

HUNTER VALLEY OPERATIONS

HVO North Aboriginal Heritage Management Plan



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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	ACHMP Provision/Schedule	Status
41. The Applicant shall prepare and implement a Heritage Management Plan for the development to the satisfaction of the Director-General. This plan must:	Prov. 1	
(a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Director-General;	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 Director-General for approval by the end of June 2013, unless the Director-General 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:		
1. 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
2. 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, 32 & 33 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. 29 & 31	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, 27, 28 & 30 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
3. 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
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. 26 Schedule 2	See status within ACHMD
West Pit 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. 26 Schedule 2	See status within ACHMD

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<p>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]</p>	<p>Prov. 26 Schedule 2</p>	<p>See status within ACHMD</p>
<p>Aboriginal Heritage Site 37-2-1877 (CM-CD1)</p>		
<p>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.</p> <p>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.</p>	<p>Prov. 7 Schedule 13</p>	<p>Ongoing</p>
<p>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.</p>	<p>Provs. 7 & 32 Schedule 13</p>	<p>Ongoing</p>
<p>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..</p>	<p>Provs. 14 & 26</p>	<p>Complete</p>

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 5 (PA_06_0261 – February 2018).
- 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:

The Applicant shall prepare and implement a Heritage Management Plan for the development to the satisfaction of the Director-General. This plan must:

- (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Director-General;
- (b) be prepared in consultation with OEH and the Aboriginal stakeholders (in relation to the management of Aboriginal heritage values);
- (c) be submitted to the Director-General for approval by the end of June 2013, unless the Director-General agrees otherwise;
- (d) 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.

- F. 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)
- G. 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.
- H. 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.
- I. 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.
- J. 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.
- K. 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*.
- L. Registered Aboriginal Parties and stakeholders, through the auspices of the CHWG, were consulted in the development of this HMP.
- M. HVO has consulted with both the Department of Planning and Environment and Office of Environment and Heritage in the preparation of the original HMP and any material updates. The Office of Environment and Heritage 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 active Carrington, West 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).

In 2006, DA 450-10-2003 was again modified to enable the extension of the Carrington Pit to the south (60 hectares) and east (80 hectares). The project included a services corridor and ancillary infrastructure, levees, a barrier wall and change to the final void.

In 2010 an application for a modification to DA 450-10-2003 for a further extension of mining in the Carrington Pit area was submitted to the Department of Planning and Environment and was approved by the Minister for Infrastructure and Planning in March 2013. DA 450-10-2003 grants approval for the continuation of existing operations at North and West pits and to extend mining operations in the Carrington Pit to the southwest (Carrington West Wing).

In 2016, DA 450-10-2003 was again modified to enable the upgrade of a sediment basin at the Hunter Valley Load Point and the approval of existing communication towers as a complying development.

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 and Environment (DP&E) and the Office of Environment and Heritage (OEH) 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 DP&E, and OEH 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 and the OEH, and subject to such revisions and amendments being approved by the DP&E.

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
DP&E	Department of Planning and Environment
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 and 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 the Office of Environment and Heritage (OEH), and the Department of Planning and Environment (DP&E) 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 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 OEH and DPIE for comment. Comments from the CHWG, OEH and DPIE have been incorporated into this HMP where appropriate.

5.3 Cultural Heritage Management Database

The Aboriginal Cultural Heritage Management Database (ACHMD - see [Schedule 2](#)) documents the identification number, location, attributes and specific management requirements for each cultural heritage site (e.g. object, site or area) that is subject to this HMP. The ACHMD incorporates all Aboriginal Cultural Heritage sites located within the HMP area that are either registered in the OEH 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.

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:

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

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 revised from time to time 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 as 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** 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**) 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 a 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 6.6.1

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 a 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 OEH 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 13** of 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 and contractors working at HVO.

HVO will incorporate the following elements into the current suite of induction packages:

- a. a general description of cultural heritage values - both the tangible (e.g. material culture such as artefacts) and the intangible (e.g. spiritual);
- b. an overview of the 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.

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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 12](#) 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 4](#) 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 5](#) 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 6](#) 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](#) 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 8 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 9 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 10 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 11 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 Provision 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 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 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, 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 may 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 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 OEHL, will submit to and seek DP&Es approval on amendments to the HMP.

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** of this HMP which includes AHIMS data. **Schedule 2** will be subject to revision based on 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 ratification of this HMP by OEH, where any Aboriginal cultural heritage is identified in the course of monitoring or management, and subsequent to the implementation of the management measures as specified within **Schedule 2** of this HMP.

