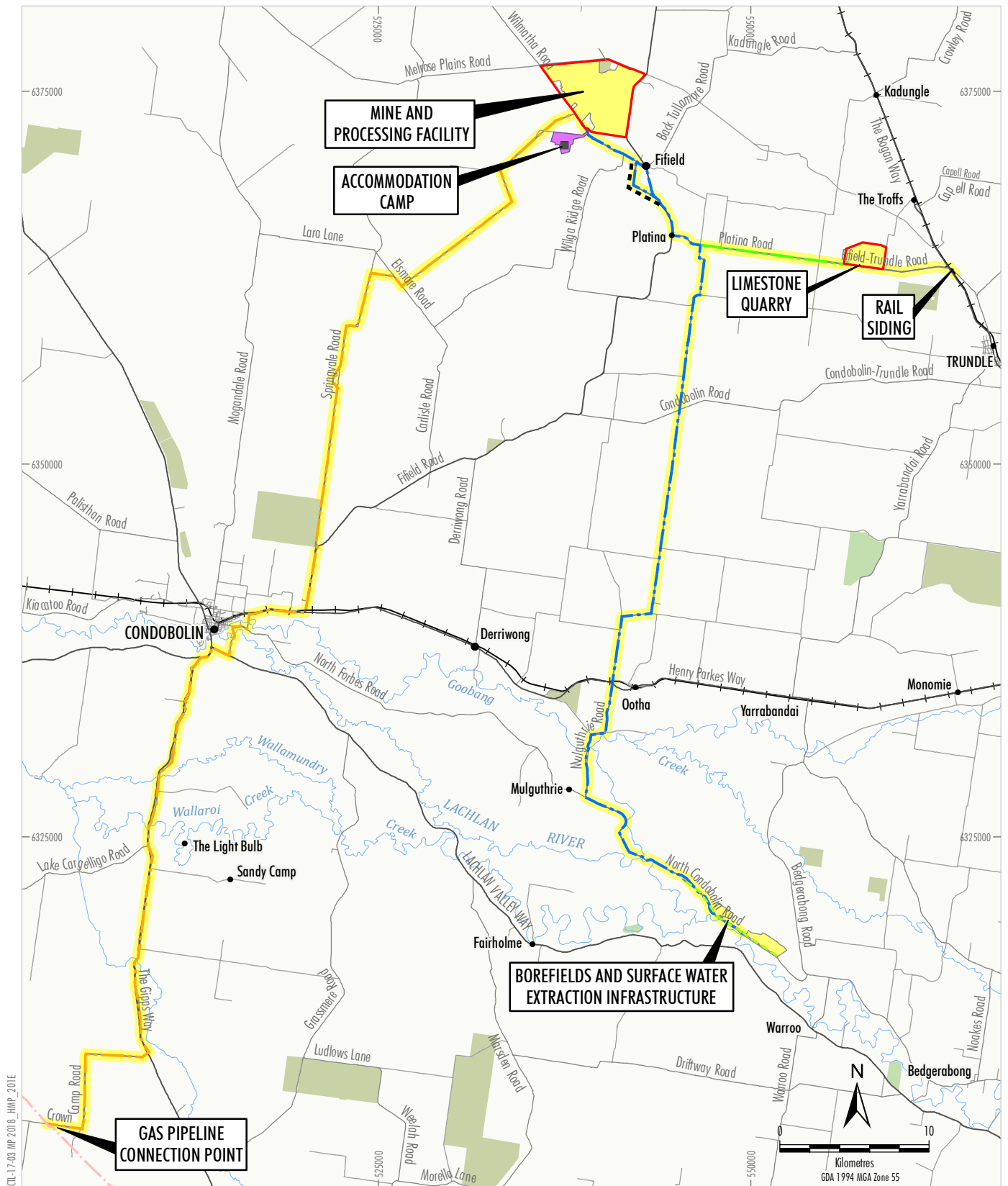


Figure 3

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.

Table 3 – 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 = OEH 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); and
- Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW, 2010c).
- NSW Aboriginal Land Rights Act, 1983.

4. ABORIGINAL HERITAGE SITES AND ABORIGINAL HERITAGE VALUES

Clean TeQ has established and maintains an Aboriginal Heritage Sites Database. The database is based on previous archaeological 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 (Landscape, 2017a) (Doc No: 2020-CTEQ-0000-66YH-0001);
- Syerston Project – Modification 4 Aboriginal Cultural Heritage Assessment (Landscape, 2017b) (Doc No: 2020-CTEQ-0000-66YH-0002);
- Clean TeQ Sunrise Project – Accommodation Camp Modification Aboriginal Cultural Heritage Assessment (Landscape, 2018a) (Doc No: 2020-CTEQ-REFE-66YA-0003); and
- Aboriginal Cultural Heritage Due Diligence Assessment: Clean TeQ Sunrise Project – Modification 4 Areas (Landscape, 2018b) (Doc No: 2020-CTEQ-0000-66YA-0001).

