

**HUNTER VALLEY
OPERATIONS**

HVO NORTH HERITAGE MANAGEMENT PLAN

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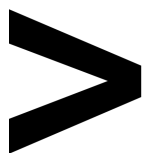
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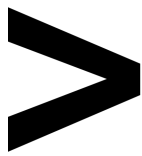
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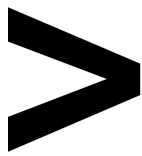


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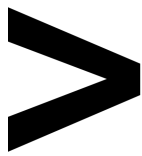
1 | STATUTORY REQUIREMENTS

Table 1: DA 450-10-2003 Aboriginal Cultural Heritage consent conditions addressed in the Heritage Management Plan

Hunter Valley Operations - North DA 450-10-2003 – July 2017 Heritage Conditions	HMP Provision/Schedule	Status
Schedule 2, Administrative Conditions		
Minimise Harm to the Environment		
1. The Applicant must implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the development.	Section 5 Provisions	Ongoing
Evidence of Consultation		
15. Where consultation with any stakeholder identified in the conditions of this consent is required by any conditions of this consent, the Applicant must: (a) consult with the relevant stakeholder prior to submitting the required document to the Secretary for approval; (b) submit evidence of such consultation as part of the relevant document; (c) describe how matters raised by the stakeholder have been addressed and identify any matters that have not been resolved; and (d) include details of any outstanding issues raised by the stakeholder and an explanation of disagreement between any stakeholder and the Applicant.	Section 5 Provisions and Section 11, 11.2 Consultation Table	Ongoing
Compliance – Site Induction		
16. The Applicant must ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.	Section 5.8	Complete
Schedule 3, Specific Environmental Conditions		
Aboriginal Cultural Heritage		
West Pit Extension -Consents to Destroy		
37. The Applicant shall obtain consent from OEH to destroy the following sites [as per list in DA 450-10-2003]	Prov. 27 Schedule 2 Appendix 1	See status within ACHMD and Appendix 1
West Pit Extension – Salvage		



38. Before making application for section 90 consents under NP&W Act, the Applicant shall prepare a salvage program for the sites listed in condition 37 in consultation with the OEH and Aboriginal communities, and to the satisfaction of the OEH.	Prov. 27 Schedule 2 Appendix 1	See status within ACHMD and Appendix 1
39. The Applicant shall obtain consent under the <i>National Parks and Wildlife Act 1974</i> to destroy the following sites [as per list in DA 450-10-2003]	Prov. 27 Schedule 2 Appendix 2	See status within ACHMD and Appendix 2
Aboriginal Heritage Site 37-2-1877 (CM-CD1)		
40. Mining operations and associated activities in the Carrington West Wing area are not permitted to be carried out within 20 metres of Aboriginal heritage site 37-2-1877 (CM-CD1) and the Older Stratum as shown on the plan in Appendix 5. Note: for clarification purposes, Condition 40 of Schedule 4 does not prohibit heritage surveys and studies to be undertaken within CM-CD1 or within 20 metres of CM-CD1 and the Older Stratum.	Prov. 7 Schedule 13	Ongoing
40A. The Applicant must ensure that mining operations (including blasting) and associated activities do not cause any impact to Aboriginal heritage site 37-2-1877 (CM-CD1) and the Older Stratum.	Provs. 7 & 33 Schedule 13	Ongoing
Heritage Management Plan		
41. The Applicant must prepare and implement a Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must:	Prov. 1	
(a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary;	Recital F, Attachment 1	Complete
(b) be prepared in consultation with OEH and the Aboriginal stakeholders (in relation to the management of Aboriginal heritage values);	Recital M & Prov. 2	Complete
(c) be submitted to the Secretary for approval by the end of June 2013, unless the Secretary agrees otherwise;	Submission date extension to 31 December 2013 approved by DP&E on 5 June 2013. RTCA Authored HMP Approved 12 February 2014	Complete
(d) include the following for the management of Aboriginal Heritage:		
<ul style="list-style-type: none"> a detailed plan of management for Aboriginal heritage site 37-2-1877 (CM-CD1) including a description of the measures that would be implemented to protect, monitor and manage the site from mining operations and associated activities; 	Prov. 7 Schedule 13	Complete
<ul style="list-style-type: none"> a description of the measures that would be implemented for: 		



<ul style="list-style-type: none"> managing heritage items on the site, including any proposed archaeological investigations and/or salvage measures; 	Provs. 3-7, 10-21, 33 & 34 Schedules 2-12	Complete
<ul style="list-style-type: none"> managing the discovery of any human remains or previously unidentified Aboriginal objects on site; 	Provs. 3, 9 & 10 Schedule 12	Complete
<ul style="list-style-type: none"> maintaining and managing reasonable access for Aboriginal stakeholders to heritage items on site; 	Provs. 30 & 32	Complete
<ul style="list-style-type: none"> ongoing consultation with the Aboriginal stakeholders on the conservation and management of Aboriginal cultural heritage both on site and within any Aboriginal heritage conservation areas; and 	Provs. 2, 21, 28, 29 & 31 Schedules 2-13	Complete
<ul style="list-style-type: none"> ensuring any workers on site receive suitable heritage inductions prior to carrying out any development on site, and that suitable records are kept of these inductions; 	Prov. 8	Complete
<ul style="list-style-type: none"> a strategy for the storage of any heritage items salvaged on site, both during the development and in the long term. 	Prov. 6 Schedule 2 & 11	Complete
41A. Prior to disturbance by mining, the Applicant shall ensure that the scarred tree 37-2-2080 (C3) is removed and relocated to a site where it will be protected from future development, in consultation with the Wonnarua Tribal Council, and to the satisfaction of the Director-General..	Provs. 14 & 27	Complete
Schedule 5		
Management Plan Requirements		
2. The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:		
(a) detailed baseline data;		Complete
(b) a description of: the relevant statutory requirements (including any relevant approval, licence or lease conditions); any relevant limits or performance measures/criteria; and the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;	Section 1	Complete
(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;	Section 1 & Section 5	Complete
(d) a program to monitor and report on the: impacts and environmental performance of the development; and	Prov. 21	Complete



effectiveness of any management measures (see (c) above);		
(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;	Section 5	Complete
(f) a program to investigate and implement ways to improve the environmental performance of the development over time;	Prov 24 &25	Complete
(g) a protocol for managing and reporting any: incidents; complaints; non-compliances with statutory requirements; and exceedances of the impact assessment criteria and/or performance criteria	Prov 24 & 25	Complete
(h) a protocol for periodic review of the plan; and	Prov.26	Ongoing
(i) a document control table that includes version numbers, dates when the management plan was prepared and reviewed, names and positions of people who prepared and reviewed the management plan, a description of any revisions made and the date of the Secretary's approval. Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.	Section 11	Ongoing
2A. With the agreement of the Secretary, the Applicant may combine any strategy, plan, program or Annual Review required by this consent with any similar strategy, plan, program or Annual Review required for HVO South and Mt Thorley Warkworth mines or any other adjoining operation in common ownership or management.	N/A	N/A
3. To ensure the strategies, plans or programs under this consent are updated on a regular basis, and that they incorporate any appropriate mitigation measures to improve the environmental performance of the development, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval. With the agreement of the Secretary, the Applicant may also submit any strategy, plan or program required by this consent on a staged basis. With the agreement of the Secretary, the Applicant may revise any strategy, plan or program approved under this consent without undertaking consultation with all parties nominated under the applicable conditions in this consent. Notes: While any strategy, plan or program may be submitted on a staged basis, the Applicant will need to ensure that the existing operations associated with the development are covered by suitable strategies, plans or programs at all times. • 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	Prov. 26	Ongoing



relationship of this stage/s to any future stages; and the trigger for updating the strategy, plan or program.		
<p>4. Within 3 months of the:</p> <p>(a) submission of an incident report under condition 7 below;</p> <p>(b) submission of an Annual Review under condition 9 below; or</p> <p>(c) submission of an audit report under condition 10 below; and</p> <p>(d) approval of a modification to 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 Secretary.</p> <p>Within 6 weeks of conducting any such review, the Applicant must advise the Secretary of the outcomes of the review and provide any documents that have been revised to the Secretary for review and approval.</p> <p>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and to incorporate any recommended measures to improve the environmental performance of the development.</p>	Prov.21 Prov. 24 Prov. 26	Ongoing
<p>7. The Applicant must immediately notify the Secretary and any other relevant agencies of any incident.</p> <p>Within 7 days of the date of the incident, the Applicant must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.</p>	Prov. 24	Ongoing
<p>8. The Applicant must provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent</p>	Prov. 24	Ongoing
<p>9. By the end of March each year, or other timing as may be agreed by the Secretary, the Applicant must submit a report to the Department reviewing the environmental performance of the development to the satisfaction of the Secretary. This review must:</p> <p>(a) describe the development (including any rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar 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 the:</p> <p>relevant statutory requirements, limits or performance measures/criteria;</p> <p>requirements of any plan or program required under this consent;</p> <p>monitoring results of previous years; and</p> <p>relevant predictions in the documents listed in condition 2 of Schedule 3;</p> <p>(c) identify any non-compliance over the past calendar year, and describe what actions were (or are being) taken to ensure compliance;</p>	Prov. 24	Ongoing

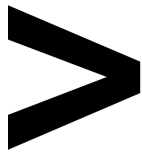


(d) identify any trends in the monitoring data over the life of the development;

(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and

(f) describe what measures will be implemented over the current calendar year to improve the environmental performance of the development.

The Applicant must ensure that copies of the Annual Review are submitted to Council and are available to the Community Consultative Committee (see condition 6 of Schedule 6) and any interested person upon request.



