

**HUNTER VALLEY  
OPERATIONS**

# **HVO SOUTH ABORIGINAL CULTURAL HERITAGE MANAGEMENT**

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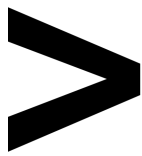
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28/06/2025

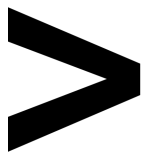
**OWNER**

Manager - Environment and Community

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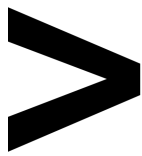
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## 1 | STATUTORY REQUIREMENTS

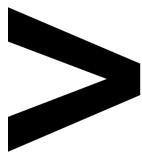
*Table 1 - HVO South PA\_06\_0261 relevant conditions*

Hunter Valley Operations South Coal Project 06_0261	ACHMP Provision / Schedule	Status Notes
<b>Schedule 2, Administrative Conditions</b>		
<b>Obligation to Minimise Harm to the Environment</b>		
1. The Applicant must implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the development	Prov.1	Ongoing
8. The Applicant must ensure that monitoring programs, management plans and the Environmental Management Strategy, as in existence at the date of this consent in December 2008, continue to be implemented (to the satisfaction of the Planning Secretary) until replaced by monitoring programs and management plans approved in accordance with the conditions of this consent.	Section 3	Ongoing
15. Where conditions of this consent require a document to be prepared in consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and (b) provide details of the consultation undertaken including: a description of how matters raised by those consulted have been resolved to the satisfaction of both the Applicant and the party consulted; and details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.		Ongoing
16. The Applicant must ensure that all employees, contractors and sub-contractors are made aware of, and instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.		Complete
<b>Schedule 3, Specific Environmental Conditions</b>		
<b>Aboriginal Cultural Heritage</b>		
<b>Aboriginal Heritage Management Plan</b>		
40. The Applicant must prepare an Aboriginal Heritage Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must:		
(a) be prepared in consultation with Heritage NSW and the Aboriginal community;	Recitals, Background,	Complete

	Provision 2, Schedules 2 & 3	
(b) be submitted to the Planning Secretary for approval within 12 months of this consent or as otherwise agreed by the Planning Secretary; and		Complete
(c) include:		
measures to be taken to avoid impacts to Aboriginal cultural heritage values at all stages of the project. If impacts are unavoidable, mitigation measures are to be negotiated with the Aboriginal community;	Provisions 3 & 4	Measures developed, management ongoing
a program for the recording, salvage & surface collection of Aboriginal objects/sites within the site;	Provisions 6 & 10-18, Schedules 6-14	ACHMD program developed, ACHMD management ongoing
a program for the conservation of the other Aboriginal objects/sites within the site, including measures to secure, analyse & record the objects/sites;	Provision 4	Refer Provision 4
definition of restricted access zones to protect Sites 26-44, 47-58, 84-100, 102-104 & 107-109 from disturbance;	Provision 4	Definition outlined in Provision 4
measures to ensure potential impacts to Sites 26-44, 47-58 & 107-109 by the proposed rail spur & loop are avoided;	Provision 4	Measures outlined in Provision 4
measures to provide for the controlled collection of Sites 1-24, 59-79, 80-83, 101 & 105-106, where avoidance of impacts by planned mining & infrastructure activities is not possible;	Provision 4, Schedule 4 ACHMD	Measures outlined in Provision 4 & Schedule 12 ACHMD
provision for a long term 'keeping place' & care & control plan for any Aboriginal objects recovered from the site;	Provision 6	Refer Provision 6
provisions for Aboriginal cultural heritage awareness training for all HVO South employees, & as a component of mine site inductions for contractors working at HVO South;	Provision 7	Refer Provision 7
a description of the measures that would be implemented if any Aboriginal skeletal remains are discovered during the project;	Provision 8, Schedule 14	Refer Provision 8, Schedule 14
a protocol for the ongoing consultation & involvement of the Aboriginal community in the conservation & management of the Aboriginal heritage of the objects/sites; &	Provisions 2, 27, 28 & 30	Refer Provisions 2, 27, 28 & 30
a protocol for the regular review of the Plan's effectiveness. <i>The Aboriginal cultural heritage sites and site numbers referenced in this condition are provided in Section 12 and Annex M of the EA.</i>	Provision 25	Refer Provision 25
<b>Schedule 5, Environmental Management, Monitoring, Auditing and Reporting</b>		
<b>Management Plan Requirements</b>		



<p><b>1A.</b> The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) a summary of relevant background or baseline data;</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> <li>• the relevant statutory requirements (including any relevant approval, licence or lease conditions);</li> <li>• any relevant limits or performance measures/criteria; and</li> <li>• 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;</li> </ul> <p>(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> <li>• impacts and environmental performance of the development; and</li> <li>• effectiveness of any management measures (see paragraph (c) above);</li> </ul> <p>(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> <li>• incidents;</li> <li>• complaints;</li> <li>• non-compliances with statutory requirements; and</li> <li>• exceedances of the impact assessment criteria and/or performance criteria;</li> </ul> <p>(h) a protocol for periodic review of the plan; and</p> <p>(i) a document control table that includes version numbers, dates when the management plan was prepared and reviewed, names and positions of the person/s who prepared and reviewed the management plan, a description of any revisions made and the date of the Planning Secretary's approval.</p> <p><i>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>	<p>Provisions 4, 20, 23 and 25.</p> <p>Schedule 2 &amp; 3</p> <p>Section 10</p>	<p>Complete</p>
<p><b>Updating &amp; Staging Strategies, Plans or Programs</b></p>		
<p><b>1C.</b> To ensure that strategies, plans or programs required under this consent, and which have been approved by the Planning Secretary are updated on a regular basis, and that they incorporate any appropriate additional measures or amendments to improve the environmental performance of the development, the Applicant may</p>	<p>Provisions 23 and 25</p>	<p>Ongoing</p>



<p>at any time submit revised strategies, plans or programs for the approval of the Planning Secretary. With the agreement of the Planning Secretary, the Applicant may also submit any strategy, plan or program required by this consent on a staged basis.</p> <p>The Planning Secretary may approve a revised strategy, plan or program required under this consent, or the staged submission of any of these documents, at any time. With the agreement of the Planning Secretary, the Applicant may prepare the revised or staged strategy, plan or program without undertaking consultation with all parties nominated under the applicable condition in this consent, including waiving the requirements in condition 15 of Schedule 2.</p> <p>While any strategy, plan or program may be submitted on a staged basis, the Applicant will need to ensure that the operations associated with the development are covered by suitable strategies, plans or programs at all times.</p> <p>If the submission of any strategy, plan or program is to be staged; then the relevant strategy, plan or program must clearly describe the specific stage/s of the development to which the strategy, plan or program applies; the relationship of this stage/s to any future stages; and the trigger for updating the strategy, plan or program.</p>		
<b>Application of Existing Strategies, Plans or Programs</b>		
<b>1D.</b> The Applicant must continue to apply existing management strategies, plans or monitoring programs approved prior to the approval of Modification 5, until the approval of a similar plan, strategy or program following the approval of Modification 5.		Complete
<b>Reporting</b>		
<b>2.</b> The Applicant must immediately notify the Department and any other relevant agencies after it becomes aware of an incident. The notification must be in writing via the Department's Major Projects Website and identify the development (including the development application number and name) and set out the location and nature of the incident.	Prov.23	Ongoing
<p>Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing via the Department's Major Projects Website and identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.</p> <p><i>Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance</i></p>	Prov. 23, 24 & 25	Ongoing
<b>4.</b> By the end of March each year, the Applicant must review the environmental performance of the development to the satisfaction of the Planning Secretary. This review must:	Provisions 20, 23 & 25	Ongoing



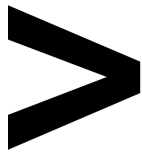


<p>(a) describe the development that was carried out in the previous calendar year, and the development that is proposed to be carried out over the next year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, which includes a comparison of these results against:</p> <ul style="list-style-type: none"><li>• the relevant statutory requirements, limits or performance measures/criteria;</li><li>• the requirements of any plan or program required under this consent;</li><li>• the monitoring results of previous years; and</li><li>• the relevant predictions in the documents listed in condition 2 of Schedule 2;</li></ul> <p>(c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the development;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies;</p> <p>(f) describe what measures will be implemented over the next year to improve the environmental performance of the development; and</p> <p>(g) evaluate and report on the effectiveness of environmental management of the development.</p>		
<p><b>4A.</b> Within 3 months of the submission of an:</p> <p>(a) incident report under condition 2 above;</p> <p>(b) annual review under condition 4 above;</p> <p>(c) audit under condition 5 below; or</p> <p>(d) any modification to the conditions of this consent,</p> <p>the Applicant must review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Planning Secretary.</p> <p>Within 6 weeks of conducting any such review, the Applicant must advise the Planning Secretary of the outcomes of the review, and provide any documents that have been revised to the Planning Secretary for review and approval.</p> <p>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.</p>	Prov 25	Ongoing



## 2 | RECITALS

- a. The Hunter Valley Operation Joint Venture (HVOJV) manages the Hunter Valley Operations (HVO) mine, located approximately 24km north of Singleton, NSW.
- b. This Aboriginal Cultural Heritage Management Plan (ACHMP) constitutes the 'Aboriginal Heritage Management Plan' pursuant to the requirements cited in Hunter Valley Operations South Coal Project - Project Approval PA\_06\_0261, Schedule 3, Part 40.
- c. The provisions of this ACHMP apply to the entire HVO South Coal Project Area, being the PA\_06\_0261 approval area as shown in Schedule 1 of this ACHMP.
- d. The provisions of this Aboriginal Heritage Management Plan apply to all Aboriginal Cultural Heritage objects and sites subject to condition 40 of the Hunter Valley Operations South Coal Project PA 06 0261.
- e. Registered Aboriginal Parties through the auspices of the Upper Hunter Valley Aboriginal Cultural Heritage Working Group (CHWG) were consulted in the development & revision of this ACHMP. The Registered Aboriginal Parties are those respondents to formal correspondence and public notices issued pertaining to the management of Aboriginal Cultural Heritage for the Hunter Valley Operations South Coal Project.
- f. Aboriginal community consultation has occurred primarily through the auspices of the CHWG. Meetings of the CHWG have been held in accordance with, initially, the Department of Environment and Climate Change January 2005 Interim Community Consultation Requirements for Applicants, & also in accordance with the Office of Environment and Heritage (now Heritage NSW) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010.
- g. HVO has consulted with both the Department of Planning and Environment (now Department of Planning Housing & Infrastructure, DPHI) and Heritage NSW in the preparation of this Aboriginal Heritage Management Plan.
- h. The original ACHMP was approved by the Director-General, Department of Planning on 24 February 2010.
- i. The original ACHMP was developed with the assistance of the CHWG. The CHWG has endorsed this ACHMP as recorded in the motions from meetings appended in **Schedule 2**- HVO South Stage 1 Motion Endorsing Aboriginal Cultural Heritage Management Recommendations and **Schedule 3** - HVO South Stage 1 and Stage 2 Motion Amending Aboriginal Cultural Heritage Management Recommendations



### 3 | BACKGROUND

The Hunter Valley Operations Joint Venture (HVOJV) manages the mining tenement Hunter Valley Operations (HVO), located 24km north of Singleton, New South Wales. The HVOJV operates and manages HVO on behalf of its joint venture partners Yancoal Australia Pty Ltd and Anotero Pty and provides management services to HVO, including accountability for Aboriginal cultural heritage management and community consultation.

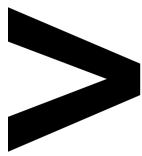
The development of HVO mining operations has occurred through a process of expansion and acquisition and as a result there are two separate development approvals (HVO North and HVO South) that apply to the operation. The mining and processing activities at HVO are geographically divided by the Hunter River, with movements of coal, overburden, equipment, materials and personnel between two operational areas, HVO North and HVO South. HVO South comprises the Cheshunt Pit, Riverview Pit and Lemington Pits

On 24 March 2009 the Minister for Planning approved the HVO South Coal Project (PA\_06\_0261) which supersedes all previous mining and development consents and associated conditions for the entire area Project Area. Subsequent modifications were granted in December 2009, February 2012, October 2012, February 2018, November 2021 and May 2022. The most recent modification (MOD 8) was granted on 6 February 2023. The PA 06\_0261 requires that the proponent prepares and implements an 'Aboriginal Heritage Management Plan' pursuant to the requirements cited in **Schedule 3** - HVO South Stage 1 and Stage 2 Motion Amending Aboriginal Cultural Heritage Management Recommendations, Condition 40. The Aboriginal cultural heritage consultation, assessment and management planning were conducted in a manner to comply with draft guidelines prepared for Part 3A developments and are intended to ensure compliance with this Part.

Assessment surveys and other investigations at HVO South have been documented in reports drafted by the Technical Advisors in consultation with the Aboriginal community. The draft assessment reports and management recommendations were then subject to discussions between HVO and the CHWG. The assessment results and subsequent discussions have informed the preparation of this ACHMP and the management recommendations, reviewed and settled between HVO and the CHWG, have been incorporated in the ACHMP.

## 4 | TABLE OF ABBREVIATIONS

ACHCRP	Aboriginal Cultural Heritage Consultation Requirements for Proponents
ACHMP	Aboriginal Cultural Heritage Management Plan
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit
ASIRF	Aboriginal Site Impact Recording Form
CHFO	Cultural Heritage Field Officer
CHMD	Cultural Heritage Management Database
CHWG	HVO Cultural Heritage Working Group
CHZP	Cultural Heritage Zoning Plan
DMO	Data Management Officer
DPHI	Department of Planning Housing & Industry
EMS	Environmental Management Strategy
GDP	Ground Disturbance Permit
GIS	Geographic Information System
HVO	Hunter Valley Operations
HVOJV	Hunter Valley Operations Joint Venture
LoDB	Limit of Disturbance Boundary
OEH	Office of Environment & Heritage
RAP	Registered Aboriginal Party
ToR	Terms of Reference



## 5 | PROVISIONS OF THE ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN

### 5.1 | PURPOSE OF AND AREA SUBJECT TO THE ABORIGINAL CULTURAL MANAGEMENT PLAN

This Aboriginal Cultural Heritage Management Plan (ACHMP) sets out the principles and processes under which Aboriginal cultural heritage will be managed on lands located within the Hunter Valley Operations (HVO) South Coal Project Area. The provisions of this ACHMP will apply to all extant Aboriginal archaeological and cultural heritage objects, sites and areas identified and recorded within the Project Area including all new or previously identified and recorded Aboriginal archaeological and cultural heritage objects, sites and areas. This ACHMP will apply to all lands located within the Project Area and will operate for the life of the mining activity and subsequent post-mining remediation works within the area subject to this ACHMP.