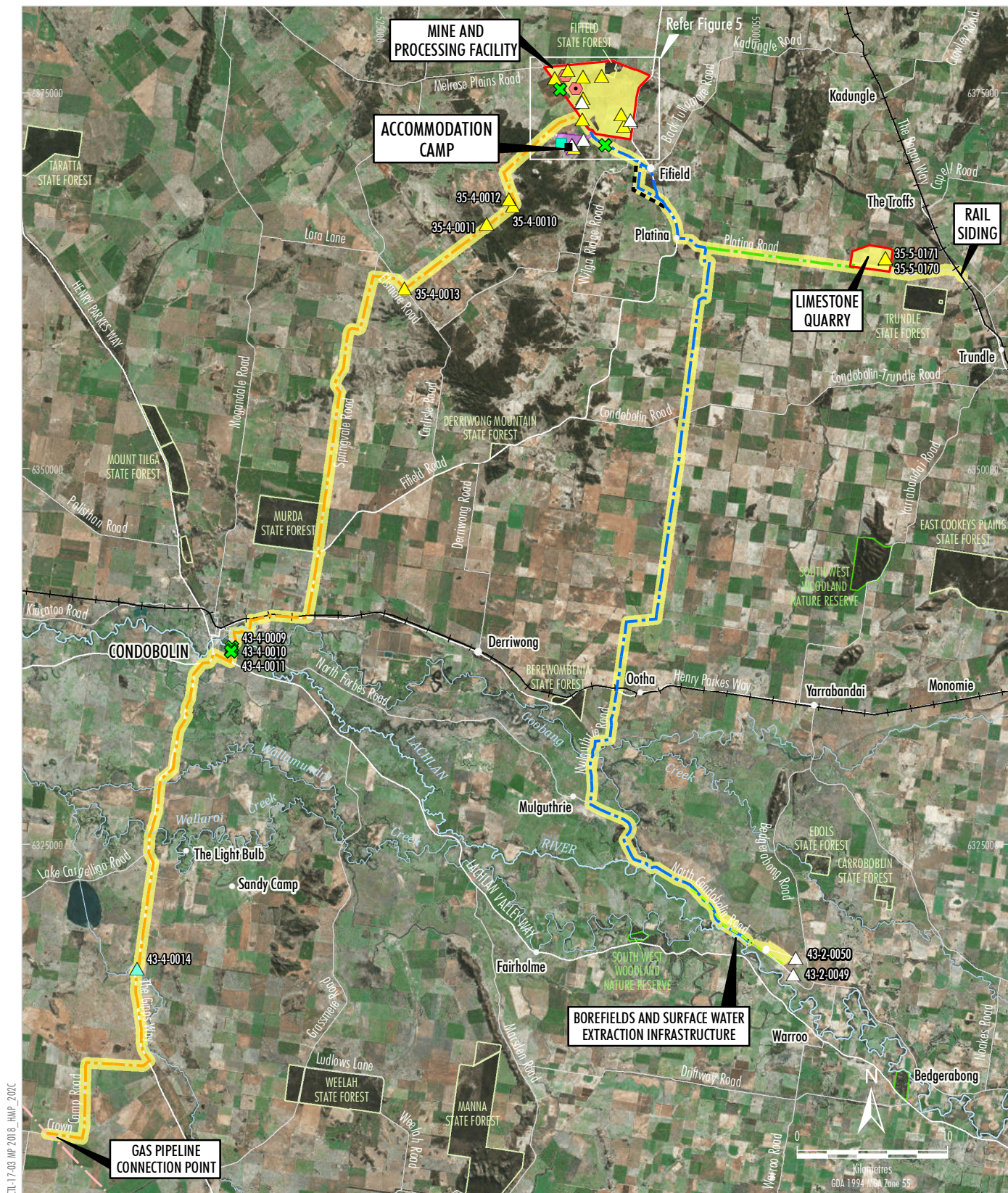
4.1 Aboriginal Heritage Sites

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: Landscape (2017a, 2017b, 2018).