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. HVO, has developed through a process of expansion and acquisition. The mining and processing activities are geographically divided by the Hunter River, with movements of coal, overburden, equipment, materials and personnel between two operational areas, Hunter Valley Operations North and Hunter Valley Operations South.
- c. Mining and associated development activities at Hunter Valley Operations are approved and regulated under separate development approvals being the Hunter Valley Operations – North Coal Mine Development Consent Modification 7 (DA 450-10-2003 – July 2017) and Hunter Valley Operations South Coal Project Approval Modification 8 (PA_06_0261 – February 2023).
- d. HVO has developed this Heritage Management Plan (HMP) pursuant to the requirements of the Hunter Valley Operations – North Coal Mine DA 450-10-2003, July 2017 Modification 7 (Schedule 4, Condition 41 – Heritage Management Plan).
- e. The Hunter Valley Operations – North Coal Mine DA 450-10-2003, July 2017 Modification 7, Schedule 4, Condition 41 – Heritage Management Plan requires:
- f. The Applicant shall prepare and implement a Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must:
 - i. be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary;
 - ii. be prepared in consultation with OEH and the Aboriginal stakeholders (in relation to the management of Aboriginal heritage values);
 - iii. be submitted to the Secretary for approval by the end of June 2013, unless the Secretary agrees otherwise;
- include the following for the management of Aboriginal heritage:
 - a detailed plan of management for Aboriginal heritage site 37-2-1877 (CM-CD1) including a description of the measures that would be implemented to protect, monitor and manage the site from mining operations and associated activities;
 - a description of the measures that would be implemented for:
- managing heritage items on the site, including any proposed archaeological investigations and/or salvage measures;
- managing the discovery of any human remains or previously unidentified Aboriginal objects on site;
- maintaining and managing reasonable access for Aboriginal stakeholders to heritage items on site;
- ongoing consultation with the Aboriginal stakeholders on the conservation and management of Aboriginal cultural heritage both on site and within any Aboriginal heritage conservation areas; and
- ensuring any workers on site receive suitable heritage inductions prior to carrying out any development on site, and that suitable records are kept of these inductions;
 - a strategy for the storage of any heritage items salvaged on site, both during the development and in the long term.



- a. The original HMP and subsequent revisions requiring specialist experience have been prepared by suitably qualified and experienced persons approved by a relevant delegate for the Director-General of the Department of Planning and Environment (refer Attachment 1 correspondence), now Department of Planning Housing & Infrastructure
- b. This HMP supersedes all previous Archaeology & Cultural Heritage Management Plans developed and implemented under conditions of the previous development approval DA 450-10-2003 and subsequent modifications.
- c. The provisions of this HMP apply to all tenements and lands that are subject to the provisions of the Hunter Valley Operations – North Coal Mine Development Consent DA 450-10-2003, July 2017 Modification 7, being Hunter Valley Operations - North as shown in Schedule 1 on this HMP. It is referred to from here on as the HMP Area.
- d. Aboriginal Cultural Heritage objects and sites subject to Conditions 37, 39 and 41 of the Hunter Valley Operations – North Coal Mine DA 450-10-2003, July 2017 Modification 7, and any other Aboriginal Cultural Heritage objects and sites located within the HMP area, will require an Aboriginal Heritage Impact Permit to be granted by Office of Environment and Heritage if said objects and sites are to be disturbed by development activities permitted under the provisions of the development consent DA 450-10-2003.
- e. Registered Aboriginal Parties and stakeholders of the Upper Hunter Valley Aboriginal Cultural Heritage Working Group (CHWG) were consulted in the development of this HMP being those respondents to formal correspondence and public notices pertaining to the Hunter Valley Operations – North Coal Mine DA 450-10-2003, March 2013 Modification. These notifications were issued for community consultation meetings conducted through the auspices of the CHWG and held on 27/08/2009, 1/10/2009, 09/12/2009, 12/02/2010, 22/04/2010 & 5/12/2013.
- f. Aboriginal community consultation has occurred primarily through the auspices of the CHWG. CHWG discussions pertaining to the Hunter Valley Operations – North Coal Mine DA 450-10-2003, March 2013 Modification have been held in accordance with the Office of Environment and Heritage *Interim Community Consultation Requirements for Applicants (January 2005)*, and, since April 2010, the Office of Environment and Heritage *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.
- g. Registered Aboriginal Parties and stakeholders, through the auspices of the CHWG, were consulted in the development of this HMP.
- h. HVO has consulted with both the Department of Planning and Environment (now Department of Planning Housing & Infrastructure) and Office of Environment and Heritage (OEH) (now Heritage NSW) in the preparation of the original HMP and any material updates. The Office of Environment and Heritage (now Heritage NSW) have reviewed this HMP and deemed it adequate and appropriate for the management of Aboriginal cultural heritage.

3 | BACKGROUND

3.1 | HUNTER VALLEY OPERATIONS

Hunter Valley Operations Mine (HVO) has expanded through a process of extension of existing mines and acquisition of additional mines. HVO is owned and managed as one operation. HVO North comprises the Carrington, West, Mitchell and North Pits. The HVOJV operates and manages HVO on behalf of its joint venture partners Yancoal Australia Pty Ltd and Anotero Pty Ltd.

The mining and processing activities at HVO are geographically divided by the Hunter River into HVO South and HVO North, with movements of coal, coarse and fine reject, overburden, topsoil, equipment, water, materials, and personnel between the two areas. HVO South (PA-06-0261) and HVO North (DA 450-10-2003) each have separate development approvals.

In 2003, under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an Environmental Impact Statement (EIS) was prepared for the extension of Hunter Valley Operations West Pit; the consolidation of 18 separate consents that related to HVO North; and the integration of operations within HVO North. This was approved under DA 450-10-2003 (West Pit Extension and Minor Modification EIS, ERM 2003). The HVO North Approval (DA 450-10-2003) was granted on 12 June 2004. Subsequent modifications were approved in August 2005, June 2006 and in March 2013, January 2014, December 2016, January 2017 and July 2017.

3.2 | ABORIGINAL CULTURAL HERITAGE AT HUNTER VALLEY OPERATIONS

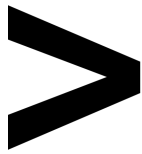
HVO North is located within the traditional lands of the Wonnarua/Wanaruah people, lands which retain significant tangible and intangible evidence of their cultural activities and connection to country. HVO has protocols in place to guide Aboriginal Cultural Heritage management at site. These protocols are applied in close consultation with the Aboriginal community who have interests in this region (which includes the HVO North mining areas) and with whom well developed and active formal relationships exist. The overarching objective is to efficiently manage and mitigate the risks associated with development impacts on cultural heritage in order to provide mine sites and projects timely and authorised access to lands for mining and associated development activities.

A responsive system for robust and ongoing consultation with the Aboriginal community has been developed through the HVO Aboriginal Cultural Heritage Working Group (CHWG) which was established in September 2005. The CHWG oversees all aspects of Aboriginal Cultural Heritage management associated with HVO. The CHWG is recognised by both the Department of Planning Housing & Industry (DPHI) and Heritage NSW as an appropriate consultative forum.

A series of comprehensive cultural heritage investigations (including surveys, salvage mitigation and excavation research programs) have been commissioned at HVO North that variously include portions of the DA 450-10-2003 project area over a period spanning 1997 to 2010. This work forms part of HVO's commitment to minimise to the greatest extent possible the potential impact of its operations on Aboriginal Cultural Heritage. This work has been undertaken in consultation with Aboriginal community representatives and with their active participation in fieldwork assessments, management and engagement activities.

The results of the assessments and consultations conducted over time with the CHWG, the DPHI, and Heritage NSW have directly informed the preparation of this HMP and any recommendations from these, once reviewed and settled between HVO and the CHWG, have been incorporated into this HMP.

This HMP has been developed in consultation with the CHWG as constituting the Heritage Management Plan developed in fulfilment of HVO North DA 450-10-2003, Condition 41 – Heritage Management Plan.



It is recognised by both HVO and the CHWG that this HMP is a living document which may be revised and amended from time to time with the endorsement of the HVOJV, the CHWG, Heritage NSW, and subject to such revisions and amendments being approved by the DPHI.

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 HERITAGE MANAGEMENT PLAN

5.1 | PURPOSE OF THE HMP

This Heritage Management Plan (HMP) sets out the principles and processes under which Aboriginal Cultural Heritage will be managed within the Hunter Valley Operations (HVO) North area, being the mining development area approved and regulated under DA 450-10-2003 July 2017 Modification 7, consistent with the Aboriginal Cultural Heritage consent conditions set out within DA 450-10-2003, and in particular Condition 41.

5.2 | CONSULTATION

The HVO Aboriginal Cultural Heritage Working Group (CHWG) is the primary entity through which HVO communicates and consults with the Aboriginal stakeholders in regard to all matters pertaining to Aboriginal cultural heritage associated with Hunter Valley Operations.

Consultation through the CHWG is conducted in accordance with the Aboriginal community consultation requirements as mandated from time to time by Heritage NSW, and the DPHI and/or as otherwise required under the relevant and current statutory and/or regulatory processes. Outcomes from the consultation process conducted through the auspices of the CHWG inform management decision-making associated with the development, implementation, and revision of this HMP.

Notwithstanding the use of the CHWG as the primary consultation platform, HVO provides copies of documentation requiring community consultation are provided to all Registered Aboriginal Parties (RAPs). HVO invites commentary on such documentation and will respond to any issues raised in such commentary outside of the CHWG where necessary. A draft of the initial HMP and a request for comments was circulated to all RAPs on 8 November 2013 for review. The contents of the HMP were also discussed with those RAPs who attended the 5 December 2013 CHWG meeting. No comments or objections were forthcoming from the RAPs regarding that draft HMP.

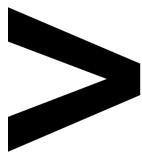
A copy of the initial draft HMP was also sent to OEH on 29 October 2013, requesting their review of this document. Correspondence was received on 28 November 2013 stating that OEH (now Heritage NSW) were “satisfied that the management measures proposed are adequate and appropriate” for the HMP Area.

The HMP 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.

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

5.3 | CULTURAL HERITAGE MANAGEMENT DATABASE

The Aboriginal Cultural Heritage Management Database (ACHMD – see **Schedule 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Databasedocuments 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 HMP. The ACHMD incorporates all Aboriginal Cultural Heritage sites located within the HMP 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 HMP ACHMD is a core element of the HVO North Aboriginal cultural heritage Geographic Information System (GIS) and Cultural Heritage Zoning Scheme (CHZS). 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:

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

NB: Approval for disturbance of any Aboriginal cultural heritage objects or sites located within the HMP area will require an approved Aboriginal Heritage Impact Permit (AHIP) from Heritage NSW.