### 5.2 | CONSULTATION

The Cultural Heritage Working Group (CHWG) is the primary forum with which HVO communicates with regard to settlement of all matters pertaining to Aboriginal cultural heritage. The CHWG was established in September 2005 for the purpose of conducting Aboriginal community consultation with respect to the management of Aboriginal cultural heritage. It functions in accordance with the provisions of Heritage NSW, 2010 Aboriginal Cultural Heritage Consultation Requirements for Proponents (ACHCRP).

Formal correspondence including reports, minutes and agendas are forwarded to all Registered Aboriginal Parties (RAPs). Public notices are placed in relevant media advertising meetings. Invitations to such meetings are forwarded to all RAPs. Decisions made at these meetings are the primary means of securing community input.

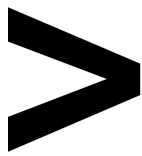
All Aboriginal community consultation with respect to the implementation and review of the operation and activities conducted under this ACHMP will be undertaken through the auspices of the CHWG and in compliance with the ACHCRP and any other relevant statutory requirements.

The CHWG reviewed and endorsed an Aboriginal cultural heritage assessment process for the Project Area, and following on from the conduct of assessment field work, reviewed cultural heritage reports to inform the development an Aboriginal Cultural Heritage Management Plan (ACHMP) for the entire Project Area. The ACHMP was developed in consultation with the CHWG and the (then) Department of Environment & Climate Change and the management provisions that form the basis of the ACHMP provisions were endorsed at CHWG meetings in January 2007 and February 2008.

The ACHMP has since been updated (this current version). The revision has been discussed with the CHWG prior to being sent to Heritage NSW and DPHI for comment. Comments from the CHWG, Heritage NSW and DPHI have been incorporated into this HMP where appropriate. Section 10.2 provides details of consultation with relevant stakeholders.

HVO currently has 88 Registered Aboriginal Parties linked to PA\_06\_0261. Living members of Registered Aboriginal Parties with a valid address receive invitations to attend CHWG meetings. Meetings are held annually as a minimum with additional meetings requested based on need and the situations outlined in Provisions 23, 24 and 25.

Internal communication of cultural heritage matters is managed in accordance with procedures set out in the HVO Environmental Management Strategy.



### 5.3 | ABORIGINAL CULTURAL HERITAGE MANAGEMENT DATABASE – ACHMP SCHEDULE 4

The Aboriginal Cultural Heritage Management Database (ACHMD - see **Schedule 4** - Aboriginal Cultural Heritage Management Database) documents the identification number, location, attributes and specific management requirements for each cultural heritage site (e.g. object, site or area) that is subject to this ACHMP. The ACHMD incorporates all Aboriginal Cultural Heritage sites located within the ACHMP Area that are either registered in the Heritage NSW Aboriginal Heritage Information Management System (AHIMS) sites database or have been recorded during assessments, inspections or as chance finds that are pending registration in the AHIMS database. As a minimum the ACHMD database is reviewed annually in the 4th quarter and may be subject to further updates from time to time as new site data becomes available from further studies and assessments.

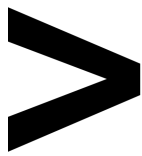
The ACHMD is a core element of the HVO Geographic Information System (GIS) and Cultural Heritage Zoning Scheme. The ACHMD is a 'live' database that records the management status of each site as management actions are implemented (such as salvage mitigation) and the database updated over time including inclusion of new sites. The ACHMD includes the following information to inform the management of each site:

- a. The Unique Identifier number and AHIMS register number (where applicable);
- b. Site Type (e.g. isolated find/s, artefact scatter, scarred tree etc);
- c. Site Description and Values (e.g. number/density and attributes);
- d. Site Extent (e.g. 10m diameter);
- e. Date recorded and person recording;
- f. Coordinates (GDA94 Zone 56);
- g. Management Option A (management measures if a site is NOT disturbed by development); and
- h. Management Option B (management measures if site is to be disturbed by development)

### 5.4 | CULTURAL HERITAGE ZONING SCHEME

The HVO South Coal Project Cultural Heritage Zone Plan (CHZP) controls mine development related land use activities within Project Area (PA\_06\_0261). The CHZS is reviewed annually and may be subject to further updates in that time, as required. These zoning controls will include the following zones:

- **CHZP Zone 1 Significant Area Restricted Access** – designated areas to protect significant cultural heritage sites, places or objects such as burials, ceremonial sites, scarred trees, hearths, quarries, grinding grooves, artefact scatters, etc. Zone 1 areas will be zoned around specific individual features but might also include Voluntary Conservation Areas and Environmental Areas. Access is restricted, and development not allowed unless appropriate management measures have been implemented and statutory authorities obtained, and/or all cultural heritage issues have been addressed and management measures completed in compliance with this ACHMP.
- In order to protect sites 26-44, 47-58, 84-100, 102-104 and 107-109 from disturbance, a CHZP Zone 1 area will be designated to incorporate these sites;
- **CHZP Zone 2 Restricted Access Area (Unassessed)** – areas not assessed for cultural heritage where access is restricted as a precautionary measure. Access is restricted and development not allowed until the area has been assessed for cultural heritage, appropriate management measures have been implemented and statutory authorities obtained, and/or all cultural heritage issues have been addressed and management measures completed in compliance with this ACHMP;



- *CHZP Zone 3 Restricted Access Area (Assessed)* – areas where cultural heritage has been assessed and access is restricted to protect known cultural heritage sites, places and objects. Typically, a Zone 3 area encompasses a number of sites over a larger area where development activities may be approved where such activities can be managed so as not to disturb Aboriginal cultural heritage. Access is restricted and development not allowed unless all cultural heritage issues have been addressed and management measures completed in compliance with this ACHMP. Management may include work area clearance approvals based on activity disturbance avoiding and not disturbing Aboriginal cultural heritage;
- *CHZP Zone 4 Conditional Development Area* – areas where statutory authorities have been obtained and/or all cultural heritage issues have been addressed but where follow up management measures are required such as ground disturbance activity monitoring in areas specified under the ACHMP **Schedule 4** - Aboriginal Cultural Heritage Management Database. Development disturbance can be approved as per terms and conditions of a Ground Disturbance Permit (GDP) subject to implementing the ACHMP conditions and requirements; and
- *CHZP Zone 5 Approved Development Area* – areas where statutory authorities have been obtained, and/or all cultural heritage issues have been addressed and management measures completed in compliance with this ACHMP. These areas typically include existing developed mine operations areas, infrastructure, and other approved development areas where there are no activity disturbance restrictions. These areas are incorporated within the Project Area Zone 5 Limit of Disturbance Boundary (LoDB).

## 5.5 | GROUND DISTURBANCE PERMITS

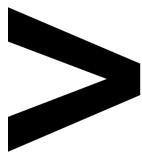
No Ground Disturbing Activity may take place within the ACHMP Area without the issue of a GDP within areas where a GDP is required. The GDP does not obviate the need to comply with the provisions of this ACHMP or other relevant development consent approvals

No GDP may be approved unless the area that is subject to the proposed Ground Disturbing Activity has been assessed against the CHZP and all relevant management measures have been implemented as specified in the CHMD (**Schedule 4** - Aboriginal Cultural Heritage Management Database) of this ACHMP.

All applications for a GDP must specify the boundary extent of the area that is to be subject to the Ground Disturbing Activity, the nature of the activities that are to be undertaken in that area, and the proposed date on which the activities are to commence.

## 5.6 | MANAGEMENT OF ABORIGINAL OBJECTS

The management of collected Aboriginal objects (e.g. artefacts) has been considered for both the short and the long term. Previous removal (salvage) of Aboriginal objects from within the ACHMP Area has occurred under the authority of an Aboriginal Heritage Impact Permit (AHIP) consent and removed objects remain the property of the State of NSW. An Aboriginal Site Impact Recording Form (ASIRF) will be completed for any Aboriginal objects/sites located within the ACHMP Area that are salvaged under the provisions of this ACHMP.



### 5.6.1 | SHORT TERM MANAGEMENT

Aboriginal objects removed from the ACHMP Area under the provisions of this ACHMP, or those previously removed in accordance with a relevant AHIP consent and Care Agreement, or as otherwise authorised under the provisions of this ACHMP, will be appropriately tagged (noting site AHIMS number, date of mitigation, AHIP consent number, storage identification number, etc.) and securely stored at the HVO Hunter Valley Services Cultural Heritage Storage Facility under the authority of Care Agreement #C0004768. This facility is the current repository for all cultural heritage items salvaged from the HVO area.

### 5.6.2 | LONG TERM HVO MANAGEMENT

In the absence of an alternative long-term storage option, such as an NSW government sanctioned regional storage facility for Aboriginal objects (e.g. a Hunter Valley keeping place), all Aboriginal objects removed from the ACHMP Area under the provisions of this ACHMP will be managed in accordance with Section 5.6.1.

In the event that an NSW government sanctioned regional storage facility for Aboriginal objects is established (e.g. a Hunter Valley keeping place) and the RAPs request the relocation of collected Aboriginal objects from the ACHMP Area to this facility, and the state government approves such a request, then HVO will facilitate this request.

Notwithstanding the above, any Aboriginal objects (to the extent that they are stone artefacts) that are collected from the ACHMP Area will be managed in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW and as otherwise required in compliance with a relevant Care and Control Permit granted by Heritage NSW.

## 5.7 | CULTURAL HERITAGE MANAGEMENT INDUCTIONS

The HVO induction process includes appropriate Aboriginal Cultural Heritage management content. The induction process applies to all HVO personnel and contractors and sub contractors working at HVO.

The induction package incorporates the following elements:

- a. a general description of cultural heritage values - both the tangible (e.g. material culture such as artefacts) and the intangible (e.g. spiritual);
- b. an overview of the ACHMP and its provisions;
- c. an overview of the standard operating procedures associated with Significant Areas, Restricted Access Areas and other CHZS requirements;
- d. an overview of the GDP system and the specific requirements associated with cultural heritage management;
- e. the responsibility and duty of care that each individual has to comply with the cultural heritage management process established for the HVO area, and with all relevant provisions of pertinent legislation.

Detailed records are maintained of all personnel, contractors and sub contractors who complete HVO inductions and training packages.





## 5.8 | DISCOVERY OF HUMAN SKELETAL REMAINS

Where identified or possible human skeletal remains are discovered within the ACHMP Area then the NSW Government sanctioned process for management of skeletal remains will be implemented. Details of the process for management of the discovery and reporting of skeletal remains are appended in **Schedule 14** - Salvage Collection of Isolated Artefacts Process of this ACHMP.

## 5.9 | AREAS UNASSESSED FOR CULTURAL HERITAGE

Any areas within the ACHMP Area that may be unassessed for the presence of cultural heritage and are to be the subject of development activity will be treated in the same manner as all other parts of the ACHMP Area where assessments have been carried out in respect to survey methodologies and development/implementation of management processes and are subject to all relevant provisions of this ACHMP.

## 5.10 | SPIRITUAL PLACES VERIFICATION AND MANAGEMENT

Any places so identified will be subject to the verification and management process outlined in **Schedule 7** - Spiritual Places Verification and Management Process of this ACHMP.

## 5.11 | SCARRED TREES VERIFICATION AND MANAGEMENT

Any places so identified will be subject to the verification and management process outlined in **Schedule 8** - Scarred Trees Verification and Management Process of this ACHMP.

## 5.12 | SCARRED TREES REMOVAL AND RELOCATION

Any verified scarred trees that require salvage under the provisions of this ACHMP shall be managed in accordance with the management process detailed in **Schedule 9** - Scarred Trees Removal and Relocation Process of this ACHMP.

## 5.13 | HEARTHS VERIFICATION AND MANAGEMENT

Any places so identified will be subject to the verification and management process outlined in **Schedule 10** - Hearths Verification and Management Process of this ACHMP.

## 5.14 | SUB-SURFACE INVESTIGATIONS

Any places identified as requiring this form of management will be subject to the management process outlined in **Schedule 11** - Sub-surface Investigation Areas Management Process (Potential Archaeological Deposits) of this ACHMP

## 5.15 | MATERIAL RESOURCE AREAS (E.G. QUARRIES FOR STONE OR OCHRE)

Any places identified as requiring this form of management will be subject to the management process outlined in **Schedule 12** - Material Resource Areas Management Process of this ACHMP.

## 5.16 | CONTROLLED COLLECTION OF ARTEFACT SCATTERS

Any places identified as requiring this form of management will be subject to the management process outlined in **Schedule 13** - Controlled Collection of Artefact Scatters Process of this ACHMP.



## 5.17 | SALVAGE COLLECTION OF ISOLATED ARTEFACTS

Any places identified as requiring this form of management will be subject to the management process outlined in **Schedule 14** - Salvage Collection of Isolated Artefacts Process of this ACHMP.

## 5.18 | SIGNAGE FOR CULTURAL HERITAGE SITES, PLACES AND AREAS

All cultural heritage sites, places and areas located within the ACHMP Area that are subject to fencing and barricading requirements, as per **Section 5.20** of this ACHMP, will be identified with at least one sign which denotes that the site, place or area is either a Significant Area or Restricted Access Area or Archaeological/Heritage Site unless otherwise specified in **Schedule 4** - Aboriginal Cultural Heritage Management Database of this ACHMP for any particular site, place or area. Additional signs will be installed along the site boundary for larger sites so that the site boundary is clearly denoted from all directions of access. Signs will make it explicit that entry to these areas is not permitted without internal authorisation and appropriate regulatory consent.

## 5.19 | GROUND DISTURBANCE MANAGEMENT BUFFERS

Unless otherwise specified in **Schedule 4** - Aboriginal Cultural Heritage Management Database of this HMP, a ground disturbance management buffer will apply around each defined site extent. No disturbance is to occur within the buffer area without authorisation under this HMP and an approved GDP.

Buffered areas may be delineated with temporary barricading or with hard fencing where specified in either **Schedule 4** - Aboriginal Cultural Heritage Management Database, or where required as a condition of a GDP. As a general rule, Aboriginal heritage sites are only required to be barricaded or fenced if they are in the vicinity of a work area and at risk of inadvertent damage. If the work area or risk is of a temporary nature, then barricading should suffice as a protective measure. Hard-fencing should be considered if the work area or risk is ongoing or permanent.