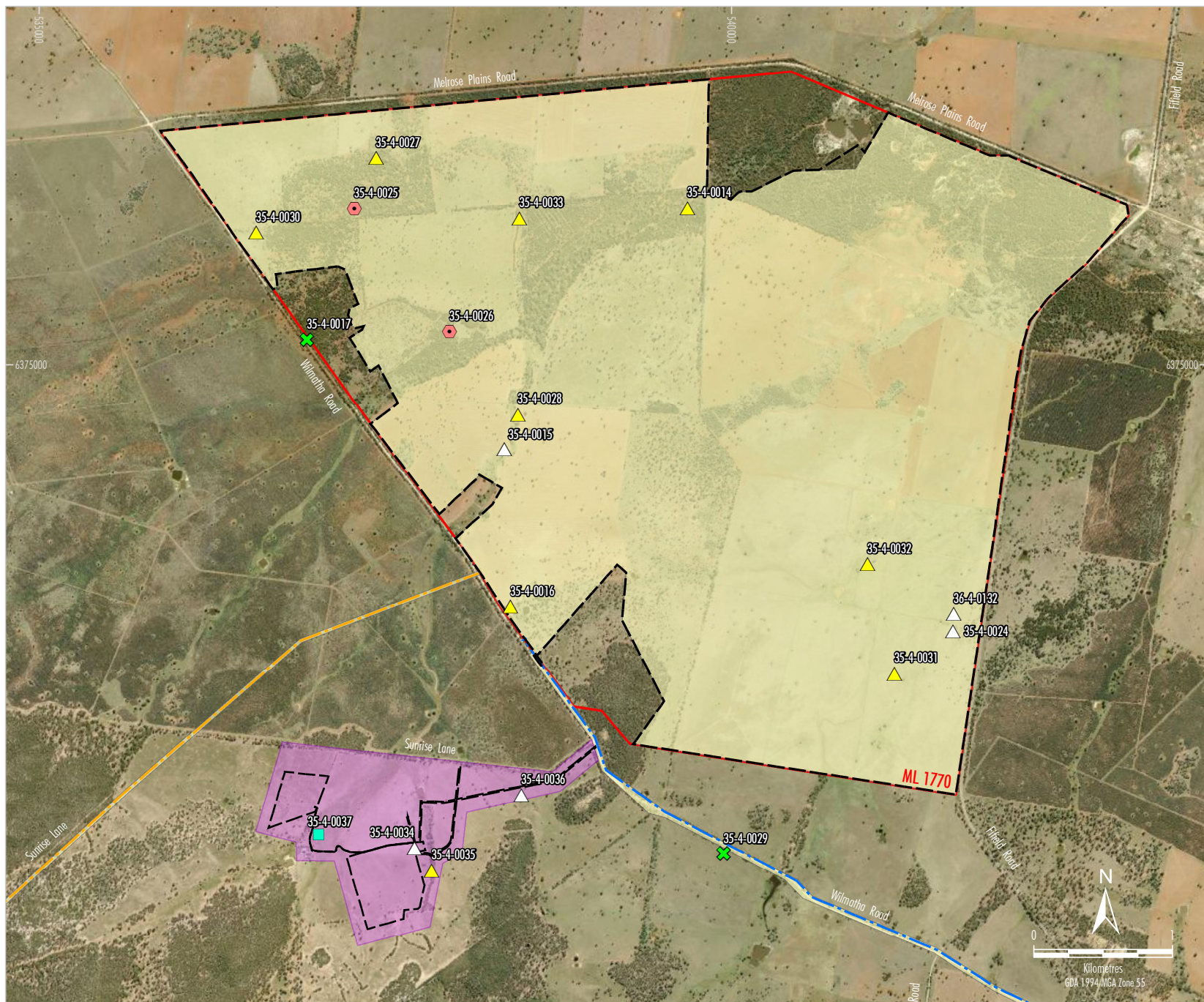
Source: Black Range Minerals (2000); Clean Teq (2017, 2019); NSW Department of Industry (2018); NSW Land and Property Information (2016); Office of Environment and Heritage NSW (2016); World Imagery: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Location of Aboriginal Heritage Sites
- All Project Components

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

Note: The location of 35-4-0029 in the AHIMS database is not considered to be correct and Clean TeQ is therefore consulting with the OEH to update the AHIMS database. The updated location will be included in the next revision of the Heritage Management Plan.

Source: Black Range Minerals (2000); Clean TeQ (2017, 2019); NSW Department of Industry (2018); NSW Land & Property Information (2017)
NSW Imagery: NSW Department of Finance & Services (2017)

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**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

Clean TeQ has established and maintains a Historic Heritage Sites Database. The database is based on previous historic heritage 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.