5.4 | ABORIGINAL CULTURAL HERITAGE GIS AND ZONING SCHEME

The HVO North Aboriginal CHZS controls mine development-related land use activities within the HMP Area, and other lands associated with HVO North. The CHZS is incorporated within the HVO North Aboriginal cultural heritage GIS. The GIS holds records of Aboriginal cultural heritage site locations, extents and other management information. The CHZS is reviewed annually and may be subject to further updates in that time, as required in line with the implementation of the provisions of the HMP. The CHZS includes the following management status zones:

Zone 1 Significant Area – designated areas to protect all known Aboriginal Cultural Heritage sites, places or objects such as isolated artefacts, artefact scatters, scarred trees, hearths, quarries, grinding grooves, burials, ceremonial sites, etc. Access is restricted to the sites and areas, and development is not permitted unless authorised under the provisions of the HMP and appropriate management measures have been implemented (e.g. salvage collection completed under a AHIP consent). Zone 1 areas may also include Conservation Areas and Environmental Areas established for long term protection where development is not permitted.

Zone 2 Restricted Access Area (Unassessed) – areas not assessed for cultural heritage, or where HVO determine that an assessment has been too limited or otherwise not adequate for management purposes, where access is restricted as a precautionary measure to protect any yet unknown cultural heritage sites. Access is restricted and development is not permitted unless authorised under the provisions of the HMP, where an adequate assessment has been undertaken and appropriate management measures have been implemented.

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. Access is restricted and development is not permitted unless authorised under the provisions of the HMP and appropriate management measures have been implemented (such as on a site avoidance basis).



Zone 4 Conditional Development Area – areas where cultural heritage assessment and specific management measures have been completed under the provisions of the HMP, or other appropriate statutory consent. Specific development disturbance activities can be approved as per terms and conditions of a Ground Disturbance Permit (GDP) where such development does not adversely impact any cultural heritage sites or areas. Examples of this may include the continued use of existing access roads and tracks, grounds maintenance around historic heritage buildings, or areas where surface cultural heritage sites have been mitigated but where post-ground disturbance activity monitoring for the presence of sub-surface cultural materials is required under **Schedule 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database of this HMP.

Zone 5 Approved Development Area – where all cultural heritage assessment and management measures have been completed under the provisions of the HMP and/or other appropriate statutory consent (e.g. sites in the area have been salvaged under an AHIP consent), and where all cultural heritage issues have been addressed. These areas typically include existing developed mine operations areas (working pits, dumps, haul roads, etc.), other approved development areas and infrastructure where there are no activity disturbance restrictions.

5.5 | GROUND DISTURBANCE PERMITS (GDP)

No Ground Disturbing Activity may take place within the HMP Area without the issue of a GDP, where a GDP is required. The GDP process does not obviate the need to obtain and comply with statutory approvals such as an AHIP consent.

No GDP may be approved unless the area that is subject to the proposed Ground Disturbing Activity has been assessed against the CHZS and all relevant management measures have been implemented as specified in the ACHMD (**Schedule 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database) of this HMP.

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. The removal (salvage) of Aboriginal objects within the HMP Area may only occur under the authority of an AHIP consent and said 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 HMP Area that are salvaged under an AHIP consent and be submitted to OEH.

5.6.1 | SHORT TERM MANAGEMENT

Aboriginal objects removed from the HMP Area under the provisions of this HMP, and in accordance with the relevant AHIP Consent and Care Agreement, 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 (HVS) Cultural Heritage Storage Facility under the authority of Care Agreement #C0004768. This facility, located at 1011 Lemington Road, Ravensworth, is the current repository for all cultural heritage items salvaged from the HVO area.



5.6.2 | LONG TERM 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 HMP Area under the provisions of this HMP will be managed in accordance with **Section 5.6.1**.

Other locations within the HMP Area (such as a nominated conservation area) may also be considered for use as long-term 'on country' relocation area/s if the Aboriginal Parties request that collected Aboriginal objects be relocated to such an area where this is permitted under the authority of an AHIP Consent and Care Agreement. Where such 'on country' relocation storage is undertaken, the ACHMD will be revised to record the mitigation and relocation outcomes, including ongoing protective management measures.

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 Aboriginal Parties request the relocation of collected Aboriginal objects from the HMP 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 HMP Area will be managed in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW.

5.7 | MANAGEMENT OF ABORIGINAL CULTURAL HERITAGE SITE 37-2-1877 (CM-CD1)

Condition 40 of DA 450-10-2003 requires that the HMP incorporate a detailed plan of management for Aboriginal site 37-2-1877 - CM-CD1 which includes a description of the measures to be implemented to protect, monitor and manage the site from mining operations and associated activities. A detailed Plan of Management for Aboriginal Heritage Site 37-2-1877 – CM-CD1 is appended in **Schedule 14** –Plan of Management for Aboriginal Cultural Heritage Site 37-2-1877-CM-CD1of this HMP.

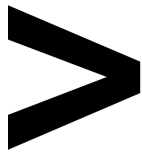
5.8 | CULTURAL HERITAGE MANAGEMENT INDUCTIONS

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

The induction package incorporates the following elements:

- 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 HMP 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 who complete HVO inductions and training packages.



5.9 | DISCOVERY OF HUMAN SKELETAL REMAINS

Where identified or possible human skeletal remains are discovered within the HMP 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 13** – Management of Human Skeletal Remains of this HMP.

5.10 | AREAS UNASSESSED FOR CULTURAL HERITAGE

Any areas within the HMP 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 HMP 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 HMP.

5.11 | SPIRITUAL PLACES VERIFICATION AND MANAGEMENT

Any places so identified will be subject to the verification and management process outlined in **Schedule 5** - Spiritual Places Verification and Management of this HMP.

5.12 | SCARRED TREES VERIFICATION AND MANAGEMENT

Any places so identified will be subject to the verification and management process outlined in **Schedule 6** - Scarred Trees Verification and Management of this HMP.

5.13 | SCARRED TREES REMOVAL AND RELOCATION

Any verified scarred trees that require salvage under the provisions of this HMP shall be managed in accordance with the management process detailed in **Schedule 7** - Scarred Trees Removal and Relocation of this HMP and in compliance with the requirements of an AHIP consent and Care Agreement.

It is noted that Condition 41A requires that:

Prior to disturbance by mining, the Applicant shall ensure that the scarred tree 37-2-2080 (C3) is removed and relocated to a site where it will be protected from future development, in consultation with the Wonnarua Tribal Council, and to the satisfaction of the Director-General.

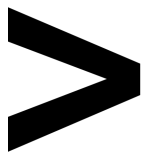
Scarred tree 37-2-2080 (C3) was removed (salvaged) in August 2007 under an AHIP consent (#2547) and relocated for storage at the HVO Cultural Heritage Storage Facility, HVS, under the terms of Care and Control Plan #2863. This Care and Control Plan has since been superseded by Care Agreement #C0001890, valid until 3rd June 2036.

5.14 | HEARTHS VERIFICATION AND MANAGEMENT

Any places so identified will be subject to the verification and management process outlined in **Schedule 7** - Scarred Trees Removal and Relocation of this HMP.

5.15 | SUB-SURFACE INVESTIGATIONS (INCLUDING POTENTIAL ARCHAEOLOGICAL DEPOSITS)

Any places identified as requiring this form of management will be subject to the management process outlined in **Schedule 9** - Sub-Surface Investigation Areas of this HMP.



5.16 | 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 10** - Material Resource Areas (e.g. quarries for stone or ochre) of this HMP.

5.17 | CONTROLLED COLLECTION OF ARTEFACT SCATTERS

Any places identified as requiring this form of management will be subject to the management process outlined in **Schedule 11** - Controlled Collection of Artefact Scatters of this HMP.

5.18 | SALVAGE COLLECTION OF ISOLATED ARTEFACTS

Any places identified as requiring this form of management will be subject to the management process outlined in **Schedule 12** - Salvage Collection of Isolated Artefacts of this HMP.

5.19 | SIGNAGE FOR CULTURAL HERITAGE SITES, PLACES AND AREAS

All cultural heritage sites, places and areas located within the HMP Area that are subject to fencing and barricading requirements, as per **Section 5.20** | of this HMP, 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/Cultural Heritage Site unless otherwise specified in **Schedule 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database of this HMP 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 disturbance of these areas is not permitted without a valid permit and appropriate regulatory consent.

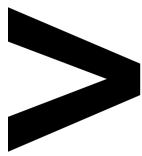
5.20 | GROUND DISTURBANCE MANAGEMENT BUFFERS

Unless otherwise specified in **Schedule 2** - Hunter Valley Operations 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 2** - Hunter Valley Operations 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.



5.21 | HMP COMPLIANCE INSPECTIONS

HVO will facilitate and resource a process whereby representatives of the CHWG will be invited to participate in HMP compliance inspections at least annually for the life of mining operations within the HMP Area as consented under DA 450-10-2003. HVO, at its discretion, may initiate HMP compliance inspections at other times as it determines are necessary including incident investigations pertaining to alleged procedural breaches of the HMP. Where HVO initiates such compliance inspections it will also invite representatives of the CHWG to participate.

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

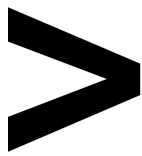
- a. the opportunity to visit mine operations and mine areas to inspect the HVO North's compliance with both the provisions of this HMP and GDP procedures;
- b. to inspect and monitor the condition and management of various sites; and
- c. to review the effectiveness and performance of the HMP provisions in the management of cultural heritage at the mine.

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

HMP 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 HMP 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 HMP compliance inspections;
- c. HVO may nominate a competent professional Technical Advisor such as a suitably qualified and experienced archaeologist to participate in the HMP compliance inspections;
- d. an HMP 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 HMP compliance inspection report pro-forma will note the outcomes of the inspections including evidence of compliance and non-compliance with HMP provisions, recommendations on modifications and improvements to management provisions, recommendations on corrective actions, and other relevant comments associated with the HMP 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 DPHIs 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.