5.24 Procedural Breaches and Urgent Relief

In accordance with Schedule 6, condition 25B of DA-450-10-2003 any alleged procedural breach of this HMP will be reported and investigated in accordance with the HVO Environmental Management Strategy (EMS). A detailed report on any incidents will be provided to the Secretary within the timeframe specified in the conditions of the DA-450-10-2003 approval, and such further reports as may be requested by the Secretary.

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 Section 9 or Section 10 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 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 (such as changes in legislation) where variations or revisions to this HMP and Schedules are required. Where HVO determines that a variation or revision of this HMP or Schedules is required, HVO will, in consultation with the CHWG, engage with the relevant NSW government department that has authority to approve variations or revisions to the HMP or Schedules. HVO will submit in writing any such proposed variations or revisions (and updates to schedules) to the relevant NSW government department for information and/or consideration and/or written approval.

5.26 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 OEH for any new Aboriginal objects/sites identified within the ACHMP Area.

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

5.27 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.

5.28 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.

5.29 Administrative Arrangements for Aboriginal Cultural Heritage

5.29.1 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.

5.29.2 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.

5.29.3 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. Assessment and reporting activities are to be conducted in conformance with the OEH *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.

5.29.4 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 OEH.

5.30 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.

5.31 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.

5.32 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 where 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.

5.33 Discovery of New Finds

Any newly identified Aboriginal cultural heritage objects, sites or places located within the HMP Area will be protected with an initial 20m buffer (where physically possible to do so) around the site until and the RAPs through the CHWG, 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 **Provision 20** or as otherwise consistent with the provisions of this HMP.