Where hard fencing or barricading has been installed around a site, then the fence/barricade alignment will constitute the outer boundary of the ground disturbance management buffer.

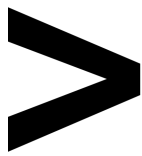
Where specific site conditions or project requirements do not allow space sufficient for the standard prescribed management buffer, for example where an existing track, fence, or other physical constraint intersects with the buffer area, then the buffer distance will be that which is the greatest practical distance available. The buffer radius dimensions for each site are to take into account site conditions and detail of locational descriptors and devices.

## 5.20 | ACHMP COMPLIANCE INSPECTIONS

HVO will facilitate and resource a process whereby representatives of the CHWG will be invited to participate in ACHMP compliance inspections on a biannual basis for the life of mining operations within the ACHMP Area. HVO, at its discretion, may initiate ACHMP compliance inspections at other times as it determines are necessary including incident investigations pertaining to alleged procedural breaches of the ACHMP. Where HVO initiates such compliance inspections it will also invite representatives of the CHWG to participate.

The purpose of the ACHMP compliance inspections is to afford the CHWG and HVO the opportunity to:

- visit the HVO South mine to inspect areas and sites to assess compliance with the provisions of this ACHMP;
- inspect and monitor the condition and management of various sites; and



- c. review the effectiveness and performance of the ACHMP provisions in the management of cultural heritage at the mine.

Reports on the twice yearly ACHMP compliance inspections, and other inspections as may be undertaken consistent with the above provisions, will be drafted by HVO with the assistance of the representatives of the CHWG who assisted in the inspection. These reports will be provided to the CHWG. An annual report on the outcomes of compliance inspections will be incorporated into the HVO Annual Review. Reports of each compliance inspection will also be made available to RAPs upon request.

ACHMP compliance inspections will involve the following elements:

- a. Using the established ToR template settled between HVO and the CHWG, HVO will outline the details for each ACHMP compliance inspection specifying the area to be inspected and methodology to be adopted;
- b. Up to three (3) representatives will be selected to assist in the conduct of ACHMP compliance inspections;
- c. HVO may nominate a competent professional Technical Advisor such as a suitably qualified and experienced archaeologist to participate in the ACHMP compliance inspections;
- d. an ACHMP compliance inspection report pro-forma will be completed for the nominated inspection areas and signed by the CHWG representatives and Technical Advisor (if present);
- e. the ACHMP compliance inspection report pro-forma will note the outcomes of the inspections including evidence of compliance and non-compliance with ACHMP provisions, recommendations on modifications and improvements to management provisions, recommendations on corrective actions, and other relevant comments associated with the ACHMP provisions;
- f. HVO and the CHWG will review any recommendations arising from the compliance inspection and may agree to adopt any or all recommendations, or make such other measures they deem appropriate to address any issues raised in the compliance inspection; and
- g. where HVO and the CHWG agree to any substantial recommendations or other measures requiring amendment to this HMP, then HVO, in consultation with Heritage NSW, will submit to and seek DPHI's approval on amendments to the HMP.

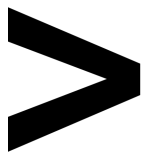
Internal assurance activities are undertaken routinely to check the performance and application of this management plan and related procedures. Assurance activities are in accordance with the HVO Environmental Management Strategy.

## 5.21 | CONFIDENTIALITY

The following information is confidential information:

information (including but not limited to any reports, correspondence, photographs, data or technical specifications provided verbally, in writing or digitally) provided by, or compiled under a relevant ToR for the purposes of developing this ACHMP, or as required by this ACHMP; and

- i. information concerning: HVO or any Related Body Corporate,
- ii. HV Operations, or
- iii. any Aboriginal Cultural Heritage, Significant Objects or Significant Places.



HVO will not disclose any of the confidential information referred to in this section except:

- a. to officers, employees, members, directors, servants, agents, contractors and sub-contractors of HVO whose duties require such disclosure;
- b. to members of the Aboriginal community, through the auspices of the CHWG, where information regarding Aboriginal cultural heritage sites has been requested;
- c. to HVO's accountants, technical advisors, legal advisors, auditors or other professional advisers, or to HVO's financiers or to a recognised stock exchange on which a party are listed;
- d. to the extent necessary to comply with any Applicable Laws, or where disclosure is required by any Applicable Laws;
- e. where disclosure is necessary in performing obligations or enforcing rights under this ACHMP;
- f. to the extent that such information is already part of the public domain otherwise than by breach of this section;
- g. as expressly permitted under this ACHMP;
- h. where HVO is required to meet internal governance or decision making processes in relation to developing, authorising, implementing or operating this ACHMP;
- i. where disclosure of the information is required to comply with any requirement of any Government Agency or other regulatory body (including the Australian Stock Exchange) and HVO uses its reasonable endeavours to minimise such disclosure;
- j. for any due diligence study by a prospective assignee; or
- k. in defending any legal action where Aboriginal Cultural Heritage is relevant.

HVO shall take all steps reasonably necessary to ensure that the confidential information referred to in this section is known only to such persons as may reasonably require knowledge thereof in the course of their duties or functions and, to the extent permitted by law, require any person to whom it intends to disclose such information (who is not otherwise under a statutory, professional or contractual duty to keep such information or data confidential) to give an undertaking to keep such information confidential.

## 5.22 | RECONCILIATION OF CULTURAL HERITAGE DATA

For the area covered by this ACHMP, there were several data sets that contained various information collected over several decades with respect to Aboriginal Cultural Heritage. One of the purposes of the comprehensive and systematic Aboriginal Cultural Heritage studies commissioned in recent years under the provisions of relevant ToR, has been to compile a single accurate dataset which comprehensively describes the Aboriginal Cultural Heritage values of the ACHMP Area.

HVO has undertaken a process to reconcile inconsistencies between its CHMD and that maintained for the area through the AHIMS database. With OEH's concurrence, the AHIMS database will be updated using HVO's database to provide the most accurate information on all sites within the ACHMP Area.



For the purposes of the management of Aboriginal Cultural Heritage within the ACHMP Area, the definitive dataset will be that as provided within **Schedule 4** - Aboriginal Cultural Heritage Management Database\_of this ACHMP which includes AHIMS data. **Schedule 4** - Aboriginal Cultural Heritage Management Database\_will be subject to minimum annual revision or additional revisions necessitated by;

- the results of verification processes contemplated under this ACHMP;
- further investigation of areas that may not have been the subject of comprehensive field investigation at the time of the development of this ACHMP;
- where any Aboriginal Cultural Heritage is identified in the course of monitoring or management activities, or as chance finds;
- and subsequent to the implementation of the management measures as specified within **Schedule 4** - Aboriginal Cultural Heritage Management Database\_of this ACHMP.

## 5.23 | INCIDENTS, REPORTING AND URGENT RELIEF

Incidents and non -compliances will be reported in accordance with **Schedule 5** - Cultural Heritage Zoning Scheme, condition 2 &3 of PA\_06\_0261 HVO will immediately notify the Secretary and any other relevant agencies of any incident (as defined in the DA) as soon as practicable. The notification will be in writing via the Department's Major Projects Website and identify the development and set out the location and nature of the incident.

Within seven days of becoming aware of a non-compliance, HVO will notify the Department of the non-compliance. The notification will be in writing via the Department's Major Projects Website and identify the development, set out the condition of the consent that the development is non-compliant with, why it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

Internal reporting and investigation will occur in accordance with procedures set out in the HVO Environmental Management Strategy (EMS). A record of the incident must be maintained in HVO's Incident reporting and tracking database.

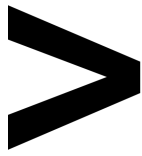
In addition to the submission of incident reports to the Secretary of the DPHI and Heritage NSW, the reports and outcomes of investigations will be communicated with aboriginal community stakeholders as soon as possible following the incident and be tabled for discussion via regular meetings conducted with the CHWG with feedback and outcomes of discussion recorded in CHWG Meeting Minutes.

In accordance with **Schedule 5** - Cultural Heritage Zoning Scheme, conditions 4 and 4A of PA\_06\_0261 the ACHMP will be reviewed and, if necessary, revised to capture any learnings from the incident investigation. Trends of incidents, complaints, grievances and concerns will be discussed at CHWG meetings as required with feedback and outcomes of discussion recorded in CHWG Meeting Minutes.

Regular reporting of cultural heritage matters including outcomes of HMP compliance inspections, occurs annually within the Annual Environment Review, which is publicly available on the HVO website.

HVO accepts that nothing in this ACHMP prevents any individual or corporate entity from seeking urgent relief from a Government Agency, a Court or Tribunal for any other order, relief or remedy (including injunctive or declaratory relief) against each other and any other person that may be available to them at law or in equity.

With respect to Aboriginal Cultural Heritage, an application for an order under either section 9 or 10 of the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth) will not necessarily preclude HVO from continuing the conduct of its lawful operations.



## 5.24 | COMPLAINTS MANAGEMENT

Community Complaints are lodged via the Complaints and Blasting Hotline (1800 888 733). The hotline number will be prominently displayed on the HVO website, and regularly advertised in the local newspaper. The Community Complaints and Blasting Hotline will be in operation 24 hours per day, seven days a week.

All complaints will be recorded and investigated, and, where the investigation identifies potential non-compliance with a consent or licence condition, mitigating action will be taken.

The details of complaints, and any mitigating actions taken, will be circulated to senior management. Where requested, follow-up correspondence with the complainant will be provided. HVO will maintain a register of complaints updated monthly and made available on the HVO website.

## 5.25 | REVIEW AND VARIATIONS OF THE ACHMP AND SCHEDULES

As required by the relevant conditions of the development consent, this plan shall be reviewed and updated to the satisfaction of the Planning Secretary of the DPHI where necessary within three months of the submission of an:

- Annual review;
- Incident report under the relevant conditions of approval;
- Independent audit under the relevant conditions of approval; or
- Modification to the conditions of consent.

If any significant modifications to the plan are required as an outcome of the review, HVO will advise the Planning Secretary of the outcomes and provide revised documents (where required) to the Planning Secretary for review and approval. The revised plan will be submitted to DPHI for approval within 6 weeks.

In the event of a new or varied Aboriginal Heritage Impact Permit (AHIP) HVO will update the site status information documented in Appendix 1 & 2 and include this as part of the Annual review update.

Where HVO determines that major amendments and a material variation or revision of this ACHMP or Schedules is required, this will be undertaken in consultation with the appropriate regulatory authorities and stakeholders, HVO will consult with Heritage NSW and the CHWG.

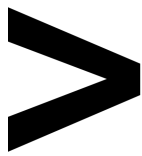
Minor changes such as formatting edits may be made with version control.

## 5.26 | STATUTORY PERMITS AND CONSENTS

The HVO South PA\_06\_0261 development approval provides an exemption from any further statutory authorities for the management of Aboriginal cultural heritage for the term of this development consent. This includes the requirement for obtaining AHIPs under s90 of the National Parks and Wildlife Act 1974. This ACHMP, as approved by the Secretary, provides the statutory authority necessary to undertake the preparation and implementation of all assessment, management, mitigation and salvage measures for Aboriginal cultural heritage located on lands that are subject to this ACHMP.

An AHIMS site card form will be completed and submitted to Heritage NSW for any new Aboriginal objects/sites identified within the ACHMP Area.

An ASIRF will be completed and submitted to Heritage NSW for any existing or new Aboriginal objects/sites located within the ACHMP Area that are salvaged or otherwise disturbed or destroyed under the authority of this ACHMP.



## 5.27 | TERMS OF REFERENCE (TOR) - SCOPE OF WORKS

Cultural heritage assessments, mitigation and other management activities undertaken within the HMP Area are generally formalised through a ToR or other scope of works. A ToR is a scope of works document that provides details of a proposed activity and its potential impacts, the scope and scale of the cultural heritage activities and methodology (e.g. survey, salvage mitigation etc), description of areas for investigation, management requirements, outcomes of investigations (reporting), personnel required, selection of Technical Advisors, work dates, hours and fees, site induction requirements, occupational health and safety issues, administrative and logistical arrangements, communications, data management and sensitive information management protocols, budgets and contact details. ToRs have been developed in collaboration with Aboriginal Parties through the CHWG for typical cultural heritage activities that may be conducted at HVO.

Cultural Heritage Field Officers (CHFOs), as representatives of the CHWG, are engaged to assist under the auspices of the ToR to conduct the assessment or other management activities. Technical Advisors, such as archaeologists, are engaged by HVO on behalf of the CHWG and assist with the development of assessment and management methodologies, and provide technical advice to the CHWG. Technical Advisors participate at the invitation of the CHWG and report directly to the CHWG as their independent advisor. The CHFOs and Technical Advisors work within the parameters established in this HMP and as detailed in a ToR.

Assessment and management methodologies are designed to be systematic and comprehensive and rigorous planning and digital data management procedures are applied so that CHFOs are afforded the opportunity to comprehensively assess areas for Aboriginal cultural heritage and implement management measures.

## 5.28 | ADMINISTRATIVE ARRANGEMENTS

### 5.28.1 | ADMINISTRATIVE COORDINATORS

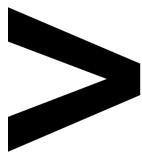
HVO will engage Upper Hunter Valley Aboriginal community or private Aboriginal incorporated entities as Administrative Coordinators for the provision of administrative services associated with HVO's cultural heritage management program at the HVO South Coal Project Area.

Administrative coordination and project support services may include sub-contracting the employment of CHFOs to be engaged in cultural heritage field work, payment of wages, allowances, taxes, superannuation and insurances, organising community meetings and assisting with community consultation associated with HVO's cultural heritage programs.

Administrative Coordinators will be selected from the HVO CHWG Register of Administrative Coordinators and be engaged in consultation with the CHWG. However, as a contingency, where an Upper Hunter Valley Aboriginal community or private incorporated entity is not available to provide these services then HVO may engage an agent to provide these services on its behalf.

### 5.28.2 | ABORIGINAL CULTURAL HERITAGE FIELD OFFICERS

To be eligible to work as an Aboriginal CHFO on the HVO South Coal Project Area an individual must be an Aboriginal person either recognised by the Wanaruah/Wonnarua Aboriginal community as a Wanaruah/Wonnarua person irrespective of where they reside, or an Aboriginal person living within the Singleton, Muswellbrook or Upper Hunter local government areas. CHFOs will be responsible for conducting the assessment of cultural heritage during field surveys (i.e. identification of cultural heritage objects, sites and places) and implementing management measures such as salvage mitigation. CHFOs will be selected and engaged in consultation with the CHWG.