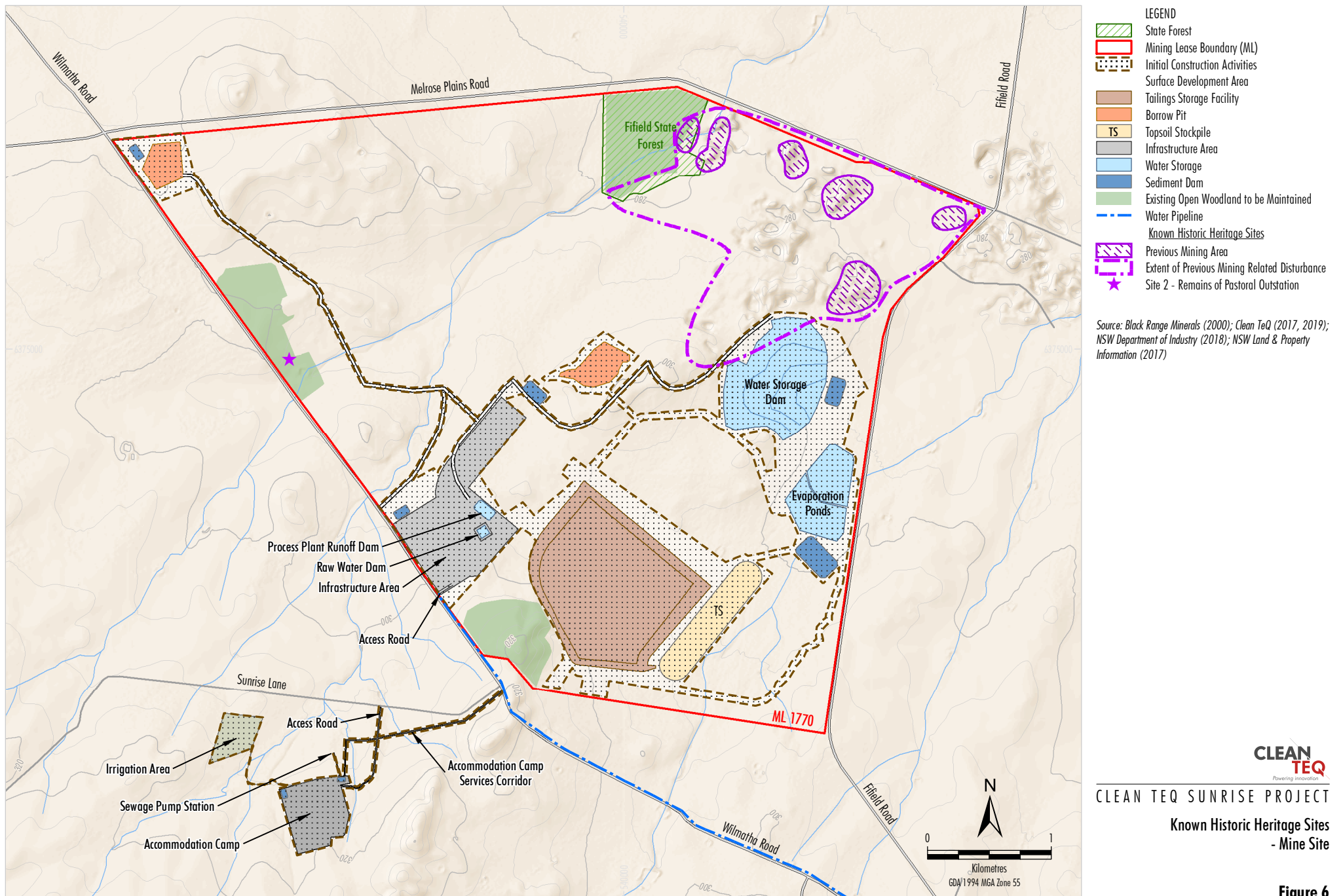
Table 5 – Historic Heritage Sites within the Project Area and Surrounds

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).