5.22 | CONFIDENTIALITY

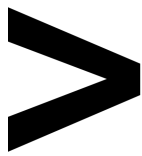
The following information is confidential information:

- a. 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 HMP, or as required by this HMP; and
- b. information concerning:
 - i. HVO or any Related Body Corporate,
 - ii. the Hunter Valley 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 provision except:

- a. to officers, employees, members, directors, servants, agents, contractors and sub-contractors of HVO whose duties require such disclosure;
- b. to HVO accountants, technical advisers, legal advisers, auditors or other professional advisers, or to HVO financiers or to a recognised stock exchange on which a party's are listed;
- c. to the extent necessary to comply with any Applicable Laws, or where disclosure is required by any Applicable Laws;
- d. where disclosure is necessary in performing obligations or enforcing rights under this HMP;
- e. to the extent that such information is already part of the public domain otherwise than by breach of this provision;
- f. as expressly permitted under this HMP;
- g. where HVO is required to meet internal governance or decision making processes in relation to developing, authorising, implementing or operating this HMP;
- h. 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;
- i. for any due diligence study by a prospective assignee; or
- j. 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 provision 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.



5.23 | RECONCILIATION OF ABORIGINAL CULTURAL HERITAGE DATA

For the area covered by this HMP, 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 by HVO 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 HMP Area.

HVO considers the studies undertaken before this, and hence the AHIMS datasets created there from, to be both limited in their geographical coverage and constrained in their utility because of limitations of survey purpose, methodologies and coverage, and the geospatial technology deployed in the fieldwork undertaken in the past or in the transmission of this previous data to the AHIMS database.

HVO has undertaken a process to reconcile inconsistencies between its ACHMD 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 HMP Area.

For the purposes of the management of Aboriginal cultural heritage within the HMP Area, the definitive dataset will be that as provided within **Schedule 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database of this HMP which includes AHIMS data. **Schedule 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database will be subject to a minimum annual revision or additional revisions necessitated by;

- the results of verification processes contemplated under this HMP;
- further investigation of areas that may not have been the subject of comprehensive field investigation at the time of the development of this HMP;
- 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 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database of this HMP.

5.24 | INCIDENTS, REPORTING AND URGENT RELIEF

In accordance with **Schedule 5** - Spiritual Places Verification and Management, Condition 7 of DA 450-10-2003 HVO will immediately notify the Secretary and any other relevant agencies of any incident (as defined in the DA) as soon as practicable. Within 7 days of becoming aware of the incident, HVO will provide the Planning Secretary and any other relevant agencies with an incident report via the Departments' Major Projects Website, and such further reports as may be requested.

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** - Spiritual Places Verification and Management, condition 4 of DA-450-10-2003 the HMP 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 HMP 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 Aboriginal cultural heritage, an application for an order under either **Schedule 9** - Sub-Surface Investigation Areas or **Schedule 10** - Material Resource Areas (e.g. quarries for stone or ochre) of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth) will not necessarily preclude the HVO from continuing the conduct of its lawful operations

5.25 | 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.

5.26 | REVIEW AND VARIATIONS TO THIS HMP AND SCHEDULES

As the HVO North DA 450-10-2003 approves a mine life through to 2025 there will be circumstances in the future where variations or revisions to this HMP and Schedules are required. As required by the relevant conditions of the development consents, 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** – West Pit Extension site Status **& Appendix 2** – West Pit Salvage and include this as part of the Annual review update.

Where HVO determines that major amendments and a material variation or revision of this HMP 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.



5.27 | STATUTORY PERMITS AND CONSENTS

The provisions of this HMP and attached Schedules will be used in the preparation of any applications made for AHIPs required under Part 6 of the *National Parks and Wildlife Act 1974*. An AHIP consent will be required for any Aboriginal objects that would be disturbed as a consequence of development activities authorised under the terms of the HVO North DA 450-10-2003.

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.

5.28 | IMPLEMENTATION OF MANAGEMENT MEASURES

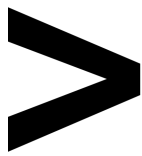
The implementation of all management measures and provisions of this HMP will be conducted under a Terms of Reference (ToR), or other scope of works, developed in consultation with the CHWG as may be appropriate.

5.29 | 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.



5.30 | ADMINISTRATIVE ARRANGEMENTS FOR ABORIGINAL CULTURAL HERITAGE

5.30.1 | ADMINISTRATIVE COORDINATORS

HVO will engage either Upper Hunter Valley Aboriginal community or private incorporated entities as Administrative Coordinators for the provision of administrative coordination and project support services associated with the Aboriginal cultural heritage management program at HVO North.

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 Aboriginal cultural heritage programs.

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.

5.30.2 | ABORIGINAL CULTURAL HERITAGE FIELD OFFICERS (CHFOs)

CHFOs will be responsible for conducting the assessment of cultural heritage during field surveys (i.e. identification of Aboriginal cultural heritage objects, sites and places) and implementing management measures such as salvage mitigation.

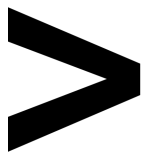
At the present time, the CHWG has resolved that in order to be eligible to work as an Aboriginal CHFO at HVO, an individual must be an Aboriginal person either recognised by the Wanaruah/Wonnarua Aboriginal community as a Wanaruah/Wonnarua person irrespective of where they reside, or an Aboriginal person living within the Singleton, Muswellbrook or Upper Hunter local government areas. HVO does, however, reserve the right to engage any CHFO or other appropriate person/s it deems qualified to undertake Aboriginal cultural heritage activities at its discretion.

5.30.3 | TECHNICAL ADVISORS

A Technical Advisor may be engaged by HVO to assist the Aboriginal CHFOs during their investigations or management activities and provide technical advice on the type, form, extent, archaeological significance and other aspects of Aboriginal cultural heritage management as may be requested by the CHFOs. 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 (24 September 2010)* and *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (April 2011)* and any additional requirements specified in a ToR and/or this HMP. 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, on behalf of the CHWG, has established a Register of Technical Advisors from which it will select Technical Advisors. 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.



5.30.4 | DATA MANAGEMENT OFFICERS (DMO)

The DMO may be an HVO employee, or a contractor engaged by HVO and is responsible for directing the survey transects as per the agreed survey 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 North 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.

5.31 | CULTURAL REQUIREMENTS

RAPs may from time to time, either individually or through the auspices of the CHWG, as a schedule to this HMP, 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.

5.32 | ABORIGINAL COMMUNITY ACCESS TO THE PROJECT AREA

Reasonable access to the HMP Area will be made available to Aboriginal stakeholder representatives conditional upon satisfying relevant regulatory requirements and the following considerations:

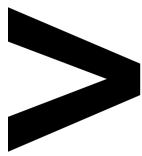
- completion of any necessary visitor and area-specific inductions or other formal requirements as may be introduced from time to time;
- that visitation to the HMP Area will be escorted by HVO personnel and undertaken in mine compliant vehicles also provided by; and
- conducted on an unpaid basis unless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

Unless agreed by HVO, requests for permission to access the HMP 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 HMP Area, will not be subject to review. HVO will notify the CHWG of all applications for visitation to the HMP Area and their decision in that matter.



5.33 | MINIMISATION OF BLASTING IMPACTS

HVO will determine the nature and risks of potential impacts of blasting activities upon Aboriginal cultural heritage situated within the vicinity of the HMP Area as an element of the HVO [Blast Management Plan](#).

HVO will implement appropriate management measures consistent with the HMP for the relevant type of Aboriginal cultural heritage (which may include the salvage collection/removal of Aboriginal objects deemed at risk were authorised to do so under an AHIP consent).

Additionally, HVO will implement a program of monitoring of blast affects at selected locations associated with significant Aboriginal cultural heritage objects or places to determine any impacts resulting from blasting activities. Should this monitoring show the initial risk modelling requires amendment, such amendment will be made and management measures, consistent with the relevant classification of cultural heritage as described in this HMP and ACHMD, and implemented as required.

5.34 | DISCOVERY OF NEW OR CHANCE FINDS

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

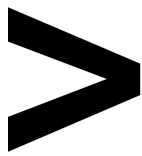
- a. work must cease in proximity to the object.
- b. The new find must be reported that shift to the HVO Environment & Community Officer Cultural Heritage, so they can ensure
 - i. it can be protected with an initial 10m buffer (where physically possible to do so) around the site within 72 hrs, until
 - ii. a suitably qualified archaeologist or competent professional 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 HMP.

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](#) | or as otherwise consistent with the provisions of this HMP.

The HVO Environment & Community Officer Cultural Heritage will ensure that a Heritage NSW AHIMS site card is 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.