### 5.28.3 | TECHNICAL ADVISORS

A Technical Advisor may be engaged by HVO to assist the CHFOs during their investigations, management and assessment activities and provide technical advice on the type, form, extent, archaeological significance and other aspects of Aboriginal Cultural Heritage management as may reasonably be requested by the CHWG Aboriginal stakeholders. The Technical Advisor must be a competent professional/qualified archaeologist to ensure assessment and reporting activities are to be conducted in conformance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* and *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* and any additional requirements specified in a ToR and/or this ACHMP. The Technical Advisor will also record details of the Aboriginal Cultural Heritage identified by the CHFOs in collaboration with the HVO Data Management Officer (DMO). The Technical Advisor will provide a report on the outcomes of these investigations as specified in a ToR or other reporting brief.

The Technical Advisor may also be engaged to assist with management activities such as salvage collections, sub-surface investigation, excavations, site verification etc. in consultation with the CHWG, and OEH where required.

HVO also reserves the right to select and engage Technical Advisors, that HVO deem suitably qualified and experienced to undertake the duties of Technical Advisor, either engaged on the behalf of the CHWG or specifically for HVO where required. Technical Advisors will be endorsed by the CHWG prior to engagement.

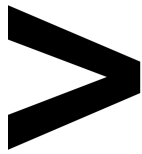
### 5.28.4 | DATA MANAGEMENT OFFICER

The DMO may be a HVO employee, or a contractor engaged by HVO and is responsible for directing the survey transects/mitigation activities as per the agreed methodology and electronically recording all Aboriginal Cultural Heritage objects, sites and places identified by the CHFOs and/or Technical Advisor. The DMO will enter this information into the HVO South Aboriginal Cultural Heritage GIS. The DMO will generate all maps and survey and site recording, mitigation and management data for HVO and the CHWG. The DMO will also provide new sites data input and revisions for existing sites for inclusion in or revision of the AHIMS sites database in concurrence with Heritage NSW.

## 5.29 | CULTURAL REQUIREMENTS

RAPs may, from time to time, either individually or through the auspices of the CHWG, as a schedule to this ACHMP, or through a ToR, advise HVO of any particular cultural protocols or requirements relating to issues such as sorry business, men's and women's business and other cultural protocols and arrangements. The implementation of such cultural protocols or requirements will be by agreement with HVO, with HVO's agreement not unreasonably withheld.





### 5.30 | ABORIGINAL COMMUNITY ACCESS TO THE PROJECT AREA

Reasonable access to the ACHMP Area will be made available to Aboriginal stakeholders conditional upon satisfying relevant regulatory and HVO access protocols, and the following additional requirements:

- completion of any necessary visitor and area-specific inductions or other formal requirements as may be introduced from time to time;
- that visitation to the ACHMP Area will be escorted by HVO personnel and undertaken in mine compliant vehicles also provided by HVO; and
- that visitation will be conducted on an unpaid basis unless otherwise determined by HVO.

Unless agreed by HVO, requests for permission to access the ACHMP Area must be made in writing at least 10 business days in advance of the proposed date of the visit. This request must advise:

- the purpose of the visit;
- the areas to be visited;
- the names of all persons proposed to take part in the visit;
- any intention to record the visit using any audiovisual equipment (including video footage, still photographs or audio recordings) and written permission will be required to do so with this permission granted at the absolute discretion of HVO.

HVO will provide a formal response to the application which may include the reasons for that decision and any conditions that will apply to the visit. HVO's response is to be provided at least 5 business days in advance of the proposed date of the visit.

Any decision made by HVO with respect to an application made for a visit to the ACHMP Area will not be subject to review. HVO will notify the CHWG of all applications for visitation to the ACHMP Area and their decision in that matter.

### 5.31 | DISCOVERY OF NEW OF CHANCE FINDS

Discovery of new Aboriginal Cultural Heritage objects, sites or places located within the ACHMP Area will result in the following actions ;

- a. work must cease in proximity to the object.
- b. The new find must be reported that shift to the HVO Environment Community Officer Cultural Heritage, so they can ensure;
  - i. it can be protected with an initial 10m buffer (where physically possible to do so) around the site within 72hrs, until
  - ii. a suitably qualified archaeologist can be engaged to verify the status of the object and advise appropriate short term mitigation measures, until
  - iii. the RAPs at the next CHWG meeting, have agreed on the site type, extent and the management measure/s most appropriate to manage the site as detailed within the ACHMP.

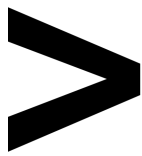
Once the site type, extent and the management measure/s have been determined, all newly identified Aboriginal Cultural Heritage sites will be physically protected by the implementation of the procedures specified in **Section 5.20** of this ACHMP or as otherwise consistent with other provisions of this ACHMP.



A Heritage NSW AHIMS site card is to be completed and submitted to OEH for each newly identified Aboriginal Cultural Heritage site or aggregation of sites. The final attributes and extent of any new sites to be registered in the AHIMS database will be as determined by HVO.

### 5.32 | ASSESSMENT OF ABORIGINAL CULTURAL HERITAGE RISKS

Assessment of aboriginal cultural heritage risk, impacts, and opportunities are included in the HVO Environment & Community Risk Assessment (ECRA) that is reviewed and updated by the HVO Environment & Community Team on an annual basis.



## 6 | SCHEDULES

### 6.1 | SCHEDULE 1 - PLAN OF THE HVO SOUTH COAL PROJECT (PA\_06\_0261) ACHMP AREA

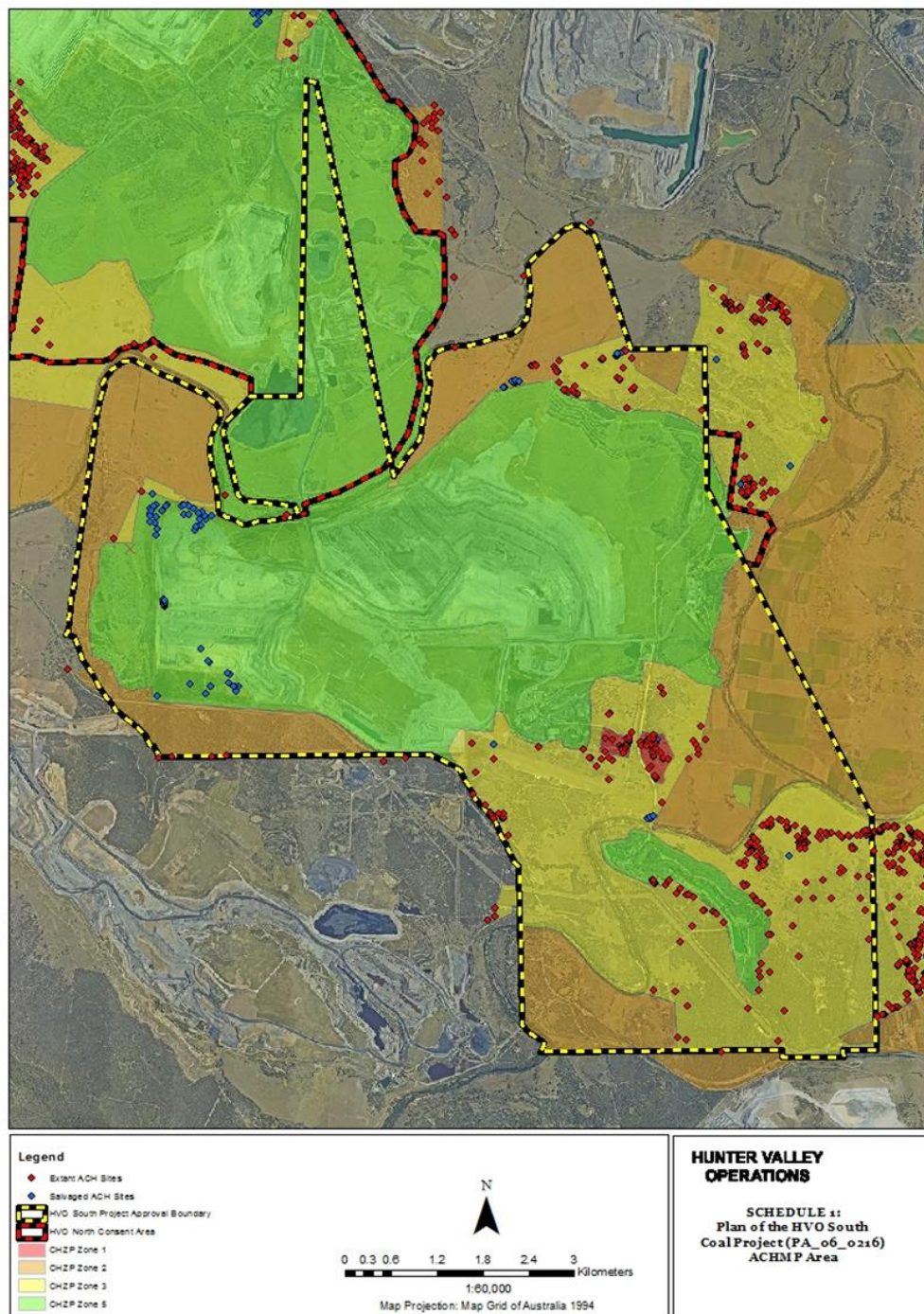


Figure 1 - Plan of the HVO South Coal Project (PA\_06\_0261) ACHMP Area



## 6.2 | SCHEDULE 2- HVO SOUTH STAGE 1 MOTION ENDORSING ABORIGINAL CULTURAL HERITAGE MANAGEMENT RECOMMENDATIONS

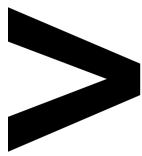
Upper Hunter Valley Aboriginal Working Group – Aboriginal Community Meeting

23 February 2007

Coal & Allied Howick Training Centre, Liddell

**Motion to Endorse the Draft Report on Cultural Heritage Study for the Hunter Valley Operations (South) Environmental Assessment**

**Present:** Dr David Cameron – Cultural Heritage Systems Specialist – Brisbane  
Dr Luke Godwin – Principal Heritage Advisor – CQCHM  
Sarah Bailey – Environmental Coordinator, Reporting and Cultural Heritage - RTCA  
Kelly Standing – RTCA Environmental Administration Assistant – Hunter Valley Services  
Rhonda Ward – Ungooroo  
Victor Perry – UHWC  
Barbara Foot – Wanaurrah Custodians  
Colleen Stair – HVCC  
Gay Horton – Cultural Consultants  
Michele Stair – Giwiire  
Barry Stair – HVAC  
Rhoda Perry – UHWC  
Des Hickey – Wattaka WCCS  
Apologies: Scott Franks – Yarrawalk  
Kath Miller – WEC  
Margaret Matthews – ANTC  
John Matthews – UHHC  
Darrel Matthews  
Barry McTaggart – WLALC  
Cliff Matthews – Mingga Consultants  
Michael Matthews – Valley Culture  
Arthur Fletcher – Wonna Consultants  
Tracey Skene – Individual – UHWC



## Motion:

*The Aboriginal Stakeholders (Individuals and Group Representatives) and RTCA/CNA Representatives present at the Cultural Heritage Community Meeting held pursuant to issue of notices for this purpose at the Howick Training Centre on this Twenty Third day of February 2007 agree that the recommendations tabled by RTCA/CNA and subsequently amended at this meeting (and attached to this motion) constitute the basis for the management of Aboriginal Cultural Heritage at Hunter Valley Operations South Coal Project.*

Motion moved by David Cameron (RTCA/CNA).

Motion seconded by Des Hickey (Wattaka).

Motion was carried unanimously.

## Recommendations:

1. The management of the Stage 1 areas is to be the subject of a Cultural Heritage Management Plan agreed between RTCA/CNA and the Aboriginal Parties. Where agreed, the ACHMP will make provision for the following recommendations.

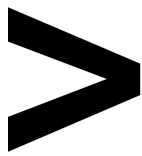
2. The ACHMP is to provide for the Stage 1 area to be subject of an agreed zoning scheme. This zoning scheme is to control mine-related land use activities in the Stage 1 area. These controls will include:

- areas zoned as Restricted Access Areas;
- areas zoned as cleared for development;
- areas zoned as available for development subject to implementation of agreed management measures;
- areas zoned as Environmental Management Offset areas where cultural heritage issues will be factored into the general plan for such areas.

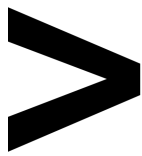
Additional subsets of each of these zones may be created as needed.

3. Provision needs to be made for the management of collected cultural heritage material. Currently, this is subject to the existing Care and Control Plan (CCP) for Hunter Valley Operations. It is proposed that the CCP be reviewed and amended in the following manner. Firstly, the existing facility currently situated at Howick Mine (a sea container) is to be relocated to the Hunter Valley Services facility on Lemington Road. Secondly, the CCP should be revised to make provision that, at the discretion of the Aboriginal parties, collected material from the area subject of the ACHMP may either be placed in the existing facility once relocated or may be placed in the Restricted Access Area. If there is agreement to review and amend the CCP, RTCA/CNA will take all steps necessary for this, including negotiation with DEC.

4. A program for the induction of personnel and contractors in relation to the cultural heritage management strategy will be developed in collaboration with the Aboriginal Parties. The induction program will explain the ACHMP and the management program contained therein. The Aboriginal Parties will be specifically requested to develop a short module on the nature and significance of their cultural heritage. They will also be requested to assist with the presentation of the induction program where face to face presentation is envisaged.