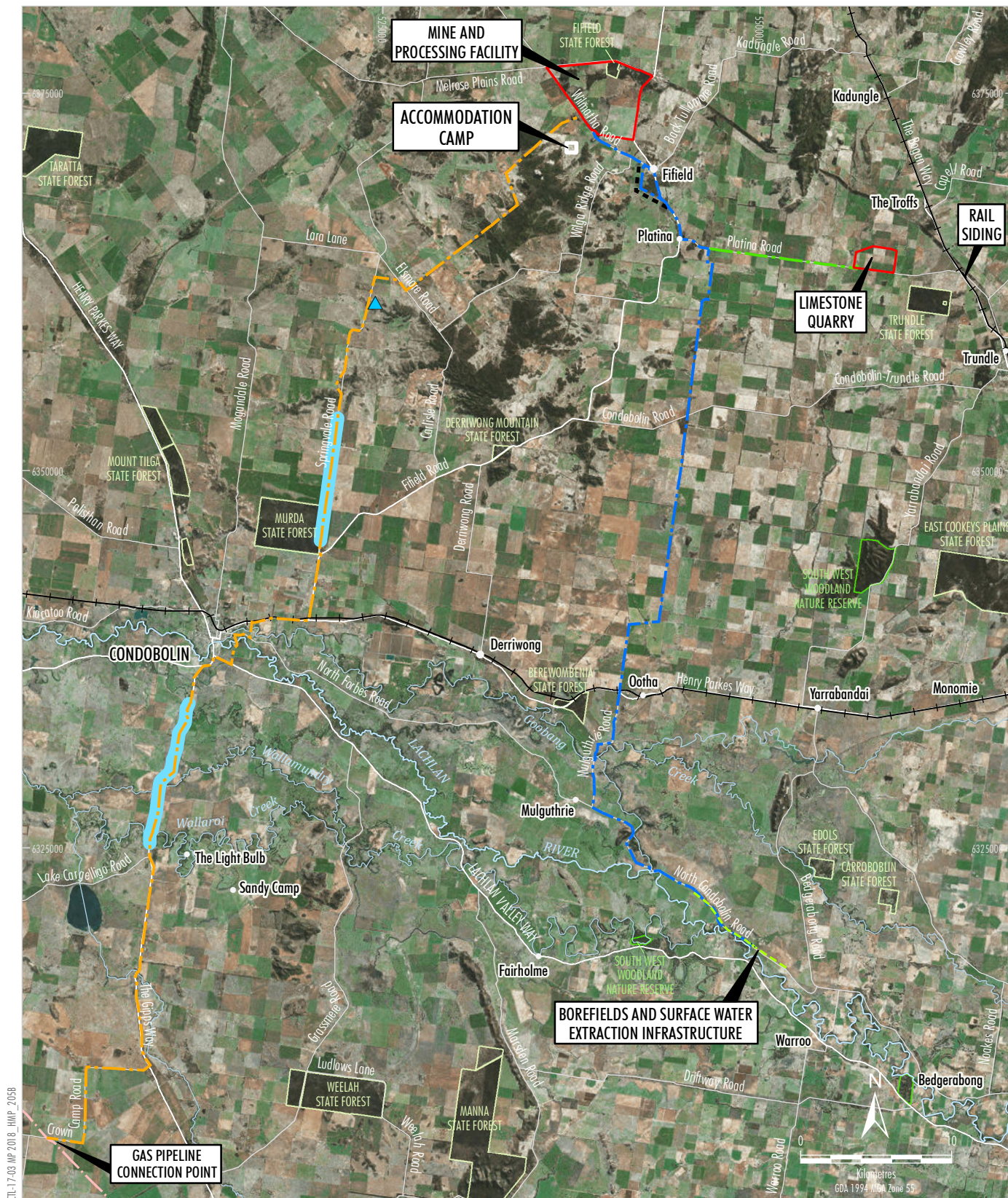
5.2 Historic Heritage Values

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]).



CTL-17-03 MP 2018_HMP_204B

Figure 6



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

Clean TeQ 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. Clean TeQ 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) and *Clean TeQ Sunrise Project – Aboriginal Cultural Heritage Due Diligence Assessment Modification 4 Areas* (Landskape, 2018b). 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 – RAPs 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	Leeanne Hampton
Condobolin LALC	Dave Carter
Louise Davis	-
Peter Peckham	-
Sandra Peckham	-
Isabel Goolagong	-
Peter White	-

6.1.2 Ongoing Consultation with Registered Aboriginal Parties

Clean TeQ 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 Clean TeQ. Correspondence with the RAPs will occur via written and/or phone communication, depending on the nature of the correspondence. Clean TeQ 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 Clean TeQ to provide updates.

Meetings with RAPs will be convened at least annually by Clean TeQ. 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 Clean TeQ. 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 the OEH) and/or presentations and/or discussions at community forums and meetings (in accordance with AHIPs #C0003049 and #C0003887).

Clean TeQ will provide appropriate notification to the RAPs and a minimum 21 days to comment on any proposed amendments to the HMP (Section 2). Clean TeQ 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:

- Clean TeQ will engage representatives of the RAPs (where available²) to carry out field activities (past, current and future) generally according to any commercial agreements they have entered into with Clean TeQ to participate in archaeological survey, collection, excavation and/or monitoring required under this HMP.
- Clean TeQ may engage RAPs by inviting representatives for all RAPs to attend the works, or through a roster system.
- Clean TeQ 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, Clean TeQ 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. Clean TeQ will provide safe access to the investigation area and induct representatives to an appropriate level for Workplace Health and Safety purposes.

² Subject to suitable notification requirements being met by Clean TeQ, the fieldwork/salvage (and/or other heritage management works required by this HMP) may commence to avoid unnecessary delays to mining operations at the Project.