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

6 Schedules

6.1 Schedule 1 - Location of the HMP Area Hunter Valley Operations North

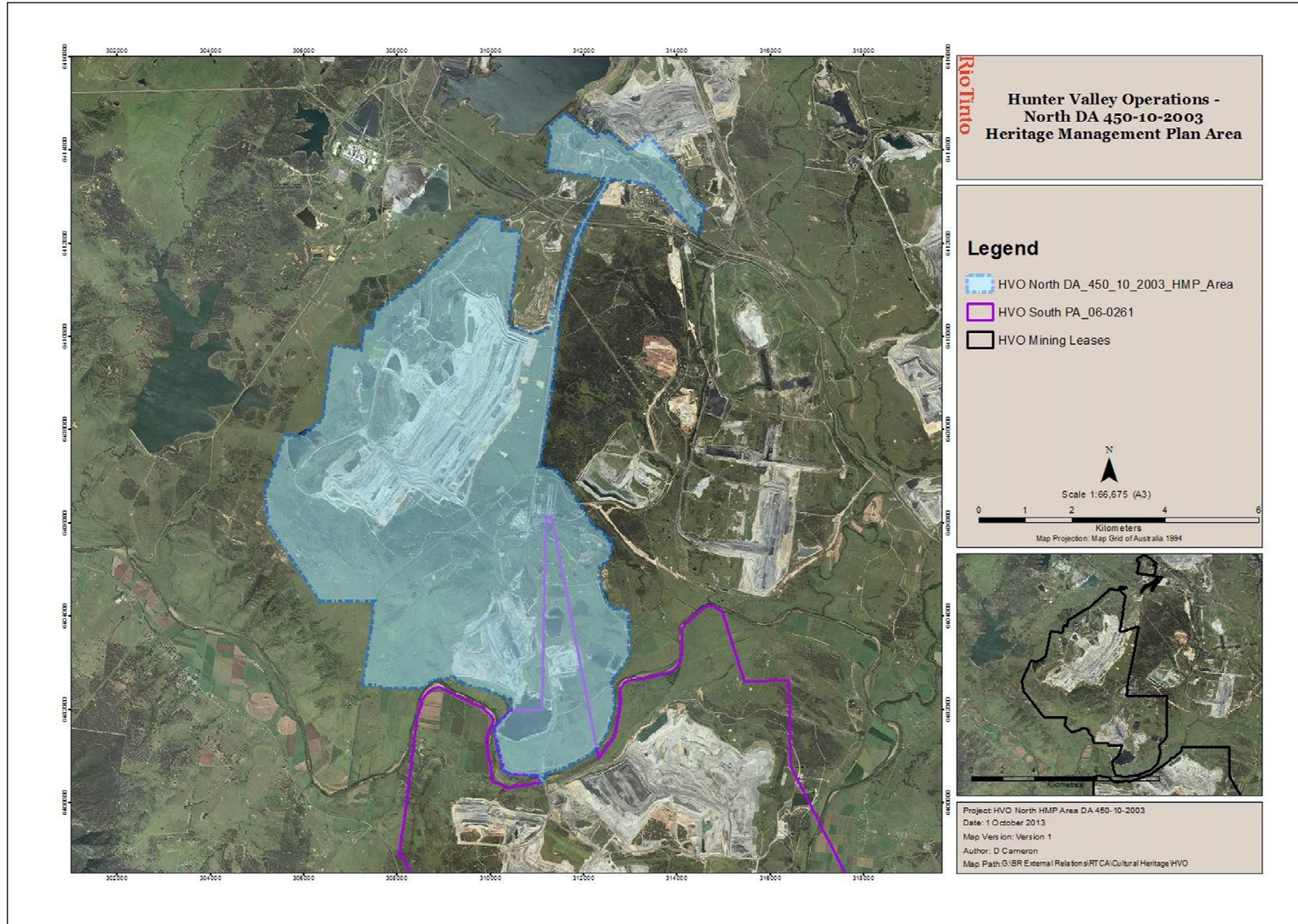


Figure 1: Location of the HMP Area Hunter Valley Operations North

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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 OEH 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 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 North 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 North 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 - 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.

6.5 Schedule 5 - 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.

6.6 Schedule 6 - 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 OEH.

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 OEH

6.7 Schedule 7 - 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.

6.8 Schedule 8 - Sub-Surface Investigation Areas

Sub-surface investigations will be limited to sites and areas specifically identified in Schedule 2 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 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** 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** of this HMP and as defined in a ToR

6.9 Schedule 9 - 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 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 of this HMP; and
- e. materials will be collected in a manner that is consistent with the agreed mitigation methodology specified in Schedule 2 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 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)*.

6.10 Schedule 10 - Controlled Collection of Artefact Scatters

As a general principle stone artefact scatters will be subject to a controlled collection methodology unless otherwise specified in **Schedule 2** 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** of this HMP; and
- d. materials will be collected in a manner that is consistent with the agreed mitigation methodology specified in **Schedule 2** 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)*.

6.11 Schedule 11 - Salvage Collection of Isolated Artefacts

As a general principle isolated stone artefacts will be subject to a salvage collection methodology unless otherwise specified in **Schedule 2** 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** 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 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 – 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 OEH 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.

6.13 Schedule 13 –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 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

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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):
 - a. North-East corner at E308805 and N6403833
 - b. North-West corner at E308696 and N6403791
 - c. South-West corner at E308861 and N6403341
 - d. South-East corner at E308996 and N6403355

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- c) 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.
- d) 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.
- e) 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.
- f) 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.
- g) 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.
- h) 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 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).
- i) 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.
- j) 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.