5. Human skeletal remains – Implement NPWS sanctioned process.
6. Sites 1 – 24 lie in Area 2, currently planned to be developed as an open cut mine pit. Consequently, it would be necessary to implement a mitigation program, consistent with the recommendations of HLA for these sites, prior to mining taking place. HLA has recommended controlled collection of these sites. However, RTCA/CNA will review its mine development plan for this area with a view to determining whether it is possible to conserve sites 13 – 23, situated in the northern tip of this area, and will advise on the outcomes of this review. Irrespective of the outcome of the review, mitigation of sites 1 – 12 and 24 will be undertaken in accordance with recommendations made by HLA for these places: controlled collection. Until such time as the review of the mine development plan is completed, and the necessary mitigation program is implemented (which may include 13 – 23), RTCA/CNA will take all reasonable steps to ensure all these sites are not affected by any mine-related activity.
7. Site 25 lies within the Archerfield Environmental Offset area. RTCA/CNA will ensure that any management activity in this area is designed in such a way as to avoid any impact on this site.
8. The alignment of the rail loop to LCHPP is to be amended such that the alignment further to the north and east than originally proposed. Any areas to be affected by the revised alignment that have not previously been subject to cultural heritage assessment (0.2km<sup>2</sup>) will be comprehensively and systematically inspected in a manner consistent with the methodology adopted in stage 1. Provision has been made in stage 2 investigations for this area to be surveyed. Management measures for any identified cultural material will be settled in a manner consistent with that applying to stage 1.
9. Realignment of the rail loop as now planned will avoid the vast majority of cultural places identified in the area that would have been affected by the original alignment. Thus, sites 26 – 44, 47 – 58, 107 - 109 inclusive will be avoided by the proposed realignment. Consequently, sites 44 (scarred tree), 51 and 52 (where test pitting was proposed), for which there are specific recommendations will not be affected.
10. Sites 84 – 100 and 102 - 104, all of which lie to the west of the existing haul road and Comleroi Road, will not be impacted by any proposed development activity.
11. RTCA/CNA (managing entity at the time of meeting) proposes that the areas containing sites 26 – 44, 47 – 58, 84 – 100, 102 – 104, and 107 – 109 (i.e. that either will not be affected either by revision of the rail loop or which lie in an area to the west of the existing haul road and Comleroi Road) will be formally zoned as Restricted Access Areas, with access subject to authorisation by Aboriginal Relations, Brisbane office, RTCA/CNA.
12. Proposed conditions of access will include: no ground disturbing activities to be approved without the proposed activity being first being referred to the Aboriginal Parties for their consideration, and review of the proposed management recommendations, and subsequent implementation of agreed measures. The decision making process for this will be undertaken in a manner consistent with that used for the initial assessment. Ground disturbing activities are defined as any action to be undertaken by RTCA/CNA or RT-related company in the areas zoned as Restricted Access Areas. This recommendation is, however, qualified by conditions of schedule A pertaining to existing non-mine related land use activities.
13. RTCA/CNA (managing entity at the time of meeting) will initiate discussions with the current property owner regarding their existing non-mine related activities with a view to ameliorating impacts on cultural sites and values.
14. Sites possibly to be affected by the revised rail loop alignment are sites 45 and 46. These sites consist of two isolated finds: a chert flake and a chert retouched flake. If revised plans will result in any impact, this impact will be mitigated by controlled collection of the items.



15. Sites to be possibly affected by the expansion of the preparation plant (sites 101, 105 – 106) consist of a broken chert flake, a broken chert flake and a possible basalt axe respectively. These will be mitigated by controlled collection of the items.
16. Sites 59 – 79 are situated in Area 4, known as the South Lemington Pit, currently planned to be developed as an open cut mine pit. Consequently, it would be necessary to implement a mitigation program, consistent with the recommendations of HLA for these sites, prior to mining taking place. HLA has recommended controlled collection of these sites. Until such time as the necessary mitigation program is implemented, RTCA/CNA will take all reasonable steps to ensure all these sites are not affected by any mine-related activity.
17. Sites 80 – 83 are situated within the proposed railway easement. These sites will be mitigated in line with the recommendations of HLA pertaining to these sites: controlled collection.
18. If at a later date it is found necessary to undertake an action that would impact sites described by HLA as requiring additional and specific management recommendations be implemented (with these including sites 44, 51-52, 55, 85-87, 97-100) then RTCA/CNA will consult with the Aboriginal Parties with a view to settling and implementing agreed management measures, with such measures to be informed by advice provided by HLA in their report on Stage 1 investigations.
19. RTCA/CNA will ensure that its Ground Disturbing Permit (GDP) process is applied in all areas. Any GDP that is issued will be compliant with the zoning scheme and any specific management requirements set for any area or sites. Where sites have been identified in an area, an arbitrary buffer of 50m will be applied beyond the identified extent of each site, and no ground disturbing activities will be permitted to take place within that area until such time as all agreed management measures have been implemented in full.
20. Where any mitigation is required, it will be undertaken by representatives of the Aboriginal Parties and suitably qualified technical advisers. Any mitigation will be undertaken in advance of development. Analysis will be undertaken of the collected material as per HLA recommendations. The mitigation program and analysis will be appropriately reported.
21. It is agreed that all mitigation measures should be undertaken in a manner conforming to the recommendations contained in the HLA report.
22. The boundary of any Restricted Access Zone and the Limit of Disturbance Boundary defining where mining or mine-related activities are authorised to take place will be suitably identified on the ground and the zoning scheme will be regularly revised to ensure its currency for planning purposes.
23. Provision will be made in the ACHMP for the Aboriginal Parties to undertake an independent compliance audit of the management program on a six-monthly basis, commencing six months after settlement of the ACHMP. In the event that any non-compliant activities are identified, the Aboriginal Parties shall be entitled to undertake a compliance audit as part of the investigation process.
24. RTCA/CNA and the Aboriginal Parties agree that the above recommendations are acceptable to both parties and may form the basis for a submission under Part 3A of the Environmental Planning and Assessment Act 1979. The parties further agree that there shall be a formal briefing provided to the Aboriginal Parties by 30 March 2007. If as a consequence of this briefing either party determines a need to revise, amend or add any recommendation, then the parties shall include such revisions, amendments or additions in the ACHMP to be settled as a condition of the above recommendations.



### 6.3 | SCHEDULE 3 - HVO SOUTH STAGE 1 AND STAGE 2 MOTION AMENDING ABORIGINAL CULTURAL HERITAGE MANAGEMENT RECOMMENDATIONS

Upper Hunter Valley Aboriginal Working Group

Aboriginal Community Meeting

17 January 2008

Coal & Allied Howick Training Centre, Liddell

Motion to Endorse the Draft Report on the Stage 2 Cultural Heritage Study for the Hunter Valley  
Operations (South) Environmental Assessment

Meeting commenced: 10.22 am

**Present:**

Dr David Cameron – Cultural Heritage Systems Specialist – Brisbane

Kelly Standing – Administration Assistant – Hunter Valley Services

Dr Luke Godwin – Principal Heritage Advisor – CQCHM

Allen Paget – Ungooroo Aboriginal Corporation

Dahlene Hall – Ungooroo Aboriginal Corporation

Luke Hickey – HVCS

Darrel Matthews - UHHC

John Matthews – ANTC

Margaret Matthews – ANTC

Gay Horton – MCC

Donna Matthews – WLALC

Arthur Fletcher – Wonna Consultants

Clifford Matthews – Mingga Consultants

Colleen Stair – HVCC

Barry Stair – HVAC

Rhoda Perry – UHWC

Maree Waugh – WLALC

Tracey Skene – Individual – UHWC

Rhonda Ward – Ungooroo

Des Hickey – Wattaka WCCS

Tom Miller – Registered Native Title Claimant – LHWC Inc

**Apologies:**

Elsbeth Mackenzie – Graduate Cultural Heritage – RTCA

Rodney Matthews – Giwiirr





Barbara Foot – Wanaruah Custodians

Michele Stair – Giwiirr

Tony Matthews – Minga

Justin Matthews – UHHC

Mick Matthews – Mingga Consultants

Larry Van Vliet – Valley Culture

Barry French – Yarrawalk Pty Ltd

Pansy Hickey – Elder HVCS

Victor Perry – UHWC

Peggy Skeffington – Wonnarua Elders Council

June Lester – Wonnarua Elders Council

Darren Duncan – HVCS

Alison Howlett – Buda Mada Koori Aboriginal Women's Corporation

Kylie Griffiths – Wanaruah LALC

James Baker – Valley Culture

Narelle Baker – Valley Culture

Glen Morris – DECC

Rene Molineause – Muda

David Foot – Wanaruah Custodians

## **Revise and Finalise the HVO South Coal Project Cultural Heritage Management Plan to Incorporate Stage 2 Management Recommendations**

**Motion 1** – *The Aboriginal Stakeholders (Individuals and Group Representatives) and RTCA/CNA Representatives present at the Cultural Heritage Community Meeting held pursuant to issue of notices for this purpose at the Howick Training Centre on this Seventeenth Day of January 2008 agree that the recommendations tabled by RTCA/CNA and subsequently amended at this meeting (and attached to this motion) constitute the basis for the management of Aboriginal Cultural Heritage at Hunter Valley Operations (HVO) South Coal Project covered by the HVO Stage 2. The parties agree that the management measures tabled for HVO South Stage 2 areas are to be integrated with the management measures previously agreed for the HVO South Stage 1 areas. The parties further agree that the general management measures and principles previously agreed for the HVO South Stage 1 areas shall also apply to the HVO South Stage 2 areas.*

Motion 1 moved by Rhonda Ward (Ungooroo).

Motion 1 seconded by Dahlene Hall (Ungooroo Aboriginal Corporation).

Motion carried unanimously.



**Motion 2** – *The Aboriginal Stakeholders (Individuals and Group Representatives) and RTCA/CNA Representatives present at the Cultural Heritage Community Meeting held pursuant to issue of notices for this purpose at the Howick Training Centre on this Seventeenth Day of January 2008 agree that the draft HVO South Coal Project Cultural Heritage Management Plan (ACHMP) will be modelled on the Mount Pleasant Coal Mine ACHMP.*

Motion 2 moved by Allen Paget (Ungooroo Aboriginal Corporation).

Motion 2 seconded by Des Hickey (Wattaka).

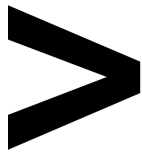
Motion carried unanimously.

**Motion 3** – *The Aboriginal Cultural Heritage (refer to Definitions) identified and documented in the areas subject to the HVO South Stages 1 and 2 assessments constitute the entirety of Aboriginal Cultural Heritage to be managed in these areas.*

Motion 3 moved by Arthur Fletcher (Wonna Consultants)

Motion 3 seconded by Barry Stair (Hunter Valley Aboriginal Corporation)

Motion carried unanimously



## 6.4 | SCHEDULE 4 - ABORIGINAL CULTURAL HERITAGE MANAGEMENT DATABASE

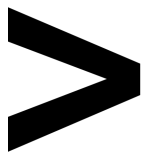
The ACHMD is a 'live' sites register and management measures database. The ACHMD documents the identification number, location, attributes and specific management requirements for all Aboriginal Cultural Heritage sites (e.g. object, site or place) that are subject to this ACHMP.

The ACHMD incorporates all Aboriginal Cultural Heritage sites located within the ACHMP Area that are either currently registered in the Heritage NSW AHIMS sites database or have been recorded during assessments, inspections or as chance finds that are pending registration in the AHIMS database.

New sites will be added to the database as they are identified during future assessments or inspections, or when chance finds are identified during the life of the operations approved under PA\_06\_0261. The database includes the specific management measures to be implemented for each site and will be updated as management measures are implemented or revised (e.g. when sites are salvaged under an AHIP).

The ACHMD is reviewed and updated on an annual basis as a minimum, with intermediate updates performed in response to new finds.

The ACHMD is a core component of the HVO GIS and is directly linked to the CHZS and GDP management system.



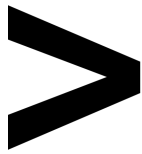
## 6.5 | SCHEDULE 5 - CULTURAL HERITAGE ZONING SCHEME

The HVO Aboriginal CHZS controls mine development-related land use activities within the ACHMP Area, and other lands associated with the HVO South area. The CHZS is incorporated within the HVO Aboriginal cultural heritage GIS. The GIS records Aboriginal cultural heritage site locations, extents, recording and management information as well as the zoning scheme. The CHZS is revised from time to time in line with the implementation of the provisions of the ACHMP.



## 6.6 | SCHEDULE 6 - ABORIGINAL CULTURAL MATERIALS CARE AGREEMENT

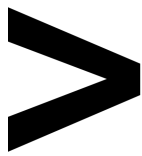
Refer: Care Agreement C0004768



## 6.7 | SCHEDULE 7 - SPIRITUAL PLACES VERIFICATION AND MANAGEMENT PROCESS

The cultural heritage assessment survey process has operated on a precautionary principle and all places identified as being spiritual places have been so recorded. A process will be implemented to verify the cultural status of all such sites. The purpose of the verification process is to determine whether or not places so recorded are of traditional Aboriginal cultural origin so that appropriate management measures can be implemented. The verification process will include the following provisions:

- a. the CHWG may nominate up to three (3) representatives to assess each recorded spiritual place for its cultural status (or more than three where circumstances require and with the agreement of HVO);
- b. the CHWG, at their discretion, may nominate a Technical Advisor such as a suitably qualified and experienced archaeologist or anthropologist to assist them with their cultural assessment, with HVO'S agreement not unreasonably withheld;
- c. HVO may also nominate a Technical Advisor such as a suitably qualified and experienced archaeologist or anthropologist to provide advice to HVO on the cultural status of spiritual places;
- d. a pro-forma assessment sheet will be completed for each spiritual place and signed by the CHWG representatives and Technical Advisors (if in attendance);
- e. the pro-forma assessment sheet will note the outcome of the assessment and denote the cultural status of each spiritual place;
- f. the verification team will also provide management recommendations specific to each spiritual place based upon traditional customary knowledge; and
- g. HVO and the CHWG will, taking account of the proposed development plan for the location in question, determine the applicability of the proposed management measures, and settle the management strategy for each place.



## 6.8 | SCHEDULE 8 - SCARRED TREES VERIFICATION AND MANAGEMENT PROCESS

The cultural heritage assessment survey process has operated on a precautionary principle and all places identified as being potential scarred trees have been so recorded. A process will be implemented to verify the cultural status of all such sites. The purpose of the verification process is to determine whether or not the scars so recorded are of traditional Aboriginal cultural origin so that appropriate management measures can be implemented. The verification process will include the following provisions:

- a. the CHWG may nominate up to three (3) representatives to assess each potential scarred tree for its cultural status (or more than three where circumstances require and with the agreement of HVO);
- b. the CHWG may nominate a Technical Advisor/s such as a suitably qualified and experienced archaeologist and/or arborist to assist them with their cultural assessment, with HVO's agreement not unreasonably withheld;
- c. HVO may also nominate a Technical Advisor/s such as a suitably qualified and experienced archaeologist and/or arborist to provide advice to HVO on the cultural status of scarred trees;
- d. a pro-forma assessment sheet will be completed for each tree and signed by the CHWG representatives and Technical Advisors (if in attendance);
- e. the pro-forma assessment sheet will note the outcome of the assessment and denote the cultural status of the trees, being either of Aboriginal cultural or not of Aboriginal cultural origin;
- f. in the event that a consensus is not reached on the cultural status of a scarred tree, an independent Technical Advisor acceptable to all parties will be engaged to make a determination on the status of a tree. This decision will be binding on all parties; and
- g. the verification team will also provide management recommendations specific to each tree based upon traditional customary knowledge, the HVO Scarred Tree Management Procedures, technical advice provided from time to time by Technical Advisors, qualified Arborists, Tree Surgeons or Conservators engaged for this purpose, Project Health and Safety requirements, and taking account of the proposed development plan for the location in question.