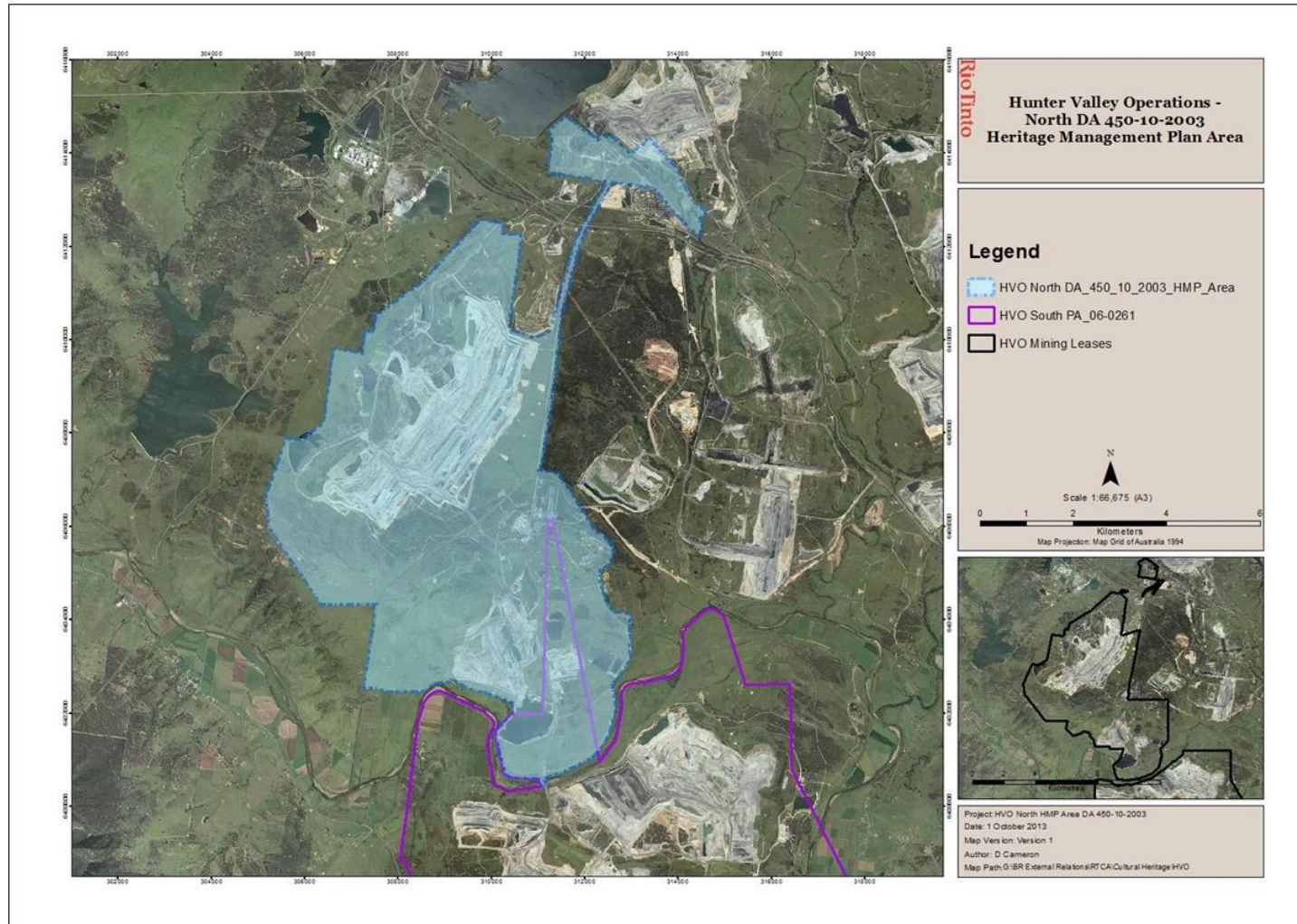
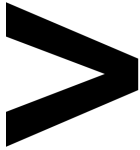
5.35 | ASSESSMENT OF ABORIGINAL CULTURAL HERITAGE RISKS

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-LOCATION OF THE HMP AREA HUNTER VALLEY OPERATIONS NORTH





6.2 | SCHEDULE 2 - HUNTER VALLEY OPERATIONS ABORIGINAL CULTURAL HERITAGE MANAGEMENT DATABASE

The Aboriginal Cultural Heritage Management Database (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 HMP.

The ACHMD incorporates all Aboriginal cultural heritage sites located within the HMP 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 DA 450-10-2003. 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, if necessary, 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.



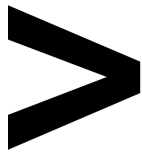
6.3 | SCHEDULE 3 – CULTURAL HERITAGE ZONING SCHEME

The HVO Aboriginal CHZS controls mine development-related land use activities within the HMP Area, and other lands associated with the HVO North 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 HMP.



6.4 | SCHEDULE 4 – ABORIGINAL CULTURAL MATERIALS CARE AGREEMENT

Refer: Care Agreement C0004768



6.5 | SCHEDULE 5 - SPIRITUAL PLACES VERIFICATION AND MANAGEMENT

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.



6.6 | SCHEDULE 6 - SCARRED TREES VERIFICATION AND MANAGEMENT

The cultural heritage assessment survey process has operated on a precautionary principle and all places identified as being 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 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 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 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.

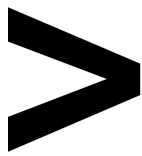


6.7 | SCHEDULE 7 - SCARRED TREES REMOVAL AND RELOCATION

A process will be implemented for the removal, relocation, storage and conservation of scarred trees where this is required to accommodate development activities and approved under an AHIP consent. The AHIP will prescribe specific management requirements for each identified tree.

An ASIRF will be completed for any scarred trees located within the HMP Area that are salvaged under an AHIP consent and be submitted to Heritage NSW.

Relocated scarred trees will be stored according to the conditions outlined in this HMP, as agreed by the CHWG, and/or the conditions of any valid AHIP consent and Care and Control Permit as may be required and approved from time to time by Heritage NSW



6.8 | SCHEDULE 8 - HEARTHS VERIFICATION AND MANAGEMENT

The cultural heritage assessment survey process has operated on a precautionary principle and all places identified as being 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 14C or other suitable dating analysis



6.9 | SCHEDULE 9 - SUB-SURFACE INVESTIGATION AREAS

Sub-surface investigations will be limited to sites and areas specifically identified in **Schedule 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database of this HMP as locations where such material is expected to be found (i.e. recorded PAD areas) 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 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database of this HMP but will be consistent with Requirement 16 of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (24 September 2010).

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

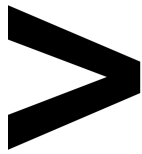
- a. test pitting at defined locations;
- b. trench pitting at defined locations;
- c. grader or other mechanical scrapes at defined locations;
- d. ground penetrating radar (GPR) at defined locations;
- e. where test pits are required, initial test pitting will be limited to test pits of no more than 5m² per 100m² of the site or area identified for sub-surface investigations, unless otherwise specified for a particular site in **Schedule 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database of this HMP;
- 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 HMP and details will be specified in a ToR for the work; and
- 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 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database of this HMP and as defined in a ToR



6.10 | SCHEDULE 10 - MATERIAL RESOURCE AREAS (E.G. QUARRIES FOR STONE OR OCHRE)

As a general principle material resource areas will be subject to a controlled collection methodology unless otherwise specified in **Schedule 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database of this HMP (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 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database of this HMP; and
- e. materials will be collected in a manner that is consistent with the agreed mitigation methodology specified in **Schedule 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database of this HMP 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* (24 September 2010).



6.11 | SCHEDULE 11 - CONTROLLED COLLECTION OF ARTEFACT SCATTERS

As a general principal stone artefact scatters will be subject to a controlled collection methodology as outlined in an approved AHIP application and as otherwise specified in **Schedule 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database of this HMP. 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:

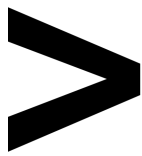
- a. the extent and boundary of the artefact scatter to be the subject of controlled collection will be delineated by marker pegs and string lines;
- b. if the scatter area is to be sub-divided into grid cells for collection, then an alpha numeric grid numbering system will be adopted;
- c. the scatter 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 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database of this HMP; and
- d. materials will be collected in a manner that is consistent with the agreed mitigation methodology specified in **Schedule 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database of this HMP 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* (24 September 2010).



6.12 | SCHEDULE 12 - SALVAGE COLLECTION OF ISOLATED ARTEFACTS

As a general principle isolated stone artefacts will be subject to legislated controls applicable to DA 450_10-2003, conditions outlined in Section 5.33 DISCOVERY OF NEW OR CHANCE FINDS. Artefact salvage and the collection methodology will comply with the conditions outlined in an approved AHIP application and as otherwise specified in **Schedule 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database of this HMP. 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 2** - Hunter Valley Operations Aboriginal Cultural Heritage Management Database of this HMP 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* (24 September 2010).



6.13 | SCHEDULE 13 – MANAGEMENT OF HUMAN SKELETAL REMAINS

Where human skeletal remains are discovered within the HMP Area the NSW Government sanctioned process for management of skeletal remains 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 - 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 General Manager (or delegate) will determine who will report the find to the police.

Step 3.

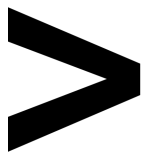
Once the discovery of identifiable or possible human skeletal remains has been reported to the police, the supervisor, or another person nominated by the General Manager, will implement any measures required by the police to secure the area. Unless otherwise advised by the police, the immediate area 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 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. The HVO Manager Environment and Community (or delegate) will notify and consult with Aboriginal community stakeholders as soon as it is practical and possible to do so through the auspices of the CHWG



6.14 | SCHEDULE 14 –PLAN OF MANAGEMENT FOR ABORIGINAL CULTURAL HERITAGE SITE 37-2-1877-CM-CD1

1. Background

DA 450-10-2003 Condition 41(d) requires that the HMP include:

a detailed plan of management for Aboriginal heritage site 37-2-1877 (CM-CD1) including a description of measures that would be implemented to protect, monitor and manage the site mining operations and associated activities.

Linked to condition 41 (d) are conditions 40 and 40A which require the following.

40. Mining operations and associated activities in the Carrington West Wing area are not permitted to be carried out within 20 metres of Aboriginal cultural heritage site 37-2-1877 (CM-CD1) and the Older Stratum as shown on the plan in Appendix 5.

Note: for clarification purposes, Condition 40 of **schedule 4** – Aboriginal Cultural Materials Care Agreement does not prohibit heritage surveys and studies to be undertaken within CM-CD1 or within 20 metres of CM-CD1 and the Older Stratum.

40A. The Applicant must ensure that mining operations (including blasting) and associated activities do not cause any impact to Aboriginal cultural heritage site 37-2-1877 (CM-CD1) and the Older Stratum.

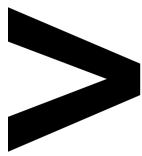
Conditions 40 and 40A are incorporated into this Plan of Management for Aboriginal cultural heritage Site 37-2-1877 – CM-CD1.

The Aboriginal cultural heritage site known as CM-CD1 (AHIMS # 37-2-1877) includes an area approximately 450m long and up to 25m in width and is located immediately to the west of HVO Carrington Pit and approximately 900m north of the Hunter River (see **Figure 1** below). This area was originally identified as having the potential to contain sub-surface archaeological material that may have been of Pleistocene (i.e. older than 10,000 years) antiquity. A comprehensive archaeological and geomorphological excavation program was undertaken in several stages throughout 1999.

While this work identified that sub-surface archaeological material was present, the nature of the deposits and the archaeological material did not allow for further insights in to the antiquity of this deposit although it seemed unlikely that they were Pleistocene in age. Further, while it was noted that additional sub-surface material may be present, it was considered unlikely that this would be present across the entirety of the CM-CD1 area.