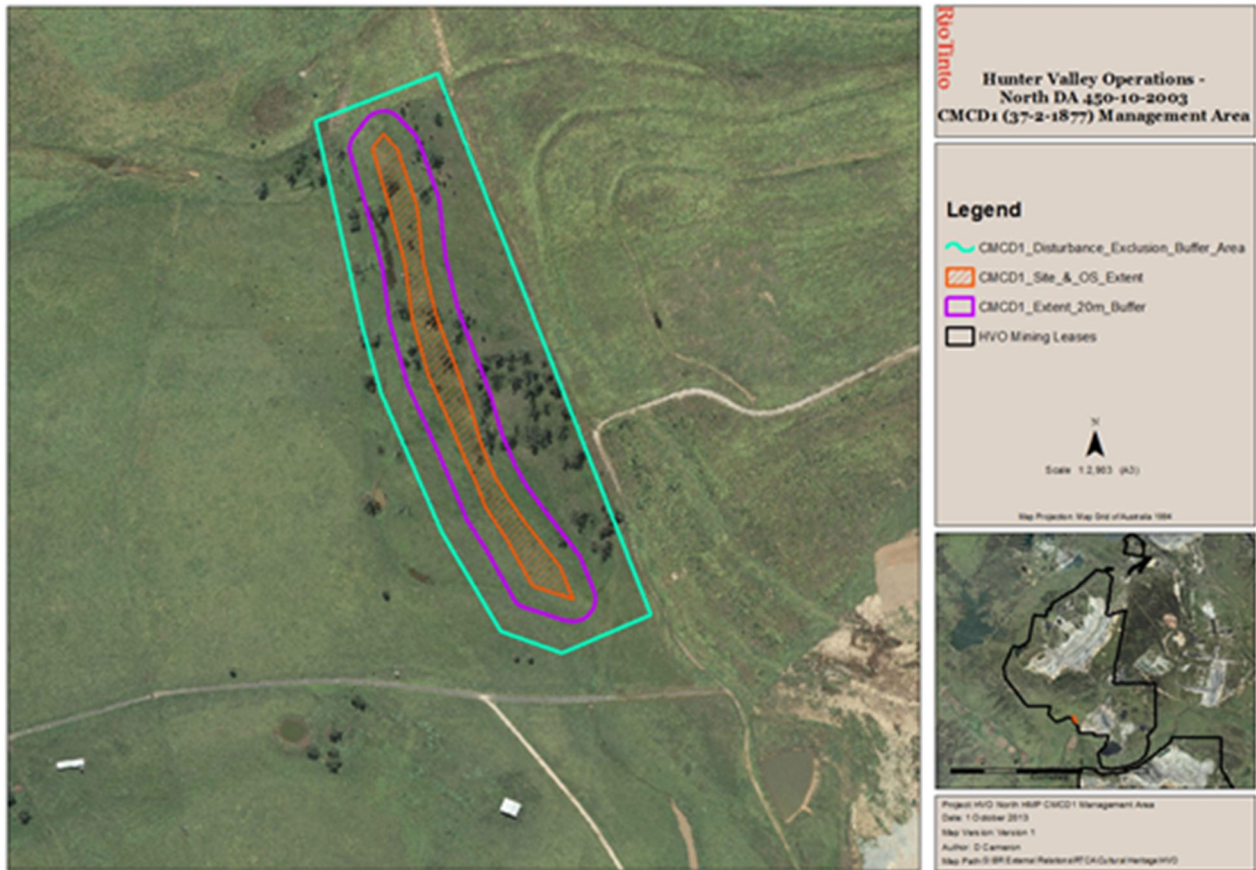


Figure 2: Plan of Aboriginal Cultural Heritage Site 37-2-1877 – CM-CD1 Management Area

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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

A handwritten signature in blue ink, appearing to read 'Scott Brooks'.

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

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8 Definitions

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.

Ground Disturbance/Disturbing Activity	<p>means:</p> <ul style="list-style-type: none"> i. disturbance by machinery or other means of the topsoil or surface rock layer of the ground; ii. the removal of native vegetation by disturbing root systems and exposing underlying soil; and iii. otherwise disturbing the material or cultural integrity of an area or object of cultural heritage significance. <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)	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.
Heritage Management Plan (or HMP)	means this Heritage Management Plan document and its associated schedules, data, information and documentation. This HMP has been approved by the DP&E as constituting the Heritage Management Plan developed in fulfilment of HVO North DA 450-10-2003, Condition 41 – Heritage Management Plan.
Heritage Management Plan (or HMP) Area	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.
Site, cultural site or heritage site	means any area/s, object/s or value/s of Aboriginal archaeological, traditional, spiritual, historical or contemporary significance.
Verification	means the processes outlined in Schedules 4, 5 and 7 of this HMP.

9 Document Information

9.1 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.

Version	Date	Review Team	Details of Change	Secretary Approval Date
		<i>Author</i>	<i>Approver</i>	
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.
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
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



Mr Dominic Brown
Environment and Community Coordinator
Hunter Valley Operations

Dominic.brown@hvo.com.au

Dear Mr Brown,

**Hunter Valley Operations (DA 450-10-2003 & MP 06_0261)
Update of Aboriginal Cultural Heritage Management Plans**

I refer to the email dated 19 December 2019, regarding the submission of the revised HVO North Heritage Management Plan and the HVO South Aboriginal Cultural Heritage Management Plan, following comments provided by the Department on 10 December 2019.

The Department has reviewed the revised plans and considers that they meet the requirements of:

- condition 41 of Schedule 3 of the HVO North consent (DA 450-10-2003); and
- condition 40 of Schedule 3 of the HVO South consent (MP 06_0261).

Consequently, the Secretary has approved the plans.

Please ensure that finalised copies of these plans are made available on the company's website in accordance with condition 12, Schedule 5 of DA 450-10-2003, and condition 9, Schedule 5 of MP 06_0261.

Should you have any enquiries in relation to this matter, please contact Joel Herbert on the details listed above.

Yours sincerely,

19/12/2019

Matthew Spratt

Director

Resource Assessments

as nominee of the Secretary