## 6.9 | SCHEDULE 9 - SCARRED TREES REMOVAL AND RELOCATION PROCESS

A process will be implemented for the removal, relocation, storage and conservation of scarred trees where this is required to accommodate development activities authorised under the PA\_06\_0261 project approval. The processes applied for the removal and curation of Scarred Tree C3 will provide guidance for the work procedures applicable to this event and any specific management requirements as detailed in the Scarred Trees Verification pro-forma for each tree (see process in **Schedule 8** - Scarred Trees Verification and Management Process) will be taken into account.





## 6.10 | SCHEDULE 10 - HEARTH VERIFICATION AND MANAGEMENT PROCESS

The cultural heritage assessment survey process has operated on a precautionary principle and all places identified as being potential hearths have been so recorded. A process will be implemented to verify the cultural status of all such sites. The purpose of the verification process is to determine whether or not the features recorded as hearths are of traditional Aboriginal cultural origin so that appropriate management measures can be implemented. The verification process will include the following provisions:

- a. the CHWG may nominate up to three (3) representatives to assess each potential hearth for its cultural status (or more than three where circumstances require and with the agreement of HVO);
- b. the CHWG may nominate a Technical Advisor such as a suitably qualified and experienced archaeologist to assist them with their cultural assessment, with HVO's agreement not unreasonably withheld;
- c. HVO may also nominate a Technical Advisor such as a suitably qualified and experienced archaeologist to provide advice to HVO on the cultural status of hearths;
- d. a pro-forma assessment sheet will be completed for each hearth and signed by the CHWG representatives and Technical Advisors (if in attendance);
- e. the pro-forma assessment sheet will note the outcome of the assessment and denote the cultural status of the hearth, being either of Aboriginal cultural or not of Aboriginal cultural origin;
- f. In the event that a consensus is not reached on the cultural status of the hearth, an independent Technical Advisor agreeable to all parties will be engaged to make a determination on the status of the potential hearth. This decision will be binding on all parties; and
- g. the verification team will also provide management recommendations specific to each hearth including whether or not the hearth should be excavated, and where viable, if carbon material samples can be collected for possible radiocarbon or other suitable dating analysis.

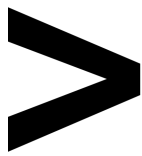


## 6.11 | SCHEDULE 11 - SUB-SURFACE INVESTIGATION AREAS MANAGEMENT PROCESS (POTENTIAL ARCHAEOLOGICAL DEPOSITS)

Sub-surface investigations will be limited to sites and areas specifically identified in **Schedule 4** - Aboriginal Cultural Heritage Management Database of this ACHMP as locations where such material is expected to be found (i.e. recorded Potential Archaeological Deposits) or where development activities lead to the identification of sub-surface cultural materials. Specific sub-surface investigation methodologies will be formulated for each site or area requiring this work as identified in **Schedule 4** - Aboriginal Cultural Heritage Management Database of this ACHMP but will be consistent with Requirement 16 of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW*.

Sub-surface investigation methodologies may include any of the following measures:

- a. test pitting at defined locations;
- b. trench pitting at defined locations;
- c. grader or other mechanical scrapes at defined locations;
- d. ground penetrating radar (GPR) at defined locations;
- e. where test pits are required, initial test pitting will be limited to test pits of no more than 5m<sup>2</sup> per 100m<sup>2</sup> of the site or area identified for sub-surface investigations, unless otherwise specified for a particular site in **Schedule 4** - Aboriginal Cultural Heritage Management Database of this ACHMP;
- f. results of test pits, trenches, scrapes and GPR may necessitate further sub-surface investigations. In these circumstances, the additional work is to be consistent with the provisions of the ACHMP and details will be specified in a ToR for the work; and/or
- g. the number, dimensions, depth, distribution, length and/or width of sub-surface excavations or scrapes for each nominated area will be consistent with the agreed mitigation methodology specified in the **Schedule 4** - Aboriginal Cultural Heritage Management Database of this ACHMP and as defined in a ToR.



## 6.12 | SCHEDULE 12 – MATERIAL RESOURCE AREAS MANAGEMENT PROCESS

As a general principle material resource areas will be subject to a controlled collection methodology unless otherwise specified in **Schedule 4** - Aboriginal Cultural Heritage Management Database\_of this ACHMP (e.g. if located within a Restricted Access area; if it is recommended that controlled collection is unnecessary). A controlled collection methodology may include any of the following measures but are to be specifically defined for each material resource area to suit the collection requirements of each site:

- a. where collection does not require a grid collection methodology, collection will be conducted in such a manner as the parties agree is appropriate to ensure all cultural materials are collected from the site;
- b. where the controlled collection methodology involves a grid collection methodology, the extent and boundary of the material resource area collection will be delineated by marker pegs and string lines;
- c. if the material resource area is to be sub-divided into grid cells for collection then an alpha numeric grid numbering system will be adopted;
- d. the material resource area extent collection boundary and grid cell dimensions will be those determined by agreement between HVO and the Technical Advisor engaged to assist with the controlled collection, taking account of data about the area contained in any report or **Schedule 4** - Aboriginal Cultural Heritage Management Database\_of this ACHMP; and
- e. materials will be collected in a manner that is consistent with the agreed mitigation methodology specified in **Schedule 4** - Aboriginal Cultural Heritage Management Database\_of this ACHMP and as defined in a ToR, with this to include a procedure for the recording, bagging, tagging and storage of mitigated materials; and/or
- f. materials will be stored in conformance with the conditions of a valid consent as may be required and approved from time to time by Heritage NSW. Additionally, any Aboriginal objects (to the extent that they are stone artefacts) will be managed in accordance with Requirement 26 'Stone Artefact Deposition and Storage' in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW*.



## 6.13 | SCHEDULE 13 – CONTROLLED COLLECTION OF ARTEFACT SCATTERS PROCESS

As a general principle stone artefact scatters will be subject to a controlled collection methodology unless otherwise specified in **Schedule 4** - Aboriginal Cultural Heritage Management Database of this ACHMP. Where it is determined that collection does not require a grid collection methodology, collection will be conducted in such a manner as the parties agree is appropriate to ensure all cultural materials are collected from the site. A controlled collection methodology may include any of the following measures, but which are to be specifically defined for each artefact scatter to suit the collection requirements of each site. For example, the overall dimensions of the collection area and dimensions of the grid collection cells will vary from site to site:

- a. the extent and boundary of the artefact scatter to be the subject of controlled collection will be delineated by marker pegs and string lines;
- b. if the scatter area is to be sub-divided into grid cells for collection, then an alpha numeric grid numbering system will be adopted;
- c. the scatter extent collection boundary and grid cell dimensions will be those determined by agreement between HVO and the Technical Advisor engaged to assist with the controlled collection, taking account of data about the area contained in any report or **Schedule 4** - Aboriginal Cultural Heritage Management Database of this ACHMP; and
- d. materials will be collected in a manner that is consistent with the agreed mitigation methodology specified in **Schedule 4** - Aboriginal Cultural Heritage Management Database of this ACHMP and as defined in a ToR. These are to include a procedure for the recording, bagging, tagging and storage of mitigated materials; and/or
- e. materials will be stored in conformance with the conditions of a valid consent as may be required and approved from time to time by OEH. Additionally, any Aboriginal objects (to the extent that they are stone artefacts) will be managed in accordance with Requirement 26 'Stone Artefact Deposition and Storage' in the *Code of Practice for Archaeological Investigation of Aboriginal Objects* in NSW.

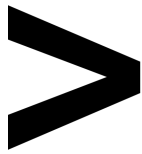
To clarify, as per Schedule 3, Condition 40 (c), point 6 of the Project Approval, this schedule outlines the measures to provide for the controlled collection of sites 1-24, 59-79, 80-83, 101 and 105-106, where avoidance of impacts by planned mining and infrastructure activities is not possible.



## 6.14 | SCHEDULE 14 - SALVAGE COLLECTION OF ISOLATED ARTEFACTS PROCESS

As a general principle isolated stone artefacts will be subject to legislated controls applicable to PA, conditions outlined in PA 06\_0261 and Section 5.30 DISCOVERY OF NEW OR CHANCE FINDS. Artefact salvage collection methodology unless otherwise specified in **Schedule 4** - Aboriginal Cultural Heritage Management Database of this ACHMP. A salvage collection methodology may include any of the following measures:

- a. each isolated artefact or designated site group of isolated artefacts will be collected in a manner that is consistent with the agreed mitigation methodology specified in **Schedule 4** - Aboriginal Cultural Heritage Management Database of this ACHMP and as defined in a ToR. The ToR is to include a procedure for the recording, bagging, tagging and storage of mitigated materials; and/or
- b. materials will be stored in conformance with the conditions of a valid consent as may be required and approved from time to time by Heritage NSW. Additionally, any Aboriginal objects (to the extent that they are stone artefacts) will be managed in accordance with Requirement 26 'Stone Artefact Deposition and Storage' in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW*.



## 6.15 | SCHEDULE 15 - MANAGEMENT OF HUMAN SKELETAL REMAINS

Where human skeletal remains are discovered within the ACHMP Area the NSW Government sanctioned process for management of skeletal remains (as specified in Requirement 25 'Aboriginal Ancestral Remains' in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW*) will be implemented. The following actions are to be implemented immediately in the event that identifiable or possible human skeletal remains are discovered.

### Step 1.

Any ground disturbance works occurring in the immediate vicinity of the human skeletal remains must cease immediately. The immediate area is to be secured to ensure no one interferes with the skeletal remains (it may be a crime scene).

### Step 2.

The person who made the discovery of identifiable or possible human skeletal remains is to immediately contact their supervisor and report the find. The supervisor will contact the General Manager (GM) - HVO (or most senior manager available on site) to report the find and advise that the find must be reported to the NSW Police (Singleton police station). The GM (or delegate) will determine who will report the find to the police.

### Step 3.

Once the discovery of identifiable or possible human skeletal remains has been reported to the police, the supervisor, or another person nominated by the GM, will implement any measures required by the police to secure the area. Unless otherwise advised by the police, the immediate area surrounding the human skeletal remains is then to be cordoned off at an appropriate distance with suitable barricading materials (such as hi-viz tagged polyline or mesh barricading).

### Step 4.

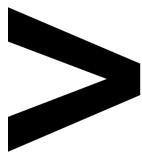
The police will determine if the identifiable or possible human skeletal remains are associated with a crime scene or are possible Aboriginal or historical archaeological remains. If determined by police to be Aboriginal or historical archaeological remains, the police will contact Heritage NSW to provide written confirmation of the archaeological status of the find. If it is determined to be a police matter, personnel are to follow the instructions of the police.

### Step 5.

If OEH confirms that the remains are believed to be Aboriginal or historical archaeological in origin then the supervisor who reported the find is to notify either they will advise the HVO Environment and Community Officer (Cultural Heritage) or the HVO Manager, Environment and Community. The HVO Environment and Community Officer (Cultural Heritage) or HVO Manager Environment and Community will advise the supervisor on any further management actions to be implemented and whether or not works can re-commence in the area, depending upon the written advice received from OEH. Any resulting cultural heritage management activities associated with the skeletal remains will be subject to consultation with, and endorsement by, the CHWG, in accordance with section 32.3 of this ACHMP. At the same time as notification is made to OEH, the HVO Manager Communities and Environment (or delegate) will notify and consult with Aboriginal community stakeholders as soon as it is practical and possible to do so (nominally within two business days) through the auspices of the CHWG.

## 7 | DEFINITIONS

NAME/TITLE	DEFINITION
<b>ABORIGINAL CULTURAL HERITAGE</b>	means all places and values of archaeological, traditional, spiritual, historical or contemporary significance within the area covered by this Aboriginal Cultural Heritage Management Plan. This definition is wide and is intended to cover the notion of cultural heritage as set in both state and federal legislation. In practical terms, this definition allows, for instance, recording of places which are archaeological sites (such as artefact scatters, stone arrangements, scarred trees and the like), any places which have traditional stories associated with them, places which are historically important (such as old camps) and places which are important today (such as good food-getting places or places used for recreational purposes). All cultural places and values identified will be accorded equal importance in deliberations
<b>ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN</b>	means this plan which constitutes the 'Aboriginal Heritage Management Plan' in fulfilment of the requirements cited in Hunter Valley Operations South Coal Project - Project Approval PA_06_0261 Schedule 3, part 40. The provisions of this Aboriginal Cultural Heritage Management Plan will apply to all extant Aboriginal archaeological and cultural heritage objects, sites and areas identified and recorded within the Project Approval area (PA_06_0261) area including all previously identified and recorded Aboriginal archaeological and cultural heritage objects, sites and areas.
<b>ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN (OR ACHMP) AREA</b>	means that portion of land consented for mining under PA_06_0261 as described & depicted in the maps in Schedule 1 of this ACHMP.
<b>ABORIGINAL OBJECT/S</b>	are defined under the <i>National Parks and Wildlife Act 1974</i> 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'.
<b>ABORIGINAL STAKEHOLDERS</b>	means Registered Aboriginal Parties and/or other Aboriginal community representatives being those individuals, corporations, groups and other entities registered for consultation with Coal & Allied, principally through the auspices of the Upper Hunter Valley Aboriginal Cultural Heritage Working Group
<b>CULTURAL HERITAGE FIELD OFFICERS (CHFO)</b>	means those persons appointed by the Aboriginal Stakeholders to implement all those elements of the ACHMP relating to the conservation and management of Aboriginal Cultural Heritage associated with the ACHMP Area.