As a condition of the development consent for the Carrington Pit DA 106-6-99 an Aboriginal Archaeology and Cultural Heritage Management Plan (ACHMP) was developed in 2002 to control the management of Aboriginal sites in the Carrington mining area. The 2002 ACHMP set out protocols for managing Aboriginal cultural heritage affected by the operations. A key management protocol arising from the ACHMP is the Cultural Heritage Indigenous Management Agreement (CHIMA) established in August 2002 which provides management measures specific to the CM-CD1 site.

Under the substantive provisions of the CHIMA it was agreed to exclude CM-CD1 from mining activities for a period of three years from 7 August 2002. As part of this, (the then owner) Coal & Allied agreed not to mine within 60m of this defined exclusion area (i.e. the extent of the OS at CM-CD1 plus a 60m buffer – becoming the 'Exclusion Zone'). Following the expiration of this three year period (being on 7 August 2005), the CHIMA notes that Coal & Allied was free to apply for an AHIP Consent to Destroy providing that all other development consent conditions have been satisfied, however, the consent conditions for DA 450-10-2003 explicitly prohibit mining-related disturbance of CM-CD1



Subsequent to its granting in 2004, modifications were made to the consent conditions for DA 450-10-2003 on at least two occasions; in August 2005 and June 2006 (the latter modification both extended the Carrington Pit mining area and changed the Development Consent Boundary). These later changes were supported by a series of specific investigations associated with the Carrington Pit extensions, notably the 'Statement of Environmental Effects' in October 2005, and the 'Response to Submissions Report' and 'Summary of Commitments for Carrington Pit as Extended', both in May 2006.

These included the results of additional cultural heritage investigations completed across the Carrington extension area and a review of the remaining places in the initial Carrington mining area for which consents to destroy had not been sought.

Conditions 37 - 42 of the June 2006 modifications to DA 450-10-2003 relate to Aboriginal cultural heritage with many being virtually the same as the 2004 consent conditions, albeit with the list of required consents to destroy increased following the cultural heritage investigations undertaken in support of these modifications.

Conditions DA 450-10-2003 (2006 Modification) that specifically relate to the CM-CD1 area were as follows:

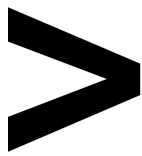
- **40.** The Applicant shall continue the Cultural Heritage Indigenous Management Agreement developed in consultation with, and to the satisfaction of, the Wonnarua Tribal Council, particularly in relation to the management of Aboriginal site 37-2-1877 (i.e. CM-CD1) and the Older Stratum as shown in Drawing 002 – Revision A which may include consideration of permanent conservation status for the sites CM-CD1....[cited in part]
- **41.** The Applicant shall not mine within 15 metres of the Aboriginal site 37-2-1877 (CM-CD1) and the Older Stratum, as measured from the margin of the predicted maximum extent of those deposits as identified in Drawing 002-Revision A, dated 4 August 2000.

Significant among these revised conditions was the reduction in the size of the mining exclusion buffer surrounding the CM-CD1 area (including the extent of the OS), from 60m to 15m. Subsequent mining activities in the Carrington Extension area located immediately north of CM-CD1 involved development activities occurring no closer than 20m north of the CM-CD1 boundary so as not to intrude within the 15m disturbance exclusion buffer. The CM-CD1 site extent and Older Stratum area has been fenced off since c.2002 and remains undisturbed by mining or associated development activities.

The protective management regime and its ensuing arrangements required under the conditions of DA 450-10-2003 (2006 Modification) have remained in place but have now been superseded by the conditions of the most recent modification to the DA 450-10-2003 development consent (Modification 7, July 2017). The key difference between the management conditions of the 2006 and 2017 Modifications is that the protective management buffer required around CM-CD1 has been increased from 15m to 20m.

2. Management Measures

- a. A disturbance exclusion buffer area will be maintained around Aboriginal cultural heritage site 37-2-1877 (CM-CD1) of not less than 20m from the boundary of the recorded extent of the CM-CD1 site and incorporating the Older Stratum.
- b. The CM-CD1 disturbance exclusion buffer area will be aligned within the following coordinates (MGA 94):
 - i. North-East corner at E308805 and N6403833
 - ii. North-West corner at E308696 and N6403791
 - iii. South-West corner at E308861 and N6403341
 - iv. South-East corner at E308996 and N6403355



- a. The CM-CD1 disturbance exclusion buffer area is to be zoned as a Zone 1 Restricted Access Area within the HVO North CHZS. All development disturbance activities are to be excluded from within the buffer area.
- b. The CM-CD1 disturbance exclusion buffer area will be delineated with stock-proof fencing and appropriate signage denoting that the area is a Restricted Access Area and no ground disturbance is authorised within the buffer area except where such ground disturbance is authorised under the provisions of this Plan of Management. Ground disturbance, such as for archaeological investigations, may require a consent under relevant legislation.
- c. Access within the CM-CD1 disturbance exclusion buffer area will be limited to authorised personnel and visitors only either on foot (e.g. for monitoring inspections) or in light vehicles (e.g. for pest, weed and fire management) for the purposes of implementing the management provisions approved under this Plan of Management.
- d. An annual site condition monitoring inspection will be conducted by HVO personnel with representatives of the CHWG and the results of the inspection reported as an element of the HVO North DA 450-10-2003 Annual Environmental Management Report. The results of the inspection will also be reported to Aboriginal community stakeholders through the CHWG and/or other relevant Aboriginal community consultation forum.
- e. A series of condition and disturbance monitoring photo points will be established within the CM-CD1 disturbance exclusion buffer area and condition monitoring images taken during the course of the annual monitoring inspection.
- f. HVO will determine the nature and risks of potential impacts of blasting activities upon site CM-CD1 as an element of the HVO [Blast Management Plan](#). HVO will implement appropriate management measures to protect site CM-CD1 from any adverse impact that may be caused by blasting in a manner consistent with the provisions of this Plan of Management. In accordance with **Schedule 3** – Cultural Heritage Zoning Scheme of Condition 40 of the Approval, visual monitoring will be undertaken to confirm that impacts have not been caused by blasting vibration or from flyrock impacts in accordance with clause 6.13.2 (i).
- g. When mining, and related blasting activities, approach within 500 metres of the CM-CD1 disturbance exclusion buffer area, visual monitoring by HVO personnel will be conducted following blasts that are within 500 metres of the CM-CD1 buffer area to confirm that impacts have not been caused by blasting vibration. Damage to CM-CD1 caused by flyrock is considered a very low risk, however, if it is evident, through monitoring, that this risk profile may increase in the future, protective management measures will be considered. In the event that blasting ceases or moves beyond 500 metres of the CM-CD1 buffer area the annual site condition monitoring inspection detailed in clauses 6.13.2 (f) and (g) will form the basis of ongoing site condition monitoring.
- h. A variety of land management activities will be required to maintain the cultural and environmental values of the CM-CD1 disturbance exclusion buffer area. Land management activities approved under this HMP are as follows.
 - a. Hand or light vehicle spraying of weeds.
 - b. Brush cutting by hand to control weeds and vegetation.
 - c. Prescribed burning and fire protection management.
 - d. Maintenance of fencing including replacement of posts as required.

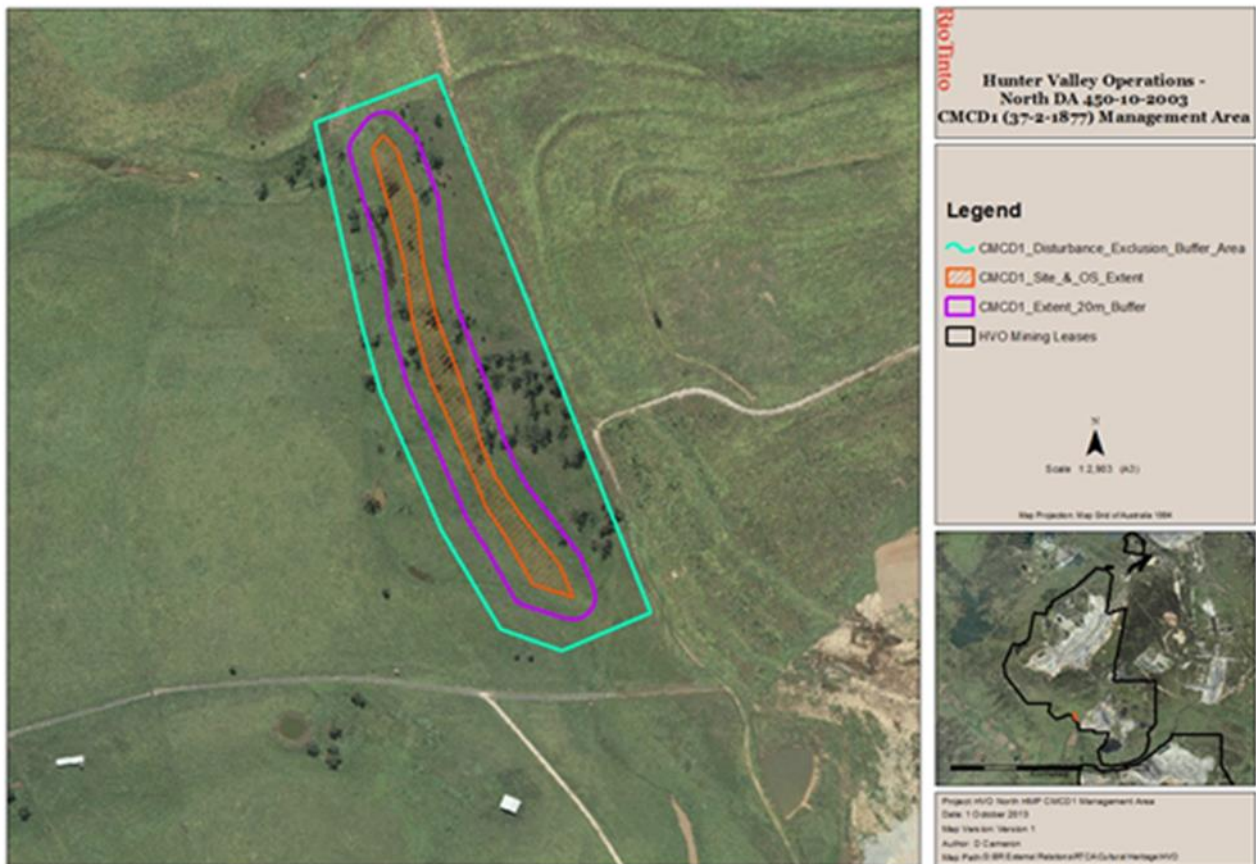
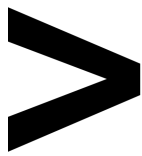
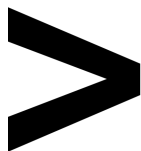


Figure 1 - Plan of Aboriginal Cultural Heritage Site 37-2-1877, CM-CD1 Management Area



7 | ATTACHMENT 1

7.1 | CORRESPONDENCE CONFIRMING APPROVAL OF HERITAGE MANAGEMENT PLAN AUTHORS



Contact: Ben Harrison
Phone: 6575 3402
Fax: 6575 3415
Email: benjamin.harrison@planning.nsw.gov.au

Hunter Valley Operations
Att: Joel Deacon
PO Box 315
Singleton NSW 2330

Dear Joel

HVO North- DA 450-10-2003 – Endorsement of persons to prepare Heritage Management Plan and Approval of extension to submission date

I refer to your correspondence dated 4 June 2013 requesting the Director-General's endorsement of suitably qualified and experienced persons to prepare the Heritage Management Plan in accordance with condition 41 (a) of DA 450-10-2003 and an extension until 31 December 2013 (from 30 June 2013) to submit the said plan.