- Where that methodology is different from that already approved by the RAPs for the Project or in the HMP Clean TeQ 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.
 - Clean TeQ 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 representatives³ to participate in archaeological survey, collection, excavation or monitoring required under this HMP. The representatives will comply with all requirements of Clean TeQ 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. Clean TeQ 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, Clean TeQ 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 Clean TeQ and the RAPs cannot be reached, then Clean TeQ will determine the curation following receipt of advice from an appropriately qualified expert in the physical conservation of artefacts and/or advice from OEH.

Workplace Health and Safety and insurance requirements are subject to periodic review and update by Clean TeQ 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.

³ 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
35-4-0014	Syerston 2	Isolated Artefact	Direct	Collect Aboriginal object.
35-4-0015	Syerston 1	Artefact Scatter	Direct	Collect Aboriginal objects.
35-4-0016	Syerston 3	Isolated Artefact	Direct	Collect Aboriginal object.
35-4-0017	Syerston ST1	Scarred Tree	Indirect	Avoid harm. Erect temporary protective barrier as required.
35-4-0024	Kingsdale Artefact 1	Artefact Scatter	Direct	Collect Aboriginal objects.
35-4-0025	Syerston Stone Quarry 2	Stone Quarry	Direct	Collect Aboriginal objects.
35-4-0026	Syerston Stone Quarry 1	Stone Quarry	Direct	Site recording, collect Aboriginal objects.
35-4-0027	Syerston Isolated Artefact 4	Isolated Artefact	Direct	Collect Aboriginal object.
35-4-0028	Syerston Isolated Artefact 1	Isolated Artefact	Direct	Collect Aboriginal object.
35-4-0029 ³	Fifield Scarred Tree 1	Scarred Tree	Indirect	Avoid harm. Erect temporary protective barrier as required.
35-4-0030	Syerston Isolated Artefact 3	Isolated Artefact	Direct	Collect Aboriginal object.
35-4-0031	Kingsdale Isolated Artefact 1	Isolated Artefact	Direct	Collect Aboriginal object.
35-4-0032	Kingsdale Isolated Artefact 2	Isolated Artefact	Direct	Collect Aboriginal object.
35-4-0033	Syerston Isolated Artefact 2	Isolated Artefact	Direct	Collect Aboriginal object.
35-4-0034	Sunrise Isolated Artefact 3	Isolated Artefact	Direct	Collect Aboriginal object. ²
35-4-0035	Sunrise Isolated Artefact 1	Artefact Scatter	Direct	Collect Aboriginal objects. ²
35-4-0036	Sunrise Isolated Artefact 2	Artefact Scatter	Direct	Collect Aboriginal objects. ²
35-4-0037	Sunrise Earth Oven 1	Hearth	Indirect	Avoid harm. Erect protective barrier. ²

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

AHIMS Site Number	Site Name	Type	Proposed Impact	Management Response ¹
35-5-0170	The Troffs Isolated Artefact 2	Isolated Artefact	Direct	Collect Aboriginal object.
35-5-0171	The Troffs Isolated Artefact 1	Isolated Artefact	Direct	Collect Aboriginal object.
36-4-0132	Kingsdale Artefact 2	Artefact Scatter	Direct	Collect Aboriginal objects.
43-2-0049	North Condobolin Road ISO1	Isolated Artefact	Direct	Collect Aboriginal object.
43-2-0050	North Condobolin Road ISO2	Isolated Artefact	Direct	Collect Aboriginal object.

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

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

³ The location of 35-4-0029 in the AHIMS database is not considered to be correct and Clean TeQ is therefore consulting with the OEH to update the AHIMS database. The updated location will be included in the next revision of the HMP.

Prior to any disturbance of Aboriginal heritage site Syerston 1 (AHIMS 35-4-0015), the Condobolin LALC⁴ would 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 Clean TeQ Sunrise 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.

⁴ Note: as the Wiradjuri Branch of the NSW Aboriginal Land Council no longer exists as a consultative body, they cannot be invited to collect the artefacts as required by Condition 38 of the Development Consent (DA 374-11-00).

6.3.2 Construction of Protective Fencing

Clean TeQ 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) would 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, would also be temporarily fenced to avoid inadvertent damage prior to salvage.

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

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.*

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

Prior to surface disturbance, Clean TeQ will contract an appropriately qualified archaeologist to undertake the above management measures, in consultation with RAPs.

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 OEH 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 the OEH 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 Clean TeQ Sunrise 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 Clean TeQ 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 Clean TeQ Sunrise Project Aboriginal Heritage Site Database and Table 7 will be updated to note that the site was not recovered.

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). Clean TeQ 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 would be implemented in accordance with Section 6.10.