NAME/TITLE	DEFINITION
<b>CULTURAL HERITAGE MANAGEMENT DATABASE</b>	means the database that documents the specific management requirements for all Aboriginal cultural heritage objects, sites or places that are subject to this Aboriginal Cultural Heritage Management Plan. The Cultural Heritage Management Database (see Schedule 2) is linked to the HVO South Coal Project Area cultural heritage Geographic Information System and Cultural Heritage Zone Plan and records the management status of each site as management actions are implemented and as any new sites are recorded over the life of the Aboriginal Cultural Heritage Management Plan.
<b>CULTURAL HERITAGE MANAGEMENT SYSTEM</b>	means the internal system that includes policies, manual and associated procedures. The Cultural Heritage Management System provides a comprehensive set of processes and procedures for the efficient management of Aboriginal cultural heritage that apply at Hunter Valley Operations.
<b>CULTURAL HERITAGE ZONE PLAN</b>	means a zonal planning system that manages risks associated with development impacts to Aboriginal cultural heritage by designating zones (areas) where developed works can or cannot occur, and where management measures have or have not been implemented and completed. The Cultural Heritage Zone Plan is managed through the Cultural Heritage Management System Geographic Information System and the Cultural Heritage Zone Plan management requirements are delivered through the mine site Ground Disturbance Permit system.
<b>GROUND DISTURBANCE ACTIVITY</b>	means: disturbance by machinery or other means of the topsoil or surface rock layer of the ground; the removal of native vegetation by disturbing root systems and exposing underlying soil; and otherwise disturbing the material or cultural integrity of an object, site or area of cultural heritage significance.
<b>GROUND DISTURBANCE PERMIT</b>	is the permit that must be requested and approved before undertaking any work or activity that may disturb ground, such as clearing vegetation, removing top soil, excavating, that can potentially harm cultural heritage and/or environmental values.



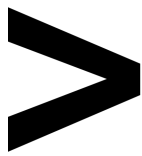


NAME/TITLE	DEFINITION
<b>GEOGRAPHIC INFORMATION SYSTEM</b>	means computer software application that stores, manages and processes spatial (e.g. points, lines and polygons) and aspatial (e.g. text documents) data associated with all aspects of the Aboriginal cultural heritage assessment and management for the Project Area. The Cultural Heritage Management System Geographic Information System is used to interrogate, validate and map cultural heritage data and generates the Cultural Heritage Zone Plan for HVO. The Cultural Heritage Management System Geographic Information System includes information such as cultural site location, extent, attributes, management requirements, survey transects and areas assessed or mitigated for cultural heritage, study areas, management measures, inspections and audits, reports, statutory permits and consents, management plans, Ground Disturbance Permit documents, and other relevant data and information.
<b>LIMIT OF DISTURBANCE BOUNDARY</b>	means the boundary established for a Ground Disturbance Permit or other approved development area beyond which there is to be NO ground disturbance without further authorisation. This boundary is delineated with markers (e.g. survey pegs, poles, fencing etc) so that adjacent boundary markers can be clearly identified in either direction.
<b>PROJECT AREA</b>	means the lands as specified in Appendix 1 of the Hunter Valley Operations South Coal Project - Project Approval (PA_06_0261) and as show on the plan in Schedule 1 of this ACHMP
<b>SITE, CULTURAL SITE OR HERITAGE SITE</b>	means any area/s, object/s or value/s of Aboriginal archaeological, traditional, spiritual, historical or contemporary significance.
<b>CULTURAL HERITAGE WORKING GROUP (CHWG).</b>	The CHWG is the primary entity through which HVO communicates and consults with regard to settlement of all matters pertaining to Aboriginal Cultural Heritage associated with Hunter Valley Operations. The CHWG is comprised of Registered Aboriginal Parties who have expressed an interest in the management of Aboriginal Cultural Heritage in the Hunter Valley Operations area and who participate in meetings, inspections and correspondence for the purposes of designing and implementing a management program for cultural heritage subject to this ACHMP. Consultation through the CHWG is conducted in accordance with the Aboriginal community consultation requirements as mandated by Office of Environment and Heritage or as otherwise required under statutory and/or regulatory processes.

## 8 | ACCOUNTABILITIES

*Table 2 - Roles and Responsibilities*

ROLES	ACCOUNTABILITES
<b>MANAGER ENVIRONMENT AND COMMUNITY</b>	<p>Allow adequate budget and resources for implementation of the Management Plan</p> <p>Oversight of the Management Plan implementation</p> <p>Providing a planning and compliance framework to review the effectiveness of the Management Plan implementation</p>
<b>ENVIRONMENT AND COMMUNITY OFFICER, CULTURAL HERITAGE</b>	<p>Assist the E&amp;C manager in leading the community and cultural heritage engagement, according to HVO's ACHMP;</p> <p>Oversee Cultural Heritage Management at HVO, playing a lead role developing systems and projects as well as participating in negotiations as necessary;</p> <p>Prepare and implement aboriginal and cultural heritage management plans</p> <p>Coordinate archaeological salvages and heritage property maintenance</p> <p>Support negotiations to resolve Cultural Heritage and Native Title matters involving expert assistance where deemed necessary;</p> <p>Confirm that obligations committed in any Agreements are being actively managed and implemented by HVO as and where relevant</p>
<b>CONSULTANT ARCHAEOLOGIST</b>	<p>Provide specialist advise to support implementation of the ACHMP</p> <p>Assist and advise HVO personnel regarding current and future legislative obligations.</p> <p>Assist HVO personnel with inquiries and liaison with, government and other agencies as required</p> <p>Assist RAP stakeholders and CHFOs during their investigations, management, assessment and assessment activities.</p> <p>Perform the role of the competent professional Technical Advisor and Data Management Officer (DMO).as required by HVO personnel during field work, preparation and submission of AHIMS site cards, ASIRFs and updates to the HVO Aboriginal Cultural Heritage Management Database annually or as required.</p> <p>Assist with management activities such as salvage collections, sub-surface investigation, excavations, site verification and due diligence inspections etc. in consultation with the CHWG, and regulatory officers where required.</p>



## 9 | TARGETS

HVO has identified targets to guide the effective implementation of this management plan.

Comply with the principles and processes established in this HMP which direct how Aboriginal Cultural Heritage will be managed within the Hunter Valley Operations (HVO) North area. The target is to undertake annual management plan audits including status of heritage sites covered by this HMP.

Maintain the HVO Cultural Heritage Working Group as the primary means for consulting with RAPs and the community on Aboriginal Heritage matters. The target is to convene at least one meeting on an annual basis with additional meetings initiated as required by the HVO or the RAP members of the CHWG.

## 10 | DOCUMENT INFORMATION

Reference information, listed in the table below, is information that is directly related to the development of this document or referenced from within this document.

### 10.1 | CHANGE INFORMATION

Full details of the document history are recorded in the document control register, by version. A summary of the current change is provided in table below.

*Table 3 - Document Control Register*

VERSION	DATE	REVIEW TEAM		DETAILS OF CHANGE	SECRETARY APPROVAL DATE
		<b>Author</b>	<b>Approver</b>		
<b>1.0</b>	01/05/2009	David Cameron Specialist Cultural Heritage Systems	Jeremy van de Bund, Manager Aboriginal Relations	Original	24/02/2010
<b>2.0</b>	8/11/2017	Jessica Blackman Advisor Cultural Heritage	Joel Deacon, Specialist Cultural Heritage	Revision to align with new ownership management practices. Submitted 30/11/2017	
<b>3.0</b>	12/02/2019	Peter Bowman, HVO E & C Officer	Andrew Speechly HVO Manager E&C	Revision to align with new ownership management & document formatting.	23/8/2019
<b>4.0</b>	11/09/2019	Peter Bowman, HVO E & C Officer & Joel Deacon, Arrow Heritage Solutions	Dominic Brown, (acting) HVO Manager E&C	Review & document formatting.	19/12/2019
<b>5.0</b>	2/8/2023	Peter Bowman, HVO E & C Officer	Andrew Speechly HVO Manager E&C	Revision to update procedural details and include Consultation Table	Lodged on DPHI portal 12/8/2023.



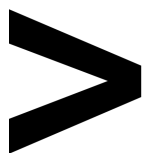
VERSION	DATE	REVIEW TEAM		DETAILS OF CHANGE	SECRETARY APPROVAL DATE
6.0	16/08/2024	Peter Bowman, HVO E & C Officer	Andrew Speechly HVO Manager E&C	Revision to incorporate Glencore corporate HSEC Management System references and DPHI Management Plan Review actions and Heritage NSW review	Lodged on DPHI portal 2/10/2024

## 10.2 | CONSULTATION

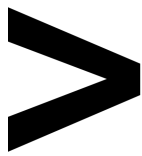
Details of consultation with relevant stakeholders.

Table 4 - Consultation

VERSION	DATE	STAKEHOLDER	CONSULTATION DETAILS	COMMENTS/FEEDBACK
1.	23/2/2007	Registered Aboriginal Parties (RAPs)	Discussion commenced re the drafting of an ACHMP and the key elements to be included in the ACHMP at CHWG Meeting	Recommendations deemed acceptable to RTCA/CNA and the Aboriginal Parties refer motion 24 , Schedule 2
	17/1/2008	Registered Aboriginal Parties (RAPs)	Draft HVO South ACHMP reviewed at Cultural Heritage Working Group meeting,	Proposal to base ACHMP on MT Pleasant ACHMP endorsed at meeting. Refer motion 2 Schedule 3
	24/2/2010	Dept of Planning	HVO South ACHMP finalised May 2009 and subsequently sent to DoP for review and approval.	Approval received 24/2/2010
2.	23/2/2017	Registered Aboriginal Parties (RAPs)	Management Plan revision reviewed by RAPs at CHWG meeting held on the 23/2/2017.	Document circulated ahead of meeting with no objections raised at the meeting.



VERSION	DATE	STAKEHOLDER	CONSULTATION DETAILS	COMMENTS/FEEDBACK
	30/8/2017	Department of Planning and Environment	Correspondence to the Department of Planning outlining transitional Management Plans in place following transfer of ownership to Yancoal also included table outlining proposed amendments to management plans documenting rebranding and ownership	
	30/11/2017	Department of Planning and Environment	Email forwarding revised Heritage Management Plan for comment and/or approval	
3.	12/9/2019	Registered Aboriginal Parties (RAPs)	Management Plan updates Version 3 & Version 4 reviewed at Cultural Heritage Working Group meeting.	Reviewed and endorsed with no objection at the CHWG meeting held on the 12/9/2019
	23/8/2019	DPE	Management Plan updated to align document formatting with new owner (Joint Venture)	Approved 23/8/2019
4.	12/9/2019	Registered Aboriginal Parties (RAPs)	Management Plan updates Version 4 and Version 5	Reviewed and endorsed with no objection at the CHWG meeting held on the 12/9/2019
	11/11/2019 19/12/2019	Biodiversity and Conservation Division	Draft Management Plan update sent to BCD on the 11/11/2019 for consultation. Comments incorporated in finalised plan.	Management Plan approved 19/12/2019.
5.	12/8/2023	DPHI	Management Plan updates including additional tables covering accountabilities and consultation lodged on DPHI portal.	Request for information with review comments sent to HVO 26/7/2024. Version 6 of the Plan updated to address DPHI comments.



VERSION	DATE	STAKEHOLDER	CONSULTATION DETAILS	COMMENTS/FEEDBACK
	30/11/2023	Registered Aboriginal Parties (RAPs)	Management Plan updates including additional tables covering accountabilities and consultation. reviewed at Cultural Heritage Working Group meeting.	Reviewed and endorsed with no objections at Cultural Heritage Working Group meeting.
6.	2/5/2024	Registered Aboriginal Parties (RAPs)	Management Plan updates adding detail to existing procedural notes. reviewed and at Cultural Heritage Working Group meeting.	Reviewed and endorsed with no objections, at Cultural Heritage Working Group meeting. Minutes included as Appendix 3
	19/8/2024	Registered Aboriginal Parties (RAPs)	Updates to ACHMP incl Targets section added, and Consultation Table update to ACHMP mailed out to RAPs for review.	No feedback or comment received from RAPs at time of submission of this document
	22/8/2024	DPHI/Heritage NSW	Copy of Management Plan with updates sent to DPHI/ Heritage NSW for review.	Heritage NSW comments received 16/9/2024. Approval email received 23/9/2024 subject to updates proposed for HVO North HMP included in HVO South ACHMP
	2/10/2024	DPHI	Management Plan submitted to DPHI	

## 11 | APPENDICES

### 11.1 | APPENDIX 1 – RESTRICTED ZONE SITE STATUS

Status of restricted zones to protect the sites listed in PA 06\_0261, Schedule 3 Condition 40(c) from disturbance. HVO CHZP Zone 1 – A protected culturally significant area, no development allowed, restricted authorised access only.

Table 5

Site Number	AHIMS Number	Zone Definition	Status	Measures
HVO-26	37-6-3225	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-27	37-6-3226	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-28	37-6-3227	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-29	37-6-3228	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-30	37-6-3229	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-31	37-6-3230	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-32	37-6-3231	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-33	37-6-3232	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-34	37-6-3233	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-35	37-6-3234	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-36	37-6-3235	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-37	37-6-3236	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-38	37-6-3237	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-39	37-6-3238	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-40	37-6-3239	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-41	37-6-3240	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-42	37-6-3241	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-43	37-6-3242	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-44	37-6-3243	Zone 1	NAS	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-47	37-6-3246	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4

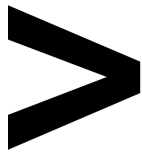




HVO-48	37-6-3247	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-49	37-6-3248	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-50	37-6-3249	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-51	37-6-3250	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-52	37-6-3251	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-53	37-6-3252	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-54	37-6-3253	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-55	37-6-3254	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-56	37-6-3255	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-57	37-6-3256	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-58	37-6-3257	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-84	37-6-3281	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-85	37-6-3282	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-86	37-6-3283	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-87	37-6-3279	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-88	37-6-3284	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-89	37-6-3285	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-90	37-6-3286	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-91	37-6-3287	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-92	37-6-3288	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-93	37-6-3289	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-94	37-6-3290	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-95	37-6-3291	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-96	37-6-3292	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-97	37-6-3293	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-98	37-6-3294	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4



HVO-99	37-6-3295	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-100	37-6-3296	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-102	37-6-3298	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-103	37-6-3299	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-104	37-6-3200	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-107	37-6-3203	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-108	37-6-3204	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4
HVO-109	37-6-3205	Zone 1	Valid	Zone 1, HVO South Coal Project Cultural Heritage Zone Plan. Refer Sect 5.4



## 11.2 | APPENDIX 2 SITES APPROVED FOR CONTROLLED COLLECTION

Status of sites listed in PA 06\_0261, Schedule 3 Condition 40(c) - approved for the controlled collection of Sites 1-24, 59-79, 80-83, 101 & 105-106, where avoidance of impacts by planned mining & infrastructure activities is not possible.