The Director-General is satisfied that Coal & Allied cultural heritage staff members Dr David Cameron and Joel Deacon in conjunction with Dr Luke Godwin and Scott L'Oste-Brown from Central Queensland Cultural Heritage Management are suitable qualified and experienced persons to prepare the Heritage Management Plan.

Further, the Director-General has approved your request for an extension to the submission date of the Heritage Management Plan until 31 December 2013. The Department notes that Aboriginal heritage values within the development application area will be protected and managed through current systems.

However, satisfactory measures to protect, monitor and manage Aboriginal heritage site 37-2-1877 (CM-CD1) must be implemented until such time as the Heritage Management Plan is approved.

If you require further information please contact Ben Harrison on 6575 3402 or by email to benjamin.harrison@planning.nsw.gov.au.

Yours sincerely

Scott Brooks
Team Leader Compliance
5-6-2013
As nominee for the Director-General



8 | DEFINITIONS

NAME/TITLE	DESCRIPTION
ABORIGINAL CULTURAL HERITAGE	means all Aboriginal objects, sites, places and values of archaeological, traditional, spiritual, historical or contemporary Aboriginal significance within the HMP Area. 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, the 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 are accorded equal importance in deliberations.
ABORIGINAL OBJECT/S	are defined under the National Parks and Wildlife Act 1974 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'.
ABORIGINAL STAKEHOLDERS	means Aboriginal community representatives and/or Registered Aboriginal Parties being those individuals, corporations, groups and other entities that are registered for consultation through the auspices of the Upper Hunter Valley Aboriginal Cultural Heritage Working Group.
CHFOS (CULTURAL HERITAGE FIELD OFFICERS)	means those persons appointed by the Aboriginal Stakeholders to implement all those elements of the HMP relating to the conservation and management of Aboriginal Cultural Heritage associated with the HMP Area.
CHWG	means the Cultural Heritage Working Group. 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 HVO. The CHWG is comprised of Aboriginal community representatives and/or Registered Aboriginal Parties who have expressed an interest in the management of Aboriginal Cultural Heritage in the HVO 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 HMP. Consultation through the CHWG is conducted in accordance with the Aboriginal community consultation requirements as mandated by OEH or as otherwise required under statutory and/or regulatory processes.

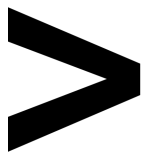


NAME/TITLE	DESCRIPTION
GROUND DISTURBANCE/DISTURBING ACTIVITY	<p>means:</p> <p>disturbance by machinery or other means of the topsoil or surface rock layer of the ground;</p> <p>the removal of native vegetation by disturbing root systems and exposing underlying soil; and</p> <p>otherwise disturbing the material or cultural integrity of an area or object of cultural heritage significance.</p> <p>(NB: This definition applies to all land irrespective of whether or not the area has been previously disturbed - e.g. cleared of vegetation for farming)</p>
GROUND DISTURBANCE PERMIT (GDP)	<p>means the internal 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.</p>
HERITAGE MANAGEMENT PLAN (OR HMP)	<p>means this Heritage Management Plan document and its associated schedules, data, information and documentation. This HMP has been approved by the DPHI as constituting the Heritage Management Plan developed in fulfilment of HVO North DA 450-10-2003, Condition 41 – Heritage Management Plan.</p>
HERITAGE MANAGEMENT PLAN (OR HMP) AREA	<p>means the HVO North Operations area that has been approved and is regulated under DA 450-10-2003 Modification 7 (July 2017) and any current or subsequent granted mining leases or tenements, and other areas and lands directly associated with the HVO North Operations area.</p>
SITE, CULTURAL SITE OR HERITAGE SITE	<p>means any area/s, object/s or value/s of Aboriginal archaeological, traditional, spiritual, historical or contemporary significance.</p>
VERIFICATION	<p>means the processes outlined in Schedules 4, 5 and 7 of this HMP.</p>

9 | ACCOUNTABILITIES

Table 2 - Roles and Responsibilities

ROLE	ACCOUNTABILITIES
MANAGER ENVIRONMENT AND COMMUNITY	<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>
ENVIRONMENT AND COMMUNITY OFFICER, CULTURAL HERITAGE	<p>Assist the E&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>
CONSULTANT ARCHAEOLOGIST	<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>

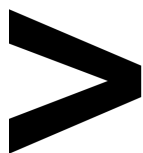


10 | TARGETS

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 RAP s 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.



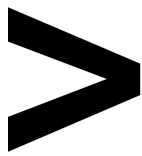
11 | DOCUMENT INFORMATION

11.1 | CHANGE INFORMATION

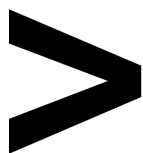
Full details of the document history are recorded in the document control register, by version. A summary of the current change is provided in table below.

Table 3 - Document Control Register

VERSION	DATE	REVIEW TEAM		DETAILS OF CHANGE	SECRETARY APPROVAL DATE
		Author	Approver		
1.0	14/02/2012	Joel Deacon, Specialist Cultural Heritage	David Cameron, Manager Heritage & Aboriginal Relations	Original	14/02/2012
2.0	16/12/2013	Joel Deacon, Specialist Cultural Heritage	David Cameron, Manager Heritage & Aboriginal Relations	Revision for Mod 3	12/2/2014
2.1	30/06/2014	Georgia Bennett, Advisor Cultural Heritage	David Cameron, Manager Heritage & Aboriginal Relations	Minor updates	
3.0	8/11/2017	Jessica Blackman, Advisor Cultural Heritage	Joel Deacon, Specialist Cultural Heritage	Revision for Mod 7 & to align with new ownership management practices. Submitted 30/11/2017	
4.0	20/8/2019	Peter Bowman HVO E & C Officer	Andrew Speechly, HVO Manager E&C	Revision to align with new ownership management & document formatting .	23/8/2019



VERSION	DATE	REVIEW TEAM		DETAILS OF CHANGE	SECRETARY APPROVAL DATE
5.0	11/9/2019	Peter Bowman, HVO E & C Officer & Joel Deacon, Arrow Heritage Solutions	Dominic Brown (acting), HVO Manager E&C	Review & document formatting	19/12/2019
6.0	2/8/2023	Peter Bowman, HVO E& C Officer	Andrew Speechly, HVO Manager E&C	Revision to include Accountabilities table and Consultation Table	Lodged on DPHI portal 12/8/2023.
7.0	19/08/2024	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

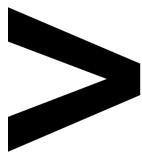


11.2 | CONSULTATION

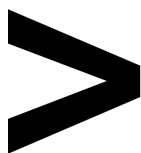
Details of consultation with relevant stakeholders is provided in table below

Table 4 - Consultation

VERSION	DATE	STAKEHOLDER	CONSULTATION DETAILS	COMMENTS/FEEDBACK
1.0	8/11/2013 & 5/12/2013	Registered Aboriginal Parties (RAPs)	Management Plan reviewed at Cultural Heritage Working Group on 8 November 2013 and 5 December 2013.	No comments or objections were forthcoming from the RAPs.
	29/10/2013	Office of Environment and Heritage	A copy of the initial draft HMP was sent to OEH (now Heritage NSW) on 29 October 2013, requesting their review of this document.	Correspondence was received on 28 November 2013 stating that OEH were "satisfied that the management measures proposed are adequate and appropriate" for the HMP Area.
2.0	December 2013	Department of Planning, Office of Environment & Heritage	Finalised Modification Heritage Management Plan reviewed by OEH and DOP	
	14/2/2014	Registered Aboriginal Parties (RAPs)	Management Plan updates for Mod 3 reviewed and dates of approvals received from OEH & DOP discussed at CHWG meeting on the 14/2/2014	
3.0	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	
4.0	12/9/2019	Registered Aboriginal Parties (RAPs)	Management Plan updates Version 4 and Version 5 reviewed at CHWG meeting held on the 12/9/2019	Reviewed. and endorsed with no objection
	23/8/2019	DPE	Management Plan updated to align document formatting with new owner (Joint Venture)	Approved 23/8/2019
5.0	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.
6.0	12/8/2023	DPE	Management Plan updates including additional tables covering accountabilities and consultation lodged on DPE portal.	



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 and endorsed at Cultural Heritage Working Group meeting.
7.0	2/5/2024	Registered Aboriginal Parties (RAPs)	Management Plan updates adding detail to existing procedural notes. Reviewed and endorsed at Cultural Heritage Working Group meeting.	Reviewed and endorsed at Cultural Heritage Working Group meeting. 2/5/2024 Minutes included as Appendix 3
	19/8/2024	Registered Aboriginal Parties (RAPs)	Updates to ACHMP incl Targets section added, and Consultation Table update to HMP mailed out to RAPs for review.	No feedback or comment received from RAPs at the 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. Updates made. Approval email received 23/9/2024
	2/10/2024	DPHI	Management Plan submitted to DPHI	

12 | APPENDICES

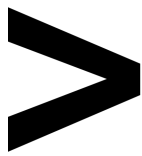
12.1 | APPENDIX 1 – WEST PIT EXTENSION SITE STATUS

Details of the sites listed in DA 450-1-2003 Schedule 3 Condition 37 and 38 and their current status summarised in .