6.8 Archaeological Salvage Program Reporting

Clean TeQ will provide written notice to the OEH 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 the OEH (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 OEH 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 OEH, 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) 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, Clean TeQ 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 would 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 Clean TeQ Environmental Superintendent.
- Approval of the Ground Disturbance Permit must be obtained prior to the commencement of direct ground disturbance activities.
- Clean TeQ will identify whether the proposed impact area is located within the extent of the approved AHIP boundaries. The proposed impact area would 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:
 - Clean TeQ will determine whether any known heritage sites, as identified by a suitably qualified archaeologist, may be subject to impacts (by checking the Clean TeQ Sunrise Project Aboriginal Heritage Sites Database, and where the subject land is not owned or directly controlled by Clean TeQ, 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, Clean TeQ 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, Clean TeQ would seek a new AHIP and/or a variation to the existing AHIP(s) as needed.
- Notwithstanding, Clean TeQ 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 OEH 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 Clean TeQ Environmental Superintendent as soon as practicable.
- Clean TeQ 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. Clean TeQ 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, Clean TeQ 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 OEH in relation to any newly identified Aboriginal heritage sites. The Clean TeQ 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 Clean TeQ wishes to deviate from the above-described protocol and the deviations result in a reduced level of management being applied to the site(s), Clean TeQ would seek DP&E 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 Clean TeQ Environmental Superintendent is to be notified immediately.
3. The Clean TeQ Environmental Superintendent is to notify the Police immediately.
4. The Clean TeQ Environmental Superintendent is to contact OEH's Environment line on 131 555 and the DP&E to notify that possible skeletal remains have been discovered and that the Police have been notified. Clean TeQ will facilitate, in cooperation with the Police, DP&E and the OEH, 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, Clean TeQ will manage the remains in consultation with the RAPs and the OEH, 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 OEH 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 the OEH.

In the unlikely event that an Aboriginal burial is encountered, strategies for its management would 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 Clean TeQ Environmental Superintendent 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 Clean TeQ Environmental Superintendent will report the incident to the DP&E and OEH 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 Clean TeQ Environmental Superintendent. 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 the OEH 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). Clean TeQ is committed to facilitating reasonable access consistent with personnel Workplace Health and Safety requirements.

If requested by members of the Aboriginal community, Clean TeQ 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 Clean TeQ Environmental Superintendent in writing at PO Box 227, Mulgrave VICTORIA 3170. If a written request is unable to be made, RAPs should contact Clean TeQ 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 Clean TeQ).

A minimum of five business days written notice is required and access will be permitted by Clean TeQ once an agreement has been reached between the RAP representatives and Clean TeQ 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 mining due to safety concerns.

6.15 Management of Aboriginal Heritage Sites Database

As described in Section 4, a comprehensive Clean TeQ Sunrise Project Aboriginal Heritage Sites Database is maintained by Clean TeQ. 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 56).
- Relevant management measure(s).

The information within this database will be made available to all relevant Clean TeQ 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 Clean TeQ 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 Clean TeQ 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 DP&E 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 would 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.

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.

Clean TeQ 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 the Clean TeQ Environmental Superintendent 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. Clean TeQ 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.

Clean TeQ'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 Clean TeQ 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 Clean TeQ 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 Clean TeQ 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 Clean TeQ 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). They are accessible online at:

[http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/infoarchival records.pdf](http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/infoarchival%20records.pdf)

<http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/infophotographicrecording2006.pdf>

For the purposes of archival recording of the above 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 above 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 Clean TeQ Environmental Superintendent or authorised delegate.
5. The Clean TeQ Environmental Superintendent, 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 NSW Heritage Council with the advice from the archaeologist for determination of further procedures.

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

7.5 Management of Historic Heritage Sites Database

Clean TeQ 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 Clean TeQ 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 NSW Heritage Council will be notified of any changes to the database.

8. HERITAGE INDUCTIONS AND TRAINING

8.1 Clean TeQ 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 Clean TeQ Ground Disturbance Permit process and relevant protocols prior to any surface disturbance activities.

Clean TeQ 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 Clean TeQ 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.

Clean TeQ 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, Clean TeQ will implement the following Contingency Plan:

- The likely exceedance will be reported to the Clean TeQ Environmental Superintendent within 24 hours of becoming aware of the exceedance or incident.
- The Clean TeQ Environmental Superintendent will report the likely exceedance to the Clean TeQ General 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 Clean TeQ Environmental Superintendent will report the exceedance of the performance or incident to the DP&E and OEH immediately. All other incidents will be reported to the DP&E and OEH at the earliest opportunity after Clean TeQ becomes aware of the incident.
- Clean TeQ will apply adaptive management (Section 10.1).
- Clean TeQ 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. Clean TeQ will, on request, submit the proposed course of action to the DP&E for approval.
- Clean TeQ will implement the approved course of action to the satisfaction of the DP&E.
- Clean TeQ will provide a detailed report on the exceedance of the performance measures to the DP&E and OEH within seven days of the date of becoming aware of the exceedance.
- Clean TeQ 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, Clean TeQ 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.