Table 6

Site Number	AHIMS Number	Status	Permit
HVO-1	37-5-0524	Salvaged/Destroyed	1102088
HVO-2	37-5-0525	Salvaged/Destroyed	1102088
HVO-3	37-5-0526	Salvaged/Destroyed	1102088
HVO-4	37-5-0527	Salvaged/Destroyed	1102088
HVO-5	37-5-0528	Salvaged/Destroyed	1102088
HVO-6	37-5-0529	Salvaged/Destroyed	1102088
HVO-7	37-5-0530	Salvaged/Destroyed	1102088
HVO-8	37-5-0531	Salvaged/Destroyed	1102088
HVO-9	37-5-0532	Salvaged/Destroyed	1102088
HVO-10	37-5-0533	Salvaged/Destroyed	1102088
HVO-11	37-5-0534	Salvaged/Destroyed	1102088
HVO-12	37-5-0535	Salvaged/Destroyed	1102088
HVO-13	37-5-0536	Salvaged/Destroyed	1102088
HVO-14	37-5-0537	Salvaged/Destroyed	1102088
HVO-15	37-5-0538	Salvaged/Destroyed	1102088
HVO-16	37-5-0539	Salvaged/Destroyed	1102088
HVO-17	37-5-0540	Salvaged/Destroyed	1102088
HVO-18	37-5-0541	Salvaged/Destroyed	1102088
HVO-19	37-5-0542	Salvaged/Destroyed	1102088
HVO-20	37-5-0543	Salvaged/Destroyed	1102088
HVO-21	37-5-0544	Salvaged/Destroyed	1102088
HVO-21	37-5-0545	Salvaged/Destroyed	1102088
HVO-23	37-5-0546	Salvaged/Destroyed	1102088
HVO-24	37-5-0547	Salvaged/Destroyed	1102088
HVO-59	37-6-3258	Valid	
HVO-60	37-6-3259	Valid	
HVO-61	37-6-3260	Valid	



HVO-62	37-6-3261	Valid	
HVO-63	37-6-3262	Valid	
HVO-64	37-6-3263	Valid	
HVO-65	37-6-3264	Valid	
HVO-66	37-6-3265	Valid	
HVO-67	37-6-3266	Valid	
HVO-68	37-6-3267	Valid	
HVO-69	37-6-3268	Valid	
HVO-70	37-6-3269	Valid	
HVO-71	37-6-3270	Valid	
HVO-72	37-6-3271	Valid	
HVO-73	37-6-3272	Valid	
HVO-74	37-6-3273	Valid	
HVO-75	37-6-3274	Valid	
HVO-76	37-6-3275	Valid	
HVO-77	37-6-3276	Valid	
HVO-78	37-6-3277	Valid	
HVO-79	37-6-3278	Valid	
HVO-80	37-6-3169	Salvaged/Destroyed	PA 06_0261, Schedule 3 Condition 40(c)
HVO-81	37-6-3170	Salvaged/Destroyed	PA 06_0261, Schedule 3 Condition 40(c)
HVO-82	37-6-3171	Salvaged/Destroyed	PA 06_0261, Schedule 3 Condition 40(c)
HVO-83	37-6-3172	Salvaged/Destroyed	PA 06_0261, Schedule 3 Condition 40(c)
HVO-101	37-6-3297	Valid	
HVO-105	37-6 3301	Valid	
HVO-106	37-6-3302	Valid	



## 11.3 | APPENDIX 3



### HVO Cultural Heritage Working Group (CHWG)

**Meeting: Thursday 2 May 2024**

**Venue: HVO HVS ADMIN MR1**

#### Attendance

Kevin Sampson (KS)  
Troy Martin (TM)  
Des Hickey (DH)  
Josh Hickey (JH)  
Luke Hickey (LH)  
Rhoda Perry (RP)  
Allen Paget (AP)  
Rhonda Ward (RW)  
Rhonda Griffiths (RG)  
Gary Wright (GW)  
Andrew Speechly (AS)  
Peter Bowman (PB)  
Madison Freeman (MF)  
Joel Deacon (JD)  
Sarah Purser

Bawurra Consultants  
Wanaruah Local Aboriginal Land Council  
Wattaka Pty Ltd  
Wattaka Pty Ltd  
Hunter Valley Cultural Surveying  
Upper Hunter Wanaruah Council  
Ungooroo Aboriginal Corporation  
Ungooroo Cultural & Community Services  
Cacatua General Services  
Hunter Valley Aboriginal Corporation  
HVO, Manager Environment & Community  
HVO, Environment & Community Officer  
HVO, Environment & Community Graduate  
Arrow Heritage Solutions  
Meeting Minutes

**Welcome;** Meeting commenced at 4.15 p.m. after RAP's were taken to view a potential Chance Find ACH Artefact that had been identified at the Hunter Valley Services Building entry.

**Acknowledgement of Elders, Minutes Silence & Attendance Sheet;** Completed at today's HVO Mitchell Pit South AHIP Aboriginal Consultation Meeting #2 that immediately preceded this CHWG Meeting.

#### Cultural Heritage Working Group Meeting Agenda

PB advised today's meeting is to provide an opportunity for consultation with the RAP's on two matters: -

The Chance Find ACH Artefact that was discovered on site at HVO.

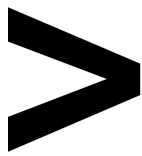
To review procedural amendments to the HVO North Heritage Management Plan (HMP) and HVO South Aboriginal Cultural Heritage Management Plan (ACHMP).

#### 1. Hunter Valley Services Entry - Potential ACH Artefact Site - Slide 5

On 26 April 2024 an object suspected of being an Aboriginal Cultural Heritage Artefact was identified in the triangular portion of land near the main entry to Hunter Valley North and the Hunter Valley Services Building. The location of the site has been barricaded off with signage attached. HVO seeks to consult with CHWG members at this meeting to verify the ACH status of the identified object.

#### Location of Potential ACH Artefact - Slide 6

#### Photographic Image of Object - Slide 7



HVO provided an aerial view of where the potential Artefact was first identified and its GPS position.

PB identified the demarcated area that the RAP's visited prior to commencement of this Meeting.

PB showed a photo of the potential ACH Artefact that was found by HVO Staff Member - Jess. PB advised that initial assessments indicated that all contours were cultural in origin. PB added there was also what looked to be two other shards in proximity. HVO engaged EMM Archaeologist - Pippa, to inspect the object and verify its status on Friday 3 May 2024. HVO also requested for Pippa to look more widely across that location to see if there may be any other objects of importance there.

## **Transect Blocks 2021 Survey - Slide 8**

RP thought that area would have already been surveyed and PB confirmed that is correct, the area was surveyed for the Continuation Project ACHAR. PB noted that it would have been unlikely for this object to have been found prior to some recent disturbance in this area that had caused the ground to become exposed. RG asked if dirt had been dumped in that area was it possible the object may have come from somewhere else and AS responded that could potentially be the case.

PB explained that HVO have a zoning system, with the site broken down into areas that have AHIP's over them. Zone 5 indicates an area that has been surveyed and salvaged. The area where the potential Artefact was found is classified as Zone 3 and has been surveyed. PB identified the Transect Blocks that were walked on the 2021 Survey.

RG identified areas on mapping where she recalled walking the bottom part of the area. RG noted at that time the area in the middle was fully grassed over with probably half an inch of top soil coverage. AS confirmed that it has been some 16 years since the original 2008 Survey. AS explained that over the last few years, people had been cutting the corner in their vehicles and driving across this area. This firstly resulted in some of the ground cover being removed, and then secondly there has been quite a lot of rain since the 2021 Survey with potential for quite a bit of top soil to be lost.

As part of a proposal for HVO to expand their car parks, this area was being walked over and that is when Jess saw the object. PB noted that due to all HVO staff undergoing Cultural Heritage Awareness Training a part of their induction, Jess had known to report this potential Chance Find to PB and seek his advice on if this was an object to be careful of. PB advised that he went to view the potential Artefact and had it barricaded off within half an hour of Jess reporting this to him.

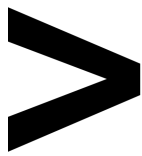
RG noted her experience at another mine site where Artefacts had been found in an area that had already been salvaged. RG queried what would the procedure be for an area that had already been surveyed. PB acknowledged the potential history of this piece and confirmed that HVO had implemented their Chance Find Procedures that are in place, even for areas that have already been surveyed. PB explained that should there be a potential Chance Find; the procedure is to stop any work that is being undertaken and report the find to PB. Being the Environment & Community Officer overseeing Heritage, PB would then organise for a suitably qualified person to come to site and provide their assessment.

There was some certainty by all that the object found is an Artefact. PB advised the next step will be for Pippa, EMM Archaeologist, to prepare a report after her site inspection. PB felt it would be a likely recommendation that a permanent barricade be put in place. PB advised that HVO will table EMM's Report at the next Cultural Heritage Working Group Meeting and provide an update on any further undertakings by HVO.

## **2. HVO Work Program 2024 Review - Slide 9**

### **AHIP 5219 granted for Wilton & Mitchell Pit East**

#### **Wilton & Mitchell Pit East salvage**



## **Mitchell Pit South AHIP Application**

Commenced with Consultation Meeting #1

## **Mitchell Pit South AHIP Survey and Test Pitting program**

Completed week commencing 15 April 2024.

## **HVO South Biannual Site Audit April 2024**

PB explained that twice a year, HVO select sites in the South and assess their condition.

### **3. HVO Future Work Program 2024 - Slide 10**

## **Mitchell Pit South AHIP Application**

The AHIP Application will be submitted to Heritage NSW end June 2024, after a 28 day feedback period allowing for RAP's to provide their input for this application.

## **Fencing 37-6-3004 & 3005**

PB noted that it had been mentioned at previous meetings that HVO will be installing heavy duty mesh fencing at two sites over at Cheshunt in HVO South. This fencing will allow grass to regenerate and will hold Artefacts in position, whilst stopping access by people and livestock.

## **CM CD1 Cultural Burn**

PB acknowledged the importance of this site, HVO will conduct this Cultural Burn when the time becomes available, and this will allow for fencing to be installed around CM CD1.

## **HVO North & South Annual Site Audit, October 2024**

PB noted that should the Mitchell Pit South AHIP application be approved, there is potentially another body of work that could be scheduled in with RAP's around this time frame. PB advised this would likely require four to five RAP's for approximately one week.

### **4. Updates to HVO North Heritage Management Plan (HMP)**

#### **& HVO South Aboriginal Cultural Heritage Management Plan (ACHMP) for Review - Slide 11**

PB explained these Management Plans have two key differences; the North requires HVO to have an AHIP to salvage, whereas HVO can salvage in the South following consultation.

PB noted the updates to HVO's North HMP and South ACHMP were driven by a Glencore Australia Audit. Glencore wanted to get all their sites aligned in relation to Cultural Heritage Management Plans, therefore HVO has updated these two plans to allow for consistent wording and the level of detail documented within.

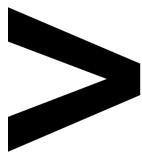
#### **1. Include additional procedural detail identified in the recent GCAA audit**

PB provided a detailed overview of the following updates that Glencore requested for HVO to include in the North HMP and South ACHMP.

Update the ACHMP's section covering the ARCGIS database to document the annual review of data and data updates

Update ACHMP's to reference the Annual ECRA process Refer response to finding 15.08

Update ACHMP's to reference the Incident process in the EMS and the section dealing with Incident Review, i.e. Table 3.3



Update the section in the ACHMP and HMP dealing with chance finds are titled 'Salvage Collection of Isolated Artefacts "Schedule 11". These sections updated to clarify that this includes chance finds and expanded to include text covering response times and accountabilities

Update ACHMP's to reference the Incident communication process in the HVO Environmental Management Strategy (EMS)

RG asked if HVO had done these updates and PB confirmed they have been completed. PB said he will talk through the updates page by page for both the North and South Management Plans.

## **2. Align Schedules that were missing between the North and South i.e. missing Schedule dealing with ACHZS in the South and Schedule describing the Care and Control Agreement for the North.**

PB explained there had been cases of Schedules being captured in the South ACHMP but not in the North HMP and vice versa and HVO need both documents to describe these.

## **3. ACHMPS layout and text HVO format.**

In line with HVO's new branding and logo, the documents have also been updated to reflect these.

### **Review of updates to HVO North HMP and HVO South ACHMP**

PB referred the RAPs to the Management Plans that had been provided in hard copy at today's meeting. PB had highlighted all amendments in both reports and talked through the Table of Contents Index and content of each Management Plan, providing detail on every update and the rationale for each.

As examples, these updates included but were not limited to, changes and additions to wording, adjustment to index titles and descriptions for consistency, the capture of additional detail, procedures and time frames within the Management Plans, inclusion of specific schedules, external and internal communication processes, engagement of Specialist providers, and the update of names for the Department of Planning, Housing & Infrastructure and Heritage NSW.

### **Review of updates to HVO North HMP and HVO South ACHMP (Continued)**

In relation to Incident Reporting, RG queried if that would include notification of matters such as a discharge of water off site. PB confirmed that type of scenario would be recorded by HVO as an incident, but HVO only notify the RAP's of any incident that is Cultural Heritage related.

After review of both Management Reports PB encouraged the RAP's to let him know if they require any further clarification or detail. When finalised, HVO will submit these reports to the Department of Planning, Housing & Infrastructure and Heritage NSW.

## **5. Community Feedback**

TM noted that PB had advised earlier in this meeting that there were some differences between North and South approvals and queried why that is the case. PB responded that the South was a more recent approval in 2009 and between the time when the North was approved in 2004 new legislation had been brought in that changed the approval of certain projects. This change in legislation meant that State Significant Developments no longer needed to go through the AHIP process, as long as there had been consultation. In the South approval there is a long list of specific Cultural Heritage Sites that HVO have pre-approval to salvage, but the North approval does not have that. If the Continuation Project is approved then the North will become a State Significant Development as well and they will all line up.





### General Business

AS provided an overview of Glencore's 2024 First Nations Pathway Program which provides a pathway for Aboriginal people living in the Upper Hunter Area to gain employment in mining or related industry. The 2024 Program has commenced with 12 candidates having been selected to undergo Phase 1 - 12 weeks of pre-employment training and Phase 2 - participants to be provided with work placements at HVO and other Glencore sites.

RP asked if Nat is involved in the First Nations Pathway Program and AS confirmed that is correct, along with Carrie Bendeich. When recently meeting the candidates, AS was pleased to see their level of confidence, noting that Nat does an awesome job. RP said that people call Nat "Mumsy" and AS agreed that is true. AS said Glencore has had a good uptake of employees from this program and it has been well received.

Meeting closed at 5.20 p.m. with PB thanking all for their attendance and contributions.