Table 5.

Table 5

AHIMs Site Number	HVO Site Name	Status	Comment
37-2-2007	WPE 1	Salvaged	Permit #2086
37-2-2008	WPE 2	Salvaged	Permit #2086
37-2-2009	WPE 3	Salvaged	Permit #2086
37-2-2010	WPE 4	Salvaged	Permit #2086
37-2-2011	WPE 5	Salvaged	Permit #2086
37-2-2012	WPE 6	Salvaged	Permit #2086
37-2-2013	WPE 7	Salvaged	Permit #2086
37-2-2014	WPE 8	Salvaged	Permit #2086
37-2-2015	WPE 9	Salvaged	Permit #2086
37-2-2016	WPE 10	Salvaged	Permit #2086
37-2-2017	WPE 11	Salvaged	Permit #2086
37-2-1964	HEE 1	Salvaged	Permit #2086
37-2-1965	HEE 2	Salvaged	Permit #2086
37-2-1966	HEE 3	Salvaged	Permit #2086
37-2-1967	HEE 4	Salvaged	Permit #2086
37-2-0038	Emu Creek	Salvaged	Permit #311069
37-2-0144	Lower Emu Creek	Salvaged	Permit #2086
37-2-0894	CUM - 1	Salvaged	Permit #2086
37-2-0896	CUM - 3	Salvaged	Permit #2086
37-2-0805	CUM - 41	Valid/Insitu	

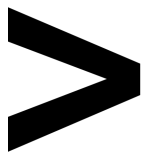


12.2 | APPENDIX 2 – WEST PIT SALVAGE

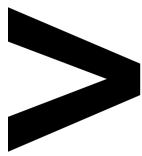
Details of the sites listed in DA 450-1-2003 Schedule 3 Condition 39 and their current status summarised in Table 6

Table 6

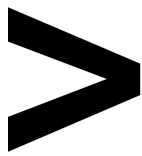
AHIMS SITE NUMBER	HVO SITE NAME	STATUS	COMMENT
37-2-0145	Upper Emu Creek	Salvaged	Collected 1976 –lodged with museum
37-2-0147	Farrells Creek Site Q	Salvaged	Permit #2804
37-2-0148	Farrells Creek Site Q	Salvaged	Permit #2804
37-2-0523	Site L	Salvaged	Permit #2804
37-2-0524	Site M	Salvaged	Permit #2804
37-2-0525	Site N	Salvaged	Permit #2804
37-2-0526	Site O	Salvaged	Permit #2804
37-2-0527	Site P	Salvaged	Permit #2804
37-2-0528	Site Q	Salvaged	Permit #5219
37-2-0562	T/L3; Plashette	Valid	
37-2-0777	HVO-879 & 1697	Salvaged	Permit #C0002193
37-2-0778	HVO- 845, 846 & 1696	Salvaged	Permit #C0002193
37-2-0779	HVO-895, 896 7 920	Salvaged	Permit #C0002193
37-2-0780	HVO-891	Salvaged	Permit #C0002193
37-2-0781	HVO-1760	Salvaged	Permit #C0002193 & #4050



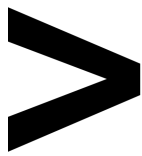
AHIMS SITE NUMBER	HVO SITE NAME	STATUS	COMMENT
37-2-0782	HVO-1698	Salvaged	Permit #C0002193
37-2-0783	HVO- 751,752 & 773	Salvaged	Permit #C0002193
37-2-0784	HVO-733	Salvaged	Permit #C0002193
37-2-0785	HVO-792, 822 & 823	Salvaged	Permit #C0002193
37-2-0786	HVO-761	Salvaged	Permit #C0002193
37-2-2078	C1	Salvaged	Permit #2547
37-2-2079	C2	Salvaged	Permit #2547
37-2-2080	C3	Salvaged	Permit #2547
37-5-0494	C4	Salvaged	Permit #2547
37-2-2083	C8	Salvaged	Permit #2547
37-2-2084	C9	Salvaged	Permit #2547
37-2-0787	HVO-622	Salvaged	Permit #C0002193 & #4050
37-2-0788	HVO-429,430 & 432	Salvaged	Permit #C0002193 & #4050
37-2-0789	HVO-647,648,649&650	Salvaged	Permit #C0002193 & #4050
37-2-0790	HVO-767, 768	Salvaged	Permit #C0002193



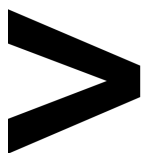
AHIMS SITE NUMBER	HVO SITE NAME	STATUS	COMMENT
37-2-0791	HVO-172-180, 253-265, 289-298, 300-3012, 304, 311-322, 324 -337, 362-630, 632, 634-637, 641-646, 760, 769-771, 968-971, 973-, 974, 1743, 1744, 1748, 1751, 1752	Salvaged	Permit #C0002193 & #4050
37-2-0791	HVO- 338,339,360, 361	Valid	
37-2-0792	HVO-323, 471-488, 573, 574	Salvaged	Permit #C0002193 & #4050
37-2-0793	HVO-437-439, 444, 490492, 520-523	Salvaged	Permit #C0002193 & #4050
37-2-0794	HVO-, 223, 224, 525-534, 568-572, 1742	Salvaged	Permit #C0002193
37-2-0794	HVO-, 195-206, 208-212, 214-221, 230-232, 234, 236, 1699	Valid	
37-2-0795	HVO-550-555	Salvaged	Permit #C0002193
37-2-0796	HVO -182-193, 575-601, 607, 608	Valid	
37-2-0895	CUM-2	Salvaged	Permit #2086
37-2-1865	CM58 &HC24	Salvaged	Duplicate of 37-2-0800 Permit #SZ300
37-2-1866	CM57 & HC21	Salvaged	Duplicate of 37-2-0800 Permit #SZ300
37-2-1867	CM59&HC24	Salvaged	Duplicate of 37-2-0800 Permit #SZ300
37-2-1868	CM60&HC24	Salvaged	Duplicate of 37-2-0800 Permit #SZ300



AHIMS SITE NUMBER	HVO SITE NAME	STATUS	COMMENT
37-2-1869	CM61 & HC24	Salvaged	Duplicate of 37-2-0800 Permit #SZ300
37-2-1870	CM62 & HC24	Salvaged	Duplicate of 37-2-0800 Permit #SZ300
37-2-1871	CM63 & HC25	Salvaged	Duplicate of 37-2-0800 Permit #SZ300
37-2-1872	CM100 & HC23	Salvaged	Duplicate of 37-2-0800 Permit #SZ300
	IF1	Salvaged	Not registered on AHIMs. (Brayshaw 1989, GPS 308990 6406800 co-ords from 2003 EIS). Site O (37-2-0526) located close & destroyed under permit #2804
37-2-2085	C10	Salvaged	Permit #2547
37-2-1962	CM45	Salvaged	Permit #2547
37-2-1963	CM46	Salvaged	Permit #2547
37-2-1504	CM1	Valid	
37-2-1505	CM2	Salvaged	Permit #SZ311
37-2-1522	CM19	Valid	
	TD	Salvaged	Not registered on AHIMs. GPS coords 310750 6408900 from 2003 EIS). Located in area collected under Permit 2086
	TG	Salvaged	Not registered on AHIMs. GPS coords 310350 6407550 from 2003 EIS). Located in area collected under Permit 2086
37-2-1504	CM1	Valid	
37-2-1522	CM19	Valid	



AHIMS SITE NUMBER	HVO SITE NAME	STATUS	COMMENT
37-2-1535	CM32	Valid	
37-2-1864	CM13	Salvaged	Duplicate recording and noted in 2003 EIS as likely destroyed under previous consents: Actual site salvaged under Permit #SZ311
37-2-1874	CM12	Salvaged	Duplicate recording and noted in 2003 EIS as likely destroyed under previous consents: Actual site salvaged under Permit #SZ311
37-2-1875	CM55	Valid	
37-2-1876	CM56	Valid	
37-2-1962	CM45	Salvaged	Permit #2547
37-5-0061	-	Salvaged	Permit #370005
37-2-1861	CM13	Salvaged	Duplicate recording and noted in 2003 EIS as likely destroyed under previous consents: Actual site salvaged under Permit #SZ311
37-2-1862	CM13	Salvaged	'Duplicate recording and noted in 2003 EIS as likely destroyed under previous consents: Actual site salvaged under Permit #SZ311
37-2-1873	CM48	Salvaged	'Duplicate recording and noted in 2003 EIS as likely destroyed under previous consents: Actual site salvaged under Permit #SZ311
37-2-1860	CM45	Salvaged	Duplicate recording and noted in 2003 EIS as likely destroyed under previous consents: Actual site salvaged under Permit #2547



AHIMS SITE NUMBER	HVO SITE NAME	STATUS	COMMENT
37-5-0131	Jerrys Plains 7	Salvaged	Permit #370005
37-3-0286	MD2	Valid	
37-5-0061			Listed twice
37-1-0399	Site K	Salvaged	
37-2-1535	CM32	Valid	
37-2-2754	HVO-1121	Valid	
37-2-2755	HVO-1122	Valid	
37-2-2756	HVO-1123	Valid	
37-2-2757	HVO-1124	Valid	

12.3 | 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.

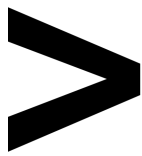
PB explained that HVO have a zoning system, with the site broken down into areas that have AHIP's over them. Zone 5 indicates an area that has been surveyed and salvaged. The area where the potential Artefact was found is classified as Zone 3 and has been surveyed. PB identified the Transect Blocks that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

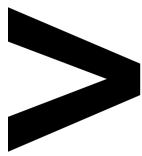
PB referred the RAPs to the Management Plans that had been provided in hard copy at today's meeting. PB had highlighted all amendments in both reports and talked through the Table of Contents Index and content of each Management Plan, providing detail on every update and the rationale for each.

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.