Where any exceedance of these criteria and/or performance measures occurs, as soon as practicable Clean TeQ 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 DP&E describing these options and preferred remediation measures; and
- implement remediation measures as directed by the Secretary of the DP&E.

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, Clean TeQ 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 Secretary.

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

- describe the development 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.

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 Secretary.

The independent environmental audit will assess the environmental performance of the Project and review the adequacy of this HMP. 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.

The independent environmental audit, and Clean TeQ's response to the recommendations in the audit, will be made publicly available on the Clean TeQ 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, Clean TeQ 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 Clean TeQ's Environmental Management Strategy.

In accordance with Condition 9, Schedule 5 of Development Consent DA 374-11-00, Clean TeQ will provide regular reporting on the environmental performance of the Project on the Clean TeQ 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, AHIP #C0003049 or AHIP #C0003887.

In the event that monitoring indicates that an incident has occurred, the incident will be reported in accordance with Condition 8, Schedule 5 of Development Consent DA 374-11-00. Clean TeQ will notify the Secretary and any other relevant agencies including the relevant Council immediately after it becomes aware of the incident.

A detailed report on the incident, and such further reports as may be requested, will be provided by Clean TeQ to the Secretary within seven days of the date of the incident, and to the OEH within the time frame specified in the incident report request from OEH. The report will:

- describe the date, time and nature of the exceedance/incident;
- identify the cause (or likely cause) of the exceedance/incident;
- describe what action has been taken to date; and
- describe reasonable and feasible options to address the incident and identify the preferred option to address the incident (Section 10.1).

12.2 Complaints

Clean TeQ will maintain a Community Complaints Line (tel: 1800 952 277) and email address (community@cleanteq.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 Clean TeQ'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. Clean TeQ will respond to callers on the next business day. If the issue is urgent a member of the leadership team will be contacted immediately.

Clean TeQ 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 Clean TeQ'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, Clean TeQ 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 Clean TeQ 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 Clean TeQ'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 Clean TeQ and the Project.

The Clean TeQ Environmental Superintendent 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, Clean TeQ will report incidents in accordance with Condition 8, Schedule 5 of Development Consent DA 374-11-00, Condition 28 of AHIP #C0003049 and Condition 23 of AHIP #C0003887. Clean TeQ will notify the Secretary, OEH and any other relevant agencies including the relevant Council immediately after becoming aware of the incident which causes or threatens to cause material harm to the environment.

A detailed report on the incident, and such further reports as may be requested, will be provided by Clean TeQ to the Secretary within seven days of the date of the incident, and to the OEH within the time frame specified in the incident report request from OEH.

A review of the Project compliance with all conditions in Development Consent DA 374-11-00, mining leases and all other approvals and licences 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) would be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary to assess whether Clean TeQ is complying with the requirements in Development Consent DA 374-11-00, and any other relevant approvals, EPLs, and/or mining leases.

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APPENDIX A

Heritage Related Development Consent DA 374-11-00 Conditions

Table A-1 –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 Wiradjuri Branch of the NSW Aboriginal Land Council 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 Secretary. This plan must:	This HMP
a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Secretary;	Section 1.1
b) be prepared in consultation with OEH and the Condobolin Local Aboriginal Land Council, Wiradjuri Branch of the NSW Aboriginal Land Council (in relation to the management of Aboriginal heritage values);	Section 1.3
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 	Section 6.11
<ul style="list-style-type: none"> 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; 	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; 	Section 6
<ul style="list-style-type: none"> implementing archaeological investigations and/ or salvage measures for Aboriginal heritage items on site; 	Section 6.14
<ul style="list-style-type: none"> maintaining and managing reasonable access for Aboriginal stakeholders to heritage items on site; 	Section 6.1
<ul style="list-style-type: none"> on-going consultation with the Aboriginal stakeholders in the conservation and management of Aboriginal cultural heritage on site; and 	Section 6.9
<ul style="list-style-type: none"> protecting Aboriginal sites and items outside the development disturbance area from the development; and 	Section 6.9
e) include the following for the management of non-Aboriginal heritage:	Section 7
<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); 	
<ul style="list-style-type: none"> recording, prior to disturbance, any heritage areas or structures that will be impacted by the development, and making these records publically available; 	Section 7.3
<ul style="list-style-type: none"> managing the discovery of any previously unidentified heritage objects on site; and 	Section 7.4
<ul style="list-style-type: none"> implementing archaeological investigations and/ or salvage measures for heritage items on site; 	Section 7
41. The Applicant must implement the approved Heritage Management Plan for the development.	This HMP (once approved)

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